

**BYLAW NO. 22-01**  
**TOWN OF STRATHMORE**  
**IN THE PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF STRATHMORE IN THE PROVINCE OF ALBERTA**  
**TO AMEND THE LAND USE BYLAW NO. 14-11.**

**WHEREAS** the *Municipal Government Act*, being Chapter M-26, of the *Revised Statutes of Alberta 2000* and amendments thereto provides authority for the Town to regulate such matters;

**AND WHEREAS** Council holds public hearings as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended;

**NOW THEREFORE BE IT RESOLVED THAT** the Municipal Council of the Town of Strathmore, in the Province of Alberta duly assembled **HEREBY ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

1.1. This Bylaw may be cited as the "Land Use Bylaw Amending Bylaw No. 22-01."

**2. AMENDMENTS**

2.1. That Bylaw No. 14-11 Section 1.9 Authority and Responsibility of the Approving Authority is amended as follows:

- a) Amending Section 1.9 Authority and Responsibility of the Approving Authority, Subsection 6. f by adding "or 1.9.8".
- b) Amending Section 1.9 Authority and Responsibility of the Approving Authority, Subsection 7. b. by deleting "The Development Officer may vary any requirement up to 25%".
- c) Amending Section 1.9 Authority and Responsibility of the Approving Authority, Subsection 7. c. by deleting it in its entirety and replacing it with

"The Development Officer shall refer to Council any variance greater than 25% with the following exemptions:

- i. The Development Officer may grant a variance greater than 25% for Decks, Signs, or Accessory Buildings.
  - d) Amending Section 1.9 Authority and Responsibility of the Approving Authority by adding:

"The Development Officer or Approving Authority may approve an enlargement, alteration, or addition to a non-conforming building if the non-conforming building complies with the Uses prescribed for that land in this Bylaw and the proposed development would not, in their opinion:

    - a. Unduly interfere with the amenities of the neighbourhood; or
    - b. Materially interfere with or affect the use, enjoyment, or value of neighbouring properties."
- 2.2. That Bylaw No. 14-11 Section 1.15 No Development Permit Required is amended as follows:
  - a) Amending Section 1.15. No Development Permit Required, Subsection 1. c. by adding "of 2m or less in height" so it now reads:

"The erection, construction or the maintenance of gates, fences, walls, or other enclosures **of 2m or less in height**, or of retaining walls of 1m or less in height, provided that its erection does not contravene any other provisions in this bylaw"
  - b) Amending Section 1.15 No Development Permit Required Subsection 1 by adding under Subsection 1.
    - i. Home Offices
  - c) Amending Section 1.15 No Development Permit Required, Subsection 1.t and Subsection 1.u. by deleting them in their entirety and replacing them with:

"A change of use on a Site where:

    - i. The Building in which the Use is to be located is part of an approved Development Permit;
    - ii. In the opinion of the Development Officer, the change of use does not change the intensity of the use of the structure; and



- iii. The proposed use is a Permitted Use in the Land Use District and meets all the requirements of the Land Use Bylaw.

This does not exempt a development from requiring a Building, Plumbing, Electrical or Gas Permit or from following the requirements in the Town's *Sanitary Sewer Fats Oils and Grease (FOG) Management Policy #4201*."

- 2.3. That Bylaw No. 14-11, Section 1.18 Notification, Issuance and Validity of Development Permits is amended as follows:

- a) Amending Section 1.18 Notification, Issuance and Validity of Development Permits Subsection 2 by adding "or 1.9.8" and "be published on the Town of Strathmore's Website" so it now reads:

"If the application is for a permitted use that requires a variance pursuant to Section 1.9.7 **or 1.9.8** of the Bylaw, or is for a discretionary use, the Development Officer shall also issue a notice stating the legal description of the property, civic address, and the nature of the use or development, to be send by ordinary mail to adjacent landowners and may, at the discretion of the Development Officer;

