

Section 2: Interpretation

2.1 Rules of Interpretation

- 2.1.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word “*person*” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 2.1.2 The words “*shall*”, “*must*” and “*is*” require mandatory compliance except where a variance has been granted pursuant to the *Municipal Government Act*.
- 2.1.3 Words, phrases, and terms not defined in this section may be given their definition in the *Municipal Government Act* or the *Alberta Building Code*. Other words shall be given their usual and customary meaning.
- 2.1.4 Where a regulation involves two or more conditions, provisions, or events connected by the conjunction “*and*” means all the connected items shall apply in combination; “*or*” indicates that the connected items may apply singly or in combination; and “*either-or*” indicates the items shall apply singly but not in combination.
- 2.1.5 Where reference is made to other legislation or documents, this refers to the legislation and documents as may be amended from time to time.

2.2 District Boundaries

- 2.2.1 Where a district boundary is shown on the *Land Use Maps* as approximately following:
- a road, lane, railway, pipeline, power line, utility right of way, or easement, it follows the centre line, unless otherwise clearly indicated on the *Land Use Maps*;
 - the Strathcona County boundary, it follows the Strathcona County boundary;
 - the edge, shoreline, or high water mark of a river, lake, or other water body, or a topographic contour line or a top of bank line, it follows that line. In the event of change, it moves with the edge or shoreline; or
 - a property line, it follows the property line.
- 2.2.2 Where a district boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so.
- 2.2.3 In circumstances not covered above, the district boundary shall be determined by a Development Officer measuring the boundary from some known location on the *Land Use Maps*.
- 2.2.4 Where the application of the above interpretations does not determine the exact location of a district boundary, a Development Officer shall fix the boundary in doubt or dispute in a manner consistent with the provisions of this *Bylaw* and with the degree of detail as to measurements and directions as circumstances require. This decision may be appealed to the Subdivision and Development Appeal Board.
- 2.2.5 When any road or lane is closed, it has the same districting as the abutting land. When different districts govern abutting lands, the centre of road or lane is the district boundary unless the district boundary is shown clearly following the edge of the road or lane. If the road or lane is consolidated with an adjoining lot, that lot’s district designation applies to affected portions of the closed road or lane.

2.3 Definitions

- 2.3.1 Individual uses are grouped into definitions with common functional or physical effects or characteristics. These uses define the range of uses that are permitted, discretionary, or prohibited, with or without conditions, within various districts of this *Bylaw*.
- 2.3.2 Examples listed in a use definition are not intended to be exclusive or restrictive.
- 2.3.3 Where a specific use applied for does not conform to the wording of any use or generally conforms to the wording of two or more uses, the use conforms to and is included in that use which, at the discretion of a Development Officer, is most appropriate in character and purpose.
- 2.3.4 Those uses that are followed by an asterisk (*) are affected by the specific use regulations of Section 9.
- 2.3.5 For those Direct Control Districts included in *Schedule "A"* that were approved under the provisions of *Land Use Bylaw 42-89*, as amended, terms shall be interpreted using the definitions and context of that *Bylaw*.
- 2.3.6 The following words, terms, and phrases, wherever they occur in this *Bylaw*, shall have the meaning assigned to them as follows:

A

ABATTOIR means premises where livestock is slaughtered and the meat is cut, cured, smoked, aged, wrapped, or frozen for distribution to retail stores.

ABUT or ABUTTING means immediately contiguous to, or physically touching, and when used with respect to lots or sites means to share a common property line.

ACCESS means an access and/or egress for vehicles to a site.

ACCESSORY STRUCTURE means a building or structure detached from a principal building, normally ancillary, incidental and subordinate to the principal building or use and located on the same lot as the principal building. Typical accessory structures include garages, sheds, flagpoles, swimming pools, satellite dishes, wind turbines and solar panel arrays. When a building is attached to the principal building by a roof, a floor or foundation above or below grade or, is located within 0.9 m of the principal building it is considered to be part of the principal building. **(Bylaw 14-2008)**

ADJACENT means land that abuts a site and land that would abut if not for a road, lane, walkway, watercourse, utility lot, pipeline right of way, power line, railway, or similar feature.

ADVERTISEMENT means any device or representation visible to the general public that is for the purpose of directly or indirectly promoting sales or drawing attention to an event. **(Bylaw 15-2010)**

AGGREGATE EXTRACTION* means the quarrying, primary processing, removal and off-site sale of raw materials including sand, gravel, clay, marl, earth or mineralized rock found on or under the site. Typical uses include but are not limited to quarries, borrow pits, and gravel pits. This does not include processing of raw materials transported to the site. It includes site preparation and reclamation.

AGRICULTURAL AND GARDEN STAND means a structure for sale and display of agricultural products on an agricultural operation.

AGRICULTURAL SUPPORT SERVICE means the use of land, buildings and structures for the purposes of supply of goods, materials or services directly and primarily to the agricultural

industry. This use would include the sale and storage of seed, feed, fertilizer, chemical products, fuel, and agricultural machinery.

AGRICULTURE, GENERAL means the primary production of agricultural products such as dairy products; poultry products; cattle, hogs, sheep and other animals; wheat or other grains; and vegetables, orchards or other field crops on a variety of rural sized properties. This use does not include minor or major intensive livestock agriculture, intensive horticultural agriculture, major equestrian centres, or animal breeding or boarding establishments. This use includes minor equestrian centres, livestock in intensive grazing management systems, livestock confined for branding, sorting, herd health management, market delivery with confinement not exceeding 30 consecutive days, provided they are not minor intensive livestock agriculture.

AGRICULTURE, INTENSIVE HORTICULTURE means development for the primary and basic production and processing (i.e. cleaning, sorting, separating, grading or packing), of horticultural products such as vegetables and orchards, for sale on or off site. Typical uses include berry farms and market gardening operations. This use does not include minor or major intensive livestock agriculture, agricultural and garden stands, or greenhouses and plant nurseries. (Bylaw 5-2007)

AGRICULTURE, MAJOR INTENSIVE LIVESTOCK* means development for the confinement of livestock that because of size, density, length of confinement, or product may have a significant adverse impact on nearby uses. A major intensive livestock agricultural use is one that exceeds the minimum size, density of confinement, or confinement time interval for an intensive livestock operation as defined in the *Code of Practice for Responsible Livestock Development and Manure Management, 2000* (or as subsequently amended). This use does not include livestock in intensive grazing management systems, or livestock confined for branding, sorting, herd health management and market delivery with confinement not exceeding 30 consecutive days.

AGRICULTURE, MINOR INTENSIVE LIVESTOCK* means development for the confinement of livestock that because of size, density, length of confinement, or product may have an adverse impact on nearby uses. A minor intensive livestock agricultural use is either one that does not exceed the minimum size for an intensive livestock operation as defined in *Code of Practice for Responsible Livestock Development and Manure Management, 2000* (or as subsequently amended) or is an indoor facility that exceeds the size limits but, through special management and technology, will reduce the level of impact to less than that of the minimum size for an intensive livestock operation.

AGRICULTURE, PRODUCT PROCESSING means the use of land, buildings or structures used for the purpose of processing agricultural products including the following: mixing drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments and biological treatments, of plant matter; the cutting, curing, smoking, aging, wrapping or freezing of meat; and the sale of goods produced both on and off site. Any indoor display, office, technical, administrative support, storage or warehousing shall be accessory to the uses listed above. (Bylaw 5-2007)

AGRI-INDUSTRIAL SUPPORT SERVICE means the use of land, buildings and structures for the purposes of supplying goods, materials or services that support the agri-industrial industry. This use would include such goods and services as the sale and storage of seed, feed, fertilizer, chemical products, and fuel. (Bylaw 5-2007)

AIRCRAFT SALE/RENTAL means development used for the sale, charter, or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

AIRPORT, PRIVATE means a runway for the landing of private, non-commercial aircraft only and includes the necessary building and structure to store the aircraft owned by the property owner or owners of the site. Private airport does not include the landing of helicopters.

AIRPORT, PUBLIC means any area, designed, prepared, equipped or set aside for the arrival, departure, movement or servicing of commercial and private aircraft; and includes any associated buildings, installations, open space, and equipment. This also includes aircraft

and airport related manufacturing and services.

ALTER or ALTERATION means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this *Bylaw*; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

AMUSEMENT ARCADE, MAJOR means a building or part thereof, where the principal business is providing video, pinball, player participation table top games, or computer games for use by the general public. There are 5 or more table or electronic games. This use does not include minor or major gaming facilities or adult retail.

AMUSEMENT ARCADES, MINOR means a building or part thereof, where a maximum of 4 video, pinball, player participation table top games, or computer games are provided for use by the general public. This does not include minor or major gaming facilities or adult retail.

ANCILLARY means subordinate or assisting and in the case of a building, would include essential structural components necessary to the building function such as mechanical penthouses, elevator housing, mechanical rooms, communication structures, or chimneys.

