



**TOWN OF BARRHEAD
LAND USE BYLAW NO. 04-2015
APRIL 2015**



TABLE OF CONTENTS

PART I: PREAMBLE	1
SECTION 1: TITLE	1
SECTION 2: SCOPE	1
SECTION 3: PREVIOUS BYLAW	1
SECTION 4: PURPOSE.....	1
SECTION 5: INTERPRETATION.....	2
SECTION 6: EFFECTIVE DATE.....	3
SECTION 7: RELATIONSHIP TO PLANS, BYLAWS AND LEGISLATION	3
SECTION 8: APPLICABLE PORTIONS OF BYLAW DOCUMENT & TECHNICAL AMENDMENTS	3
PART II: DEFINITIONS	1
SECTION 1:TERMINOLOGY	1
PART III: ADMINISTRATION	1
SECTION 1: DEVELOPMENT AUTHORITY	1
SECTION 2: SUBDIVISION AUTHORITY	2
SECTION 3: MUNICIPAL PLANNING COMMISSION	3
SECTION 4: SUBDIVISION AND DEVELOPMENT APPEAL BOARD	3
SECTION 5: AMENDMENT TO THIS BYLAW	3
SECTION 6: SECTIONS TO BE FOUND INVALID	6
SECTION 7: FORMS.....	7
SECTION 8: FEES.....	7
SECTION 9: DIRECT CONTROL DISTRICTS	7
PART IV: CONTRAVENTION AND ENFORCEMENT	1
SECTION 1: CONTRAVENTION	1
SECTION 2: ENFORCEMENT, PENALTIES AND FINES	2

SECTION 3: SIGN ENFORCEMENT	3
-----------------------------------	---

PART V: DEVELOPMENT PERMIT PROCEDURES 1

SECTION 1: DEVELOPMENT CONTROL.....	1
SECTION 2: SAME OR SIMILAR USE	1
SECTION 3: DEVELOPMENT NOT REQUIRING A PERMIT	2

PART VI: DEVELOPMENT PERMIT PROCESS 1

SECTION 1: MAKING AN APPLICATION.....	1
SECTION 2: NOTICE OF PROPOSED DEVELOPMENT.....	4
SECTION 3: DEVELOPER CONSULTATION.....	4
SECTION 4: PERMITTED USE - COMPLIANT.....	5
SECTION 5: PERMITTED USE - VARIANCE REQUIRED.....	7
SECTION 6: DISCRETIONARY USE	8
SECTION 7: DISCRETIONARY USE - DECISION	8
SECTION 8: DISCRETIONARY USE CONDITIONS	9
SECTION 9: VARIANCE PROCESSING	9
SECTION 10: DIRECT CONTROL APPLICATIONS.....	10
SECTION 11: GOVERNMENT REFERRALS	11
SECTION 12: NOTIFICATION REQUIREMENTS	11
SECTION 13: PERMIT EXPIRY.....	12
SECTION 14: EFFECTIVE DATE.....	13
SECTION 15: TRANSFERABILITY OF PERMITS	13
SECTION 16: DEEMED REFUSALS	13
SECTION 17: SUBSEQUENT APPLICATIONS	14
SECTION 18: SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS	14
SECTION 19: MANDATORY REFUSALS.....	15
SECTION 20: APPEALS.....	15
SECTION 21: NON CONFORMING USE OR BUILDING.....	15
SECTION 22: ROUGH GRADING PLANS	16

PART VII: GENERAL REGULATIONS 1

SECTION 1: ACCESSORY BUILDINGS	1
SECTION 2: AMENITY AREAS.....	3
SECTION 3: BUILDING DEMOLITION	4
SECTION 4: BUILDING HEIGHT	4
SECTION 5: LANDOWNER AND CONDOMINIUM ASSOCIATIONS	5
SECTION 6: COMMUNITY ENTRANCE FEATURE.....	5
SECTION 7: CORNER AND DOUBLE FRONTING PARCELS	6
SECTION 8: CURB CUTS	7
SECTION 9: DEVELOPMENT NEAR SLOPES	7
SECTION 10: DWELLING UNITS ON A PARCEL	8
SECTION 11: EMERGENCY ACCESS TO BUILDINGS.....	8
SECTION 12: EXCAVATION, STRIPPING AND GRADING	8
SECTION 13: EXCLUSIVE USE AREAS	10
SECTION 14: FENCING AND SCREENING.....	10
SECTION 15: HAZARDOUS MATERIALS	11
SECTION 16: RESIDENTIAL IN-FILL	12
SECTION 17: LANDSCAPING	14
SECTION 18: LANEWAY ACCESS	15
SECTION 19: PROHIBITED AND RESTRICTED DEVELOPMENT	15
SECTION 20: ON-SITE ENERGY SYSTEMS.....	16
SECTION 21: ON-SITE SERVICING.....	18
SECTION 22: OUTSIDE STORAGE / DISPLAY	19
SECTION 23: POLLUTION CONTROL.....	19
SECTION 24: PRINCIPAL BUILDINGS OR USE	20
SECTION 25: PROJECTIONS INTO YARDS	20
SECTION 26: PUBLIC UTILITIES	21
SECTION 27: RELOCATION OF BUILDINGS	22
SECTION 28: STREET (CIVIC) ADDRESS	23
SECTION 29: VEHICLE ACCESS MANAGEMENT	23

SECTION 30: ZERO-SIDE YARD REQUIREMENTS	23
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PART VIII: USE SPECIFIC REGULATIONS	1
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SECTION 1: ACCESSORY FOOD SERVICE	1
SECTION 2: ACCESSORY LIQUOR SERVICE	1
SECTION 3: ADULT ENTERTAINMENT BUSINESS.....	2
SECTION 4: AMUSEMENT ESTABLISHMENTS.....	2
SECTION 5: BED AND BREAKFAST	2
SECTION 6: CAMPGROUNDS & R.V. PARKS	3
SECTION 7: CAR WASH.....	3
SECTION 8: CHILD CARE SERVICES	4
SECTION 9: COMMERCIAL ACCOMMODATION	5
SECTION 10: COMMUNICATION TOWERS	6
SECTION 11: DRIVE THROUGH SERVICES.....	7
SECTION 12: GROUP HOME FACILITIES.....	8
SECTION 13: HOME BASED BUSINESS	8
SECTION 14: INDEPENDENT (ACTIVE) ADULT LIVING	9
SECTION 15: KENNELS	11
SECTION 16: LIVE WORK COMMUNITY	11
SECTION 17: MIXED RESIDENTIAL/COMMERCIAL DEVELOPMENT	12
SECTION 18: MULTI-UNIT RESIDENTIAL	13
SECTION 19: PETROLEUM FACILITIES.....	15
SECTION 20: PLACES OF WORSHIP	16
SECTION 21: SWIM POOLS & HOT TUBS	17
SECTION 22: PORTABLE BUILDINGS	17
SECTION 23: RESIDENTIAL STANDARDS	18
SECTION 24: RESIDENTIAL PARKS.....	19
SECTION 25: SECONDARY/GARAGE SUITES	21
SECTION 26: SHIPPING CONTAINERS	22
SECTION 27: SUPPORTIVE LIVING	23
SECTION 28: SURVEILLANCE SUITES	25

PART IX: PARKING AND LOADING 1

SECTION 1: OFF-STREET PARKING DESIGN	1
SECTION 2: COMMUNAL PARKING	2
SECTION 3: ON-STREET PARKING	3
SECTION 4: OFF-STREET LOADING	3
SECTION 5: PARKING STALL REQUIREMENTS	4

PART X: SIGNAGE..... 1

SECTION 1: GENERAL SIGN PROVISIONS	1
SECTION 2: FREESTANDING SIGNS	2
SECTION 3: BILLBOARD SIGNS	3
SECTION 4: AWNING AND CANOPY SIGNS	5
SECTION 5: PROJECTING SIGNS.....	6
SECTION 67: ROOF SIGNS	7
SECTION 8: WALL AND FACIA SIGNS.....	8

PART XI: DISTRICT REGULATIONS..... 1

PREAMBLE: LAND USE DISTRICTS	1
SECTION 1 R1 - RESIDENTIAL	1
SECTION 2 R1S - RESIDENTIAL SMALL LOT	3
SECTION 3 R2 - RESIDENTIAL	5
SECTION 4 R2S - RESIDENTIAL SMALL LOT	9
SECTION 5 R3 - RESIDENTIAL	13
SECTION 6 R4 - RESIDENTIAL	17
SECTION 7 R5 - RESIDENTIAL	21
SECTION 8 RW - RESIDENTIAL LIVE/WORK.....	25
SECTION 9 C1 - CENTRAL BUSINESS DISTRICT	29
SECTION 10 C2 - HIGHWAY COMMERCIAL	33
SECTION 11 C3 - NEIGHBOURHOOD COMMERCIAL.....	37
SECTION 12 M1 - INDUSTRIAL.....	41
SECTION 13 US - URBAN SERVICES	45
SECTION 14 R - RECREATION	47

SECTION 15	UR - URBAN RESERVE.....	49
SECTION 16	DC - DIRECT CONTROL	51
SECTION 17	IDC - INNOVATIVE DC.....	53

ATTACHMENTS THAT FORM PART OF THIS BYLAW:

- 1) FORMS**
- 2) LAND USE DISTRICT MAP**

EXPLANATION NOTES:



EXPLANATION NOTE: *Passages using this symbol are not a formal part of this Bylaw. They are placed within the text of this bylaw as an aide to the reader*

SECTION REFERENCES

This bylaw has been prepared with each provision being referenced by Part, Section, and Sub-section. When referencing a provision in this Bylaw, a suggested approach is to reference in the following format:

Part: Section, (sub-section).

As an example, Development Permit Fees are discussed in *Part III: Section 3(1)*

LAND USE BYLAW UPDATES

[illegible]



PART I: PREAMBLE

SECTION 1: TITLE

This Bylaw is entitled the **"Town of Barrhead Land Use Bylaw"**, as described in Town of Barrhead Bylaw no. 04-2015.

SECTION 2: SCOPE

No subdivision or development shall be carried out within the corporate boundaries of the Town of Barrhead except in conformity with the provisions of this Bylaw.

SECTION 3: PREVIOUS BYLAW

No provisions of any other Bylaws with respect to districting, development control and land use classifications shall hereafter apply to any part of the Town of Barrhead.

SECTION 4: PURPOSE

The purpose of this Bylaw is to promote best practices and the optimal use and development of land and buildings within the Town of Barrhead, and to achieve the orderly and economic development of land. For this purpose, amongst other things, this Bylaw shall be:

- 1) to divide the Town into land use districts, and to prescribe and regulate for each district the purpose for which land and buildings may be used;
- 2) to establish the Town of Barrhead Development Authority, the office of the Development Officer and the Municipal Planning Commission;



- 3) to establish a method of making decisions on applications for development permits and issuing development permits for any development, including provision for;
 - a) the types of development permits that may be issued,
 - b) the manner in which to apply for a development permit,
 - c) the issuing, cancelling, suspending or refusing to issue a development permit,
 - d) the length of time a development permit remains in effect,
 - e) the discretion that the development authority may exercise with respect to decision making on development permit applications, and
 - f) how and to whom notice of the issuance of a development permit is to be given.
- 4) to establish a framework for decision making on applications for subdivision approval in accordance with the provisions of Part 17 of the Municipal Government Act, as amended;
- 5) to establish supplementary regulations governing certain specific land uses; and
- 6) to establish a method for making amendments to this Bylaw.

SECTION 5: INTERPRETATION

The word "should", which precedes an action statement in this Bylaw means that the statement is an expression of desire. The word "shall" means that the action is mandatory. The word "may" means that the action is discretionary. Actions taken are based upon sound planning goals and principles and best practices.

Words in singular may also mean plural. Words referencing a gender mean all genders and may include corporations



SECTION 6: EFFECTIVE DATE

The effective date of this Bylaw shall be the date of the third reading thereof.

SECTION 7: RELATIONSHIP TO PLANS, BYLAWS AND LEGISLATION

- 1) This Bylaw is enacted under the provisions of the Municipal Government Act, as amended. This Bylaw is intended to be read in conjunction with the *Municipal Government Act*.
- 2) This Bylaw is to be used to implement the policies and directions contained in the *Town of Barrhead Municipal Development Plan*.



EXPLANATION NOTE: Figure no. 1 on the following page provides a graphical description of how the different levels of government, Provincial and Municipal, interact with each other.

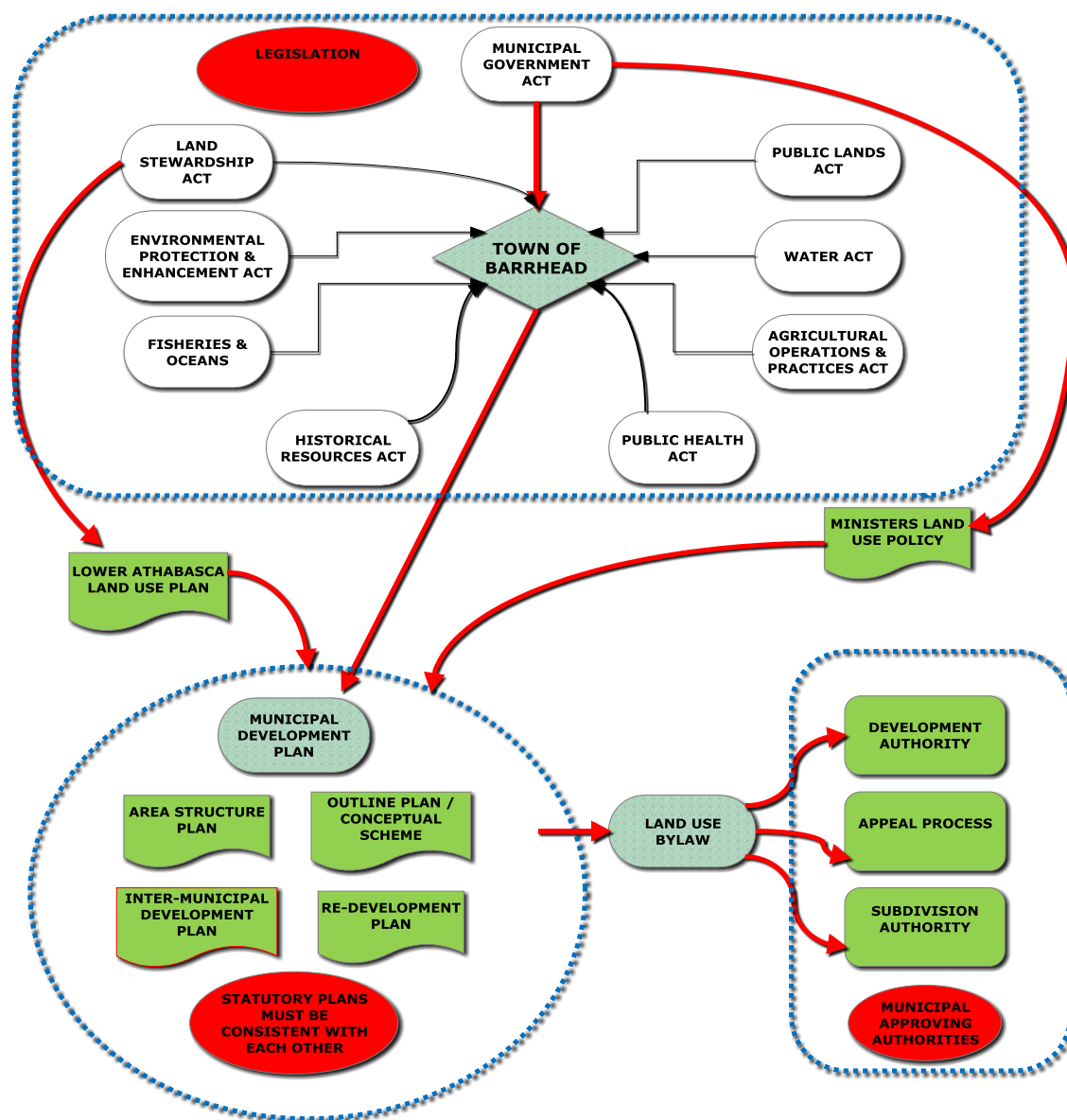
All Municipal Plans must be consistent with each other. The Land Use Bylaw is an implementation tool for other municipal plans.

SECTION 8: APPLICABLE PORTIONS OF BYLAW DOCUMENT & TECHNICAL AMENDMENTS

- 1) Updates to Section numbers, references to specific sections of Legislation, forms and name changes may be made without a formal amendment to this Bylaw or Council approval.
- 2) Explanation notes and figures are to be used as an aide to understanding this Bylaw, and may not form part of the Bylaw itself unless specifically noted.



Figure No. 1: LEGISLATION AND HEIRARCHY OF PLANS





PART II: DEFINITIONS

SECTION 1: TERMINOLOGY

Relevant terms are defined as follows within the scope of this Bylaw. Terms that are not defined below shall take the definition that commonly or legally attributed to it, as the case may be. Definitions which also have "*Use Specific Regulations*" under Part VIII of this Bylaw.



"ACCENT LIGHTING" means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.

"ACCESSORY BUILDING" means a building which is separate from the principal building on the parcel where both are located and subordinate to that of the principal building. Buildings that are separately defined and are not stated in Part VIII: Use Specific Regulations as being an accessory building shall be subject to their own unique definition and use provision within this Bylaw.

"ACCESSORY FOOD SERVICE" means a temporary or permanent food service that is accessory, secondary or complementary to the principal use on the parcel. (*Part VIII: Section 1: Accessory Food Service*)

"ACCESSORY LIQUOR SERVICE" means a temporary or permanent liquor sales and consumption outlet that is accessory, secondary or complementary to the principal use on the parcel. (*Part VIII: Section 2: Accessory Liquor Service*)

"ACCESSORY USE" means a use that is incidental or subordinate to the principal use on the parcel.

"ACT" means the Municipal Government Act, R.S.A., 2000, Chapter M-26, as amended, and regulations thereto.



"ADJACENT LAND" means land that is contiguous to the parcel of land that is being subdivided and includes:

- a) land that would be contiguous if not for a highway, road, river or stream, and
- b) any other land identified in the Land Use Bylaw as adjacent land for the purpose of notification.

"ADULT ENTERTAINMENT BUSINESS" means a use:

- a) where live performances, motion pictures, video tapes, video disks, slides or any type of electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown,
- b) that may operate in conjunction with another approved use, or
- c) where each separate viewing area has a maximum viewing capacity Of 20 Seats. (*Part VIII: SECTION 3: Adult Entertainment Business*)

"AMENITY AREA or AMENITY SPACE" means an area that shall be provided, indoor or outdoor, subject to the regulation of this Bylaw and which must be developed for passive or active recreation and enjoyment. Such an area may be for either private or communal use and may be under either individual, common or public ownership.

"AMUSEMENT ESTABLISHMENT - INDOOR" means any building or place or part thereof where patrons are normally, but not necessarily participants. Typical uses include, but are not limited to, billiard parlors, electronic games, arcades, bowling alleys and theatres. (*Part VIII: Section 4: Amusement Establishments*)

"AMUSEMENT ESTABLISHMENT - OUTDOOR" means a development providing facilities where patrons are normally, but not necessarily participants. Typical uses include, but are not limited to, amusement parks, go kart tracks, miniature golf establishments and golf courses. (*Part VIII: Section 4: Amusement Establishments*)

"ANIMAL CARE FACILITY (SMALL ANIMAL)" means the accommodation and care or impoundment of household pets within an enclosed building including, but not limited to, veterinary clinics, small animal shelters, and kennels.



"ANIMAL CARE FACILITY (LARGE ANIMAL)" means the accommodation and care or impoundment of animals which may include commercial livestock within an enclosed building including, but not limited to, veterinary clinics.

"AREA REDEVELOPMENT PLAN" means a plan accepted or adopted by Council as an Area Redevelopment Plan pursuant to Section 634 of the Municipal Government Act, as amended.

"AREA STRUCTURE PLAN" means a plan accepted or adopted by Council as an Area Structure Plan pursuant to Section 633 of the Municipal Government Act, as amended.

"ARTERIAL ROAD" means a road constructed to carry heavy traffic loads and designated as an arterial road through the Municipal Development Plan.

"AUCTION SALES" means a use for the purpose of auctioning good and equipment, and may include a storage yard.

"AUTOMOBILE SALES" means a use for the display, purchase and sale of automobiles that are stored either or both indoor and outdoor on the parcel.

"AUTOMOBILE SERVICE CENTRE" means a building that may be a principal use or an accessory to another use on the same parcel where automobiles are serviced.



"BALCONY" means a horizontal platform that is attached to a building above the first storey floor level and is intended for use as an outdoor amenity area.

"BARE LAND CONDOMINIUM" means lots (units) administered under the Condominium Property Act, which allows for the division of a parcel of land into units (lots) and common property. Each landowner has title to a lot/unit and a proportionate share of the common property. The Condominium Association is responsible for the maintenance of the property.



EXPLANATION NOTE: *In a bare land condominium, what would normally be referred to as lots are legally called "units". As applicable in this Bylaw, references to "lots" are applicable to "units" in the context of a bare land condominium. A unit is the landowners property. Common property usually consists of roads, alleys, parks, utility areas, community buildings and other lands that are shared amongst the various landowners (Members of the condominium).*

"BARE LAND UNIT" means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the Survey's Act.

"BASEMENT" means that portion of a building which is located below the first floor and is either partially or wholly below grade.

"BASEMENT SUITE" means a suite in the basement of a dwelling other than an apartment that can be rented by the owner of the dwelling, where both are registered under the same certificate of title and complies with Alberta Building Code requirements. A basement suite is listed as a Secondary Suite under the Special Use Provisions and Land Use Districts of this Bylaw.;

"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.

"BED AND BREAKFAST OPERATION" - means a minor and ancillary/subordinate commercial use of a residence where accommodation is provided for periods of fourteen (14) days or less in an approved guest room(s). (*Part VIII: SECTION 5: Bed And Breakfast*)

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



"BUILDING COVERAGE" means the area of a parcel which is covered by a building excluding:

- a) portions of the building located entirely below grade,
- b) portions of the building greater than 2.4 metres above grade and with a depth less than 1.0 metres, measured from the wall directly below,
- c) portions of eaves, roofs, pergolas and other similar elements with a depth less than 1.0 metres, measured from the wall directly below,
- d) patios, and any covered and enclosed area located directly below, and
- e) decks, landings, uncovered stairs and any external areas located below.

"BUILDING SETBACK" means the distance from a property line to the point on a parcel where a building is located measured at a right angle from the property line to which it relates.

"BULK FUEL DISTRIBUTION CENTRE" means a facility for the bulk storage and sale of oil and fuel products, including propane. A bulk fuel distribution centre is different from a petroleum facility in that it is much larger in size, primarily serves or is serviced by large trucks or pipelines, and may include both refined and un-refined products.



"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 sun.

"CARPORT" means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.

"CAMPGROUND & R.V. PARK" means the development of land which has been planned and improved for the use of holiday trailers, motor homes, tents, campers and similar recreation vehicles. A campground is not used for year-round accommodation or storage. (*Part VIII: Section 6: Campgrounds & R.V. Parks*)



"CAR WASH" means a building or area used for the purpose of washing motor vehicles and other chattel such as tow trailers. (*Part VIII: SECTION 7: Car Wash*)

"CEMETERY" means a place where dead people or animals are buried. A cemetery is not an accessory use to a Place of Worship.

"CHATTEL" means a moveable item of personal property.

"CHILD CARE SERVICES" means a use that is devoted to the caring of children on a temporary basis such as day homes or day care businesses. (*Part VIII: section 8: child care services*)

"CLUSTER HOUSING" means a group of dwellings, either detached or attached, located on a single parcel with shared yard and parking provisions.

"COMMERCIAL ACCOMMODATION" means a hotel, motel, motor lodge or hostel from which rooms are rented on a short term basis for the accommodation of the public. Commercial accommodation units shall contain at least one bed for each unit and may include a kitchen. Commercial accommodation may also include restaurant services, laundry, meeting rooms, and recreational activities such as swimming pools, hot tubs or fitness facilities. (*Part VIII: SECTION 9: Commercial Accommodation*)

"COMMERCIAL LIVE/WORK" means a neighbourhood that is developed to provide both a residential and commercial use such as owner/operator businesses, a veterinary clinic and kennel or other similar combination of residential and commercial enterprise.

"CONCESSION STAND" means a minor eating and drinking facility which services non-alcoholic beverages, contains no dedicated seating spaces, and includes operations as burger stands, ice cream stands, and other related developments.

"CONDOMINIUM" means individual ownership of a unit or units in a multi-unit building or a parcel of land that is part of a condominium plan registered at Land Titles and includes ownership in a share of common property such as hallways, parking areas and landscaping



areas administered by a condominium association in accordance with provisions of the Condominium Properties Act, as amended.

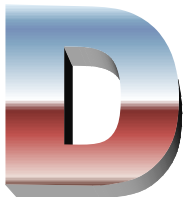
"CONVENIENCE SERVICES" means a variety store used for the retail sale of goods required by the neighbourhood residents or employees on a day-to-day basis, including: confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter.

"CORNER" means the intersection of any two property lines of a parcel.

"CORNER PARCEL" means a parcel that abuts two streets which intersect at an angle not exceeding 135 degrees.

"COUNCIL" means the Council of the Town of Barrhead.

"CREMATORIUM" means a building which includes a facility for the cremating of remains of the deceased.



"DAY CARE FACILITY" means a facility and program for the provision of care, maintenance and supervision for four or more children under the age of fifteen years, by a person other than one related by blood or marriage, for periods of more than three (3) but less than twenty-four (24) consecutive hours, and is intended to be operated for at least (12) consecutive weeks per year.

"DECK" means an uncovered horizontal structure with a surface height greater than 0.6 metres above grade at any point that is intended for use as an outdoor amenity area, but does not include a balcony.

"DENSITY" means a quantitative measure of the average number of persons, families or dwelling units per unit of area. Density may also mean the number of lots or units created per parcel, where applicable.

"DESIGNATED OFFICER" means a person(s) authorized by Bylaw to carry out the powers, duties and functions of the Development Officer as provided in this Bylaw.



"DEVELOPABLE AREA" means an area of land suitable for a building site as defined in this Bylaw and the *Town of Barrhead Municipal Development Plan*.

"DEVELOPER" means an owner, agent or any person, firm or company required to obtain or having obtained a development permit.

