
PART 2



3 GENERAL REGULATIONS

3.1 Applicability

3.1.1 The following general regulations shall apply to all developments within the Municipality, unless otherwise exempted in this part. Where any regulation in this part may be in conflict with any regulation of a district, the regulation in the district shall take precedence.

3.2 Excavation, Filling and Stripping

3.2.1 This section shall apply to all activities other than for agricultural purposes, activities for which a development permit has been approved or is not required, or a development agreement has been obtained and includes, but is not limited to top soil stripping, removal of trees and construction of artificial water bodies or berms.

3.2.2 Any proposed excavation, filling or stripping of land on a site for which a development permit or development agreement is not in place, shall require a development permit application.

3.2.3 Where any significant excavation, filling or stripping activities are proposed, the Development Authority may require that the activities are conducted in accordance with approved engineering plans created by a professional engineer.

3.2.4 The Development Authority may require any area affected by excavation, filling or stripping activities are satisfactorily landscaped upon completion of the activities.

3.3 Site Grading, Drainage and Storm Water Management

3.3.1 Storm water run-off shall be contained on-site or disposed of in a manner acceptable to the Municipality and provincial or federal agencies. Site grades shall be established to prevent drainage from one site to the next except where drainage conforms to an approved local or subdivision drainage plan.

3.3.2 The developer of a site is responsible to ensure that grading is completed to provide effective site drainage. The Development Authority may require a developer to submit a site grading or drainage plan to be prepared by a professional engineer.

3.3.3 The Development Authority may require the developer of a site to provide a security deposit to ensure that site grading is completed according to an approved plan, which is refundable upon submission of a survey, prepared by a qualified Alberta Land Surveyor, confirming such as-built grades.

3.3.4 The owner of a site shall be responsible to ensure that grading is maintained over time to provide effective drainage. Where maintenance of a common drainage swale or path at a property line is required, the responsibility of maintenance lies with the owners of both sites. Where a drainage swale or path is established within an easement or right-of-way on a site, swale grades shall be maintained and the swale shall be kept free of any obstructions.



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3.3.5 Where a site is developed or redeveloped in a Hamlet District, the site grades and building elevations shall be established to ensure effective drainage as approved by the Development Authority or in accordance with an approved site or subdivision grading plan.

3.3.6 The installation of an oil-grit separator may be required to prevent ground water contamination where storm water is drained from large parking areas or underground parkades, or where, in the opinion of the Development Authority, there is potential hazard of contamination due to the nature of the land use.

3.4 Water, Sanitary and Utility Services

3.4.1 All buildings shall be provided with a water system and sanitary facilities that meet provincial regulations.

3.4.2 A person shall not begin the excavation for the foundation nor commence the development until provision has been made for utility services or facilities to the satisfaction of the Development Authority.

3.4.3 The design, installation and setback of a private sewage system shall be in accordance with current provincial legislation.

3.4.4 Where a building is not connected to a municipal wastewater system, the Development Authority shall require, as a condition of issuing a development permit that:

- (a) in the case of a new building, that the developer provides the Municipality with evidence that a permit from an accredited agency has been obtained by the developer for the installation of a private sewage system in accordance with current provincial legislation and standards, prior to commencement of any construction; or
- (b) in the case of an addition to an existing building, that the developer provides either a permit referenced in (a) above or a statement signed and sealed from a qualified professional that the existing sewage system operates properly and is capable of handling the additional sewage expected to be generated as a result of the addition, prior to the commencement of any construction; and
- (c) in the case of the construction of a new building or the addition to an existing building, proof that the building or addition does not cover existing or proposed sewage systems.

3.4.5 In addition to 3.4.4 above, the Development Authority may require that a developer provide evidence that an inspection of a private sewage system was undertaken by the accredited agency that issued the permit for the sewage system and that the inspection showed the system to have been properly installed.

3.4.6 Except for a condominium development or as approved by the Development Authority, each unit of a semi-detached dwelling or attached dwelling shall be individually and directly connected to the water and sanitary lines located in the public right-of-way.



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3.4.7 A utility connection to municipal infrastructure may be required to be inspected and approved by the Municipality. It is the responsibility of the developer to ensure that the Municipality is notified of the date of installation for inspection purposes.

3.5 Utility Lots and Easements

3.5.1 No building shall be constructed on a utility easement unless:

- (a) in the opinion of the Development Authority, the building does not restrict access to the utility easement for the purpose of installation and maintenance of the public utility; and
- (b) written consent has been obtained from the public utility company to which the easement has been granted.

3.5.2 A person erecting a public utility facility or placing utility equipment on a site shall cause it to be placed in a location and with yard setbacks that are satisfactory to the Development Authority.

3.5.3 Public utility lots may be permitted in any district except as specifically regulated in this Bylaw, and are not required to conform to minimum site width or area requirements of those districts.

3.6 Environmental Protection Standards

3.6.1 No activity may be undertaken in any district, which in the opinion of the Development Authority creates a nuisance, including but not limited to the generation of noise, dust, odour, smoke, vibration, heat, humidity or glare.

3.6.2 No development shall emit contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the Environmental Protection and Enhancement Act and regulations pertaining thereto.

3.6.3 No development shall discharge toxic or noxious materials:

- (a) across the boundaries of a site;
- (b) through infiltration into the subsoil;
- (c) into the sewage system, except otherwise directed by the Development Authority; and
- (d) into a water body or watercourse.

3.6.4 When reviewing development permit application on lands which may be considered to be environmentally sensitive, including lake shorelands, rivers, wetlands, critical wildlife habitat, natural areas, reserves or parks, the Development Authority may consider the following:

- (a) an environmental report or development impact assessment prepared by a qualified third-party; and
- (b) comments and recommendations from Alberta Environment or other appropriate provincial agencies.



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3.7 Objects Prohibited or Restricted

- 3.7.1 No person shall be allowed to park or retain on any lot a vehicle which is in a dismantled, derelict or dilapidated condition, a vehicle which has all or part of its superstructure removed, or a motor vehicle used for stock car races, except:
- (a) in an Agriculture Conservation or Forestry District, such vehicles shall not be within 40.0 m (131.2 ft) of a public road unless it is suitably screened to the satisfaction of the Development Authority;
 - (b) in all other districts, such vehicles shall be suitably housed within a building; or
 - (c) as otherwise approved in a development permit.
- 3.7.2 No person shall store more than 1 recreational vehicle on a lot within a Hamlet Residential or Country Residential District. A recreation vehicle shall not be stored in a Hamlet Residential or Country Residential District lot without a dwelling.
- 3.7.3 The Development Authority may issue a temporary permit for the occupation of a recreational vehicle on a Hamlet Residential or Country Residential lot, provided that:
- (a) a development permit has also been issued for the construction of a permanent dwelling; and
 - (b) any extension of the temporary approval is not allowed unless construction of the dwelling has been proceeding with reasonable diligence during the term of the permit.
- 3.7.4 In Hamlet Residential and Country Residential Districts, no person shall be allowed to keep or maintain in public view:
- (a) an industrial or commercial vehicle, including but not limited to tractor trailers, semi-trailers, vehicles for 10 passengers or more, dump trucks or cube vans for longer than is reasonably necessary to load or unload the vehicle;
 - (b) industrial or commercial equipment, such as loaders, backhoes and other related equipment, except when such vehicle is required pursuant to a development permit for that site;
 - (c) any excavation, storage or piling up of materials required during a construction stage that remains longer than necessary; or
 - (d) any unsightly object which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district.

3.8 Storage Facilities for Liquefied Petroleum Gases and Flammable Liquids

- 3.8.1 All above-ground storage vessels for liquefied petroleum gases and flammable liquids shall:
- (a) not be located within the required minimum front yard setback of the district in which it is located;
 - (b) be a minimum of 15.0 m (49.2 ft) from all side and rear lot lines; and



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(c) comply with any setbacks or other regulations specified within the Alberta Fire Code.

