

**BYLAW 18-24**  
**A BYLAW IN THE TOWN OF OKOTOKS**  
**IN THE PROVINCE OF ALBERTA**  
**TO AMEND LAND USE BYLAW 17-21**

**WHEREAS** pursuant to the provisions of Part 17, Division 5 of the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000, and amendments thereto the Council of the Town of Okotoks (hereinafter called Council) has adopted the Land Use Bylaw 17-21 (hereinafter called the Land Use Bylaw); and

**WHEREAS** Council deems it necessary to amend the Land Use Bylaw; and

**WHEREAS** notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the *MGA*; and

**WHEREAS** Council has held a public hearing as required by Section 692 of the *MGA*.

**NOW THEREFORE** Council enacts that the Land Use Bylaw is amended as follows:

1. Section **1.3 APPLICABILITY** is amended by adding the following new subsection:
  - I.** Public roads and water bodies under the jurisdiction of the provincial or federal government are not regulated by the Bylaw, and are shown in Land Use Maps for the purposes of clarity and reference only.

2. Section **3.2 PERMITTED AND DISCRETIONARY USES** is amended by:

2.1. deleting the use 'Human Services' under INSTITUTIONAL from Table 3.1.

2.2. adding the use 'Health & Human Services' with the COMMERCIAL uses in alphabetical order in Table 3.1 as follows:

	NA	ALH	ROS	TN	NC	D	GC	IBP	A
Health & Human Services			D	D	P	P	P	P	

2.3. adding the use 'Emergency Medical & Treatment Center' with the INSTITUTIONAL uses in alphabetical order in Table 3.1 as follows:

	NA	ALH	ROS	TN	NC	D	GC	IBP	A
Emergency Medical & Treatment			D	D	D	D	D	D	

3. Section **3.3 NATURAL AREAS DISTRICT (NA)** is amended by:

3.1. revising subsection **C. Uses** by:

3.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

3.1.2. adding "Health & Human Services" as a Prohibited Use to the COMMERCIAL uses:

Health & Human Services	
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3.1.3. adding "Emergency Medical & Treatment" as a Prohibited Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	
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3.2. revising subsection **D. Use Standards** by:

3.2.1. deleting the words "Be located wholly in the Primary Building" from **2. Home Occupation - Minor** and replacing them with the words "Be located wholly within a Building"; and

3.2.2. adding the following new subsection after 3.3.D.2(E):

**F.** Not cause nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance detectable beyond the boundary of the Site.

4. Section **3.4 AGRICULTURAL & LAND HOLDINGS DISTRICT (ALH)** is amended by:

4.1. revising subsection **C. Uses** by:

4.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

4.1.2. adding "Health & Human Services" as a Prohibited Use to the COMMERCIAL uses:

Health & Human Services	
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4.1.3. adding "Emergency Medical & Treatment" as a Prohibited Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	
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4.2. revising subsection **D. Use Standards** by deleting the words “Be located wholly in the Primary Building” from **4. Home Occupation - Minor** and replacing them with the words “Be located wholly within a Building”.

4.3. revising subsection **F. Building and Placement Standards** by:

- 4.3.1. deleting the words “Sites 0.81 – 8.49 hectares” and replacing them with the words “Sites less than 8.49 hectares”; and
- 4.3.2. deleting the words “All other roads” and replacing them with the words “All others” within **a. Building Setbacks** – From Right-of-Way Boundary.

5. Section **3.5 RECREATION & OPEN SPACE DISTRICT (ROS)** is amended by:

5.1. revising subsection **C. Uses** by:

- 5.1.1. deleting “Human Services” under INSTITUTIONAL from the table; and
- 5.1.2. adding “Health & Human Services” as a Discretionary Use to the COMMERCIAL uses:

Health & Human Services	D
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- 5.1.3. adding “Emergency Medical & Treatment” as a Discretionary Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	D
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5.2. revising subsection **D. Use Standards** by deleting the words “**5. Human Services**” and replacing them with the words “**5. Emergency Medical & Treatment**”; and

5.3. revising subsection **H. Bicycle & Vehicle Parking Standards** by adding the following provision to the table under 3.5.H.2(c) Parking Lot Design:

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Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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6. Section **3.6 TRADITIONAL NEIGHBORHOOD DISTRICT (TN)** is amended by:

6.1. revising subsection **C. Uses** by:

6.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

6.1.2. adding "Health & Human Services" as a Discretionary Use to the COMMERCIAL uses:

Health & Human Services	D
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6.1.3. adding "Emergency Medical & Treatment" as a Discretionary Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	D
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6.2. revising subsection **D. Use Standards** by:

6.2.1. deleting the words "**7. Human Services**" and replacing them with the words "**7. Emergency Medical & Treatment**"; and

6.2.2. deleting the words "Be located wholly in the Primary Building" from **5. Home Occupation - Minor** and replacing them with the words "Be located wholly within a Building"; and

6.2.3. adding the following new subsection after 3.6.D.5(E):

**F.** Not cause nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance detectable beyond the boundary of the Site.

6.3. revising subsection **H. Active Transportation & Vehicular Circulation Standards** by deleting the word "lot" from Driveway within Frontage width under 3.6.H.2.c Private Roads & Driveways and replacing it with the word "Site".

6.4. revising subsection **I. Bicycle & Vehicle Parking Standards** by adding the following provision to the table under 3.6.I.2(c) Parking Lot Design:

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Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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7. Section **3.7 NEIGHBORHOOD CORE DISTRICT (NC)** is amended by:

7.1. revising subsection **C. Uses** by:

7.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

7.1.2. adding "Health & Human Services" as a Permitted Use to the COMMERCIAL uses:

Health & Human Services	P
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7.1.3. adding "Emergency Medical & Treatment Center" as a Discretionary Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	D
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7.2. revising subsection **D. Use Standards** by:

7.2.1. deleting the words "**6. Human Services**" and replacing them with the words "**6. Emergency Medical & Treatment**"; and

7.2.2. deleting the words "Be located wholly in the Primary Building" from **5. Home Occupation - Minor** and replacing them with the words "Be located wholly within a Building"; and

7.2.3. adding the following new subsection after 3.7.D.5(E):

**F.** Not cause nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance detectable beyond the boundary of the Site; and

7.2.4. adding the following new provisions:

**10. Restaurant / Café** must not be located above a Dwelling Unit and must have a separate exterior access if contained within the same Building as Dwelling Units.

**11. Retail & Service – General** must not be located above a Dwelling Unit and must have a separate exterior access if contained within the same Building as Dwelling Units; and

7.3. revising subsection **I. Bicycle & Vehicle Parking Standards** by adding the following provision to the table under 3.7.I.2(c) Parking Lot Design:

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Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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8. Section **3.8 DOWNTOWN DISTRICT (D)** is amended by

8.1. revising subsection **C. Uses** by:

8.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

8.1.2. adding "Health & Human Services" as a Permitted Use to the COMMERCIAL uses:

Health & Human Services	P
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8.1.3. adding "Emergency Medical & Treatment" as a Discretionary Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	D
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8.2. revising subsection **D. Use Standards** by:

8.2.1. deleting the words "Be located wholly in the Primary Building" from **5. Home Occupation - Minor** and replacing them with the words "Be located wholly within a Building"; and

8.2.2. adding the following new subsection after 3.8.D.5(E):

**F.** Not cause nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance detectable beyond the boundary of the Site; and

8.2.3. deleting the words "**8. Human Services**" and replacing them with the words "**8. Emergency Medical & Treatment**"; and

- 8.2.4. adding the following new provisions:
- 12. Restaurant / Café** must not be located above a Dwelling Unit and must have a separate exterior access if contained within the same Building as Dwelling Units.
  - 13. Retail & Service – General** must not be located above a Dwelling Unit and must have a separate exterior access if contained within the same Building as Dwelling Units; and

8.3. revising subsection **E. Building and Placement Standards** by:

- 8.3.1. adding the words “Minimum 2.0 meters” under Secondary Frontage for Riverfront under b. Building Setbacks; and
- 8.3.2. deleting the words “Primary Buildings (I) under **e. Height** and replacing them with the words “Ground Floor (I)”.