"DEVELOPMENT AGREEMENT" means an agreement that may be required between a developer and the Town in the form of a signed document which establishes specific requirements of the Town for municipal improvements related to a Development or Subdivision to be undertaken within the Town of Barrhead.

"DEVELOPMENT AUTHORITY" means a Development Authority established pursuant to Section 624 of the Municipal Government Act and may include one or more of the following: a Development Officer, Municipal Planning Commission, Council, or any other person or organization that has been authorized by Bylaw to exercise development powers on behalf of the municipality;

"DEVELOPMENT OFFICER" means the official or officials of the Municipality with the responsibility of receiving, considering and deciding on applications for development, matters related to enforcing this Bylaw such as Stop and Contravention Orders, and representing the Town of Barrhead at Subdivision and Development Appeal Board Hearings on behalf of the Town of Barrhead.

"DEVELOPMENT PERMIT" means a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or a set of plans or drawings, specifications or other documents. This permit is separate and distinct from a building permit.

"DISCONTINUED" means the time at which substantial construction activity or a non-conforming use or conforming use has ceased.

"DISCRETIONARY USE" means a use of land or buildings provided for in the District Regulations of this Bylaw, for which a development permit may be issued with or without conditions.

"DOUBLE FRONTING PARCEL" - means a corner parcel which is not



a flanking parcel, but also includes a parcel which abuts two public streets (except alleys as defined in the Highway Traffic Act), which are parallel or nearly parallel where abutting the parcel.

"DRIVE THROUGH" means an accessory to an establishment which services customers traveling in motor vehicles driven onto the parcel without requiring the customer to leave their vehicle while being serviced. (*Part VIII: SECTION 11: drive through services*)

"DWELLING" means any building used principally for human habitation and which is supported on a permanent foundation extending below ground level. A dwelling does not include any building that may be classified as Dwelling - Mobile Home; Single Detached Dwellings shall conform to the architectural standards provided in Section VII of this Bylaw.

"DWELLING - MANUFACTURED HOME" means a dwelling as defined in this Bylaw that conforms to the architectural standards provided in (*Part VIII: Section 23, Residential Standards*).

"DWELLING - MOBILE HOME" means a dwelling which was constructed prior to January 1, 1996, does not meet the National Building Code of Canada CAN/CSA A277 standard, with a chassis or related assembly that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable relocation of the dwelling. A mobile home does not include a modular home, manufactured home, temporary living accommodation or single detached dwelling as described in this Bylaw. A mobile home may be a single structure (single wide) or two parts which when put together (double wide) comprises a complete dwelling.

"DWELLING - MULTI UNIT" means a dwelling which forms part of a larger structure that includes (2) or more dwellings and may include hallways, internal amenity areas or other accessory structures that are intended to service the occupants of the building. A Dwelling - Multi-Unit, shall feature separate external entrances or common entrances to an internal hallway, and may include:

- a) Duplex: two dwellings located side by side or on top of each other with each storey being a separate dwelling.,



- b) Triplex: three dwellings located side by side,
- c) Fourplex: four dwellings located side by side or on top of each other,
- d) Row Housing: more than four dwellings side by side, or
- e) Apartment: five or more dwellings with multi-storeys, separate entrances to the outdoors or internal hallway entrances.

For the purpose of this definition, an internal hallway entrance shall be separate from all dwelling units.



"EASEMENT" means a right to use land, generally for access to other property or as a right-of-way for a public utility.

"EXCAVATION" means any breaking of ground, except common household gardening and ground care.

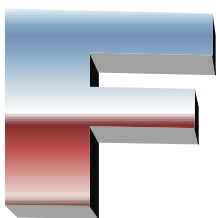
"EXTENSIVE AGRICULTURE" means the use of land or buildings for the raising or production of crops, and may include the keeping of livestock or poultry, generally for the lot owner's private use and/or enjoyment, but does not include feed lots, dairies, intensive hog operations, bee keeping, intensive poultry or fowl operations, or livestock yards. No extensive agricultural operation shall house more than the minimum threshold number of animals allowed by the *Agricultural Operations and Practices Act, 2002, as amended*.

"EXCLUSIVE USE AREA" means an area within a condominium or other property owned in common by other lot owners within a subdivision, designated for the exclusive use of the owner/occupant of a unit within the condominium or subdivision.

"EXTENSIVE LIVESTOCK OPERATION" means a farming operation involving the rearing of livestock either in conjunction with or separate from an extensive agricultural operation, where the density of animals on the subject lot is less than is required to be classified by Alberta Agriculture and Food and Rural Development as an intensive livestock operation;



EXPLANATION NOTE: *Use definitions may not be amended by the Development Authority, Council or an appeal body without an amendment to this Bylaw.*



"FLOOR AREA" means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

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

"FRONTAGE" means the linear length of a property line shared with a street.

"FLANKAGE" means in the context of a corner lot, the longer of the two lines facing a street, unless both lines facing the street are of equal length then either lot line could be considered flankage, but not both.



"FUNERAL HOME" means a building used for viewing and funerals/memorials for the deceased by mourners. A funeral home does not include a crematorium.



"GARAGE" means an accessory building (detached garage) or part of the principal building, designed and used primarily for the storage of motor vehicles.

"GARAGE SUITE" means a self contained dwelling unit in compliance with Alberta Building Code standards that is located on the second floor of a garage. (*Part VIII:*



Section 25: Secondary/Garage Suites)

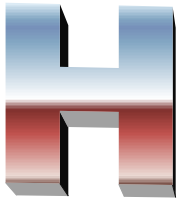
"GAS BAR" means a facility for the sale of gas on a retail basis for smaller vehicles.

"GRADE" means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building.

"GROSS FLOOR AREA" means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area.

"GROUP CARE FACILITY" means a facility which provides resident services to seven or more individuals of whom one or more are unrelated. These individuals may be aged, disabled or undergoing rehabilitation, and provided services to meet their needs. This includes the following such similar uses as group homes (all ages), halfway houses, resident schools, and psychiatric care facilities. These facilities are not intended to include major institutional care facilities such as hospitals, young offenders facilities.

"GROUP HOME" means a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Alberta for the accommodation of six or fewer persons, exclusive of staff, living under minimal supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. This use does not include such uses as open custody young offenders facilities, or psychiatric care facilities. (*Part VIII: Section 12: Group Home Facilities*)



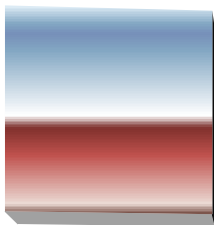
"HARD SURFACED LANDSCAPED AREA" means an area with a surface consisting of materials that:

- a) are not living or derived from living organisms, or
- b) were once living, but are not formed into a structure, and
- c) may include, but are not limited to brick, concrete, stone, and wood.

"HOME BASED BUSINESS" means any occupation, trade, profession or craft, including a bed and breakfast operation and home day care as defined in this Bylaw, carried on by an occupant of a residential building as a use secondary to the residential use of the building and which does not change the character thereof or have any exterior evidence of such secondary use. (*Part VIII: Section 13: Home Based Business*)

"HABITABLE ROOM" means a room or enclosed space used or usable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, excluding NON-HABITABLE ROOMS include bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas and rooms in basements and cellars used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy.

HOME DAY CARE means a facility and program for the provision of care, maintenance and supervision for four or more children under the age of fifteen years, by a person other than one related by blood or marriage, for periods of more than three (3) but less than twenty-four (24) consecutive hours.



"INDOOR EATING ESTABLISHMENT" means an establishment where a combination of food and non-alcoholic drink are intended to be consumed within the confines of the establishment.

"IN-FILL DEVELOPMENT" means the development of underused or underutilized lands within existing development areas, or the re-



development of existing neighbourhoods, often with an intensification of the principal land use. In residential areas, in-fill development will generally result in an increase of housing density or a change in housing type

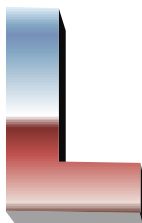
- Class A In-fill allows for residential density to be increased in an existing residential neighbourhood under the provisions of a permitted use development, and
- Class B In-fill allows for an additional housing units per hectare under the provisions of a discretionary use development,

subject to the provisions of (*Part VII: Section 16: Residential IN-Fill*)

"INTENSIVE AGRICULTURE" means the commercial use of parcels of land for non-animal husbandry uses such as greenhouses, market gardens, sod farms, nurseries, tree farms, etc.



"KENNEL" means a development in which three or more dogs and/or cats over six months in age are maintained, boarded, bred, trained or cared for in return for remuneration or kept for the purposes of sale. (*Part VIII: Section 15: Kennels*)



"LANE" means a roadway that is primarily intended to give access to the rear of buildings and parcels.

"LIVE/WORK" means a parcel that is designed to feature both a principal residence and a commercial use/building where the residents on the parcel are related to the operators of the business on the same property. (*Part VIII: Section 16: Live Work Community*)

"LIVESTOCK" means cattle, swine, poultry, sheep, horses, fish, game, fur bearing animals and similar animals.

"LOADING SPACE" means an off-street space on the same parcel as a building or group of buildings, for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.



"LOT" means a parcel of land, the boundaries of which are separately described in a certificate of title, which may or may not be shown on a registered plan of subdivision. Lot may also be used to refer to a "Unit" within a bare land condominium as defined in the *Condominium Act*.



"MAIN BUILDING" in a residential parcel means a building containing one or more Dwelling Units, but does not include any accessory buildings.

"MANSE" means a residence attached or located on the same parcel as a place of worship. A Manse shall not be considered an accessory use in any land use District.

"MANUFACTURING SERVICES" means the making, fabricating or processing of raw materials into a finished product on a large scale.

"MEDICAL SERVICES" means services provided to humans may include, but not necessarily be limited to in-patient and out-patient care and counseling offices.

"MINI STORAGE" means a development that provides walk-in sized cubicles for public rent for the storage of goods.

"MINOR" means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Council, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area.

"MIXED COMMERCIAL/RESIDENTIAL" means a commercial and residential use within the same building and the residential use being located on the second floor, each with its own separate entrance and other shared services. (*Part VIII: Section 17: MIXED RESIDENTIAL/COMMERCIAL Development*)

"MODULAR CONSTRUCTION" means a method of constructing whereby most of the parts of a building have been constructed in an off-site manufacturing facility and transported to a parcel where the parts are assembled and anchored to a permanent foundation.



"MOVING OR CARTAGE" means a commercial use or building that involves the movement of goods on large vehicles vehicle oriented marshalling yards.

"MUNICIPALITY" means the Town of Barrhead.

"MUNICIPAL DEVELOPMENT PLAN" - means a plan adopted by Bylaw as a Municipal Development Plan pursuant to Section 632 of the Municipal Government Act.



"NEW CONSTRUCTION" means construction that takes place on-site or in the case of a building that is re-located from another location, a building that has is in good repair and condition and has never been used for the intended purpose.

"NON-CONFORMING BUILDING" means a building:

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

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

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



"OFF-STREET PARKING" means an off-street facility for the parking of vehicles to accommodate the use on that parcel.

"ON-STREET PARKING" means parking accommodated on a public roadway within the Town of Barrhead to accommodate parking demands from an approved use within the Town of Barrhead.

"ON-SITE SEWAGE COLLECTION AND DISPOSAL SYSTEM" means a sewage collection and disposal system constructed in accordance with the Alberta Safety Codes Act, and its regulations.

"ON-SITE WATER SUPPLY SYSTEM" means a potable water source other than that provided by the Town of Barrhead Municipal Water service.

"OUTDOOR SALES AND SERVICE" means the use of larger tracts of land or parcel for the sale and servicing of large equipment or vehicles. This use will typically include farm and industrial equipment sales and service.



"PARCEL" means:

- a) 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; or
- b) a bare land unit created under a condominium plan.

Defining characteristics for a parcel include:

- a) **"PARCEL AREA"** means the total area of a parcel,
- b) **"PARCEL COVERAGE"** means the cumulative building coverage of all buildings on a parcel excluding accessory residential buildings which in aggregate are less than 10.0 square meters;



- c) "**PARCEL DEPTH**" means the length of a line joining the mid-points of the front property line and the rear property line;
- d) "**PARCEL WIDTH**" means the distance between the side property lines of a parcel measured at a right angle to the mid-point of the shortest side property line.

"**PARK**" means an active or passive recreation area together with any accessory buildings or uses complimentary to the said recreational purpose. Though usually under public ownership, a park may be privately owned and operated upon approval from the Town of Barrhead.

"**PARKING SERVICES**" means the provision of parking services on a not-for-profit or for-profit purpose and that may provide parking opportunities for more than one business or residence on the same or nearby parcel. An approval for parking services includes the development of a parking facility as defined in this Bylaw.

"**PARK MODEL HOME**" means a recreational vehicle designed to be transportable and primarily designed for long-term or permanent placement at a destination where an RV or mobile home is allowed. When set up, park models are connected to the utilities necessary to operate home style fixtures and appliances. Park Models must be less than 50.17 m² (540 sq. feet) in area.

"**PARKING FACILITY**" means the area or structure set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility. A parking facility may be part an approval of parking services.

"**PARKING STALL**" means a space set aside for the parking of a vehicle.

"**PATIO**" means an uncovered horizontal structure with a surface height, at any point; no greater than 0.60 metres above grade, intended for use as an outdoor amenity area.

"**PERMITTED USE**" means a use of land or building that is listed as



such use in a land use district.

"PERMITTED USE - COMPLIANT" means a development permit application for a permitted use in a building or on a parcel and the proposed development conforms to all applicable requirements and rules of this Bylaw.

"PERMITTED USE - VARIANCE REQUIRED" means a development permit application for a permitted use in a building or on a parcel and the proposed development does not conform to one or more of the applicable requirements and rules of this Bylaw.

"PERSONAL SERVICES" means the provision of services related to the care and appearance of the body or the cleaning and repair of personal effects and may include services such as: barber shops, beauty salons, tailors, cobblers or dry cleaning. Personal services are not medical services.

"PETROLEUM FACILITY" means a parcel that is primarily used for the storage and sale of petroleum products in larger quantities than in a standard service station or gas bar. (*Part VIII: Section 19: Petroleum Facilities*)

"PICK UP & DROP OFF STALL" means a motor vehicle parking stall intended only for a motor vehicle to stop while picking up or dropping off passengers. These stalls are usually included as part of a loading zone.

"PLACE OF WORSHIP" means development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, classrooms, dormitories and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. (*Part VIII: Section 20: Places Of Worship*)

"PLAN OF SUBDIVISION" means a plan of subdivision registered or approved for registration at the Northern Alberta Land Titles Office (Alberta Registries).



"PORTABLE BUILDING" means a canvas or tarp shed or movable garage comprised of a metal frame with the tarp or canvas stretched over it, and is designed to be used to shelter chattels from the outdoor weather. (*Part VIII: Section 22: Portable Buildings*)

"PRINCIPAL BUILDING" means a building which:

- a) occupies the major or central portion of a site,
- b) is the chief or main building among one or more buildings on the site, or
- 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 on each site unless otherwise permitted in this Bylaw.

"PRINCIPAL USE" means the primary purpose in the opinion of the Development Authority for which a building or site is used. There shall be no more than one principal use on each site unless specifically permitted in this Bylaw.

"PRIVATE CLUB OR LODGE" means a development used for a meeting, social or recreational activity of members of not-for-profit, philanthropic, social service, athletic, business or fraternal organizations, and does not include an on-site residence.

"PROFESSIONAL SERVICES" means development for the provision of professional management, administrative, consulting and financial services such as legal, accounting, surveying, engineering, banks, government or similar services.

"PRIVATE CONDOMINIUM ROADWAY" means an area of land that provides access to a parcel, and is contained within:

- a) common property forming part of a bare land condominium plan; or
- b) a bare land unit that is used for the purpose of accommodating a private roadway for access purposes in accordance with an easement agreement registered against it.

"PUBLIC USE" means a development which is publicly owned,



supported or subsidized involving public assembly or use. Public uses typically may include the following and similar uses as parks, libraries, arenas, museums, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational activities.

"PUBLIC UTILITY" means the right-of-way for one or more of the following: telecommunications systems, water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial light or electric power, heating systems, or sewage systems and any buildings incidental to these services, but not including an office as defined under "Public Utility Building".

"PUBLIC UTILITY BUILDING" means a building to house a public utility, offices or service equipment'



"QUASI-PUBLIC USE" means a development which is used for the meeting, social or recreational activities of its members, which may or may not include the general public. Typical quasi-public uses include commercial schools, indoor and outdoor recreational facilities, hospitals, lodges or clubs, cemeteries, galleries, museums, and libraries plus any use which may be described as an eating and drinking establishment, when designed in conjunction with the above uses.



"REAL PROPERTY REPORT" means a report prepared by a Member of the Alberta Surveyor's Association that contains pertinent information on a parcel of land and the physical development that exists on the subject parcel.



"RECREATIONAL VEHICLE" means a vehicle that provides temporary accommodation for recreational or travel purposes and includes, but is not limited to:

- | | |
|--------------------------|---|
| a) motor homes (R.V.) | e) tent trailers |
| b) travel trailers, | f) boats on or off trailers, or |
| c) fifth wheel trailers, | g) a transportation trailer for any of the above. |
| d) truck campers* | |

* whether mounted on a truck, other vehicle or not.

"REGISTERED OWNER" means:

- a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
- b) in the case of any other land,
 - i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title in the land any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title, or
 - ii) in the absence of a person described in paragraph i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

"RESTAURANT SERVICES" means a development that prepares and serves food and drink for consumption on and/or off-site. Restaurant Services includes cafes, tea rooms, licensed restaurants and take out restaurants. On larger parcels restaurant services may include catering services, dancing or theatre. Restaurant Services does not include drive through services.



"RETAIL SERVICES" means the retail sale of groceries, household goods, clothing, jewelry, furniture, appliances, apparel, hardware, printed matter, photography, postal services, gifts and souvenirs, office equipment and similar goods. Retail Services does not include liquor sales.

"RETAINING WALL" means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock or similar materials.



"SALVAGE YARD" means a parcel where vehicles and other equipment is stored, dismantled, sold for parts or crushed for recycling.

"SCHOOL" means a publicly supported or privately operated facility through which an education program is offered to a student by:

- (a) Public: A universally accessible and publicly funded school operated by a School Board overseen by the Province of Alberta,
- (b) Separate: A universally accessible and publicly funded school operated by a School Board overseen by the Province of Alberta with a Roman Catholic or Protestant faith component as part of the curriculum and/or admission requirement,
- (c) Private: A school established under the School Act that requires tuition for enrolment,
- (d) Charter: A public school that is operated on a not for profit basis and offers an innovative or enhanced program under the School Act,
- (e) Early Childhood: A school that offers an early childhood program authorized under the provisions of the School Act.

"SCREEN", "SCREENED" & "SCREENING" means a visual or sound barrier to separate one building or use from another, usually on an



adjoining parcel.

"SECONDARY SUITE" means a self contained dwelling that is located within a primary dwelling and in compliance with Alberta Building Code requirements. (*Part VIII: Section 25: Secondary/Garage Suites*)

"SENIOR'S RESIDENCE" means a residence other than an independent adult residence or supportive living residence as defined in this Bylaw, for the housing of senior citizens. A senior's residence may include some minor out-patient medical services.

"SERVICE STATION" means a development that includes a gas bar and service area for repairs of vehicles; and may include a car wash and convenience services;

"SETBACK" means the distance that a development, or a specified portion of it, must be set back from a property line. The setback shall be measured from the building foundation to front, rear, or side property lines.

"SHIPPING CONTAINER (sea-cans)" means a standardized, reusable container that is or appears to be originally designed for or used in the packaging, shipping, movement or transportation of freight or commodities, or designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. Intermodal containers made of corrugated metal and any shipping container used for storage is included in this definition. (*Part VIII: section 26: shipping containers*)

"SHOPPING CENTRE" means a group of commercial establishments that are planned or managed as a unit and provide a wide variety of goods and professional, retail and personal services.

"SHOW HOME AND SALES OFFICE" means a home that serves to advertise a home builder product and also provides an office to conduct the sale of property and homes within the neighbourhood.

"SIGN" means an object or device intended for the purpose of advertising or calling attention to any person, matter or event.

"SIGN OWNER" means any person who is described on a sign; whose



name, address or telephone number appears on a sign; who is in control of a sign; or who is the subject of or intended to benefit from a sign. There may be more than one sign owner of a sign.

"SHOW HOME" means a permanent dwelling which 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;

"SITE" means one or more lots or parcels for which an application for a development permit or subdivision approval is made.

"SITE TRIANGLE" means that triangle formed by a straight line drawn between two points on the exterior boundaries of a parcel to a specific distance from the point where they intersect. The specified distance in a laneway intersection is 3.05 m (10 ft.) while the distance for other roads is 6.1 m. (20 ft.).

"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 (solar-thermal) or electrical (solar-voltaic) energy.

"SPLIT LEVEL" means a dwelling that has three separate or more living areas, each separated from the next by one half-storey, not including the basement.

"STATUTORY PLAN" means a land use plan such as an Area Structure Plan, Area Re-development Plan, Municipal Development Plan or Inter-municipal Development Plan adopted pursuant to Part 17 of the Act.

"STOREY" means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or cellar shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 6.0 ft (1.83 m) above grade.



"STREET" means:

- a) any public road, including boulevards, sidewalks and improvements, but excluding a lane, bridge or walkway, or
- b) a private condominium roadway, or
- c) the internal roadway within a manufactured home community.



"STRUCTURE" means a building as defined in this Bylaw.

"SUBDIVISION AUTHORITY" means a person or body appointed as a subdivision authority in accordance with the *Municipal Government Act*.

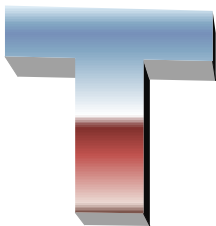
"SUBDIVISION & DEVELOPMENT APPEAL BOARD" means the Town of Barrhead Subdivision and Development Appeal Board, established pursuant to Bylaw no. 21-98, as amended.

"SUBDIVISION" means the process of dividing and combining parcels of land pursuant to Part 17 of the Act.

"SUPPORTIVE LIVING" means buildings or units in buildings that are intended for permanent residential living where an operator also provides or arranges for services in order to assist residents to live as independently as possible.

"SURVEILLANCE SUITE" means a single residential unit forming part of a development and used solely to accommodate a person or persons related as a family whose official function is to provide surveillance for the maintenance and safety of the development or business. (*Part VIII: Section 28: Surveillance Suites*)

"SWIM POOLS OR HOT TUBS" means a swimming pool or hot tub that is used for recreational purposes. (*Part VIII: Section 21: Swim Pools & Hot Tubs*)

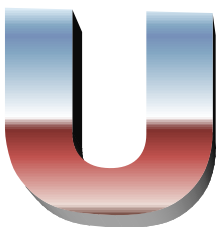


"TEMPORARY BUILDING" means a structure which is permitted to exist for a specific and limited time.

"TOP OF BANK" means the top of bank of the Paddle River as determined by Alberta Sustainable Resources.

"TRADITIONAL LAND USE DISTRICT" means a Land Use District other than Urban Reserve or Direct Control or Innovative Direct Control as described in this Bylaw.

"TRAVEL INFORMATION CENTRE" means a building and use devoted to the advertising of tourism, cultural and business services available within the Town of Barrhead and surrounding area. A travel information centre may include a retail service that is focused on travel related souvenirs.



"UNIT" means a Dwelling or a property as defined under the Condominium Act.

"USE" means a permitted, prohibited or discretionary use;

"UTILITY BUILDING" means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility.



"VISITOR PARKING STALL" means a vehicle parking stall intended only for the use of visitors to Dwelling Units and Live Work Units.

"VETERINARY CLINIC" means a medical facility that is designed to offer in-patient and out-patient services to pets and livestock. A kennel or animal holding pen is a separate use from a veterinary clinic. Where the clinic includes livestock facilities, the use "Animal Care Facility - Large Animal" shall be included in the list of uses within the respective land use district.



"WALK OUT BASEMENT" means a basement in a building which has a door that exits directly from the basement to the exterior at grade that is substantially at the same level as the basement floor.

"WAREHOUSE SALES" means a large building used for storage and distribution of raw materials, processed or manufactured goods, and establishments providing services for those purposes.

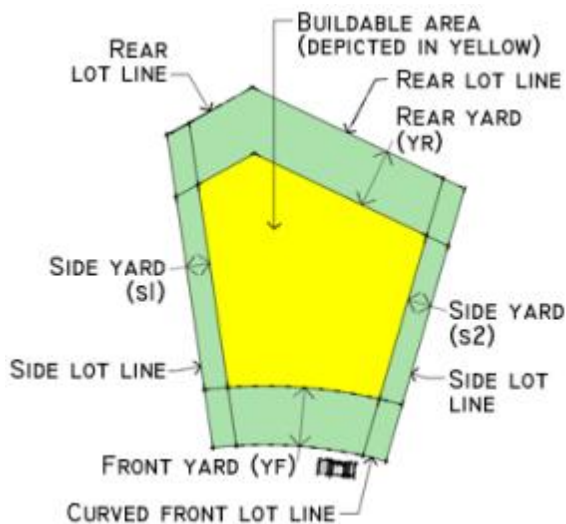
"WINDMILL" means a machine that converts wind energy into rotational energy by means of vanes called sails or blades.



"YARD" means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot, unless otherwise permitted by this Bylaw.

"YARD - FRONT" means that portion of the parcel extending across the full width of the parcel from the front property line of the parcel to the front wall of the principal building.

"YARD - REAR" means that portion of the yard extending across the full width of the parcel from the rear property line of the parcel to the exterior wall of the principal building.



"YARD - SETBACK" means a required open space unoccupied and unobstructed by any structure or use above the general ground level of the graded parcel, unless otherwise permitted in this Bylaw.

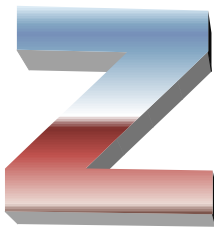
"FRONT YARD SETBACK" means the setback from the property line,



"SIDE YARD SETBACK" means the setback from the subject building or use to the side property line, extending from the front yard to the rear yard setback line,

"REAR YARD SETBACK" means the setback from the subject building or use to the rear property line, extending across the full width of the parcel.

"YARD - SIDE" means that portion of the parcel extending from the front yard to the rear yard and lying between the side property boundary of the parcel to the exterior wall of the building;



"ZERO LOT LINE" means a lot line where the property line setback is reduced to 0.0 metres.

