

Land Use Bylaw 2018-10
Consolidated September 18, 2018



BYLAW 2018-10

BEING A BYLAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS IN THE TOWN OF SUNDRE

WHEREAS the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and amendments thereto, authorized the Council of a Municipality to enact a Land Use Bylaw to prohibit or regulate and control the Use and development of land and buildings within the Municipality.

NOW THEREFORE the Council of the Town of Sundre in the Province of Alberta, enacts as follows:

Land Use Bylaw 2018-10, appended hereto, is approved as the Town of Sundre Land Use Bylaw.

Land Use Bylaw 705, and any amendments thereto, are hereby rescinded.

Read for a first time on this 9th day of July 2018; Motion 282-18-07-09

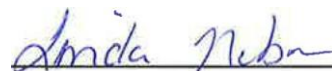
Public Hearing held on this 10th day of September 2018;

Read for the second time on this 10th day of September 2018; Motion 349-18-09-10

Read for the third time on this 10th day of September 2018; Motion 350-18-09-10



Deputy Mayor Cheri Funke



Chief Administrative Officer

Office Consolidation

Please Note:

Land Use Bylaw No. 2018-10 was adopted by Town Council on September 10, 2018 and became effective on that date.

Land Use Bylaw No. 705 was simultaneously repealed on that date.

Bylaw 2018-10 is subject to change (amendment) following the processes outlined in the *Municipal Government Act* RSA 2000 and amendments thereto. A current listing of any amendments can be obtained from the Town of Sundre Municipal Office (717 Main Avenue W., Sundre AB, T0M 1X0). Please call Planning & Development at 403-638-3551 with respect to any questions concerning the interpretation and application of this Bylaw.

1) District Equivalencies for the Purpose of Interpreting the Transitional Provisions

Notwithstanding any differences in the regulations of the applicable District and for the purpose of interpreting any transitional provisions, the Part Four: Land Use Districts of this Land Use Bylaw, are deemed to be equivalent to the Land Use Districts of Bylaw No. 705, being as follows:

1. Low Density Residential District, R-1
2. General Residential District, R-2
3. Manufactured Home District, R-3 (*formerly Mobile Home District R-3, under Bylaw 705*)
 - i. Manufactured Home Park Standards
 - ii. Manufactured Home Subdivision Standards
4. Estate Residential District, R-4
5. Serviced Estate Residential District, R-4A
6. Central Commercial District, C-1
7. Highway Commercial District, C-2
8. Neighbourhood Commercial District, C-3 (*formerly Gateway Commercial District C-3, under Bylaw 705*)
9. Light Industrial District, I-1
10. Flood Plain Industrial District, I-2
11. Light Industrial Business Park District, I-3
12. General Industrial District, I-4 (*new District*)
13. Public Service District, PS
14. Urban Reserve District, UR
15. Seasonal Residential District, SR (*formerly Recreation Vehicle District RV-1, under Bylaw 705*)

2) Development Application in Process Prior to

An application for a development permit which is received in its complete and final form prior to the effective date of this Bylaw shall be processed, and any permit issued shall be in accordance with Land Use Bylaw No. 705 as amended.

CONSOLIDATION: LAND USE BYLAW AMENDMENTS

| <i>BYLAW NUMBER</i> | <i>DESCRIPTION</i> | <i>THIRD READING DATE</i> |
|----------------------------|--|----------------------------------|
| Bylaw 705 | Rescinded | September 10, 2018 |
| Bylaw 2018-10 | New Land Use Bylaw Adopted | September 10, 2018 |
| Bylaw 2018-11 | LUB Amendment – Cannabis Retail Store & Cannabis Production Facility | September 17, 2018 |
| Bylaw 2018-10 Amendment | Schedule "A" Land Use District Map | March 14, 2019 |

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PART ONE

INTERPRETATION AND ADMINISTRATION

PART ONE: INTERPRETATION AND ADMINISTRATION

1.1 Short Title

This Bylaw may be cited as “The Town of Sundre Land Use Bylaw”

1.2 Purpose

The purpose of this Bylaw is to, amongst other things,

- 1) divide the municipality into Land Use Districts;
- 2) prescribe and regulate the use for each District;
- 3) establish the Development Authority and its responsibility;
- 4) establish the Subdivision Authority;
- 5) establish a method of making decisions on applications for development permits including the issuance of development permits;
- 6) provide the manner in which notice of issuance of a development permit is to be given;
- 7) implement the statutory plans of the Town of Sundre.

1.3 Establishment of Definitions and General Regulations

The Definitions and General Regulations as set forth in PART TWO and PART THREE hereto, are hereby adopted to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.4 Establishment of Land Use District Regulations

The Land Use District Regulations as set forth in PART FOUR hereto, are hereby adopted to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.5 Establishment of Land Use Districts

- 1) For the purpose of this Land Use Bylaw the Town of Sundre is divided into Land Use Districts as delineated on the Land Use District Map being SCHEDULE A to this Bylaw. All roads and water courses are excluded from the Land Use Districts;
- 2) Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:

- a) A boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
- b) A boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
- c) A boundary location, which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

1.6 Land Use Bylaw Amendments

- 1) Any person applying to amend any part of this Bylaw shall apply in writing to the Council on the required form, accompanied by the appropriate application fee and any necessary drawings or documentation;
- 2) The Town of Sundre, at its sole discretion may initiate any amendments to this Bylaw.

1.7 Development Authority and Responsibility of Development Officer

- 1) The position of the Development Officer is hereby established;
- 2) The Chief Administrative Officer is a Development Authority and may appoint one or more Development Officers as considered necessary;
- 3) The Development Officer, except as detailed below, is a Development Authority, for the purposes of this Bylaw;
- 4) The Development Officer shall receive all applications for development, and
 - a) Shall review each development application to ascertain whether it is complete in accordance with the requirements of this Bylaw, and shall, if the application complies with such requirements, receive the application;
 - b) Shall take into account in the decision of a permit application utility servicing requirements, Land Use District requirements and referral agency comments;
 - c) Shall approve, with or without conditions, all applications for development of a Permitted Use provided the development complies with the regulations of this Bylaw;
 - d) May refuse or may approve, with or without conditions, all applications for development of a Discretionary Use, excavation or stockpiling or grading of soil, or demolition or removal of buildings;

- e) May impose conditions on an approval of a Development Permit application, including but not limited to access, parking, vehicle stacking, appearance, garbage enclosures, utilities servicing, patron movement facilities, and outdoor lighting;
- f) Shall refuse an application for development if the development does not comply with the regulations of this Bylaw, unless variance is granted pursuant to Section 1.7.1;
- g) Shall not receive an application for development if the development is neither a Permitted or Discretionary Use in the Land Use District in which the property is located. The Development Officer may offer suggestions on the process to be undertaken by the applicant for the proposal to be received for consideration;
- h) May refuse an application if a development might have a significant adverse environmental impact;
- i) Shall provide reasons for the decision where an application is refused;
- j) May refer by report to Council for its consideration and direction, any Development Permit application which the Development Officer considers to significantly affect any statutory plans, policies and directions of Council which are being prepared or have been adopted;
- k) May refer by report to Council for its consideration and direction, any Development Permit application at the Development Officer's discretion;
- l) Shall advise the Council and Subdivision and Development Appeal Board on questions relating to the development of land, as required;
- m) Shall instruct the applicant on an application for use which is not listed as a "Permitted Use" or "Discretionary Use" in the District which the building or land is situated, of his option of applying to Council for an amendment to this Bylaw, and;
- n) Shall sign, issue (if approved), and forward the notice of decision to the applicant all Development Permit decisions from any of the appropriate Development Authorities.

1.7.1 Variances

- a) The Development Authority may vary the requirements of this Bylaw up to 25% for any Development Permit, provided the variance does not:
 - i. unduly interfere with the amenities of the neighbourhood;
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - iii. the proposed development must conform with the use prescribed for the land or building in this Bylaw.

1.7.2 Certificates of Compliance

- a) The Development Officer shall receive all requests for Certificates of Compliance;
- b) The Development Officer may issue a compliance based on this bylaw or proclaim the property as non-conforming based on a previous Land Use Bylaw. In both cases the determination shall be based solely on the information on the documents provided and documentation from previous development approvals;
- c) The Development Officer may consider a Development Permit to allow a variance on the requirements of this Bylaw for a Certificate of Compliance, subject to subsection 1.7.1 and provided that the terms and conditions of any development have been met, to the satisfaction of the Development Officer.

1.7.3 Public Inspection of Development Applications

The Development Officer shall ensure that a Register of Applications is maintained for all applications for development for a period of seven (7) years. This register shall be made available for inspection to any interested person during normal office hours.

1.7.4 Maintenance and Public Inspection of the Land Use Bylaw

The Development Officer shall:

- a) Make available for inspection to the public during normal office hours a copy of the Land Use Bylaw and all subsequent amendments thereto, and
- b) Charge the specified fee for supplying print copies of the Land Use Bylaw to the public.

1.7.5 Establishment of Forms

- a) For the purpose of administering this Land Use Bylaw, the Development Officer shall prepare such forms and notices as may be deemed necessary;
- b) Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized and issued.

1.7.6 Development Permits Issued by Fraud, Misrepresentation and Error

Wherever it appears to the Development Officer that a Development Permit has been obtained by fraud or misrepresentation or has been issued in error, the Development Officer may suspend, cancel, or amend the Development Permit, as required.

1.8 Subdivision Authority and Responsibility of Subdivision Officer

- 1) The position of Subdivision Officer is hereby established;
- 2) Council is a Subdivision Authority;
- 3) The Chief Administrative Officer is a Subdivision Authority and may appoint one or more Subdivision Officers as considered necessary;
- 4) The Subdivision Officer, except as detailed below, is a Subdivision Authority;
- 5) The Subdivision Authority is authorized to grant any time extension authorized under the *Municipal Government Act*;
- 6) The Subdivision Authority may approve, with or without conditions or refuse an application as provided for in the *Municipal Government Act*, and any applicable legislation;
- 7) When the Council is acting as the Subdivision Authority:
 - a) Only those elected members of Council in attendance at such a meeting of the Subdivision Authority may vote on any matter before it. The Chief Administrative Officer, or his/her designate, may not vote;
 - b) The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole Subdivision Authority.

- 8) The Subdivision Officer has the authority to approve, with or without conditions, or refuse all applications for subdivision that comprise 10 lots or less; any subdivision of lands where an Area Structure Plan, Concept Plan or Outline Plan has been approved by Council; or any other subdivision that the Chief Administrative Officer delegates to the Subdivision Officer in writing, on a case by case basis;
- 9) For any other subdivisions not included in the above, the Subdivision Officer shall forward subdivision applications to Council for a decision;
- 10) The Subdivision Officer:
 - a) Shall keep and maintain for the inspection of the public during normal office hours, copies of all decisions and provide copies to the public at the specified fee;
 - b) Shall keep a register of all applications for subdivision for a minimum period of seven (7) years;
 - c) Shall refer for comment an application for subdivision to an adjacent municipality when the site is within 60 meters of the municipal boundary;
 - d) Shall solicit comments from adjacent property owners on applications for subdivision;
 - e) Shall prepare, sign and transmit all notices of decision for an application for subdivision;
 - f) Shall review instruments for Land Titles registration for conformity with the Subdivision Officer or Council's decision;
 - g) May endorse Land Titles instruments in order to effect the registration of the subdivision of land.
- 11) After thirty (30) days from the date of referral to authorities, agencies or landowners, the application may be dealt with by the Subdivision Officer whether or not comments have been received;
- 12) In approving an application for subdivision or the preparation of a report and recommendation, the Subdivision Authority shall give due consideration to the comments received from any authority or agency;

- 13) When sufficient details of the proposed subdivision have not been included with the application for a subdivision, the Subdivision Officer may return the application to the applicant for further details, or may hold the application and refuse to continue processing it until the applicant provides the required information in which case the deadline for making a decision may be extended by the amount of time it takes for the applicant to produce the required information, at the Subdivision Officer's discretion;
- 14) The Subdivision Officer shall advise the Council and Subdivision and Development Appeal Board on questions relating to the subdivision of land, as required;
- 15) The Subdivision Officer shall appear before and represent Council at appeal hearings of the Subdivision and Development Appeal Board and Municipal Government Board on decisions on applications for subdivision.

1.9 Authority and Responsibility of the Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board is established as per the *Municipal Government Act*.

1.10 Purpose of Development Permit

Development Permits are required to ensure that all development is achieved in an orderly manner in accordance with the requirements of the Land Use Bylaw.