ANIMAL BREEDING AND BOARDING (Deleted by Bylaw 132-2002)

ANIMAL GROOMING FACILITY means a facility that provides a service for the care and appearance of domestic animals but does not include the breeding and overnight boarding of such animals. (Bylaw 13-2003)

ANIMAL HOSPITAL AND SHELTER means development used for the temporary accommodation and care or impoundment of small animals and livestock within an enclosed building. This does not include animal breeding and boarding.

ANTENNA means a structure designed for the purpose of receiving and transmitting communication signals.

ANTENNA, AMATEUR RADIO means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by licensed amateur radio operators.

APARTMENT HOTEL means apartment housing having a principal common entrance, cooking facilities and furnishings within each dwelling unit that is rented on a transient and short term basis. This does not include any commercial uses except when specifically permitted in the district.

APARTMENT HOUSING means any physical arrangement of two or more attached dwelling units, intended to be occupied by separate households, which does not conform to the definition of any other residential use.

ATTIC means the unfinished space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof.

AUCTIONEERING ESTABLISHMENTS means buildings and/or land for the auctioning of goods and equipment including the temporary storage of such goods and equipment, but does not include flea markets or secondhand stores.

AUTOBODY REPAIR AND PAINT SHOP means those premises where automobiles, trucks, and other vehicles undergo body repair and painting.

AWNING means a light detachable system of fabric, sheet metal, plexiglas or other similar material, which is entirely supported from a building by a fixed or retractable frame. (Bylaw 15-2010)

B

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

BASEMENT means a storey or storeys of a building located below the first storey.

BASEMENT, WALKOUT means a storey of a building located below the first storey and having at least one wall above grade.

BAY WINDOW means a glazed window that protrudes from the wall to which it is attached and may be structurally supported other than by a foundation wall.

BEACON means any light with one or more beams directed into the atmosphere or directed at one or more points that may differ in location from the light source and, any light with one or more beams that rotate or move. (Bylaw 15-2010)

BED AND BREAKFAST* means the secondary use of a principal dwelling unit where permanent residents of the dwelling provide short term overnight accommodation and limited meals to overnight guests. (Bylaw 14-2008)

BEDROOM means a room containing a window, located in a dwelling unit, which due to its design or location in the dwelling unit, is or may be used primarily for sleeping. It includes dens, lofts, studies, and libraries.

BILLBOARD means a sign that is a large flat panel surface designed to provide for outdoor advertising and, that is typically located adjacent to high traffic areas or streets. (Bylaw 15-2010)

BINGO HALL means any facility that is customarily or regularly used for bingo pursuant to a license issued by or under the authority of the provincial government. This does not include minor or major amusement arcades or casinos.

BOARDER means a non-family member who is a lodger, roomer, or person who pays for and takes regular lodging, with or without meals within the household.

BOARDING FACILITY* means a commercial facility used for feeding, grooming, housing, exercising and training of domestic animals not owned by the occupant of the premises and for which the occupant of the premises receives remuneration. This use includes a facility for the purpose of housing racing dogs and/or for providing obedience training. (Bylaw 132-2002)

BOARDING OR LODGING HOUSE means a building in which the owner lives and supplies sleeping unit accommodation, for remuneration, for not more than ten residents. It may or may not include meal service. It includes lodges for senior citizens but does not include hotels, motels, temporary shelter services, congregate housing, or bed and breakfasts.

BORROW AREA means an excavated area from which soil and unconsolidated materials (excluding sand and gravel), are removed for use without further processing or handling, as fill for activities such as landscaping, building construction, levees or, highway construction and/or maintenance, either on or off-site. (Bylaw 7-2009)

BREEDING FACILITY* means a commercial facility where domestic animals are kept, bred, bought and/or sold. (Bylaw 132-2002)

BROADCASTING STUDIO means development used for the production and/or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.

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

BUILDING, PRINCIPAL means a building that accommodates the principal use of a site.

BUILDING, NON-CONFORMING means a building that is lawfully constructed or lawfully under construction at the date this *Bylaw* affecting the building or the land on which the building is situated becomes effective and that on the date this *Bylaw* becomes effective does not, or when constructed will not, comply with this *Bylaw*.

BUILDING FACE means that portion of any exterior elevation of a building exposed to public view extending from the grade to the eaves or the top of the parapet wall and the entire length of the building elevation, including all areas divided by firewalls.

BUILDING FRONTAGE means the measurement of the length of a building wall that directly faces a road.

BULK FUEL DEPOT means lands, buildings, and structures for the bulk storage and distribution of petroleum products and may include key lock retail sales. This does not include either minor or major service stations.

BUSINESS means an establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This includes a home business.

BUSINESS, GENERAL (Deleted by Bylaw 13-2003)

BUSINESS SUPPORT SERVICE means development used to provide support services to businesses and which are characterized by one or more of the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial services; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair, or servicing of office equipment, furniture and machines; and the sale, rental, repair or servicing of computers, cellular phones and fax machines. Typical uses include but are not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and office equipment sales, repair establishments, and sign shops.

BYLAW ENFORCEMENT OFFICER means an officer or employee of Strathcona County authorized by County Council to enforce the bylaws of the Strathcona County.

C

CABIN means a stand-alone building or structure with a maximum gross floor area of 28 m² where the maximum occupancy shall not exceed 240 days in one year. This does not include hotel, motel, manufactured homes, holiday trailers, motor homes and similar recreation vehicles, boarding or lodging house. (Bylaw 16-2004)

CALIPER means the diameter of a tree trunk measured at a point 300 mm above the top of the root ball.

CAMPGROUND, MAJOR means an area which has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall not exceed 240 days in one year), for campers locating tents, tent trailers, holiday trailers, campers, motor homes and similar recreation vehicles within a defined area. A campground is major where the total number of campsites or cabins is greater than sixty (60) campsites or cabins. This does not include manufactured homes. Related facilities that are accessory to and support the campground such as an administrative office, laundromat, picnic grounds, playgrounds and boating facilities may be included on-site. (Bylaw 16-2004)

CAMPGROUND, MINOR means an area which has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall not exceed 240 days in one year), for campers locating tents, tent trailers, holiday trailers, campers, motor homes and similar recreation vehicles within a defined area. A campground is minor where the total number of campsites or cabins is sixty (60) or less campsites or cabins. This does not include manufactured homes. Related facilities that are accessory to

and support the campground such as an administrative office, laundromat, picnic grounds, playgrounds and boating facilities may be included on-site. (Bylaw 16-2004)

CAMPSITE means a specified area or site within a campground or other recreation area intended for occupancy by tents, tent trailers, holiday trailers, campers, motor homes and similar recreation vehicles on a limited short-term basis. This does not include sites or parcels for manufactured homes, cabins, motel, hotel or boarding or lodging house. (Bylaw 16-2004)

CANOPY means an architectural feature or structural protective element affixed to the exterior wall of a building over a door, entrance, outdoor service area or similar type of entrance way. (Bylaw 15-2010)

CARE CENTRE, INTERMEDIATE means an establishment licensed by the regional health authority intended to provide care, educational services, and supervision for 7 to 20 children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres. This includes developments for group day-care or for the provision of care, before and after school hours and during school holidays for children attending school.

CARE CENTRE, MAJOR means an establishment licensed by the regional health authority intended to provide care, educational services, and supervision for more than 20 children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres. This includes developments for group day-care or for the provision of care, before and after school hours and during school holidays for children attending school.

CARE CENTRE, MINOR means an establishment licensed by the Provincial authority intended to provide care, educational services, and supervision for up to 6 children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres. This includes developments for group day-care or for the provision of care, before and after school hours and during school holidays for children attending school.

CARNIVAL, MAJOR means temporary development providing a variety of shows, games and amusement rides, for a period not exceeding 30 days, in which the patrons may take part and which, in the opinion of the Development Officer, by virtue of its size and/or operations may generate excessive traffic or cause undue annoyance to surrounding residents and businesses.

CARNIVAL, MINOR means temporary development providing a variety of shows, games and amusement rides, for a period not exceeding 30 days, in which the patrons may take part and which may be located at a shopping centre or similar commercial site without significant impact on surrounding properties and uses.

CARPORT means a roofed structure free standing or attached to the principal building which is not enclosed on the front and at least one side, used by the building occupants to shelter parked vehicles.

CEMETERY means land that is set apart or land that is use for the burial of human or animal remains. Typical uses are memorial parks and burial grounds, including crematoriums.

CERTIFICATE OF TITLE means a certificate issued by the Land Titles Office identifying the owner of a particular parcel of land.

CLEARANCE means the unobstructed vertical distance between the finished grade or finished floor and the underside of a sign or structure. (Bylaw 15-2010)

COMMERCIAL LOGGING means the cutting, storage, sorting, and grading of primary forest materials for commercial use of the logs or fibre. This use does not include tree clearing or

the removal of any landscaping required by this *Bylaw*. Notwithstanding commercial logging is not listed as a use in any district, it is a discretionary use in all districts except where it is permitted by Section 3.1.

COMMERCIAL SCHOOL means development used for training, instruction, and certification in a specific trade, skill, or service for the financial gain of the person owning the school. Typical uses include but are not limited to secretarial, business, hairdressing, beauty culture, dancing, or music schools.