"ZONE OF INFLUENCE" means the sub-surface ground (approximately a maximum of 3.0 metres from the well shaft on a geo-exchange well) from which heat is extracted by a geo-exchange well.



Barrhead...A Quality Community...With A Quality Lifestyle



PART III: ADMINISTRATION

SECTION 1: DEVELOPMENT AUTHORITY

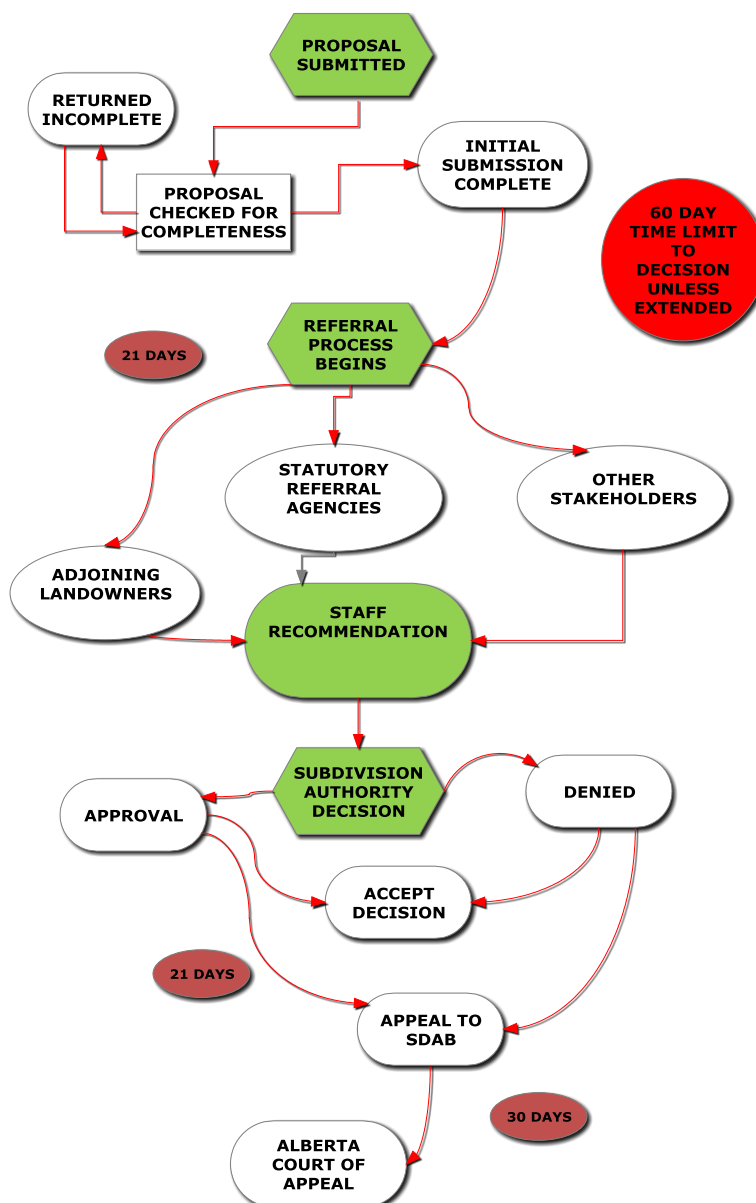
- 1) The Development Authority for the Town of Barrhead is established under this Bylaw pursuant to Section 624 of the "ACT".
- 2) The Development Authority for the Town of Barrhead is:
 - a) that person(s) appointed by Council as Development Officer pursuant to this Bylaw,
 - b) the Municipal Planning Commission established by Bylaw pursuant to the "ACT", and
 - c) Council for the Town of Barrhead in matters related to Direct Control Districts.
- 3) The Development Authority shall carry out its function in accordance to powers and duties described in the "ACT", its regulations, and this Bylaw, as amended from time to time.
- 4) The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereon and the reasons therefore.
- 5) For the purposes of "right of entry" and Development Authority, the Development Officer is hereby declared an Authorized Person of Council.
- 6) For the purpose of application of Section 542 of the ACT, the Development Officer is hereby designated as authorized by the Town of Barrhead to discharge the relevant powers and functions.



SECTION 2: SUBDIVISION AUTHORITY

- 1) The Subdivision Authority is established through the Town of Barrhead Subdivision Authority Bylaw, as adopted and amended from time-to-time.

Figure No. 2: Subdivision Process





SECTION 3: MUNICIPAL PLANNING COMMISSION

- 1) The Municipal Planning Commission, is established through the Town of Barrhead Municipal Planning Commission Bylaw, as adopted and amended from time-to-time.
- 2) The Commission (MPC) shall determine any development related matter that is forwarded to it from the Development Authority.

SECTION 4: SUBDIVISION AND DEVELOPMENT

APPEAL BOARD

- 1) The Subdivision and Development Appeal Board for the Town of Barrhead, as established through the Town of Barrhead Subdivision and Development Appeal Board Bylaw (as adopted and amended from time-to-time), shall perform the duties and functions as described in this bylaw and the Act.
- 2) The Subdivision and Development Appeal Board shall review all appeal applications within its jurisdiction for development appeal, stop order appeal and subdivision application appeal.

SECTION 5: AMENDMENT TO THIS BYLAW

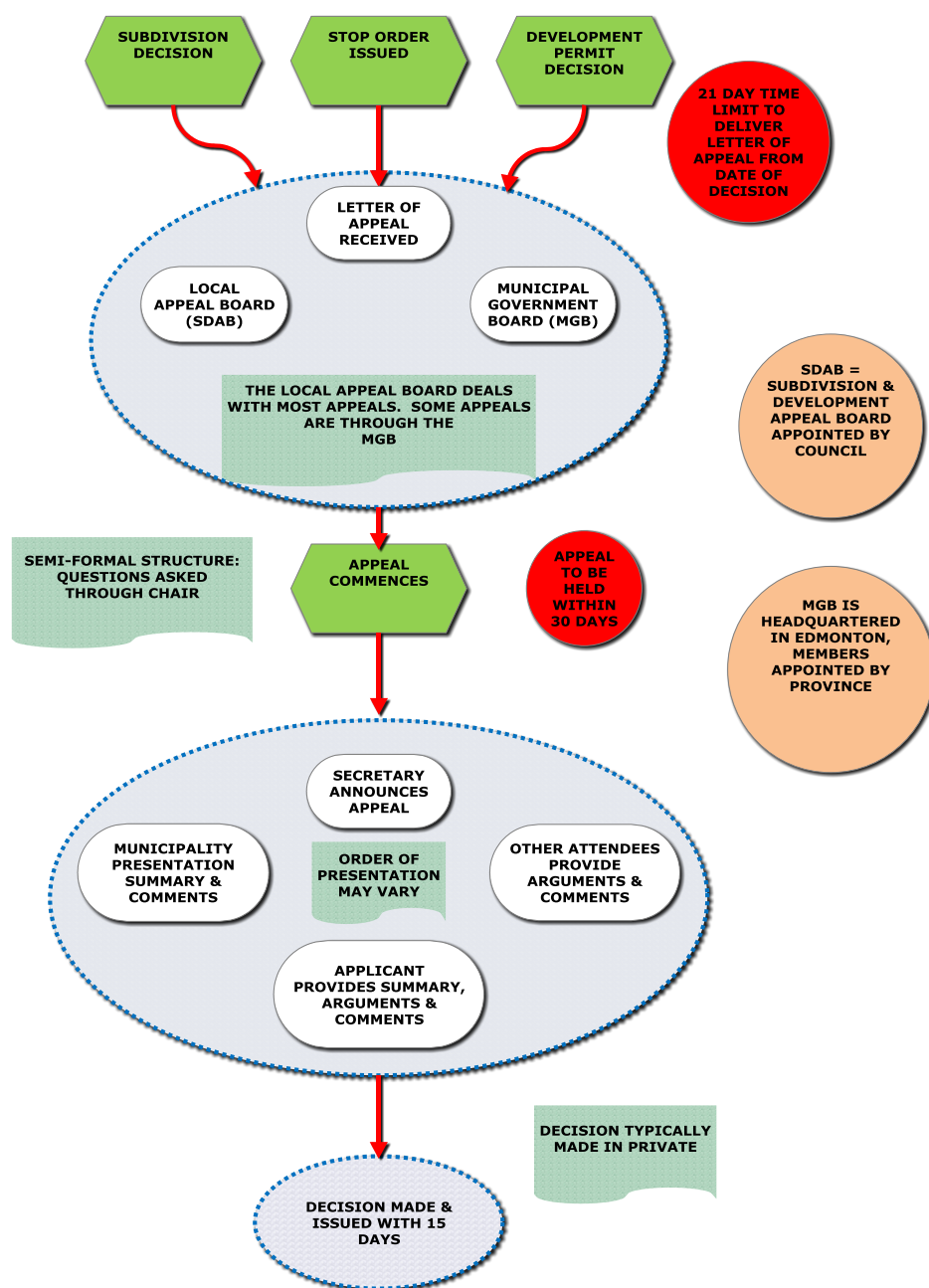
GENERAL:

- 1) A person may apply to amend this Bylaw or a Statutory Plan, in writing, to the Development Authority by completing the proper form. All proposed amendments to this bylaw shall be made in accordance with the *Municipal Government Act* [Section 692].
- (2) As part of the application, the applicant must provide the following information:
 - (a) reasons in support of the application,
 - (b) the use to be made of the land that is the subject of the application, and



- (c) a description of the manner in which the land is to be serviced.

Figure No. 3: Appeal Process





Payment and Undertaking:

- (3) A person making an application to amend this bylaw for a purpose other than the clarification of an existing provision of this bylaw shall:
 - (a) pay the Town of Barrhead an application fee as set by Resolution of Council, and
 - (b) sign a certificate authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

Investigation by Development Authority:

- (4) Upon receipt of an application to amend the Land Use bylaw, the Development Authority shall:
 - (a) if required carry out any necessary investigation or analysis of the problems involved in or related to the amendment, and
 - (a) prepare a report including all maps and relevant material for Council to consider.

Procedure by Applicant:

- (5) Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
 - (a) he or she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council, or
 - (b) he or she wishes to withdraw his/her application for an amendment.

Decision by Council:

- (6) As soon as reasonably convenient the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be,



to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.

Amendments Originating From Development Authority:

- (7) The Development Authority may, at any time on its own motion, present for the consideration of Council any proposed amendment to this bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Development Authority.

Amendments Proposed in Council:

- (8) Council may, at any time, initiate an amendment to this bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority for necessary reports and recommendations.

Limit on Frequency of Applications:

- (9) Notwithstanding anything in this Section or this PART, a proposed amendment which has been rejected by Council within the previous six (6) months may not be reconsidered unless Council otherwise directs.
- (10) Proposed amendments to this bylaw are subject to those requirements and procedures set out in the Act [Section 692] regarding enactment of bylaws.

SECTION 6: SECTIONS TO BE FOUND INVALID

- 1) If one or more sections of this Land Use Bylaw are for any reason declared to be invalid, all remaining provisions are to remain in full force and in effect.



SECTION 7: FORMS

- 1) For the purpose of administering the provisions of this Bylaw, Council shall, by resolution, authorize the preparation and use of such forms and notices as it determines necessary.
- 2) Minor amendments to form(s) which are considered technical in nature and do not materially effect the spirit, intent, or general purpose of the form(s) may be made by the Development Authority.

SECTION 8: FEES

- 1) All fees and charges under and pursuant to this Bylaw, and any amendments thereto, with respect to development permits and zoning certificates shall be as established by Resolution of Council.

SECTION 9: DIRECT CONTROL DISTRICTS

- 1) Direct Control Districts should only be used for the purpose of facilitating subdivision and development that, due to their unique characteristics, innovations or unusual site and environmental constraints, require specific Land Use Bylaw regulation that is not provided in other land use districts included in this Bylaw.
- 2) Direct Control Districts should not be used where another land use district in this Bylaw could be used to achieve the same result either with or without relaxations of this Bylaw.
- 3) Innovative Direct Control Districts are intended to enable innovative subdivision and development where traditional land use districts are unable to accommodate the specialized characteristics of the property or the development proposed. Innovative Direct Control Districts should be used in a manner that will allow Developers to express a vision for a property that is unique and complementary to the surrounding neighbourhood.



- 4) An application for Direct Control Districting shall be reviewed by the Development Authority who shall advise Council as to whether or not the same result could be achieved through the use of a traditional land use district.



PART IV: CONTRAVENTION AND ENFORCEMENT

SECTION 1: CONTRAVENTION

- 1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with:
 - a) the Municipal Government Act or the regulations, or
 - b) a development permit or subdivision approval, or
 - c) the Land Use Bylaw;

the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention or all of them to,

- a) stop the development or use of the land or buildings in whole or in part as directed by the notice, or
 - b) demolish, remove or replace the development, or
 - c) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Municipal Government Act, the regulations, a development permit, subdivision approval or this Bylaw, as the case may be.
- 2) Where a person fails or refuses to comply with an order directed to him under Subsection (1) or an order of the Subdivision and Development Appeal Board under Section 645 of the Municipal Government Act within the time specified, the Council or a person appointed by it may, in accordance with the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order. Where the Council or a person appointed by it carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be registered as a caveat under the Land Titles Act against the Certificate of Title for the land that is subject of the order pursuant to Section 646 of the Municipal Government Act.



- 3) Where a notice is issued under Subsection (1), the notice shall state the following and any other information considered necessary by the Development Authority:
- a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out, and
 - b) The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention, and
 - c) A time frame in which the contravention must be corrected prior to the Town pursuing action, and
 - d) Advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.

SECTION 2: ENFORCEMENT, PENALTIES AND FINES

This bylaw may be enforced through the provisions of the Municipal Government Act, provisions within this Bylaw or by the Court of Queen's Bench of Alberta, whether or not any penalty has been imposed for the contravention.

- 1) A person who:
- a) contravenes any provision of the Act or the regulations under the Act,
 - b) contravenes this Bylaw,
 - c) contravenes an order under Section 29 of this Bylaw and/or Section 645 of the Act,
 - d) contravenes a development permit or subdivision approval or condition attached thereto, and/or
 - e) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw,

is guilty of an offense and is liable to a fine prescribed in Section 566 of the Municipal Government Act.



- 2) If a person is found guilty of an offense under this Section or Section 557 of the Municipal Government Act, the Court may, in addition to any other penalty imposed, order the person to comply with:
 - a) the Act and the regulations under the Act,
 - b) this Bylaw,
 - c) an order under this Section and/or Section 645 of the Act, and/or
 - d) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- 3) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
 - a) delivered personally to the person or their agent it is directed to, or
 - b) mailed by certified mail to the last known address of the person it is directed to.
- 4) If a person is found guilty of an offense under Subsections (1) or (2), the Court may, in addition to any other penalty imposed, order the person to comply with the Act, the Town of Barrhead Land Use Bylaw, or a development permit, as the case may be.

SECTION 3: SIGN ENFORCEMENT

- 1) Every sign owner must ensure that its signs are in compliance with every applicable rule and regulation. More than one sign owner may be subject to enforcement respecting the same sign.
- 2) When a sign is subject to this Bylaw no longer fulfills its function under the terms of the development permit, the Development Authority may issue a removal order for the sign to the sign



owner or property owner, or both. The person(s) to whom the order is issued must:

- a) within 30 days from the receipt of the order remove the sign and all related structural components including the removal or screening of the exposed base and foundations to the satisfaction of the Development Authority,
- b) restore the immediate area around the sign to the satisfaction of the Development Authority including the ground or any building to which the sign was attached, to its original condition prior to the installation of the sign, and
- c) bear all costs related to the removal and restoration.



PART V: DEVELOPMENT PERMIT PROCEDURES

SECTION 1: DEVELOPMENT CONTROL

- 1) No development other than that designated in Section 3: *Where a Development Permit is Not Required* shall be undertaken within the Town of Barrhead unless an application for it has been approved and a development permit has been issued.

SECTION 2: SAME OR SIMILAR USE

- 1) The uses which are listed in the permitted and discretionary use columns under the land use districts are not intended to be exclusive or restrictive. Where a specific land use does not conform to the wording of any definition, the Development Authority may, at its discretion, determine that the use conforms to the spirit and intent of the purpose of the land use district and is determined to be similar to other uses in that land use district.
- 2) Notwithstanding the above, all uses determined as "*same or similar*" shall be considered discretionary.
- 3) Same or similar provisions may not be used in any District where the proposed use is clearly defined and an allowable use in a different land use district.



EXPLANATION NOTE: *As an example, same or similar use cannot be used for a post office in one land use district if post office is a specific use in another land use district.*

- 4) Uses or buildings that have special provisions in this Bylaw that prohibit the said use being eligible for a "*same or similar use*" application are not applicable under this Section.



SECTION 3: DEVELOPMENT NOT REQUIRING A PERMIT

- 1) Except as provided in subsection (2) no person shall commence any development unless he has been issued a development permit in respect thereof.
- 2) A development permit is not required for the following development provided that the proposed development conforms to all provisions of this Bylaw and any other relevant land use related Bylaw adopted by the Town of Barrhead:
 - a) the maintenance or repair of any building if the work does not include structural alterations, or the enlargement of a structure, or
 - b) the completion of a development which was under construction in accordance with a lawful development permit issued at the effective date of this Bylaw provided that the development is completed within the time limit of such a permit, or
 - c) the completion, alteration, maintenance or repair of a street, lane or utility, undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land, or
 - d) temporary signs in compliance with the Town of Barrhead Sign Bylaw No. 15-03, or
 - e) landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development and requires a development permit, or
 - f) the erection or construction of gates, fences, walls or other means of enclosure (other than on corner parcels or where abutting on a road used by vehicular traffic) less than 0.91 m (3.0 ft) in height in front yards and less than 1.83m (6.0 ft) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure provided height maximums herein prescribed are not exceeded, or



- g) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building or development, for which a permit has been issued under this Bylaw, provided that the temporary building shall be removed within one (1) year of the commencement of construction or upon completion of the building or development where it is completed in a period of less than one (1) year, or
- h) the construction of sidewalks and driveways provided that such sidewalks and driveways shall be located in a manner where they do not constitute a traffic hazard and shall be maintained in a clean, tidy and safe condition, or
- i) hard-surfacing of any yard area upon a residential parcel for the purposes of providing vehicular access from a public roadway to an on-parcel parking stall provided that such hard surfacing does not exceed 7.5m in width and does not direct surface drainage onto adjacent lands.
- j) the construction of a pre-manufactured accessory building less than 11.1 m² (120 ft²) in area, or a patio less than 14.86 m² (160 ft²), provided that the side and rear setbacks are maintained, or
- k) in all land use districts, television or communication aerials, masts or towers, where such things are freestanding, attached to or placed on a building, provided that the structure does not exceed the maximum height of 12.2 m (40 ft) nor does it encroach onto any adjacent property or roadway, is not located within the front yard setback, no variance of any provision or regulation applicable thereto in this Bylaw is requested or required, or
- l) Above ground swimming pools that have a volume less than 6.11 cubic metres (72 cubic feet) or
- m) Home schooling of a student within the dwelling occupied by the said student, or
- n) Flag poles within any yard provided a minimum 1.0 metre setback from the property line is maintained, the height of



the pole is no greater than 6.0 metres (19.7 ft.), and the structure is not located within a sight triangle or a vehicular access/driveway, or

- o) Personal use playground equipment, landscaping features, sand boxes, bird houses, etc. in an amenity area.



PART VI: DEVELOPMENT PERMIT PROCESS

SECTION 1: MAKING AN APPLICATION

1) An application for a development permit shall be made to the Development Officer in writing on the application provided by the Town and shall:

- (a) be signed by the registered owner or his or her agent where a person other than the owner is authorized by the owner to make application. The correctness of the information supplied shall, when required by the Development Officer, be verified by a Statutory Declaration.

In the case of a development permit application proposed within a condominium or a property held in common by a community, an authorized person representing the condominium board or landowner association shall also be required to sign the application.

In the case of multiple owners on a property that are not listed as joint tenants, the Development Officer, may require consent to the proposed development from the additional landowners,

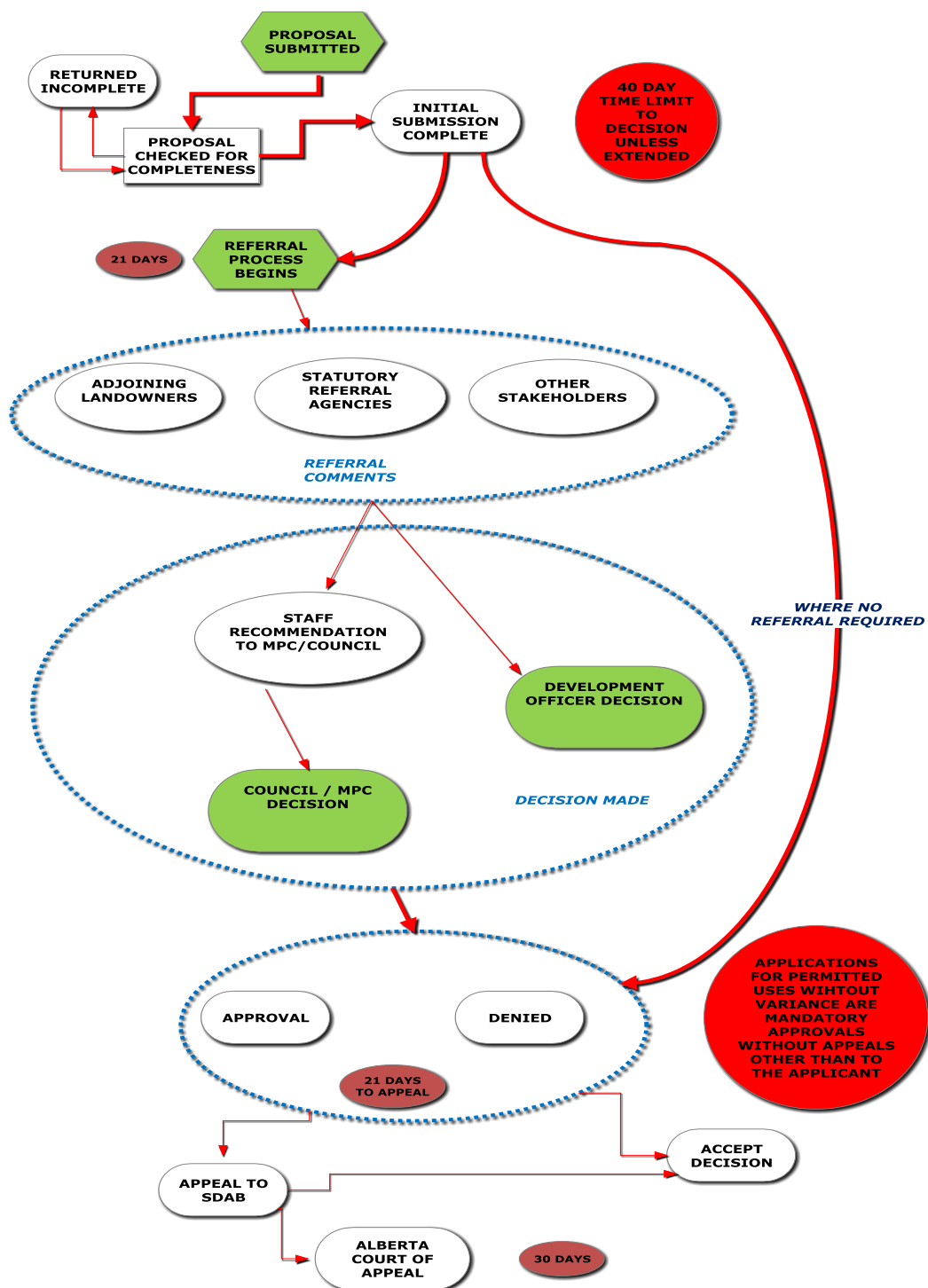
- (b) state the proposed use or occupancy of all of the land and buildings, and such other information as may be required by the Development Officer, and
- (c) at the discretion of the Development Officer, include site plans in duplicate at a scale satisfactory to the Development Officer, who may require any or all of the following:
 - i) Front, side, flanking and rear yards,
 - ii) Outlines of the roof overhangs on all buildings,
 - iii) North point,



- iv) Legal description and municipal address of property,
 - v) Scaled plans showing the location of existing and proposed municipal and private local improvements, principal building and other structures including accessory building, garages, parking spaces, amenity areas, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided,
 - vi) The grades of the adjacent streets, lanes and sewers servicing the property,
 - vii) The exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed,
 - viii) The lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable,
 - ix) On a vacant parcel in a residential district, the suggested location for a future driveway and garage or carport, if the application itself does not include such building as part of the proposal,
 - x) Storm drainage and grading plan,
 - xi) description of proposed development to take place within amenity or landscaped areas, and
 - xi) Any other pertinent information or tests required by the Development Officer respecting the site or adjacent lands.
- 2) At the discretion of the Development Officer, a letter from the registered owner may be required authorizing the right of entry by the Development Officer to such lands or buildings as may be required for investigation of the proposed development.



Figure No. 4: Development Process





SECTION 2: NOTICE OF PROPOSED DEVELOPMENT

- 1) Prior to an application being considered, the Development Authority may require one or more of the following:
 - a) Cause a notice to be posted in a conspicuous place on the site of the proposed development not less than seven (7) days prior to the date of consideration of such an application, or
 - b) Cause a similar notice to be published once in a newspaper circulating in the municipal area, at the expense of the applicant, or
 - c) Cause a similar notice to be sent by mail to all assessed property owners within 200 ft (61.0 m) of the site, and to those assessed property owners who in the opinion of the Development Authority may be affected, not less than seven (7) days prior to the date of consideration of the application.

SECTION 3: DEVELOPER CONSULTATION

- 1) As part of the review process of an application for development permit approval, subdivision approval or an amendment to this Bylaw, the Development Authority, Subdivision Authority or Council may require that the applicant consult with adjoining landowners/residents/occupants or applicable agencies and government departments on the application being made.
- 2) The form of consultation undertaken by the Developer shall be approved by the applicable authority prior to the commencement of the consultation process, and may include electronic communication, open houses, door to door visitations or other forms appropriate for the particular application.
- 3) Following the consultation, the applicant shall provide the approving authority with a summary report that includes the following:
 - a) the person(s) or other entities contacted,



- b) issues, concerns or recommendations proposed,
- c) responses to (b) that can be incorporated into a revised proposal,
- d) a description of any revisions or additions to the proposal that are to be considered amendment(s) to the application.