3.8.2 Where the minimum lot line setback requirements specified above cannot be met, the Development Authority may grant a relaxation, but in no case shall the minimum distance be less than 5.0 m (16.4 ft) from any property line.

3.8.3 All above-ground storage vessels for liquefied petroleum gases and flammable liquids shall be adequately screened from view of adjacent properties or roads through the use of vegetation, berming, or fencing.

3.9 Fire Prevention and Emergency Access

3.9.1 To protect a development from significant wildfire hazard or where a development may be located in an area that is removed from existing Municipal emergency services, the following fire protection measures may be required by the Development Authority:

- (a) a minimum 10.0 m (32.8 ft) perimeter of defensible space around all buildings in which all fire prone materials and vegetation are removed;
- (b) roofs constructed of non-combustible or fire retardant materials;
- (c) the installation of spark arresters on chimneys and stovepipes;
- (d) exterior siding constructed of fire retardant materials;
- (e) the provision of a secondary vehicular emergency access to the site, pursuant to Section 3.9.3;
- (f) the provision of adequate on or off-site water and the appropriate connection for fire fighting purposes, pursuant to Section 3.9.4; and
- (g) any other provisions deemed necessary by the Development Authority.

3.9.2 Sites shall be designed that, in the opinion of the Development Authority, appropriate access for fire fighting vehicles and equipment is provided to all buildings.

3.9.3 In Commercial, Industrial, R-2 and R-M Districts, the applicant of a development permit may be required to provide drawings or an engineering report that demonstrates the following requirements.

- (a) Fire access lanes shall be:
 - (i) a minimum of 6.0 m (19.7 ft) in width;
 - (ii) located between 3.0 (9.8 ft) and 15.0 m (49.2 ft) from all buildings; and
 - (iii) shall be designed to support fire fighting vehicles.
- (b) Vehicle approaches, private roads, aisles and fire access lanes shall accommodate a minimum 12.0 m (39.4 ft) centreline turning radius for fire fighting vehicles.
- (c) Appropriate measures, including signs, brush and snow removal are utilized to ensure unobstructed access to and within the site for fire fighting vehicles.



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- (d) The number and placement of fire hydrants or fire department connections shall be to the satisfaction of the Development Authority in consultation with the Fire Safety Codes Officer.
- 3.9.4 Where a Municipal water system is not available, a water supply and fire department connection shall be provided, to the satisfaction of the Development Authority in consultation with the Fire Safety Codes Officer, that:
- (a) is readily accessible by fire fighting vehicles;
 - (b) is available year-round; and
 - (c) will not be affected by seasonal, climatic or environmental changes.
- 3.9.5 In Hamlet Residential Districts, no person shall store or permit to be stored a container for the storage of flammable liquids as defined in the Safety Codes Act, except where the container:
- (a) contains no more than 46.0 L;
 - (b) meets the specifications of the Alberta Fire Code; and
 - (c) is stored outside or within an accessory building.

3.10 Vehicular-Oriented Uses

- 3.10.1 Vehicular-oriented uses shall only be allowed if the Development Authority is satisfied that such developments shall not adversely affect the functioning of surrounding roads, traffic circulation or adjacent uses.
- 3.10.2 All fuel pump islands shall be located a minimum of 5.0 m (16.4 ft) from a site boundary or parking area. A canopy used to cover motor vehicles shall be located a minimum distance of 0.6 m (2.0 ft) from any site boundary.
- 3.10.3 Where queuing spaces are required by the Development Authority for vehicular-oriented uses, the queuing spaces shall:
- (a) be a minimum of 2.75 m (9.0 ft) in width and 6.5 m (21.3 ft) in length and provide sufficient space for the turning and manoeuvring of vehicles;
 - (b) provide sufficient queuing spaces for the proposed use or business; and
 - (c) not interfere with other vehicular or pedestrian movements.
- 3.10.4 Excepting car washes, drive-throughs shall not be permitted in the Municipal District of Bighorn.

3.11 Vehicle Accesses

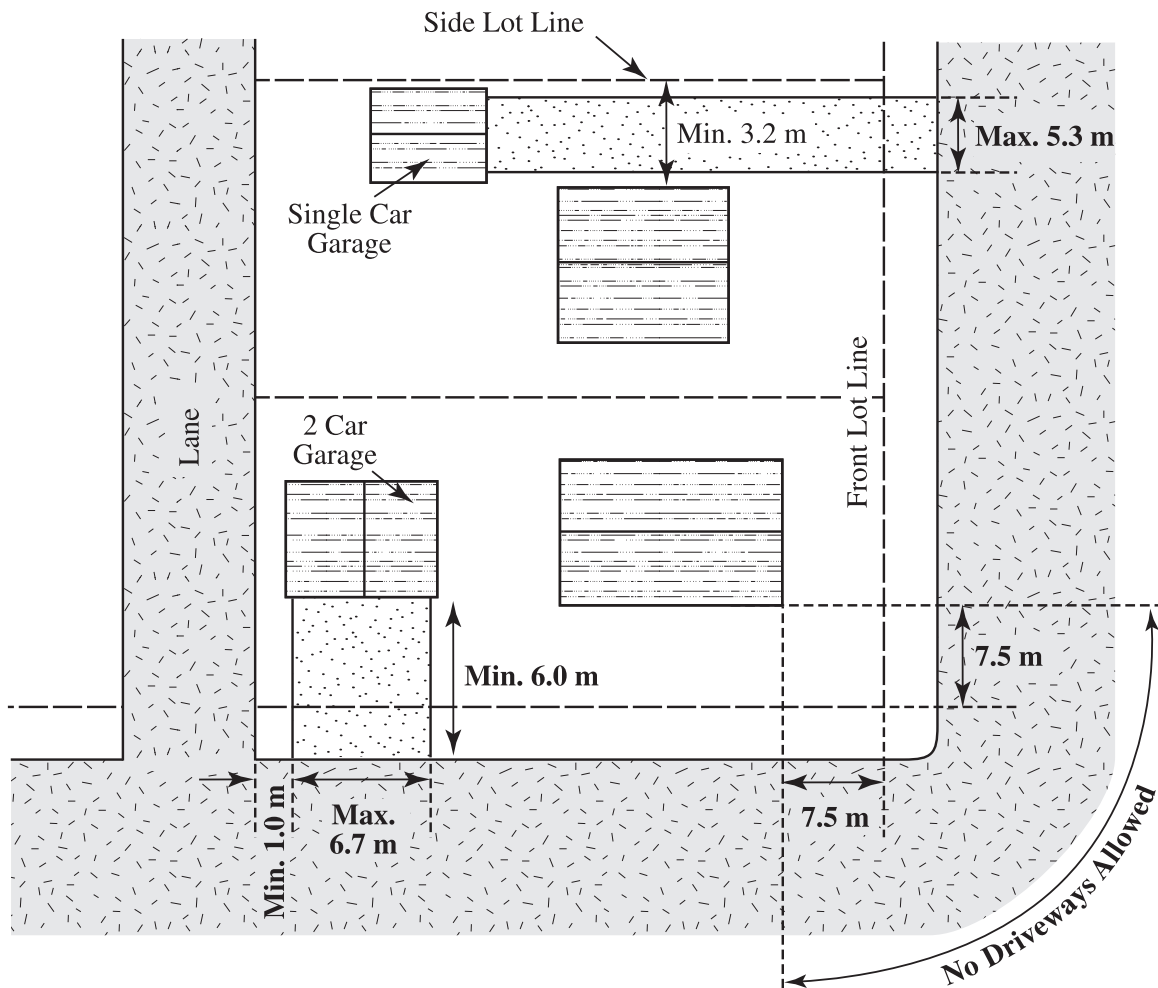
- 3.11.1 All vehicle accesses onto a highway shall be approved by the Provincial highway authority, or as approved within an area structure plan.
- 3.11.2 The location and number of vehicle accesses other than those onto a highway shall be at the discretion of the Development Authority under direction of the Municipal Operations Department.