1.11 Development Not Requiring a Development Permit

- 1) No Development Permit is required under this Bylaw in respect of the following, provided that such developments shall comply with the regulations of this Bylaw where applicable:
 - a) Works of maintenance repair or alteration on a structure, either internally or externally, if in the opinion of the Development Authority such works do not change the use or intensity of use of the structure;
 - b) The completion of a building which was lawfully under construction at the date this Bylaw came into full force and effect for which the Development Authority has issued a Development Permit, provided that:
 - i. The building is completed in accordance with the terms of any permit granted by the Development Authority, subject to the conditions of that permit, including timeframe for completion, or

- c) The erection, construction or the maintenance of gates, fences, walls or other enclosures or of retaining walls of one (1) meter or less in height, provided that its erection does not contravene any other provisions of this Bylaw;
- d) The erection or installation of machinery needed in connection with the construction of a building for which a development permit has been issued, for the period of the construction;
- e) The construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement;
- f) The use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election, referendum or plebiscite;
- g) An official notice, placard or bulletin required to be displayed pursuant to the provision of Federal, Provincial or Municipal legislation;
- h) One (1) temporary, portable on-site free standing or fascia sign when properly erected and secured, and intended for:
 - i. Advertising the sale or lease of a dwelling unit, provided the sign does not exceed 1.0 sq. meters in copy area and 1.5 meters in height; or
 - ii. Advertising the sale or lease of other than a dwelling unit, for which a development permit has been issued for the development of said property provide the sign does not exceed 4.5 sq. meters; or
 - iii. Advertising the sale or lease of vacant undeveloped property providing the sign does not exceed 4.4 sq. meters in copy area; or
 - iv. Identifying a construction or demolition project for which a development permit has been issued for such a project; or
 - v. Identifying a political campaign, provided the sign is displayed for no more than 45 days prior to the end of the campaign, is removed within 7 days of the end of said campaign, and is not higher than one (1) meter with a maximum copy area of 1.5 sq. meters, or
 - vi. Advertising a campaign or drive for a charitable or municipal sponsored activity or community event;
- i) One (1) free standing, sandwich “A” type, fascia, or banner sign relaying information in regard to a community event by non- profit organizations, or in regard to public safety, subject to Development Authority approval of the location and aesthetic appearance of the sign.

- j) Window signs, provided the area of the signs do not exceed 50% of the glassed area of the windows;
- k) The construction, maintenance and repair of patios and decks less than 0.6 meters high at finished grade, private walkways, pathways, driveways and similar works where such works are wholly contained within the owner's property;
- l) The on-site excavation of land, stockpiling or stripping of soil and grading provided that either the stripping or excavation or grading is part of a development for which a development agreement has been approved, or that the applicant has already signed a development agreement with the Town for the area concerned;
- m) Municipal works, specifically roads, traffic management infrastructure, vehicular and pedestrian bridges, water and utility installations, substations and pumping stations, water reservoirs, storm and sanitary sewer installations, street furniture and signs, work depots, public works buildings and facilities, parks and landscaping projects;
- n) The construction of municipal public roadways and walkways, the installation of utilities and the grading of a site which is the subject of an approved subdivision for which a development agreement has been duly executed, or the undertaking of public roadway construction that has been authorized by Council;
- o) One (1) on-site sign, which does not exceed 0.18 sq. meters in area used to identify a person's or building's name and address;
- p) Temporary buildings and protective fences when associated with a construction project for which a development permit has been issued for such a project;
- q) Exterior renovations to any building provided the proposed renovations do not increase the area of the building and comply with all setback and height requirements of the applicable land use district;
- r) The construction or replacement of an accessory building having an area of less than 10 sq. meters and that has a height not greater than 4 meters;
- s) Antenna structures;

- t) A change of occupancy within the same use if, in the opinion of the Development Authority, such change of occupancy does not change the intensity of the use of the structure, the structure has not been unoccupied for a time period exceeding 6 months and where there is an existing Development Permit for said use;

1.12 Required Information for Application for Development Permit

- 1) An application for a Development Permit shall not be considered to have been received until the applicant has submitted all information required pursuant to the following sections of this Bylaw, and any information specifically required pursuant to the regulations of the applicable Land Use District or any other section of this Bylaw, and until the applicant has paid the appropriate fee specified by the relevant Bylaw or Policy;
- 2) Notwithstanding clause (1) above, the Development Authority may receive an application if, in its opinion, the proposed development is such a nature as to enable a decision to be made on the application without all of the information required in this section;
- 3) The Development Authority may require an applicant to submit any additional information as he considers necessary to evaluate a Development Permit application;
- 4) Where an application for a Development Permit is determined to contain incorrect or incomplete information, no Development Permit shall be issued until such time information is corrected by the applicant;
- 5) The approval or issuing of a Development Permit shall not prevent the Development Authority from requiring the correction of errors in the application, nor from prohibiting the development from being carried out when the same is in violation of this Bylaw.

1.13 Conditions Attached to a Development Permit

- 1) The Development Authority may, with respect to a Development Permit, impose any conditions deemed appropriate, having regard to the regulations of this Bylaw, the provisions of any Statutory Plan and the *Municipal Government Act*.
- 2) A Development Permit for a Permitted Use or a Discretionary Use may include conditions related to:
 - a) Utility Servicing;
 - b) Site Access;
 - c) Vehicle Management and Parking;

- d) General Appearance;
 - e) Accessory Uses;
 - f) Land Use District Requirements;
 - g) Timeframe of Validity of Permit;
 - h) Security;
 - i) Pedestrian Movement;
 - j) Landscaping;
 - k) Garbage Storage; and
 - l) Signage.
- 3) The Development Authority may require an applicant, as a condition of issuing a Development Permit, to enter into agreements to service the property as provided by the *Municipal Government Act*.
- 4) The Development Authority may place conditions that may be:
- a) Prior to Release Conditions; or
 - b) Issuance Conditions.

1.14 Notification, Issuance and Validity of Development Permits

- 1) When an application for Development Permit is approved for any use, the Notice of Decision, as the case may be, shall be delivered to the applicant in a manner acceptable to the Development Authority;
- 2) If the application is for a permitted use that requires a variance pursuant to Section 1.7.1 of the Bylaw, or is for a discretionary use, the Development Authority shall also issue a notice stating the legal description of the property, civic address, and the nature of the use or development, to be sent by ordinary mail to adjacent land owners and may, at the discretion of the Development Authority:
 - a) Be published in a local newspaper circulating within the municipality, or
 - b) Be posted conspicuously on the property.
- 3) When an application for a Development Permit is refused, the Notice of Decision shall be sent to the applicant by ordinary mail;
- 4) For the purpose of this Bylaw, notice given by the Development Authority on an application for a Development Permit is deemed to have been given five (5) days after the date the notice was sent by ordinary mail;

- 5) When an application for a Development Permit has been approved by the Development Authority, the Development Permit shall not be considered valid unless and until all conditions noted as “Prior to Release Conditions” have been met to the satisfaction of the Development Authority;
- 6) If the Subdivision and Development Appeal Board is served with a Notice of Appeal on a Development Permit pursuant to the *Municipal Government Act*, such notice shall suspend the Development Permit until final determination of the appeal validates, amends or revokes the suspended Development Permit;
- 7) When a Development Permit has been issued and an application to the Court of Appeal has commenced, any action taken by the permit holder in proceeding with the development is at the sole risk of the Permit holder;
- 8) If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue, and completed within twenty-four (24) months of the commencement of construction, the permit is deemed to be cancelled, unless an extension to this period shall first have been granted by the Development Authority;
- 9) Upon written request by the applicant, the Development Authority, at its sole discretion may extend a Notice of Decision on a Development Permit for an appropriate period beyond its expiry to allow additional time for the applicant to meet the conditions for issuance of the Development Permit, or to complete the project to which the permit applies;
- 10) A Development Permit, when issued by the Development Authority, remains valid provided the use is not abandoned for a period of up to six (6) months or comes to the end date noted in the conditions of issuance;
- 11) A Development Permit issued pursuant to this Bylaw is not a Building Permit, and construction shall not commence until a Building Permit has been approved;
- 12) Subject to Section 13, when an application for a Development Permit is refused, another application for a Development Permit for the same or similar use of the site shall not be made by the same or any other applicant until six (6) months after the date of the refusal of the application;
- 13) When an application for a Development Permit is refused, another application for a development on the same site may be made within six (6) months after the date of the refusal of the application if:

- a) The application was refused because the application did not comply with this Bylaw; and
- b) The development that is the subject of the subsequent application complies with this Bylaw.

1.15 Development Application Forms, Notices and Fees

- 1) For the purpose of administering the provisions of this Bylaw, the Chief Administrative Officer may authorize the use of any forms or notices that are required;
- 2) For the purposes of administering the provisions of this Bylaw, Council may authorize the imposition of fees or other charges, by way of Bylaw, Policy or Resolution.

1.16 Subdivision Applications, Decisions and Conditions of Appeal

- 1) An application for subdivision approval shall be made to the Subdivision Authority using the prescribed form, signed by the owner or the owner's agent;
- 2) The Subdivision Authority may require an application for multi-lot residential, commercial, highway commercial and industrial uses to include:
 - a) A functional servicing report, a traffic impact assessment, a geotechnical assessment, storm water management plan, historical/archeological assessment, analysis of the use of the land, and other matters as the Subdivision Authority may require;
 - b) Statistics in tabular form showing calculations of the gross area of land in the plan area and the allocation of that land to streets, lanes, lots, Municipal Reserve, Municipal and School Reserve, School Reserve, Environmental Reserve, Community Reserve and Public Utility Lot;
 - c) A development phasing plan, if applicable;
 - d) A plan showing how natural features and views will be preserved.
- 3) The Subdivision Authority shall take into account in its decision, the Design Guidelines for Subdivision Servicing, Land Use Bylaw and Statutory Plan requirements and referral agency comments;
- 4) A decision on an application for subdivision approval is not an approval to develop,

construct or build on the land. Site grading, earthwork or any other construction shall not commence nor proceed until a development agreement has been signed or where applicable, a development permit has been issued;

- 5) When an application for subdivision is approved, with or without conditions, or refused, the Notice of Decision shall be sent by ordinary mail to the applicant and those persons and authorities that are required to be given a copy of the decision under the Subdivision and Development Regulations, and by any other additional means acceptable to the Subdivision Authority;
- 6) In the decision to approve an application for subdivision, the Subdivision Authority may apply conditions to ensure the application conforms to this Bylaw, the *Municipal Government Act*, adopted Statutory Plans or other legislation, including conditions that:
 - a) Require the applicant to enter into agreements with the municipality as contemplated by the *Municipal Government Act*, including the provision of security as outlined in the agreements;
 - b) Require the applicant to repair or reinstate, or to pay for the repair or reinstatement, to original condition, any roads, municipal signage, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed during construction of the development or subdivision;
 - c) Respect the time within which a subdivision or any part of it is to be completed;
 - d) Limit the length of time for the phasing of development or subdivision; and
 - e) Indicate the maximum density of dwelling units that may be allowed to occupy the site.

1.17 Right of Entry

- 1) Right of Entry procedures shall be governed by the *Municipal Government Act*;
- 2) The Chief Administrative Officer, Development Authority, Subdivision Authority, Peace Officer/Bylaw Enforcement Officer, or such other person designated by Council, are “designated officers” for the purposes of Subsection (1) above and the *Municipal Government Act*.

1.18 Bylaw Contravention

Orders and municipal actions to remedy a contravention under this Bylaw shall be governed by the *Municipal Government Act*.

1.19 Authority and Responsibility of the Peace Officer / Bylaw Enforcement Officer

- 1) The Peace Officer/Bylaw Enforcement Officer has the following authority and responsibility with respect to the Land Use Bylaw:
 - a) Respond to and investigate complaints as directed by the Development Officer from time to time, and
 - b) Issue warnings, notices, tickets and tags as directed by the Development Officer from time to time, in accordance with Sections 1.20.1 and 1.20.2 of this Bylaw.

1.20 Offences and Penalties

- 1) This Bylaw shall be enforced and contravention of any provision contained herein will be acted upon within the legal authority of the Council and potentially by the Court of Queen's Bench of Alberta;
- 2) A person who contravenes any provision of the *Municipal Government Act*, this Bylaw, an Order under this Bylaw, a Development Permit, a subdivision approval, or who obstructs or hinders any person in the exercise or performance of their powers or duties under this Bylaw or *Municipal Government Act* is guilty of an offense and is liable to the penalties provided for in the *Municipal Government Act*, S. 566(1), (2);

1.20.1 Municipal Tags

- a) A Peace Officer/Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any person whom the Peace Officer/Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision for this Bylaw;
- b) A Municipal Tag shall be served upon such person personally, or in the case of a corporation, by serving the Municipal Tag personally upon the Manager, Secretary or other Officer of the corporation, or a person in charge of a branch office, or by mailing a copy to such person by registered mail;
- c) Where personal service cannot be affected upon a person, a Peace Officer/Bylaw Enforcement Officer may serve the Municipal Tag by leaving the Tag with a person on the premises who has the appearance of being at least eighteen (18) years of age;

- d) A Municipal Tag shall be in a form approved by Council, and shall contain the following information:
- i. The name of the person to whom the Municipal Tag is issued;
 - ii. The date of issue;
 - iii. A description of the offence, the section number of the Bylaw, and the date on which the offence occurred;
 - iv. The appropriate penalty for the offence as specified in the *Provincial Offences Procedure Act, RSA 2000, c. P-34*, and any amendments and regulations thereto, and this Bylaw, as amended by Council from time to time;
 - v. That the penalty shall be paid within a time prescribed by the Peace Officer/Bylaw Enforcement Officer in order to avoid prosecution; and
 - vi. Any other information as may be required by the Town Council from time to time.
- e) Where a Municipal Tag has been issued pursuant to Section 1.20.1, the person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Municipal Tag within the time period provided.

