

Jeff Shaw

From: Ryan Dyck <ryandyck@orrsc.com>
Sent: Friday, August 22, 2025 11:46 AM
To: Jeff Shaw; Nolan Card; Brandon Jensen
Subject: draft LUB amendment - Bylaw 1647R
Attachments: creekworks and R1 detached accessory housing amendment - Town of Cardston Land Use Bylaw 1647 February 2016 (consolidated to Bylaw 1647Q, July 2025).pdf; creekworks and R1 detached accessory housing amendment - Town of Cardston Land Use Bylaw 1647 February 2016 (consolidated to Bylaw 1647Q, July 2025).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi guys,

Please take a quick look and let me know if you want any changes. I'll get a bylaw over to you ASAP once I've heard back. Quick summary below:

Detached Accessory Housing (backyard suites)

- Addition of the uses (garden suite, garage suite) to the R-1 District
- Increase of site coverage allowance for accessory buildings from 12% to 13% in R1 where a garage or garden suite is developed
- Edit to the design criteria (in all of R1/R3/R5) removing the prohibition for rooftop decks (you often see a 1.5 storey design where a portion of the roof is used as deck/amenity space) and adding a general provision about design
- Add statement that service connection (in all of R1/R3/R5) is to normally be by connection to the existing service for the principal dwelling but that separate independent service connection may also be allowed at the discretion of the DA
- Clarification that the building form of a garage or garden suite must be either stick-built or a new pre-fabricated building (not a previously occupied moved-in) – see definitions in Schedule 13

Creekworks

- Add setback requirements consistent with the developer supplied design drawings for Creekworks
- Prohibit any projections into the 20 ft. front yard setback

Thanks!

Ryan Dyck
Planner

Ph: 403-329-1344 Cell: 403-795-3769 ryandyck@orrsc.com
Oldman River Regional Services Commission www.orrsc.com
3105 – 16 Ave N | Lethbridge, AB | T1H 5E8





SCHEDULE 2: LAND USE DISTRICTS



SCHEDULE 2: LAND USE DISTRICTS

1. The municipality is divided into those districts shown on the Land Use Districts Map in Schedule 1.
2. Each district shown on the map referred to above shall be known by the following identifying symbols:

RESIDENTIAL	R1
MANUFACTURED HOME COMMUNITY RESIDENTIAL	R2C
MANUFACTURED HOME SUBDIVISION RESIDENTIAL	R2S
LARGE LOT RESIDENTIAL	R3
MEDIUM DENSITY RESIDENTIAL	R4
ESTATE RESIDENTIAL	R5
RESIDENTIAL COMPREHENSIVELY PLANNED SMALL LOT	RC-SL
RESIDENTIAL COMPREHENSIVELY PLANNED MEDIUM DENSITY	RC-M
CENTRAL COMMERCIAL	C1
DRIVE-IN/HIGHWAY COMMERCIAL	C2
CONTROLLED COMMERCIAL	C3
GENERAL INDUSTRIAL	I1
LIGHT INDUSTRIAL	I2
PUBLIC & INSTITUTIONAL	P
RECREATION & OPEN SPACE	RO
AGRICULTURAL	A
FLOOD DAMAGE REDUCTION OVERLAY	FDR
GATEWAYS & CORRIDORS OVERLAY	G & C
DIRECT CONTROL	DC



RESIDENTIAL – R1

Purpose:

To encourage and ensure that residential development, primarily in the form of single-detached dwellings, and related uses, occurs in an attractive, orderly, economic and efficient manner.

1. (A) PERMITTED USES

- Dwellings:
 - Single-Detached - Site Built
 - Single-Detached - Prefabricated
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (*temporary*)

(B) DISCRETIONARY USES – MPC

- Dwellings:
 - Duplex
 - Moved-In
 - Garage Suite
 - Garden Suite
 - Secondary Suite
 - Semi-Detached
 - Single-Detached – Manufactured (*existing as of the passing of this bylaw*)
- Child Care Facility
- Community Garden
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Short-Term Rental 2
- Sign Types¹: 5, 4, 12
- Small Wind Energy System – Type A²
- Utility, Private or Public

(C) DISCRETIONARY USES – DO

- Accessory building, structure or use to an approved discretionary use
- Short-Term Rental 1
- Sign Types¹: 1, 2

Notes: 1 – See Schedule 12: Sign Regulations, Section 8 for definitions of sign types.

2 – See Schedule 5, Section 13 for definition of small wind energy system types.