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- 3.11.3 All vehicle accesses shall be located a minimum distance of 1.5 m (4.9 ft) from all above ground infrastructure such as hydrants, power poles, utility installations, and other street furnishings.
- 3.11.4 In Hamlet Districts, private residential accesses shall be subject to the following regulations:
- (a) A residential development shall normally be permitted no more than one driveway or access per road frontage or lane which may be located at either the front, side or rear of the lot. Additional accesses shall be at the discretion of the Development Authority in consultation with the Director of Operations.
 - (b) The width and location of a private residential driveway or access shall be as specified in Figure 11 below.

Figure 11 – Vehicle Accesses in Hamlets for Private Residential Uses

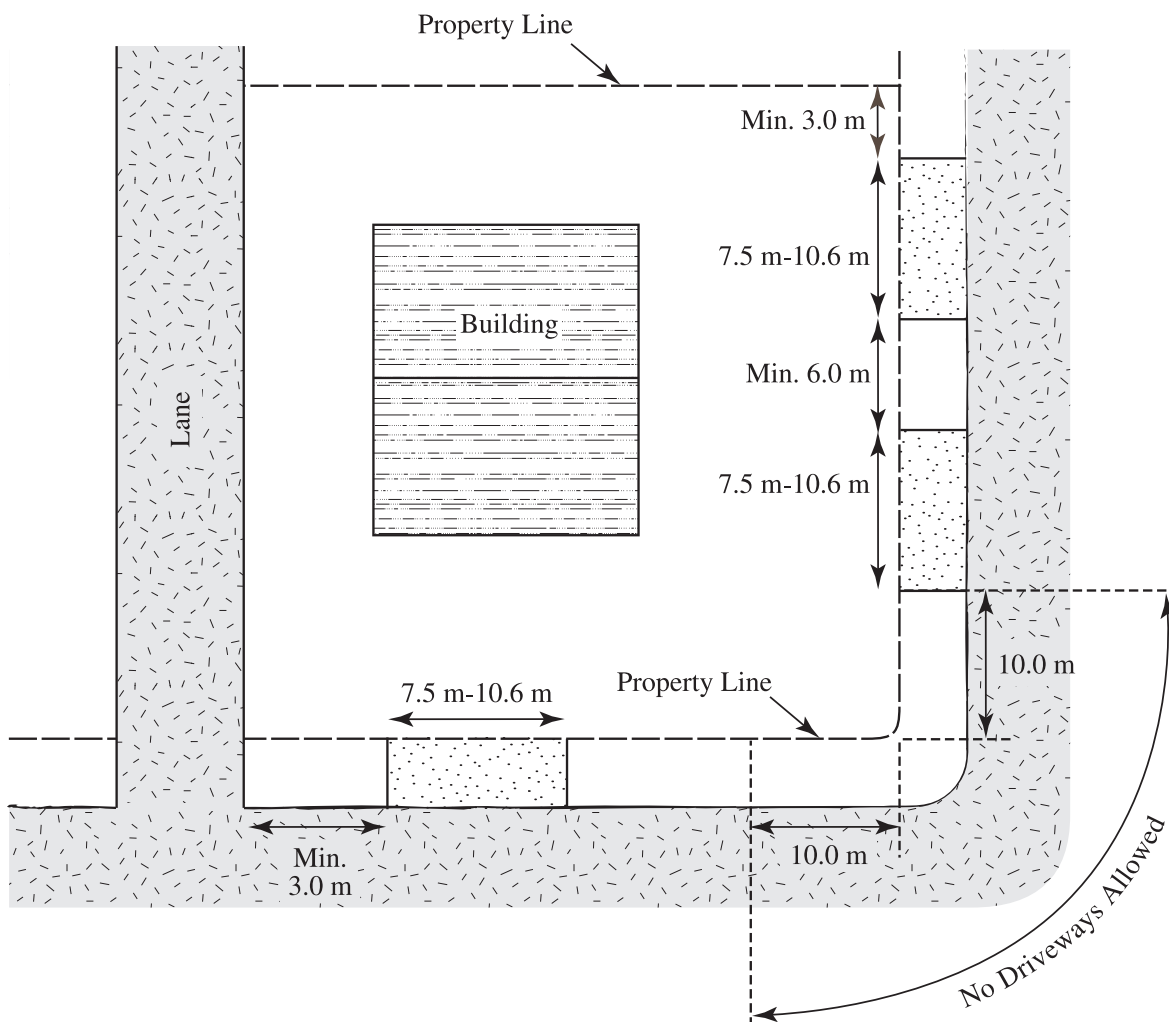


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3.11.5 In Hamlet Districts, for all other uses excepting private residential uses, vehicle accesses shall be subject to the following regulations.

- (a) A development shall normally be permitted a maximum of 1 two-way access per road frontage or lane.
- (b) Additional vehicle accesses are at the discretion of the Development Authority in consultation with the Director of Operations, given the nature and size of the development, anticipated traffic generation, and the design of the adjacent road.
- (c) The minimum distance between two vehicle accesses on the same boundary of a site shall not be less than 6.0 m (19.7 ft).
- (d) Two-way accesses shall be positioned at 90 degrees to the road.
- (e) The width and location of vehicle accesses in Hamlet Districts for uses other than private residential uses, shall be in accordance with Figure 12 below.

Figure 12 – Vehicle Accesses in Hamlets for Uses Other than Private Residential

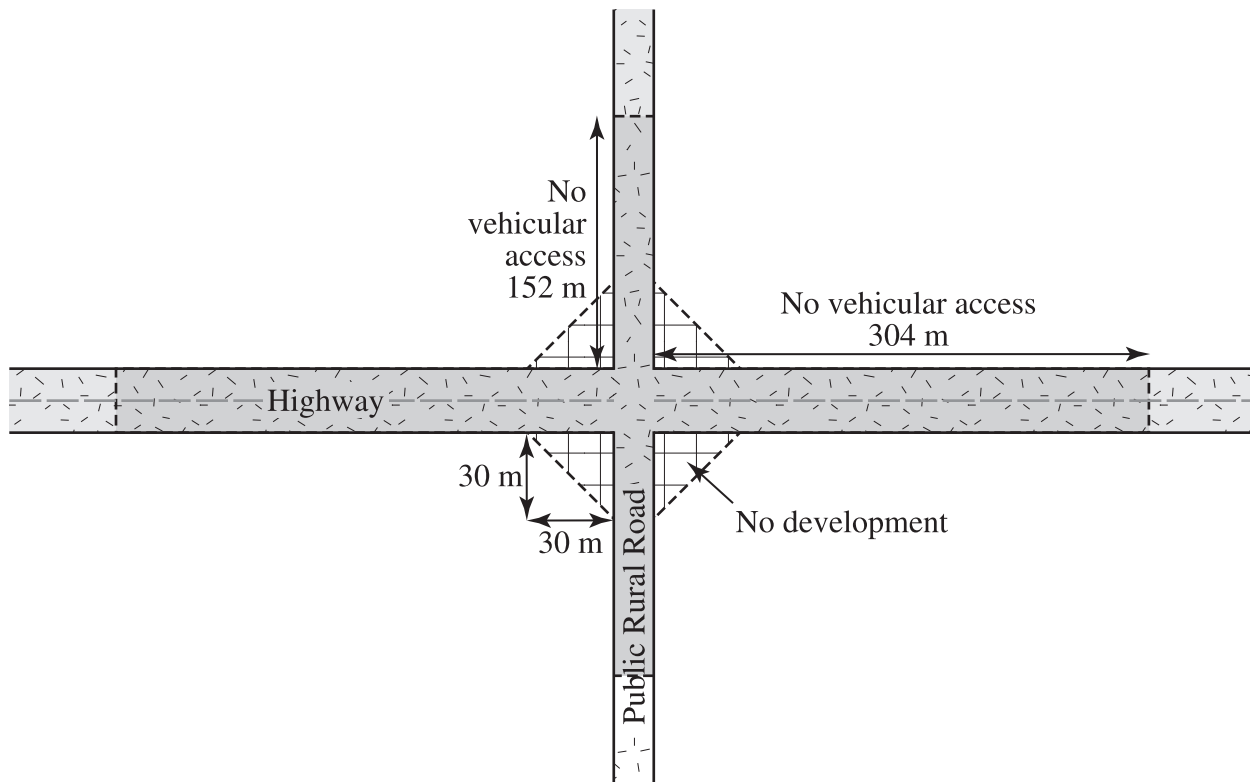


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3.11.6 In all districts, excepting Hamlet Districts, or as otherwise approved by the Development Authority, no access or egress shall be permitted where it would be less than 152.0 m (498.7 ft) from:

- (a) an existing access or egress on the same side of the road;
- (b) a bridge;
- (c) an at-grade railway crossing;
- (d) the crest of a hill; and
- (e) the intersection of 2 rural roads, except 304.0 m (997.4 ft) from the intersection of a rural road and a highway (Figure 13).