SECTION 4: PERMITTED USE - COMPLIANT

- 1) The Development Authority shall approve a development permit application and issue the development permit where the proposed use or building is determined to be a *Permitted Use - Compliant*.
- 2) The Development Authority may, as a condition of issuing a development permit for a *Permitted Use - Compliant*, require the applicant to construct or pay for the construction of the following that are necessary to serve the development:
 - a) public utilities, other than telecommunication systems or works; and
 - b) vehicular and pedestrian access.
- 3) The Development Authority may, as a condition of issuing a development permit for a *Permitted Use - Compliant*, impose conditions in respect of the following matters:
 - a) an environmental site assessment, pursuant to Alberta Environment standards,
 - b) a phasing plan for the development,
 - c) a drainage plan to direct surface drainage off of the subject property and into an approved receiving area such as a street or alley,
 - d) compliance with all other municipal, provincial and federal regulations applicable to the application,
 - e) compliance with all municipal bylaws applicable to the application,
 - f) development of identified landscaping and amenity areas,
 - g) all necessary safety codes approvals,
 - h) site appearance and outside storage materials,
 - i) issues related to privacy and public safety during construction, and



- j) a surveyed plot plan showing the location of the foundation and driveway structure to the property lines once those features are complete.
- 4) The Development Authority may, as a condition of issuing a development permit for a *Permitted Use - Compliant*, require the applicant to enter into an agreement with the Town of Barrhead pursuant to Section 650 and 651 of the *Act*.
- 5) The Development Authority may, as a condition of issuing a development permit for a *Permitted Use - Compliant*, require the applicant to:
 - a) compensate the Town for third party costs for planning, engineering and legal services required to process and administer the application and approval,
 - b) comply with the Town of Barrhead requirements for street addressing or site grading, or
 - c) compensate the Town for damage to done to municipal property or improvements during construction.
- 6) The Development Authority may require the fulfillment of the conditions referred to in this section before commencement of construction or the proposed use.
- 7) A notice of decision for a Permitted Use - Compliant development permit application shall be given in writing to the applicant. Additional notifications to person(s) other than the applicant are discretionary on the part of the Development Authority.
- 8) Appeals to the Subdivision and Development Appeal Board for decisions under this Section may only be made by the applicant/landowner within fourteen (14) days from the date of issuance or the notice of decision plus an additional seven (7) days¹ for a total of (21) days where the notice is delivered through the postal system.
- 9) There is no right of appeal to development permit approval decisions under this Section except where provisions of this Bylaw may have been relaxed, varied or misinterpreted.

¹ Section: 22 and 23 of the Alberta Interpretation Act, RSA 2000.



SECTION 5: PERMITTED USE - VARIANCE REQUIRED

- 1) The Development Authority may, where the proposed use or building is determined to be a *Permitted Use - Variance Required*:
 - a) refuse to approve the development permit application, or
 - b) approve the development permit application and grant a relaxation of the requirement or rule to which the proposed use does not conform, or
 - c) approve the development permit application and require as conditions of approval that the applicant amend specific elements of the plans to conform with the applicable requirements.
- 2) Consideration of an approval of a development permit in accordance with Section 5(1.b) of this Part is subject to the following criteria and considerations:
 - a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties,
 - b) the purpose of the land use district,
 - c) whether granting the variance would make the proposed development incompatible with existing developments or uses, and
 - d) sound land use planning principles.
- 3) The Development Authority may, as a condition of issuing a development permit for a *Permitted Use - Variance Required*, impose the conditions referenced in Section 4(2) through 4(5) of this Part.
- 4) The Development Authority may require the fulfillment of the conditions referred to in this section before commencement of construction or the proposed use.
- 5) A notice of decision for a Permitted Use - Compliant development permit application shall be given in writing to the applicant. Where the decision is a refusal, the decision shall include reasons for the refusal.



- 6) Notice shall also be provided in accordance with [Section 11: Notification](#) of this Part.

SECTION 6: DISCRETIONARY USE

- 1) The Development Authority shall consider the following when deciding a development permit application for a discretionary use or building:
 - a) any plans and policies affecting the parcel,
 - b) the purpose statements in the applicable land use district,
 - c) the suitability and appropriateness of the location and parcel for the proposed development,
 - d) the compatibility and impact of the proposed development with respect to adjoining development and the surrounding neighbourhood,
 - e) the merits of the proposed development,
 - f) municipal servicing requirements,
 - g) access, vehicle and pedestrian circulation within the parcel, and
 - h) sound planning principles.

SECTION 7: DISCRETIONARY USE - DECISION

- 1) After considering [Section 1](#) and Section (6) of this part, and determining that the proposed use or building is compliant with all quantifiable criteria including: parcel coverage, setback criteria, area requirements, amenity requirements, etc., the Development Authority may approve a development permit application for the proposed use or building.
- 2) Pursuant to Section 640(6) of the Act, the Development Authority may approve a proposed use or building where the proposed use or building does not comply with all rules and requirements of this Bylaw, if, in the opinion of the Development Authority:
 - a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere



- with or affect the use, enjoyment or value of the neighbouring properties; and
- b) the proposed development conforms with a use prescribed by this Bylaw for that land or building.

SECTION 8: DISCRETIONARY USE CONDITIONS

- 1) The Development Authority may, as a condition of issuing a development permit for a discretionary use, impose conditions in respect of the following matters:
- a) actions to be performed or carried out prior to the commencement of the development,
 - b) construction or maintenance of the proposed development in accordance with the submitted and approved plans,
 - c) the appropriate performance of a use,
 - d) an environmental site assessment,
 - e) the time or times a use may be carried out,
 - f) phasing of the proposed use,
 - g) limits imposed on the development,
 - h) construction of or payment for public utilities, other than telecommunications systems or works, and vehicular and pedestrian access that are necessary to serve the development,
 - i) the implementation of sound planning principles.
- 2) The Development Authority may, as a condition of issuing a development permit for a discretionary use, require the applicant to enter into an agreement with the Town of Barrhead pursuant to Section 650 and 651 of the *Act*.

SECTION 9: VARIANCE PROCESSING

- 1) The Development Officer may consider and decide upon applications that request a variance to a property line setback, amenity area or other quantitative regulation to a permitted use or building, or to a discretionary use or building that is accessory to an existing approved permitted use or building.



- 2) All other development permit applications that request a variance to a quantitative regulation shall be determined by the Municipal Planning Commission.
- 3) The Development Officer may refer any application under Sub-section (1) above to the Municipal Planning Commission for decision or advice.
- 4) This Section only applies to non-Direct Control Districts except where the decision making authority has been delegated to the Development Authority.

SECTION 10: DIRECT CONTROL APPLICATIONS

- 1) Upon receipt of a completed application for a development permit pursuant to a Direct Control District, the Council may, prior to making a decision, refer the application to the Development Authority, any municipal department or external agency for comment.
- 2) At some point as determined by Council, prior to deciding upon the development permit application before it, the Council may provide public notice through means and to whom it considers necessary, that a decision on a development permit pursuant to a Direct Control District is to be made and that Council may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.
- 3) The Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.
- 4) Council may delegate development permit decision making for permitted uses or buildings and for discretionary uses which are ancillary to an existing permitted use to the Development Officer or Municipal Planning Commission.



SECTION 11: GOVERNMENT REFERRALS

- 1) The Development Authority may refer any development permit application to a government agency or a third party organization for review and comment prior to determining the application and issuing a notice of decision. In particular, referrals may include, but not be limited to:
 - a) Alberta Transportation for any development or sign permit application that is on land adjoining to Highway No. 33 or Highway 18,
 - b) A Safety Codes provider with respect to any permit that requires a safety codes permit in order to comply with possible conditions of development permit approval,
 - c) Alberta Health where the development permit application may require consultation to ensure that all land use issues related to health are addressed,
 - d) Alberta Environment where the development permit application includes issues related to site drainage, groundwater use, impacts on flood plain lands, etc., or
 - e) Barrhead County where the land subject to the development permit application requires access from a roadway where the County is the local road authority.

SECTION 12: NOTIFICATION REQUIREMENTS

- 1) After deciding a development permit application for a permitted use with variance or a discretionary use the Development Authority shall:
 - a) provide the applicant with the written decision, and
 - b) include written reasons for refusal of the development permit application where the said application has been refused.
- 2) Approvals of permits other than Permitted Use-Compliant buildings or uses shall be posted on the subject parcel or published in the



Barrhead Leader newspaper. The posting/advertisement shall include:

- a) the location and proposed use of the building or parcel,
 - b) the date a decision on the development permit application was made,
 - c) that an appeal may be made by a person affected by the decision by serving written notice of the intent to appeal to the Subdivision and Development Appeal Board within (14) days after the date the notice of decision was made.
- 3) Where a notice of decision for a development permit application is provided through written notice, the appeal deadline shall be fourteen (14) days from the date of issuance of the notice plus an additional seven (7) days² for a total of (21) days where the notice was delivered through the postal system to an Alberta address.



EXPLANATION NOTE: *The date of mailing of the notice or the date of publication in the newspaper don't count towards the 14 days! For mailing, an additional week is required for out of province mailings.*

- 4) The Development Authority may provide written notice of any application for development approval to additional landowners within a specified distance of the subject parcel at its discretion.

SECTION 13: PERMIT EXPIRY

- 1) The Development Authority may place a time limit on a development permit where the proposed use or building is intended to be active on a temporary basis. The expiry date shall be clearly marked on the notice of decision.

² Section 22 and 23, Alberta Interpretation Act, R.S.A. 2000.



SECTION 14: EFFECTIVE DATE

- 1) The effective date on an approved development permit is:
 - a) the date marked on the permit for commencement following the expiry of the statutory appeal period, or
 - b) the date following the end of the notice period on the permit for which an appeal may be initiated.
- 2) Any development carried out prior to the effective date of the appropriate development permit is done solely at the risk of the applicant.
- 3) A development permit remains in effect until:
 - a) the date of its expiry if the development permit was issued for a limited time with the expiry date marked on the notice of decision,
 - b) it is suspended or canceled, or
 - c) it lapses upon the failure of the applicant to commence development as required on the notice of decision.

SECTION 15: TRANSFERABILITY OF PERMITS

- 1) Permits are generally determined to "*run with the land*". Change of ownership of the parcel will not impact a development permit except where clearly marked on the notice of decision for uses or buildings that may include, but not necessarily be limited to:
 - a) home based businesses, or
 - b) content of a sign when the general advertising purpose of the sign changes in a significant manner.

SECTION 16: DEEMED REFUSALS

- 1) In accordance with the *Act*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days, or any extension of that time period agreed to by the



applicant, of the application being received by the Development Officer and determined to be complete in form and content.

SECTION 17: SUBSEQUENT APPLICATIONS

- 1) If an application for a development permit is refused by the Development Authority, or on an appeal from the Subdivision and Development Appeal Board, another application for development:
 - (a) on the same lot, and
 - (b) for the same or similar use,

may not be made for at least six (6) months after the date of the refusal, subject to consideration by the Development Authority.

SECTION 18: SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS

- 1) If, after a development permit has been issued, the Development Officer becomes aware that:
 - a) the application for the development permit contains a misrepresentation,
 - b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered, or
 - c) the development permit was issued in error;

the Development Officer may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of the permit, or

- 2) The applicant may request that a permit be suspended through written notice provided that the commencement of the use or development or construction has not occurred.
- 3) If a person fails to comply with a notice under Section 645 of the Act, the Development Officer or Council may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.



- 4) A person whose development permit is suspended or cancelled under this Section through written notice may appeal to the Subdivision and Development Appeal Board.

SECTION 19: MANDATORY REFUSALS

- 1) The Development Authority shall refuse a development permit application when the proposed development:
 - a) is neither permitted or discretionary in the applicable land use district,
 - b) does not qualify as a same or similar use without restriction,
 - c) Is for a use containing a restriction in its definition that is not met by the proposed use;
 - d) Is not adequately serviced by infrastructure and cannot be adequately serviced through the fulfillment of conditions of approval on an approved development permit.

SECTION 20: APPEALS

- 1) Appeals of Stop Orders, cancellation or suspension of an approved Development Permit or of a Development Permit decision are governed by the Act and the Town of Barrhead Subdivision and Development Appeal Board Bylaw.

SECTION 21: NON CONFORMING USE OR BUILDING

- 1) Non conforming buildings and uses are generally regulated in accordance with Section 643 of the Act.
- 2) Notwithstanding the above, pursuant to Section 643(5)(c) of the Act, the following improvements may be made to a non-conforming building within the Town of Barrhead on a discretionary basis, subject to the approval of the Development Authority and conformance to this Bylaw:



- a) additions to buildings, provided they don't increase the floor area of a building by more than 10%,
- b) new exterior openings to a building,
- c) replacement of a maximum of 10% of the structural elements in a building, or
- d) replacement or repair of existing structural elements that serve the purpose of providing occupant safety or security of the building.



EXPLANATION NOTE: *In a residential setting, this section of the Bylaw may be applied for repair of roofs, siding, foundations, steps, decks; or structural additions such as carports, decks, upgraded windows, or exterior finishing.*

- 3) All development approved under this Section shall not increase a variance to a property line setback or encroachment.

SECTION 22: ROUGH GRADING PLANS

- 1) The Development Authority may request a site grading plan to be completed as part of the subdivision and/or development approval process as a condition of approval, in accordance with municipal requirements.



PART VII: GENERAL REGULATIONS

The following are general regulations that are applicable to development within the Town of Barrhead.

SECTION 1: ACCESSORY BUILDINGS

- 1) Where an accessory building is attached to the principal building on a parcel by a roof or an open or enclosed structure, except carports where vehicular access to the rear yard is not obstructed, said accessory building is to be considered part of the principal building and not as an accessory building and shall, therefore, adhere to the setback requirements for principal buildings as specified in the land use districts.
- 2) Residential Accessory Buildings include garages, carports, sheds, storage buildings, sundecks, patios or balconies, permanently installed private swimming pools, hot tubs and other accessory structures such as portable buildings, non-commercial television and radio antennas, flag poles and satellite dishes.
- 3) Commercial and Industrial Accessory Buildings include all buildings that are not determined to be the principal building or use on the parcel, and may include: garages, product storage buildings, materials stockpiles, outdoor storage, etc.
- 4) Unless otherwise provided in this Bylaw, accessory buildings shall be located:
 - a) a minimum of 3.05 m (10 ft) in a laneless subdivision and a minimum of 0.91 m (3.0 ft) in a lane subdivision, from the principal building;
 - b) no closer than the front line of the principal building. This regulation may be relaxed for garages and carports only where, at the discretion of the Development Authority, insufficient setbacks exist to place the building in the rear



yard or side yard. In no case however, shall the building encroach beyond the front yard setback;

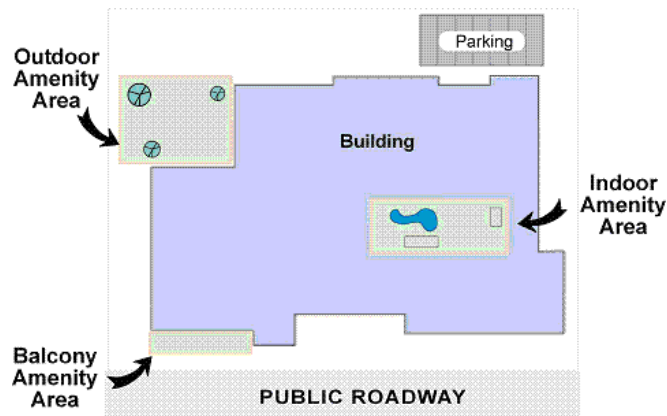
- c) No closer to a flanking street than the closest part of the principal building.
 - d) no closer than 0.91 m (3.0 ft) to the rear parcel line provided there is no encroachment of any part of the building onto public utility easements or onto adjacent property maintenance easements. Where the vehicle approach faces the lane, the garage or carport shall be no closer than 20 ft (6.1 m) from the lane;
 - e) no closer than 0.91m (3.0 ft) to the side parcel line excepting where an agreement exists between the owners of adjoining parcels to have built or build their garages using a common parcel line, in which case a fire wall will be constructed;
 - f) no closer than 0.91 m (3.0 ft) from the side parcel line and 0.91 m (3.0 ft) from the rear parcel line in the case of an angular or curved approach from a lane; and
 - g) No roof overhang or eaves shall be within 0.15m (0.5 ft) of the side or rear property boundary.
- 5) Sundecks higher than 0.61m (2.0 ft) shall adhere to the site requirements for principal buildings in the District Regulations.
- 6) Notwithstanding any provision in this Section, no accessory building or structure shall be permitted that, in the opinion of the Development Authority, will serve to restrict access to the rear yard where a parcel has vehicular access from the front yard only and one side yard setback of 3.05m (10 ft) has been provided to accommodate a driveway for vehicular passage and general access to the rear of the parcel.
- 7) Accessory buildings shall not be used as dwellings, subject to provisions of this Bylaw regarding [Secondary Suites](#).



SECTION 2: AMENITY AREAS

- 1) Amenity areas as defined in this Bylaw may be located indoor of a building or outdoor.
- 2) Minimum amenity requirements are provided in Part VIII where a specific use regulation is provided, and are optional for other land uses.
- 3) Indoor amenity areas are optional on the part of the development except where specified in Part VIII of this Bylaw.
- 4) Where an indoor amenity area is included in a development it shall be applied towards any minimum total amenity areas that are required

- 5) An outdoor amenity area shall be provided in the rear yard of a parcel, or the front yard of a parcel where the front yard is established as the principal recreation area of the parcel.



- 6) A communal amenity area may be established within a bare land condominium with the area applicable towards any amenity area per unit requirements.
- 7) Within a condominium, the amenity area may include a combination of communal amenity areas and private amenity areas.
- 8) A private amenity area may include an "exclusive use area" registered against the certificate of title on a common property or jointly owned property.

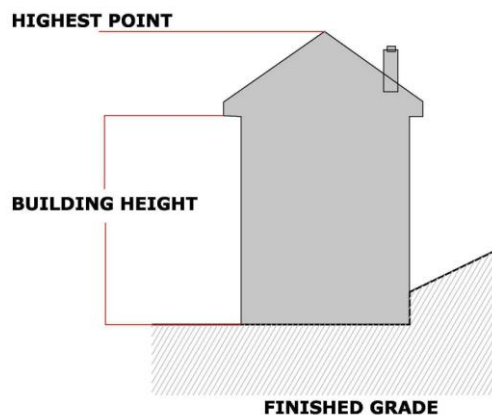


SECTION 3: BUILDING DEMOLITION

- 1) The Development Authority shall require a permit to demolish a building on a parcel.
- 2) An application to demolish a building shall not be approved without a statement or plan, which indicates:
 - a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
 - b) the final reclamation of the parcel,that is satisfactory to the Development Authority.
- 3) An application for the demolition of a building or structure is a permitted use in all Land Use Districts.

SECTION 4: BUILDING HEIGHT

- 1) No building shall be constructed within the Town of Barrhead that exceeds 9.1 metres (30 feet) above grade unless it is:
 - a) serviced with a standpipe and sprinkler system, and
 - b) is serviced for fire and rescue in a manner satisfactory to the Town of Barrhead, or
 - c) the portion of the building is not normally accessible by persons as with communication towers, steeples or facade improvements.
- 2) No accessory building shall exceed the height of the principal building on a parcel.
- 3) The height of an accessory building shall be in proportion with the principal and accessory buildings on the subject parcel and adjoining parcels, and shall be in keeping with the surrounding neighbourhood.





- 4) The height of a building shall be measured from the average grade of the parcel.
- 5) For development that is to exceed 10 metres (32.8 ft) above grade where the adjoining parcel is districted to a low density residential district, the setback from the common property line shall be increased at a rate of 80% of the additional building height to a maximum height of 16 metres (52.4 ft) above grade.

SECTION 5: LANDOWNER AND CONDOMINIUM

ASSOCIATIONS

- 1) For the purpose of this section, common property means common property as defined under the *Condominium Property Act*, as amended, or property that is owned in common by all landowners (landowner association) within a community.
- 2) The Town of Barrhead is not obligated to enforce any provision of a condominium bylaw or a landowner association bylaw except where the said provision is included in the bylaw by the requirement of the municipal approving authority.
- 3) Condominium associations and landowner associations may require a higher standard of development than that required under this Bylaw.
- 4) The Town of Barrhead may require that specific provisions be included in a condominium bylaw or landowner association bylaw that are determined by the Development or Subdivision Authority to address issues of a municipal interest.

SECTION 6: COMMUNITY ENTRANCE FEATURE

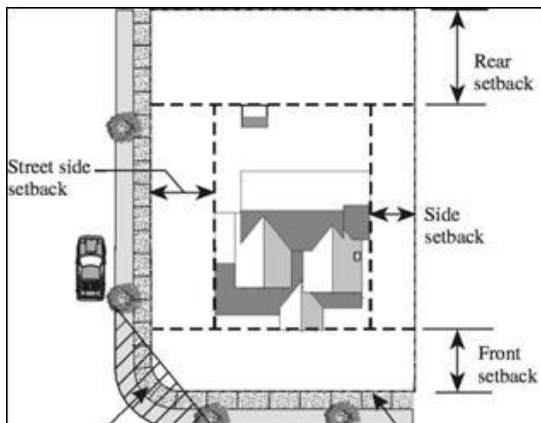
- 1) A community entrance feature is a landscape attraction, monument or sign displayed on a parcel that identifies a residential community,



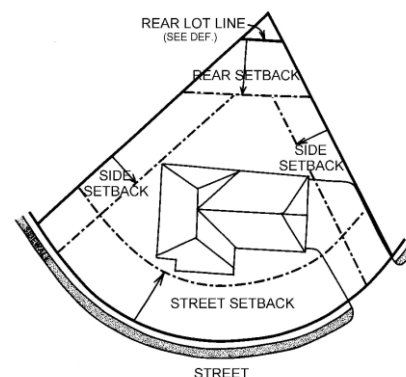
- 2) A community entrance feature may be placed on a property where:
 - a) the owner of the land consents to the placement of the feature on the property,
 - b) the feature is constructed of maintenance free-materials, whenever possible, and
 - c) does not encroach upon a right of way or impact traffic safety.
- 3) The Town of Barrhead may require the landowner, condominium association or landowner association to enter into an agreement for the maintenance of the community entrance feature.
- 4) A community entrance feature may encroach into the setback requirements of a parcel, subject to (2) above.

SECTION 7: CORNER AND DOUBLE FRONTING

PARCELS



- 1) A parcel abutting two or more streets shall have a front yard setback on each street in accordance with the front yard requirements of this Bylaw.
- 2) One flanking yard on a parcel may be subject to side yard setback





requirements in all land use districts unless a separate flanking setback is described in the subject land use district.

- 3) No person shall erect, place or maintain within the site triangle a wall, fence, shrub, trees, hedge or any object over 0.9 metres (3.0 ft.) in height above the lowest street grade adjacent to the intersection.
- 4) Finished grades within the site triangle shall not exceed the general elevation of the roadway by more than 0.6 m. (2.0 feet).

SECTION 8: CURB CUTS

- 1) Curb cuts shall be provided as required by the Development Authority in a manner that minimizes loss of on-street parking opportunities and for the safe and efficient movement of pedestrians.



SECTION 9: DEVELOPMENT NEAR SLOPES

- 1) No permanent buildings may be allowed within 30 m (98 ft.) of the top of bank of the Paddle River or within any slope that exceeds 15%, unless the proposal is supported by a qualified professional engineer registered in the Province of Alberta.
- 2) The Development Authority or Subdivision Authority may require that a restrictive covenant in favour of the Town of Barrhead that addresses the slope issue be registered against the certificate of title for the proposed property.
- 3) Where the design of a building may impact a sloped area, the Paddle River or its flood plain, the Development Authority may require that the design for the building be approved by a professional engineer.
- 4) The Development Authority may increase the setback requirements to address a building site issue applicable to this Section.



SECTION 10: DWELLING UNITS ON A PARCEL

- 1) The number of dwelling units allowed on a single parcel shall be one (1) except for the following:
 - a) where provision is made in this Bylaw for a secondary suite the number of dwellings may be increased by one,
 - b) in Districts where multi-unit dwellings are an allowable use, and
 - c) in multi-unit structures such as condominiums, apartment blocks, senior's housing, residential exclusive use areas, and row housing.

SECTION 11: EMERGENCY ACCESS TO BUILDINGS

- 1) All parcels shall be designed such that safe, unrestricted access for fire fighting vehicles and equipment is afforded to all buildings and parcels in accordance with municipal and provincial fire authorities having jurisdiction.

SECTION 12: EXCAVATION, STRIPPING AND GRADING

- 1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes including, but not limited to, sand and gravel mining, topsoil stripping, removing trees and construction of artificial bodies of water.
- 2) An application for a development permit for the excavation, stripping or grading of land, which is proposed without any other development on the same land, shall include with the application all of the following information:
 - a) Location of the parcel, including the municipal address, if any, and legal description.
 - b) The area of the parcel on which the excavation, stripping or grading is proposed.



- c) The type and purpose of the excavation, stripping or grading proposed, showing the dimensions of the operation and/or the area of the land and depth to which the topsoil is to be removed.
- d) Location on the parcel where the excavation, stripping or grading is to take place.
- e) The condition in which the excavation, stripping or grading is to be left when the operation is complete and the use of the area from which the topsoil is removed.



EXPLANATION NOTE: *Construction practices are provided in Part II: Section 5 of the Town of Barrhead Community Standards Bylaw.*

- 3) Where, in the process of development, areas require leveling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and then replaced following the completion of the work. The affected area shall be graded and landscaped to the satisfaction of the Development Authority.
- 4) Where significant excavation and fill is proposed, the Development Authority may require that same be conducted in accordance with engineered plans bearing the seal and signature of an professional engineer registered in the Province of Alberta.
- 5) As a condition of a development permit, the Development Authority may require that the developer provide financial guarantees, in a form acceptable to the Town of Barrhead, up to the value of the estimated cost of all or any proposed work/activities, including final grading and landscaping, to ensure that same is carried out with reasonable diligence.
- 6) All activity and/or reclamation work that occurs under this Section shall meet any requirements of Alberta Environmental Protection or any other regulatory body.



SECTION 13: EXCLUSIVE USE AREAS

- 1) An exclusive use area, where approved by the Development or Subdivision Authority, shall be regarded as a private area for the benefit of the property that is granted the exclusive use.
- 2) Where the exclusive use area is used as an amenity area, the exclusive use area shall count towards the amenity area requirements for the benefiting property.