(D) PROHIBITED USES

- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section 33(2), is a prohibited use*

2. USE REGULATION FOR LOTS 1-4, BLOCK 10, PLAN 2247G & LOTS 1-2, BLOCK 11, PLAN 2247G

The use regulation for the above legal descriptions shall be the same as above but shall also include, as a DISCRETIONARY USE – MPC, a “Dwelling, Single-Detached Manufactured.” Eligibility requirements for single-detached manufactured dwellings shall be the same as the requirements listed in the R2C and R2S Districts.



3. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	15.24	50	36.58	120	557.40	6,000
Semi-Detached Dwellings (for each side)	12.19	40	36.58	120	445.92	4,800
All other uses	As required by the Development Authority					

- (1) The Development Officer may approve a permitted use development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 3.
- (2) Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage of 6 m (19.7 ft.).

4. MAXIMUM LOT SIZE

Use	Area	
	m ²	ft ²
Single Detached (including suites), Semi-Detached Dwelling	1,212.35 (0.12 ha)	13,050 (0.3 acre)
All other uses	As required by the Development Authority	

- (1) Where a lot exceeds the maximum lot size the Development Authority shall impose an increased setback, in accordance with administrative Section 30(2)(d), of an extent sufficient to provide for the future resubdivision of the lot.
- (2) The maximum lot size requirement shall only apply to lots that are vacant or that have not been developed, or approved for a development, with a principal building as of the date of the passing of this bylaw.
- (3) The maximum lot size requirement shall not apply to lots planned for in a statutory plan in accordance with administrative Section 9.

5. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

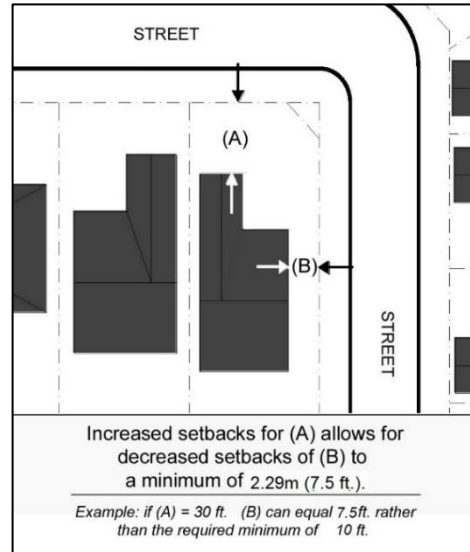
Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling	7.62	25	3.05*	10*	1.52	5	7.62	25
Semi-Detached Dwellings (for each side)	7.62	25	3.05*	10*	1.52	5	7.62	25
All other uses	As required by the Development Authority							

Note: Measurements are from the respective property line to the nearest point of the building.



MINIMUM YARD SETBACKS FOR A CORNER LOT

*The required secondary front yard distance on a corner lot may be reduced by 0.15 m (0.5 ft.) for each 0.30 m (1 ft.) that the front yard setback is increased, providing the resulting secondary front yard setback is never less than 2.29 m (7.5 ft.). (see diagram)



6. MAXIMUM SITE COVERAGE

(1) Principal Building – 33%

The principal building shall not occupy more than 33 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.

(2) Accessory Buildings – 12%

(a) Any and all accessory buildings and structures shall not occupy more than 12 percent of the surface area of a lot or 83.61 m² (900 ft²), whichever is the lesser.

(b) Accessory Buildings (with a garage suite or garden suite developed on the property – 13%

(c) Any and all accessory buildings and structures, including garage and garden suites, shall not occupy more than 13 percent of a lot or 92.9 m² (1,000 ft²), whichever is the lesser, where there is a garage or garden suite on the property.

In no case shall the sum of all accessory building coverage exceed the principal building coverage.

(3) Other development shall be at the discretion of the Development Authority.

7. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Single-Detached Dwellings	74.32 m ² (800 ft ²)
Semi-Detached Dwellings (per unit)	65.03 m ² (700 ft ²)
All other uses	As required by the Development Authority

*Total floor area of all floors as measured by floors above grade or floors not more than 1.52 m (5 ft.) below grade.

8. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
-----	-----------------



Principal Dwelling	10.06 m (33 ft.)
Accessory Buildings	5.49 m (18 ft.)
All other uses	As required by the Development Authority

*In no case shall an accessory building exceed the height of the principal dwelling unless a variance is approved.

9. DRAINAGE

All dwellings and accessory structures must have eaves and downspouts, proper site grading, and all surface drainage must be contained on-site and/or directed into approved municipal infrastructure. In no case shall surface drainage negatively affect adjacent properties.

10. DRIVEWAY STANDARDS

See Schedule 10: Off-Street Parking, Loading & Driveway Requirements.

