

# Morinville Land Use Bylaw

Bylaw 2/2024 with updates to May 2024

[Redline for Amendment Spring 2025](#)



- Bylaw 4/2019 3.0 Terms defined within this Part which have qualifiers assigned to them, including but not limited to “general”, “major”, and “minor”, are interchangeable throughout this Bylaw as either preceding the term or following affixed with a “–” for alphabetical organization and convenience of reference, and have the same meaning assigned to them.
- 4.0 Within this Bylaw, the terms “written” or “in writing” are to include digital or electronic communications with a clear or registered recipient.

## 1.4. ESTABLISHMENT AND TRANSITIONAL PROVISIONS

### 1.4.1. Bylaw

- 1.0 No provisions of previous bylaws with respect to land use classifications, development control and development schemes shall hereafter apply to any part of the Municipality described in this Bylaw, subject to Subsection 2.0 hereof.
- Bylaw 2/2014 2.0 deleted
- 3.0 Any reference in this Bylaw to other bylaws, provincial or federal statutes and regulations shall be a reference to the bylaw, statute or regulation then in effect and shall include all amendments and any successor legislation.

### 1.4.2. Agencies

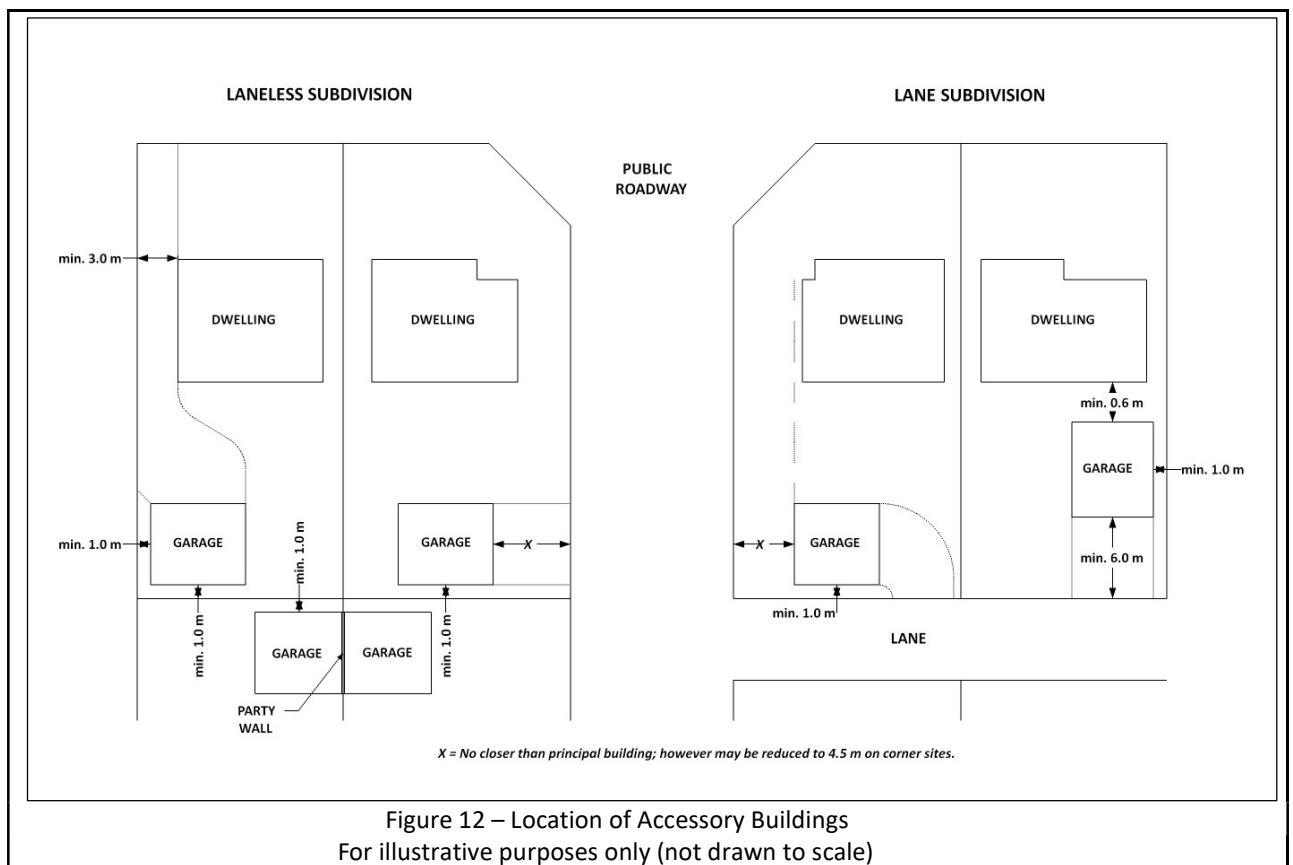
#### Development Authority

- 1.0 For the purposes of this Bylaw, the Development Authority shall be:
- 1.1. the Development Officer, and
- 1.2. only within the DC-1, ~~the DC-2,~~ and ~~the DC-T~~ Districts, the Council, with their duties and responsibilities as described elsewhere in this Bylaw.
- 2.0 If the Development Officer is to be acting in accordance with this Bylaw, the term “Development Authority”, when used in this Bylaw, shall be the Development Officer.
- ~~3.0 — If the Council is to be acting in accordance with this Bylaw, the term “Development Authority”, when used in this Bylaw, shall be the Council.~~

#### Development Officer

- ~~4.03.0~~ The Chief Administrative Officer or a designate, shall exercise the powers, duties and functions of the Development Officer specified in this Bylaw.
- ~~5.04.0~~ The Development Officer shall perform such duties that are specified in Subsections 5.0 hereof and elsewhere in this Bylaw.