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

COMMERCIAL UNIT means a separate or self-contained area or areas of one building which contains one commercial use.

COMMERCIAL USE means an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

CONCRETE/ASPHALT PLANT, MAJOR means a permanent plant or facility that is used for the processing, manufacturing, recycling and sale of concrete and/or asphalt and, includes facilities for the administration or management of the business, the stockpile of bulk materials used in the production process or of finished products manufactured on-site and, the storage and maintenance of required equipment. (Bylaw 8-2009)

CONCRETE/ASPHALT PLANT, MINOR means a portable unit that is used for the processing, manufacturing, recycling and sale of concrete and/or asphalt and includes facilities for the administration or management of the business, limited stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment. (Bylaw 8-2009)

CONGREGATE HOUSING means housing in multiple unit form for semi-independent persons within that is provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services such as transportation for routine medical appointments and counseling. This does not include group homes where the occupants are living as a single housekeeping unit. This may include housing for seniors.

CONSERVATION EASEMENT means an agreement registered against title whereby a landowner grants to Strathcona County (or other government, government agency, or non-profit society with conservation objectives satisfactory to Strathcona County) provisions for the protection, conservation and enhancement of the environment including the protection, conservation and enhancement of biological diversity and natural scenic or aesthetic values. A conservation agreement may provide for recreational use; open space use, environmental education use; and research and scientific studies of natural ecosystems.

CONTAINER means an accessory structure and is a land and sea container used to carry cargo, goods and/or materials but may be used for storage purposes. (Bylaw 15-2008)

CONTRACTOR SERVICE, GENERAL means premises used for the provision of building and road construction services including landscaping, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a construction nature which require on-site storage and warehouse space. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor services use only.

CONTRACTOR SERVICE, LIMITED means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles.

CONVENIENCE VEHICLE RENTAL means the rental of new or used automobiles and light trucks and utility vehicles with a gross vehicle rating of 1815 kg or less. This includes those establishments which are not strictly office in nature, but include as an integral part of the operation, minor vehicle servicing, storing, fuelling or car washing facilities.

CORNER LOT OR SITE means a lot or site located at the intersection of two public roadways, other than lanes, or a lot or site located abutting a public roadway, other than a lane, which substantially changes direction at any point where it abuts the lot or site.

CORRECTION SERVICE means development for the purpose of holding or confining, and treating or rehabilitating persons. Typical uses include but are not limited to prisons, jails, remand centres, and correction centres.

CSA means *Canadian Standards Association*.

CUSTOM INDOOR MANUFACTURING means development used for on-site manufacturing/production/assembling of semi-finished/finished goods, products and equipment normally associated with business or household use. Typical uses include but are not limited to toys and musical instrument manufacturing and computer components. This use does not include repair shops or those uses identified under Custom Workshops.

(Bylaw 13-2003)

CUSTOM WORKSHOPS means the use of premises for the production, by a trade, craft or guild for the manufacture/processing of clothing, articles and/or craft objects. Typical uses may include a photography studio, pottery and sculpture studio, and art studio. This use may include the provision of classes however, this shall be accessory to the principal use. This use does not include furniture manufacturing, household repair services or large scale manufacturing identified under Custom Indoor Manufacturing. (Bylaw 13-2003)

D

DATING OR ESCORT SERVICE means any business activity which involves the face to face (in person) act of introducing a person or persons with another person or persons for a period or periods of companionship of short duration, for which service or introduction a fee is charged or imposed for each occasion of companionship or introduction.

DECK means a structure with the top of the floor 0.6 m or greater in height above finished grade without a roof or walls, except for railings, which is designed and intended for use as an outdoor amenity area. (Bylaw 14-2008)

DENSITY means the ratio of the number of dwelling units to the lot area or, the maximum number of dwelling units per developable hectare. (Bylaw 95-2005)

DESIGNATED OFFICER means a Development Officer, Bylaw Enforcement Officer or any other official appointed by the Chief Commissioner to enforce the provisions of this Bylaw. (Bylaw 13-2003)

DEVELOPMENT means an excavation or stockpile and the creation of either of them; a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over, or under land; a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

DEVELOPMENT, TEMPORARY means a development for which a development permit has been issued for a limited time only.

DEVELOPMENT OFFICER means an official of Strathcona County appointed, according to the procedures authorized by County Council, to act as a development authority according to the *Municipal Government Act*.

DISTRICT means an area of Strathcona County as defined in Sections 11 to 17, including all the DC Districts of *Schedule "A"*, which are described on the *Land Use Maps of Schedule "B"*.

DISTRICT, AGRICULTURAL means any district in Section 12 of this *Bylaw* or any DC districts in which the predominant use, as determined by its general purpose and list of permitted uses, is of an agricultural nature.

DISTRICT, COMMERCIAL means any districts listed in Section 13 of this *Bylaw* or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a commercial nature.

DISTRICT, DIRECT CONTROL means any district from *Schedule "A"* that is approved under the provisions of Section 14 of this *Bylaw*.

DISTRICT, INDUSTRIAL means any district described in Section 15 of this *Bylaw* or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a general business, general industrial, or heavy industrial nature.

DISTRICT, LOW DENSITY RESIDENTIAL means an RC, RE, RH, RM, R1A, R1B, R1C, R2A, and R2B district or any DC district in which the predominant use, as determined by its general purpose and list of permitted uses, is of a low density residential nature similar to these districts.

DISTRICT, MULTIPLE RESIDENTIAL means an R3, R4, and R5 district or any DC district in which the predominant use, as determined by its general purpose and list of permitted uses, is of a multiple unit residential nature with a density similar to these districts.

DISTRICT, NON-RESIDENTIAL means all districts other than those described in Section 17 of this *Bylaw* or any DC District in which the predominant use, as determined by its general purpose and list of permitted use, is not of a residential nature.

DISTRICT, PARKS AND SERVICE means any district described in Section 16 of this *Bylaw* or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a parks or service nature.

DISTRICT, RESIDENTIAL means any districts described in Section 17 of this *Bylaw* or any DC district in which the predominant use, as determined by its general purpose and list of permitted uses, is of a residential nature.

DISTRICT, RURAL RESIDENTIAL means the RA and RC districts described in Section 17 of this *Bylaw* or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a rural residential nature.

DOG means either the male or female of any domesticated canine species. (Bylaw 132-2002)

DOMESTIC ANIMALS means small animals such as dogs or cats, which are normally kept as companions or, as household pets. (Bylaw 132-2002)

DOUBLE-FACED means having two faces, with each face being of approximate equal area and in proportion to the other with each face located on the structure to be parallel, opposite to and facing away from each other.

DRIVE-THROUGH VEHICLE SERVICE* means rapid cleaning, lubrication, maintenance or repair services to motor vehicles or other services where the customer typically remains within the vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops, bank drive-through kiosks, or specialty repair establishments. (Bylaw 4-2002)

DRUG PARAPHERNALIA means any goods, products, equipment, things or materials of any kind designed or primarily intended to be used to produce, process, manufacture, package, store, conceal, as well as, inject, ingest, inhale or otherwise introduce into the human body, a controlled substance as defined in the Controlled Drugs and Substances Act, S.C. 1996, c. 19, as may be amended from time to time, but does not include a controlled substance that is permitted under that Act. (Bylaw 33-2009)

DUGOUT means an excavation of earth, rock, concrete or other material designed to retain water for household, landscaping or general agricultural purposes but does not include a lagoon for the purpose of processing wastewater. (Bylaw 15-2008)

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above or below each other. This type of development is designed and constructed as two dwelling units at initial construction. It does not include a secondary suite.

DWELLING, AGRICULTURAL * means any dwelling unit on an agricultural operation that is used to house full-time permanent or seasonal agricultural workers only. This may include but is not limited to single dwellings and manufactured homes.

DWELLING, COLLECTIVE COMMUNAL means an arrangement of dwellings units as an integral part of an agricultural operation which is operated by an organized and recognized communal group such as a Hutterite Colony.

DWELLING, FAMILY CARE* means a dwelling unit used to accommodate persons who are parents, brothers, sisters, sons or daughters of the residents of another dwelling unit on the same parcel, and who provide personal care to or require personal care from those residents, provided that (a) such personal care is necessary due to elderly age, physical disability and/or mental handicap, (b) the need for such personal care is verified by a medical certificate, and (c) such family relationship is proven. A family care dwelling is not an accessory development.

DWELLING, SECONDARY* means a second dwelling unit on an agricultural parcel in addition to the principal dwelling. This may include a single dwelling or a manufactured home.

DWELLING, SINGLE means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. This use includes modular homes that conform to the *Alberta Building Code*, but not a manufactured home.

DWELLING or DWELLING UNIT means accommodation providing sleeping, washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-permanently for a household. A dwelling or dwelling unit does not include more than one room which, due to its design, plumbing, equipment, and furnishings, may be used as a kitchen. This use does not include a motorhome or a room in a hotel or a motel.