11. DETACHED ACCESSORY HOUSING STANDARDS

- (1) See Schedule 5, Section 9, for Secondary Suite regulations, which are to apply to Secondary Suites (ie. basement suites) in this land use district.
- (2) A garage or garden suite shall only be approved on a parcel that meets the minimum size requirements listed in Section 3.
- (3) A garage or garden suite shall be situated to the rear of the principal dwelling and in a location, and with an orientation, which clearly indicates the subordination of the suite to the principal dwelling.
- (4) A garden or garage suite shall be situated no closer than 3.05 m (10 ft.) to the principal dwelling.
- (5) A garage or garden suite shall provide parking stalls in accordance with Schedule 10. Access to the parking area shall be to the satisfaction of the Development Authority.
- (6) A garden or garage suite located on a corner lot shall not take access from the street but shall instead share the principal front access or take access from the lane.
- (7) A garden or garage suite shall be serviced through connection to the water and sewer service for the principal dwelling, or, at the discretion of the Development Authority, through independent connection to municipal water and sewer infrastructure.
- (8) The following design measures shall be incorporated to the satisfaction of the Development Authority for the purposes of preserving the privacy of adjacent properties and effectively integrating suites into the neighbourhood:
 - (a) placement of larger windows to limit overlook into neighbouring properties;
 - (b) translucency (i.e. allowing the transport of light but not to the extent where image formation can be realized) of windows where appropriate;
 - (c) placement of balconies on a garage suite to face the rear lane (where one exists) or larger of the two side yards;
 - (d) design, materials and massing to be complimentary with the principal building and neighbouring buildings and to maximize sunlight access for neighbouring parcels.
- (9) Each garage or garden suite shall be provided with a private outdoor amenity space (i.e. balcony or patio) of not less than 4.65 m² (50 ft²) with no dimension less than 1.52 m (5 ft.).



(10) A garage or garden suite shall not be subject to separation from the principal dwelling through subdivision or condominium conversion.

(11) Minimum and maximum development standards are as follows:

Use	Maximum Height*		Maximum Floor Area		Minimum Floor Area	
	m	ft.	m ²	ft ²	m ²	ft ²
Garage Suite	7.62	25	See Section 6		30.00	322.93
Garden Suite	5.18	17	See Section 6		30.00	322.93

*In no case shall a garage or garden suite exceed the height of the principal dwelling.

(12) Minimum and maximum development standards are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard**	
	m	ft.	m	ft.	m	ft.	m	ft.
Garage Suite	See (3) above		4.57	12.5	2.29	7.5	1.52	5
Garden Suite	See (3) above		4.57	12.5	2.29	7.5	1.52	5

**In laneless subdivisions the rear yard requirement shall be 3.05 m (10 ft.).

1211. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

(1) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings – interior lots	See (6) below				1.22	4	0.61	2
– laneless corner lots	See (6) below		1.52	5	1.22	4	1.22	4
– laned corner lots	See (6) below		1.52	5	1.22	4	0.61	2
Moveable Accessory Buildings	See (6) below		See (10) below					
All other uses	As required by the Development Authority							

Note: Measurements are from the respective property line to the nearest point of the building.

- (2) No accessory building or use shall be allowed on a lot without an approved principal building or use.
- (3) Accessory structures and uses not specifically included within a development permit require a separate development permit application.
- (4) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (5) Accessory buildings on laned corner lots shall not have overhanging eaves less than 0.91 m (3 ft.) from the secondary front lot line and 0.61 m (2 ft.) from the rear and side lot lines.
- (6) Accessory buildings shall not be located in the front yard nor any closer to the front property line than the principal building.



- (7) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other accessory building or structure and a minimum separation distance of 1.22 m (4 ft.) from the overhanging eaves of a principal building or dwelling.
- (8) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (9) A minimum separation distance of 3.05 m (10 ft.) shall be provided between a principal building and any accessory building or structure.
- (10) Accessory buildings not over 11.15 m² (120 ft²) that are moveable or temporary in nature may be setback from a side or rear lot line so that no portion of the building, including eavestroughing, lies on the adjoining property. All roof drainage must be contained within the property that the said building is situated on.

1312. MINIMUM LOT LINE SETBACKS FOR OVERHANGING EAVES

The overhanging eaves of a principal building shall not be less than 0.91 m (3 ft.) from the side lot line.

1413. ISSUANCE OF DEVELOPMENT PERMITS FOR TWO-UNIT DWELLINGS

When issuing development approvals for two-unit dwellings, the Subdivision and Development Authority:

- (a) shall identify the location of the lot on which development approval is sought using the designated Residential – R1 Areas for Multi-Unit Development Calculations as shown on Map 1;
- (b) shall calculate the total area of all lots within the appropriate designated area;
- (c) shall calculate the total area of all lots on which existing multi-dwellings (including two-unit dwellings and dwellings containing more than two units) are located within the appropriate designated area;
- (d) may issue an approval if the total lot area for the proposed multi-unit development when added to the total lot area of existing multi-unit development **would not exceed 25 percent** of the total area found within the designated block.