Figure 13 – Vehicle Access in Non-Hamlet Districts



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- 3.12.1 The minimum on-site parking and loading requirements of this Bylaw shall be met for all developments, whether a new building, an enlargement or addition to an existing building, or a change in use.
- 3.12.2 Parking stalls shall be provided in accordance with Table 2, and:
- (a) shall be calculated on the basis of gross floor area, or where the term “seats” is used shall be calculated based upon fire occupancy ratings, or where the term “employees” is used shall be calculated based on the maximum number of employees on a shift;
 - (b) where a fractional number of stalls are required, it shall be rounded to the next higher figure;
 - (c) where a development contains more than one use, the required number of stalls shall be the sum of the requirements for each of those land uses; and
 - (d) where the parking requirements of a development are not specified in this Bylaw, the Development Authority shall be guided by the standards for similar uses.

Table 2 – Minimum Parking and Loading Requirements

| Use of Building or Site | Minimum number of stalls or spaces | |
|---|--|---------|
| | PARKING | LOADING |
| RESIDENTIAL USES | | |
| Dwellings, single detached, duplex and attached | 2 stalls/du | |
| Apartments and dwellings in R-M district | 2 stalls/du plus 1 visitor stall/10 du | 1 space |
| Accessory dwelling units | 1 stall/du | |
| Bed and breakfast | 1 stall/accommodation unit | |
| Group care home | 0.2 stall/bed unit | |
| Home-based business, major | 1 stall | |
| Secondary and studio suites | 1 stall/du | |
| COMMERCIAL USES | | |
| Business support services | 1 stall/50.0 m ² (538.2 ft ²) | |
| Commercial school | 10 per classroom | |
| Convenience store, liquor store, artisan shop | 1 stall/37.0 m ² (398.3 ft ²) | |



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| | | |
|---|--|--|
| Licensed drinking establishment, restaurant | 1 stall/4 seats | 1 space |
| Resort, visitor and extended visitor accommodation | 1 stall/accommodation unit plus 0.5 stall/employee | 1 space |
| Retail store, personal service business, offices, medical clinic | 1 stall/37.0 m ² (398.3 ft ²) plus 1 stall/employee | |
| Service station, car wash, gas bar | 2 stalls per bay and/or 2 stalls per fuel pump | |
| Staff accommodation | 0.5 stall/bed unit | |
| INDUSTRIAL USES | PARKING | LOADING |
| Auto body services, automotive repair services and sales, household equipment repair services | 1 stall/50 m ² (538.2 ft ²) but shall not be less than 3 stalls | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |
| Contractor services, manufacturing and distribution | 1 stall/100 m ² (1076.4 ft ²) plus 1 stall/employee | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |
| Greenhouse and plant nursery, industrial equipment service, rentals and sales | 1 stall/50 m ² (538.2 ft ²) plus 1 stall/ employee | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |
| Mini storage | 1 stall/5 storage units plus 1 stall/employee | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |
| Natural resource extraction and processing | 1 stall/employee plus 5 stalls visitor parking | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |
| Storage yard | 1 stall/employee | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |
| Warehousing | 1 stall/50 m ² (538.2 ft ²) plus 1 stall/employee | 1 space/1,858.0 m ² (20,000 ft ²), minimum of 1 space |



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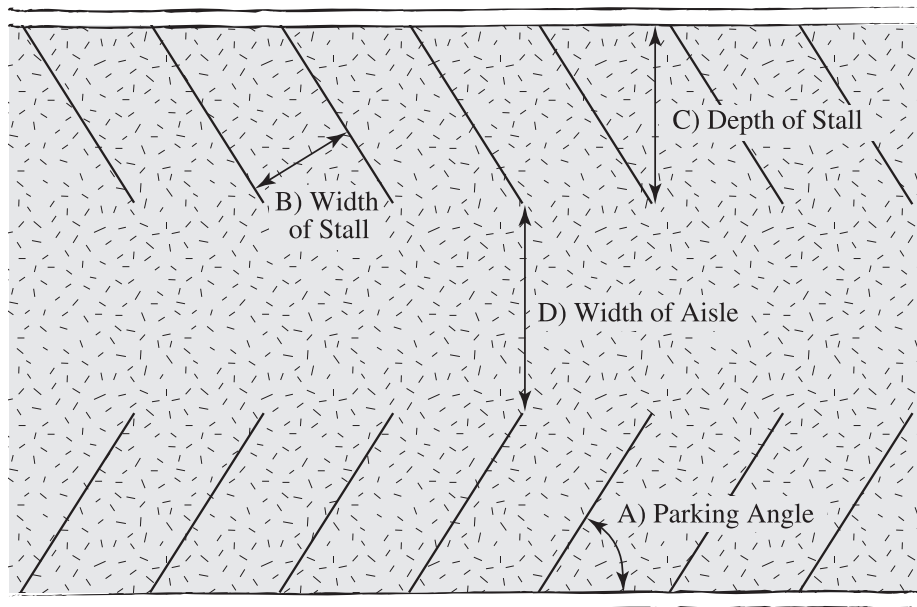
| INSTITUTIONAL USES | PARKING | LOADING |
|---|---|----------------|
| Community buildings and facilities | 1 stall/ 10 m ² (107.6 ft ²) | 1 space |
| Day care | 1 stall/50 m ² (538.2 ft ²) plus 1 stall/employee | |
| Extended medical services, group care facility | 1 stall/2 beds | |
| Government services | 1 stall/37 m ² (398.3 ft ²), except 1 stall/employee on shift for protective and emergency services | |
| Places of religious assembly | 1 stall/ 6 seats | |
| Recreation facilities | 1 stall/ 5 seats or 1 stall/10 m ² (107.6 ft ²) | |
| Elementary or junior high school | 2 stalls/classroom | |
| Senior high school | 5 stalls/classroom | |

- 3.12.3 Notwithstanding the above minimum parking stall requirements, the Development Authority may require additional parking spaces based on the intensity of use, number of employees or type of business.
- 3.12.4 Where the future use of a development is uncertain, such as commercial or industrial bays, the minimum number of parking and loading spaces required for a development shall be at the discretion of the Development Authority based on typical uses for the district in which it is located.
- 3.12.5 The Development Authority may approve a developer of non-residential sites to share parking stalls in order to fulfill parking requirements where:
- (a) in the opinion of the Development Authority, the parking requirements of users on the sites will vary in a consistent manner according to time of day or days of the week so that the needs of each development can be met at any given time;
 - (b) the shared parking stalls are within 120.0 m (393.7 ft) of each site; and
 - (c) a registrable and binding agreement securing the shared use of the parking lot is executed between the owner of the site in which the parking is provided and the owner of the site in which the parking is required.
- 3.12.6 Parking stalls and loading spaces shall be designed and constructed, to the satisfaction of the Development Authority:
- (a) to clearly demarcate stalls and spaces, and be regularly maintained;



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- (b) to be contained entirely on the site and not cause interference with pedestrian or vehicular movement on adjacent sites, roads or sidewalks;
- (c) to be graded to ensure that drainage is confined to the site and disposed of in a satisfactory manner; and where deemed necessary by the Development Authority, an oil-grit separator shall be installed to remove contaminants that may otherwise enter the ground water or Municipal storm water drainage system;
- (d) with the appropriate curbs, curb cuts or concrete bumpers where required; and
- (e) in accordance with Table 3.

