

**VILLAGE OF GLENWOOD
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 192-2024

BEING a bylaw of the Village of Glenwood in the Province of Alberta, to amend Bylaw No. 192-2019, being the Land Use Bylaw;

WHEREAS the Council of the Village of Glenwood desires to amend existing Land Use Bylaw 192-2019 to clarify and update administrative policies and procedures, adding specific definitions, adding new and additional criteria for the development of shipping containers, multi-purpose dwellings and accessory buildings.

AND WHEREAS the purpose of proposed Bylaw No. 192-2024 is to:

- Increase the variance that may be issued by the Development Officer from 10% to 25% to one measurable standard of the bylaw;
- Add policy regarding the completeness of subdivision applications;
- Add a list of permitted and discretionary uses for each land use district from the existing Schedule 2 Use Table to Schedule 1 Land Use Districts including the addition and deletion of specific uses from land use districts;
- Remove Shipping container, permanent from certain land use districts;
- Add definitions for Tourist home / short term rental and Multi-purpose dwelling to Schedule 2, Section 3;
- Add criteria for the development of shipping containers, multi-purpose dwellings, tourist homes / short term rentals and accessory structures;
- Make corresponding administrative amendments to ensure alignment of the Land Use Bylaw.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Village of Glenwood in the Province of Alberta duly assembled does hereby enact the following:

1. Bylaw No. 192-2019 being the Land Use Bylaw, is hereby amended by Bylaw 192-2024 as indicated in the attached Schedule 'A'.
2. That the aforementioned amendment to Land Use Bylaw 192-2019, shall make use of formatting that maintains the consistency of the portions to the bylaw being amended.
5. Bylaw No. 192-2024 shall come into effect upon third and final reading thereof.
6. Bylaw No. 192-2019 is hereby amended and consolidated.

READ a **first** time this 12 day of June, 2024.



Mayor – Linda Allred



Chief Administrative Officer – Cynthia Vizzutti

READ a **second** time this ^{4th} 12 day of June, 2024.

Linda J. Allred.
Mayor – Linda Allred

Cynthia Vizutti
Chief Administrative Officer – Cynthia Vizutti

READ a **third** time and finally PASSED this ^{4th} 12 day of June, 2024.

Linda J. Allred.
Mayor – Linda Allred

Cynthia Vizutti
Chief Administrative Officer – Cynthia Vizutti

SCHEDULE 'A'

1. That the Administrative Section, Section 13 be amended by deleting the strikethrough and adding the text in red:

SECTION 13 DEVELOPMENT OFFICER – POWERS AND DUTIES

13.2 *The Development Officer:*

- (d) (ii) *permitted uses that request one (1) variance of a measurable standard not to exceed ~~10~~ 25 percent;*

2. That the Administrative Section, Section 31 be amended by adding the text in red:

SECTION 31 TEMPORARY USE

31.1 Where in the opinion of the Municipal Planning Commission, a proposed use is of a temporary nature, **or is of a nature that it should be subject to a limited term approval**, it may approve a temporary development permit valid for a period of up to one year for a use, provided the use is listed as a ~~permitted use~~, discretionary use or deemed similar to a ~~permitted~~ or discretionary use in the applicable land use district.

31.2 **Where this bylaw specifically establishes a use as being one of a temporary nature the use shall be subject to the development standards established specifically for that use.**

31.3 Temporary use applications shall be subject to the following conditions:

- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;
- (b) the Municipal Planning Commission may require the applicant to submit an irrevocable letter of credit, performance bond or other acceptable form of security guaranteeing the cessation or removal of the temporary use; and
- (c) any other conditions as deemed necessary.

31.4 A use deemed temporary in nature **or subject to a limited term approval** shall be processed in accordance with the corresponding Sections 29-32 of this bylaw. Notification of adjacent landowners and other persons likely to be affected, including Cardston County, government departments and referral agencies shall be in accordance with Section 33 of this bylaw.