DWELLING UNIT, PRINCIPAL means either a dwelling unit for which a development permit was issued prior in time to any other dwelling unit on a site or a dwelling unit which occupies the entirety of a building or a larger gross floor area than another dwelling unit in the same building.

E

EDUCATION, PRIVATE means development for instruction and education not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home business. This use includes dormitory and accessory structures. This use does not include commercial schools or home businesses.

EDUCATION, PUBLIC means development that is publicly supported and involves public assembly for education, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. Typical uses include but

are not limited to public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This use does not include private education services and commercial schools.

EMERGENCY SERVICE means a public facility used by fire protection, police, ambulance, or other such services as a base of operations.

ENCLOSED PARKING means an area provided for off-road parking screened from view from the surrounding roads and buildings, either within a structure or behind a screen of landscaping, perforated masonry, metal or other material.

ENTERTAINMENT, ADULT means any development or part thereof where, for any consideration, live performances are held, the central feature of which is the nudity or partial nudity of any person; any development where motion pictures, videos, or other electronic or photographic reproductions are shown or displayed, the central feature of which is the nudity or partial nudity of any person; a live performance by a nude or partially nude person, for any consideration, the main feature of which is the performance of simulated performance of sexual acts with another person or the touching of self or another person in any way during such a performance; or any development where the main feature of more than 50% of the inventory of the business is used to display for sale or rent any items the central feature of which is the nudity or partial nudity of any person or the simulation or reproduction of the naked human body or parts thereof. For the purposes of this definition, partial nudity shall mean less than completely and opaquely covering the human genitals or human pubic regions, human buttocks, or female breasts below a point immediately above the top of the areola.

ENTERTAINMENT, SPECTATOR means an enclosed building designed specifically for the presentation of live artistic performances or the showing of motion pictures. Typical uses include but are not limited to auditoria, cinemas, theatres, and concert halls. This does not include entertainment developments associated with nightclubs.

ENVIRONMENTAL ASSESSMENT (MUNICIPAL) means processes and activities designed to contribute pertinent environmental information to land use decision-making. In doing so, it attempts to predict and measure the environmental effects of specific human activities and identify means of mitigating those effects. (Bylaw 30-2004)

EQUESTRIAN CENTRE, MAJOR means a commercial facility used for the training of horses and riders that has facilities to board 8 or more horses.

EQUESTRIAN CENTRE, MINOR means a commercial facility used for the training of horses and riders that has facilities to board less than 8 horses.

EQUIPMENT, MAJOR means development used for the sale, rental, service, or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production. This does not include truck and manufactured home sales/rentals.

EQUIPMENT, MINOR means development used for the sale or rental of tools, appliances, recreational craft, office machines, furniture, light construction equipment, or similar items but does not include rental of motor vehicles or industrial equipment.

EXHIBITION AND CONVENTION FACILITY means a building or site intended to provide permanent facilities for meetings, seminars, conventions, product and trade fairs and similar exhibitions.



FENCE means a structure used as an enclosure or for screening purposes about all or part of a lot or a swimming pool.

FINANCIAL SERVICE means the provision of financial and investment services by a bank,

trust company, investment dealer, credit union, mortgage broker or related business, which may also include provision of a drive-through component. (Bylaw 4-2002)

FIRE SEPARATION means a construction assembly that acts as a barrier against the spread of fire as defined in the *Alberta Building Code*.

FLEA MARKET shall mean development used for the sale of new or used goods by more than 3 vendors renting tables and/or space outdoors or in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally handicrafts, household items, tools, electronic equipment, food products or concessions, plants, clothing, furniture. This does not include secondhand stores or auctioneering establishments.

FLEET SERVICE means development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to ambulance services, taxi services, bus lines, messenger and courier services. This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg.

FLOODFRINGE means any land area adjoining the channel of a watercourse that has been covered by floodwater. It is the area of the floodplain outside of the floodway that is affected by flooding. This area is generally covered by still or slowly moving waters during flooding.

FLOODWAY means the channel of a watercourse and the adjacent areas where the majority of floodwaters of a 1:100 year flood will flow and where flow velocities and depths are potentially destructive to development. This is normally kept free of encumbrances to allow the free flow of water during a flood.

FLOOR AREA, GROSS (GFA) means the total floor area of the building or structure within the exterior and basement walls. The gross floor area does not include basement areas used exclusively for storage or service to the building; parking areas below grade; and floor areas devoted exclusively to mechanical or electrical equipment servicing the development.

FLOOR AREA, GROSS LEASABLE (GLA) means the total floor area contained within the exterior and basement walls and which is designed exclusively for tenant occupancy.

FLOOR AREA, NET means the sum of the horizontal areas of each storey of the building measured from the exterior faces of the exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The net floor area measurement excludes basement areas used exclusively for storage or service to the building, attics, attached garages, carports, breezeways, porches, balconies, exit stairways, corridors, and terraces. In the case of multiple dwelling unit housing, public corridors, common amenity spaces, and building mechanical systems are also excluded. In the case of congregate housing, communal dining and kitchen facilities are excluded.

FLOOR AREA RATIO means the numerical value of the net floor area on all levels of all buildings on a lot, divided by the area of the lot.

FOOD AND BEVERAGE PRODUCTS means a commercial facility in which food and/or beverage products are manufactured/produced or otherwise prepared for human consumption but not consumed on the premises. This may include a retail component however this retail component shall be accessory to the principal use. Typical uses may include a bakery, prepackaged foods, water bottling and catering facilities. This does not include Food Service or Mobile Catering. The impact of this use shall not extend beyond the boundaries of the building. (Bylaw 13-2003)

FOOD SERVICE, DRIVE-IN means development where the primary purpose is the sale of prepared foods and beverages to the public for consumption on or off the site. This use typically has a more limited range of menu than a restaurant and includes one or more of car attendant services, drive through food pickup services, or parking primarily intended for the on-site consumption of food within a vehicle.

FOOD SERVICE, MOBILE CATERING means the delivery and sale of food to the public using a fleet of vehicles.

FOOD SERVICE, RESTAURANT means development where the primary purpose is the sale of prepared foods and beverages to the public for consumption on or off the site. This use typically has a varied menu, with a fully equipped kitchen and preparation area.

FOOD SERVICE, SPECIALTY means development where limited types of prepared foods and beverages are offered for sale to the public for consumption on or off the site. This use relies primarily on walk-in clientele. Typical uses are coffee, donut, bagel or sandwich shops, ice cream parlors, and dessert shops.

FRONTAGE means the length of a lot line that immediately adjoins a road other than a lane or walkway. It is used in conjunction with determining requirements for signs and is not to be confused with front lot line.

FOURPLEX HOUSING means any physical arrangement of four attached dwelling units intended to be occupied by separate households with separate exterior access to grade.

FUNERAL SERVICE means premises for the preparation of the dead for burial or cremation, and the holding of memorial services. This includes funeral homes and undertaking establishments.

G

GARAGE means an accessory structure, or part of a principal building, designed and used primarily for the storage of motor vehicles. It includes a carport.

GARAGE, PARKING means a non-accessory parking structure providing vehicular parking which is not intended for the use of residents, employees, customers or clients of a particular development.

GAS BAR* means a development used for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. The gas bar may be a self-service, full service, key lock, card lock, or other similar operation and may include vehicle-washing facilities as an accessory use but does not provide auto repair or servicing. This does not include minor and major service stations.

GOLF COURSE means an outdoor establishment/development of varying sizes designated primarily for the game of golf. Accessory uses include a pro shop, driving range and/or practice facility, food service, and other commercial uses typically associated with a golf course clubhouse facility. (Bylaw 15-2003)

GOVERNMENT SERVICE means development providing for Crown Corporation, municipal, provincial or federal government services directly to the public. This does not include protective and emergency services, detention and correction services, minor or major impact utility services, and public education services. These are uses that have significant client visitation. Typical uses include but are not limited to taxation offices, courthouses, manpower and employment offices, and social service offices.

GRADE, BUILDING (as applied to the determination of building height), means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

GRADE, LANDSCAPED (as applied to the determination of height of balconies, decks and architectural features and landscape structures) means the average level of finished landscaped ground under the four principal corners of the balcony, deck, architectural feature or landscape structure.

GREENHOUSE AND PLANT NURSERY means development used primarily for the raising, storage and sale of produce, bedding, household, ornamental plants and related materials

such as tools, soil, and fertilizers. The main part of the business must be plant related and any aggregate sales must be a minor accessory component only.

GROUP HOME, MAJOR means a care facility licensed by the regional health authority to provide room and board for more than 6 residents with physical, mental, social, or behavioral problems that require professional care, guidance and supervision. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This use does not include boarding and lodging houses, congregate care, or temporary shelter services.

GROUP HOME, MINOR means the use of one dwelling unit as a care facility licensed by the Provincial authority to provide room and board for not more than 6 residents with physical, mental, social, or behavioral problems that require professional care, guidance and supervision. A minor group home may include, to a maximum of 6, any combination of staff, residents requiring care, and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This use does not include boarding and lodging houses, congregate care, or temporary shelter services.