Table 3 – Minimum Parking Stall and Aisle Dimensions

| (A) Parking Angle | (B) Width of Stall | (C) Depth of Stall | (D) Width of Aisle | |
|----------------------|-----------------------|-----------------------|-----------------------|-----------------|
| | | | One-way | Two-way |
| 30° | 2.75 m (9.0 ft) | 5.3 m (17.5 ft) | 3.5 m (11.5 ft) | |
| 45° | 2.75 m (9.0 ft) | 6.0 m (19.7 ft) | 3.5 m (11.5 ft) | |
| 60° | 2.75 m (9.0 ft) | 6.4 m (21.0 ft) | 5.6 m (18.5 ft) | |
| 90° (perpendicular) | 2.75 m (9.0 ft) | 6.0 m (19.7 ft) | 7.3 m (24.0 ft) | 7.3 m (24.0 ft) |
| 0° (parallel) | 2.75 m (9.0 ft) | 6.7 m (22.0 ft) | 3.7 m (12.1 ft) | 6.0 m (19.7 ft) |



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- 3.12.8 Barrier free parking stalls shall be provided where 11 or greater parking stalls are required by this Bylaw. The number of barrier free stalls shall be in accordance with Table 4, and shall be considered as part of the total required parking.

Table 4 – Minimum Number of Barrier Free Parking Stalls

| Number of Parking Stalls (refer to Table 2) | Number of Barrier Free Parking Stalls |
|--|--|
| 11-25 | 1 |
| 26-50 | 2 |
| 51-100 | 3 |
| For each additional increment of 100 or part thereof | 1 additional stall |

- 3.12.9 Barrier free parking stalls shall be:
- 4.0 m (13.1 ft) in width;
 - clearly demarcated and appropriately signed;
 - located as close as possible to building entrances, elevators and ramps designed for ease of accessibility; and
 - designed that the users are not required to pass behind parked cars to access building entrances.
- 3.12.10 In Hamlet Districts, parking and loading areas shall be appropriately finished with a hard-surfacing of asphalt or concrete where connected to a Municipal road of similar materials.
- 3.12.11 In Hamlet Residential Districts, parking stalls may be located in the front yard provided that:
- the minimum depth is 6.0 m (19.7 ft);
 - the maximum width is 7.0 m (23.0 ft), unless otherwise allowed by the Development Authority;
 - the maximum slope of the parking stalls does not exceed 5% and the maximum slope of the driveway does not exceed 10%; and
 - the design and orientation of the parking area is to the satisfaction of the Development Authority.
- 3.12.12 Where parking for buses, recreational vehicles or semi-trailers is provided or is required in this Bylaw or by the Development Authority, the minimum parking stall and aisle dimensions shall be as follows:
- width of stall – 2.75 m (9.0 ft);



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- (b) depth of stall – 12.0 m (32.0 ft) for buses or recreational vehicles and 16.0 m for semi-trailer trucks; and
 - (c) aisle width – 8.0 m (26.0 ft).
- 3.12.13 Loading spaces shall be a minimum of 3.5 m (11.5 ft) in width, 8.0 m (26.0 ft) in length and have an overhead clearance of not less than 4.3 m (14.0 ft).
- 3.12.14 Where a parking lot at grade abuts a road, park or residential district, a landscaped strip of at least 2.0 m (6.7 ft) shall be provided around that portion of the parking lot perimeter. The landscaped strip shall include, but is not limited to a combination of trees, shrubs, grass and other hard and soft landscaping materials.
- 3.12.15 Parking structures which provide parking stalls above or below grade shall be designed and constructed to the following standards.
- (a) Maximum vehicle ramp slope shall be 12% if unheated and 15% if heated. The minimum transition length at the top and bottom of the vehicle ramp shall be 3.5 m (11.5 ft) with a maximum change in slope of 10%.
 - (b) A minimum of 1 queuing space shall be provided on-site before any control device (e.g. entrance or exit gate, stop sign) is reached. Designs that require queuing on a slope should be avoided.
 - (c) Directional and informational signs consistent in color, symbols and graphics shall be provided to clearly identify the location of pedestrian and vehicle exits.
 - (d) Sharp or blind corners shall be eliminated where possible, otherwise security mirrors or other devices shall be utilized.
 - (e) An oil-grit separator shall be installed to remove contaminants that may otherwise enter the ground water or Municipal storm water drainage system.

3.13 Landscaping

- 3.13.1 No person shall undertake any landscaping activities on Municipal property without the prior written consent of the Municipality. Trees on Municipal property which are damaged or removed by development activities without consent shall be replaced. At the discretion of the Development Authority, trees may be required to be replaced a ratio of 3 trees of a similar species for each tree damaged or removed.
- 3.13.2 Noxious and prohibited noxious weeds or invasive plants as described by provincial legislation or municipal bylaws and as amended from time to time, shall not be used for landscaping purposes.
- 3.13.3 Bear attractant vegetation should not be used for landscaping purposes.
- 3.13.4 Plant materials shall be hardy to the region and to the location of the site in which they are planted.



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- 3.13.5 The use of water efficient landscaping techniques is encouraged, which includes the use of drought-tolerant indigenous vegetation in combination with permeable or pervious surface materials.
- 3.13.6 Existing trees and large shrubs on a site shall be preserved, protected or replaced where possible.
- 3.13.7 Any area required to be landscaped may, at the discretion of the Development Authority, be left in its natural state or be landscaped with a combination of hard and soft landscaping materials to enhance and complement the appearance of the development.
- 3.13.8 Plants shall be a minimum of:
- (a) deciduous trees – 50 mm (2.0 in) calliper;
 - (b) coniferous trees – 1.2 m (3.9 ft) height; and
 - (c) shrubs – 0.5 m (1.6 ft) height or spread.
- 3.13.9 Where a landscaping plan is required, no landscaping work shall be commenced until the landscaping plan is approved by the Development Authority; and shall include the following:
- (a) boundaries and dimensions of the site;
 - (b) adjacent land uses;
 - (c) location and name of adjacent roads, lanes, driveway entrances, sidewalks and trails;
 - (d) footprint and dimensions of all buildings;
 - (e) location of any utilities or right-of-ways;
 - (f) pedestrian circulation and open space systems;
 - (g) location and description of any existing or proposed physical features such as fences, berms, retaining walls, outdoor furniture, decorative paving, water features;
 - (h) location and description of any hard landscaping materials such as rocks or mulching;
 - (i) location and description of any existing or proposed plant materials, identifying plant common and botanical name, quantity and size at planting; and
 - (j) site area proposed to be landscaped, and percent of site coverage.
- 3.13.10 At the discretion of the Development Authority, a landscaping plan may be required to be stamped by a registered Landscape Architect.
- 3.13.11 The Development Authority may require as a condition of a development permit or development agreement that the developer provides a landscaping security deposit, and that the security deposit shall only be returned in full to the developer upon



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completion of the landscaping according to the approved plan, to the satisfaction of the Development Authority.

- 3.13.12 The owner of a property, or any successors or assignees, shall be responsible for landscaping and proper maintenance for the life of the development. In the event that planting materials in an approved landscaping plan fail to survive, the Development Authority may require or approve alternate planting materials.

3.14 Exterior Lighting

- 3.14.1 All development in the Municipal District of Bighorn shall adhere to the philosophy of the International Dark Sky Association and strive to preserve the night environment through the reduction of light pollution by the provision of quality outdoor lighting, while ensuring safety and security.