- 10.2 The gross floor area of any number of an accessory building constructed on a site must not, individually or collectively exceed the floor area of the principal building on the site.
- 10.3 Accessory buildings (see Figure 4.1) shall be located:
- no closer than 1.0 m (3.3 ft.) from the side property line, excepting where a party wall is constructed along the boundary line, in which case accessory buildings may be built up to the side property line along the party wall;
  - no closer than 1.0 m (3.3 ft.) from the rear property line; and
  - such that no roof overhang is located within 0.45 m (1.5 ft.) of a side or rear property line.
- 10.4 Notwithstanding Subsection 7.0 hereof, in the case of double fronting or corner sites, the minimum required front yard from one front line, or the minimum required flanking side yard, may be reduced to 4.5 m (14.8 ft.) where, in the opinion of the Development Authority, any adjacent developments would not be adversely affected.
- 10.5 Notwithstanding Subsection 10.3 and with consideration of Subsection 3.10 hereof, where the vehicle doors of a detached garage face a road or lane abutting a site, the garage shall be either between 1.0 m (3.3 ft.) to 1.2 m (3.9 ft.), or otherwise no closer than 6.0 m (19.7 ft.) from the side or rear line.



- Bylaw 4/2019 8.0 A maximum of five (5) signs may be allowed on a site, including temporary signs and portable signs, but does not include facade signs, on-site directional signs, or signs less than 0.15 m<sup>2</sup> (1.6 sq. ft.) in area.
- 9.0 Signs will not be allowed on fences in Residential Districts or in Commercial Districts, with the exception of a regulatory, warning or notice sign provided that it does not exceed 0.15 m<sup>2</sup> (1.6 sq. ft.) in area, unless the regulatory, warning or notice sign is temporary in nature for a public announcement, notice, event, or other similar thing, then in such cases the maximum size shall not exceed that provided for in Subsection 7.0 hereof.
- 10.0 Election signs related to Municipal and Federal elections are permitted uses in all districts and no development permits are required provided that:
- 10.1 the signs are posted:
- i. with respect to municipal and school elections, only between 12:00 noon on nomination day and 24 hours after the closing of polling stations; and
  - ii. with respect to ~~provincial and~~ federal elections, only between 12:00 noon on the day when an election writ is handed down and 24 hours after the closing of polling stations.
- 10.2 the signs may not be placed or installed where they would obstruct or impair vision or traffic;
- Bylaw 2/2014 10.3 the signs do not exceed 5.0 m<sup>2</sup> (53.8 sq. ft.) in sign area and 2.5 m (8.2 ft.) in sign height;
- 10.4 the signs are not attached to fences, trees, or utility poles; ~~and~~
- 10.5 the signs may not be posted on or within any municipally owned or occupied facility, or on or within any site upon which a municipally owned facility is situated; ~~and~~
- ~~10.5~~ 10.6 Election signs related to Provincial elections are subject to the regulations of the Province and are not subject to the regulations of this bylaw.
- 11.0 Notwithstanding the applicability provisions of this Part, any signs, plaques or similar structures erected by the Municipality or an agency in conjunction with a property of historical significance shall have regard for the visual harmony and compatibility of the proposed sign with the architectural character and finish of the development and with the design, location and appearance of other signs on the development.
- 12.0 An approved home occupation – major may display a sign, not larger than 0.4 m<sup>2</sup> (4.0 sq. ft.) on the dwelling unit or accessory building. If located outside, the sign shall be placed flat against the wall of the building. Alternatively, the sign may be displayed from the inside of a window of the building.
- 13.0 In any district where a place of worship or a public education facility or another institutional use is allowed, one (1) sign of not more than 5.0 m<sup>2</sup> (53.8 sq. ft.) in area shall be allowed to be

## 8.4.2. Direct Control – Special (DC-2) District

### 1.0 Purpose

~~The purpose of this District is to regulate development within those areas of the Municipality within which Council considers it desirable to exercise particular control regarding the use and development of land or buildings.~~

~~This District may be applied to lands where the Council believes that it would be reasonable to apply strict development control pending a change of use which may take a long time to occur, and where existing uses should be allowed to continue and expand in a limited fashion, but not so as to preclude the long-term intention of the Council for the change of use.~~

### 2.0 Development Regulations

~~2.1. All of the uses listed as being either permitted or discretionary uses within the Business and Industrial Park (BMP) District shall be discretionary uses within the DC-2 District.~~

~~2.2. All of the regulations within the DC-2 District shall be at the discretion of the Council when considering a development permit application, except that the regulations applicable to the Business and Industrial Park (BMP) District, and the Regulations for specific uses and developments as indicated in this Bylaw, may be considered as guidelines for development by the Council.~~