SECTION 14: FENCING AND SCREENING

- 1) In a residential district:
 - a) No fence shall be constructed that is:
 - i. higher than 1.83 m (6.0 ft) for that portion of the fence that does not extend forward beyond the foremost portion of the principal building on the parcel; and
 - ii. higher than 0.91 m (3.0 ft) for that portion of the fence that extends into the front yard beyond the foremost portion of the principal building on the parcel.
 - b) A flanking street property line that is treated as a side yard for yard setback purposes shall also be treated as a side yard for fencing requirements.
 - c) Where hedges, trellises, arbors, and similar things are located on or adjacent to a parcel line, they shall comply with the height requirements for fences.
 - d) Multi-unit dwellings shall provide a wooden fence along the common property line with non-multi-unit residential buildings, extending beyond the foremost portion of any principal or accessory building. Fence height shall be a minimum of 1.52 (5.0 ft.) and a maximum of 1.83 (6.0 ft.) above grade.



- e) The height of a fence is as viewed from the facing side.
 - f) Fencing has to be consistent in design and materials with those on neighbouring properties.
 - g) Barbed, electric, chicken or pig wire fencing on property lines is banned within residential land use districts. Chicken or pig wire may be used in the interior of a residential lot.
 - h) Fence posts shall be located on the facing side, or may be open to both sides where both lot owners are in agreement with the fence design at the time of construction.
- 2) In non-residential districts:
- a) Where a parcel fronts onto a street on both the front and rear yard, development permit approval is required prior to the erection of any fences on the property.
 - b) A solid or chain link fence shall be erected to a height no less than 1.22 m (4.0 ft.) and no more than 1.83 m (6.0 ft.) on the property line that separates a commercial, industrial, public or quasi public use not including a park from a residential area.
 - c) The maximum height of a fence within industrial properties may be determined by the Development Authority.
- 3) In urban reserve districts, barbed wire and other wire fencing may be constructed in support of agricultural operations.
- 4) All fences shall be made of materials that are not a safety hazard to the public. Creosote pole fencing is prohibited within the Town of Barrhead.

SECTION 15: HAZARDOUS MATERIALS

- 1) Notwithstanding the regulations prescribed in the land use districts, industrial and commercial uses which involve storing, handling, distributing or disposing of chemical materials or products shall not be located on parcels which, in the opinion of the Development

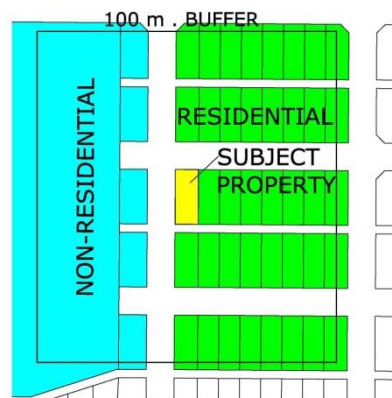


Authority, would be considered unsafe or may have potential for contaminating the Town of Barrhead's water supply, unduly interfere with, or affect the use, enjoyment or value of neighbouring parcels by reason of the storage or containment of the product or the potential release of the product.

- 2) The applicant applying for a use pursuant to this Section shall provide an approved development plan from the appropriate provincial agencies prior to a development permit being issued by the Development Authority.
- 3) With commercial pressure vessel storage facilities (AAG and LPG) for the above storage materials the Development Authority shall consider:
 - a) the material to be stored in the pressure vessel;
 - b) the orientation of the pressure vessel to buildings in the surrounding neighbourhood, especially those which are used for residential use or public assembly;
 - c) the ability of the fire department to respond to an accident involving the proposed development; and
 - d) the truck route through the community which will be used to service the proposed development.
- 4) All pressure vessel containers shall be constructed, located, and inspected in accordance with the provisions of the Alberta Safety Codes Act, and its regulations.

SECTION 16: RESIDENTIAL IN-FILL

- 1) Residential in-fill development shall comply with all municipal requirements for servicing, parking, building height and amenity space.
- 2) Residential in-fill development is regulated by land use and overall housing unit density within an R2 - Residential Land Use District.
 - a) A non in-filled residential area shall have a housing unit density of 16





housing units per ha. (not including roads and parks). The current housing density is calculated by calculating the housing density (units/ha.)³ within 100 metres of the property subject to an application for in-fill development.

- b) Class A - Residential In-fill may increase overall housing density to a maximum of 125% of a non in-filled residential area or a density of 20 housing units per ha.
- c) Class B - Residential In-fill may increase the overall housing density to a maximum of 140% of a non in-filled residential area or a density of 22 housing units per ha.



EXPLANATION NOTE: *In the above example (R2 District), Class A in-fill could result in 4 lots converting to a Duplex, which Class B could result in a further 2 lots converting to a Duplex. Total housing increase would be 6 housing units.*

- d) The Development or Subdivision Authority may require a re-districting or additional planning investigation such as an area re-development plan prior to considering in-fill development in excess of (c) above.



- e) Approved Secondary Suites shall count towards the calculation of housing unit density for the purpose of this Section.
- f) Where an R2 - Residential Land Use District parcel is re-districted to R3 - Residential Land Use District, is re-developed, and the primary access to the R3 parcel is through an R2 housing area and not a major street(i.e., 53

³ Standard rounding rules apply: 0.0 to 0.49 round down, 0.5 to 0.9 round up.



Avenue), the housing density from that parcel shall count towards the density allotment of this Section.

- g) Part VIII: Section 20: Multi-Unit Dwellings and Section 25: Residential Standards are applicable to this Section.

SECTION 17: LANDSCAPING

- 1) All land within a parcel that is not covered by a building, portable building, parking areas, outdoor amenity areas, retaining walls or driveway shall be landscaped.
- 2) The minimum landscaped area of a parcel shall be:
 - a) Residential Districts excluding apartment buildings: 10%
 - b) Highway and Neighbourhood Commercial parcels: 5%
 - c) Other: are as per the requirements of the Approving Authority.
- 3) A development permit approval is required for the removal of top soil from a parcel.
- 4) As part of the initial development permit application for the development of a parcel, the application shall include:
 - a) the location of all retaining walls,
 - b) sidewalks and open parking areas,
 - c) amenity areas, and
 - d) general parcel grading and drainage plan.
- 5) Commercial parcels with off-street parking lots shall be landscaped by the planting of shrubs, trees and/or shrubs at a density of 1/185.8 m² (2,000 ft²).
- 6) Vegetative landscaping shall not impair public safety or pedestrian movement.
- 7) All landscaping shall be completed by the end of one construction season (May through October) following the occupancy or commencement of use of the proposed development, unless an extension is granted by the Development Authority.



- 8) The Development Authority may require a financial guarantee in the form of cash or a letter of credit up to the value of the estimated cost of completion of the proposed landscaping.

SECTION 18: LANEWAY ACCESS

- 1) A lane cannot be used as the sole access to a parcel unless it has been granted approval from the Subdivision and/or Development Authority.
- 2) Where the lane is to be used as the access to a residential property, the Subdivision and/or Development Authority may require additional right of way from the parcel to accommodate a future sidewalk adjoining the lane.
- 3) Where it is proposed that a lane be used as a principal access through the block, the Subdivision and/or Development Authority may require that the lane be widened and developed up to a full street standard.
- 4) The Subdivision and/or Development Authority may require the lane to be signed to notify users of the lane that it is shared by pedestrians.



SECTION 19: PROHIBITED AND RESTRICTED

DEVELOPMENT

- 1) All matters related to unsightly property, derelict property, improper storage of vehicles, waste and chattels and the parking of commercial vehicles in residential areas are addressed through the provisions of the Municipal Government Act and Town of Barrhead bylaws adopted by Council.
- 2) The Development Authority shall not consider for approval any development permit application that includes the transport of a



mobile home, as defined in this Bylaw, from outside the corporate limits of the Town of Barrhead to a location within the corporate limits of the Town of Barrhead.

SECTION 20: ON-SITE ENERGY SYSTEMS

On-site Energy Systems for the purpose of this Bylaw include solar thermal, solar voltaic, wind and geo-exchange. Bio-mass energy converters are considered to be an industrial use and are not regulated under this Section.

1) Wind Power:

- a) Windmills allowed within the Town of Barrhead shall have a generating capacity \leq to 3KW,
- b) A horizontal windmill blade must be entirely within the property line setback or 1.5 metres, whichever is less,
- c) A vertical windmill blade must have a minimum 10.0 metre clearance above grade except where the windmill turbine is mounted on a building,
- d) Agreements with adjoining landowners may be considered in support of a relaxation of a property line setback,
- e) Noise from windmills shall be subject to the noise bylaws of the Town of Barrhead and applicable provincial and federal legislation,
- f) All windmill applications shall be subject to the obtaining of approval from the relevant provincial and federal power regulators,
- g) All windmills shall be removed from the site and the site shall be reclaimed once the site is no longer required for the proposed use, and
- h) Windmills shall be of new construction or compliant with the latest design





standards in force by the Government of Canada or Alberta.

2) Solar Panels:

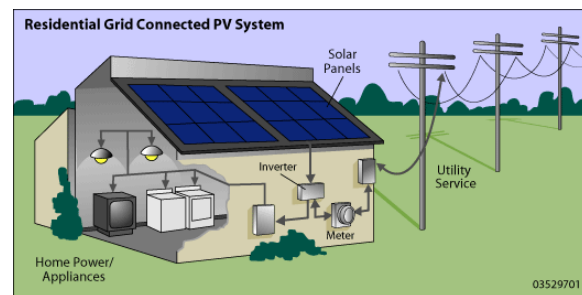
- a) Solar panels affixed to a roof or wall of an existing building shall not require a development permit approval.

3) Geo-Exchange:

- a) The zone of influence for a geo-exchange circulation well shall be contained entirely within the property boundary of the subject property, unless a variance is agreed to by the landowner for the adjoining property,
- b) all proposed geo-exchange systems shall be professionally engineered,
- c) developers who wish to provide geo-exchange as part of a subdivision servicing proposal shall be required to provide all necessary engineering plans as part of a land use plan or subdivision application, and
- d) despite being servicing by a geo-exchange energy system, the subject property shall be serviced to the property line with both electrical and natural gas servicing.

4) Energy to Grid Systems:

- a) Applicants who wish to produce energy and sell it through the utility grid shall consult with the applicable utility regulator and provider prior to applying for development permit approval. Details of the consultation shall be provided to the Town for use as part of the development permit decision making process.



5) Windmill Application Requirements:

- a) In addition to the standard requirements for an application for a Development Permit, the following may be required by the Development Authority:



- i. a site plan at scaled elevation showing the proposed tower height, rotor diameter, colour and proximity to property lines and buildings,
 - ii. an analysis for noise at the site and the property boundary of the site,
 - iii. specifications for anchor design, foundation and guy wires, and
 - iv. details on consultation with Alberta Environment, Alberta Sustainable Resources, Nav Canada, Transport Canada and the Alberta Energy Regulator, as applicable.
- 6) Land Use District Limitations:
 - a) Solar panels, windmills and geo-exchange systems may be installed within any land use district as an accessory building or use, as applicable, and
 - b) Windmills within residential/commercial Districts shall be located in a manner that in the opinion of the Development Officer does not unduly interfere with the use, enjoyment, value or safety of neighbouring properties.
 - c) The placement of on-site energy systems within a lot shall be aesthetically compatible with other development in the surrounding neighbourhood.

SECTION 21: ON-SITE SERVICING

- 1) Except as provided in (2) below, all properties within the Town of Barrhead shall be fully serviced with municipal water and sewer servicing as well as all franchise utilities.
- 2) Existing on-site serviced properties that are unable to be serviced with municipal water and sewer services or that are serviced as part of an agricultural use may continue to use/repair or upgrade the existing on-site service.
- 3) The use of water well supply for non-agricultural use and subsequent discharge of the water into to the Town municipal



sewer system shall be subject to regulation under the Town of Barrhead Utilities Bylaw, as amended.

SECTION 22: OUTSIDE STORAGE / DISPLAY

1) The following shall apply in all Commercial Land Use Districts:

- a) Outside storage of goods, products, materials or equipment shall be kept in a clean and orderly condition at all times and shall be screened by means of a solid wall or fence from adjacent residential uses to the satisfaction of the Development Authority.



- b) When part of the parcel is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Development Authority:

- (i) unduly interfere with the amenities of the district, or
- (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcel.

SECTION 23: POLLUTION CONTROL

1) In any land use district, no use of land or a development may be undertaken in a manner that would, in the opinion of the Development Authority:

- (a) unduly interfere with the amenities of the district, or
- (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcel,



by reason of potential for contamination of the water supply for the Town of Barrhead, excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or unsuitable containment of hazardous materials.

- 2) The Development Authority may choose to limit or specify the hours of operation of any commercial or industrial operation within the conditions of any Development Permit where those hours may be a nuisance to neighbouring properties, businesses and residents.

SECTION 24: PRINCIPAL BUILDINGS OR USE

- 1) On residential parcels, the residential building(s) shall be the principal building on that parcel. All other detached buildings shall be accessory to the principal building or use.
- 2) An accessory building or use where there is no principal building or use on the property shall be a discretionary use in all land use districts.

SECTION 25: PROJECTIONS INTO YARDS

- 1) A principal building shall not encroach or project over or onto a front yard, side yard, rear yard or required setback, except where as described below:
 - a) a chimney, balcony, sill, cornice, eave or other similar structure to a maximum encroachment of 0.61 metres (2 ft.); and does not encroach into a side yard intended to provide access unless the encroachment is a minimum of 2.5 metres (8.2 ft.) above grade,
 - b) an unenclosed verandah, porch, deck, eave or canopy or open balcony individual supported by cantilever, projecting no more than 1.22 metres (4.0 ft.) into a front yard,
 - c) unenclosed steps or wheelchair ramp, if the steps or ramp are:
 - i. 2.44 metres (8.0 ft) or less above grade,
 - ii. not located in a required side yard which provides or is intended to provide access and the steps would not reduce the side yard by more than 0.6 metres (2.0 ft.),



- iii. eaves of a private garage or other accessory building if the eaves are not closer to the parcel line than one-half the width of the required side yard or 0.61 metres (2.0 ft.), whichever is less,
 - iv. a bay or bow window or cantilevered section of a building which projects into a front yard to a maximum of 0.61 metres (2.0 ft.) ,
 - v. a bay or bow window or cantilevered section of a building which projects into a side yard to a maximum of 0.61 metres (2.0 ft.) where the side yard is intended to provide access, unless the encroachment is a minimum of 2.5 metres (8.2 ft.) above grade, and
 - vi. a grade level patio or other similar development may project into a yard requirement up to the property line.
- 2) In a commercial district, a canopy or extension over a front or side yard may project into the yard in accordance with the sign regulations of this Bylaw.
- 3) In a commercial district, a canopy or extension into a rear yard shall not obstruct the normal use of the yard and shall be a minimum of 3.65 metres (12 ft.) above grade.

SECTION 26: PUBLIC UTILITIES

- 1) Public utility facility structures and equipment on a parcel are not subject to the yard setback requirements of this Bylaw. All setbacks for public utilities shall be determined by the Development Authority.
- 2) Public utility facility structures and equipment are a permitted use in all land use districts, except where specifically regulated elsewhere in this Bylaw.
- 3) Nothing in this Bylaw or Development Authority approval authorizes the placement of a structure or the carrying out of a use that is contrary to the use provisions in a utility easement.



SECTION 27: RELOCATION OF BUILDINGS

- 1) The relocation of a building to or within a parcel other than structures within Part V: Section 2: Development Not Requiring a Permit, shall require Development Authority approval prior to the relocation taking place.
- 2) An application to relocate a building from one parcel to another shall require:
 - a) a colour photograph of the building,
 - b) a statement of the current location of the building,
 - c) a statement from a safety codes inspector identifying the improvements that are required to bring the building into compliance with the Safety Codes Act,
 - d) notification of the route, date, and time that the relocation is to take place, and
 - e) a site plan showing where the subject building is to be located within the parcel.
- 3) The Development Authority may require, where a development permit is issued for a relocated building, a letter or credit related to the development. Where applicable, a letter or credit may be forfeited should all conditions of the development permit not be complied with.
- 4) The Town may require that some or all renovations identified in the Development Permit application to be carried out prior to the relocation of the building. Upon re-location, all remaining renovations shall be completed within one year of the issuance of the development permit.
- 5) A relocated building is a discretionary use in all land use districts.
- 6) All relocated buildings shall be compatible with respect to age and appearance with other buildings on the parcel and adjoining parcels once it is fully renovated.
- 7) Buildings that are located on sales lots and have not been used for the intended purpose (i.e., a modular home on a sales lot has never been lived in), are in good conditions and repair, and



comply with the current standards of the Safety Codes Act shall be treated as new construction and not a moved in building.

SECTION 28: STREET (CIVIC) ADDRESS

- 1) Every residence or business shall have its municipal address clearly displayed near the front door entrance in a manner that is recognizable from the fronting street or sidewalk.
- 2) Street numbers shall be a minimum of 15.24 (6 in.) in height.
- 3) The Development Authority may attach a condition to a development permit approval requiring:
 - a) the posting of a civic address on the subject building, and
 - b) the posting of a street sign indicating the range of addresses that is on a particular street or laneway.

SECTION 29: VEHICLE ACCESS MANAGEMENT

- 1) Every parcel created for residential, commercial or industrial use shall have either within the parcel or on an adjoining parcel vehicular access to a street, avenue or lane.
- 2) Vehicle access to a parcel shall be in conformance with Town of Barrhead Servicing Standards.

SECTION 30: ZERO-SIDE YARD REQUIREMENTS

- 1) Where developments are proposed which include a zero side yard, the regulations of this section shall apply.
- 2) A development for a zero-side yard building shall include plans showing the grading and drainage onto adjoining parcels and address any grading and drainage issues to the satisfaction of the Development Authority.



3) Easement Required:

- a) Where a zero side yard is permitted, an easement shall be provided on the parcel abutting that side yard, the full width of the side yard required on the adjacent property, for the maintenance of all principal and accessory buildings, and for any overhang of principal or accessory buildings onto that adjacent parcel. The Development Authority may require that an easement plan be registered in addition to the normal plan of subdivision.
 - b) Where an accessory building is permitted to have a zero side yard abutting a parcel, the applicant will be responsible for the negotiation and registration of any easements required pursuant to Subsection (3)(a), prior to the issuance of a development permit for the zero side yard development proposal.
 - c) Where a plan is accepted for a zero side yard project or zero side yard parcel, and where that plan indicates the location or alternative locations for future accessory buildings (including garages) on the parcel, easements required under Subsection (3) shall be provided for all possible alternative future locations of accessory buildings at, or prior to, the time of the development of the principal building.
- 4) Residential structures that apply for a zero-side yard shall include, as a condition of development permit approval an encroachment easement of 0.6 metres (2 ft) and a private maintenance easement of 1.2 metres (4 ft), or as required by the Alberta Safety Codes Act.
- 5) Residential structures with one side yard reduced to 0.00 metres shall include a minimum 3.0 metre (10 ft) side yard on the side yard opposite the other end of the building, except where a





parking space is provided in the side yard, in which case the parking space shall be 3.5 metres (11.5 ft) wide.

- 6) No part of any structure or building shall be erected within 4.9 m (16 ft) of the street boundary on the flanking front yard side of a zero side yard parcel.
- 7) A minimum 1.5 metre (4.9 ft) side yard setback is required on the side of a lot that abuts another land use district which is not a zero side yard development.
- 8) The Town may require a party wall or other agreement to be registered against the certificate of title where it is the intent of the Developer to subdivide the structure along an interior common wall into separate parcels.
- 9) Full compliance with the Alberta Safety Codes Act is required prior to the endorsement of any subdivision or development permit application that has the effect of subdividing an existing building into two or more parcels.



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PART VIII: USE SPECIFIC REGULATIONS

SECTION 1: ACCESSORY FOOD SERVICE

- 1) An accessory food service shall:
 - a) be no more than 20 square metres to accommodate food preparation and seating area,
 - b) be subordinate or accessory to the principal use in the building,
 - c) operate in conjunction with another approved use,
 - d) use the same entrance/exit as the principal use in the building,
 - e) not require parking stalls in addition to those provided for the principal use, and
 - f) comply with all applicable health and safety regulations.
- 2) An accessory food service may be an accessory use to a recreational facility such as an arena, summer fair, campground, etc.

SECTION 2: ACCESSORY LIQUOR SERVICE

- 1) An accessory liquor service shall:
 - a) be located within a premises used for the sale and consumption of alcoholic beverages for the patrons of another approved use,
 - b) serve only the patrons attending events or performances at the use of which it is located,
 - c) must not provide permanent seating area for patrons, and
 - d) not require parking stalls in addition to those provided for the principal use, and
 - e) comply with all applicable health and safety regulations.



SECTION 3: ADULT ENTERTAINMENT BUSINESS

- 1) An adult entertainment business shall not be located within any land use district that does not include the use "adult entertainment business" as a distinct use.
- 2) Shall not be located within 100 metres (328 ft) of a park, school, community hall, church or other place of worship, arena, amusement establishment or other business that caters specifically to children.

SECTION 4: AMUSEMENT ESTABLISHMENTS

- 1) An amusement establishment shall not have any openings, except emergency exits, loading bay doors or non-opening windows on a facade that faces a residential district, or abuts a lane separating the parcel from a residential district.

SECTION 5: BED AND BREAKFAST

- 1) A bed and breakfast operation shall:
 - a) have a maximum of three (3) guest bedrooms at any one time,
 - b) not have more than one employee that is not a resident of the principal residential building,
 - c) not include any cooking facilities in a guest bedroom,
 - d) not display any signs on the parcel unless approved by the Development Authority, and
 - e) may offer one or more meals to the guests during the stay.
- 2) A bed and breakfast may share a maximum of two parking stalls in tandem with other vehicle parking stalls located on the parcel.
- 3) A bed and breakfast establishment shall include a minimum of 50% of the indoor/outdoor amenity space for the principal residential use of the building.



SECTION 6: CAMPGROUNDS & R.V. PARKS

1) A campground within the Town of Barrhead means a use:

- a) where spaces are provided for temporary accommodation in recreational vehicles or tents,
- b) that may include an administration building, laundry or other buildings and structures related to recreational use within the campground area,
- c) that is serviced in a manner acceptable to the Town of Barrhead,
- d) that has a minimum of one parking stall per camping space and one visitor parking stall per seven spaces, and
- e) that cannot be used for long term accommodation.



2) When considering a development permit application for a campground within the Town of Barrhead, the Development Authority may consider specific conditions of approval to address the following land use issues:

- a) hours of operation,
- b) cleanliness and overall appearance,
- c) security,
- d) a minimum 10% of the area to be developed for amenity space and recreational activities
- e) emergency response plan, and
- f) wildfire management and emergency access

SECTION 7: CAR WASH

1) A car wash within residential or non-highway commercial areas shall be designed to accommodate smaller vehicles.



- 2) A car wash within a high commercial or industrial area may be designed to accommodate larger recreation vehicles and larger commercial/industrial vehicles or equipment.
- 3) A vehicle exit door on a car wash shall not be closer than 23.0 metres (75.5 ft) of the property line or a residential district parcel.
- 4) A car wash shall provide a minimum of four (4) vehicle stacking purposes and a drying/vacuum area in the form of one (1) parking stall for every car wash bay.
- 5) Where adjoining a residential district parcel and within 23.0 metres (75.5 ft) of the nearest property line, the car wash shall:
 - a) have the vacuum within the car wash building,
 - b) be screened from the residential parcel, with the said screening being described in the permit application and site sketch.
- 6) The parcel size shall be appropriate for the proposed use and any associated uses such as gas bars and service stations.

SECTION 8: CHILD CARE SERVICES

- 1) A child care service as a principal use shall:
 - a) have an indoor/outdoor amenity area that is screened from adjoining residential properties,
 - b) include 1.0 parking stalls per two (2) employees and one stall per 10 children, whichever is greater,
 - c) include a minimum of 1.0 pick-up and drop-off stalls per 10 children, and
 - d) include an emergency response plan acceptable to the Town of Barrhead and E.M.S.
 - e) be approved or licensed by the appropriate provincial approving authority and comply with applicable Provincial Day





Care Regulations concerning site requirements and standards for operation and development.

2) As a secondary use on a residential parcel, a child care service shall:

- a) have no employees other than the occupant of the dwelling,
- b) include one off-street pick up and drop-off stall,
- c) be approved or licensed by the appropriate provincial approving authority and comply with applicable Provincial Day Care Regulations concerning site requirements and standards for operation and development.
- d) include an indoor/outdoor amenity area that is screened from adjoining residential properties.



3) The Development Authority, when determining an application for child care service, shall consider:

- a) traffic impacts in the subject neighbourhood,
- b) proximity to parks and open spaces, and
- c) mitigation measures proposed by the applicant to minimize impacts on adjacent residential properties where the child care service is to be located in a residential district.

4) A Child Care Service as a principal use shall not be permitted within the R1, R2, R3 or R4 Residential Land Use Districts.

SECTION 9: COMMERCIAL ACCOMMODATION

- 1) Commercial Accommodation through the renting of a unit in a motel/hotel may include additional services incl: meeting rooms, restaurants, lounges and recreational uses within a hotel.





- 2) Commercial accommodation shall have a minimum parcel area of 139.35 m² (1500 ft²) for a single storey structure and 929 m² (1,000 ft²) for a second storey structure. Minimum parcel areas for commercial accommodation higher than two (2) storeys is at the discretion of the approving authority.
- 3) A commercial accommodation use does not require an indoor/outdoor amenity space.

SECTION 10: COMMUNICATION TOWERS

- 1) Prior to submission of a development permit application for a telecommunication tower, antenna, building or equipment as regulated through this Bylaw, the applicant shall submit to the Town of Barrhead a statement regarding the position or opinion of persons living near (804 metres, 0.5 miles) the proposed development site. The effort undertaken by the applicant in preparing that statement should depend on such things as the history of previous applications in the area, the size of the proposed development, and the likelihood of it affecting nearby landowners due to factors such as population density or viewing areas.