8.4. revising subsection **I. Bicycle & Vehicle Parking Standards** by:

- 8.4.1. deleting the words “50 per cent” within 3.8.I.2(b) and replacing them with the words “50 percent, or no maximum for parcels where Parking Lot – Independent is the only use”; and
- 8.4.2. adding the following provision to the table under 3.8.I.2(c) Parking Lot Design:  

Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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9. Section **3.9 GENERAL COMMERCIAL DISTRICT (GC)** is amended by:

9.1. revising subsection **C. Uses** by:

- 9.1.1. deleting “Human Services” under INSTITUTIONAL from the table; and
- 9.1.2. adding “Health & Human Services” as a Permitted Use to the COMMERCIAL uses:

Health & Human Services	P
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- 9.1.3. adding “Emergency Medical & Treatment” as a Discretionary Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	D
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9.2. revising subsection **D. Use Standards** by:

- 9.2.1. deleting the words "**11. Human Services**" and replacing them with the words "**11. Emergency Medical & Treatment**"; and
- 9.2.2. deleting the words "Be located wholly in the Primary Building" from 5. Home **Occupation - Minor** and replacing them with the words "Be located wholly within a Building"; and
- 9.2.3. adding the following new subsection after 3.9.D.5(E):
  - F.** Not cause nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance detectable beyond the boundary of the Site; and
- 9.2.4. deleting subsection **9. Industrial – Light** in its entirety and replacing it with the following:
  - 9. Industrial – Light** is limited to breweries, wineries, or distilleries which must have all mechanical systems and processes wholly enclosed or contained in a Building; and.
- 9.2.5. deleting subsection **10. Wash Station** in its entirety and replacing it with the following:
  - 10. Wash Station** must:
    - A. Demonstrate water usage and water conservation methods to the satisfaction of the Development Authority;
    - B. Not have any vehicle existing doors located within 23.0 meters of the TN District or NC District, when measured to the nearest property line of a Parcel designated as TN District or NC District; and
    - C. Provide at least 2 vehicle stacking spaces for the wash bay entrance door; and

9.3. revising subsection **E. Building and Placement Standards** by:

- 9.3.1. deleting the symbol "D" from the diagram and replacing it with the symbol "E"; and
- 9.3.2. deleting the symbol "E" from the diagram and replacing it with the symbol "D".

9.4. revising subsection **I. Bicycle & Vehicle Parking Standards** by:

- 9.4.1. deleting the words "50 per cent" within 3.9.I.2(b) and replacing them with the words "50 percent, or no maximum for parcels where Parking Lot – Independent is the only use"; and



9.4.2. adding the following provision to the table under 3.9.I.2(c) Parking Lot Design:

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Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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10. Section **3.10 INDUSTRIAL BUSINESS PARK (IBP)** is amended by:

10.1. revising subsection **C. Uses** by:

10.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

10.1.2. adding "Health & Human Services" as a Permitted Use to the COMMERCIAL uses:

Health & Human Services	P
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10.1.3. adding "Emergency Medical & Treatment" as a Discretionary Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	D
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10.2. revising subsection **D. Use Standards** by:

10.2.1. deleting subsection **6. Industrial – Light** in its entirety and replacing it with the following:

**6. Industrial – Light** must:

- A. not include more than 50% of the Site for Outdoor Storage; and
- B. be buffered to the satisfaction of the Development Authority where Outdoor Storage or loading areas are adjacent to a public road or a Site with a non-industrial use; and

10.2.2. deleting subsection **8. Wash Station** in its entirety and replacing it with the following:

**8. Wash Station** must:

- A. Demonstrate water usage and water conservation methods to the satisfaction of the Development Authority;
- B. Not have any vehicle existing doors located within 23.0 meters of the TN District or NC District, when measured to the nearest property line of a Parcel designated as TN District or NC District; and

C. Provide at least 2 vehicle stacking spaces for the wash bay entrance door; and

10.2.3. deleting the words "**9. Human Services**" and replacing them with the words "**9. Emergency Medical & Treatment**".

10.3. revising subsection **E. Site Specific Exceptions** by deleting the words "3.9 (C) and (D)" and replacing them with the words "3.10 (C) and (D)".

10.4. revising subsection **J. Bicycle & Vehicle Parking Standards** by adding the following provision to the table under 3.10J.2(c) Parking Lot Design:

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Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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10.5. revising subsection **K. Loading Standards** by:

10.5.1. deleting the word "Buffering" under **c. Miscellaneous** and replacing it with the words "Landscaping & Buffering"; and

10.5.2. deleting the words "Loading areas will be Buffered as per (G)" under Buffering under **c. Miscellaneous** and replacing them with the words "Loading areas will be Buffered as per (H) Landscaping & Buffering Standards."