1.20.2 Violation Tickets

- a) In those cases where a Municipal Tag has been issued and the penalty on the Municipal Tag has not been paid within the prescribed time, the Peace Officer/Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act, RSA 2000* and amendments thereto;
- b) Notwithstanding Subsection 1.20.2a) above, a Peace Officer/Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any person whom the Peace Officer/Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw, notwithstanding that a Municipal Tag has not first been issued;
- c) Where a Violation Ticket has been issued to a person pursuant to this Bylaw, that person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out in the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

1.20.3 Notification

Any written notice, or Order, or decision that is required under any provision of this Bylaw to be provide to any person shall be deemed to have been so provided if it is:

- a) Delivered personally to the person or their agent it is directed to; or
- b) Mailed by certified mail to the last known address of the person it is directed to; or
- c) Left with any agent or employee or resident at the last known address of the person to whom it is directed.

1.20.4 Paying a penalty or pleading guilty does not constitute an approval to continue the activity in violation of the Land Use Bylaw.

1.21 Temporary Permits

- 1) The Development Authority may, except in Residential Districts, approve an application for discretionary use for any temporary period of time;
- 2) If the subject lands are in a Residential District, the Development Authority may only approve an application for temporary development permit if the application is for a Residential Sales Centre;
- 3) A Temporary Permit may be issued for the stripping and grading of lands in any District where an engineered stamped drawing for the grading of the lands approved by the Town's Engineer is submitted with the application;
- 4) A Temporary Permit may be issued for a period of up to one year, with extensions granted at the sole discretion of the Development Authority;
- 5) A Temporary Building shall consist of a building constructed without any foundation below grade or any other building determined by the Development Authority to be temporary as a condition to the issuance of the Development Permit.

PART TWO

DEFINITIONS

- 1. GENERAL DEFINITIONS**
- 2. USE DEFINITIONS**
- 3. SIGN DEFINITIONS**

PART TWO: DEFINITIONS

1. GENERAL DEFINITIONS

In this Land Use Bylaw:

Terms and words in this Bylaw, which are defined in the *Municipal Government Act*, have the meaning expressed in that Act. For definition of words used in this Bylaw that are not included in this Section, reference should be made to The Merriam-Webster Dictionary New Edition (c) 2016

Other terms and words are defined as follows:

A

Abut or Abutting means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site or piece of land, and shares a property line or boundary line with it.

Accessory Use means a use customarily incidental and subordinate to the main use and is located on the same parcel of land with such main use.

Act means the *Municipal Government Act Chapter M-26 Revised Statutes of Alberta, 2000*, as amended.

Adjacent Land means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream.

Approving Authority means the Council or the Development Authority as the context provides.

Area Redevelopment Plan means a statutory plan adopted by the Council as an area redevelopment plan pursuant to the *Municipal Government Act*.

Area Structure Plan means a statutory plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*.

B

Basement means the portion of a building or structure which is wholly or partially below grade and below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of this Bylaw.

Boulevard means the landscape strip in a road right-of-way between the street curb and adjacent property line. Boulevard widths vary from street to street.

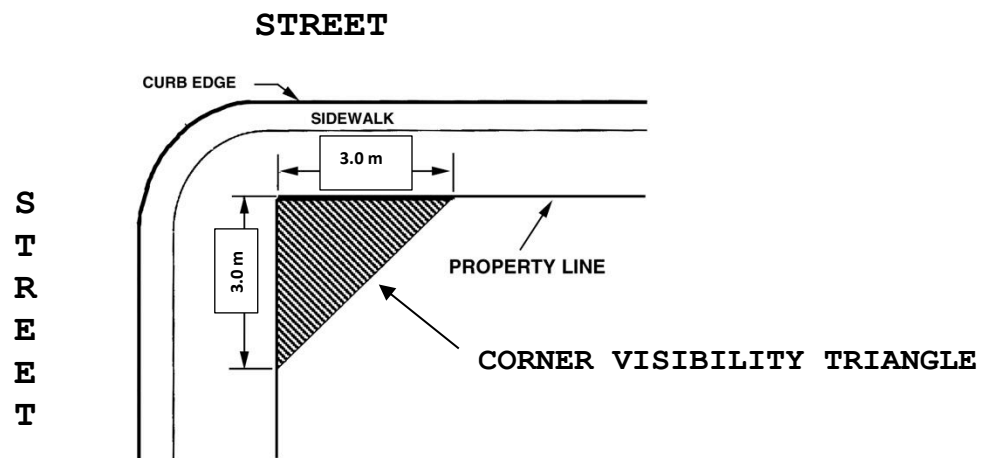
Building includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road

C

Certificate of Compliance means a document (stamp) signed by the Development Authority, certifying that a development is compliant with this Bylaw as represented on:

- (a) a current Alberta Land Surveyors' Real Property Report; or
- (b) an Alberta Land Surveyors' Real Property Report or Survey Certificate that is older than three months and supported by an affidavit that the Real Property Report or Survey Certificate is an accurate representation of the development on the property.

Corner Visibility Triangle means a triangular area formed on the corner site by the two street property lines and a straight line which intersects them at a specified distance from the corner where they meet. A corner visibility triangle example is illustrated as follows:



Council means the elected officials of the Town of Sundre.

Coverage, Site means the total horizontal area of all buildings or structures on a site which are located at or higher than 0.3m above grade, including accessory buildings or structures. This definition shall not include:

- (a) steps, walkways, eaves, cornices, and similar projections; or
- (b) driveways, aisles and parking lots unless they are part of a structure which extends 0.3m or more above grade; or
- (c) unenclosed inner or outer courts, terraces and patios where these are less than 0.3m above grade; or
- (d) buildings or structures having an area not greater than 10m²

Crime Prevention through Environmental Design (CPTED) is a crime prevention philosophy, based on the theory that proper design and effective use of the built environment can lead to a reduction in the fear and incidence of crime, as well as an improvement in the quality of life.

D

Development means

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

Development Authority means a designated officer, person or persons appointed by Bylaw pursuant to the *Municipal Government Act* to exercise development powers and duties on behalf of the municipality.

Development Officer means a person appointed as a Development Officer pursuant to this Land Use Bylaw.

Development Permit means a document authorizing a development issued pursuant to this Land Use Bylaw.

District means a Land Use District as depicted in Part Four: Land Use District Regulations, and on the Land Use District Map comprising “Schedule A” of this Bylaw.

Discretionary Use means the use of land, a building or structure for which a permit may be issued at the discretion of the Development Authority.

Driveway means a vehicle access route between the carriageway of a road and a use on a parcel.

Dwelling means a building or portion of a building containing one or more dwelling units for a person(s) to reside in.

Dwelling Unit means a building or portion of a building that is used as a home or residence and contains one or more rooms including a kitchen designed as a self-contained unit for one or more persons for the purpose of cooking, living and sleeping.

E

Eave Line means the horizontal line that marks the intersection of the roof and the wall of a building

F

Fence means a vertical physical barrier constructed to provide visual screening or to prevent unauthorized access. This does not include the development of artificial embankments such as retaining walls.

1:100 Year Flood Elevation means the water level reached during a 1:100 year flood as determined in accordance with technical criteria established for the Canada-Alberta Flood Damage Reduction Program.

Flood Fringe means the outer portion of the flood risk area, adjacent to the floodway. The water in the flood fringe is generally shallower and flows more slowly than in the floodway. Conditions are generally less hazardous than in the floodway.

Flood Proofing means with respect to a building or building extension, a design, manner of construction or siting thereof for the purpose of preventing damage by floods of a specified magnitude that is certified by a Registered Architect under the Architects Act of the Province of Alberta or a Professional Engineer registered under the Engineering, Geological, or Geophysical Professions Act of the Province of Alberta.

Flood Risk Area means the area, which would be inundated by the 1:100 year flood along the Bearberry Creek and Red Deer River as identified on the Sundre Flood Risk Map established by the Canada-Alberta Flood Damage Reduction Program.

Flood Risk Overlay means an overlay, which identifies the flood risk areas, which have been mapped under the Canada-Alberta Flood Damage Reduction Program.

Floodway means that part of the flood risk area where the flood waters is deepest, fastest and hence most destructive. It is a constricted channel area within which the entire design flood may be conveyed without either raising water levels or increasing flow velocities beyond specified limited. (*Bylaw 782*)

Floor Area means

- a. For residential buildings, the total area of all floors in a building measured from the outside of exterior walls, but excluding basement, floor areas of cellars, attached garages, shed, carports, or open porches in all residential buildings, or
- b. For commercial buildings, the total floor area of all floors in a building measured from the outside of exterior walls including basements and cellars but excluding mall areas.

Floor Area, Gross means the total floor area of the building or structure, contained within the outside surface of the exterior and basement walls, or where buildings are separated by firewalls, to the centre line of the common firewall.

Frontage means, where used with reference to residential development, the lineal distance measured along the Front Lot Line; and where used with reference to non-residential development, the length of the property line of any side of a separate business development which is parallel to, and abuts, a public roadway, not including a lane, which is directly accessible from the development.

G

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

Geothermal energy means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the earth.

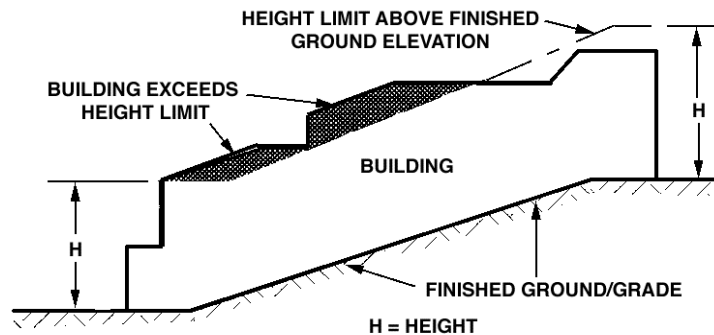
Grade means, the elevation of the natural ground level of the site or the finished level of the ground adjoining a building at all exterior walls or the level of the ground established by an approved grade plan.

Grade Plan means, a drawing or specification prepared by a professional engineer or a member of a similar professional discipline which specifies elevations for building floors and foundations, streets, lanes, walks and the finished ground level of the site.

H

Habitable Floor Area means, any finished floor area intended primarily for human occupancy.

Height means, when used with reference to a building or structure, the average vertical distance between finished grade and the apex of the roof line measured at the front and rear corners of a building or structure, excluding a roof stairway entrance, elevator shaft, ventilating fan, sky light, steeple, chimney, smoke, vapor or ventilation stack, fire or parapet wall, flag pole, antenna or similar device not structurally essential to the building or structure (see sketch):



I

Intermunicipal Development Plan means a statutory plan adopted by the Council of the Town of Sundre and the Council of Mountain View County as an Intermunicipal Development Plan pursuant to the *Municipal Government Act*.

Issue means the date a development permit or an order is dated and signed by the Development Authority in the course of his duties

L

Landscaped Area means that portion of the site which is required to be landscaped pursuant to this bylaw and Development Permit, and shall not include areas occupied by storage, parking lots, driveways, or garbage containers other than decorative containers for the use of the public and approved by the Development Authority.

Landscaping means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover; and
- (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood.

Land Use Bylaw means a Bylaw, and amendments thereto, pursuant to Section 640 of the *Municipal Government Act*.

Land Use Policies means policies established by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*.

Lane means a public road, which provides a secondary means of access to a parcel or parcels and which are registered in a land titles office.

Lot means parcel, or tract of land owned by one or more people or by a legal entity such as a company, corporation, organization, government or trust as registered at the Land Titles Office.

Lot Line, Front means the property line separating a lot from an abutting street. In the case of a Corner Site, the Front Line is the shorter of the property lines abutting a street (see sketch)

Lot Line, Rear means either the property line of a lot which is furthest from and opposite the Front Lot Line, or, where there is no such property line, the point of intersection of any property lines other than a Front Lot Line which is furthest from and opposite the Front Lot Line.

Lot Line, Side means the property line of a lot other than a Front Lot Line or Rear Lot Line.

| |
|----------|
| M |
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m means meters (m.)

m² means square meters

Mechanized Excavation, Stripping and Grading means the use of motorized equipment to remove, relocate, or stockpile soil or vegetation in excess of normal landscape maintenance requirements.

Manufactured Home Lot means the space allotted for the installation of one Manufactured Home in any Manufactured Home Park or Manufactured Home Subdivision.

Manufactured Home Park means a comprehensive development under one (1) title which has allocated space for the installation of Manufactured Homes.