HARDSURFACING means a durable ground surface, constructed of cast-in-place concrete, brick, or concrete unit pavers, turfstone, stone, asphalt, or similar materials (but excluding gravel and clay).

HEALTH SERVICE, MAJOR means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include but are not limited to hospitals, nursing homes with health care for dependant residents, mental care asylums, sanatoria, and detoxification centres.

HEALTH SERVICE, MINOR means the provision of physical and mental health services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical uses include medical and dental offices, health clinics, acupuncture clinics, and counseling services. This does not include massage services.

HEIGHT means the maximum vertical distance between building grade and the highest point of the building with a non-sloping roof or a roof that slopes less than 20 degrees. On a roof sloping more than 20 degrees, it is measured to the mid-point between the eaveline and ridge of a sloping roof provided that the ridge shall be not more than 2.0 m above the maximum building height in the district. **Height as it pertains to signs** means the maximum vertical distance between the average grade at the base of the sign and the highest point on the sign. Any earth berms and elevated foundations supporting the sign, signpost or other sign supports shall be included in the height of the sign. (Bylaw 15-2010)

HELIPAD means a designated area, usually with a prepared surface, used for the take off, landing or parking of helicopters. This does not include private or public airports. (Bylaw 17-2007)

HIGHWAY, PROVINCIAL means a highway as defined in the *Public Highways Development Act*.

HOME BUSINESS, MAJOR* means the secondary use of a principal dwelling, its accessory structures and site, or combinations thereof, by at least one permanent resident of the dwelling to conduct a business activity or occupation. A major home business does not include adult entertainment services, bed and breakfasts, dating or escort services, or major or minor veterinary services.

HOME BUSINESS, MINOR* means the secondary use of a principal dwelling by at least one permanent resident of the dwelling to conduct a business activity or occupation. A minor

home business does not include adult entertainment services, bed and breakfasts, dating or escort services, or major or minor veterinary services.

HOTEL means the provision of rooms or suites in a commercial development for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. Hotels may include accessory food services, neighbourhood pubs, nightclubs, meeting rooms, and personal service establishments.

HOUSEHOLD means

- a. a person; or two or more persons related by blood, marriage;
- b. a group of not more than 5 persons, including boarders, who are not related by blood, marriage, or adoption; or
- c. a combination of a) and b) if the combined total does not include more than 3 persons unrelated by blood, marriage, or adoption;

all living together in one dwelling unit as a single household using the same cooking facilities. In addition, a household may also include up to one housekeeper or nanny.

HOUSEHOLD REPAIR SERVICE means development used for the provision of repair to goods, equipment and small appliances normally found within the home. Typical uses include but are not limited to radio, television, and appliance repair, furniture refinishing, and upholstery shops. This use class does not include personal service establishments.

HOUSING, ACCESSORY AGRICULTURAL means a temporary development that may include a maximum of four buildings or structures, grouped together on a site where the building or structures shall be occupied by persons that are an integral part of a major agricultural use operation, an intensive horticultural use or a major equestrian centre, which is located on the same site. Each building or structure may contain a maximum of eight sleeping units, a common kitchen/dining area and common bathroom facilities. This use does not include secondary and agricultural dwellings. (Bylaw 20-2008)



INDUSTRIAL, GENERAL means development used principally for one or more of the following: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, business or household use; terminals for the storage or transshipping of materials, goods and equipment; the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or the training of personnel in general industrial operations. Any indoor display, office, technical, administrative support, or retail sale operations shall be accessory to the general industrial uses listed above. This use does not include other uses that are defined separately. This use includes only those developments where activities and uses may be carried on indoor and/or outdoors and where no significant nuisance factor is created or apparent beyond the boundaries of the site. Any development, where, in the opinion of a Development Officer, there is significant risk of interfering with the safety and amenity of adjacent sites because of the nature of the site, materials, or process, cannot be successfully mitigated, shall not be considered a general industrial use.

(Bylaw 13-2003)

INDUSTRIAL, HEAVY means development used principally for one or more of the following: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial,

business or household use; terminals for the storage or transshipping of materials, goods and equipment; the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or the training of personnel in general industrial operations. Any indoor display, office, technical, administrative support, or retail sale operations shall be accessory to the general industrial uses listed above. The floor area devoted to such accessory activities shall not exceed 25% of the gross floor area of the building(s) devoted to the heavy industrial use. This use does not include other uses that are defined separately. This use includes only those developments which may have a significant detrimental effect on the safety, use, amenity, enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods. (Bylaw 13-2003)

INFORMATION CENTRE means a building where the primary activity of the site involves informing the public about the services/programs provided by the centre and educating individuals or groups on the natural, historical, and cultural features of the area. It may include meeting rooms, office areas and staff rooms. (Bylaw 19-2002)

INTERSECTION means the area within the connection of two or more roads intended for use by vehicles.

K

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing, or wiring which taken together, may be intended or used for the preparation or cooking of food.

L

LAND means land, tenements, or any estate or interest in them and includes growing timber but not mineral resources.

LANDSCAPING means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of soft landscaping elements (trees, shrubs, plants, lawns, ornamental plantings, etc.), decorative hard surfacing elements (bricks, pavers, shale, crushed rock, etc., but excluding monolithic concrete and asphalt in the form of patios, walkways, and paths), and architectural elements (decorative fencing, walls, sculpture, etc.).

LANDSCAPING SALES AND SERVICE means the use of the lands, buildings or structures, or part thereof, for the purpose of selling soft landscaping materials such as plants, trees and shrubs, as well as hard landscaping materials such as bricks, pavers, shale, crushed rock or, other similar materials associated with landscaping. This use does not include greenhouse and plant nursery or, the sale of lawn and garden equipment. (Bylaw 60-2006)

LANE means an alley as defined in the provincial *Highway Traffic Act*.

LAUNDROMAT means a building or structure where coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of cleaning clothing. This does not include dry cleaning establishments. (Bylaw 16-2004)

LIBRARY AND EXHIBIT means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific, natural, or artistic value. Typical uses include public libraries, museums, art galleries, botanical gardens, arboreta, and archaeological and cultural exhibits.

LIVESTOCK means horses, cattle, swine, donkeys, mules, oxen, poultry, birds, sheep, goats and fur bearing animals raised in captivity for pelts, and other animals and wildlife.

LOADING SPACE means an on-site parking space reserved for temporary parking for the purpose of loading or unloading goods and materials.

LODGE means a building where sleeping accommodations are provided. It may include on-site kitchen facilities, dining areas, meeting rooms, on-site storage facilities, and mechanical rooms. This definition does not include motel, hotel, or boarding and lodging house. (Bylaw 19-2002)

LOGO means a symbolic representation not including any words, names or numbers unless part of a registered trademark, which is used exclusively to simplify advertising of a product, business, service, or activity, and which contains no additional identification, information or message.

LOT means a quarter section; a river lot or a settlement lot shown on an official plan registered in a Land Titles Office; or a part of a parcel of land described in a certificate of title.

LOT, CORNER (Deleted by Bylaw 13-2003)

LOT, DOUBLE FRONTING means a lot which abuts two roads which are parallel or nearly parallel and do not intersect at the boundaries of the lot.

LOT, INTERIOR means a lot other than a corner lot.

LOT, PIE means a lot which is generally configured such that its width at the rear lot line is greater than at its front lot line.

LOT, REVERSE PIE means a lot which is generally configured such that its width at the rear lot line is less than at its front lot line.

LOT AREA means the total horizontal area within the lot lines of a lot.

LOT DEPTH means the horizontal distance between the midpoints of the front and rear lot lines.

LOT LINE means the legally defined boundary of any lot or property line.

LOT LINE, FRONT means, in the case of an interior lot, a lot line separating the lot from the road; or in the case of a corner lot, a line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut; or in the case of a double fronting lot, the front lot line shall be determined by a Development Officer based on the location of permitted access and the orientation of other development in the block. In the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road.

LOT LINE, REAR means either the lot line opposite to, and most distant from, the front lot line, or, where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from and opposite the front lot line.

LOT LINE, SIDE means any lot boundary line that is not a front or rear lot line.

LOT WIDTH means the width of a lot where it abuts the road except in the case of an irregularly shaped lot such as a pie lot where the width shall be the horizontal distance between the side lot lines at 9 m from the front lot line. For a reverse pie lot, the lot width is the horizontal distance between the side lot lines 22 m from the front lot line. For other lots where the lot width can not be reasonably calculated by these methods, a Development Officer shall determine the lot width having regard to the access, shape and buildable area of the lot, and the lot width and location of buildings on abutting lots.



MAINTENANCE, with respect to a sign, means the cleaning, painting, repair, or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not change the sign area. (Bylaw 15-2010)

MANUFACTURED HOME means a transportable, single or multiple section single detached dwelling unit conforming to CAN/CSA Z240 MH Series certified standards at time of manufacture. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions.

MANUFACTURED HOME, DOUBLEWIDE means a manufactured home consisting of two sections separately towed, designed to be joined together, side by side, into one integral dwelling unit on site.