3. That the Administrative Section, Section 49 be amended by adding the text in red:

SECTION 49 APPLICATION AND DECISION

49.1 An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A complete application shall consist of:

- (a) *an official application, in the manner and form prescribed, clearly and legibly completed with all the required information and signatures provided as requested on the form; and*
- (b) *the applicable fees paid; and*
- (c) *an up-to-date and current copy of the Certificate of Title to the subject land; and*
- (d) *a surveyor's sketch or tentative subdivision plan with dimensions, structures, location of private sewage disposal system, professionally prepared; and*
- (e) *provincial abandoned gas well information; and*
- (f) *any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the Land Use Bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use; and*
- (g) *the consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the MGA must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.*

49.2 *In accordance with the MGA, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:*

- (a) *for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter;*
- (b) *for an application determined to be incomplete, written notification shall be given to the applicant which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority;*
- (c) *in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.*

49.3 *Notwithstanding Section 49.2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the MGA to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.*

- 49.4 *A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.*
- 49.5 *The Subdivision Authority may refuse to accept and process a subdivision application where the information required and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.*
- 49.6 *If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons. The notification shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the MGA.*
- 49.7 *All applications for subdivision approval shall be evaluated by the Municipal Planning Commission in accordance with the following criteria:*
- (a) compliance with statutory plans, bylaws, and regulations;*
 - (b) adequacy of road access;*
 - (c) provision of municipal services and utilities, including a storm water drainage plan;*
 - (d) compatibility with adjacent land uses;*
 - (e) accessibility to emergency services;*
 - (f) site suitability in terms of minimum dimensional standards for lots and all other criterion in this bylaw as specified in the applicable land use district in Schedule 3;*
 - (g) any other matters the MPC may consider necessary.*
- 49.8 *For the purpose of infill development, an application which proposes to subdivide an accessory structure onto a separate lot may be considered by the Municipal Planning Commission where:*
- (a) the proposed lots meet the provisions of Schedule 3 (Dimensional Standards and Setbacks);*
 - (b) the existing and proposed buildings meet the provisions of Schedule 3 (Dimensional Standards and Setbacks) based on the lot proposed layout;*
 - (c) the access of each lot is provided from a public roadway, not a lane or laneway.*

4. That the Administrative Definitions be amended by adding the text in red:

LOCK-UP STAGE means the point in time respecting a construction project when the walls, roof, windows and doors have been installed so that the structure may be secured.

SECTION 2 INTENT OF LAND USE DISTRICTS

2.1 Residential – R

This district is intended to provide a residential environment with an appropriate range of housing types that comply with standards outlined in the Schedule 6 Residential Standards of Development.

PERMITTED USES

*Accessory building
Accessory structure
Accessory use
Contractor, limited
Day home
Dwelling, single-unit
Personal services
Solar collector, roof-mounted
Shipping container, temporary
(not more than 1)*

DISCRETIONARY USES

*Agriculture
Animal care service, small
Apartment building
Assisted living
Autobody and paint shop
Auto sales and service
Bed and breakfast
Boarding or lodging house
Childcare facility
Dwelling, 2, 3, & 4-unit
Garden centre or greenhouse
Group care facility
Institutional
Manufactured home
Moved-in building
Moved-in dwelling
Multi-purpose dwelling
Public or private recreation
Religious assembly facility
Senior housing
Solar collector
Tourist home / short term rental
Towing operation (no vehicle storage)
WECS, micro, mini, or small*

2.2 Commercial – C

This district is intended to accommodate a variety of retail, service, and office uses, which primarily cater to the daily needs of the residents of the Village of Glenwood.

PERMITTED USES

*Accessory building
Accessory structure
Accessory use
Animal care service, small
Business support service
Contractor, limited
Convenience store
Eating establishment
Equipment sales, rental & service
Farmer's market
Financial institution
Medical / health facility*

DISCRETIONARY USES

*Amusement facility
Autobody and paint shop
Auto sales and service
Campground
Car wash
Childcare facility
Club or fraternal organization
Community association building
Entertainment establishment
Funeral home
Garden centre or greenhouse
Golf course*

Office
Personal service
Retail
Shipping container, temporary
(not more than 1)
Solar collector, roof-mounted
Tourist information

Government services facility
Group care facility
Hotel / motel
Institutional
Mixed use building
Moved-in building
Public or private recreation
Public or private utility
Religious assembly facility
Service Station / gas bar
Solar collector
Towing operation
Tourist home / short term rental
Transportation / delivery
Truck dispatch / depot
Truck stop
Truck wash
WECS, micro, mini, or small

2.3 **Industrial – I**

This district is intended to accommodate a range of primarily industrial and warehousing uses while allowing uses that may require large lots, special siting and/or servicing or which may be considered noxious or hazardous.