- 3.14.2 The following lighting fixtures, uses or buildings are exempt from the exterior lighting regulations:

- (a) lighting fixtures with a lumen output of 2,000 lumens or less (a typical 100 watt incandescent light produces about 1,500 to 1,700 lumens);
- (b) all lighting required by provincial or federal agencies, or installed by the Municipality on a public roadway;
- (c) lighting used for security purposes controlled by a sensor, or as required for emergency lighting within the Alberta Building Code;
- (d) temporary lighting used during construction, agricultural activities, civic activities, holiday displays, or an emergency; and
- (e) lighting placed underwater to illuminate outdoor swimming pools or water features.

- 3.14.3 Exterior lighting fixtures shall be located and arranged to minimize light trespass on adjacent properties, and shall be full cut-off or fully shielded fixtures.

- 3.14.4 Exterior lighting shall not interfere with the effectiveness of traffic control devices or the vision of motorists, while maintaining a safe and secure on-site illumination level, and shall not be flashing, strobing, or revolving.

- 3.14.5 A lighting plan may be required for a development permit application within Commercial, Industrial and Recreation Districts, for multi-dwelling unit developments or for any other development, at the discretion of the Development Authority.

- 3.14.6 A lighting plan shall contain the following information:

- (a) a description of the type, luminous output and number each light fixture to be used;
- (b) a description of the method of mounting and height of each fixture at mounting; and
- (c) a site plan showing the location of all light fixtures.

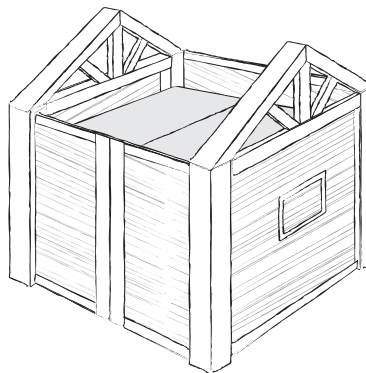


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3.15 Screening of Garbage, Recycling and Outdoor Storage Areas

- 3.15.1 Garbage and recycling may be required by the Development Authority which is suitable for the intended land use and shall be:
- (a) stored in animal proof and weatherproof containers designed to prevent the spread of waste materials;
 - (b) screened from adjacent sites and public roads; and
 - (c) designed and placed in a location easily accessible for waste disposal and pickup.
- 3.15.2 In Highway Commercial or Hamlet Commercial Districts, garbage areas may be required to be screened in an aesthetic and interesting manner (Figure 14).

Figure 14 – Screening of Garbage and Recycling



- 3.15.3 Uses which involve the outside storage of goods, machinery, vehicles, building materials, waste materials and other similar objects shall be screened from adjacent sites and roads, through the use of fences, berms, landscaping, or a combination thereof, to the satisfaction of the Development Authority.
- 3.15.4 Fencing used for screening purposes shall be at least 1.8 m (5.9 ft) in height and should be opaque.
- 3.15.5 Landscaping used for screening purposes shall be at least 1.8 m (5.9 ft) high at planting and shall include a minimum of 2 rows of trees placed at regular intervals.
- 3.16 Fencing and Retaining Walls**
- 3.16.1 No person shall construct a fence or retaining wall on municipal property without the written consent of the Municipality.
- 3.16.2 Except as otherwise specified in the district regulations, a fence or retaining wall may be located immediately adjacent to a property line (i.e. on or within the property line of the site).
- 3.16.3 Fencing shall be designed and constructed to:

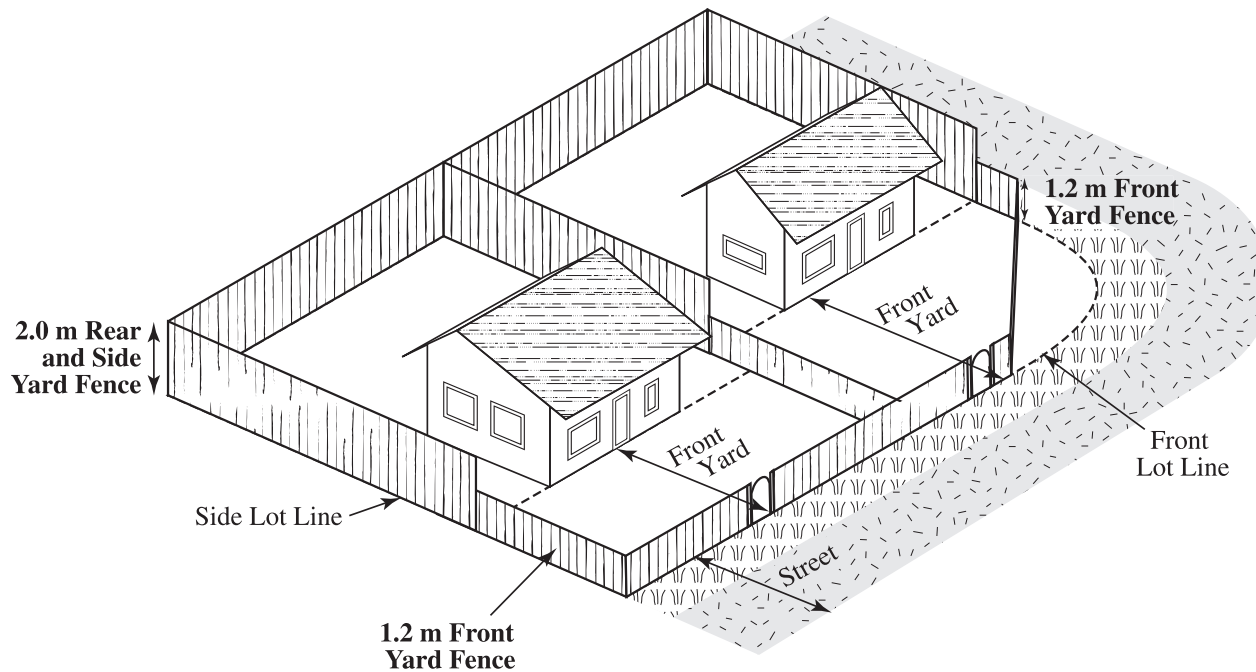
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- (a) complement the character and quality of the principal building and shall be suited to the development;
- (b) not result in the confusion, entrapment or stress of wildlife; and
- (c) not impede or restrict wildlife movement.

3.16.4 Pursuant to Section 3.20, fencing on a corner lot which is located within the sight line triangle shall not be higher than 1.0 m (3.3 ft).

3.16.5 In Hamlet Residential Districts, the maximum height of a fence or privacy wall shall be 1.2 m (3.9 ft) in the front yard and 2.0 m (6.6 ft) in the side or rear yard (Figure 15), or as otherwise specified in the district regulations.

Figure 15 – Height of Fencing in Hamlet Residential Districts



3.16.6 Barbed wire fencing is prohibited in Hamlet Residential Districts, excepting the Hamlet of Benchlands.

3.16.7 Retaining walls which are not part of or connected to a building foundation shall be designed and constructed to:

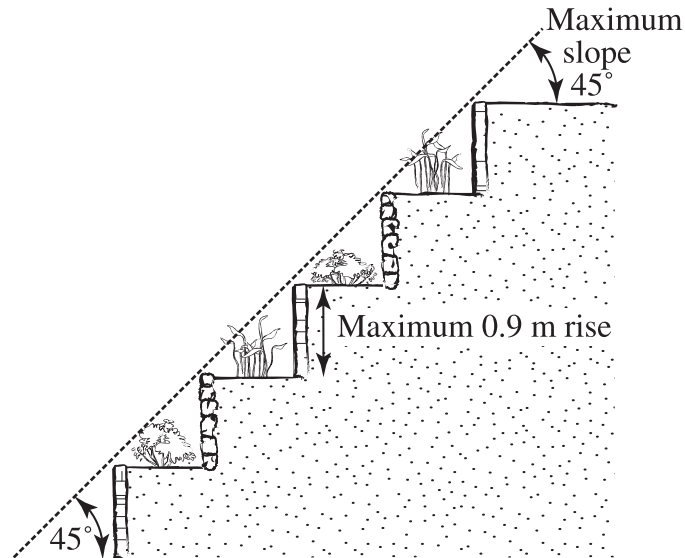
- (a) not exceed 0.9 m (3.0 ft) in a rise; or where there is more than 1 rise, not exceed a maximum slope of 45 degrees as measured from the top of each rise of the retaining wall (Figure 16), unless otherwise allowed by the Development Authority;



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- (b) maintain a positive overland drainage on all portions of the site to prevent water retention; and
- (c) not divert overland drainage onto adjacent sites.