Manufactured Home Subdivision means a parcel of land subdivided by a registered plan into individual titled lots for the installation of Manufactured Homes.

Municipality means the Town of Sundre

Municipal Development Plan means a statutory plan adopted by Council as a Municipal Development Plan, pursuant to the *Municipal Government Act*.

Municipal Government Act means the *Municipal Government Act*, R.S.A. 2000, c M-26, as amended.

N

Natural Environment Preservation Area means an environmentally sensitive area or otherwise locally significant area that is to be preserved because of its natural or amenity value to the Town.

Naturescape means the practice of landscaping or gardening with exclusively native plants and vegetation.

Nuisance means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

Non-conforming Building means a building

- (a) that is lawfully constructed or lawfully under construction at the date this Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and
- (b) that on the date this Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

Non-conforming Use means a lawful specific use

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date this Bylaw or any amendment thereof affecting the land or building becomes effective, and
- (b) that on the date this Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with this Bylaw

O

Owner means the person(s) who is registered under the *Land Titles Act* as the owner of the land.

P

Parapet means a low wall or railing to protect the edge of a roof.

Parcel of Land means

- a. Where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office;
- b. Where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
- c. A quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a certificate of title.

Party Wall means either a wall erected at, or upon, a line separating two parcels of land each of which is, or is capable of being, a separate legal parcel subdivided under the *Municipal Government Act*, as amended, or a wall separating two dwellings each of which is, or capable of being, a separate legal parcel divided under the *Condominium Property Act*, Revised Statutes of Alberta 2000, Chapter C-22.

Peace Officer means a person(s) who is appointed by a Municipality to uphold and enforce certain laws, regulations and municipal bylaws. The Justice and Solicitor General has overall authority for the Peace Officer Program, as provided in the *Peace Officer Act*. A Peace Officer includes municipal bylaw enforcement by a Bylaw Enforcement Officer for the purposes of this Bylaw.

Permitted Use means the use of land or of a structure which is listed in the column captioned, "Permitted Uses" in the lists of Permitted and Discretionary Uses appearing in this Bylaw under Part Four: Land Use District Regulations and for which, when it meets the applicable provisions of this Bylaw, a Development Permit shall be issued.

Principal Building means a building, which in the opinion of the Development Authority:

- (a) occupies the major or the central portion of site, or
- (b) is the chief or the main one among the buildings on the site, or
- (c) constitutes by reason of its use the primary purpose for which the site is used.

Principal Use means the use of a site or of a structure which in the opinion of the Development Authority constitutes the primary purpose for which the site is used.

Public Property means any area within the corporate limits of the Town of Sundre and owned or controlled by the Town of Sundre or any other level of government including, but not limited to, roadways, road allowances, pathways, sidewalks, lands designated as Public Utility Lots, Municipal Reserves, Environmental Reserves and Utility Right-of-Ways, nor any parks, playgrounds, or any lands occupied by a public utility.

Public Utility means a public utility as defined in Part 17 of the *Municipal Government Act*.

R

Recreation Vehicle Park means a specific area comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of recreation vehicles on a seasonal basis, and for the purpose of this Bylaw is pursuant to the Seasonal Residential District of Part Four: Land Use District Regulations.

Retaining Wall means a wall erected for holding in place a mass of earth or the like as at the edge of a terrace or excavation.

Road means land:

- a) Shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
- b) Used as a public road, and
- c) Includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway.

S

Screening means the total or partial concealment of a building, structure or activity by a fence, wall, berm or soft landscaping.

Setback means the distance of a building or structure to a property line.

Sewage Collection System means a wastewater system, as defined in the Environmental Protection and Enhancement Act, and amendments thereto, that serves two or more dwelling units.

Site means an area of land consisting of one or more abutting lots.

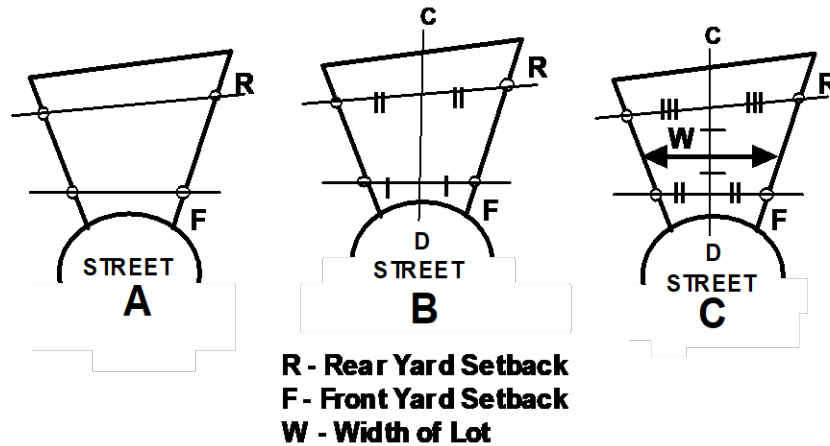
Site Area means the total horizontal area of a site.

Site, Corner means a site located at the inter-section of two public streets.

Site, Interior means any site other than a corner site.

Site, Width means the horizontal distance between the side property boundaries determined by:

- (a) producing a straight line through the front yard and rear yard setback points on the side property lines;
- (b) producing a line (CD) through the midpoints of the lines established in (a); and
- (c) measuring the distance between the side property boundaries on a straight line through the midpoint of a line (CD) and parallel to the front setback line established in (a).



Sleeping Unit means a room, or a group of two or more rooms, not equipped with self contained cooking facilities.

Solar Panel means a device used to convert energy contained within the sun's rays into electrical (photovoltaic) or heat energy and may be in a single unit or an array of units into a single panel.

Statutory Plan means a plan adopted by the Council of a municipality pursuant to the *Municipal Government Act*.

Storey means a level or part of a building situated above or below, with a floor that could be used by people for living, work, storage, recreation, but does not include a basement.

Street for the purposes of this Bylaw means a public roadway other than a lane.

Subdivision and Development Appeal Board means the board established pursuant to the *Municipal Government Act*.

Subdivision Authority means the Council, designated officer, person or persons appointed pursuant to the *Municipal Government Act* to exercise subdivision powers and duties on behalf of the municipality.

Subdivision and Development Regulation means the Subdivision and Development Regulation, Alberta Regulation 443/2002 with amendments up to and including Alberta Regulation 188/2017.

Subdivision Officer means a person appointed as a Subdivision Officer pursuant to this Land Use Bylaw.

U

Use, Change of means the conversion of land or building, or portion thereof from one land use activity to another in a accordance with the permitted or discretionary uses as listed in each Land Use District.

Use, Intensity of means an increase or decrease to the density (number of units or seating capacity), an increase to the gross floor area of an existing structure, or an expansion or addition to the uses on that site.

Use means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

V

Variance means an authorization by the Development Authority to vary a requirement-to this Bylaw.

W

Water distribution system means a waterworks system, as defined in the Environmental Protection and Enhancement Act, and amendments thereto, that serves two or more dwelling units.

X

Xeriscape means water conservation through creative landscaping. Xeriscaping emphasizes the efficient use of the minimum amount of water required to sustain an attractive and functional landscape.

Y

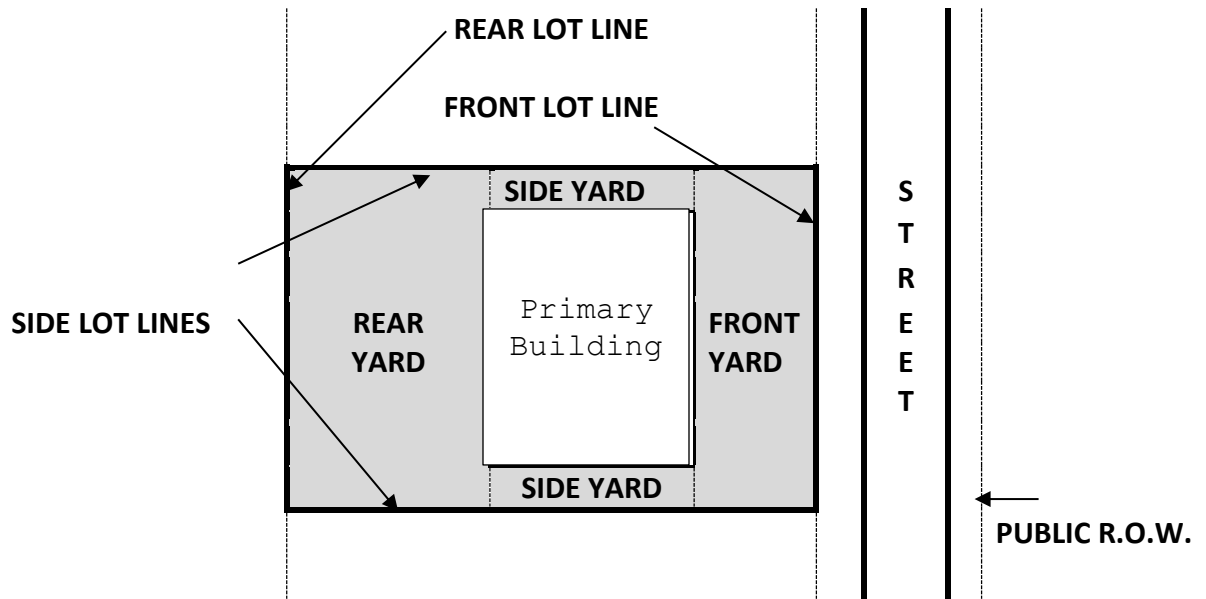
Yard means required open space unoccupied by any portion of a building or structure 0.3m or more above grade, unless otherwise permitted by this Bylaw.

Yard, Front means that portion of the lot from the front lot line extending across the full width of the site to the nearest wall of the primary building.

Yard, Rear means that portion of the lot from the rear lot line extending across the full width of the site to the nearest wall of the primary building.

Yard, Side means that portion of the lot from each side lot line to the nearest wall of the primary building situated between the front yard and rear yard.

FRONT, REAR AND SIDE YARD ILLUSTRATION



All other words and expressions have the meaning respectively assigned to them in Part 17 of the Municipal Government Act and the Subdivision and Development Regulations.

2. USE DEFINITIONS

The following guidelines shall be applied in interpreting the Use Class definitions:

- (a) The typical uses, which may be listed in the definitions, are not intended to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class.
- (b) Where specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Development Authority may, in his discretion, deem that the use conforms to and is included in that Use Class which it considers to be the most appropriate in character and purpose. In such a case, the use shall be considered a Discretionary Use, whether or not the Use Class is listed as Permitted or Discretionary within the applicable District.

A

Accessory Building or Accessory Use means a use or a building, which, in the opinion of the Development Authority, is naturally or normally incidental or subordinate to the principal use, or building located on the same site. This Use Class includes such things as private garages, private swimming pools, private sheds or private greenhouses.

Accessory Suite means a separate and subordinate dwelling unit contained within a single detached dwelling.

Adult Care Residence means a building with two or more accommodation units designed to provide long-term housing wherein the adult residents, who because of their circumstances cannot or do not wish to maintain their own households, are provided with meal services and may receive such services as housekeeping and personal care assistance.

Alternate Energy System means any system that harnesses natural elements such as wind, solar, water (including rainwater) or geothermal sources to generate electrical, thermal or mechanical energy and does not utilize any form of non-renewable resources. The use of rainwater for irrigation and watering of plants is not included in this definition.

Amusement Establishments, Major means development providing facilities within any building, room or area having more than ten (10) table games or electronic games played by patrons for entertainment with or without a fee. This Use Class includes miniature golf. This Use Class does not include Indoor Recreation Services.

for a period of less than 14 days and the occupier has no right of renewal. No additional services such as room service may be provided.

Brew Pub means a bar or restaurant under license of the Province of Alberta where the owner produces a specialty beer(s) for consumption on site, along with food preparation and service. No off sales of the product is allowed.

Bulk Fuel Dealership means a facility providing for the storage and sale of bulk fuel products.

Bus Services means development used for passenger bus and transportation purposes and includes baggage and freight handling. Typical uses are bus terminals and bus charters.

C

Cannabis means cannabis and any products containing cannabis as defined in the Cannabis Act.

Cannabis Accessories means accessories that promote the responsible and legal consumption and storage of cannabis.

Cannabis Production Facility means a building used for the legal cultivation, processing, testing, storing, destruction, packaging, distribution and shipping of cannabis permitted and licensed by the Government of Canada but does not include a cannabis retail store.

Cannabis Retail Store means a retail establishment licensed under Provincial authority where cannabis and cannabis accessories may be sold, stored, and includes any storage room, lobby, hallway or other service areas used by the licensee in support of the areas where cannabis may be sold.

Cartage and Freight Terminal means a development accommodating the storage and distribution of freight shipped by air, or highway transportation.

Cemeteries means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: Columbariums, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.

Commercial Schools means development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This Use Class does not include schools defined as Education Services. Typical uses include secretarial, business hairdressing, beauty culture, dancing or music schools.

Community Recreation Services means development for recreational, social or multi-purpose use without fixed seats and primarily intended for local community purposes. Typical uses include community halls and community centres operated by a local residents' organization.