PERMITTED USES

Accessory building
Accessory structure
Accessory use
Business support service
Contractor, general
Contractor, limited
Convenience store
Club or fraternal organization
Eating establishment
Equipment sales, rental & service
General warehousing & storage
Light industrial/manufacturing
Lumber yard
Mini-storage
Office
Outdoor storage
Personal service
Public or private utility
Retail
Shipping container, temporary
Solar collector, roof-mounted
Tourist information
Transportation / delivery service
Truck dispatch / depot
Towing operation

DISCRETIONARY USES

Agriculture
Animal care, large
Auctioneering facility
Amusement facility
Autobody and paint shop
Auto sales and service
Bulk fuel station
Campground
Car wash
Childcare facility
Convenience store
Community association building
Entertainment establishment
Funeral home
Garden centre or greenhouse
Golf course
Government services facility
Grain elevator
Group care facility
Hotel / motel
Institutional
Mixed use building
Moved-in building
Public or private recreation
Religious assembly facility

Seed cleaning plant
 Service Station / gas bar
 Shipping container, permanent
 Solar collector
 Truck stop
 Truck wash
 WECS, micro, mini, or small

2.4 **Public – P**

This district is intended to assist in the development of government, educational, medical, social and other public and institutional uses.

PERMITTED USES

Accessory building
 Accessory structure
 Accessory use
 Cemetery and interment
 Childcare facility
 Community association
 Institutional
 Parks and playgrounds
 Religious assembly
 School/educational facility
 Solar collector, roof-mounted
 Shipping Container, temporary
 Tourist information

DISCRETIONARY USES

Agriculture
 Campground
 Club or fraternal organization
 Eating establishment
 Farmer’s market
 Golf course
 Grouped care facility
 Moved-in building
 Public or private recreation
 Public or private utility
 Waste management transfer station
 Wastewater treatment plant
 Water treatment plant
 WECS, micro, mini, or small

5. That the Schedule 2, Section 2 Use Table be amended by adding the following uses in red and deleting the following uses by strikethrough:

Use Category	Specific Use Type	Land Use Districts				Development Standard
		R	C	I	P	
General		R	C	I	P	
	Accessory building	P	P	P	P	Schedule 6 Section 1
	Accessory structure	P	P	P	P	
	Accessory use	P	P	P	P	
	Moved-in building	D	D	D	D	
	Shipping container, permanent	P	P	D	P	Schedule 5 Section 6
	Shipping container, temporary	P	P	P	P	Schedule 5 Section 6
Residential		R	C	I	P	
	Multi-purpose dwelling	D	D	D		Schedule 5 Section 15
	Tourist home / short term rental	D				Schedule 5 Section 16

6. That the Schedule 2, Section 3 Land Use Definitions be amended by adding the following definitions in red:

***CLUB OR FRATERNAL ORGANIZATION** refers to a physical structure for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic or business organizations. This use may include eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses but "Campground" is a separate use.*

***TOURIST HOME / SHORT TERM RENTAL** means a dwelling unit operated as a rental or lease accommodation unit, occupied by a guest or guests for a period not to exceed 28 days. The dwelling owner/operator may or may not be residing in the dwelling during the period it is being occupied by guests.*

***MULTI-PURPOSE DWELLING** means a dwelling unit that is contained, wholly or partly, within an accessory building that appears, predominantly, as an accessory building and shall be considered either the principal dwelling or a second dwelling unit on the parcel.*

***TOWING OPERATION** means a business engaged in transporting vehicles to an alternate location which may include the storage of vehicles as an accessory use if expressly approved by the Development Authority.*

7. That the Schedule 5, General Standards of Development, be amended by deleting the strikethrough and adding the text in red:

SECTION 6 SHIPPING CONTAINERS

6.1 A shipping container may be placed temporarily on a construction site for the period of *associated with construction or moving*, with an approved development permit, subject to the following provisions:

(a) Temporary shipping containers are subject to the standards in subsection **6.1**, **6.2** and **6.3** of this schedule.

(b) The construction *or moving* site is active (i.e., ~~construction~~ has commenced and is on-going or is about to commence within one week) *and may only remain on site until the building is to lock-up stage, or by the date stated for removal on the development permit, whichever comes first unless an extension has been applied for and granted*; placement of a shipping container on an inactive construction site is prohibited.

(i) in no case shall a temporary permit be valid for over 12 months, unless an extension is applied for and approved by the Development Officer prior to the original date for removal.

(c) Setbacks for a temporary shipping container shall be as required by the Development Officer.

(d) The *temporary* shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Officer.