- 2) Initial notification of landowners required under (1) shall include:
 - a) a notification placed in a locally circulated newspaper. The notification shall include a description of the proposal, legal location and how interested parties may contact the applicant or submit comments,
 - b) in person or hand delivered correspondence to all residences a minimum of 200 metres of the site,



- c) any other form of communication that the applicant or the Town of Barrhead may require.
- 3) Where possible, developers of telecommunication towers, antennas, buildings, or equipment shall attempt to utilize existing infrastructure. To this end, companies shall co-locate where possible and shall attempt to mount antennas on existing structures rather than build new freestanding towers.
- 4) All freestanding telecommunication towers shall be designed to prevent climbing or sliding down, and their base and stabilizing lines shall be separately fenced.
- 5) The use of any portion of a tower or antenna for signs, other than to provide a warning or equipment information, is prohibited.
- 6) When telecommunication towers, buildings, or antenna equipment become obsolete, it is required that they shall be quickly removed and the development site reclaimed.

SECTION 11: DRIVE THROUGH SERVICES

- 1) Speakers as part of a drive through service shall not be closer than 23.0 metres (75.5 ft) to the property line of any parcel designated to a residential district unless they are separated from the residential district by a building.
- 2) A drive through must be screened from any adjoining residential district.
- 3) Pedestrian access from a street across a drive through into the main premises is prohibited.
- 4) A drive through must be screened to prevent lighting from vehicles to interfere with traffic on public roadways.





- 5) A drive through must have a minimum of four (4) vehicle stacking space to the ordering window and a minimum of four (4) vehicle parking stalls.

SECTION 12: GROUP HOME FACILITIES

- 1) A Group Home shall:
 - a) be licensed or approved by the appropriate provincial agency,
 - b) shall be no less than 300 metres (984 ft) from another group home,
 - c) shall be of similar design and conform to housing unit density for the subject land use district, and
 - d) shall accommodate staff parking off-street.
- 2) The Development Authority shall consider proximity to parks and other amenities and existing/proposed buffering to minimize impacts on surrounding properties.
- 3) Where a Group Home was formerly a residential building, the minimum amenity area requirement for the group home shall be that of the former residence.
- 4) The construction of a building for use as a Group Home shall include an indoor/outdoor amenity area equivalent to a residence of the same floor area and number of bedrooms.

SECTION 13: HOME BASED BUSINESS

- 1) A Home Based Business shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
- 2) A Home Based Business may have one non-illuminated fascia sign or nameplate to identify it in accordance with the sign regulations provided in Part X of this Bylaw.



- 3) A Home Based Business shall not use more than 27% of the gross floor area of the residence.
- 4) A Home Based Business shall not create any dust, ,traffic, congestion, late visitations, noise, odours, noxious fumes, interference with telecommunications or vibrations emanating from the premise which is not normally produced by a dwelling unit.
- 5) A home occupation shall not generate any pedestrian or vehicular traffic or parking that is a source of inconvenience to adjacent landowners or tenants.
- 6) There shall be no outside storage of materials, commodities or finished products.
- 7) A Home Based Business shall be reviewed upon receipt of a complaint by an affected landowner. A permit for a Home Based Business may be suspended or revoked on the basis of con compliance on 30 days notice.
- 8) A Home Based Business shall not create on-street parking that may be determined by the Development Authority to be an inconvenience to adjoining landowners or tenants.
- 9) This provision does not apply to Home Based Businesses that have no non-resident employees, no signage, client visitations and is otherwise indistinguishable from the principal residential use.

SECTION 14: INDEPENDENT (ACTIVE) ADULT LIVING

- 1) Independent (Active) Adult living as a residential use may consist of one or more duplexes, tri-plexes, four-plexes, row housing or multi-unit residential buildings.
- 2) Independent (Active) Adult Living may be developed as the principal use in a residential park.



- 3) A single unit residential dwelling under this section should include:
 - a) a private amenity area of no less than 28 m² (301 ft²).
 - b) a housing design that can accommodate:
 - i. a permanent or temporary wheelchair ramp,
 - ii. widened doorways or swing clear hinges,
 - iii. handrails on both sides of stairs,
 - iv. grab bars, tub cuts or shower seats,
 - v. lever handles on most doors,
 - vi. common gardens, and/or
 - vii. surveillance systems.
- 4) A single unit residential dwelling which forms part of a community (multiple single detached units) designed for independent (active) adult living may be designed to include additional supportive services such as grounds maintenance and common amenity areas for its residents.
- 5) A multi-unit building for independent (active) adult living shall include the requirements of Section 16(2)(b) and:
 - a) an indoor amenity space of no less than 10% of the gross floor area, not included hallways, entryways and utility areas,
 - b) elevators for multi-storey structures,
- 6) The Development Authority may require that an agreement describing the adult only nature of the residence be registered against the certificate of title.
- 7) Where is a conflict with between this section and other sections that address dwelling design within this Bylaw, this Section shall prevail.
- 8) Independent (Active Adult) Living may be developed in all residential land use districts excepting R1 - Residential.



SECTION 15: KENNELS

- 1) Veterinary clinics or hospitals, pet shops and kennels shall:
 - a) not be a source of smell or noise or other emissions that can adversely impact neighbouring properties or uses,
 - b) be equipped with adequate sound proofing of pens, rooms and runs, and
 - c) have indoor exercise runs that are sufficient to accommodate the maximum number of animals that can be housed.
- 2) The Development Authority shall recommend that the building plans include a separate air extractor system in the animal holding area so that heating/air conditioning is separate from the remainder of the building
- 3) The keeping of dogs and other animals in a kennel shall be in accordance with all Town of Barrhead Bylaws governing the keeping of animals.
- 4) No kennels shall be permitted within a residential district or within 35.0 metres (114.5 ft.) of a property within a residential district.

SECTION 16: LIVE WORK COMMUNITY

- 1) A live work community shall not be located adjacent to an existing residential district or area designated under the Municipal Development Plan for future residential development, but may be located adjoining to an industrial, highway commercial or urban reserve district.
- 2) A live work community shall consist of a minimum of three (3) parcels that include:
 - a) a principal residential building,
 - b) a commercial use and/or building
 - c) an outdoor residential amenity area of no less than 93 m² (1,000 ft.²)



- 3) A commercial building within a live/work district shall include a separate holding tank to accommodate any liquid waste products that are not suitable for the Town of Barrhead sanitary sewer system.
- 4) The lot shall be landscaped to ensure that no portion of the commercial use area of the lot can drain onto adjoining lots, roadways or any portion of the lot to be used for a residential use.
- 5) The initial development permit application on a live-work parcel shall include both a main residential building and a commercial use appropriate for the district.

SECTION 17: MIXED RESIDENTIAL/COMMERCIAL DEVELOPMENT

- 1) Mixed use residential/commercial development may have either the residential or commercial use as the principal use on the parcel.
- 2) Both uses, residential and commercial, shall have separate entrances and direct access to street level.
- 3) The residential use shall be in the rear of the building or on an upper floor. The commercial use shall be on the ground floor and front portion of the building.
- 4) The residential use shall have a minimum floor area of 46.45 m² (500 ft.²) for a bachelor unit (no separate bedroom) and an additional 0.29 m² (100 ft²) for each bedroom in the dwelling.






- 5) The Development Authority shall consider the relationship of both the residential and commercial use to each other and to neighbouring parcels with respect to lighting, ventilation, privacy and visibility. Residential window spaces and amenity areas shall be clearly shown on the development plan.
- 6) An amenity area shall be provided, either indoor or outdoor, of a minimum of 6.0 m² (19.7 ft²).
- 7) Parking for residential uses in commercial areas shall be off-street. At least 1.0 parking stalls shall be dedicated for residential use. The residential and commercial use can share other parking stalls.
- 8) The commercial use parking requirement shall be determined by application of Part X: Parking of this Bylaw.
- 9) In a mixed commercial/residential use building, the residential portion shall not encroach onto commercial use area.
- 10) Where the land use is to be a multi-storey building with commercial use on the main floor and multiple units of residential dwellings on the upper floors, the residential floor minimums for the R4 - Residential District shall apply.



SECTION 18: MULTI-UNIT RESIDENTIAL

- 1) The Development Authority may require the following as part of an application for a multi-unit residential dwelling:
 - a) engineered design plans,
 - b) geotechnical plans for multi-storey buildings with separate residential dwellings on each storey,
 - c) grading, landscaping and vegetation plans,
 - d) outdoor amenity area development plan, and
 - e) servicing plan.



- 2) The Development Authority shall be provided with scaled plans showing:
- a) the location of all buildings and structures on the parcel,
 - b) the location and design of permanent signage,
 - c) the location and design of parking spaces, access and egress onto the parcel, pedestrian walkways, refuse storage areas, amenity areas, landscaped areas and fencing,
 - d) the location of exterior lighting including the parking lot and landscaped areas, and
 - e) Section 25: Residential Dwellings, is applicable to development under this Section.
- 
- 3) Where allowed under the subject land use District, the main floor of a multi-unit multi-floor residential building may be used for commercial purposes.
- 4) Zero lot line provisions as described in Part VII: Section 30: Zero-Side Yard Requirements apply.
- 5) Where the total lot area for a duplex dwelling conforms to the required standard for a duplex on a single lot, but does not conform to a duplex with each unit being on a separate lot, the Development Authority may consider the approval of the building with the appropriate variance as part of the Development Permit approval process. Similarly, the Subdivision Authority may approve the subdivision of a duplex if the duplex was conformant to this Bylaw on a single lot, but does not conform with each unit on its own property with the appropriate variance as part of the subdivision process



SECTION 19: PETROLEUM FACILITIES

- 1) Petroleum facilities shall not be located in any area that are determined by the Development Authority to be a safety risk, have inappropriate vehicle circulation or access to and from public roadways.
- 2) An application for a petroleum facility shall include scaled drawings showing:
 - a) proposed traffic circulation,
 - b) off-street parking areas,
 - c) loading areas,
 - d) landscaped areas,
 - e) signage location, and
 - f) the placement of security fences.
- 3) The minimum area for a gas bar shall be 1,207.7 m² (13,000 ft²).
- 4) The minimum area for a service station shall be 1,486.4 m² (16,000 ft²).
- 5) Multi-use facilities shall have a minimum area of no less than the required minimum area for the use with the largest minimum area requirement plus 75% of the minimum area requirement for each additional use.
- 6) The maximum parcel coverage for buildings, loading areas, parking areas, drive through, etc. shall be 80% of the parcel.
- 7) Land not included in parcel coverage shall be landscaped and vegetated to the satisfaction of the Development Authority.
- 8) 15% percent of the parking requirements for a multi-use facility under this section may be shared between the various uses.





- 9) A minimum 6.1 metre (20.0 ft.) setback from the property line shall be maintained for all pump and pump housing units.
- 10) The installation of petroleum tanks shall conform to Provincial Standards. Permit approval from the Provincial Approving Authority shall be included as supporting information for a development permit application.
- 11) Lighting for the site shall not be directed towards any adjoining parcel without the prior approval of the owner listed on the certificate of title for that parcel.



SECTION 20: PLACES OF WORSHIP

- 1) A place of worship shall have a minimum area of 929 m² (10,000 ft²). An additional 393.5 m² (5,000 ft²) shall be required should a manse (clergy residence) be required on the same parcel.
- 2) Minimum frontage for a place of worship shall be 30.0 metres (98.4 ft.).
- 3) The parking area for a place of worship shall be screened from adjoining residential district parcels by a wall, landscaped earth berm, hedge or fence constructed or maintained to a minimum of 1.22 m (4.0 ft.) above grade.
- 4) Preferred location for a place of worship shall be a corner lot; or an internal lot that is adjoining on one side yard to a non-residential use.
- 5) A minimum of 20% of the parcel area shall be an outdoor amenity space.



- 6) All portions of the parcel that are not used for parking, pedestrian access or buildings shall be landscaped.
- 7) A manse or other place of worship related residence should be located in a manner that can allow for the future separation of the building in title from the greater place of worship property.
- 8) The exterior finish of the place of worship shall be compatible to that of the surrounding neighbourhood.

SECTION 21: SWIM POOLS & HOT TUBS

- 1) Swimming pools and hot tubs for private use shall be secured against entry by the public other than owners, tenants or guests.
- 2) It is required that pools and hot tubs be drained in a manner that does not direct water onto neighbouring properties.

SECTION 22: PORTABLE BUILDINGS

- 1) A portable building may also be referred to as a tarp shed or canvas garage.
- 2) A maximum of one portable building may be allowed on a single non industrial parcel.
- 3) A portable building is an accessory building for the purposes of this Bylaw in all land use districts, and are subject to all applicable accessory building requirements.
- 4) A portable building is included as part of the parcel coverage calculation as applicable in all land use districts.





- 5) Portable buildings must be maintained in good repair. A Development Permit issued for a portable building may be cancelled by the Development Authority and ordered for removal from the property pursuant to Section 546 of the Act should the structure be determined by the Development Officer to be unsightly or derelict.
- 6) A portable building shall not be allowed that would be larger than a permanent building that would be constructed on the same property for a same or similar use.

SECTION 23: RESIDENTIAL STANDARDS

- 1) Dwellings (single detached) as new construction shall include the following design standards.

- a) All components or modules of the dwelling must be consistent in construction standards and external appearance.

- b) All exterior walls of any residence must be dimensioned at less than or equal to 3:1 length to width.



- c) Minimum width of any portion of a dwelling must be 4.8 m (16 ft) not including eaves, decks or porches. Portions of a dwelling which are less than 4.8 m (16 ft) in width shall not be included as part of the length to width ratio for the dwelling.

- d) All homes constructed outside of the Province of Alberta must comply with the Alberta Safety Codes Act.



- e) Continuous horizontal roof lines facing the front and rear lot lines shall not exceed



more than 6.0 m (20 ft) in length. For side yard property lines continuous horizontal roof lines shall not exceed 9.1 m (30 ft) in length.

- f) All eaves shall be a minimum of 0.30 m (12 in) in width.
 - g) All roof pitches must be a minimum 3:12 (3 feet of elevation for 12 feet of width) and be consistent or compatible with the roof pitch through the entire dwelling, except where approved by an engineer and authorized under an approved neighbourhood outline plan, area structure plan and/or other statutory plan.
 - h) Open covered decks or verandahs which are constructed at the same time as the residence and comply with (g) above may be considered as floor area of the dwelling for the purpose of calculating minimum floor area requirements.
 - i) Skirting shall only be used around dwellings that are normally designed for that type of exterior finishing and skirting is widely used in the surrounding neighbourhood.
 - j) Parging shall be applied on all foundation/basement finishes as a minimum standard where this form of finishing is common in the surrounding neighbourhood.
- 2) Dwellings which do not conform to Sub-section 1(b) shall be restricted to Land Use Districts that allow for *Dwelling - Manufactured Home* as an allowable use.
 - 3) Residential dwellings considered under this Section shall aesthetically compatible with other dwellings in the surrounding neighbourhood.
 - 4) Dwellings that don't conform to Sub-section 1(g) shall be supported by approved engineered design standards.

SECTION 24: RESIDENTIAL PARKS

- 1) A residential park shall provide sites for two (2) or more single detached dwellings on a parcel.



- 2) Each residential unit shall have a minimum of two (2) parking stall per unit and one (1) visitor parking stall per ten (10) residential units.
- 3) Each residential site shall have a minimum area of 445.9 m² (4800 ft²).
- 4) Each residential site shall have a private amenity area of no less than 40 m² (430 ft²).
- 5) Each site shall have a durable base or foundation for the residence.
- 6) Each site shall be clearly marked to distinguish the boundary of adjoining sites and common lands.
- 7) All homes within a residential park shall be sized to comply with the setback provisions of the subject residential site.
- 8) A common amenity space shall be provided to a minimum of 10% of the gross area. This space shall be developed to service the intended residential market such as children or independent adult living.
- 9) The boundary of the residential park shall be screened from view from adjoining parcels with a fence to a minimum height above grade of 0.9 metres (3.0 ft.)
- 10) All utility lines shall be placed underground and as-built plans shall be submitted to the Town of Barrhead for their records.
- 11) All internal roads and pedestrian walkways within a residential park shall be hard surfaced, drained and maintained to an approved standard.





- 12) Conversion of a residential park to a residential community with each residence on a separate lot shall require all sites to conform to the minimum lot and servicing standards of the receiving district.
- 13) A screened and fenced common storage area shall be included as part of any residential park and be accessed only from within the park.

SECTION 25: SECONDARY/GARAGE SUITES

- 1) A development permit application for a secondary or garage suite shall be subject to the following requirements, including, but not limited to:
 - a) include an evaluation by an accredited Safety Codes officer and/ or Building Inspector,
 - b) compliance with all relevant provisions of the Alberta Safety Codes, Fire Codes and Alberta Building Codes, as amended,
 - c) minimum floor area of 23.33 m² (250 ft²) per occupied suite and a maximum of 4 occupants per suite,
 - d) include a kitchen, bathroom and a separate entrance, and
 - e) include adequate off-street parking to support the proposed use.
- 2) A development permit application for a secondary suite or garage suite shall be subject to the following requirements, including, but not limited to:
 - a) a secondary suite may be developed only in a single detached dwelling or the second floor of a garage in the case of a garage suite,
 - b) a secondary or garage suite may only be developed in a





district where "secondary suite" or "garage suite" respectively is listed as an allowable use,

- c) only one secondary or garage suite shall be allowed per parcel that includes one principal dwelling,
- d) a secondary suite shall not exceed 40% of the principal building in the case of a secondary suite located within a residence,
- e) off-street parking shall be as required in the land use district where it is listed,
- f) A garage suite shall have a civic address sign affixed to the entrance to the suite or building, and
- g) A secondary suite and a garage suite count towards the housing unit density referred as part of in-fill development.

SECTION 26: SHIPPING CONTAINERS

- 1) A shipping container is an allowable building with an approved development permit in the following Districts:
 - a) all industrial districts,
 - b) urban reserve district, and
 - c) commercial districts.
- 2) A shipping container may be used for the purpose of loading or unloading household items or construction materials or equipment in a residential district, for a period of 30 days upon request of the landowner to the development authority without the requirement for a development permit.
- 3) Shipping containers that are to be located for more than 30 days on a parcel in urban reserve or commercial shall:
 - a) be sided or painted to match or compliment the principal building on the site,
 - b) feature a false roof with a minimum 4:1 pitch,





- c) include a man-door, and
 - d) have the appropriate safety codes approvals.
- 4) Shipping containers shall be treated as an accessory building for the purpose of location within a parcel, except when used under Sub-section 2 above.
- 5) Where Sub-section 2 above is applicable, the shipping container may be located within a front yard driveway.
- 6) Shipping containers shall not be used as a fence in any land use district
- 7) Shipping containers shall not eliminate or interfere with parking, loading or the manoeuvring of vehicles or pedestrians on the site.

SECTION 27: SUPPORTIVE LIVING

- 1) A supportive living community shall comply with all criteria of this Bylaw:
- a) an indoor amenity area equivalent to 10% of the floor area of the development and that can seat 100% of the residents,
 - b) one or more common dining areas,
 - c) an outdoor amenity area that is centered on residential wellness, such as walking paths, viewing areas or raised common garden areas,
 - d) corridors and stairwells shall have a minimum clearance width of 1.65 m (17.7 ft),
 - e) seating areas along corridors to minimize corridor lengths, and
 - f) visual surveillance of the entry area.





- 2) Dwelling units shall be designed to include:
 - a) a no-step entry to the building from street level and through an attached garage (where applicable),
 - b) minimal thresholds within the dwelling,
 - c) hallways with a minimum width of 1.1 m (11.8 ft),
 - d) wheelchair accessible rooms throughout the dwelling,
 - e) the ability to install a lift or elevator on multi-storey dwellings.
 - f) bathroom walls that can support a grab bar at the toilet and the tub/shower, and
 - g) an accessible tub or shower.
- 3) The minimum area for a bachelor dwelling shall be:
 - a) bachelor dwelling 40 m² (430.5 ft²)
 - b) one bedroom 50 m² (538.2 ft²)
- 4) The development shall be licensed and maintain a licence through applicable provincial legislation.
- 5) Parking shall be provided at a minimum:
 - a) 1.0 stalls per dwelling,
 - b) 1.0 stalls per seven (7) dwellings, and
 - c) sufficient off-street parking for staff and/or contractors.
- 6) Supportive Living as a residential use may consist of one or more duplexes, tri-plexes, four-plexes, row housing or multi-unit residential buildings.
- 7) Supportive Living may be developed as the principal use in a residential park as part of an IDC Land Use District.
- 8) Where is a conflict with between this section and other sections that address dwelling design within this Bylaw, this Section shall prevail.
- 9) Supportive Living may be developed in all residential land use districts excepting R1 - Residential and R2 - Residential.



SECTION 28: SURVEILLANCE SUITES

- 1) Surveillance suites shall be compatible with and accessory to the principal use on the subject parcel, and be compatible with uses on adjoining properties.
- 2) A surveillance suite shall not interfere with future development or land uses on adjoining properties.
- 3) Where a surveillance suite is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or a foundation, it shall be treated as part of the principal building.
- 4) Property line setbacks for surveillance suites shall be as per the regulation in the applicable land use district.
- 5) Surveillance suites, as detached buildings, shall have a minimum setback to other buildings of 1.83m (6.0 ft) or as required to meet Safety Codes Act requirements.
- 6) Surveillance suites shall not be located in the front yard of a lot.
- 7) A surveillance suite shall have a minimum floor area of 46.45 m² (500 ft²) and a maximum floor area of 92.9 m² (1,000 ft²), not including a basement.
- 8) Surveillance suites shall be finished and maintained in a manner that is compatible with the other buildings on the subject property and surrounding neighbourhood.



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PART IX: PARKING AND LOADING

SECTION 1: OFF-STREET PARKING DESIGN

- 1) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility.
- 2) Except where exempted through specific development permit approval, all off-street parking areas shall be separated from streets/sidewalks by a landscaped buffer at least 0.91 m (3.0 ft) in width.
- 3) Necessary curb-cuts shall be constructed according to Town of Barrhead Municipal Standards.
- 4) Where the off-street parking spaces exceeds two stalls, each stall and access from the street shall be hard surfaced to Town of Barrhead Municipal Standards.
- 5) Parking areas shall be graded in a manner that will not direct surface water flows across the parcel boundary unless where approved by the Development Authority and/or Public Works Department.
- 6) Parking facilities shall be adequately lighted. Lighting shall not be directed towards parcels districted to a residential land use district or other parcels where the lighting may adversely impact the parcel or its use.
- 7) Parking for physically handicapped shall be provided in accordance with Provincial Design Standards, and shall be clearly marked. As a guide, 5% of customer/resident parking stalls should be barrier free to a maximum of 4 stalls per business. Barrier free parking should also be proximal to the main entrance of the subject building.
- 8) All parking areas shall conform to the following design standards, except where varied by the Development Authority due to specific on-site considerations:



Parking Angle	Width of Stall	Depth of Stall Perpendicular to Manoeuvring Aisle	Width of Stall Parallel to Manoeuvring Aisle	Width of Manoeuvring Aisle
0°	2.59 m (8.5 ft)	2.59 m (8.5 ft)	6.71 m (22.0 ft)	One Way 3.51 m (11.5 ft)
30°	2.59 m (8.5 ft)	4.88 m (16.0 ft)	5.18 m (17.0 ft)	One Way 3.51 m (11.5 ft)
45°	2.59 m (8.5 ft)	5.49 m (18.0 ft)	3.57 m (11.7 ft)	One Way 3.51 m (11.5 ft)
60°	2.59 m (8.5 ft)	5.79 m (19.0 ft)	2.83 m (9.3 ft)	One Way 5.79 m (19 ft)
90°	2.59 m (8.5 ft)	5.79 m (19.0 ft)	2.59 m (8.5ft)	One Way 7.01 m (23 ft)

- 9) All parking areas and driveways other than in rear yards of industrial district parcels shall be paved or otherwise hard surfaced to municipal standards.
- 10) A lesser standard may be allowed where the fronting street or lane is not paved, in which case the parking area shall be surfaced to a same or similar standard as the said street or lane.

SECTION 2: COMMUNAL PARKING

- 1) Parking in industrial, urban reserve and non highway commercial districts may be pooled by the owner(s) of a parcel(s) of land to meet the requirements of this Part.
- 2) Where a group of uses is served by a communal parking facility, the sum of all individual uses shall be served by the parking facility.
- 3) The demand on a communal parking facility shall not exceed the capacity of the facility without the approval of the Development Authority.
- 4) The Town of Barrhead may require an agreement to be entered into between the communal parking facility, the subject use that is being served by the facility and the Town of Barrhead; with the said agreement prepared and registered against the certificate of title for the affected properties at the cost of the Developer.



- 5) Where various users on a parcel have different peak times for parking demand, the Development Authority may consider reducing the number of parking stalls required for certain uses.

SECTION 3: ON-STREET PARKING

- 1) On-street parking shall be prohibited except where allowed by the Town of Barrhead.
- 2) On-street parking stalls shall be marked to the satisfaction of the Town of Barrhead.
- 3) On-street parking shall not be used as a means to satisfy parking requirements in any district other than where approved by the Development Authority.
- 4) On-street parking shall not be used to satisfy parking requirements for secondary suites.

SECTION 4: OFF-STREET LOADING

- 1) Off-street loading areas shall:
 - a) be of adequate size and area to accommodate the proposed use,
 - b) shall not interfere with pedestrian or other customer traffic movements,
 - c) have a clearly defined traffic aisle to a street or lane,
 - d) be sited to an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level,
 - e) have an overhead clearance of no less than 5.49 m (18 ft) above grade,
 - f) be graded and drained to dispose of all surface water in a manner satisfactory to the Development Authority. Surface water shall not be directed across sidewalks or property lines without the approval of the Development Authority,



- g) be surfaced in the same manner as the off-street parking facility serving the same building, and
- h) be screened on each side adjoining or fronting any parcel in a residential district by a hedge, wall, earth berm or fence of no less than 1.52 m (5.0 ft) in height to the satisfaction of the Development Authority.

SECTION 5: PARKING STALL REQUIREMENTS

- 1) Change of use or the intensity of use shall require a re-calculation of parking requirements under this Section and where applicable, under the applicable section this Part of the Land Use Bylaw.
- 2) The number of parking stalls required to serve a use on-site may be adjusted in accordance with Section 2 of this Part.
- 3) The Development Authority may assign a same or similar use to one or more of the requirements provided in the Table below.
- 4) Where proposed use(s) falls within one or more parking requirements, the number of parking stalls required shall be the sum of those specified for each individual use.
- 5) Table 1 below provides minimum parking stall requirements for individual land uses. Some land uses have specific requirements provided in Part VIII of this Bylaw.