Contractor Services, General means development used for the provision of building construction, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal General Contractor Services Use only. This Use Class does not include Professional Financial and Office Services.

Contractor Service, Limited means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities. The development must have on site retail sale of goods and services.

Crematorium means a facility for a reduction of the human body to ashes by heat.

Custodial Dwelling Unit means a development containing one dwelling unit for those persons guarding, protecting, or maintaining a facility or a parcel(s) of land and is incidental or subordinate to the principal use of the land or facility.

Custom Manufacturing Establishments means development used for small scale on-site production and retail sale of goods by hand manufacturing, primarily involving the use of hand tools provided such developments have few production employees. Typical uses include jewelry, toy and musical instrument manufacturing, gunsmiths, pottery and sculpture studios, bakeries and butchers.

D

Day Care Facility – Commercial means a development, which is licensed by the Province to provide child care and is located in a facility that is in a non-residential area. It provides care for children for more than 3 but less than 24 consecutive hours in each day that the facility is operating and is intended to be operated for at least 12 consecutive weeks per year.

Day Care Facility – Neighbourhood means a development which is licensed by the Province to provide care for 7 – 15 children for more than 3 but less than 24 consecutive hours in each day that the facility is operating and is intended to be operated for at least 12 consecutive months.

Day Home Facility – means a development to provide care for 1 to 6 children for more than 3 but less than 24 consecutive hours in each day that the facility is operating, and is intended to be operated for at least 12 consecutive weeks per year.

Detention and Correction Services means development for the purpose of holding or confining, and treating or rehabilitating persons. Typical uses may include jails, remand centres, correction centres, and drug treatment and alcohol rehabilitation centres.

Drive-In Food Services means development used for eating and drinking which offer a limited menu for rapid customer service and includes one or more of the following features: car attendant services; drive through pick-up services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

E

Eating and Drinking Establishments, Major means development where food and beverages are prepared and offered for sale to the public from establishments which are characterized by one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the on-premise catering of food to large groups; and facilities primarily intended for the provision and consumption of alcoholic beverages under Provincial license, which have a seating capacity for fifty (50) or more persons. Typical uses include beverage rooms, cocktail lounges, cabarets, nightclubs, theatre restaurants, brewpubs, and banquet facilities. This use does not include Micro-breweries or craft-breweries or Micro-distilleries or for the preparation or serving of cannabis infused food products.

Eating and Drinking Establishments, Minor means development where food and beverages are prepared and offered for sale to the public, for consumption within the premises and off the site. Such developments shall have a seating capacity not to exceed fifty (50) or more persons. This Use Class includes neighborhood pubs, licensed restaurants, cafes, delicatessens, tearooms, lunchrooms, refreshment stands and take-out restaurants, and food trucks. This Use Class does not include Drive-In Food Services or Eating and Drinking Establishments, Major, Brewpubs, Micro-breweries or craft-breweries or Micro-distilleries, or for the preparation or serving of cannabis infused food products.

Education Services means development which is publicly or privately supported or subsidized involving assembly for educational, training or instruction purposes, and includes the administrative offices required for the provision of such services on the same site. This Use Class includes public and private schools, community colleges, and their administrative offices. This Use Class does not include Commercial Schools.

Equipment Rentals means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items and where there is no outside storage of such goods or material on the site. This Use Class does not include Automotive and Recreation Vehicle Sales and Rentals and Heavy Vehicle and Equipment Sales and Rentals.

Equipment and Storage Yard means a development:

- (i) Where goods, materials, supplies and unoccupied manufactured homes are stored outdoors;
- (ii) Where large vehicles and equipment used in road or building construction, oilfield development or similar industries are stored when they are not in use and where such vehicles or equipment may be cleaned or serviced;
- (iii) Where the sale or the rental of the items described in (i) above and the sale and rental of large vehicles and equipment may be allowed at the discretion of the Development Authority provided a development permit specifically authorizes the sales or rental of these items;
- (iv) That does not include the storage of waste materials, derelict equipment or derelict vehicles; and
- (v) That may include a building for the purposes of administering the development.

Essential Utility Services means development which is part of the infrastructure of a principal utility development which is necessary for the local distribution of utility services. Typical uses in this class include gas-regulating stations, pumping stations, electrical power transformers, underground water reservoirs, irrigation systems and wells.

Extended Medical Treatment Services means development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, auxiliary hospitals, and detoxification centres.

Exhibition and Convention Facilities means a development which provides permanent facilities for meetings, seminars and conventions; product and trade fairs; circuses; and other exhibitions. Typical uses include exhibition grounds and convention centres.

F

Farms means development for the primary production of farm products such as wheat or other grains, vegetables or other field crops and grazing of horses, cattle, sheep or exotic animals. This Use Class includes one Dwelling, and a second or additional Dwelling if developed in accordance with the Municipal Government Act.

Feed Mills and Grain Elevators means buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared and sold.

Financial Services means development primarily used for the provision of financial services. Typical uses include banks, credit unions, loan offices and similar financial uses. This Use Class does not include Professional Offices and Office Support Services, Government Services or Special Government Services.

Fleet Services means development using a fleet of vehicles for the delivery of people, goods or services. This Use Class includes ambulance services, taxi services and messenger and courier services. This Use Class does not include Heavy Vehicle and Equipment Sales and Rentals, Bus Services or moving or cartage firms involving trucks or bus line terminals.

Funeral Services means development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This Use Class includes funeral homes and undertaking establishments.

G

Gas Bars means development for the retail sale of gasoline, other petroleum products, and incidental auto accessories. This Use Class does not include Service Stations.

General Industrial Uses, Minor Impact means development used principally for one or more of the following activities and where such activities are likely to have a negligible impact on the environment or adjacent land uses by virtue of its appearance, noise, size, smell, traffic generation or operational characteristics:

- a) the manufacturing or assembling of semi-finished or finished goods, products, or equipment
- b) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts or adjacent to residential districts;
- c) the storage or transshipping of materials, goods and equipment;
- d) the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to Retail Stores or other sales use Classes defined this Bylaw or resale to individual customers; or

- e) the training of personnel in General Industrial operations.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the activities identified above. The floor area devoted to such accessory activities shall not exceed 33 percent of the total gross floor area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors. The Use Class includes vehicle body repair and paint shops.

General Industrial Uses, Major Impact means development used principally for one or more of the following activities, where such activities are likely to have a significant impact on the environment or adjacent land uses, by virtue of its potential emissions, effects or appearance:

- a) the processing of raw materials;
- b) the manufacturing or assembling of semi-finished or finished goods, products or equipment;
- c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing or repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts or adjacent to residential districts; or
- d) the storage or transshipping of materials, goods and equipment.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the activities identified above. The floor area devoted to such accessory activities shall not exceed 33 percent of the total gross floor area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors. This Use Class includes vehicle body repair and paint shops.

Government Services, General means development providing municipal, provincial or federal government services directly to the public. This Use Class does not include Protective and Emergency Services, Government Services, Retail, Detention and Correction Services, Minor or Major Impact Utility Services, and Education Services. Typical uses include courthouses, manpower and employment offices and social service offices but not post offices.

Government Services, Retail means development providing special government services to the public, where central location of the development is important to the community. This Use Class includes registry offices and post offices.

Greenhouses and Plant Nurseries means development used primarily for the raising, storage and sale of bedding, household and ornamental plants and trees. This use does not include cannabis production facilities.

Group Homes, Limited means development consisting of the use of a building as a facility which is authorized, licensed or certified by public authority to provide room and board for six residents or less, exclusive of staff for foster children, or disabled persons and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This Use Class does not include Detention and Correction services. A typical use is a “halfway house” of six residents or less, excluding staff.

H

Health Services means development used for the provision of physical and mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical uses include medical and dental offices, health clinics, naturopath and counseling services.

Heavy Vehicle and Equipment Sales/Rentals/Repairs means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment, typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production. This Use Class does not include Truck and Mobile Home Sales/Rentals.

Home Occupation – Major means development consisting of the use of a Dwelling for an occupation, trade, or craft, for gain or income support, conducted entirely within the Dwelling and accessory buildings by those persons occupying the Dwelling as a private residence. The use shall be incidental and secondary to the residential use of the Dwelling. Homecrafts shall be limited to those uses which do not interfere with the rights and enjoyment of a residential neighborhood. Examples of Home Craft are: hair dressers, esthetics, massage therapy, small engine repair, travel agency.

Home Occupation - Minor means development consisting of the use of a Dwelling as a desk, computer and phone operation only by a person who occupies the Dwelling as his private

residence. There shall be no warehousing of goods and minimal client contact in the home. Examples of Home Office are: website design, document transcripts, contractor services.

Housing, Apartment Dwelling means a residential building consisting of at least 3 dwelling units but shall not include buildings containing units with separate exterior entranceway(s).

Housing, Attached Dwelling means a residential building designed and built to contain three or more dwelling units separated by a firewall, with each unit having separate entrances from grade level.

Housing, Duplex Dwelling means a residential building consisting of two dwelling units, with one dwelling unit above the other. Each dwelling unit shall have a separate and individual entrance.

Housing, Manufactured Home means a single detached dwelling built in an enclosed off site factory environment in one or more sections and intended to be occupied in a place other than where it was manufactured. Mobile homes include homes that are either completely self-contained single section dwellings units or are incomplete multi-section modules that are placed together and completed on site. A mobile home is transported to the building site on dollies (wheels) or on a flat bed truck and after placement the dollies are removed from the site. Mobile homes are built to C.S.A. standards and are labeled accordingly. New mobile homes may be built to either the CSA Z240 or CSA A277 Standards. Holiday trailers and recreational vehicles are not considered to be mobile homes. This Use does not include Modular Homes.

Housing, Modular Home means a factory “stick-built”, single detached dwelling unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure and intended for year round habitation. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site. Modular Homes are those units which are intended in the design to be moved only once. This Use does not include Manufactured Homes.

Housing, Multi-plex Dwelling means a residential building, containing four or more dwelling units, each unit sharing a vertical common wall with two other units, and each unit having separate entrances from grade level or from exterior stairway and landings.

Housing, Semi-Detached Dwelling means a residential building consisting of two side by side dwelling units sharing a common wall. Each dwelling unit shall have separate, individual, and direct access to grade.

Housing, Single Detached Dwelling means a residential building containing one dwelling unit, which is physically separate from any other residential building, but does not include a mobile home.

Hotels means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and are not equipped with individual kitchen facilities. Hotels may include accessory Eating and Drinking Establishments, meeting rooms, Personal Service Shops, Minor Amusement Establishments and a manager's suite or residence as part of the Hotel development.

Household Repair Services means development used for the provision of repair services to goods, equipment and appliances normally found within the home. This Use Class includes radio, television and appliance repair shops, furniture refinishing and upholstery shops. The development must have on site retail sale of goods and services. This Use Class does not include Personal Service Shops.

I

Indoor Recreation Services means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs; roller skating and hockey rinks; indoor swimming pools; bowling alleys and racquet clubs and arenas.

L

Libraries and Cultural Exhibits means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums and art galleries.

Liquor Store means a building, or portion thereof, licensed by the Province to sell alcohol.

M

Micro-Brewery or Craft-Brewery means a brewery under license of the Province of Alberta, that produces small amounts of beer(s); typically much smaller than large-scale corporate breweries, and is independently owned. Such breweries are generally characterized by their emphasis on quality, flavour and brewing technique. This Discretionary Use may provide both

on site and off site sales of the product produced, and provision of food products in limited quantities for special events (tastings).

Micro-Distillery means a small, often boutique-style distillery under license of the Province of Alberta, established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single batches (as opposed to larger distillers' continuous distilling process). This Discretionary Use may provide both on site and off site sales of the product produced, and provision of food products in limited quantities for special events (tastings).

Mini or Self Storage means a use where goods are stored in one or more buildings including the use of sea cans, where the building is made up of separate compartments and each compartment has separate access; and, may be available to the general public for the storage of personal items not including any flammable or hazardous goods; and, may include the administrative functions associated with the business and may incorporate custodial quarters for the custodian of the facility.

Mixed Use Development means a building used partly for residential and partly for non-residential uses. Each non-residential unit of the building shall have access from street level. The residential portion of the building may be above the street level non-residential uses, or at ground level in the rear yard of the parcel. All residential uses shall have separate access to each unit through covered external stairs and landings, or common hallways.

Motels means development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include Eating and Drinking Establishments and Personal Service Shops, Minor Amusement Establishments, and a manager's suite or residence as part of the Motel development

Municipal Shop and Storage Yard means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment.

N

Natural Habitat Areas means development used primarily for the protection, and preservation of public or private lands as habitats for wildlife and native vegetation. Typical uses include water fowl nesting ponds, storm water storage ponds, wildlife sanctuaries, pathways and wildlife observations sites.

Natural Science Exhibits means development for the preservation, confinement, exhibition of viewing of plants, animals and other objects in nature. Typical uses include zoos, botanical gardens, arboretums, aviaries, aquariums and live displays.