*Use Form J, Appendix B.

<u>1514.</u>STANDARDS	OF				DEVELOPMENT – Schedule 4
<u>1615.</u>MOVED-IN	DWELLING	AND	MOVED-IN	BUILDING	REGULATIONS – Schedule 6
<u>1716.</u>PREFABRICATED	DWELLING				REGULATIONS – Schedule 7
<u>1817.</u>HOME					OCCUPATIONS – Schedule 8
<u>1918.</u>LANDSCAPING	AND	SCREENING	STANDARDS	AND	GUIDELINES – Schedule 9
<u>2019.</u>OFF-STREET	PARKING,	LOADING	&	DRIVEWAY	REQUIREMENTS – Schedule 10
<u>2120.</u>SIGN					REGULATIONS – Schedule 12





LARGE LOT RESIDENTIAL – R3

Purpose:

To encourage and ensure that residential development, and related uses, occurs on those larger lots that have been designated as suitable for such development in an attractive, orderly, economic and efficient manner.

1. (A) PERMITTED USES

- Dwellings:
 - Single-Detached - Site Built
 - Single-Detached - Prefabricated
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (*temporary*)

(B) DISCRETIONARY USES – MPC

- Dwellings:
 - Moved-In
 - Garage Suite
 - Garden Suite
 - Semi-Detached
- Child Care Facility
- Community Garden
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Short-Term Rental 2
- Sign Types¹: 4, 5, 12
- Small Wind Energy System – Type A²
- Utility, Private or Public

(C) DISCRETIONARY USES – DO

- Accessory building, structure or use to an approved discretionary use
- Dwellings:
 - Secondary Suite
- Short-Term Rental 1
- Sign Types¹: 1, 2

Notes: 1 – See Schedule 12: Sign Regulations, Section 8 for definitions of sign types.
2 – See Schedule 5, Section 13 for definition of small wind energy system types.

(D) PROHIBITED USES

- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section 33(2), is a prohibited use*



2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	27.43	90	44.20	145	1,212.35 (0.12 ha)	13,050 (0.3 acre)
All other uses	As required by the Development Authority					

The Development Officer may approve a permitted use development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.

3. MAXIMUM LOT SIZE

Use	Area	
	m ²	ft ²
Single Detached (including suites), Semi-Detached Dwelling	2,424.69 (0.24 ha)	26,100 (0.6 acre)
All other uses	As required by the Development Authority	

- (1) Where a lot exceeds the maximum lot size the Development Authority shall impose an increased setback, in accordance with administrative Section 30(2)(d), of an extent sufficient to provide for the future resubdivision of the lot.
- (2) The maximum lot size requirement shall only apply to lots that are vacant or that have not been developed, or approved for a development, with a principal building as of the date of the passing of this bylaw.
- (3) The maximum lot size requirement shall not apply to lots planned for in a statutory plan in accordance with administrative Section 9.

4. NUMBER OF DWELLING UNITS

The maximum number of dwelling units per parcel or site in this land use district is one (1) principal detached dwelling plus one (1) garage, garden or secondary suite or one (1) semi-detached dwelling.

5. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling	9.14	30	4.57	15	3.05	10	9.14	30
All other uses	As required by the Development Authority							

Note: Measurements are from the respective property line to the nearest point of the building.



6. MAXIMUM SITE COVERAGE

(1) Principal Building – 33%

The principal building shall not occupy more than 33 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.

(2) Accessory Buildings – 9%

(a) Any and all accessory buildings and structures shall not occupy more than 9 percent of the surface area of a lot or 120.77 m² (1,300 ft²), whichever is the lesser, where there is not a garage or garden suite on the property.

(b) **Accessory Buildings** (*with a garage suite or garden suite developed on the property*) – 10%

(c) Any and all accessory buildings and structures, including garage and garden suites, shall not occupy more than 10 percent of the surface area of a lot or 139.35 m² (1,500 ft²), whichever is the lesser, where there is a garage or garden suite on the property.

(d) In no case shall the sum of all accessory building coverage exceed the principal building coverage.

(3) Other development shall be at the discretion of the Development Authority.

7. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Single-Detached Dwellings	139.35 m ² (1500 ft ²)
All other uses	As required by the Development Authority

*Total floor area of all floors as measured by floors above grade or floors not more than 1.52 m (5 ft.) below grade.

8. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10.06 m (33 ft.)
Accessory Buildings	6.10 m (20 ft.)
All other uses	As required by the Development Authority

*In no case shall an accessory building exceed the height of the principal dwelling unless a variance is approved.