- a. Be published in a local newspaper circulating within the municipality;
  - b. Be posted conspicuously on the property; or
  - c. **Be published on the Town of Strathmore's website."**
- b) Amending Section 1.18 Notification, Issuance and Validity of Development Permits by adding:

"Subject to the provisions of the *Municipal Government Act*, any person

- a) affected by a decision issued by a Development Officer, or
- b) applying for a Development Permit

may appeal the decision of the Development Officer to the Subdivision and Development Appeal Board by filing a written notice of appeal with the Subdivision and Development Appeal Board within 21 days after the date of decision concerning the Development Permit was made."

2.4. That Bylaw No. 14-11, Section 2 – Definitions is amended as follows:

a) Amending Section 2 – Definitions by adding the following new definition

**"Agricultural Processing – Major** means a large-scale business operation that includes the use of land and/or a building for the upgrading of a product for distribution or sale that was originally produced in an agricultural operation. Due to the large-scale nature of the business, the agricultural products may be produced onsite or offsite. An Agricultural Processing – Major operation may produce some offsite impacts such as noise, appearance, or odour. *A Cannabis Micro Production Facility is excluded from this use.*"

b) Amending Section 2 – Definitions by deleting "Service Station" from the following Definitions:

- i. Automotive and Equipment Repair Shops
- ii. Automotive Service
- iii. Gas Bar

c) Amending Section 2 – Definitions by deleting "but does not include overnight accommodation" from the Child Care Services definition.

d) Amending Section 2 – Definitions by adding "and Child Care Services as an Accessory Use" to the Education Services Definition so it now reads:

**Education Services** means development involving assembly for educational, training or instruction purposes, and includes the administrative offices required for the provision of such services on the same site **and Child Care Services as an Accessory Use**. This Use includes public and private schools, community colleges, and their administrative offices, remote university campuses, and trade schools.

e) Amending Section 2 – Definitions by adding "Automotive Services" to the definition of "Gas Bar" so it now reads:

**Gas Bar** means development for the retail sale of gasoline and other petroleum shall not sell or store bulk propane. This Use Class does not include **Automotive Services**.

2.5. That Bylaw No. 14-11, Section 3.2 Projections into Yards is amended as follows:



- a) Amending the table under subsection 3.2.1 by deleting "Maximum Projection from Main Wall" and replacing it with "Maximum Projection into Required Setback Permitted"
  - b) Amending Section 3.2 by deleting subsection 3.2.5 in its entirety.
- 2.6. That Bylaw No. 14-11, Section 3.3 Utilities Servicing is amended as follows:
- a) Amending subsection 3.3.3 by adding "and the current Water and Waste Water Utility Bylaw(s)" so it now reads  

"Notwithstanding subsections (1) and (2), alternate arrangements for private utility services may be considered at Council's discretion, who in considering this matter shall give due regard to the advice of any Federal or Provincial agency, any private firm qualified to advise on such matters, the Town Engineer, and **the current Water and Waste Water Utility Bylaw(s).**"
- 2.7. That Bylaw No. 14-11, Section 3.4 Accessory Buildings and Uses is amended as follows:
- a) Amending Subsection 3.4.1 and 3.4.2 by deleting them in their entirety and replacing them with
    - "1. Accessory Buildings and Uses Accessory Buildings and Uses shall not be placed within the front or side yards along the length of the principal building, unless a clear distance of not less than 1.2m is maintained between the Accessory Building and the interior side yard property line.
    - 2. Notwithstanding Subsection (1) Accessory Buildings and Uses shall not be placed within the front or side yard area in multi-family, commercial or industrial districts."
  - b) Amending Subsection 3.4.5 by deleting 'placed in any Residential or Commercial District'.
  - c) Amending Subsection 3.4.12 by adding:
    - "c) No side yard setback or one less than the minimum requirement for an Accessory Building in a Residential District is required provided that