O

Outdoor Recreation Services means development providing facilities, which are available to the public at large for sports and active recreation, conducted outdoors. This Use Class does not include Community Recreation Services, and Spectator Sports Establishments. Typical Uses include golf courses, driving ranges, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trials.

P

Parking Non-Accessory means development providing vehicular parking which is not primarily intended for the use of residents, employees or clients of a particular development. Typical uses include surface parking lots and parking structures.

Personal Service Shops means development used for the provision of personal services to an individual, which are related to the care and appearance of the body, or the cleaning and repair of their personal effects. This Use Class includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and Laundromats. This Use Class does not include Health Services or Household Repair Services.

Private Clubs means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.

Private Recreation Vehicle Storage means a development:

- (a) where recreational vehicles are stored when they are not in use;
- (b) that does not include or involve
 - (i) the storage of equipment or dilapidated vehicles; or
 - (ii) the servicing, cleaning, repairing, production, display or sale of recreational vehicles either in a building or outdoors; and
- (c) that may include a building for the purposes of administering the development.

Professional Offices and Office Support Services means development primarily used for the provision of professional, management, administrative or consulting services and development used to provide support services to businesses such as printing, duplicating, binding, photographic processing, office maintenance or custodial services, office security for the sale, rental, repair or servicing of office equipment. This Use Class does not include Financial Services, Health Services, Government Services General or Retail. Typical Uses

include the offices of lawyers, accountants, engineers, and architects, real estate agencies, newspapers, travel agencies and insurance firms; clerical, secretarial, employment, telephone answering and similar office support services; and film processing establishments, janitorial firms, and office equipment sales and repair establishments.

Protective Emergency Services means development, which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of emergency equipment and vehicles. Typical Uses include police stations and fire stations.

Public Parks means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, picnic grounds, pedestrian trails, and paths, landscaped buffers, playgrounds and water features.

Public and Quasi-Public Use means a use of land or a building for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity.

Public Utility Building means a building in which the proprietor of a public utility

- a) Maintains its offices, or
- b) Maintains or houses equipment used in connection with the public utility.

R

Rapid Drive-Through Vehicle Services means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within his vehicle or waits on the premises. Typical uses include automatic or coin operated car washes or rapid lubrication shops.

Recreation Vehicle means a vehicle or portable structure designed and intended to provide temporary living accommodation for travel or recreation purposes which either has its own motor power or is mounted to or drawn by another motorized vehicle; and without limiting the generality of the foregoing, includes a motor home, truck camper, tent trailer, fifth wheel, or travel trailer but does not include a mobile home or any vehicle or trailer over 2.44 m in width.

Recreation Vehicle – Park Model means a recreation vehicle conforming to CAN-CSA series Z241, or the equivalent, mounted on a single chassis, on wheels, and is relocatable from time

to time and has a maximum width of 3.66 m, including any extensions or pull-out sections, and a maximum length of 13.4 m.

Recycling Depots means development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. Typical uses include newspaper recycling establishments and bottle depots.

Religious Assembly means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Residential Sales Centre means a permanent or temporary building or structure used for a limited period for marketing residential land or buildings. Residential Sales Centre may also be a temporary sales office located in a house planned for sale as a residential unit.

Retail Stores, Convenience means development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises which do not exceed 186m² in gross floor area. Typical uses include small food stores, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

Retail Stores, General means development used for the retail sale of groceries, beverages, household goods, furniture and appliances clothing, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, office equipment, stationary and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within general retail stores. This Use Class does not include Gas Bars, Secondhand Stores, Warehouse Sales and Special Government Services.

S

Sea Cans means a container that is new or was formerly used for transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal also referred to as a sea cargo container, sea-can or cargo container. When used for any other purpose other than transporting freight, a sea can is considered a structure.

Secondhand Store means development used for the retail sale of secondhand or used personal and household goods, including the repair of such goods. Typical uses include the resale of clothing, jewelry, stereos, antique or used furniture, appliances and musical instruments.

Seed Cleaning Plant means a building for the storage and preparation of seed used in agriculture.

Seniors Housing means a development consisting of a building containing Sleeping Units, where lodging or sleeping accommodation with or without meals is provided for remuneration. Typical uses include housing and lodges for Senior Citizens.

Service Stations means development used for the servicing, washing, and repairing of vehicles; and the sale of gasoline, other petroleum products, and vehicle parts and accessories. Service Stations may include Minor Eating and Drinking Establishments.

Shopping Centre means a group of commercial uses being primarily Retail Stores and Personal Service Shops with shared on-site parking.

Spectator Entertainment Establishments means development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances or the showing of motion pictures. Typical Uses include movie theatres and live entertainment performances.

T

Tourist Campsites means development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles, and is not used as year round storage, or accommodation for residential use. Typical uses include tourist trailer parks, campsites and tenting grounds.

Truck and Mobile Home Sales/Rentals means development used for the sale or rental of new or used trucks, motor homes, mobile homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and mobile home dealerships.

U

Utility Services, Major Impact means development for public utility infrastructural purposes which are likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, incinerators, waste recycling plants and snow dumping sites.

Utility Services, Minor Impact means development for public utility infrastructural purposes which is likely to have minimal impact on the environment or adjacent land uses by virtue of

its appearance, noise size, traffic generation or operational characteristics. Typical uses in this class include vehicle, equipment and material storage yards for utilities and services; telephone exchanges; wire centres; switching centres; surface reservoirs or storm water lakes; water storage tanks, water treatment plants; power terminal and distributing substations; communication towers and gas stations for natural gas distribution.

V

Veterinary Services, Major means development used for the care and treatment of domestic animals (such as cattle, horses, swine, sheep, goats, poultry) where the veterinary services primarily involve out-patient care and minor medical procedures involving hospitalization for short periods. Animals may be kept in open areas but shall be restricted by adequate measures from exiting the development area prior to being officially discharged. This Use Class includes pet clinics, small animal veterinary clinics and veterinary offices.

Veterinary Services, Minor means development used for the care and treatment of small animals where the veterinary services primarily involve out-patient care and minor medical procedures involving hospitalization for short periods. All animals shall be kept within an enclosed building. This Use Class includes pet clinics, small animal veterinary clinics and offices. This Use Class does not include livestock and poultry, except on an out-patient basis.

Warehouse Sales means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Limited outside storage may be allowed on site. This Use Class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This Use Class does not include Retail Stores.

All other words and expressions have the meaning respectively assigned to them in Part 17 of the *Municipal Government Act* and Subdivision and Development Regulation.

3. SIGN DEFINITIONS

Terms and words used in this Bylaw regarding the regulations of signs, unless the context otherwise requires, are defined as follows:

A

“A” or Sandwich Board means an A-shaped sign which is set upon the ground and has no external supporting structure.

Abandoned Sign means any sign, which no longer correctly identifies a business or the products, and services that business offers, or any sign which has not been maintained and would materially interfere with or affect the use, enjoyment or value of neighboring properties, as determined by the Approving Authority.

Advertising Sign means a sign other than an identification or directional sign that directs attention to a commodity, product, merchandise produced, service or entertainment to a premise on which the sign is placed or a location other than on which the sign is placed. For purposes of this definition, but not limited to, “A” or sandwich board, banner, balloon, pennant or poster signs, billboards and portable reader board signs are deemed to be “advertising signs”.

Awning Sign means a non-illuminated sign painted or stenciled on the fabric surface of a temporary shelter supported entirely from the exterior wall of a building and designed to be collapsible, retractable or capable of being folded against the wall of the supporting building.

B

Balloon, Banner, Pennant, or Poster means a sign constructed of cloth, canvas, bristol board, metal or plastic or similar material and depends upon existing structural elements for their support or anchorage. Dirigibles and hot air balloons are included in this class.

Billboard Advertising Sign means a sign to which advertising is pasted, glued, painted or otherwise fastened to permit its periodic replacement. Such signs would exceed the maximum size and height requirements of freestanding signs in this Bylaw.

Bulletin Board means a general advertising sign used to display copy painted on a number of plywood or light steel sections, which are locked into a frame to form a single sign, face.

Business Identification Sign means a sign identifying the name, dealer, franchise association, primary function, product or service of the commercial activity conducted on the premises and may include local advertising and changeable copy.

C

Canopy Sign means a sign attached to, or forming part of, a permanent building projecting or fixed structural framework which extends outward from the exterior wall of a building and which may be roofed over or covered to provide protection over the entrance to a building. Canopy signs include marquees.

Changeable Copy Sign means a permanent on-premise sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable copy signs include mechanically controlled time temperature displays.

Community Event and Public Safety Advisory Signs means signage that is notifying the community of an event, activity, fund raising campaign, public safety campaign, which is sponsored by local charitable, municipal, local religious organizations, non-profit organizations, or public and separate schools and includes, but is not limited to events sponsored by the Agricultural Society, Chamber of Commerce, Elks, Legions, Lions, Masons, Shriner, and Rotary Clubs, and similar organizations.

Copy means the letters, graphics or characters, which make up the message on a sign face.

Copy Area means the total area within one or more rectangles, which enclose the entire limits of the copy.

D

Directional Sign means an on-premise sign providing direction to pedestrian or vehicular traffic without advertising copy, except a business logogram. Directional signs include such signs as exit and parking signs.

Amusement Establishments, Minor means development providing facilities within any building, room or area having up to ten (10) table games or electronic games played by patrons for entertainment with or without a fee. This Use Class does not include Indoor Recreation Services.

Auctioneering Establishments means development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment, excluding livestock.

Auto Body and Paint Shop means development where bodies of motor vehicles are repaired or painted or both. Auto Body and Paint Shops may have activates associated with the use, including auto parts, equipment, scrap, and other materials located outside of a building provided they are contained within a screened enclosure.

Automotive and Equipment Repair Shops means development used for the servicing and mechanical repair of automobiles, motorcycles snowmobiles and similar vehicles and the sale, installation or servicing of related accessories and parts. This Use Class includes transmission shops, muffler shops, tire shops, automotive glass shop, and upholstery shops. This Use Class does not include body repair and paint shops, Service Stations and Rapid Drive-Through Vehicle Services.

Automotive and Recreation Vehicle Sales/Rentals means development used for the retail sale and rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This Use Class includes automobile dealerships, car rental agencies and motorcycle dealerships.

Automotive Service means an establishment for the sale of automotive fuel, lubricating oils and associated automotive fluids, providing rapid cleaning and lubrication to motor vehicles and may also include an accessory service and repair facility, automotive parts sales, a towing service or convenience store, gas bars and service stations.

Auto Wrecking Yard means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components.

B

Bed and Breakfast Accommodation means an accessory use carried on within an owner-occupied Dwelling where temporary accommodation is provided for remuneration. Rooms shall not contain kitchen facilities and only one meal may be served daily. Occupancy shall be

F

Fascia Sign means any sign painted on or attached to an exterior building wall so that the sign does not extend more than 40cm out from the wall or beyond the horizontal limits of the wall.

Flashing Sign means any sign or portion of a sign, which contains, or is externally illuminated by an intermittent or flashing light source such that when the sign is lit more than one-third of the light source producing the flashing or intermittent illumination is turned on at any one time. Flashing signs do not include electronically controlled changeable copy signs.

Free Standing Sign means any sign supported independently of a building and permanently fixed to the ground.

H

Height (sign) means the vertical distance measured from the highest point of the sign or sign structure to grade.

I

Identification Sign means a sign, which contains only the name and address of a building, institution or person and the activity carried on in the building or institution but does not include any other advertising copy.

Illuminated Sign means any sign having only steady illumination of the same intensity by artificial means, either from lighting directed on the sign face or from a light source located within the sign which is transmitted through a transparent or translucent sign face.

L

Local Advertising Sign means a sign or portion of a sign on which the copy refers only to products or merchandise produced, offered for sale or obtainable at the premises on which the sign is displayed and which are related to the principal function of such premises, and local advertising has a similar meaning.

Logo means a readily identifiable symbolic representation used exclusively by an individual company or person to simplify product or business recognition, which contains no additional advertising message.

O

Official Sign means a sign required by, or erected pursuant to, the provisions of federal, provincial or municipal legislation.

On-Premise Sign means a sign identifying or advertising a business, activity, service or product located on the premises where the sign is erected. On-premise signs include signs erected on the site to provide warning or direction to persons entering upon the site.

P

Portable Sign means a sign greater than 0.5m² in area mounted on a trailer, stand or other support structure which is designed in such a manner that the sign can readily be relocated to provide advertising at another location or readily taken on and off site, and may include copy that can be changed manually through the use of attachable characters, message panels or other means, but does not include “A” or Sandwich Board” or Balloon, Banner, Pennant, or Poster Signs.

Projecting Sign means any sign, except a canopy sign, which is supported by an exterior building wall and projects outward from the building wall by more than 40cm.

R

Real Estate means a temporary sign identifying real estate that is “for sale”, “for lease”, “for rent”, or “sold”.