9. DRAINAGE

All dwellings and accessory structures must have eaves and downspouts, proper site grading, and all surface drainage must be contained on-site and/or directed into approved municipal infrastructure. In no case shall surface drainage negatively affect adjacent properties.

10. DRIVEWAY STANDARDS

See Schedule 10: Off-Street Parking, Loading & Driveway Requirements.

11. DETACHED ACCESSORY HOUSING STANDARDS

(1) See Schedule 5, Section 9, for Secondary Suite regulations, which are to apply to Secondary Suites in this land use district.



- (2) A garage or garden suite shall only be approved on a parcel that meets the minimum size requirements listed in Section 2.
- (3) A garage or garden suite shall be situated to the rear of the principal dwelling and in a location, and with an orientation, which clearly indicates the subordination of the suite to the principal dwelling.
- (4) A garden or garage suite shall be situated no closer than 3.05 m (10 ft.) to the principal dwelling.
- (5) A garage or garden suite shall provide parking stalls in accordance with Schedule 10. Access to the parking area shall be to the satisfaction of the Development Authority.
- (6) A garden or garage suite located on a corner lot shall not take access from the street but shall instead share the principal front access or take access from the lane.
- ~~(7) A garden or garage suite shall be serviced through connection to the water and sewer service for the principal dwelling, or, at the discretion of the Development Authority, through independent connection to municipal water and sewer infrastructure.~~
- ~~(8) The following design measures shall be incorporated to the satisfaction of the Development Authority for the purposes of preserving the privacy of adjacent properties and effectively integrating suites into the neighbourhood:~~
- ~~(7) In order to preserve the privacy of adjacent properties the following design measures shall be incorporated to the satisfaction of the Development Authority:~~
- ~~(a) placement of larger windows to limit overlook into neighbouring properties;~~
 - ~~(b) translucency (i.e. allowing the transport of light but not to the extent where image formation can be realized) of windows where appropriate;~~
 - ~~(c) placement of balconies on a garage suite to face the rear lane (where one exists) or larger of the two side yards;~~
 - ~~(d) balconies shall not project into a required setback;~~
 - ~~(e) design, materials and massing to be complimentary with the principal building and neighbouring buildings and to maximize sunlight access for neighbouring parcels.~~
 - ~~(e) rooftop decks on garage or garden suites are prohibited.~~
- ~~(98)~~ Each garage or garden suite shall be provided with a private outdoor amenity space (i.e. balcony or patio) of not less than 4.65 m² (50 ft²) with no dimension less than 1.52 m (5 ft.).
- ~~(109)~~ A garage or garden suite shall not be subject to separation from the principal dwelling through subdivision or condominium conversion.

~~(1110)~~ Minimum and maximum development standards are as follows:

Use	Maximum Height*		Maximum Floor Area		Minimum Floor Area	
	m	ft.	m ²	ft ²	m ²	ft ²
Garage Suite	7.62	25	See Section 6		30.00	322.93
Garden Suite	5.18	17	See Section 6		30.00	322.93

*In no case shall a garage or garden suite exceed the height of the principal dwelling.

~~(1214)~~ Minimum and maximum development standards are as follows:

Use	Front Yard	Secondary Front (Corner Lots)	Side Yard	Rear Yard**
-----	------------	----------------------------------	-----------	-------------



	m	ft.	m	ft.	m	ft.	m	ft.
Garage Suite	See (3) above		4.57	15	3.05	10	1.52	5
Garden Suite	See (3) above		4.57	15	3.05	10	1.52	5

**In laneless subdivisions the rear yard requirement shall be 3.05 m (10 ft.).



12. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (1) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings – interior lots	See (6) below		n/a		1.52	5	1.52	5
– laneless corner lots	See (6) below		3.05	10	1.52	5	2.29	7.5
– laned corner lots	See (6) below		3.05	10	1.52	5	1.52	5
Moveable Accessory Buildings	See (6) below		See (10) below					
All other uses	As required by the Development Authority							

Note: Measurements are from the respective property line to the nearest point of the building.

- (2) No accessory building or use shall be allowed on a lot without an approved principal building or use.
- (3) Accessory structures and uses not specifically included within a development permit require a separate development permit application.
- (4) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (5) Accessory buildings on laned corner lots shall not have overhanging eaves less than 2.74 m (9 ft.) from the secondary front lot line and 0.91 m (3 ft.) from the rear and side lot lines.
- (6) Accessory buildings shall not be located in the front yard nor any closer to the front property line than the principal building.
- (7) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other accessory building or structure and a minimum separation distance of 1.22 m (4 ft.) from the overhanging eaves of a principal building or dwelling.
- (8) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (9) A minimum separation distance of 3.05 m (10 ft.) shall be provided between a principal building and any accessory building or structure.
- (10) Accessory buildings not over 11.15 m² (120 ft²) that are moveable or temporary in nature may be setback from a side or rear lot line so that no portion of the building, including eavestroughing, lies on the adjoining property. All roof drainage must be contained within the property that the said building is situated on.