~~2.3. For any use approved by Council under this Section, Council delegates future accessory development to the discretion of the Development Officer, who may apply such conditions of approval to an accessory development as considered necessary.~~

### 3.0 Application & Process Considerations

Bylaw 3/2019

~~3.1. For an application for a new development use within this district, the applicant applying for the development shall attempt to engage all owners of land within at least 75.0 m (246.1 ft.) of the subject site, to the satisfaction of the Development Authority, and in accordance with any Statutory Plan, before the application is referred to council for decision.~~

~~3.2. The Development Officer may refer to council for direction on additional application requirements~~

~~3.3. A council meeting to decide on a development application within this district should be treated as a non-statutory public hearing at the discretion of council, including opportunity for public input and notification advertising.~~

## 6.0 Site Specific Direct Control Small Lot Residential (DC-3-4) District

### 6.1. Purpose

The purpose of this District is to provide residential development in the form of smaller lot single detached housing on Lot 5, Plan 972-0345.

### 6.2. Permitted and Discretionary Uses

#### Permitted Uses

- Home office
- Home occupation minor
- Single detached dwelling
- Public park
- Buildings and uses accessory to permitted uses

#### Discretionary Uses

- Home occupation major
- Public utility (no office or workshop)
- Show home
- Buildings and uses accessory to discretionary uses

### 6.3. Subdivision Regulations

Minimum site depth	34.0 m (111.5 ft.)
Minimum site width	Corner sites and sites fronting onto collector road — 11.0 m (36.0 ft.) Other sites — 9.75 m (32.0 ft.)
Minimum required frontage	6.1 m (20.0 ft.)

- i. An application for subdivision within this District shall be accompanied by a site plan showing the minimum required yards and buildable area for each proposed lot.

### 6.4. Development Regulations

Maximum site coverage	45%, with a maximum of 35% for principal buildings and 15% for accessory buildings.
Minimum required front yard setback	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 4.5 m (14.8 ft.); however, it may be increased by the Development Authority to improve sunlight exposure, views, privacy, and to add general interest to the streetscape having regard for the siting and appearance of adjoining dwellings and other dwellings within the block face.
Minimum required side yard setback	1.2 m (3.9 ft.) per side, except for two storey dwellings which shall have a minimum side yard of 1.5 m on each side; or As required per Section 3.8 for corner sites.
Minimum required rear yard setback	7.6 m (24.9 ft.)
Maximum building height	2 storeys

Minimum floor area	Single detached dwelling — 83.5 m <sup>2</sup> (900.0 sq. ft.) total and 32.5 m <sup>2</sup> (350.0 sq. ft.) per storey Other uses — at the discretion of the Development Authority
Landscaping	In addition to any other requirements of the Development Authority, one (1) deciduous tree or one (1) coniferous tree and two (2) shrubs shall be required to be planted in the front private yard area as a condition of the approval of a development permit to construct a dwelling.
Amenity areas	A minimum private amenity area of 30.0 m <sup>2</sup> (322.9 sq. ft.) per dwelling shall be provided for active or passive recreational use on the site of each dwelling.
Parking	Access to a parking area shall be provided by means of a lane from the rear only.  No dwelling shall be built with a garage or parking space which is accessible from the front line.  A parking area shall be provided to the rear of the dwelling with a minimum width and depth of 5.5 m (18.0 ft.) each.  Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

i. ~~Exceptions to Minimum Required Yards~~

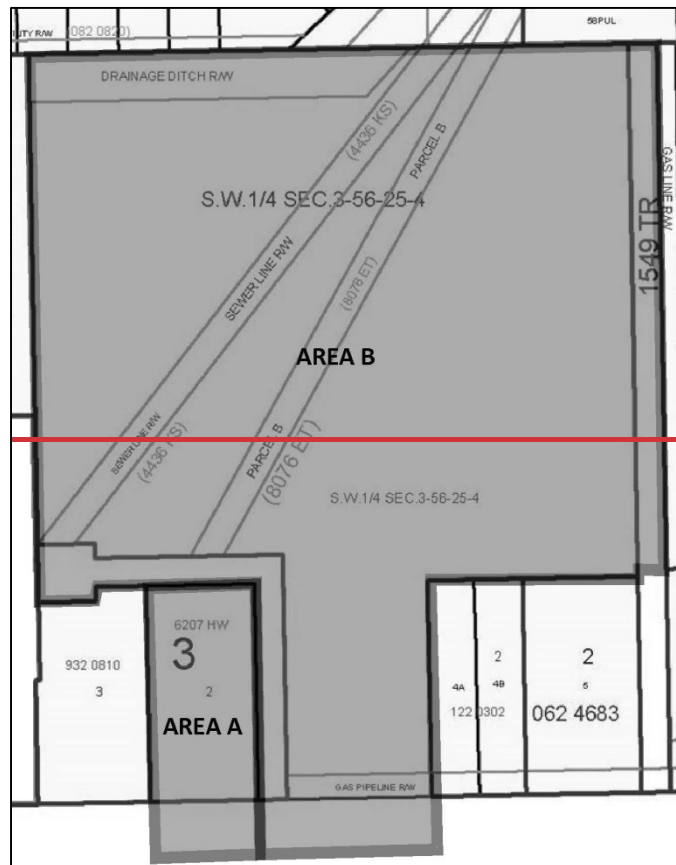
~~Notwithstanding any other provision of this Bylaw to the contrary, where an application for development in this District is made for a site abutting another District, the minimum required yard for the abutting yard in this District shall be the amount determined by the Development Authority, in its sole discretion.~~