- a. There will not be any overhang of eaves, or encroachment of footings or foundations onto the adjacent property; and
    - b. All roof drainage is directly by means of eavestroughs, drain spouts, or such other suitable means, and remains on the property where the Accessory Building is located.
    - c. The Accessory Building does not encroach into a Utility Right of Way."
  - d) Amending Subsection 3.4.12 by deleting Subsections 3.4.12 e) through to m) in their entirety.
- 2.8. That Bylaw No. 14-11, Section 3.6 Fences and Retaining Walls is amended as follows:
- a) Amending Subsection 3.6.9 by adding "and retaining walls" so it now reads:

"Fences **and retaining walls** shall not alter or disrupt the drainage pattern as established in the approved surface drainage plan."
- 2.9. That Bylaw No. 14-11, Section 3.8 General Site Landscaping is amended as follows:
- a) Amending Subsection 3.8.1 by adding

Existing grassed landscaping within Road Right of Ways shall not be replaced with gravel or mulch.
- 2.10. That Bylaw No. 14-11, Section 3.14 Signs is amended as follows:
- a) Amending Section 3.14 by adding

"11. Freestanding Signs shall have power provided from underground."
- 2.11. That Bylaw No. 14-11, Section 3.15 Home Offices and Home Occupations is amended as follows:
- a) Amending Subsection 3.15.1 by deleting "Home Offices and"
  - b) Amending Subsection 3.15.3 by deleting "and an unlimited number of Home Offices."
  - c) Amending Subsection 3.15.5 by deleting "Home Offices and"



2.12. That Bylaw No. 14-11, Section 3.16 Child Care Services, Day Homes, and Group Homes is amended as follows:

a) Amending Section 3.16 by adding

"4. An overnight Child Care Services requires a fire safety inspection prior to opening day."

2.13. That Bylaw No. 14-11, Section 3.33 Cannabis Stores is amended as follows:

a) Amending Subsection 3.16 D. 1. By adding "In addition to the Provincial and Federal Requirements" so it now reads:

**"In addition to the Provincial and Federal Requirements, a Cannabis Store"**

b) Amending Subsection 3.16. D. 1 a) by deleting it in its entirety.

c) Amending Subsection 3.16. D. 1 b) (i) by deleting "and 2.1"

d) Amending Subsection 3.16 D. 1. d) by deleting "12:00 am on any given day, and between 12 am and 2:00 am on the following day" and replacing it with "2:00 a.m. on any given day, unless" so it now reads

"may be open for business and sell to customers only between the hours of 10:00 a.m. and 2:00 a.m. on any given day unless"

e) Amending Subsection 3.16 D. 1 d) (i) by deleting it in its entirety.

2.14. That Bylaw No. 14-11, Section 3.35 Sea Cans is amended as follows:

a) Amending Section 3 – General Provisions – All Zones by adding a new Subsection 3.35 Sea Cans.

b) Adding the following regulations under Subsection 3.35 Sea Cans:

1. "A Sea Can must comply with the regulations in the Accessory Buildings and Uses Section. The Approving Authority may substitute requirements or otherwise ensure that

a. A Sea Can used for storage is screened from public view from an adjoining street other than a lane; and