13. MINIMUM LOT LINE SETBACKS FOR OVERHANGING EAVES

The overhanging eaves of a principal building shall not be less than 1.52 m (5 ft.) from the side lot line.

14. SPECIAL REQUIREMENTS FOR LOTS 1-32, BLOCK 1, PLAN 161 0008 (ALSO SEE THE FLOOD DAMAGE REDUCTION OVERLAY DISTRICT)

The following provisions apply exclusively to the lands described above. Where a matter has not been addressed specifically in this section, the normal R3 District requirements apply.



- (1) An application for development permit for any lot listed above (or a successor legal description) shall be required to submit a site plan prepared by an Alberta Land Surveyor that stakes out and certifies the proposed location of the building (including dwellings, detached garages and other buildings at the discretion of the Development Authority but not including sheds and other small or portable structures) on the site in relation to the Town's flood mapping.
- (2) As a condition of approval for a building described in subsection 2 above, the Development Authority may require a real property report to be submitted to the Development Authority within 6-months of the completion of the building.
- (3) An application for development permit for any lot listed above (or a successor legal description), where any portion of lot is shown as being within the flood fringe or the high hazard flood fringe, shall be required to incorporate flood proofing measures and evidence that these measures have been designed and calculated by a qualified professional in accordance with best practises and the most current flood data available.
 - (a) Any flood proofing measures required by a developer (i.e. as part of an architectural control or design review approval) shall not necessarily be construed as complete and the Development Authority may require additional information to be provided or measures to be undertaken.
- (4) The Development Authority shall attach any or all recommended flood proofing measures, and additional measures deemed necessary, as a condition of development permit.
- (5) In accordance with the Flood Damage Reduction Overlay (FDR) District, where any portion of a lot is subject to the high hazard flood fringe or the flood way, no permitted uses exist, and all permitted uses listed in the applicable district are discretionary uses.

(6) Minimum setbacks for lots in Plan 161 0008 (or successor legal description)

<u>Use</u>	<u>Front Yard</u>		<u>Secondary Front (Corner Lots)</u>		<u>Side Yard</u>		<u>Rear Yard</u>	
	<u>m</u>	<u>ft.</u>	<u>m</u>	<u>ft.</u>	<u>m</u>	<u>ft.</u>	<u>m</u>	<u>ft.</u>
<u>Single-Detached Dwelling</u>	<u>6.1</u>	<u>20</u>	<u>3.01</u>	<u>10</u>	<u>3.05</u>	<u>10</u>	<u>7.6</u>	<u>25</u>
<u>Accessory Buildings</u>	<u>Not allowed</u>		<u>3.01</u>	<u>10</u>	<u>3.05</u>	<u>10</u>	<u>7.6</u>	<u>25</u>
<u>All other uses</u>	<u>As required by the Development Authority</u>							

Note: In no case shall a building be located in the flood way.

Note: The front yard setback is applicable to the yard(s) adjacent to the roadway (Lot 39, Block 1, Plan 161 0008). See Schedule 13 for "Yard" definitions.

- (7) With the exception of overhanging eaves up to 0.6 m (2 ft.), no permitted projections (see Section 14 of Schedule 4) are allowed into a front setback for buildings in Plan 161 0008 (or successor legal description).**

See Schedule 13: Definitions – Flood Proofing.

- | | |
|--|----------------------|
| 15. STANDARDS OF DEVELOPMENT | – Schedule 4 |
| 16. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS | – Schedule 6 |
| 17. PREFABRICATED DWELLING REGULATIONS | – Schedule 7 |
| 18. HOME OCCUPATIONS | – Schedule 8 |
| 19. LANDSCAPING AND SCREENING STANDARDS AND GUIDELINES | – Schedule 9 |
| 20. OFF-STREET PARKING, LOADING & DRIVEWAY REQUIREMENTS | – Schedule 10 |



21. SIGN REGULATIONS

– Schedule 12



ESTATE RESIDENTIAL – R5

Purpose:

To establish a district to encourage and ensure that residential development, and related uses, occurs on those expansive lots that have been designated as suitable for such development in an attractive, orderly, economic and efficient manner.