Roof Sign means any sign erected upon, against, or above a roof, or on top of or above, the parapet of a building.

Rotating Sign means a sign or part of a sign, which moves in a revolving manner.

Running Lights means a row of lights electronically controlled to create the appearance of motion or chasing action, which is designed to accentuate the sign copy.

S

Scintillating Lights means a group of lights electronically controlled to blink on and off at random so as to give the effect of twinkling lights.

Sign means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise or signs painted on or attached to a motor vehicle intended for use on a public roadway.

Sign Alteration means any modification of a sign or supporting structure excluding the routine maintenance or repainting of a sign or changing the copy on signs specifically designed for this purpose, such as bulletin boards, poster panels and changeable copy signs.

Sign Area means the entire area of the sign on which copy is intended to be placed. In the case of double-faced or multi-faced signs, only half of the area of each face of the sign used to display advertising copy shall be used in calculating the total sign area.

Sign Structure means any structure, which supports a sign, including materials used to conceal or improve the visual appearance of the structural parts.

T

Temporary Sign means a sign, which is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building and on which the copy has been painted or affixed in a permanent manner. The copy on the sign shall relate to an activity, use or event of limited time duration. Temporary signs include such signs as political campaign signs, real estate signs, construction identification signs, sign identifying seasonal businesses, signs advertising specific community events, and signs providing temporary identification for developments awaiting installation of permanent sign. For the purpose of this Bylaw, temporary signs shall not include portable signs, or "A" or Sandwich Board" or Balloon, Banner, Pennant, or Poster Signs.

U

Under-Canopy Sign means a double-faced sign suspended below the ceiling or roof of a canopy.

W

Warning Sign means an on-premise sign providing a warning to the public, including such signs as “no trespassing” or “private driveway” signs.

Window Sign means any sign painted on, or affixed to, the inside or outside of a window, or installed inside a window and intended to be viewed from outside the premises. Window sign does not include merchandise on display.

PART THREE

GENERAL REGULATIONS

PART THREE: GENERAL REGULATIONS

1. Buildings

1.1 Accessory Buildings

(a) Residential Buildings shall comply with the following:

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel, except for attached garages;
- (ii) An accessory building on an interior parcel shall be situated so that the exterior wall is at least 1.0 m. from the side and rear property lines of the parcel;
- (iii) An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1.0 m. to the other side parcel property line or the rear parcel property line;
- (iv) An accessory building shall not be more than 4.5 m. in height, and shall not exceed the height of the main building;
- (v) Distance requirement between main building and accessory residential building is as follows:
 - (a) 1.22 m. between exterior wall of the house and exterior wall of the accessory residential building;
 - (b) 0.61 m. between eaves of the house and accessory residential building subject to condition that the accessory building has a one-hour fire rated wall;
- (vi) No accessory building or any portion thereof shall be erected or placed on the parcel of land before the construction of the main residential building;
- (vii) An accessory building erected or placed on a parcel shall not be used as a dwelling;

- (viii) No accessory building may be used for sheltering livestock or poultry;
 - (ix) Notwithstanding subsections (b) and (c) of this Section, an accessory building or any portion thereof may be erected or placed on the rear or side property lines common to two parcels provided the accessory building serves the two abutting parcels.
 - (x) When a parcel abuts a lane less than 6 m. in width, the Development Authority may require a rear yard setback for accessory buildings greater than the prescribed minimum;
 - (xi) For the purpose of calculating yard setbacks as provided in this Land Use Bylaw, an accessory building, if connected to the main building by a structural element including but not limited to a common foundation, roof or wall, shall be deemed to be part of the main building;
 - (xii) No part of an accessory building shall be located on or over a natural gas service line, an easement or utility right-of-way;
- (b) Other Districts shall comply with the following:
- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel;
 - (ii) An accessory building shall conform to the rear yard setbacks of the district in which the parcel is located;
 - (iii) An accessory building shall conform to the side yard setbacks of the district in which the parcel is located;
- (c) Temporary/Soft Sided Buildings shall comply with the following:
- (ii) All guidelines set out above in Accessory Building – Residential;

1.2 Utilities

- (1) Except for Accessory Buildings, all residential, commercial, industrial, institutional and recreational buildings shall be serviced by the municipality's sanitary sewer and water supply systems.
- (2) Each unit of a Semi-Detached Dwelling shall be serviced individually to the municipality's gas, sewer and water lines.
- (3) Notwithstanding the provisions of Clauses (1) and (2) above, alternate arrangements for private utility services may be considered at the Development Authority's discretion, and in considering this matter may receive the advice of any Federal or Provincial agency, any private consulting or testing firm, or the Town's consulting Engineer.
- (4) The Development Officer shall not issue a development permit for a development which is to be serviced by private sewer or water systems until the systems have been approved by the appropriate Provincial agencies.
- (5) Any development which proposes to use any process that may result in any form of hazardous waste, shall provide information on the manner in which such wastes are to be disposed. The Municipality will require comments of and/or approvals from the Town's consulting Engineer, Alberta Environment and the local Health Unit.

1.3 Building Orientation and Design

The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Authority having due regard to:

- (i) amenities such as daylight, sunlight and privacy;
- (ii) the character of existing development in the District, and
- (iii) its effect on adjacent parcels.

1.4 Number of Buildings on a Parcel

- (a) A development permit shall not be issued for more than one main building on an unsubdivided parcel, except where it is proposed to develop more than one main building to form a single, unified group of buildings.
- (b) the number of dwelling units permitted on a parcel shall be limited to one, except where
 - (i) in the opinion of the Development Authority, either
 - (A) the building is clearly designed to be divided into more than one dwelling, or
 - (B) the development of the parcel is clearly designed to include more than one dwelling, and
 - (ii) the use conforms to the uses prescribed in Part Four for the District in which the parcel is located, and
 - (iii) a development permit is issued for the use.

1.5 Relocation of Buildings

- (a) No person shall
 - (i) place on a parcel a building which has previously been erected or placed on a different parcel; or
 - (ii) alter the location on a parcel of a building, which has already been constructed on that parcel, unless a development permit has been issued by the Development Authority;
- (b) In addition the Development Authority may require an application for a development permit to be accompanied with
 - (i) recent colour photographs showing all sides of the building;
 - (ii) a statement on the age, size and structural condition of the building; and

(iii) a statement of proposed improvements to the building.

(c) An application for a development permit may be approved by the Development Authority if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.

(d) Where a development permit has been granted for the relocation of a building on the same parcel the Development Authority may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.

(e) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

2. Yards

2.1 Encroachments Into Yards

(1) Permitted Encroachments

The following features are permitted to project into a required yard as provided for below:

| Structure | Yard in Which Projection is Permitted | Maximum Projection From Main Wall Permitted |
|--|--|--|
| Sills, belt courses, cornices, eaves, gutters, chimneys or pilasters | Any yard | 0.6 m |
| Steps, raised walkways, one (1) meter or less | Front, Rear, and one (1) Side Yard | 1.5 m |
| Bay or similar windows | Front Yard, Rear Yard, and Street Side Yard of a corner site | 1.0 m |
| Balconies | Front & Rear Yards | 2.0 m |
| Decks open or roofed, porches, terrace or patio not exceeding one storey in height | Rear Yards | 2.0 m including eaves and cornices |

| | | |
|---|-----------|-------|
| Cantilevered encroachments, one per side, (excluding balconies, bay or similar windows) not exceeding 2.75 m in horizontal width. | Side Yard | 0.6 m |
|---|-----------|-------|

(b) The minimum distances required for yards do not apply to:

- (i) exterior finishing materials applied to principal buildings provided the material does not encroach more than 10 cm. into any yard.
 - (ii) Features that do not exceed the finished grade elevation by more than 0.2 m. or are wholly beneath the surface of the ground.
- (2) Swimming pools, fish ponds, ornaments, flagpoles or the like except that swimming pools shall not be constructed within any required Front Yard.
- (3) Any loading space required under the provisions of this Bylaw, provided it shall not be in a required Front Yard.
- (4) A parking area when comprised of parking spaces required under this Bylaw, provided that no parking area in any Residential or Central Commercial District shall be located within the required Front Yard. This shall not prohibit the use of a required Front Yard for such Walkways and Driveways, as the Development Authority considers necessary.
- (5) No side yard setback or one less than the minimum requirement for an Accessory Building in a Residential District is required provided that:
 - (a) the wall of the structure nearest the property line is a fire resistant wall; and,
 - (i) the exterior finish of the wall requires minimal maintenance; and
 - (ii) there will not be any eave overhang and footing or foundation encroachment into adjoining property; and
 - (iii) a maintenance and access agreement is signed by the adjacent land owners; and
 - (iv) a signed and commissioned agreement from the adjacent land owner stating consent for the construction of the Accessory Building(s) is provided.

- (c) all roof drainage is directly by means of eavestroughs, drainspouts, or such other suitable means, on the property where the accessory building is located.

2.2 Objects Prohibited or Restricted in Yards

- (a) No person shall allow a holiday trailer, motor home, camper, or large boat to be stored in any yard abutting a street in a residential District; except in a rear yard on a corner parcel where it shall be stored no closer to the street than the main building;
- (b) No person shall allow a vehicle of more than 2,730 kg. (GVW) and/or a length of 6.5 m. to be parked or stored in a residential District, except those vehicles described in subsection 2.2(b) of this Schedule.

2.3 Height of Buildings

The height of a building shall be specified in the applicable Land Use District rules and will be determined in accordance with the definition set out in Part Two of this Bylaw.

2.4 Fences and Retaining Walls

Fences, Fence Gates, Walls and Retaining Walls

1. The maximum allowable fence and fence gate height in a residential district is:
 - a) 1m in the Front Yard; and
 - b) 2m in the Rear Yard or Side Yard; unless a Variance pursuant to this Bylaw has been granted.
2. The height of a fence in any non-residential District shall be determined at the sole discretion of the Development Authority, having due regard for adjacent development and land use districts.
3. Barbed wire fences are prohibited in Residential Districts and for all other land use districts shall be considered at the discretion of the Development Authority.
4. Electrified fences are prohibited in the Town of Sundre with the exception of electrified fences within lands designated Urban Reserve District or which existed prior to the adoption of this Bylaw. Should these fences be damaged and require replacement, they must be replaced with non-electrified fencing.

5. Notwithstanding subsection 1, fence heights in double fronting sites shall be at the discretion of the Development Authority, having regard to the location of fences in the surrounding area and the need for screening.
6. Walls and retaining walls greater than 1.0 m in height, or which are proposed to be on a property line, shall be designed by an engineer and be satisfactory to the Development Authority as to height, design and drainage.
7. Fences shall not alter or disrupt the drainage pattern as established in the approved surface drainage plan.

2.5 Laneless Subdivisions

- (a) In a laneless subdivision in a residential District, one side yard shall not be less than:
 - (i) 1.5 m. in the case of a single detached dwelling with attached garage, or 3.0 m. in the case of a detached dwelling without attached garage.
 - (ii) 1.5 m. in the case of a semi-detached with attached garages, or
 - (iii) 3.0 m. in the case of a semi-detached without attached garages.
- (b) In a laneless subdivision in a commercial or industrial District one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and separated there from by a minimum distance of 12.0 m.

2.6 Setbacks on Future Major Roadways

Where a parcel abuts a street for which a setback is established, the minimum yard requirement shall be increased by the amount of the applicable setback shown below.

| Street | From | To | Existing Right of Way | Setback Requirement |
|------------|---------------------------------------|-----------------------------------|-----------------------|--|
| Highway 27 | 5 ST SE (Hwy. 760) | East Town Boundary | 20.12 m. | 8.2 m. where road widening has not been dedicated |
| Highway 27 | Sun Plaza Motel Block M, Plan 7720 FF | West Boundary of Section 4-33-5-5 | 20.12 m. | As required by Alberta Transportation and Utilities |

3. Vehicles

3.1 Parking

- (a) The following minimum number of parking spaces shall be provided and maintained upon the use of a parcel or a building in any District as described in Part Four of this Land Use Bylaw. Any calculation of the number of parking spaces, which produces a requirement for part of a space, shall be rounded up to the next highest integer.

The Development Authority may require additional parking spaces for non-residential uses based upon such criteria as the number of employees, type of use, and layout of parking spaces.