11. Section **3.11 AERODROME DISTRICT (A)** is amended by

11.1. revising subsection **B. Uses** by:

11.1.1. deleting "Human Services" under INSTITUTIONAL from the table; and

11.1.2. adding "Health & Human Services" as a Prohibited Use to the COMMERCIAL uses:

Health & Human Services	
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11.1.3. adding "Emergency Medical & Treatment" as a Prohibited Use to the INSTITUTIONAL uses:

Emergency Medical & Treatment	
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- 11.2. revising subsection **C. Use Standards** by deleting subsection **2. Industrial – Light** in its entirety and replacing it with the following:

**2. Industrial – Light** must:

- A. not include more than 50% of the Site for Outdoor Storage; and
- B. be buffered to the satisfaction of the Development Authority where Outdoor Storage or loading areas are adjacent to a public road or a Site with a non-industrial Use.

- 11.3. revising subsection **G. Bicycle & Vehicle Parking Standards** by adding the following provision to the table under 3.11.G.2(c) Parking Lot Design:

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Covered Parking	Where parking lot areas are covered by a Structure, the covering Structure must be permanent and of a durable material. The material and design must be compatible with other buildings on the Site and in the vicinity.
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12. Section **5.15 DEVELOPMENT PERMITS NOT REQUIRED** is amended by:

- 12.1. deleting subsection 5.15.A(5) in its entirety and replacing it with the following:

**5.** A Dwelling Unit within an existing Building provided:

- A. The existing Building contains one Dwelling Unit and no other Uses;
- B. Dwelling Unit is a Permitted Use in the District; and
- C. The existing Building is not located within the Flood Hazard Area; and

- 12.2. deleting subsection 5.15.A(15) in its entirety and replacing it with the following:

**15.** Placement of an unmodified shipping container on any Site for use:

- A. During construction of a Development for which a Development Permit has been released and the shipping container is removed from the Site prior to Occupancy of the Development;
- B. For temporary storage of items due to an emergency, relocation, Special Event, for a maximum of 30 days; or
- C. As part of a Pop-Up, provided the Pop-Up otherwise complies with this Bylaw;

Provided the placement complies with all other bylaws of the Municipality and does not impede the Active Transportation Network or the safe movement of vehicles; and

- 12.3. deleting subsection 5.15.A(16) in its entirety and replacing it with the following:

**16.** A deck, balcony, or Retaining Wall, provided the Retaining Wall is not located within 30 meters of an Escarpment and is not more than 1.0 meters at the highest point.

13. Section **5.20 ADDITIONAL SETBACK & ENCROACHMENT CONSIDERATIONS** is amended by deleting the words "Maximum of 0.8 metres into the Primary Frontage or Secondary

Frontage Setbacks.” under Window Wells under 5.20.A and replacing them with the words “No limit provided they are located wholly within the Site and do not conflict with any overland drainage easement, Right-of-Way or Escarpment.”

14. Section **5.28 SCHEDULE A: Specified Penalties for Land Use Bylaw Enforcement** is amended by deleting the Table its entirety and replacing it with the following Table:

Offence	Relevant Bylaw Section	Specified Penalty (First Offence)	Specified Penalty (Second Offence)	Specified Penalty (Third Offence)
Failure to obtain a Development Permit / Failure to comply with the Development Permit Conditions.	5.14 / 5.24	\$1,500	\$2,500	\$4,000
Occupy or commence use prior to Development Permit issuance.	5.14	\$1,500	\$2,500	\$4,000
Failure to comply with the general regulations for signs.	4	\$1,000	\$1,500	\$2,500
Failure to comply with outdoor lighting regulations and standards.	3.3.G – NA District 3.4.G – ALH District 3.5.J – ROS District 3.6.K – TN District 3.7.K – NC District 3.8.K – D District 3.9.K – GC District 3.10.L – IBP District 3.11.I – A District	\$1,000	\$1,500	\$2,500
Breach of Land Use Bylaw where penalty not specified above	N/A	\$1,000	\$1,500	\$2,500