MANUFACTURED HOME, SINGLEWIDE means a manufactured home designed specifically to be towed in a single load and consisting of one integral dwelling unit. This includes a manufactured home designed specifically to be towed in a single load and consisting of one integral dwelling unit, but which is reassembled on site by placing parts of the unit side by side.

MANUFACTURED HOME PARK means a development for manufactured homes not having a registered plan of subdivision of individual lots. Spaces, or spaces with individual manufactured homes already sited on them, may be rented. Ownership and responsibility for the maintenance of internal roads, underground services, communal areas and buildings, snow clearance, and garbage collection, together with general park management, rests with the management. This does not include the situation where an additional agricultural dwelling unit is located on a lot where the principal dwelling unit is a manufactured home.

MANUFACTURED HOME SPACE means an area set aside and designated within a manufactured home park for the installation and placement of a manufactured home, including space for the exclusive accessory use by the owner or occupant of that manufactured home. It may also mean a lot in a subdivision designed for mobile homes.

MARINA means a facility that extends into or over an inland lake or stream and provides service to the public or members of a marina for docking, loading or other servicing of recreational watercraft. (Bylaw 16-2004)

MASSAGE SERVICE means a business providing the application of physical external manipulation of the soft tissues of the human body by another person. It does not include massages administered as part of a skin care treatment by an aesthetician (where the massage is for the purpose of product application and is a minor or incidental part of the treatment) or massages administered by medical or therapeutic professionals registered or entitled to practice under provincial legislation.

MEDIAN means any part of a roadway between vehicle travelling lanes, which is not intended for vehicle traffic.

MODEL AIRCRAFT means a scale-size aircraft used for recreational purposes with a weight not exceeding a total of 35 kg that may be mechanically driven, propelled or launched into flight and, that is not designed for, or capable of carrying persons or other living creatures. Typical model aircraft include airplanes and helicopters. (Bylaw 17-2008)

MODEL AIRCRAFT FACILITY means an area on land or water that is used or intended to be used for flying model aircraft. (Bylaw 17-2008)

MODULAR HOME means a finished section(s) of a complete dwelling built in a factory for transport to the site for installation. Finished means fully enclosed on the exterior and interior but need not include interior painting, taping, installation of cabinets, floor covering, fixtures, heating system, and exterior finishes. This conforms to the Alberta Building Code.

MOTEL means a development divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include food services and personal service establishments.

MULTIPLE HOUSING means town housing, apartments, apartment hotels, and manufactured home parks.

MULTIPLE OCCUPANCY COMMERCIAL & INDUSTRIAL USE means a building that is occupied by two or more tenants, businesses or uses.

N

N/A means not applicable, that there is no particular regulation in that district for that category, but that the other regulations in this *Bylaw* still apply.

NEIGHBOURHOOD PUB means development where the primary purpose is the sale of alcoholic beverages to the public for consumption on the site. This use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical uses include neighbourhood pubs, bars, beverage rooms, and cocktail lounges. Entertainment is a very minor component of the operation.

NIGHTCLUB means development where the primary purpose is the sale of alcoholic beverages to the public. This use typically has a limited menu, minors are prohibited from patronizing the establishment during at least some portion of the hours of operation, and a significant portion of the facility is designed for entertainment. Typical uses include but are not limited to beverage rooms, dance clubs, cocktail lounge, cabarets, nightclubs, theatre restaurants, and banquet facilities.

NON-RESIDENT ON-SITE EMPLOYEE means any person employed by the resident operator of a home business who normally works on the site of the home business more than a total of 4 hours in a consecutive 7-day period as part of their employment. Employees who work off-site or occasionally attend the site for less than this period of time in any 7-day period shall not be considered a non-resident on-site employee.

NUISANCE means anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of noise, smoke, dust, odour, heat, light, fumes, fire or explosive hazard; results in the unsightly or unsafe storage of goods, salvage, junk, waste or other materials; poses a hazard to health and safety; or adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building.

O

OFFICE means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacture or handling of a product.

OFFICE, CALL CENTRE means development primarily for the provision of information and/or technical services associated with professional, management, administrative, consulting or financial services or businesses, and located in an office setting. Typical uses include but are not limited to establishments providing on-line computer information service, internet access providers, telephone based information service or information research service providers, direct on-line or telephone based marketing or sales of products or services developing databases for businesses. This excludes government services or typical uses described in the office definition. (Bylaw 13-2003)

OPEN SPACE means that portion of a lot not occupied by parking or vehicle areas, buildings, accessible to, and suitable for gardens, landscaping, and recreational use by building tenants or residents. This does not include recreation vehicle storage.

OUTDOOR STORAGE means the accessory storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of

permanent structures or the material alteration of the existing state of the land. Typical uses include but are not limited to pipe yards or vehicle or heavy equipment storage compounds. This does not include recreation vehicle storage. (Bylaw 34-2011)

OWNER means the Crown or the registered owner of an estate in fee simple or an agent authorized in writing.



PARAPET or PARAPET WALL means that portion of a perimeter building wall that rises above the roof.

PARK means any public outdoor land specifically for passive or active recreation including tot-lots, playgrounds, walkways, trails, environmentally significant areas, band shells, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land uses. It includes all natural and man-made landscaping, facilities, sports fields, accesses, trails, buildings and structures consistent with the general purpose of public park land whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. This includes a broad range of accessory uses, including commercial, which serve park users and are compatible with park objectives.

PARKING SPACE means an off-road space of the size and dimensions to park one vehicle in conformance with Section 8 of this *Bylaw* exclusive of driveways, aisles, ramps, or obstructions.

PARKING, NON-ACCESSORY means vehicular parking that is not primarily intended for the use of residents, employees, or clients of a particular development. Typical uses include surface parking lots and parking structures above or below grade.

PARTY WALL means a wall jointly owned and jointly used by two parties under easement agreement or by right in law, and erected at or upon a line separating two parcels of land, each of which is, or is capable of being, a separate real estate entity.

PATIO means a structure with the top of the floor less than 0.6m in height above finished grade without a roof or walls which is designed and intended for use as an outdoor amenity area. (Bylaw 14-2008)

PAWNSHOP means the use of premises by a person involved in the loaning of money at interest on the security of personal property deposited. This does not include a secondhand retail store.

PENTHOUSE means a structure projecting above a building roof or parapet, housing an elevator shaft or stairwell; or forming a wall or screen around equipment mounted on the roof.

PERSONAL SERVICE ESTABLISHMENT means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but does not include health services.

PIPELINE means the pipelines as defined in the *Alberta Pipeline Act* or the *National Energy Board Act*.

PORCH means a roofed, open structure projecting from the exterior wall of a building with walls which are open or screened to facilitate use as an outdoor living area.

PREMISES means, an area of land, including a lot or parcel of land with or without buildings.

PRIVATE CAMP means social or recreational activities of members of a non-profit, religious, philanthropic, athletic, business or organization, with or without on-site campsites or dwelling units, but generally with an outdoor emphasis. Private camps may include rooms for eating,

drinking and assembly purposes.

PRIVATE CLUB means an indoor development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private clubs may include rooms for eating, drinking, and general assembly.

PRIORITY ENVIRONMENT MANAGEMENT AREA: means areas that may or may not include sensitive environmental or natural resources. Numerous variables are considered in the ranking and mapping of priority environmental management areas which include wetlands, hydrology, species at risk, groundwater, native vegetation, C.L.I. soil class, topography, and natural area quality and sustainability (i.e. current land management, habitat type, ecological connectivity, ecological condition, and wildlife use). The ranking of priority environment management areas is as follows:

- a) High Priority: an area that includes a large amount of sensitive environmental or natural resources.
- b) Medium Priority: an area that includes a moderate amount of sensitive environmental or natural resources.
- c) Low Priority: an area that has very few, if any, sensitive environmental or natural resources. (Bylaw 5-2007)

PUBLIC UTILITY means a system or works used to provide water or steam, sewage disposal, municipal public transit, irrigation, drainage, fuel, electric power, heat, waste management, or street lighting for public consumption, benefit, convenience, or use.

Q

QUANTITATIVE RISK ASSESSMENT means the evaluation (in numerical terms) of the likelihood of undesired events and the likelihood of harm or damage being caused together with the significance of the results. (Bylaw 30-2004)

R

RECLAMATION PLAN is a description of the procedures used to return the site to equivalent land capability (this may involve returning the site to conditions and land uses that are similar to the pre-development setting or, in some instances, to an approved alternate land use different than before). It is based on pre-disturbance site assessments of soil, landscape, and vegetation, and land use and focuses on (a) facility planning including discussion of minimizing disturbance; (b) land conservation planning focusing on soil salvage and materials handling, and (c) land reclamation planning including end land use objectives for the reclaimed site and how equivalent land capability will be returned

RECREATION, COMMUNITY means development for recreation, social or multi-purpose uses primarily intended for local community purposes. Typical uses include but are not limited to community halls, non-profit social, service and outdoor recreation clubs, and centres operated by a local community association.