- b. The Sea Can is located to the satisfaction of the Approving Authority.
2. A Sea Can used for storage shall only be located on a parcel where there is an existing principal use.
3. The Approving Authority may require that a Sea Can be clad, painted, or covered to ensure that its appearance is compatible with the surrounding area.
4. After a dwelling unit on a site in a residential district has been occupied, a Sea Can may be located on that site for no longer than 10 consecutive days to enable temporary storage or moving of goods, materials or equipment. The Approving Authority may require that the Sea Can be located to their satisfaction.
  - a. The Approving Authority must be notified prior to the Sea Can being located on site.
5. Subject to sub-section 4 above, Sea Cans are not allowed in a residential district and the Development Officer
  - a. may require the removal of a Sea Can on a parcel in a residential district within a specified period of time and may prohibit a Sea Can on a parcel in a residential district; and
  - b. must notify the owner of the parcel in writing if the Development Officer requires the removal of a Sea Can from that parcel.
6. A Sea Can must be set back a minimum of 3.0 m from another building/structure, and a minimum of 6.0 m from the exits, windows, and unprotected openings of another building/structure.
7. Sea Cans used for storage shall not be placed within 15 m of a parking area.
8. Sea Cans used for storage are only permitted in the rear or side yards.
  - a. Sea Cans in the side yard must meet the side yard setback of the applicable Land Use District.
9. Prior to issuing a decision on a Development Permit application for a Sea Can used for storage, the Fire Department is to complete a site inspection with the applicant to review the proposed location of the Sea Can.



10. Prior to use as a storage unit, a Sea Can must have the following features put in place:
    - a. One ventilation opening must be added within 150 mm of the floor in the Sea Can door primarily used for opening.
    - b. One ventilation opening must be added within 150 mm from the top of the Sea Can on the opposite end of the doors for cross ventilation.
    - c. The top ventilation opening cannot be directly venting toward any structure.
    - d. Neither ventilation opening can be obstructed by storage and shall be kept clean of internal and external debris.
    - e. The additional ventilation opening must be constructed based upon the following minimums:
    - f. Two – 0.3 m x 0.3 m openings for Sea Cans 6 m long or less
    - g. Two – 0.5 m x 0.5 m openings for Sea Cans over 6 m long.
    - h. Alternate approved engineering solutions for ventilation and explosion protection will be considered.
    - i. A placard containing the name of the company, persons responsible, and emergency contact number placed on the side of the Sea Can and visible from 10 m.
  11. Sea Cans may not be used for the storage of hazardous materials, including but not exclusively gasoline, propane, and tools that use the same.
  12. Sea Cans shall not be used for advertising purposes.
  13. Sea Cans shall not be used as a Dwelling Unit.
- 2.15. That Bylaw No. 14-11, Section 4 Land Use District Provisions is amended as follows:
- a) Adding “see OTHER SITE REQUIREMENTS” to the General Site Requirements for Accessory Building Height to the following Land Use Districts
    - 4.1: R1 – Single Detached Residential District;

- 4.2: R1N – Single Detached (Narrow Lot) District;
- 4.3: R1S – Single Detached Residential (Small Lot) District;
- 4.4: R2 – Low Density Residential District;
- 4.5: R2X – Medium Density Attached Housing District;
- 4.6: R3 – High Density Residential District;
- 4.8: MHS – Manufactured Home Subdivision District; and
- 4.9: CR – Country Residential District.

b) Adding "Accessory Building

- i. Maximum Accessory Building height shall be influenced by existing development on adjacent parcels."

To the OTHER SITE REQUIREMENTS subsection of the following Land Use Districts

- 4.1: R1 – Single Detached Residential District;
- 4.2: R1N – Single Detached (Narrow Lot) District;
- 4.3: R1S – Single Detached Residential (Small Lot) District;
- 4.4: R2 – Low Density Residential District;
- 4.5: R2X – Medium Density Attached Housing District;
- 4.6: R3 – High Density Residential District;
- 4.8: MHS – Manufactured Home Subdivision District; and
- 4.9: CR – Country Residential District.

- c) Amending Subsection 4.2.3 f) by adding "or Housing Duplex"
- d) Amending Subsection 4.6.3 c) iii. by deleting it in its entirety.
- e) Amending Subsection 4.6.3. h) i. by deleting "and Semi-Detached Housing"
- f) Adding "Sea Can" as a Permitted Use in the following Land Use Districts:
  - 4.14: M1 – Light Industrial District;
  - 4.15: M2 – General Industrial District;



4.16: P1 – Public Service District; and

- g) Adding "Sea Can" as a Discretionary Use in the following Land Use Districts:

4.10: CB – Central Business District

4.11: CHWY – Highway Commercial District

4.17: AG – Agriculture General District;

E: Direct Control Overlay – Highway 1 and RR 254; and

E8: Direct Control District Overlay – Autobody and Paint Shop.