Figure 16 – Retaining Walls



3.16.8 A retaining wall that is greater than 0.9 m (3.0 ft) in total height shall be designed and constructed in accordance to approved engineering and construction measures as determined by a professional engineer.

3.17 Satellite Dishes and Antennas

- 3.17.1 Satellite dishes, antennas and all structural supports shall be located on the same site as the intended signal user.
- 3.17.2 Guy wires and other similar structural supports shall not be located closer than 2.0 m (6.6 ft) from any property line.
- 3.17.3 Satellite dishes and antennas shall not be illuminated and shall not display any advertising sign.
- 3.17.4 A satellite dish that is larger than 0.9 m (3.0 ft) in diameter shall not be located on a roof except for apartment buildings and non-residential buildings, subject to the discretion of the Development Authority.
- 3.17.5 In Hamlet Districts, an amateur satellite or antenna and any structural supports shall not be erected to exceed 15.0 m (49.2 ft) in height above grade at the site of installation.
- 3.17.6 In Hamlet Districts, antennas shall not be erected in a front yard.
- 3.17.7 In Hamlet Residential Districts, excepting R-2 and R-M districts, not more than 1 freestanding or 2 roof top antennas, and 2 satellite dishes may be erected on a lot.



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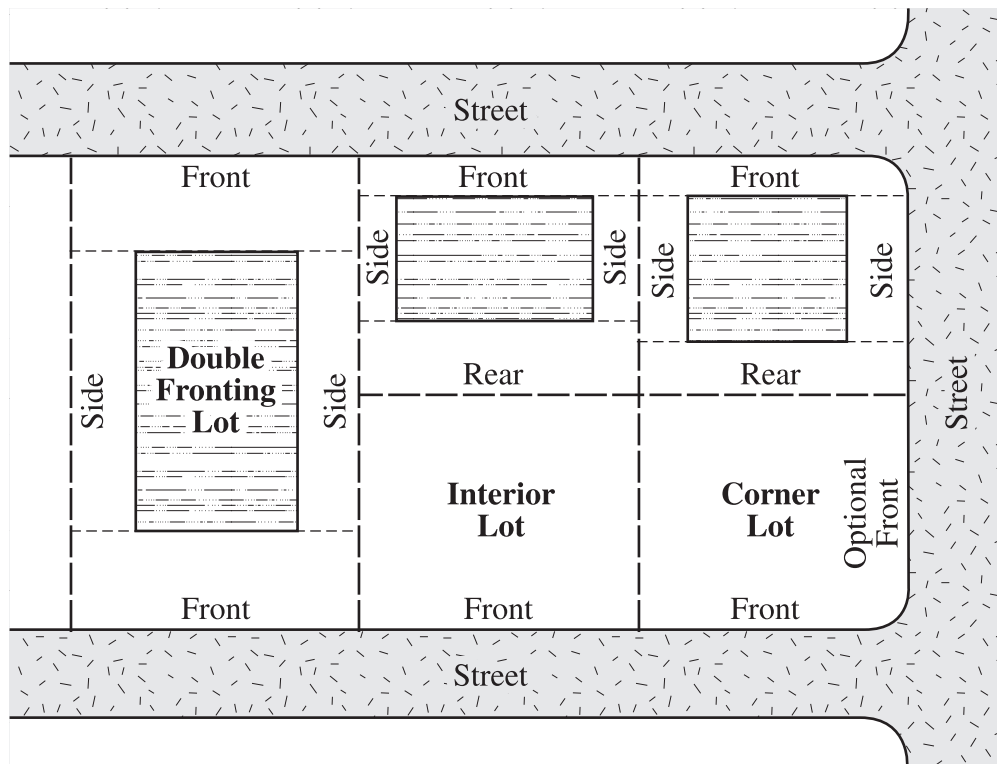
3.18 Swimming Pools and Hot Tubs

- 3.18.1 Swimming pools and hot tubs shall meet the minimum setback requirements for accessory buildings of the land use district in which the site is located.
- 3.18.2 Outdoor swimming pools shall be secured against entry by the public other than the owners, tenants or guests.
- 3.18.3 A fence or wall enclosing a swimming pool shall be a minimum of 1.8 m (5.9 ft) above grade in height.
- 3.18.4 Fencing shall be an approved design such that it will deter persons from crawling under or climbing over to gain access. Gates shall provide equivalent protection and shall be equipped with a self-latching device and a lock located on the inside of the gate.
- 3.18.5 No barbed wire or electrification of the fence shall be permitted.

3.19 Corner Lots in Hamlet Districts

- 3.19.1 The front yard of a corner lot shall be on the same street as the front yard of the abutting properties, having regard to the orientation of lots on the same block face (Figure 17).
- 3.19.2 The Development Authority may require an additional front yard setback on a corner lot based on access to the development (Figure 17).

Figure 17 – Lot Orientation



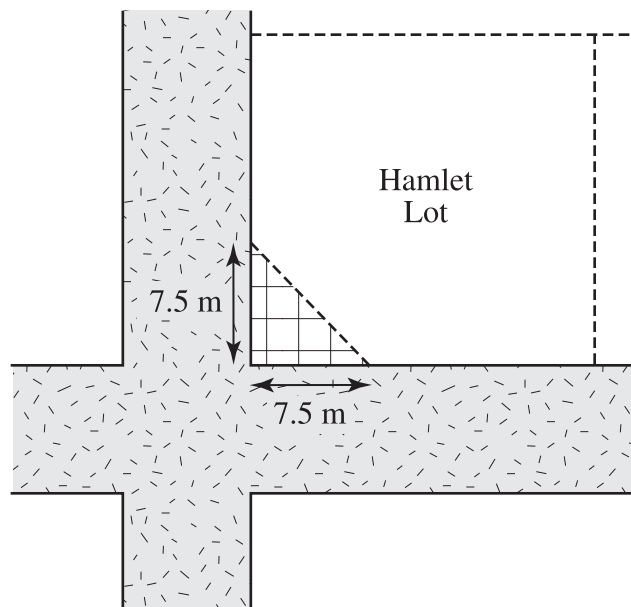
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- 3.19.3 The location, design and orientation of buildings on corner lots shall be at the discretion of the Development Authority, who shall take into account:
- (a) the location of existing adjacent buildings;
 - (b) the required setback on adjacent sites; and
 - (c) the need to ensure safe traffic movement at the intersection of the street.
- 3.19.4 For lots other than corner lots which have frontage on two roads, the Development Authority shall determine which frontage is the front and which is the rear. In reaching its decision, the Development Authority shall take into consideration the desired orientation of buildings on the street, the primary flow of traffic and accesses to the development.
- 3.19.5 The Development Authority may determine that a double-fronting lot has two front lot lines, and that the front yard setbacks, the building design and orientation shall be in accordance with the requirements of the district on each street frontage.