RECREATION, INDOOR means facilities within an enclosed building for sports, active recreation and performing and cultural arts where patrons are predominantly participants. Typical uses include but are not limited to arenas, athletic clubs, health and fitness clubs, gymnasiums, swimming pools, rifle and pistol ranges, bowling alleys, and racquet clubs. This does not include minor or major gaming facilities.

RECREATION, OUTDOOR means lands used for recreational activities, for profit or not,

which are primarily conducted outdoors and which utilize tracts of land and may or may not require facilities or structures. Typical uses include cross-country ski trails, walking or cycling paths, ski hills, sports fields, playgrounds, and golf driving ranges. (Bylaw 16-2004)

RECREATION, OUTDOOR MOTORIZED VEHICLE FACILITY means a facility for vehicular and/or motorized sports activities conducted outdoors on both land and water. Typical uses include sport recreational vehicle facilities such as motor bikes, snowmobiles, motor vehicle race courses and boating facilities. (Bylaw 16-2004)

RECREATION VEHICLE STORAGE means the use of a building and/or site primarily for the storage of vehicles such as travel trailers, motorhomes, slide-in campers, chassis-mounted campers and tent trailers but does not include manufactured homes. (Bylaw 37-2005)

RECYCLING, DEPOT means development used for the buying, collection, sorting, and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. This does not include recycled materials drop-off centres.

RECYCLING, DROP-OFF means a development used for the collection and temporary storage of recyclable materials. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal and similar household goods. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. This does not include recycling depots or recycling plants.

RECYCLING, OIL DEPOT means the use of an enclosed building specifically intended for temporary storage of used automotive petroleum products and containers excluding any dangerous or hazardous materials or containers. Materials temporarily stored on site shall be limited to domestic products.

RELIGIOUS ASSEMBLY, MAJOR means a building wherein people regularly assemble for worship and related religious, philanthropic or social activities that is maintained and controlled for public worship. Religious assembly is major where the seating capacity exceeds 250 seats and the maximum size of the building or structure exceeds 930 m² in gross floor area. Typical uses include churches, chapels, mosques, temples, synagogues, convents, and monasteries. It also includes accessory manses or rectories. (Bylaw 40-2004)

RELIGIOUS ASSEMBLY, MINOR means a building wherein people regularly assemble for worship and related religious, philanthropic or social activities that is maintained and controlled for public worship. Religious assembly is minor where the seating capacity does not exceed 250 seats and the maximum size of the building or structure does not exceed 930 m². Typical uses include churches, chapels, mosques, temples, synagogues, convents, and monasteries. It also includes accessory manses or rectories. (Bylaw 40-2004)

RESIDENTIAL SALES CENTRE* means a building used for a limited period of time for the purpose of marketing residential land or buildings as regulated by Section 9.5 of this *Bylaw*.

RESIDENTIAL SECURITY/OPERATOR UNIT means a secondary building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a commercial establishment, or for the on-duty security personnel at a storage facility when permitted in a district. No more than one residential security operator unit is permitted on a site.

RETAIL, ADULT means the use of any building for the offering for rent, use, viewing, or sale of an object (other than a contraceptive device), service, or entertainment which is designed or intended to be used in, or is a depiction of, a sexual act.

RETAIL, ALCOHOL* means a retail store licensed to sell beer, wine, spirits, cider, and coolers to the public. Typical uses liquor stores and wine and beer stores.

RETAIL, CONVENIENCE means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises

which do not exceed 235 m² in gross floor area. Typical uses include but are not limited to small food stores, drug stores and variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, or the rental of videos, but does not include the sale, trade or distribution of drug paraphernalia. **(Bylaw 33-2009)**

RETAIL, DRUG PARAPHERNALIA means premises where drug paraphernalia is offered for sale, trade or distribution, but does not include:

- a) a licensed pharmacy under Section 5 of the Pharmacy and Drug Act, R.S.A. 2000, c. P-13;
- b) a medical practice, operated by a physician, dentist or pharmacist as defined in the Health Professions Act, R.S.A. 2000, c. H-7; or
- c) a veterinary practice, as defined in the Veterinary Profession Act, R.S.A. 2000, c. V-2. **(Bylaw 33-2009)**

RETAIL, GENERAL means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This use excludes warehouse sales, pawnshops, retail stores requiring outdoor storage and, the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or secondhand goods, and the sale, trade or distribution of drug paraphernalia. Minor government services, such as postal services, are permitted within general retail stores. **(Bylaw 33-2009)**

RETAIL, SECONDHAND means development used for the retail sale of second-hand or used major and minor household goods, including the refurbishing and repair of the goods being sold. Typical uses include but are not limited to the resale of items such as antique, used furniture, major appliances, and the resale of clothing, jewelry, stereos and musical instruments. This does not include pawnshops, flea markets, auctioneering establishments, the sale of used vehicles, recreation craft, or construction and industrial equipment, or the sale, trade or distribution of drug paraphernalia. **(Bylaw 33-2009)**

RIGHT OF WAY means a legal document, usually a plan of survey, where land is required for an easement or right of way, a purpose incidental to the undertaking for which a right of way is required.

RISK refers to a measure of the probability and severity of an adverse effect due to a hazard. **(Bylaw 30-2004)**

RISK ASSESSMENT means the characterization of the likelihood and importance of risks. Risk assessments involve estimating:

- a) the likelihood or expected frequencies of undesirable events;
- b) consequences to people of these undesirable events; and
- c) the associated risk in quantitative terms. **(Bylaw 30-2004)**

ROAD means land shown as road on a plan of survey that has been filed or registered in the Land Titles Office or used as a public road.

ROAD, FLANKING means a road that abuts a side lot line.

ROAD, RURAL means a public roadway in a rural area outside the Sherwood Park Urban Service Area that is not a provincial highway or located within designated hamlets and subdivisions.

ROOFLINE means the horizontal line made by the intersection of the wall of the building with the roof of the building or the top of the edge of the parapet. In the case of a building with a pitched roof, the roofline shall be at the eave level.

S

SATELLITE DISH means an accessory structure designed to send or receive telecommunication signals from a satellite. (Bylaw 83-2001)

SEASONAL DECORATION means temporary ornaments and displays erected in conjunction with seasonal or holiday activities such as Christmas or Canada Day, where such ornaments and displays contain no local or general advertising of specific commercial services, merchandise, or entertainment.

SECONDARY SUITES means an additional dwelling unit located within an owner-occupied single dwelling or, within an accessory structure that is located on a residential parcel. A secondary suite shall not be located within duplex housing, semi-detached housing, fourplex housing, town housing, or apartment housing. This use does not include boarding and lodging houses. (Bylaw 16-2008)

SEMI-DETACHED HOUSING means a development consisting of town housing of only two units. It does not include a duplex.

SENIOR CITIZEN HOUSING means accommodation constructed and financed in accordance with the provincial provisions or otherwise intended for retired residents.

SERVICE STATION, MAJOR* means development used for the servicing, washing, or repairing of vehicles; and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories. Major service stations may include restaurants and specialty food services. Typical uses include truck stops and highway service stations.

SERVICE STATION, MINOR* means development used for the routine washing, servicing or repair of vehicles within a building containing not more than three service bays; and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

SETBACK means the distance that a development must be set back from a property line or any other features specified by this *Bylaw*. A setback is not a yard.

SHOPPING CENTRE means one or more buildings containing more than six retail stores and other businesses exceeding 2500 m² of gross floor area which share common services, parking, and other facilities on one or more lots.

SIGN means a device, notice, or medium, including its support system and other components, that is used or is intended or capable of being used, to attract attention for advertising, identification or, for information purposes. (Bylaw 15-2010)

SIGN AREA means the total area of the sign including the area where copy is displayed, plus any poles, columns, braces, other supports or structural members. Where the dimensions of the sign are irregular, the size shall be calculated as the area of a rectangle enclosing the outer periphery of the sign. (Bylaw 15-2010)

SITE means an area of land consisting of a lot or two or more abutting lots.

SITE COVERAGE means the percentage of the total horizontal area of a lot or lots that may be built upon including accessory structures or structures (including carports, covered patios larger than 23 m²) excluding steps, eaves, cornices, cantilevered balconies, and similar projections permitted by this *Bylaw*, breezeways, open courtyards, decks, terraces or patios, driveways, aisles, and parking stalls unless they are part of a parking garage which extends more than 1.0 m above grade.

SITE DEPTH means the average horizontal distance between the front and rear lot lines.

SITE GRADING means any work, operation or activity that results in a disturbance of the earth including the removal of top soil or borrow, excavating, trenching, backfilling, filling, land

leveling, re-contouring and, grading other than for building purposes but does not include aggregate extraction, commercial logging, tree clearing, dugouts or the removal of any landscaping required by this Bylaw. Notwithstanding site grading is not listed as a use in any district, it is a discretionary use in all districts except where it is permitted by Section 3.1.(Bylaw 7-2009)

SLEEPING UNIT means a habitable room, or a group of two or more habitable rooms, not equipped with self contained cooking facilities, providing accommodation for guests. In a bed and breakfast, a sleeping unit shall not be designed to accommodate more than two adults. In accessory agricultural housing, a sleeping unit shall not be designed to accommodate more than one adult. (Bylaw 20-2008)

SPECTATOR SPORT means facilities intended for sports and athletic events that are held primarily for public entertainment, where patrons attend on a recurring basis. Typical uses include gymnasiums, stadiums, and arenas.