- h) Amending the Other Site Requirements regulations of Subsection 4.10 – Central Business District by adding

"Sea Cans

- a) Sea Cans within the Central Business District may not be used for storage purposes.
- b) A Development Permit issued for a Sea Can within the Central Business District shall be for a specified limited time period."

- i) Adding "Mechanical Equipment

All mechanical equipment on a roof of any building shall be concealed in a manner compatible with the architectural character of the building or concealed by incorporating it within the building."

To the OTHER SITE REQUIREMENTS subsection of the following Land Use Districts:

4.10: CB – Central Business District;

4.11: CHWY – Highway Commercial District;

4.12: C1 – Neighbourhood Commercial District;

- j) Adding "Mechanical Equipment

- a) All mechanical equipment on a roof of any building visible from the highway shall be concealed in a manner compatible with the

architectural character of the building, or concealed by incorporating it within the building.”

To the OTHER SITE REQUIREMENTS subsection of the following Land Use Districts:

4.14: M1 – Light Industrial District; and

4.15: M2 – General Industrial District.

- k) Deleting “Service Stations” from the following Land Use Districts:

4.14: M1 – Light Industrial District

- l) Amending the Other Site Requirements by adding

“Sea Cans

Sea Cans used for storage shall not be placed on a property adjacent to a residential district.”

To the following Land Use Districts:

4.14: M1 – Light Industrial District

4.15: M2 – General Industrial District

- m) Amending the Public Service District Subsection 4.16.2 to remove “Signs” as a Discretionary Use and to include “Signs” as a permitted use.
- n) Amending the Public Service District Subsection 4.16.4 “Other Site Requirements” by adding “Per the *No Development Permit Required* Section, a Development Permit is not required for Municipal works, including signs.”
- o) Amending the Agricultural General District Subsection 4.17.2 b) Discretionary Uses by adding “Major” to Agricultural Processing so it now reads “Agricultural Processing – Major”
- 2.16. That Bylaw No. 14-11, Subsection 4.13 Downtown Overlay District is amended as follows:
- a) Amending Subsection 4.13.3 by deleting “to be determined pending outcome of public consultation” and “Residential 3” so it now reads



"The DOD regulation applies to all development or redevelopment of lands within the Downtown District (illustrated on Land Use Map 4.2) regardless of the underlying land use designation of Central Business District or High Density Residential District."

- b) Amending Subsection 4.13.7 h) by deleting 1.0m and replacing it with 1.8m.
- c) Amending Subsection 4.13.9 c) by adding

"a. Existing back-lit signs may be replaced if they are damaged through natural disasters such as a windstorm"

2.17 That Bylaw No. 14-11, Subsection 4.11: CHWY – Highway Commercial District is amended as follows:

- a) Adding "Auto Body and Paint Shop" as a discretionary use
- b) Amending "Other Site Requirements" by adding

**"Auto Body and Paint Shop"**

The bay doors of a building containing an Auto Body and Paint Shop must not face an adjacent residential District"

### **3. EFFECTIVE DATE**

- 3.1. This Bylaw comes into full force and effect upon third and final reading and being signed.

**READ A FIRST TIME** this 20<sup>th</sup> day of April, 2022

**PUBLIC HEARING HELD** this 18<sup>th</sup> day of May, 2022

**READ A SECOND TIME** this 18<sup>th</sup> day of May, 2022

**READ A THIRD AND FINAL TIME** this 18<sup>th</sup> day of May, 2022



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MAYOR



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DIRECTOR OF STRATEGIC, ADMINISTRATIVE  
AND FINANCIAL SERVICES