3.20 Sight Line Triangles

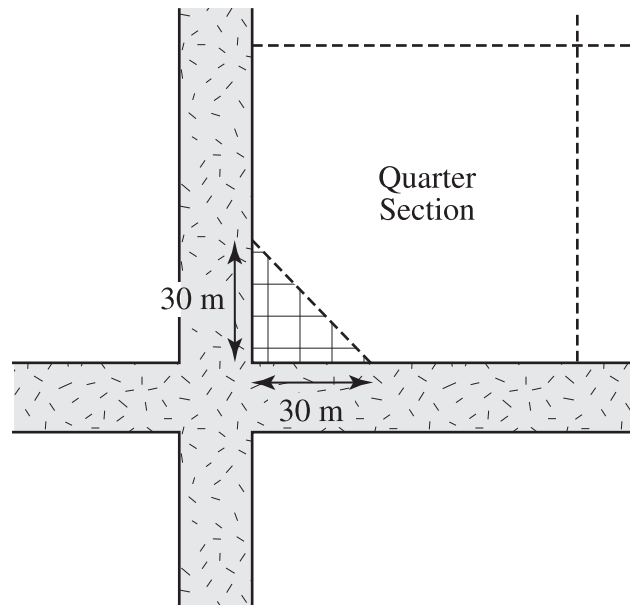
- 3.20.1 No person shall place or maintain any structure, fence, sign, landscaping or similar object that is greater than 1.0 m (3.3 ft) in height and lower than 4.0 m (13.2 ft) in height, which may restrict visibility from a public road and therefore create a safety hazard in or on that part of a corner site as follows:
- (a) in Hamlet Districts, which lies within a triangle formed by a straight line drawn between two points on the exterior boundaries of the site 7.5 m (24.6 ft) from the point where they intersect (Figure 18); and

Figure 18 – Sight Line Triangles in Hamlet Districts



- (b) in all districts other than Hamlet Districts, which lies within a triangle formed by a straight line drawn between two points on the exterior boundaries of the site by 30.0 m (98.4 ft) from the point where they intersect (Figure 19).

Figure 19 – Sight Line Triangles in Non-Hamlet Districts



3.21 Required Yards and Permitted Projections

- 3.21.1 In all districts, the minimum yard setbacks do not apply to:
- construction wholly beneath the surface of the ground;
 - patios and sidewalks;
 - fences and retaining walls; and
 - farm dugouts.
- 3.21.2 In all districts, projections into or over a required yard setback shall be at the discretion of the Development Authority and shall meet the requirements of the Alberta Building Code.
- 3.21.3 In Hamlet Districts, portions of buildings located above ground may project over or into a required yard as shown in Table 5.

GENERAL REGULATIONS**Table 5 – Permitted Projections in Yard Setbacks**

| Structure | Front Yard | Rear Yard | Side Yard |
|-------------------------------------|-------------------|------------------|---|
| Balcony | 0.6 m (2.0 ft) | 0.6 m (2.0 ft) | None |
| Bay Window | 1.0 m (3.3 ft) | 1.0 m (3.3 ft) | 0.6 m (2.0 ft), but in no case shall be closer than 1.2 m (4.0 ft) of a property line |
| Cantilevered wall | 0.6 m (2.0 ft) | 0.6 m (2.0 ft) | None |
| Chimney | 0.6 m (2.0 ft) | 0.6 m (2.0 ft) | 0.6 m (2.0 ft), but in no case shall be closer than 1.2 m (4.0 ft) of a property line |
| Deck, unenclosed porch | 1 m (3.3 ft) | 2.0 m (6.0 ft) | None |
| Exterior steps, stairway or landing | 2.0 m (6.0 ft) | 2.0 m (6.0 ft) | No structures 0.6 m (2.0 ft) in height or greater |
| Sills, Eaves, Gutters | 0.6 m (2.0 ft) | 0.6 m (2.0 ft) | 0.6 m (2.0 ft) |

- 3.21.4 Wheelchair ramps may be permitted to encroach into any required yard setback, to the discretion of the Development Authority, provided that the ramp:
- does not impede fire access to or around the building; and
 - is complimentary to and well integrated into the existing building.
- 3.21.5 Where a site is to be developed for residential, commercial or industrial purposes and the building or buildings on the site are divided by condominium or subdivision such that the building contains units that are on separate lots or titles:
- the district yard setbacks shall not apply within the development but shall apply from the property line of adjacent lots; and
 - the fire separation requirements of the Alberta Building Code shall apply.

3.22 Breezeways

- 3.22.1 A breezeway that connects 2 or more buildings and is completely enclosed shall not exceed 3.0 m (9.8 ft) in length. At the discretion of the Development Authority, a longer breezeway may be allowed due to unique topographical features on the site.



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3.23 Design, Character and Appearance

3.23.1 The design, use of materials, construction, character, location and appearance on the site of any development, structure or sign in any district must, to the satisfaction of the Development Authority:

- (a) comply with all policies and objectives in the Municipality’s statutory plans and adopted architectural guidelines;
- (b) be consistent with the land use district and any specific regulations within that district; and
- (c) be compatible and complimentary with other developments in the area, unless the development is setting a new standard of design for that district.

3.23.2 The exterior finishing materials of a proposed development shall:

- (a) be those as shown on the approved plans for that development;
- (b) be constructed of durable materials designed to maintain the initial quality throughout the intended duration of the development; and
- (c) be completed within 1 year of issuing a building permit, unless otherwise stated in a development permit or extension thereof.

3.23.3 All sides of a building that face a highway or public road shall be treated as a principal façade and be finished to the satisfaction of the Development Authority.

3.24 Keeping of Dogs

3.24.1 The keeping of dogs is permitted in all land use districts, providing the number of dogs does not exceed 3 dogs over 6 months of age, and the dogs are kept under the condition that they do not act as a nuisance or affect the amenities of the area.

3.24.2 Notwithstanding the above, more than 3 dogs may be allowed to be kept on a site where a development permit has been issued by the Development Authority for a private or commercial kennel.

3.24.3 The keeping of dogs shall be subject to any Municipal animal control bylaws and shall be kept under the condition that they do not act as a nuisance or reduce the amenities of the area.

3.25 Keeping of Livestock

3.25.1 In all land use districts within a hamlet or country residential subdivision, the keeping of livestock is prohibited, except:

- (a) within an approved commercial equestrian centre; or
- (b) on a lot in the R-1B District within the Hamlet of Benchlands, subject to the district regulations; or
- (c) on a lot in the GRCR District, subject to the district regulations.



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- 3.25.2 On any parcel of land in which livestock are kept, pasture management shall be maintained to ensure that there is no overgrazing, and manure management shall ensure that runoff does not enter adjacent lands, a water course or water body and that odours are reduced.
- 3.25.3 Where an application for a development permit for the keeping of livestock is required or for an application for a commercial equestrian centre, it shall be referred to the Municipal District of Bighorn's Environmental Fieldman who shall consider and make recommendations to the Development Authority for conditions of approval, which may include:
- (a) the maximum number of livestock permitted to be kept on the site, considering the carrying capacity of the land, the use of best land management practices and provincial recommendations for calculating stocking rates;
 - (b) the submission of a feeding, pasture and manure management plan, the performance of which shall be reviewed and a report prepared by the Environmental Fieldman at periodic intervals as deemed appropriate; and
 - (c) any other condition that the Development Authority deems necessary.

3.26 Relocation of Buildings

- 3.26.1 Approval of a development permit for the relocation of a building may not be granted unless the Development Authority is satisfied that:
- (a) the building and the proposed location of the building meets the requirements of the land use district in which the building is to be located; and
 - (b) the building is compatible with the character of the neighbourhood in which the building is to be relocated to.
- 3.26.2 The Development Authority may issue a development permit for the proposed relocated building with or without conditions as deemed necessary to ensure that the building is renovated to a satisfactory condition. If renovations are to be done after the building is moved onto the proposed lot, the developer may be required to provide a security deposit to guarantee the satisfactory completion of the work as outlined in the development permit application and the conditions of the permit.
- 3.26.3 All exterior and structural renovations to a relocated building shall be completed within 1 year of the issuance of the development permit.
- 3.26.4 The Development Authority may require the developer to:
- (a) enter into an agreement, particularly in regards to completion of the proposed renovations within the specified time period; and
 - (b) indemnify the Municipality and provide a security deposit against any damages that may occur to public utilities, roads or sidewalks as a result of relocating a building.



3.27 Temporary Developments

3.27.1 A development permit issued for a temporary use shall indicate the date of commencement of the development and the date of completion, and may contain conditions necessary to ensure that the development ceases and that the area in which the development occurs is returned to its natural state.