6.2 A *temporary* shipping container in a district where it is listed as a use is subject to the following additional provisions:

- (a) Only 1 container to a maximum of 40 ft (12.2 m) in length or 2 containers not exceeding a total of 40 ft (12.2 m) in length, is allowable on a parcel of land. Note that “not more than 1 container” is to be interpreted as up to 2 containers with a cumulative length not exceeding 40 ft. (12.2 m).
- (b) The maximum lot coverage and setback requirements for accessory structures in the applicable land use district.
- (c) The shipping container may only be permitted in the secondary front, rear, or side yard. ~~and~~
- (d) The shipping container shall not display advertising, company logos, names or other marketing.

6.3 Any shipping container shall be subject to the following general standards:

- (a) An application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of four recent colour photographs of each container (one of each side view).
- (b) There shall be a legally existing or approved primary use on the property where the shipping container is proposed.
- (c) A \$2500.00 deposit will be required as a condition of the development permit to ensure compliance with the conditions of approval. The deposit must be submitted prior to the placement of the shipping container on the site. This is applicable to both temporary and permanent shipping containers.
- (d) The Development Officer may regulate the maximum number of shipping containers permitted on a lot.
- (e) The Development Officer may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing.
- (f) The Development Officer may require as a condition of approval that any shipping container be sandblasted and/or painted a neutral or complementary colour to match the existing building(s) on the property.
- (g) The Development Officer may require as a condition of approval that the exterior of the shipping container be kept clean and regularly painted in a neutral or complementary colour to match the existing building(s) on the property.

SECTION 15 MULTI-PURPOSE DWELLING

MULTI-PURPOSE DWELLING means a dwelling unit that is contained, wholly or partly, within an accessory building that appears, predominantly, as an accessory building and shall be considered either the principal dwelling or a second dwelling unit on the parcel.

15.1 The combined building may have the dwelling unit located on the main or second floor and shall have an entrance separate from the entrance to the accessory building either from a common indoor landing or from the exterior of the structure.

15.2 The dwelling unit portion of a multi-purpose dwelling shall:

- (a) have a minimum floor area of 74.3 m² (800 ft.²), and

(b) appropriate separation between the dwelling unit and accessory building shall be maintained in accordance with the Alberta Safety Codes Act.

15.3 The maximum height of the doors in the accessory portion of the building should not exceed 4.2 metres (14 ft.)

15.4 A Multi-purpose dwelling shall only be approved where the proposed building is of a style (ie. design, building materials, window placement etc.) that is, in the opinion of the Municipal Planning Commission, appropriate in a residential district.

SECTION 16 TOURIST HOME / SHORT TERM RENTAL

A tourist home / short term rental (Tourist home) means a dwelling unit operated as an accommodation unit, occupied by a guest or guests for a period of less than 28 days.

16.1 Tourist homes are prohibited in any land use district except where they are expressly listed as a discretionary use.

16.2 Where approved, tourist homes shall be developed and operated in accordance with the following regulations in order to ensure that the impacts of this commercial use do not unduly affect the amenities of the residential neighbourhood in which they are located:

(a) Tourist homes require a development permit. A permit may be revoked at any time if, in the opinion of a designated officer, the operator has violated any provision of this bylaw or the conditions of a permit.

(b) The Development Authority may establish a maximum number of guests that are allowed as a condition of approval for a Tourist home.

(c) Tourist homes shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood.

16.3 The operator of the tourist home shall:

(a) keep and maintain, or have kept and maintained by a company or individual identified in the development permit application, a guest register;

(b) provide 1 on-site (ie. off-street) parking stall per bedroom. Parking stalls may be allowed in a tandem arrangement at the discretion of the Development Authority;

(c) not display any form of advertising related to the tourist home except as provided for in this bylaw and until after a development permit is issued;

(d) ensure that all parts of the dwelling conforms to the Alberta Safety Codes Act.

8. That the Schedule 6, Residential Standards of Development, be amended by adding the following in red:

SECTION 1 ACCESSORY BUILDINGS

1.1 The first accessory building, which is 11.1 m² (120 ft²) or less in area, placed on a parcel does not require a development permit, but any second or subsequent accessory building regardless of size shall require a development permit and the Municipal Planning Commission may limit the number of accessory buildings on a lot.

- 1.2 *Accessory buildings shall be located at least 1.2 m (4 ft) from the principal building.*
- 1.3 *Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.*
- 1.4 *Accessory buildings or structures shall not be located in the front yard in relation to the principal building.*
- 1.5 *No accessory building, structure and/or use shall be allowed in the Village unless a principal building, structure or use is in existence on the property or a duly issued permit has been approved by the Village for the construction of the principal building, structure or use.*
- 1.6 *The maximum height for an accessory building or structure shall be 5.0 m (16.4 ft).*