1. (A) PERMITTED USES

- Dwellings:
 - Single-Detached - Site Built
 - Single-Detached – Prefabricated
 - Secondary Suite
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (*temporary*)

(B) DISCRETIONARY USES – MPC

- Dwellings:
 - Moved-In
 - Garage Suite
 - Garden Suite
 - Semi-Detached
- Child Care Facility
- Community Garden
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Short-Term Rental 2
- Sign Types¹: 4, 5, 12
- Small Wind Energy System – Type A²
- Utility, Private or Public

(C) DISCRETIONARY USES – DO

- Accessory building, structure or use to an approved discretionary use
- Short-Term Rental 1
- Sign Types¹: 1, 2

Notes: 1 – See Schedule 12: Sign Regulations, Section 8 for definitions of sign types.

2 – See Schedule 5, Section 13 for definition of small wind energy system types.

(D) PROHIBITED USES

- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section 33(2), is a prohibited use*

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	30.48	100	60.96	200	2,424.69 (0.24 ha)	26,100 (0.6 acre)
All other uses	As required by the Development Authority					



The Development Officer may approve a permitted use development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.

3. MAXIMUM LOT SIZE

Use	Area	
	m ²	ft ²
Single Detached (including suites), Semi-Detached Dwelling	8,093.45 (0.81 ha)	87,120 (2.0 acre)
All other uses	As required by the Development Authority	

- (1) Where a lot exceeds the maximum lot size the Development Authority shall impose an increased setback, in accordance with administrative Section 30(2)(d), of an extent sufficient to provide for the future resubdivision of the lot.
- (2) The above requirement shall only apply to lots that are vacant or that have not been developed, or approved for a development, with a principal building as of the date of the passing of this bylaw.

4. NUMBER OF DWELLING UNITS

The maximum number of dwelling units per parcel or site in this land use district is one (1) principal detached dwelling plus one (1) garage, garden or secondary suite or one (1) semi-detached dwelling.

5. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling	12.19	40	4.57	15	6.10	20	9.14	30
All other uses	As required by the Development Authority							

Note: Measurements are from the respective property line to the nearest point of the building.

6. MAXIMUM SITE COVERAGE

(1) Principal Building – 27%

The principal building shall not occupy more than 27 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.

(2) Accessory Buildings – 7%

Any and all accessory buildings and structures shall not occupy more than 7 percent of the surface area of a lot or 185.80 m² (2,000 ft²), whichever is the lesser.

(3) Other development shall be at the discretion of the Development Authority.



7. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Single-Detached Dwellings	139.35 m ² (1500 ft ²)
All other uses	As required by the Development Authority

*Total floor area of all floors as measured by floors above grade or floors not more than 1.52 m (5 ft.) below grade.

8. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10.06 m (33 ft.)
Accessory Buildings	6.10 m (20 ft.)
All other uses	As required by the Development Authority

*In no case shall an accessory building exceed the height of the principal dwelling unless a variance is approved.

9. DRAINAGE

All dwellings and accessory structures must have eaves and downspouts, proper site grading, and all surface drainage must be contained on-site and/or directed into approved municipal infrastructure. In no case shall surface drainage negatively affect adjacent properties.

10. DRIVEWAY STANDARDS

See Schedule 10: Off-Street Parking, Loading & Driveway Requirements.

11. DETACHED ACCESSORY HOUSING STANDARDS

- (1) See Schedule 5, Section 9, for Secondary Suite regulations, which are to apply to Secondary Suites in this land use district.
- (2) A garage or garden suite shall only be approved on a parcel that meets the minimum size requirements listed in Section 2.
- (3) A garage or garden suite shall be situated to the rear of the principal dwelling and in a location, and with an orientation, which clearly indicates the subordination of the suite to the principal dwelling.
- (4) A garden or garage suite shall be situated no closer than 4.57 m (15 ft.) to the principal dwelling.
- (5) A garage or garden suite shall provide parking stalls in accordance with Schedule 10. Access to the parking area shall be to the satisfaction of the Development Authority.
- (6) A garden or garage suite located on a corner lot shall not take access from the street but shall instead share the principal front access or take access from the lane.
- (7) A garden or garage suite shall be serviced through connection to the water and sewer service for the principal dwelling, or, at the discretion of the Development Authority, through independent connection to municipal water and sewer infrastructure.
- (8) The following design measures shall be incorporated to the satisfaction of the Development Authority for the purposes of preserving the privacy of adjacent properties and effectively integrating suites into the neighbourhood:



~~(7) In order to preserve the privacy of adjacent properties the following design measures shall be incorporated to the satisfaction of the Development Authority:~~

- (a) placement of larger windows to limit overlook into neighbouring properties;
- (b) translucency (i.e. allowing the transport of light but not to the extent where image formation can be realized) of windows where appropriate;
- (c) placement of balconies on a garage suite to face the rear lane (where one exists) or larger of the two side yards;
- (d) balconies shall not project into a required setback;

(e) design, materials and massing to be complimentary with the principal building and neighbouring buildings and to maximize sunlight access for neighbouring parcels.