Table 1: Parking Requirements:

USE	STALLS (# stalls, /seats or /gross floor area)
AGRICULTURE	Exempt
COMMERCIAL	
Accessory Food or Liquor Service	No additional stalls
Adult Entertainment Business	No additional stalls
Auction Sales	Discretion of Development Authority
Automotive Sales and Service	1/100m ² (1,076 ft ²)
Bars and Lounges	1/4 seats



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Car Washes	Section 8: car wash
Child Care Services (Principal Use)	Section 9: child care services
Commercial Accommodation	1/suite + 1/employee at peak periods.
Convenience Store	1/50 ² m (538 ft ²) of floor space
Drive Through Service	SECTION 11: drive through services
Gas Bars	1/100m ² (1,076 ft ²)
Kennel	2 stalls +1/employee
Larger Shopping Centres	1/30m ² (323 ft ²)
Manufacturing Services	
Mixed Commercial/Residential	Section 18: Mixed Residential/Commercial Development
Moving or Cartage	1/employee + 1/100 m ² (1,076 ft ²) of gross floor area
Neighbourhood Shopping Centre	1/40 m ² (430.5 ft ²)
Offices	1/ 37m ² (398 ft ²)
Outdoor Sales and Service	1/100 m ² (1,0076 ft ²) of parcel coverage
Personal Services	1/40 m ² (430.5 ft ²)
Petroleum Facility	as req. by Development Authority
Private Clubs	1/ 10m ² (107.6 ft ²)
Professional Services	1/40 m ² (430.5 ft ²)
Restaurant (take out only)	1/14 m ² (151 ft ²) plus 1/employee
Restaurants	1/4 seats
Retail Services	1/40 m ² (430.5 ft ²)
Retail Stores (<3,716 m ² (40,000 ft ²))	1/ 28 m ² (301 ft ²)
Retail Stores (≥3,716 m ² (40,000 ft ²))	1/23 m ² (248 ft ²)
Service Stations	1/100m ² (1,076 ft ²)
Shopping Centre	1/30 m ² (323 ft ²)
Travel Information Centre	4 stalls + 1/employee
Veterinary Clinic	3 stalls +1/employee
Warehouse Sales	1/100m ² (1,076 ft ²)

INDUSTRIAL

Any Development within an Industrial District that requires employees/traffic	1/100 m ² (1,076 ft ²) of gross floor area + 3/tenant
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PUBLIC INSTITUTIONAL

Amusement Establishments	1/5 seats or 1/10m ² (107.6 ft ²)
Auditoriums/recreational facilities	1/5 seats or 1/10m ² (107.6 ft ²)

PARKING AND LOADING

TOWN OF BARRHEAD LAND USE BYLAW NO. 04-2015



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Campground	Section 7: Campgrounds & R.V. Parks
Elementary/Junior High School	5 spaces + 1/daytime employee
EMS Services	1/employee
Health Clinic	1/40 m ² (430.5 ft ²)
High School and Other Schools	1/8 students + 1/daytime employee
Kindergarten School	1/32.5 m ² (350 ft ²) + 1/ daytime employee
Medical Services	1/ 28m ² (291 ft ²)

RESIDENTIAL

Low Density

Duplexes	2
Residential Park Stall	2/unit
Row Housing	2
Secondary Suites	1
Single Detached	2
Visitor Stall	1/10 units

Higher Density

Multi-Unit Dwellings:	
a) 1 Bedroom	1
b) 2+ Bedrooms	1.5
c) Visitors	0.5/ unit
Senior's & Care facilities:	0.6/resident + 1/daytime employee
Visitors	1/10 dwellings
Independent (Active) Adult	2
Show Home & Sales Office	4 spaces total

Residential Other

Bed and Breakfast	1 additional stall
Child Care Services (Secondary Use)	Residential stall requirement +1 stall.
Group Home	1/4 beds 1/ 2 employees
Home Based Business	1 additional stall
Live/Work	2 residential + min 2 commercial.



PART X: SIGNAGE

SECTION 1: GENERAL SIGN PROVISIONS

- 1) Development Permits shall be required for all permanent signs within the Town of Barrhead. All signs shall be subject to the following:
 - a) The Development Authority may, at their discretion, require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safe design and placement of a sign, awning or canopy.
 - b) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
 - c) No person shall erect or place a sign so that it would be considered, in the opinion of the Development Authority, to be a traffic hazard or obstruct the vision of vehicular traffic.
 - d) Where, in the opinion of the Development Authority, a proposed sign in a commercial or industrial land use district might be objectionable to a resident in any adjacent residential land use district, the Development Authority may impose such other regulations as they feel would protect the interests of residents including but not limited to periodic checks of the light being directed by a lighted sign as well as controlling the hours that lighted signs remain lighted.
 - e) Flashing, animated or interiorly illuminated signs shall not be permitted in any land use district where, in the opinion of the Development Authority, they might:
 - i. affect residents in adjacent housing or residential land use districts, or
 - ii. interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.



- f) Notwithstanding Subsection (1), no person shall exhibit or place an illuminated sign that permits or provides for:
 - i. A current interrupting or flashing device unless there is a continuous source of concealed illumination on the translucent portions of the sign,
 - ii. A flashing beacon of a type that is the same or similar to those used by emergency vehicles,
 - iii. A flashing device, animator or revolving beacon within 50.29 m (165 ft) of the intersection of two or more public roadways, or
 - iv. A device described in Subsection (6)(c) that would be directly visible from any residential building within a distance of 50.29 m (165 ft) of the sign.
- 2) The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.
- 3) The Development Authority may require the removal of any sign which, in their opinion, is or has become unsightly or is in such a state of disrepair as to constitute a hazard.
- 4) The Development Authority may require that the owner of any sign indemnify the Town of Barrhead in an insurance policy related to any approved private sign.

SECTION 2: FREESTANDING SIGNS

- 1) Within all non-Residential Land Use Districts, one freestanding sign may be allowed per site as follows:
 - a) The height of any freestanding sign shall not exceed 9.1 m (30.0 ft) from grade.
 - b) Any freestanding sign shall not project to within 0.6m (2.0 ft) of a property line, or within 2.0 m (6.5 ft) of overhead utility lines.



- c) The total area of all freestanding signs on each site shall not exceed 0.2 m^2 (2.15 ft^2) for each lineal metre of street frontage of the developed site, to a maximum of 12.0 m^2 (129 ft^2) for each sign.

2) Freestanding signs shall:

- a) be limited to advertising for the business or businesses of the property on which application for Development Permit is being made, and
- b) not use animated or flashing lighting where the same may be a nuisance to neighbouring properties or businesses.



SECTION 3: BILLBOARD SIGNS

- 1) Billboard signs shall not be permitted in residential districts.
- 2) Billboard signs shall only be permitted on a long term or permanent basis on properties adjacent:
- a) to Highway 18, or
- b) to Highway 33.
- 3) Where Section (1) and (2) above are not applicable, the Development Authority may issue a permit for a billboard, subject to the permit approval being issued for a maximum of one year from the date of approval.
- 4) The Development Authority shall take into consideration the following aspects in ensuring the proper design, character, location and construction of billboard signs:





- a) Billboard signs must be compatible with the general architectural lines and forms of adjacent development,
 - b) All billboard signs must be of high quality construction, and
 - c) All billboard signs must be positioned so that they do not severely obstruct the horizon line when viewed from vehicular traffic traveling past them from any direction.
- 5) A billboard may only contain poster panels or bulletins up to 3.05 m (10 ft) by 6.1 m (20 ft) in size.
 - 6) The advertisement copy may be posted, glued, painted or otherwise fastened to the billboard in order to permit periodic replacement.
 - 7) A billboard facing, including border and trim but excluding the base, apron, supports or other structural members shall not exceed 18.58 m² (200 ft²) in area.
 - 8) The maximum size of a billboard referred to in Subsection (7) applies to each facing of a billboard structure and facings may be placed back-to-back or in a V-shaped configuration.
 - 9) A billboard sign shall not be located within a minimum distance of 152.4 m (500 ft) from any other billboard sign on the same side of the road.
 - 10) A billboard sign shall not project within 4.88 m (16 ft) from the parcel line.
 - 11) The Development Authority shall ensure that a billboard located at the intersection of any roadway with another public roadway is setback an appropriate distance for the purposes of safe and efficient movement of traffic.
 - 12) Billboard facings may be illuminated by a constant source of light only, and shall not be lit by a flashing, animated or intermittent light source.
 - 13) In the case of community-oriented or public service-type billboards, the Town of Barrhead may authorize the placement of such billboards on public roadway right-of-ways notwithstanding Subsections (3) and (10).



SECTION 4: AWNING AND CANOPY SIGNS

- 1) Subject to Subsection (2), awning or canopy signs may be permitted in all but residential land use districts.
- 2) In a residential land use district, awnings or canopies shall not be attached to or be constructed so as to be considered a part of any sign other than a house or apartment name sign.
- 3) The awning or canopy sign shall have a clearance of not less than 3.66 m (12 ft) between the bottom of the canopy or awning and the sidewalk, walkway or ground level.
- 4) Where the front portion of a building extends or is allowed to extend out to the front parcel line, the canopy or awning sign shall not project more than 2.13 m (7.0 ft) over the sidewalk and in no case shall any support pillar/pole forming part of the awning or canopy sign project beyond the front parcel line.
- 5) Notwithstanding Subsections (3) and (4), no canopy sign shall be permitted where, in the opinion of the Development Authority, the canopy or awning obstructs the free movement or access to pedestrians, vehicles or repairs to overhead utility lines.
- 6) The print or lettering of awnings and canopies in all land use districts shall be restricted to identification of the building name or the proprietor's identification.
- 7) The Development Authority may require that the applicant include the Town of Barrhead within an insurance policy where awning or canopy signs overhang public walkways, lanes, streets or properties.





SECTION 5: PROJECTING SIGNS

1) In the C1 Central Business District Commercial District, C2 Highway Commercial District and C3 Neighbourhood Commercial, a projecting sign shall be permitted with the approval of the Development Authority, as follows:

- a) For any building located less than 6.1 m (20 ft) from the property line, not more than one projecting sign, 2.32 m² (25 ft²) or less in area, shall be erected;
- b) No part of the sign shall:
 - i) extend more than 2.13 m (7.0 ft) above the parapet of the building;
 - ii) extend more than 2.13 m (7.0 ft) from the face of the building; or
 - iii) be less than 3.05 m (10 ft) above ground or sidewalk grade.

2) Projecting signs shall be erected so that:

- a) No part of the sign shall be less than 3.05 m (10 ft) above the ground or sidewalk grade;
- b) No part of the sign shall project more than 1.83 m (6.0 ft) over public property, or come within 0.6 m (2 ft) of the curb or edge of a roadway;
- c) No part of the sign shall project more than 0.91 m (3.0 ft) above the top of the vertical face of the wall to which it is attached;
- d) The space between the sign and supporting wall shall not be more than 0.6 m (2 ft);
- e) There shall be only one projecting sign for each business frontage, provided that if a business frontage shall exceed 100 ft (30.48 m), a further projecting sign be permitted for each additional 100 ft (30.48 m) or portion thereof;





- f) The permitted area of the sign shall be related to the amount of projection from the face of the building, as follows:

Maximum Amount of Projection	Maximum Area of Sign
2.43 m (8.0 ft)	2.32 m ² (25 ft ²)
2.13 m (7.0 ft)	2.60 m ² (28 ft ²)
1.83 m (6.0 ft)	3.16 m ² (34 ft ²)
1.52 m (5.0 ft)	4.46 m ² (48 ft ²)
1.22 m (4.0 ft)	5.57 m ² (60 ft ²)
0.91 m (3.0 ft)	6.97 m ² (75 ft ²)

- g) Sign area shall be computed exclusive of supports and structural members provided that such supports and structural members are free of advertising and are so constructed that they do not form part of the advertisement;
- h) Supports shall not be provided by an A-frame.


SECTION 67: ROOF SIGNS

- 1) Roof signs may be allowed in all land use districts except residential land use districts.
- 2) No portion of a sign shall overhang the roof on which it is located.
- 3) No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Authority.
- 4) Notwithstanding Sub-sections (2) and (3), inflated advertising signs may be permitted as roof signs at the discretion of the Town of Barrhead development authority. Such permits shall not be issued for a period greater than 6 months.





SECTION 8: WALL AND FACIA SIGNS

- 1) Wall and fascia signs may be permitted in all land use districts, excepting residential land use districts wherein it is permissible to have one non-illuminated fascia sign or nameplate to identify a Home Based Business not greater than 0.28 m² (3.0 ft²) in area placed within or flat against the dwelling unit or any accessory building.
- 2) Except where Subsection (3) and (4) are applicable, one fascia sign only will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a height of 1.52 m (5.0 ft) and a horizontal dimension greater than the length of the bay which the proprietor's sign identifies. In no case shall the fascia sign exceed 30% of the building face or bay which the sign identifies.
- 3) Developments which are considered by the Development Authority to be double fronting may apply for a fascia sign permit for the second fronting building face.
- 4) In developments containing more than two storey's, fascia signs shall only be permitted on the building face below the third storey offices and bays.
- 5) A wall sign in a commercial or industrial land use district shall not exceed an area of more than 45% of the wall to which it is attached.
- 6) A wall sign shall not extend beyond the limits of the wall to which it is attached.
- 7) Where a wall mural is not to be used to advertise the business within the building upon which the mural is painted or any other business; the wall mural may encompass 100% of the wall to which it is painted provided that the wall sign mural complies with approved design guidelines.



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- 8) Fascia and wall signs for a commercial or industrial building containing more than one bay shall maintain the same character and size of sign throughout the building face and from bay to bay.



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PART XI: DISTRICT REGULATIONS

PREAMBLE: LAND USE DISTRICTS

- 1) The Town of Barrhead is divided into Land Use Districts and the boundaries of each and every district are described on the Land Use District Map, which forms part of this Bylaw.
- 2) Where uncertainty arises as to the precise location of the boundary of any district as shown on the Land Use District Map, the following rules apply:
 - Rule 1: Where the boundary is shown as following a public roadway or lane it shall be determined to follow the near side right of way boundary of the roadway or lane,
 - Rule 2: Where a boundary is shown as approximately following a property line, it shall be deemed to be following the said property line; and
 - Rule 3: In circumstances not covered by Rule 1 and Rule 2, the location of the District boundary shall be determined by:
 - Dimensions set out within the Land Use District map, or
 - Dimensions as established through the use of the scale bar shown on the Land Use District Map.
- 3) Where Land Use Districts are established as part of the Subdivision process, the districts shall be understood to conform to the boundaries shown on the plan of survey or the Certificate of Title for the subject parcel.
- 4) The District regulations do not apply to public roadways, lanes or public utilities.
- 5) Special Use Provisions are provided in Part VIII of this Bylaw.



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SECTION 1 R1 - RESIDENTIAL

GENERAL PURPOSE



The general purpose of this District is to provide a neighbourhood that is intended to be exclusively for single detached homes. Secondary uses are limited to those that will not detract from the primary purpose of this District.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
BED AND BREAKFAST	D	SECTION 5: BED AND BREAKFAST
CHILD CARE SERVICE	D	SECTION 8: CHILD CARE SERVICES
DWELLING (SINGLE DETACHED)	P	SECTION 23: RESIDENTIAL
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PUBLIC USE	D	
PUBLIC UTILITY	P	
QUASI-PUBLIC USE	D	
SHOW HOME & SALES OFFICE	D	
SWIM POOLS OR HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

YARD REGULATIONS	MINIMUM REQUIREMENTS
Yard (Minimum)	
Front	6.0 metres (19.7 ft.)
Side	1.5 metres (4.9 ft.)
Rear	7.5 metres (24.6 ft.)
Flanking	3.0 metres (9.8 ft.)



PARCEL REGULATIONS		MINIMUM REQUIREMENTS
Parcel Size (Minimum)		534 m ² (5,748 ft ²)
Depth		35.58 m (120 ft)
Width		
	Laned (Internal)	16.76 m (55 ft)
	Laned (Corner)	18.29 m (60 ft)
	Laneless (Internal)	16.76 m (55 ft)
	Laneless (Corner)	18.29 m (60 ft)
	Pie/Irregular Shape	Measured minimum front yard setback
Building Height (Maximum)		9.14 m (30 ft)
Minimum Floor Area^{***}		
	single storey	120.77 m ² (1,300 ft ²)
	1.5-storey	139.35 m ² (1,500 ft ²)
	1.5 storey - lower floor	97.55 m ² (1,050 ft ²)
	2.0-storey	139.35 m ² (1,500 ft ²)
	2.0 storey - lower floor	92.9 m ² (1,000 ft ²)
Parcel Coverage (Maximum)		40%

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

COMMON APPLICABLE REGULATIONS (PART VII)	
SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



SECTION 2 R1S - RESIDENTIAL SMALL LOT

GENERAL PURPOSE



The general purpose of this District is to provide a neighbourhood that is intended to be exclusively for single detached homes on smaller residential lots. Secondary uses are limited to those that will not detract from the primary purpose of this District.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
BED AND BREAKFAST	D	SECTION 5: BED AND BREAKFAST
CHILD CARE SERVICE	D	SECTION 8: CHILD CARE SERVICES
DWELLING (SINGLE DETACHED)	P	SECTION 23: RESIDENTIAL
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PUBLIC USE	D	
PUBLIC UTILITY	P	
QUASI-PUBLIC USE	D	
SHOW HOME & SALES OFFICE	D	
SWIM POOLS OR HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

YARD REGULATIONS	MINIMUM REQUIREMENTS
Yard (Minimum)	
Front	5.5 metres (18.0 ft.)
Side	1.2 metres (3.9 ft.)
Rear	7.5 metres (24.6 ft.)
Flanking	3.0 metres (9.8 ft.)



PARCEL REGULATIONS		MINIMUM REQUIREMENTS
Parcel Size (Minimum)		300 m ² (3,229 ft ²)
Depth		30.00m (98.4 ft)
Width		
	Laned (Internal)	10.00 m (32.8 ft)
	Laned (Corner)	12.00 m (39.4 ft)
	Laneless (Internal)	10.00 m (32.8 ft)
	Laneless (Corner)	12.00 m (39.4 ft)
	Pie/Irregular Shape	Measured from minimum front yard setback
Building Height (Maximum)		9.14 m (30 ft)
Minimum Floor Area^{***}		
	single storey	102.19 m ² (1,100 ft ²)
	1.5-storey	116.13m ² (1,250 ft ²)
	1.5 storey - lower floor	97.55 m ² (1,050 ft ²)
	2.0-storey	130.06 m ² (1,400 ft ²)
	2.0 storey - lower floor	69.68 m ² (750 ft ²)
Parcel Coverage (Maximum)		40%

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

COMMON APPLICABLE REGULATIONS (PART VII)	
SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



SECTION 3 R2 - RESIDENTIAL

GENERAL PURPOSE



The general purpose of this District is to provide a neighbourhood that is intended to be for both single detached and duplex housing with a broad range of lot and housing sizes.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
BED AND BREAKFAST	D	SECTION 5: BED AND BREAKFAST
CHILD CARE SERVICE	D	SECTION 8: CHILD CARE SERVICES
DWELLING (SINGLE DETACHED)	P	SECTION 23: RESIDENTIAL
DWELLING (DUPLEX)	P	SECTION 18: MULTI-UNIT RESIDENTIAL
GARAGE SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
IN-FILL RESIDENTIAL - CLASS A	P	SECTION 16: RESIDENTIAL IN-FILL
IN-FILL RESIDENTIAL - CLASS B	D	SECTION 16: RESIDENTIAL IN-FILL
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PUBLIC USE	D	
PUBLIC UTILITY	P	
QUASI-PUBLIC USE	D	
SECONDARY SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
SHOW HOME & SALES OFFICE	D	
SWIM POOLS OR HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.



YARD REGULATIONS		REQUIREMENTS
Yard (Minimum)		
Front		6.1 metres (20.0 ft.)
Side		1.5 metres (4.9 ft.)
Rear		7.5 metres (24.6 ft.)
Flanking		3.0 metres (9.8 ft.)
PARCEL REGULATIONS		REQUIREMENTS
Parcel Area (Minimum)		
Laned: Internal		510.95 m ² (5,500 ft ²)
Laned: Corner		562.05 m ² (6,050 ft ²)
Laneless: Internal		562.05 m ² (6,050 ft ²)
Laneless: Corner		613.14 m ² (6,600 ft ²)
Parcel Dimensions: (Minimum)		
Depth		33.53 m (110 ft)
Width		
Laneless (Internal)		16.76 m (55 ft)
Laneless (Corner)		19.81 m (65 ft)
Laned (Internal)		15.24 m (50 ft)
Laned (Corner)		16.76 m (55 ft)
Pie/Irregular Shape		Measured minimum front yard setback
Building Height (Maximum)		9.14 m (30 ft)
Minimum Floor Area (Minimum) ^{***}		
single storey		102.19 m ² (1,100 ft ²)
1.5-storey		116.13m ² (1,250 ft ²)
1.5 storey - lower floor		97.55 m ² (1,050 ft ²)
2.0 Storey		130.06 m ² (1,400 ft ²)
2.0 storey - lower floor		69.68 m ² (750 ft ²)
Parcel Coverage (Maximum)		40%

^{***} Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.



COMMON APPLICABLE REGULATIONS (PART VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	

REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations.



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SECTION 4 R2S - RESIDENTIAL SMALL LOT

GENERAL PURPOSE



The general purpose of this District is to provide a neighbourhood that is intended to be for both single detached and duplex housing on smaller lots with a broad range of lot and housing sizes.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
BED AND BREAKFAST	D	SECTION 5: BED AND BREAKFAST
CHILD CARE SERVICE	D	SECTION 8: CHILD CARE SERVICES
DWELLING (SINGLE DETACHED)	P	SECTION 23: RESIDENTIAL
DWELLING (DUPLEX)	P	SECTION 18: MULTI-UNIT RESIDENTIAL
GARAGE SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
IN-FILL RESIDENTIAL - CLASS A	P	SECTION 16: RESIDENTIAL IN-FILL
IN-FILL RESIDENTIAL - CLASS B	D	SECTION 16: RESIDENTIAL IN-FILL
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PUBLIC USE	D	
PUBLIC UTILITY	P	
QUASI-PUBLIC USE	D	
SECONDARY SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
SHOW HOME & SALES OFFICE	D	
SWIM POOLS OR HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use



**Special Regulations are provided in Part VIII of this Bylaw.

YARD REGULATIONS		REQUIREMENTS
Yard (Minimum)		
Front		5.5 metres (18.0 ft.)
Side		1.2 metres (3.9 ft.)
Rear		7.5 metres (24.6 ft.)
Flanking		3.0 metres (9.8 ft.)
PARCEL REGULATIONS		REQUIREMENTS
Parcel Area (Minimum)		
Laned: Internal		510.95 m ² (5,500 ft ²)
Laned: Corner		562.05 m ² (6,050 ft ²)
Laneless: Internal		562.05 m ² (6,050 ft ²)
Laneless: Corner		613.14 m ² (6,600 ft ²)
Parcel Dimensions: (Minimum)		
Depth		30.00 m (98.4 ft)
Width		
Laneless (Internal)		9.00 m (29.5 ft)
Laneless (Corner)		11.00 m (36.1 ft)
Laned (Internal)		9.00 m (29.5 ft)
Laned (Corner)		11.00 m (36.1 ft)
Pie/Irregular Shape		Measured minimum front yard setback
Building Height (Maximum)		9.14 m (30 ft)
Minimum Floor Area (Minimum)***		
single storey		102.19 m ² (1,100 ft ²)
1.5-storey		116.13m ² (1,250 ft ²)
1.5 storey - lower floor		97.55 m ² (1,050 ft ²)
2.0 Storey		130.06 m ² (1,400 ft ²)
2.0 storey - lower floor		69.68 m ² (750 ft ²)
Parcel Coverage (Maximum)		40%

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.



COMMON APPLICABLE REGULATIONS (PART VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	

REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations.



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SECTION 5 R3 - RESIDENTIAL

GENERAL PURPOSE



The general purpose of this District is to provide for a variety of medium to high density housing options, and those uses which are compatible with the character of the residential neighbourhood.

Part IX: Parking Requirements and Part X: Signage Requirements.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
BED AND BREAKFAST	D	SECTION 5: BED AND BREAKFAST
CHILD CARE FACILITY	D	SECTION 8: CHILD CARE SERVICES
DWELLING (DUPLEX)	P	SECTION 18: MULTI-UNIT RESIDENTIAL
DWELLING (FOUR-PLEX)	P	SECTION 18: MULTI-UNIT RESIDENTIAL
DWELLING (ROW HOUSING)	P	SECTION 18: MULTI-UNIT RESIDENTIAL
DWELLING (SINGLE DETACHED)	D	SECTION 23: RESIDENTIAL
DWELLING (TRI-PLEX)	P	SECTION 18: MULTI-UNIT RESIDENTIAL
GARAGE SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PUBLIC USE	D	
PUBLIC UTILITY	P	
QUASI-PUBLIC USE	D	
SECONDARY SUITES	D	SECTION 25: SECONDARY/GARAGE SUITES
SHOW HOME & SALES OFFICE	D	



SWIM POOLS OR HOT P SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

YARD REGULATIONS		MINIMUM REQUIREMENTS
Yard (Minimum)		
Front		6.1 metres (20.0 ft.)
Side		1.5 metres (4.9 ft.)
Rear		7.5 metres (24.6 ft.)
Flanking		3.0 metres (9.8 ft.)
DISTRICT REGULATIONS		MINIMUM REQUIREMENTS
Parcel Area		780.4 m ² (8,400 ft ²)
Parcel Dimensions:		
Depth		36.58 m (120 ft)
Width		
Internal Lot		21.3 m (70 ft)
Corner Lot		27.4 m (90 ft)
Building Height		9.14 m (30 ft)
Dwelling Density		59 units/hectare (24/acre)
Parcel Coverage		40%

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

COMMON APPLICABLE REGULATIONS (PART VII)	
SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	SECTION 18: MULTI-UNIT RESIDENTIAL



REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



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SECTION 6 R4 - RESIDENTIAL

GENERAL PURPOSE



The general purpose of this District is to provide for high density housing as well as accessory uses which are compatible with the residential neighbourhood.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
APARTMENT	P	SECTION 18: MULTI-UNIT RESIDENTIAL
CHILD CARE FACILITY	D	SECTION 8: CHILD CARE SERVICES
DWELLING (DUPLEX)	D	SECTION 18: MULTI-UNIT RESIDENTIAL
DWELLING (FOUR-PLEX)	D	SECTION 18: MULTI-UNIT RESIDENTIAL
DWELLING (ROW HOUSING)	D	SECTION 18: MULTI-UNIT RESIDENTIAL
DWELLING (TRI-PLEX)	D	SECTION 18: MULTI-UNIT RESIDENTIAL
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PUBLIC USE	D	
PUBLIC UTILITY	P	
QUASI-PUBLIC USE	D	
SECONDARY SUITES	D	SECTION 25: SECONDARY/GARAGE SUITES
SHOW HOME & SALES OFFICE	D	
SWIM POOLS OR HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.