ii. ~~Design Guidelines~~

- ~~a. Identical floor plans with similar front elevations must be separated by a minimum of one site unless finishing treatments are substantially different to the satisfaction of the Development Authority.~~
- ~~b. The Development Authority may require a graduated transition between different house styles which shall be accommodated by varied roof lines, architectural projections, and/or the interjection of bi-level or split-level designs between one-storey and two-storey designs.~~
- ~~c. Corner sites shall have flanking side treatments similar to the front elevation.~~

**Site Specific Direct Control Duplex and Multi-Unit Residential (DC-3-6) District****8.1. Purpose**

The purpose of this District is to provide for the direct control of residential development on Lot 2, Block 3, Plan 6207 HW and Part of SW 3-56-25-W4 in the form of Duplex-side-by-side dwellings and ground-oriented multiple unit dwellings, either fee-simple or within a condominium. In order to accommodate two distinct development forms, two areas have been established within this District as shown in Figure 8.4.

**Figure 8.4****8.2. Permitted and Discretionary Uses – Areas A & B****Permitted Uses**

- Duplex — side-by-side
- Ground-oriented multiple unit dwelling
- Home occupation — minor
- Home office
- Public park
- Buildings and uses accessory to permitted uses

**Discretionary Uses**

- Group home
- Home occupation — major
- Public utility (no office or workshop)
- Show home
- Buildings and uses accessory to discretionary uses



**8.3. Subdivision Regulations – Areas A & B**

Minimum site depth	sufficient to accommodate the proposed use
Minimum site width	sufficient to accommodate the proposed use

Where a duplex or ground-oriented multiple unit dwelling is situated on one parcel of land and a subdivision is being considered to subdivide the building into multiple titles, the Subdivision Authority may require as a condition of the approval of the subdivision that an easement be registered in the form of a caveat on the certificates of titles of the new lots concurrent with registration of the instrument implementing the subdivision to provide for maintenance and repairs to the structure and/or exterior of the building.

**8.4. Development Regulations – Area A**

Maximum site coverage	40%
Maximum density	Up to 3 dwelling units where direct access is from the road (101 Avenue); or Up to 5 dwelling units where no direct access is from the road (101 Avenue)
Minimum required front yard setback	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 7.6 m (24.9 ft.)
Minimum required side yard setback	20% of site width with at least 1.5 m (4.9 ft.) per side
Minimum required rear yard setback	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 7.6 m (24.9 ft.)
Maximum building height	10.0 m (32.8 ft.) and 2-½ storeys
Minimum floor area	Duplexes or Ground-oriented multiple unit dwellings – 83.5 m <sup>2</sup> (900 sq. ft.) Other uses – at the discretion of the Development Authority
Amenity areas	Where more than two (2) dwelling units are to be provided on a comprehensive site planning development site, amenity areas shall be provided in accordance with Section 3.11

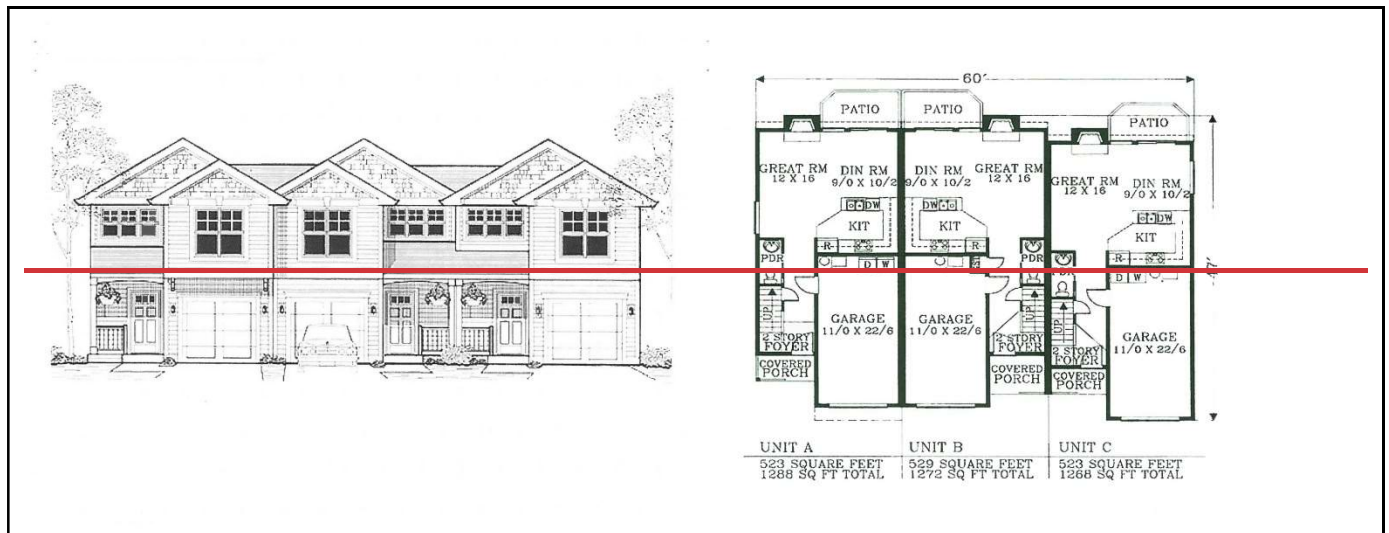
**8.5. Development Regulations – Area B**