15. Section **6.1 GLOSSARY OF TERMS** is amended by:
- 15.1. amending the definition of the term "Development" by:
- 15.1.1. deleting the word "Act" under provision C. and replacing it with the word "act";  
and
- 15.1.2. deleting the word "Act" under provision D. and replacing it with the word "act".
- 15.2. adding a definition of the term "Drive-thru Facilities" as follows:  
**Drive-thru Facilities** means a Site, or portion of a Site, that by design or physical facilities permits customers to receive services or obtain without exiting an automobile. This includes any building with an access window or machine that can be utilized by the operator of an automobile in a queue but does not include curb-side pick-up or temporary loading spaces.
- 15.3. adding a definition of the term "Emergency Medical & Treatment" as follows:  
**Emergency Medical & Treatment** means development that provides services to persons in need of imminent, critical, or mandatory assistance or medical treatment due to age, physical or mental disability, addiction, illness, or injury.
- 15.4. deleting the definition of the term "Fence" in its entirety and replacing it with the following:  
**Fence** means a vertical physical barrier constructed out of typical Building material to provide visual Buffering, prevent unauthorized Access, or to enclose a Site. Height of all fences is measured from Grade and includes retaining walls or similar Structures.
- 15.5. adding a definition of the term "Health & Human Services" as follows:  
**Health & Human Services** means development that provides services pertaining to personal human health that are not of an imminent, critical, or mandatory nature, and may be recreational in nature. Health & Human Services does not include development for emergency medical services or treatment.
- 15.6. deleting the definition of the term "Human Services" in its entirety.
- 15.7. deleting the definition of the term "Industrial – Light" in its entirety and replacing it with the following:  
**Industrial - Light** means the manufacturing, fabrication, assembly, distribution, disposal, warehousing or bulk storage, trucking and equipment facilities, or any industrial activities primarily within a Building or Structure which does not produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts. Industrial - Light may include some Outdoor Storage.

- 15.8. deleting the definition of the term "Office" in its entirety and replacing it with the following:  
**Office** means development for the processing, manipulation, or application of business information or professional expertise, and may or may not include services to the public. An Office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, but may be accessory thereto. An Office does not include development pertaining to health or human services where such uses involve client visits of any volume.
- 15.9. deleting the definition of the term "Parcel" in its entirety and replacing it with the following:  
**Parcel** means the aggregate of the 1 or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in the land titles office. For the purposes of this bylaw, a Parcel also means 1 bare land condominium unit within the TN District if that unit contains a Single Detached Dwelling.
- 15.10. deleting the definition of the term "Recreation – Active" in its entirety and replacing it with the following:  
**Recreation – Active** means development for leisure activities requiring indoor and / or outdoor facilities for engaging in sports, including (but not limited to) parks, swimming pools, fields, arenas, courts, rinks, gyms, or other large-scale facilities that contain such facilities, but does not include Entertainment Establishments.
- 15.11. deleting the definition of the term "Retail & Service – General" in its entirety and replacing it with the following:  
**Retail & Service – General** means development that provides goods or services directly for sale to the consumer where such goods or services are available on the premises to a maximum of 420.0 square meters and where such development does not pertain to health or human services where such uses involve client visits of any volume. Retail & Service - General does not include Cannabis Retail.
- 15.12. adding a definition of the term "Site Lighting Plan" as follows:  
**Site Lighting Plan** means a plan(s) prepared by a qualified Electrical Engineer addressing at a minimum:
- A. a description of each proposed light fixture including a copy of the specification sheet and details on the proposed installation height and locations;
  - B. a plan of the site and surrounding area, which shows the location of all light fixtures;
  - C. a photometric grid showing illumination levels both within the site and 8m beyond the property line based on the manufacturer's specifications for the light fixtures;
  - D. foundation details for light poles;

- E. appropriate references to guidelines for lighting levels prepared by the Illumination Engineering Society of North America (IESNA) and a description of how the site lighting plan is consistent with IESNA recommendations and lighting requirements of the Land Use Bylaw; and
- F. a letter from the Electrical Engineer confirming that the proposed light levels are suitable for the proposed use.

15.13. adding a definition of the term "Zero Lot Line" as follows:

**Zero Lot Line** means a residential Development where the Primary Building is located on a lot where there is no side yard on one side of the Primary Building provided the wall of the zero setback side contains no windows, doors or other openings; there is a maintenance easement on the adjacent lot to the zero setback; and the Primary Building is not physically connected to another Building on the adjacent lot.

16. Each Section is amended by:

- 16.1. deleting each instance of the words "per cent" and replacing them with the word "percent".
- 16.2. deleting each instance of the words "per centage" and replacing them with the word "percentage".

This Bylaw shall come into full force and effect upon third and final reading, and Bylaw 17-21 and any amendments thereto are hereby amended upon this Bylaw coming into effect.

READ A FIRST TIME this 13<sup>th</sup> day of May 2024.

READ A SECOND TIME this      day of      2024.

READ A THIRD TIME AND PASSED this      day of      2024.

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Mayor

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Chief Administrative Officer