YARD & DISTRICT REGULATIONS

Yard (Minimum)

Front	8.8 metres (29.0 ft.)
Side	3.0 metres (9.8 ft.)
Rear	7.5 metres (24.6 ft.)
Flanking	3.0 metres (9.8 ft.)

Parcel Area (Minimum)	930 m ² (10,000 ft ²)
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Parcel Dimensions: (Minimum)

Depth	36.58 m (120 ft)
Width	
Internal Lot	21.3 m (70 ft)
Corner Lot	27.4 m (90 ft)

Building Height (Maximum)	As per Development Authority
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Dwelling Density (Minimum)	75 units/hectare (30/acre)
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Parcel Coverage (Maximum)	As per Development Authority
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*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

COMMON APPLICABLE PROVISIONS (PART VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	SECTION 18: MULTI-UNIT RESIDENTIAL



REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



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SECTION 7 R5 - RESIDENTIAL

GENERAL PURPOSE



The general purpose of this District is to provide a neighbourhood that is intended to accommodate a Residential Park or subdivision which allows for multiple detached residences and secondary uses on a single parcel.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING	P	
ACCESSORY USE	P	
BED AND BREAKFAST	D	SECTION 5: BED AND BREAKFAST
CHILD CARE SERVICE	D	SECTION 8: CHILD CARE SERVICES
CONVENIENCE RETAIL STORE	D	
DWELLING (SINGLE DETACHED)	P	SECTION 23: RESIDENTIAL
DWELLING (MANUFACTURED HOME)	P	SECTION 23: RESIDENTIAL
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
QUASI-PUBLIC USE	D	
RESIDENTIAL PARK	P	SECTION 24: RESIDENTIAL PARKS
SECONDARY SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
SHOW HOME & SALES OFFICE	D	
SWIM POOLS OR HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

YARD REGULATIONS	MINIMUM REQUIREMENTS
Yard (Minimum Stall/Unit)	
Front	6.0 metres (19.7 ft.)
Side	1.5 metres (4.9 ft.)
Rear	6.0 metres (19.7 ft.)
Yard (Parcel)	As per R5 - Residential District



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for non residential park development.

Residential Separation (Minimum)^{***} 4.5 metres (15 ft.)

^{***} Separation Distance between residential dwellings.

PARCEL REGULATIONS	REQUIREMENTS
Parcel Size (Minimum)	8,094 m ² (2 ac.)
Building Height (Maximum)	9.14 m (30 ft)

BUILDING REGULATIONS	REQUIREMENTS
Minimum Floor Area ^{***}	
single storey	120.77 m ² (1,300 ft ²)
Parcel Coverage (Maximum)	60%

^{***} Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

- 1) Residences within a residential park or subdivision under this District must be of same or similar design and appearance.
- 2) All residences within a subdivision or park within this Land Use District shall be of the same dimension range (less than or equal to 3:1 length to width) or (greater than 3:1 length to width).
- 3) Pursuant to Section 284(n) of the "ACT", Plan 772-2731 is designated as a manufactured home community.

COMMON APPLICABLE REGULATIONS (Part VII)	
SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	



OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



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SECTION 8 RW - RESIDENTIAL LIVE/WORK

GENERAL PURPOSE



The general purpose of this District is to provide for a low density mixed use development in the form of a live work community.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	D	
BED & BREAKFAST	D	SECTION 5: BED AND BREAKFAST
DWELLING (SINGLE DETACHED)	D	SECTION 23: RESIDENTIAL
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
KENNEL	P	
COMMERCIAL (LIVE/WORK)	D	
PUBLIC USE	P	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	P	
SECONDARY SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
SHOW HOME	D	
SWIM POOLS & HOT TUBS	P	SECTION 21: SWIM POOLS & HOT TUBS
VETERINARY CLINIC	P	

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

YARD REGULATIONS	MINIMUM REQUIREMENTS
Yard	
Front	6.0 metres (19.7 ft.)
Side	1.5 metres (4.9 ft.)
Rear	6.0 metres (19.7 ft.)



Residential Separation (Minimum)*** 6.0 metres (19.7 ft.)

*** Separation Distance from the principal residential use to the principal commercial use/building

PARCEL REGULATIONS	REQUIREMENTS
Parcel Size (Minimum)	0.1 ha. (0.25 ac.)
Width (Minimum)	15 m (49 ft)
Depth (Minimum)	30 m (98.4 ft)
Building Height (Maximum)	9.14 m (30 ft)

SPECIFIC REGULATIONS	REQUIREMENTS
1) Residences shall have an outdoor amenity space equivalent to that of the R1 - Residential District.	
2) A minimum of 10% of the parcel shall be landscaped.	
3) Commercial Uses shall be limited to the first storey and shall have a separate outside entry from that of the residential use if sharing the same building.	
4) Commercial Uses contemplated under this District include, but are not limited to: a) Owner/ Operator business that have a maximum of 3 off-site employees on-site at the same time.	
5) Noise such as diesel engines running during the evening, loading of construction equipment and other similar noise impacts are determined by the Development Authority to be acceptable and in keeping with the characteristics of this District.	



COMMON APPLICABLE REGULATIONS (PART VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



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SECTION 9 C1 - CENTRAL BUSINESS DISTRICT

GENERAL PURPOSE



The general purpose of this District is to provide a wide variety of retail, professional and institutional services within the Central Business District of Barrhead. Accessory or other uses shall be subordinate to the primary commercial focus of this District.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	D	
ACCESSORY FOOD SERVICE	P	SECTION 1: ACCESSORY FOOD SERVICE
ACCESSORY LIQUOR SERVICE	P	SECTION 2: ACCESSORY LIQUOR SERVICE
AMUSEMENT ESTABLISHMENT (INDOOR)	P	SECTION 4: AMUSEMENT ESTABLISHMENTS
APARTMENT	D	SECTION 18: MULTI-UNIT RESIDENTIAL
AUTOMOBILE SERVICE CENTRE	P	
CAR WASH	D	
CHILD CARE SERVICES	D	SECTION 8: CHILD CARE SERVICES
COMMERCIAL ACCOMMODATION	P	SECTION 9: COMMERCIAL ACCOMMODATION
CONVENIENCE SERVICES	D	
DRIVE THROUGH SERVICES	D	SECTION 11: DRIVE THROUGH SERVICES
DWELLING (SINGLE DETACHED)	D	SECTION 23: RESIDENTIAL
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
MANUFACTURING SERVICES	D	
MIXED COMMERCIAL/RESIDENTIAL	D	SECTION 17: MIXED RESIDENTIAL/COMMERCIAL DEVELOPMENT
MEDICAL SERVICES	P	
PARKING SERVICES	D	
PERSONAL SERVICES	P	
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PRIVATE CLUB OR LODGE	D	



USES	CLASS*	USE SPECIFIC REGULATION**
PROFESSIONAL SERVICES	P	
PUBLIC USE	D	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	D	
QUASI-PUBLIC USE	D	
RESTAURANT SERVICES	P	
RETAIL SERVICES	P	
SECONDARY SUITE	D	SECTION 25: SECONDARY/GARAGE SUITES
SERVICE STATION	D	SECTION 19: PETROLEUM FACILITIES
SHIPPING CONTAINERS	D	section 26: SHIPPING CONTAINERS
SWIM POOL & HOT TUB	D	SECTION 21: SWIM POOLS & HOT TUBS
WAREHOUSE SALES	D	

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

YARD & DISTRICT REGULATIONS

Yard (Minimum)

Front	0.0 metres (0.0 ft)
Side (fronting Residential)	1.5 metres (4.9 ft)
Rear	6.0 metres (19.7 ft)
Flanking	1.5 metres (4.9 ft)
Internal Side Yard	0.0 metres (0 ft)
Parcel Area (Minimum)	185.8 m ² (2,000 ft ²)

Parcel Dimensions: (Minimum)

Depth	30.48 m (100 ft)
Width	6.1 m (20 ft)
Building Height (Maximum)	9.14 m (30 ft)

Parcel Coverage (Maximum)	100%
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*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.



COMMON APPLICABLE REGULATIONS (Part VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	SECTION 30: ZERO-SIDE YARD REQUIREMENTS

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.

SUPPLEMENTAL REGULATIONS

- 1) The following regulations apply to the building and use provisions provided in this District:
 - a) Dwellings as principal buildings, group homes and child care facilities are not permitted on any parcel that adjoins Main Street.
 - b) Dwellings or secondary suites may be located on the second floor of a commercial building, in the rear of the building or in the basement at the discretion of the Development Authority.
- 2) The maximum parcel coverage for all uses or buildings in this District is at the discretion of the Development Authority.
- 3) All parcels shall have access to an alley on either the side or rear property line.
- 4) The Discretionary Use provision applies to existing residences that are principal buildings only. It does not apply to replacement or rebuilding of more than 75% of a damaged or destroyed residence.



- 5) Swim Pools and Hot Tubs are only permitted where there is an existing residential use or where the commercial business on the subject parcel includes the sale, manufacture or repair of swim pools or hot tubs.



SECTION 10 C2 - HIGHWAY COMMERCIAL

GENERAL PURPOSE



The general purpose of this District is to provide vehicular oriented service outlets for the benefit of the traveling public.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	P	
ACCESSORY FOOD SERVICE	P	SECTION 1: ACCESSORY FOOD SERVICE
ACCESSORY LIQUOR SERVICE	P	SECTION 2: ACCESSORY LIQUOR SERVICE
ADULT ENTERTAINMENT BUSINESS	D	SECTION 3: ADULT ENTERTAINMENT BUSINESS
AMUSEMENT ESTABLISHMENT (INDOOR)	D	SECTION 4: AMUSEMENT ESTABLISHMENTS
ANIMAL CARE FACILITY	D	SECTION 15: KENNELS
AUCTION SALES	D	
AUTOMOBILE SALES	P	
AUTOMOBILE SERVICE CENTRE	P	
CAR WASH	D	
COMMERCIAL ACCOMMODATION	P	SECTION 9: COMMERCIAL ACCOMMODATION
CONVENIENCE SERVICES	D	
DRIVE THROUGH SERVICES	D	SECTION 11: DRIVE THROUGH SERVICES
OUTDOOR SALES AND SERVICE	D	
GAS BAR	P	SECTION 20: PLACES OF WORSHIP
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
KENNEL	D	SECTION 15: KENNELS
MANUFACTURING SERVICES	D	
MOVING OR CARTAGE	D	SECTION 23: RESIDENTIAL



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USES	CLASS*	USE SPECIFIC REGULATION**
PARKING SERVICES	D	
PERSONAL SERVICES	D	
SHIPPING CONTAINERS	D	SECTION 26: SHIPPING CONTAINERS
PETROLEUM FACILITY	D	SECTION 19: PETROLEUM FACILITIES
PRIVATE CLUB OR LODGE	P	
PROFESSIONAL SERVICES	D	
PUBLIC USE	D	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	D	
QUASI-PUBLIC USE	D	
RESTAURANT SERVICES	P	
RETAIL SERVICES	P	
SERVICE STATION	P	SECTION 19: PETROLEUM FACILITIES
SHOPPING CENTRE	P	
TRAVEL INFORMATION CENTRE	P	
VETERINARY CLINIC	D	
WAREHOUSE SALES	D	

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

DISTRICT REGULATIONS	REQUIREMENTS
Yard (Parcel Minimum)	
Front	8.8 metres (29.0 ft)
Side	1.5 metres (4.9 ft)
Rear	6.0 metres (19.7 ft)
Flanking	1.5 metres (4.9 ft)
Internal Side Yard	0.0 metres (0 ft)
Parcel Area (Minimum)	929 m ² (10,000 ft ²)
Parcel Dimensions: (Minimum)	
Depth	30.48 m (100 ft)
Width	18.29 m (60 ft)
Building Height (Maximum)	9.14 m (30 ft)
Parcel Coverage (Maximum)	85%
*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.	



COMMON APPLICABLE REGULATIONS (PART VII)

Section 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	SECTION 30: ZERO-SIDE YARD REQUIREMENTS

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.

SUPPLEMENTAL REGULATIONS

- 1) Floor area and outdoor display area of any single business other than those located within a shopping centre shall be greater than 185.8 m² (2,000 ft²).
- 2) Shopping centres shall be designed where possible to have the building(s) as the dominant feature in the front yard.
- 3) Storage and display of all chattels within this District shall be in a presentable and tidy manner.
- 4) Shopping centres shall use one or more approved shared sign sites for permanent advertising of the shopping centre businesses other than what is approved to be on the external facade, wall, awning, etc, of the subject building.



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SECTION 11 C3 - NEIGHBOURHOOD COMMERCIAL

GENERAL PURPOSE



The general purpose of this District is to provide neighbourhood convenience and personal services to serve the daily needs of area residents using smaller building footprints.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	P	
ACCESSORY FOOD SERVICE	P	SECTION 1: ACCESSORY FOOD SERVICE
ACCESSORY LIQUOR SERVICE	P	SECTION 2: ACCESSORY LIQUOR SERVICE
AMUSEMENT ESTABLISHMENT (INDOOR/OUTDOOR)	D	SECTION 4: AMUSEMENT ESTABLISHMENTS
CAR WASH	D	
CHILD CARE SERVICES	D	SECTION 8: CHILD CARE SERVICES
CONVENIENCE SERVICES	P	
DRIVE THROUGH SERVICES	D	SECTION 11: DRIVE THROUGH SERVICES
GAS BAR	D	SECTION 19: PETROLEUM FACILITIES
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
MEDICAL SERVICES	P	
PARKING SERVICES	D	
PERSONAL SERVICES	P	
PLACE OF WORSHIP	D	SECTION 20: PLACES OF WORSHIP
PROFESSIONAL SERVICES	D	
PUBLIC USE	D	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	D	
QUASI-PUBLIC USE	D	
RESTAURANT SERVICES	D	
RETAIL SERVICES	D	
SECONDARY SUITE	D	SECTION 23: RESIDENTIAL
SHIPPING CONTAINER	D	section 26: SHIPPING CONTAINERS
SHOPPING CENTRE	D	

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use



**Special Regulations are provided in Part VIII of this Bylaw.

YARD & DISTRICT REGULATIONS

Yard (Parcel Minimum)

Front	6.0 metres (19.7 ft)
Side:	3.0 metres (9.8 ft)
Abut residential district	3.0 metres (9.8 ft)
Rear	6.0 metres (19.7 ft)
Flanking	4.0 metres (13.1 ft)
Parcel Area (Minimum)	400 m ² (0.98 ac.)
Parcel Area (Maximum)	0.5 ha. (1.24 ac.)
Parcel Dimensions: (Minimum)	
Depth	33.5 m (220 ft)
Width	33.5 m (110 ft)
Building Height (Maximum)	Discretion of Development Authority

Parcel Coverage (Maximum)	80%
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Floor Area (Maximum/business)	500 m ² (5,382 ft ²)
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*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

COMMON APPLICABLE REGULATIONS (PART VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	SECTION 30: ZERO-SIDE YARD REQUIREMENTS

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited



to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.

SUPPLEMENTAL REGULATIONS

- 1) Floor area of any single business other than those located within a shopping centre shall be less than 500 m² (5,382 ft²).
- 2) Shopping centres shall be designed where possible to have the building(s) as the dominant feature in all yards fronting roads.
- 3) Outdoor storage other than for retail display and sale purposes is prohibited.
- 4) Shopping centres shall use one approved shared sign sites for permanent advertising of the shopping centre businesses other than what is approved to be on the external facade, wall, awning, etc, of the subject building. The design and illumination of the sign shall not interfere with adjoining lands districted for a residential use.
- 5) In addition to landscaping requirements, an outdoor amenity area of a minimum of 10% of the parcel shall be provided for all shopping centres within this District.
- 6) A shopping centre within this District shall have a maximum gross floor area of 3,000 m² (9,842) and share on-site parking.
- 7) All solid waste collection areas shall be located in the rear portion of the property and be screened from adjoining properties
- 8) The neighbourhood commercial business which are oriented in part towards pedestrian and bicycle traffic shall provide adequate infrastructure (walking areas, bicycle parking areas, etc.) to accommodate the proposed use.
- 9) Neighbourhood commercial development shall be designed to complement the surrounding residential neighbourhood. Required features include: varying roof lines, compatible exterior finishing, vegetation, landscaping and other features to create an inviting appearance.



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SECTION 12 M1 - INDUSTRIAL

GENERAL PURPOSE



This District is to be used for general industrial purposes that don't cause any objectionable or dangerous conditions beyond the boundary of the District in which the site is located.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	P	
BULK FUEL STORAGE AND SALE	D	SECTION 19: PETROLEUM FACILITIES
MANUFACTURING SERVICES	P	
MINI STORAGE	D	
MOVING OR CARTAGE	P	
NATURAL RESOURCE PROCESSING	P	
OUTDOOR SALES AND SERVICE	P	
PUBLIC USE	P	
PUBLIC UTILITY BUILDING	P	
PUBLIC UTILITY	P	
RETAIL SERVICES	P	
SALVAGE YARD	D	
SERVICE STATION	P	SECTION 19: PETROLEUM FACILITIES
SHIPPING CONTAINER	D	section 26: SHIPPING CONTAINERS
SURVEILLANCE SUITE	D	SECTION 28: SURVEILLANCE SUITES

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

DISTRICT REGULATIONS	REQUIREMENTS
Yard (Parcel Minimum)	
Front	6.0 metres (19.7 ft)
Side:	5.5 metres (18 ft)
2 nd Internal Side yard	1.5 m (5 ft)
Rear	4.9 metres (16 ft)
Flanking	5.5 metres (18 ft)



Parcel Area (Minimum)	929.5 m ² (1.0 ac.)
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Parcel Dimensions: (Minimum)	
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Width	30.48 m (100 ft)
Building Height (Maximum)	Discretion of Development Authority

Parcel Coverage (Maximum)	90%
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*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

COMMON APPLICABLE REGULATIONS (PART VII)

SECTION 1: ACCESSORY BUILDINGS	SECTION 18: LANEWAY ACCESS
SECTION 2: AMENITY AREAS	SECTION 22: OUTSIDE STORAGE / DISPLAY
SECTION 4: BUILDING HEIGHT	SECTION 24: PRINCIPAL BUILDINGS OR USE
SECTION 10: DWELLING UNITS ON A PARCEL	SECTION 25: PROJECTIONS INTO YARDS
SECTION 14: FENCING AND SCREENING	SECTION 27: RELOCATION OF BUILDINGS
SECTION 17: LANDSCAPING	SECTION 30: ZERO-SIDE YARD REQUIREMENTS

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.

SUPPLEMENTAL REGULATIONS

- 1) Where the proposed use is determined by the Town of Barrhead to have the ability to generate substances that can adversely impact drainage works through pollution or other means, the Development Authority may require the Developer to ensure that all surface run-off other than from outside storage areas, landscaping and amenity areas be directed towards a sump or other containment within the parcel.



- 2) The Development Authority may require a Phase I Environmental Assessment to be completed and acted upon prior to allowing for the conversion from one industrial use to another.



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SECTION 13 US - URBAN SERVICES

GENERAL PURPOSE



This District is generally intended to be applied for the development of public and/or privately owned institutions or community services.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	P	
CEMETERY	D	
CHILD CARE SERVICES	D	
DWELLING (SINGLE DETACHED)	D	SECTION 23: RESIDENTIAL STANDARDS
GROUP HOME	D	SECTION 12: GROUP HOME FACILITIES
MINI STORAGE	D	
PLACE OF WORSHIP	P	SECTION 20: PLACES OF WORSHIP
PROFESSIONAL SERVICES	D	
PUBLIC USE	P	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	D	
QUASI-PUBLIC USE	D	
RESTAURANT SERVICES	D	
SENIOR'S RESIDENCES	D	SECTION 27: SUPPORTIVE LIVING

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.



OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.

SUPPLEMENTAL REGULATIONS

- 1) All site regulations are at the discretion of the Development Authority.
- 2) Senior's Residence as a use in this District may or may not include supportive living as a use, however, the supportive living guidelines are recommended as a guide to design and development of a Senior's residence.
- 3) Subdivision applications within this District are limited to public/institutional, recreational, agricultural uses and farmstead separations unless a re-district application to a suitable land use district is being considered by Council.



SECTION 14 R - RECREATION

GENERAL PURPOSE



This District is generally intended for public parks to accommodate active or passive recreational and leisure pursuits within the Town of Barrhead. Uses may be publicly or privately owned and operated.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	P	
ACCESSORY FOOD SERVICE	P	SECTION 1: ACCESSORY FOOD SERVICE
ACCESSORY LIQUOR SERVICE	D	SECTION 2: ACCESSORY LIQUOR SERVICE
AMUSEMENT ESTABLISHMENT (OUTDOOR)	D	SECTION 4: AMUSEMENT ESTABLISHMENTS
CONCESSION STAND	P	
PUBLIC USE	P	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	D	
QUASI-PUBLIC USE	D	
RESTAURANT SERVICES	D	
CAMPGROUND & R.V. PARK	D	SECTION 6: CAMPGROUNDS & R.V. PARKS

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.

OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.



SUPPLEMENTAL REGULATIONS

- 1) All site regulations are at the discretion of the Development Authority.
- 2) Park Model Homes on foundation are not permitted other than for administration/management purposes.
- 3) Restaurants must be accessory to a recreational use.



SECTION 15 UR - URBAN RESERVE

GENERAL PURPOSE



This purpose of this District is to reserve lands that are rural in character for future transition to urban development. Development within Urban Reserve lands must be consistent with future development concepts.

USES	CLASS*	USE SPECIFIC REGULATION**
ACCESSORY BUILDING OR USE	P	
ANIMAL CARE FACILITY (LARGE ANIMAL)	D	SECTION 15: KENNELS
AMUSEMENT ESTABLISHMENT (OUTDOOR)	D	SECTION 4: AMUSEMENT ESTABLISHMENTS
DWELLING (SINGLE DETACHED)	P	SECTION 23: RESIDENTIAL STANDARDS
EXTENSIVE AGRICULTURE	P	
HOME BASED BUSINESS	D	SECTION 13: HOME BASED BUSINESS
INTENSIVE AGRICULTURE	D	
KENNEL	D	SECTION 15: KENNELS
NATURAL RESOURCE DEVELOPMENT	D	
PUBLIC USE	D	
PUBLIC UTILITY	P	
PUBLIC UTILITY BUILDING	D	
QUASI-PUBLIC USE	D	
SHIPPING CONTAINER	D	section 26: SHIPPING CONTAINERS
VETERINARY CLINIC	D	

*"P" denotes a Permitted Use while "D" denotes a Discretionary Use

**Special Regulations are provided in Part VIII of this Bylaw.

*** Minimum floor areas does not include attached garages, decks or other outdoor amenity spaces.



OTHER REQUIREMENTS

All land uses approved under this Land Use District must comply with all other applicable provisions of this Bylaw, including, but not limited to: Part VII: General Regulations, Part VIII: Use Specific Regulations, Part IX: Parking Requirements and Part X: Signage Requirements.

SUPPLEMENTAL REGULATIONS

- 1) All site regulations are at the discretion of the Development Authority.
- 2) No subdivision other than what is necessary to accommodate public works facilities or public roadways can be considered by the Subdivision Authority under this District.



SECTION 16 DC - DIRECT CONTROL

GENERAL PURPOSE



This District is intended to be applied in areas that are in transition or where traditional land use districts are not appropriate, due to constraints such as servicing limitations, a unique character, historical sites, cultural sensitivity or environmental issues.

APPLICATION

- 1) Designation of land to this District must be consistent with the provisions of the Town of Barrhead Municipal Development Plan and
- 2) The proposal must be compatible with surrounding land uses.

SUPPLEMENTAL REGULATIONS

- 1) In evaluating a proposed land use or development, Council shall conform to the Act, Subdivision and Development Regulations and any Statutory Plan that is in effect.
- 2) Council may require, as part of the evaluation process for a development permit under this District, the applicant to:
 - a) provide an explanation of the intent of the project,
 - b) features of the project which make it desirable for the Town of Barrhead,
 - c) an economic analysis of the proposed anticipated impact on the Town of Barrhead,
 - d) all requirements of a Development Permit Application as described in Part VI of this Bylaw,
- 3) Council may hold a public meeting regarding an application for subdivision and/or development within this District.



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SECTION 17 IDC - INNOVATIVE DC

GENERAL PURPOSE



This District is designed to enable subdivision and development where traditional land use districting is unable to accommodate the specialized characteristics of the property or the proposal. The intent of this District is to enable Developers to express a vision for the parcel that is unique and an asset to the Town of Barrhead.

USES

Land Uses for a parcel in this District shall be as proposed by the Developer and approved by Council. The following uses may be considered under this District.

- | | |
|------------------------|-------------------------|
| ✚ Condominiums | ✚ Mixed |
| ✚ Clustered Housing | Commercial/Residential |
| ✚ Transitional Housing | ✚ Supportive Living |
| | ✚ As allowed by Council |

APPLICATION

- 1) Designation of land to this District must be consistent with the provisions of the Town of Barrhead Municipal Development Plan and
- 2) The proposal must be compatible with surrounding land uses.
- 3) Parcel size, property line setbacks and other site criteria is at the discretion of Council.
- 4) Council may apply site criteria to a proposal that is consistent with same or similar uses in other Districts or the Special Use Regulations of this Bylaw.



SUPPLEMENTAL REGULATIONS

- 1) In evaluating a proposed land use or development, Council shall conform to the Act, Subdivision and Development Regulations and any Statutory Plan that is in effect.
- 2) Council may require, as part of the evaluation process for a development permit under this District, the applicant to:
 - a) provide an explanation of the intent of the project,
 - b) features of the project which make it desirable for the Town of Barrhead,
 - c) an economic analysis of the proposed anticipated impact on the Town of Barrhead,
 - d) all requirements of a Development Permit Application as described in Part V of this Bylaw,
- 3) Council may hold a public meeting regarding an application for subdivision and/or development within this District.