Maximum site coverage	40%
Maximum density	Up to 40 dwelling units
Minimum required front yard setback	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 7.6 m (24.9 ft.)
Minimum required side yard setback	6.1 m (20.0 ft.); or

	4.57 m (15.0 ft.) along the west side line being 115.8 m (380 ft.) in length.
Minimum required rear yard setback	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 6.1 m (20.0 ft.), except as required to provide one-way drive aisles.
Maximum building height	6.55 m (21.5 ft.) and 1 storey
Minimum floor area	Duplexes or Ground-oriented multiple-unit dwellings—91.0 m <sup>2</sup> (980 sq. ft.)  Other uses—at the discretion of the Development Authority
Projection into yards	Notwithstanding Section 3.7, only the following features may project into a required minimum yard:  Front yard—eaves, gutters, and sills, or other similar projections, provided such projections do not exceed 0.6 m (2.0 ft.).  Side yard—eaves, gutters, and sills, or other similar projections, provided such projections do not exceed 0.6 m (2.0 ft.); and uncovered decks, provided such projection does not exceed 2.44 m (8.0 ft.). Covered decks shall not project into a required minimum yard.  Rear yard—eaves, gutters, sills, bay, oval or bow windows, or other similar projections, provided such projections do not exceed 0.6 m (2.0 ft.)
Amenity Areas	Where more than two (2) dwelling units are to be provided on a comprehensive site planning development site, amenity areas shall be provided in accordance with Section 3.11
Internal separation space	Notwithstanding Section 3.18.4.0, internal separation space between buildings shall be no less than:  Front—20.12 m (66.0 ft.), perpendicular to the attached garage doors  Side—3.5 m (11.5 ft.)  Rear—9.1 m (29.9 ft.)  The front, side, and rear of each building are as shown on the elevations in Appendix “A”, attached to and forming part of this District.

#### 8.6. Lot Layout/Design of Site—Area A

- i. Purpose—This land use district provides for, regulates and is tied directly to a general building design that is either two or three units where direct access is from the road (101 Avenue), as generally shown in Figure 8.5, attached to and forming part of this District.



**Figure 8.5—General Building Design**  
For illustrative purposes only (not drawn to scale)

- ii. **Lot Layout Features**—The integrity of the existing neighbourhood surrounding the site shall not be compromised by new development. The layout of the lot must be consistent with existing development surrounding the site, including but not limited to front yard setbacks and design features.

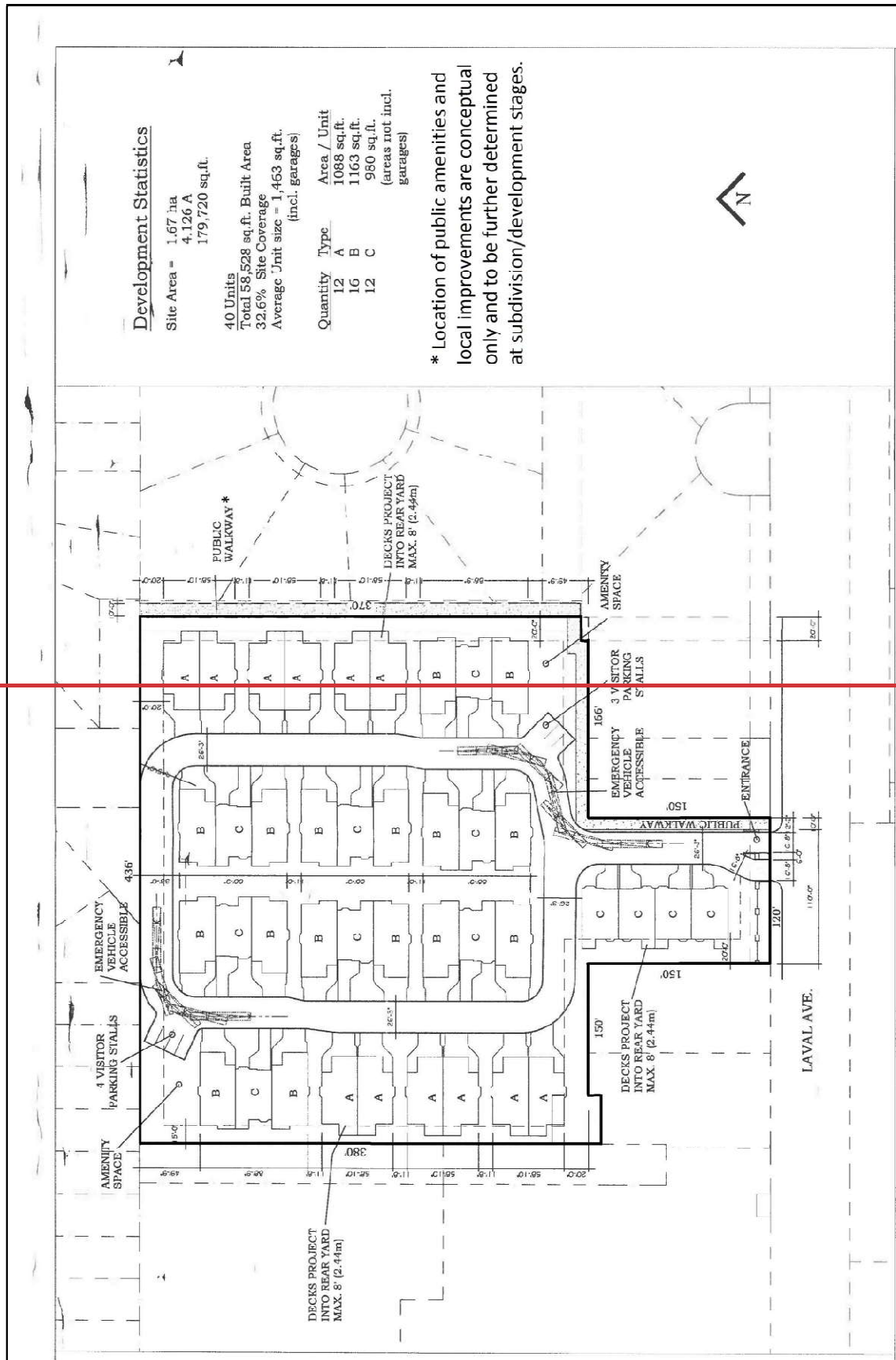
#### **8.7.—Lot Layout/Design of Site—Area B**