STOREY means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

STOREY, FIRST means the uppermost storey having its floor level not more than 2.0 m above building grade.

STRIPPING means any removal of topsoil from the land on which it is naturally located in preparation or performance of any activity which, without removal of topsoil would constitute a development within the meaning of the *Municipal Government Act*.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams, and girders.

STRUCTURE means a construction of any kind whether fixed to or supported by or sunk into land or water including towers, flag poles, swimming pools, docks, signs and tanks, and excludes areas of hardsurfacing.

STUDIO DWELLING UNIT means a dwelling unit in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a unit containing a separate bedroom or bedrooms.

SUBDIVISION means the division of a parcel by an instrument; including a condominium plan, the consolidation of, or boundary change to, two or more adjoining parcels; and subdivide has a corresponding meaning.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means the subdivision and development appeal board established by bylaw by Strathcona County.

T

TANDEM PARKING means two parking spaces, one behind the other, with a common or shared point of access to a maneuvering aisle, lane or road.

TEMPORARY SHELTER SERVICE means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical uses include but are not limited to hostels and over-night shelters.

TOP OF BANK means the upper natural topographical break that signifies the upper edge of the valley.

TOWN HOUSING means a development containing two or more dwelling units with a separate exterior entrance at grade that shares no more than two party walls with adjacent dwelling units. No part of any dwelling unit is placed over another in part or whole and every dwelling unit shall have a separate, individual, direct access to grade. It does not include a

duplex.

TREE CLEARING means the cutting down and/or removal of trees other than for commercial logging. It does not include the removal of any landscaping required by this *Bylaw*. Notwithstanding tree clearing is not listed as a use in any district, it is a discretionary use in all districts except where it is permitted by Section 3.1.

TRAFFIC CONTROL DEVICE means a sign intended to regulate, warn, or guide vehicular or pedestrian traffic.

TRUCK AND MANUFACTURED HOME SALE/RENTAL means development used for the sale or rental of new or used trucks, motor homes, manufactured homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include but are not limited to truck dealerships, recreation vehicle sales, and manufactured home dealerships.

U

URBAN SERVICE AREA means the boundaries of the Hamlet of Sherwood Park as designated in Ministerial Order 700/84 as amended from time to time or as repealed and replaced from time to time.

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be, occupied and maintained.

USE, ACCESSORY means a use that is normally ancillary, incidental, subordinate, and located on the same lot as the main use. Parking may be an accessory use when it serves the main use and does not serve uses on other sites. Accessory uses include recreational amenities in residential developments that are devoted to the exclusive use of residents living on the same site.

USE, DISCRETIONARY means a use listed in a specific district as a discretionary use for which a Development Officer has the discretion to approve or refuse a development permit for that use depending on the Development Officer's interpretation of the circumstances of the application. The intent is to provide flexibility to expand the range of uses where, in some circumstances, a discretionary use would be appropriate. The procedures for discretionary uses provide some opportunity for community input into decision making. The provisions of Section 3.7 limit the discretionary power of a Development Officer.

USE, NON-CONFORMING means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date this *Bylaw* affecting the land or building becomes effective and that on the date this *Bylaw* becomes effective does not, or in the case of a building under construction will not, comply with this *Bylaw*.

USE, PERMITTED means a use listed in a specific district as a permitted use for which a Development Officer must approve a development permit for that use if it complies with the *Bylaw*.

USE, PRINCIPAL means the main or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

USE, PROHIBITED means a use listed in an overlay district as a prohibited use for which a Development Officer shall not approve a development permit for that use regardless if they are permitted or discretionary in the underlying district.

UTILITY SERVICE, MAJOR means development for utility infrastructure purposes which is likely to have a major impact on adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include but are not limited to sewage treatment plants, water treatment plants, major pumphouses, water towers or tanks, sewage lagoons, snow dumping sites, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating stations, cooling plants, equipment and

material storage yards for vehicles, utilities and services, district heating plants, incinerators, and waste recycling plants. This use does not include waste management sites.

UTILITY SERVICE, MINOR means development for utility infrastructure purposes which is likely to have only minor impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses in this class include but are not limited to telephone exchanges, wire centres, switching centres, surface reservoirs or storm water lakes, minor pumphouse, communication towers, transit terminals, district energy and/or heating systems, and gate stations for natural gas distribution. (Bylaw 59-2004)



VARIANCE means the flexibility that may be exercised by a Development Officer to vary the regulations of this *Bylaw*. The intent is to provide an opportunity for regulatory flexibility, in unique circumstances, where there is no adverse impact on adjacent areas. The provisions of Section 3.8 limit the variance power of a Development Officer.

VEHICLE means any motor vehicle as defined in the *Highway Traffic Act*.

VEHICLE, HEAVY means any vehicle, with or without a load, that exceeds either a length of 12.5 m or a maximum gross vehicle weight of 5500 kg. Heavy vehicles do not include recreational camper vehicles.

VEHICLE, HOME BUSINESS means any vehicle, including a trailer, or piece of equipment in excess of 1000 kg that is used in the operation of the home business and this is normally maintained, parked, or stored on the home business site when it is not in use.

VEHICLE, RECREATIONAL CAMPER means a vehicle or a trailer designed, constructed, and equipped, either temporarily or permanently, as temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motorhomes, slide-in campers, chassis-mounted campers, and tent trailers but not manufactured homes.

VEHICLE REPAIR, MAJOR means the servicing and mechanical repair of automobiles, light trucks and utility vehicles, motorcycles, snowmobiles, recreational camper vehicles, and similar vehicles or the sale, installation or servicing of related accessories and parts. This includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops but does not include autobody repair, paint shops or wrecking yards. (Bylaw 37-2005)

VEHICLE REPAIR, MINOR means the servicing and mechanical repair of automobiles, light trucks and utility vehicles, motorcycles, snowmobiles, and similar vehicles. This does not include transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops, autobody repair, paint shops, or wrecking yards.

VEHICLE SALE/RENTAL means the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, together with incidental maintenance services, sales of parts and accessories. It includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4100 kg or the sale of motor homes with a gross vehicle weight rating of more than 5500 kg or a length greater than 6.7 m. This does not include truck and manufactured home sales/rentals. (Bylaw 62-2004)

VEHICULAR ORIENTED USE means a use that predominantly caters to automotive vehicular traffic. Vehicular-oriented uses include but are not limited to gas bars, service stations, financial institutions, drive-in food services, drive-through vehicle services, and similar developments providing drive-in services in which patrons generally remain within their vehicles.

VETERINARY SERVICE, MAJOR means the care and treatment of animals including

livestock, where the veterinary service primarily involves outpatient case and medical procedures involving hospitalization for fewer than 4 days. Typical uses include veterinary clinics and veterinary offices for the care of small animals and livestock. It may include outdoor storage.

VETERINARY SERVICE, MINOR means the care and treatment of animals where the on-site veterinary service primarily involves outpatient care and minor medical procedures involving hospitalization for fewer than four days for small animals. Typical uses include pet clinics but not animal breeding and boarding or animal hospitals and shelters.

W

WALKWAY means a right-of-way intended to carry pedestrian and non-motorized traffic only, except that a walkway may be designed for maintenance and emergency vehicle use.

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

WAREHOUSING AND STORAGE means the use of a building and/or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or parts thereof, or any waste material.

WASTE MANAGEMENT, MAJOR means a site used primarily for the storage, processing, treatment and disposal of solid and/or liquid wastes, which may have adverse environmental impact on adjacent sites by virtue of potential emissions and/or appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, recycling facilities, incinerators, sewage lagoons, wrecking and scrap metal yards, and similar uses.

WASTE MANAGEMENT, MINOR means a site used for the storage, disposal and filling of clean clay, waste concrete and paving materials, non-noxious scrap building materials, and similar non-hazardous wastes which normally do not generate any environmental pollution to the site and surrounding lands. This includes a dry waste site.

WATERCOURSE means the bed and shore of a river, stream, lake, creek, lagoon, swamp, slough, marsh, or a canal, ditch, reservoir or other man-made feature, whether it contains or conveys water continuously or intermittently.

WRECKING YARD means any land or building used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including scrap metal, vehicles, machinery, and other discarded materials.

Y

YARD, FRONT means the area between side lot lines extending from the front lot line to the nearest wall of a building. On a corner lot, it is the yard associated with the front lot line.

YARD, REAR means the area between the side lot lines extending from the rear lot line to the nearest wall of a building.

YARD, SIDE means that part of the lot which extends from a front yard to the rear yard between the side lot line and the nearest wall of a building or structure.