~~(e) rooftop decks on garage or garden suites are prohibited.~~

- (8) Each garage or garden suite shall be provided with a private outdoor amenity space (i.e. balcony or patio) of not less than 4.65 m² (50 ft²) with no dimension less than 1.52 m (5 ft.).
- (9) A garage or garden suite shall not be subject to separation from the principal dwelling through subdivision or condominium conversion.
- (10) Minimum and maximum development standards are as follows:

Use	Maximum Height*		Maximum Floor Area		Minimum Floor Area	
	m	ft.	m ²	ft ²	m ²	ft ²
Garage Suite	7.62	25	See Section 6		30.00	322.93
Garden Suite	5.18	17	See Section 6		30.00	322.93

*In no case shall a garage or garden suite exceed the height of the principal dwelling.

- (11) Minimum and maximum development standards are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard**	
	m	ft.	m	ft.	m	ft.	m	ft.
Garage Suite	See (3) above		6.10	20	4.57	15	3.05	10
Garden Suite	See (3) above		6.10	20	4.57	15	3.05	10

**In laneless subdivisions the rear yard requirement shall be 6.10 m (20 ft.)

12. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (1) Minimum setbacks for accessory buildings including garden sheds and detached garages, whether permanent or temporary, are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings – interior lots	See (6) below		n/a		3.05	10	3.05	10
– laneless corner lots	See (6) below		6.10	20	3.05	10	4.57	15
– laned corner lots	See (6) below		6.10	20	3.05	10	3.05	10



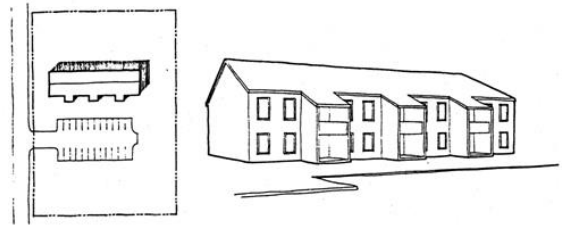
DISTRICT – see LAND USE DISTRICT

DRIVE-IN/DRIVE-THROUGH RESTAURANT means an establishment where food is prepared and served on the premise for sale to the public and includes car attendant and/or drive-through, pick-up service.

DRIVE-THROUGH means a use where services are provided to patrons who are in a motor vehicle and may have outdoor speakers provided. This use will be an accessory use to a principal use.

DWELLING means any building or portion thereof designed for human habitation and which is intended to be used as a residence for one or more individuals but does not include travel trailers, motor homes, recreational vehicles, or other mobile living units, hotel, motel, dormitory, or similar accommodation. Dwelling includes the following:

- APARTMENT means a building containing three or more dwelling units with shared services, facilities and outside entrances.
- DUPLEX means a building containing two dwelling units connected by a common floor/wall or ceiling, but not legally subdivided by a property line.
- GARAGE SUITE means an accessory housing form containing cooking facilities, food preparation area, sleeping and sanitary facilities where a dwelling unit is located directly above or beside a garage, and the dwelling unit is physically separated from the garage with a separate entrance from the vehicle entrance. A garage suite is to be of a size, location, orientation and style that is compatible with the principal dwelling and indicative of its subordination to the principal dwelling, and is allowable in the form of a site-built dwelling or new pre-fabricated dwelling, but not as a previously occupied moved-in building.
- GARDEN SUITE means an accessory housing form containing cooking facilities, food preparation area, sleeping and sanitary facilities. A garden suite is to be of a size, location, orientation and style that is compatible with the principal dwelling and indicative of its subordination to the principal dwelling, and is allowable in the form of a site-built dwelling or new pre-fabricated dwelling, but not as a previously occupied moved-in building.
- MOVED-IN means a conventional, previously occupied building which is physically removed from one site, transported and re-established on another site with a different legal description for use as a residence. Modular dwelling, prefabricated dwelling and manufactured dwelling are separate uses and defined as single-detached prefabricated and single-detached manufactured.
- MULTI-UNIT means a building other than an apartment that contains two or more dwelling units.
- ROW means development consisting of a building containing a row of three or more dwelling units each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being placed over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.
- SECONDARY SUITE means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure. A secondary suite shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure. This use does not include DUPLEX DWELLING, SEMI-DETACHED DWELLING, MULTI-UNIT DWELLING, ROW DWELLING or APARTMENT.



DWELLING, MULTI-UNIT