- i. **Purpose**—This land use district provides for, regulates and is tied directly to a Site Development Plan for forty (40) ground-oriented, single-storey dwelling units, as generally shown in Appendix “A”.
- ii. **Lot Layout Features**—The integrity of the existing neighbourhood surrounding the site shall not be compromised by new development. The layout of the lot must be consistent with existing development surrounding the site, including but not limited to front yard setbacks and design features.
- iii. **No person shall construct or be permitted to construct a fence, including barricades or a gate, that would prohibit or otherwise restrict vehicular access to the parking area.**

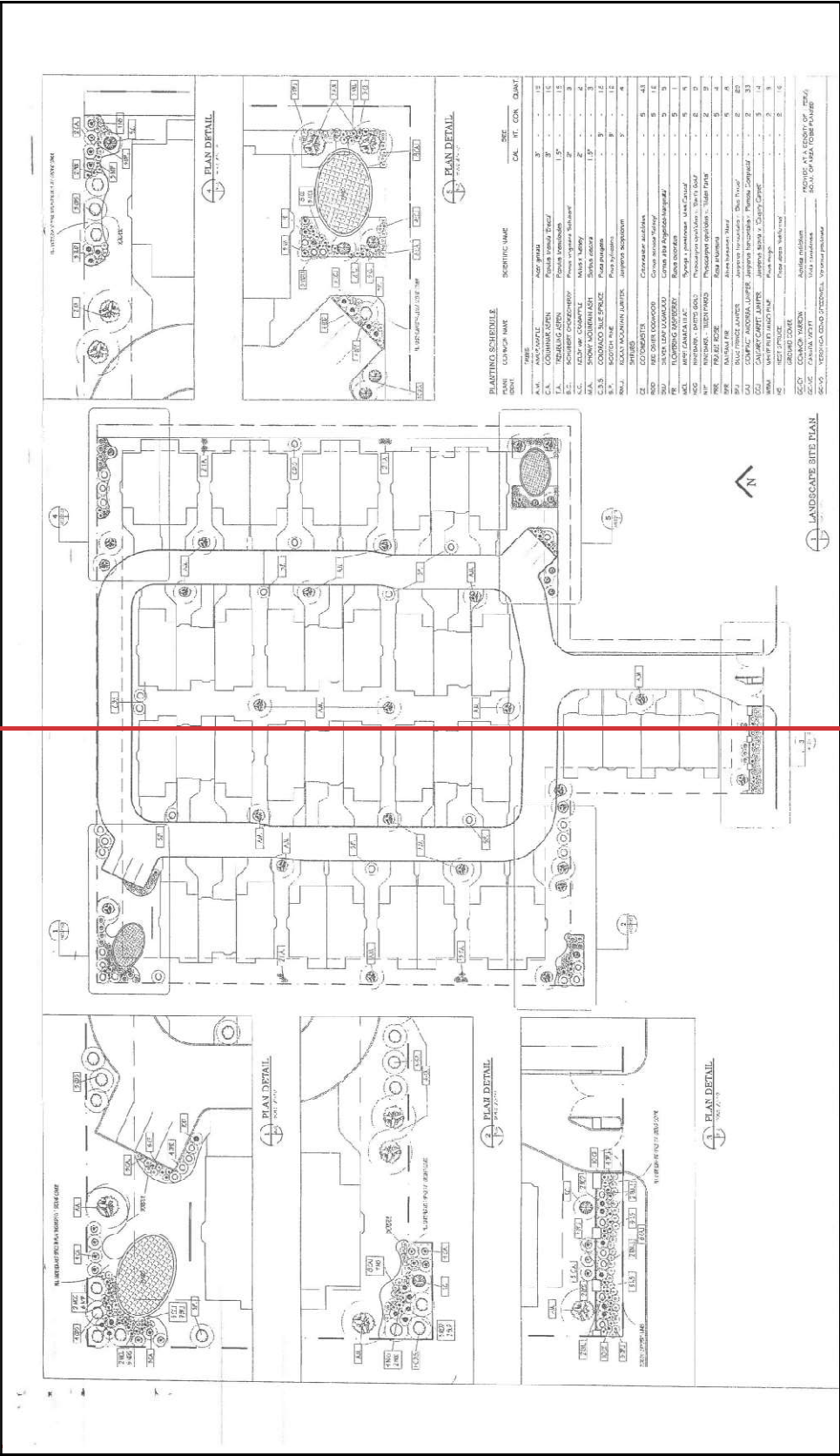
#### **8.8.—Conformity with Bylaw**

Unless otherwise provided for in the DC 3-6 District, development shall conform to all other provisions of this Bylaw and any other statutory plan in effect.

## APPENDIX "A"

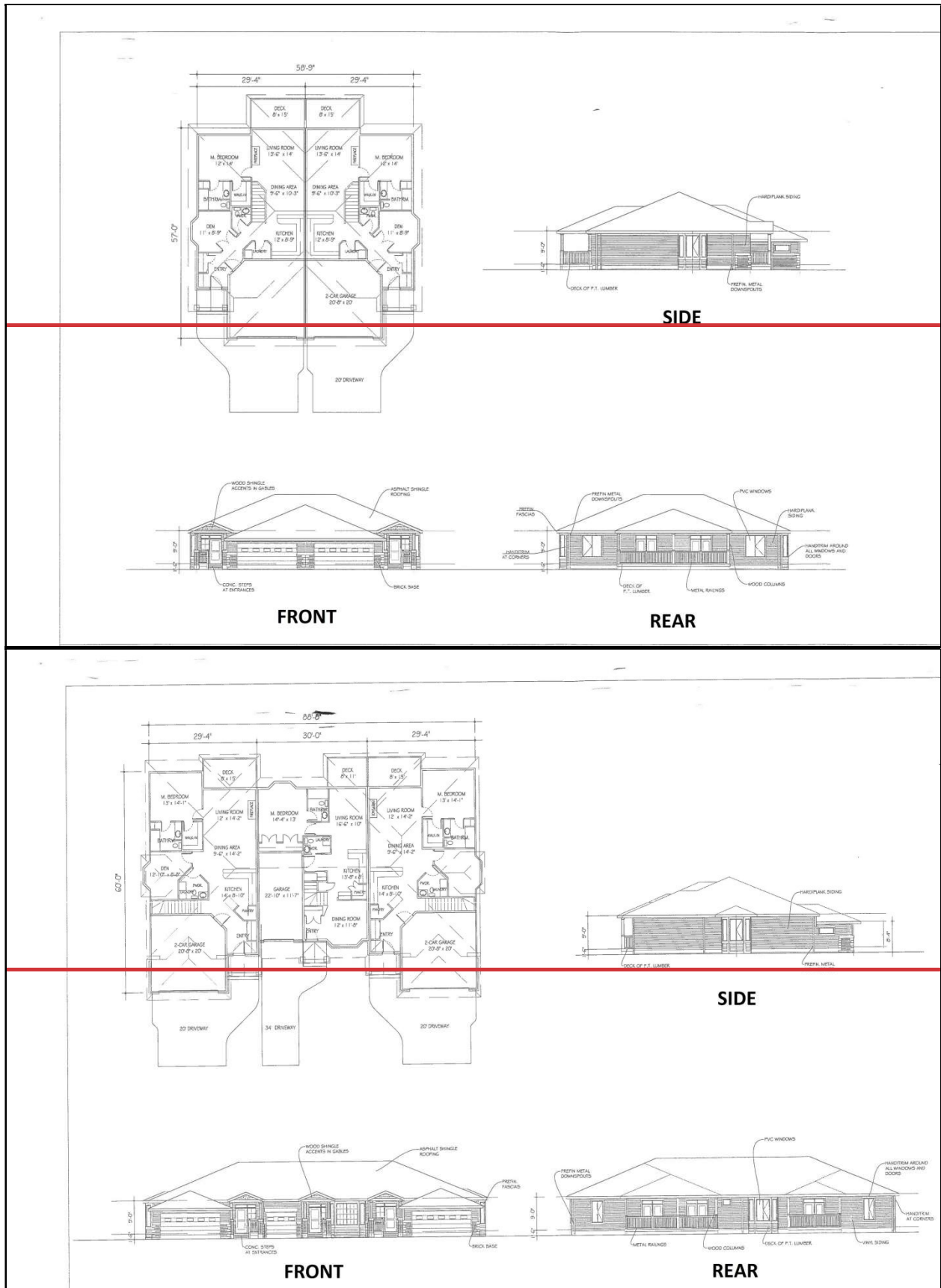


APPENDIX “A” (Continued)

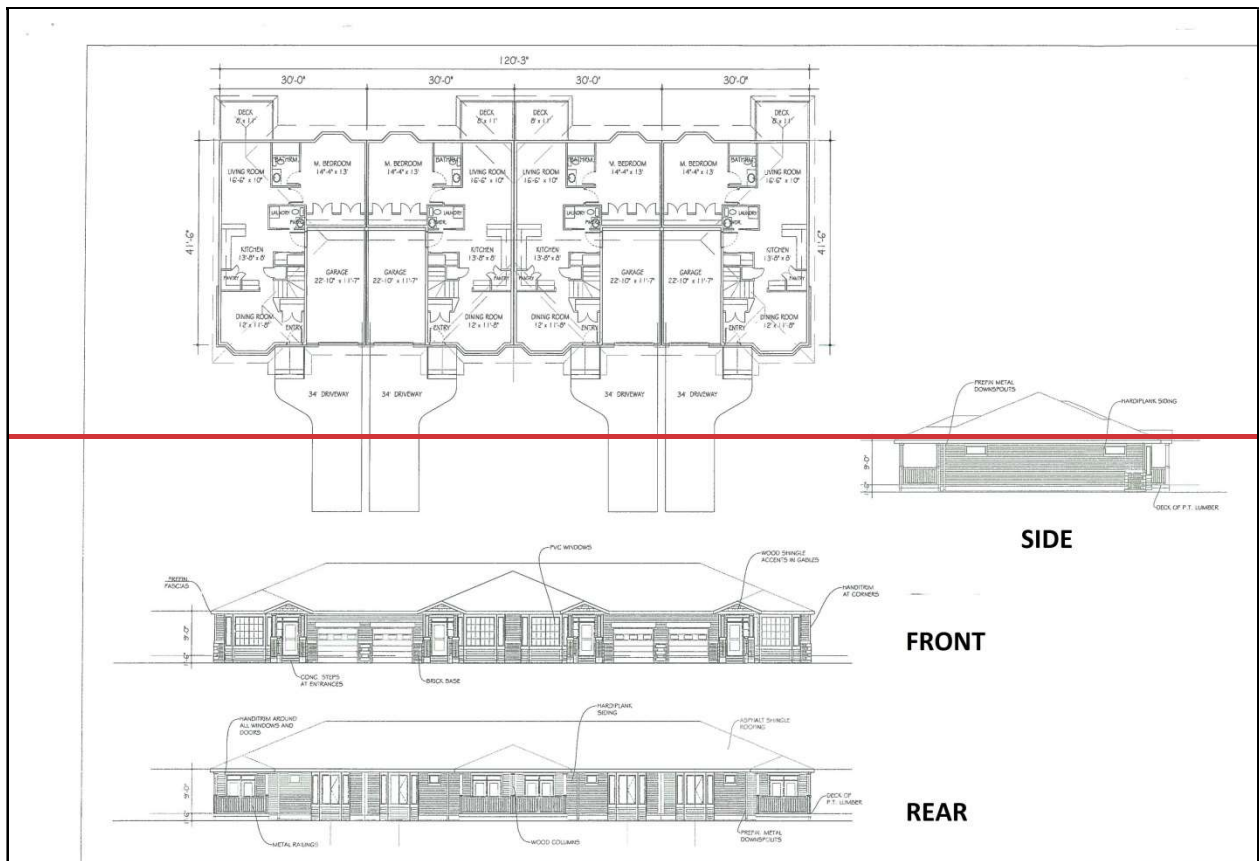




## APPENDIX "A" (Continued)



## APPENDIX "A" (Continued)



- 5.3. The design, external finish, architectural appearance, siting, landscaping, screening and buffering of any building(s) or structure(s) shall be to the satisfaction of Council so that there shall be general conformity in such matters with respect to adjacent buildings, adequate protection afforded to the amenities of the adjacent residential properties and any objectionable aspects or potential incompatibility with other uses and developments in adjacent land use districts is or can be minimised.
- 5.4. The Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.
- 5.5. The Council may also:
- i. as a condition of approval, require that the developer enter into a development agreement with the Municipality pursuant to the Act and this Bylaw. To ensure compliance with the conditions in the agreement, the Municipality may be protected by caveat registered in favour of the Municipality;
  - ii. as a condition of approval, require financial guarantees, in a form and an amount acceptable to the Municipality, from the applicant to secure performance of any of the conditions of the approval;
  - iii. as a condition of approval, require that a development be screened from public thoroughfares and adjacent residential uses by a solid wall, fence or other means in a manner and to a height satisfactory to them;
  - iv. as a condition of approval, require any other matters Council considers necessary, including but not limited to those provided for in Section 2.6, to ensure the development does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels; and/or,
  - v. revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, sewerage and road access, or any of them, including payment of the costs of installing or constructing any such utility by the developer.
- 5.6. The Council may issue a temporary development permit where the Council is of the opinion that the proposed use is of a temporary nature.
- 5.7. ~~If at any time, in the opinion of Council, any of the provisions of this Section 8.4.3.9.0 have not been complied with, the Council may use the enforcement mechanisms available under the Act and this Bylaw.~~
- 5.8. For any use approved by Council under this Section, Council delegates future accessory development to the discretion of the Development Officer, who may apply such conditions of approval to an accessory development as considered necessary.

Bylaw 12/2012