PARKING REQUIREMENTS

| <u>USE OF BUILDING OR SITE</u> | <u>MIN. NO. OF PARKING SPACES REQUIRED</u> |
|---|--|
| Commercial | |
| Professional Offices, Office Support Services, Financial Services, Health Services, Government Services, Retail, Protective and Emergency Services | 1 per 37.0 m ² of gross floor area in the building. |
| | |
| Stand alone Eating & Drinking Establishments, Major & Minor | 1 parking space per four (4) seats |
| | |
| Eating & Drinking Establishments, Major & Minor contained within a Multiple Use Building | Parking to be as per original approved Development permit for the building |
| | |
| Brew-pub | 1 parking space per four (4) seats |
| | |
| Micro-brewery, Micro Distillery | 1 per 37.0 m ² of gross floor area in the building. |
| Drive-In Business | 4 vehicle stack-up spaces per drive-up window, plus an additional 4 parking spaces per drive-up window |

| | |
|--|--|
| Hotels, Motels | 1 per guest room or sleeping unit |
| Theatres | 1 per 10 seats |
| Shopping Centres | 4 spaces per 98.0 m ² of gross floor area. Where a Eating & Drinking Establishment, Major or Minor is included, 1 space per 4 seats |
| | |
| Any development in a commercial use class not listed separately in this table | 1 per 37.0 m ² of gross floor area in a building |
| | |
| Industrial | |
| Customer Service, Retail, Office Areas | 1 per 37.0 m ² gross floor area |
| Warehouse and bulk storage areas | 1 per 98.0 m ² gross floor area |
| | |
| Public Assembly | |
| Private Clubs, Libraries, Cultural Exhibits, and Natural Science Exhibits | 1 per 37.0 m ² of gross floor area in building |
| | |
| Religious Assembly | 1 per six (6) seats |
| | |
| Funeral Services | 1 per six (6) seats |
| | |
| Outdoor and Indoor Recreation Services, Community Recreation Services, Spectator Entertainment Establishments and Exhibition and Convention Facilities | 1 per 9.0 m ² of gross floor area in building or 1 per 10 seats, whichever is greater |
| | |
| Curling rinks | 6 per sheet of ice |
| | |
| Educational & Medical Services | |
| | |
| Child Care Services | 1 per staff member |
| | |
| Elementary / Jr. High Schools | 1 parking space for each classroom, plus 1 parking space per employee |

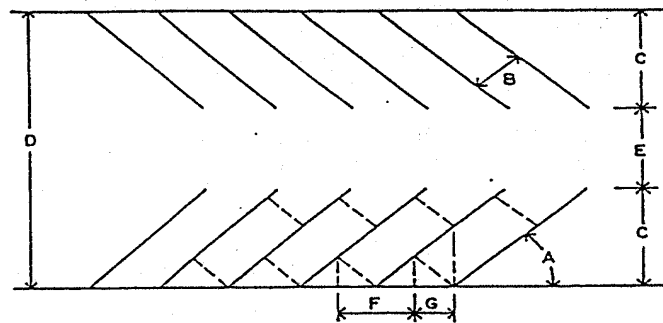


| | |
|---|--|
| Hospitals and Extended Medical Treatment Services | 2 parking spaces per bed |
| Residential & Residential Related Uses | |
| Single Detached and Modular Home Dwellings | 1 parking space per dwelling |
| Semi-detached, Duplex or Attached Dwellings | 1 parking space per dwelling if the dwelling unit is contained fee simple lot or bare land condominium unit and has direct access to a public road or lane |
| Semi-detached, or Attached Dwellings | 1.3 parking spaces per dwelling unit if the dwelling units a within a cluster housing or building condominium development where access and egress is by the common property |
| Mixed Use Development | 1 parking space per dwelling unit |
| Apartment Dwellings | Two (2) parking spaces per dwelling if the building contains 8 or less dwelling units; for buildings containing 9 or more dwelling units, 2.6 parking spaces per dwelling unit are required and are to be calculated on the total number of dwelling units proposed for the development site |
| Bed and Breakfast Accommodation | One (1) parking space per sleeping unit, Plus the number of parking spaces required for the Dwelling |
| Seniors Housing (Homes and Lodges) | 1 parking space per every two (2) dwelling units, plus 1 parking space per employee |
| Seniors Housing (apartments) | 1 parking space per dwelling unit |
| Residential Sales Centre | 1 parking space per dwelling unit |
| Manufactured Home Parks | 1 space per each manufactured home lot, and provisions shall be made for visitor parking at the ratio of 1:2 manufactured home lots. The visitor parking shall be dispersed to be conveniently located at all sites. |

Note: all areas are gross floor areas unless otherwise indicated

Uses not listed above: The number of spaces shall be determined by the Development Authority having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.

- (b) When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use;
- (c) The parking space requirement on a parcel, which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses;
- (d) Any loading space provided pursuant to subsection 3.2 of this Schedule may be used as parking space;
- (e) Each parking space shall have dimensions of not less than 2.75 m. by 5.50 m.
- (f) The dimensions of parking areas shall be as set out in the following diagram and table:



| A | B | C | D | E | F | G |
|---------------|-------------|-------------|---------------|-------------------|-------------|----------------|
| Parking Angle | Stall Width | Stall Depth | Overall Depth | Manoeuvring Space | Curb Length | Row End Length |
| 0° | 2.75 m. | 2.75 m. | 9.00 m. | 3.50 m. | 6.70 m. | 0.00 m. |
| 30° | 2.75 m. | 5.00 m. | 13.50 m. | 3.50 m. | 5.45 m. | 0.85 m. |
| 45° | 2.75 m. | 5.70 m. | 15.40 m. | 4.00 m. | 3.85 m. | 2.05 m. |
| 60° | 2.75 m. | 6.00 m. | 17.50 m. | 5.50 m. | 3.20 m. | 2.00 m. |
| 90° | 2.75 m. | 5.50 m. | 18.00 m. | 7.00 m. | 2.75 m. | 0.00 m. |

- (g) A minimum standard of 24.75 m² per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.
- (h) In non-residential districts, in lieu of providing parking spaces and subject to the approval of the Council, a payment may be made to the Town at a rate per space, which the current market value shall determine.
- (i) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Development Authority, the spaces may be located on another parcel within 50.0 m. walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (j) Hard surfacing of the parking area shall be required, where a parking area enters a paved road otherwise, the surfacing shall be all weather.

3.2 Loading Spaces

- (a) Loading spaces shall be required for all non-residential development and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a road.
- (c) Loading spaces shall be located in rear and side yards only.
- (d) A loading space shall be at least 3.5 m. x 8.0 m., with an overhead clearance of at least 4.6 m.
- (e) Hard surfacing of the loading space shall be required, where a loading space enters a paved road otherwise, the surfacing shall be all weather.

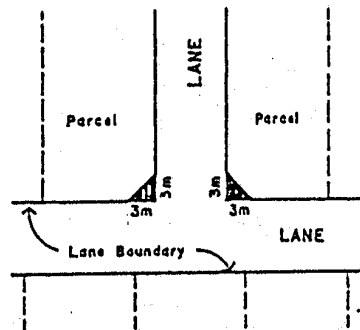
3.3 Regulations For Parking Recreational, Commercial Vehicles And Motor Vehicles

- (a) No person shall allow a motor vehicle, which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a residential District, unless it is suitably housed or screened to the satisfaction of the Development Authority.

- (b) A Recreational Vehicle means a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels to provide temporary living accommodations for travel and recreational purposes and includes such vehicles as a motor home, a camper, a fifth wheel, a travel trailer, a tent trailer, ATV trailer or toy hauler, and a boat trailer but does not include a mobile home, a closed tent trailer or small utility trailer or boat trailer that does not exceed 1.5 m. in total height.
- (c) A Commercial Vehicle means every type of motor-driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares and merchandise and motor coaches carrying passengers; including trailers and semi-trailers and tractors when used in combination with trailers and semi-trailers, excepting such vehicles as are run only upon rails or tracks.
- (d) No person shall allow:
- (i) a Recreational Vehicle in a front yard for longer than seventy-two (72) hours in any one hundred and sixty-eight (168) hour period;
 - (ii) a vehicle of more than 2,730 kg. (GVW) and/or a length of 6.5 m. to be parked or stored in a residential District;
 - (iii) a motor vehicle, Commercial Vehicle, or Recreational Vehicle to be parked in any yard in such a manner that in the opinion of a Peace Officer and/or Bylaw Enforcement Officer, the line of sight for vehicular and/or pedestrian traffic is impaired to the point where it constitutes an unsafe or hazardous condition, or it constitutes any traffic hazard, or any public safety hazard;
 - (iv) parking of any motor vehicle (including automobiles, trucks, boats, campers, Recreational Vehicles, ATVs and motorcycles) on any portion of a front yard or side yard except on an area that is graveled or paved. A paved surface may consist of cement, asphalt, paver, or similar, and is not considered paved if only the areas under the tires are paved;
 - (v) parking of any motor vehicles (including automobiles, trucks, boats, campers, and Recreational Vehicles) sideways on a driveway;
 - (vi) a motor vehicle to encroach onto the sidewalk, curb, or roadway.

3.4 Sight Lines at Intersections of Roadways

- (a) At the intersection of lanes, a 3.0 m. corner visibility triangle shall be provided (see diagram below).



- (b) At the intersection of other roadways, the Development Authority may require the calculation of sight triangles where:

- (i) one or more rights-of-way is less than 15.0 m. or
- (ii) regulated vehicle speed exceeds 50 km/h, or
- (iii) one of the carriageways is not centred in its right-of-way, or
- (iv) an intersection leg is curved or skewed, or
- (v) an intersection leg is sloped at 2% or greater.

- (b) sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways.

3.5 Driveways

- (a) At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
- (i) 6.0 m. where the driveway serves not more than four dwelling units, or

- (ii) 15.0 m. for all other uses, except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a driveway shall be 10.0 m.
- (c) The minimum distance between driveways shall be:
 - (i) nil, where the driveways serve single dwelling units,
 - (ii) 6.0 m. where the driveways serve any other use, except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a driveway to a use, which generates high traffic volumes, shall be 70 degrees.
- (e) To ensure that the movement of traffic is both safe and efficient, driveways are not allowed on the streets identified on Schedule "A", unless alternative access is unavailable.

4. Nonconforming Buildings and Uses

- (a) A non-conforming use of land or a building may be continued except where that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- (b) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building shall not be enlarged or added to and no structural alterations shall be made to it or in it.
- (c) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (d) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
 - (i) to make it a conforming building,

- (ii) for routine maintenance of the building, if the Development Authority considers it necessary, or
- (e) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- (f) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

5. Signs

5.1 General Provisions

Development Applications for Signs

The appropriate application form shall be fully and accurately completed in accordance with the following requirements;

- a) the municipal address of the land or building where the sign is to be erected;
- b) the legal description of the land on which the proposed sign is to be erected;
- c) the applicant's name, address and telephone number and where the applicant is not the owner of the sign, the name, address and telephone number of the sign owner;
- d) the name of the business or development where the sign is to be erected;
- e) if the applicant is not the legal owner of the land and buildings, a letter from the owner of the property on which the sign is to be erected, authorizing the applicant's sign development;
- f) for portable sign developments, the length of time the sign is to be displayed at the location address, and a site plan showing the location of the sign on the site in relation to property lines, existing buildings and public roads;
- g) the following additional information for a permanent on-premise sign development:
 - i. a working drawing for the proposed sign showing:

- ii. the overall dimensions of the sign;
- iii. the method of illumination, if any;
- iv. the materials from which the sign is to be constructed;
- v. method used to support the sign including type of wall construction if the sign is anchored to a building or the size and depth of all concrete footings for freestanding signs;
- vi. where applicable, the location of the sign on the building;
- vii. any sidewalks or pedestrian passageways that the proposed sign will extend over;
- viii. the total height of the sign above grade;
- ix. the clearance from grade of the lowest portion of the sign;
- x. the maximum extension of the sign above the building roof or parapet wall;
- xi. for canopy, awning, projecting and freestanding signs, a site plan showing:
 - a north arrow
 - the curb line, property line and location of any existing or proposed buildings on which signs are to be displayed
- xii. the location of any existing freestanding, projecting or canopy signs on the building or site.
- xiii. Road Side Sign Permit from Alberta Transportation (if applicable).

(1) Applicability

Except for as otherwise provided in this Bylaw, the enlargement, relocation, erection, or construction or alteration of a sign requires a Development Permit.

Any person applying to erect any one sign, or to change or relocate any existing sign shall comply with the provisions of Section 5.

(2) Prohibited Signs

No sign shall be erected, operated, used or maintained which:

- (a) due to its position, shape, color, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device, as determined by the Development Officer.
- (b) display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles.

- (c) is a Billboard advertising sign as defined in Part Two: Section 3 of this By-law.
- (d) interferes with traffic lines-of-sight.
- (e) is a Home Occupation - Minor or Major sign in a residential district.
- (f) is located within a primary highway right of way, unless the prior approval of Alberta Transportation has been obtained, if applicable.

(3) Abandoned Signs

Where the Development Officer finds a sign to be abandoned he may, by notice in writing and served by a Peace Officer/Bylaw Enforcement Officer, or by registered mail, order the registered owner, the person in possession of the land or building or the person responsible for the abandoned sign to:

- (a) remove the sign within ten days after receipt of the notice;
- (b) take such measures as are specified in the notice to alter the sign so that it correctly identifies the business, or the products and services offered on the site where the sign is displayed; or
- (c) where the Development Officer finds that a sign contravenes the provisions of this Bylaw he may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravening sign to:
 - (i) take such measures as are specified in the notice to alter the sign so that it complies with the provision of this Bylaw, or
 - (ii) remove the sign and charge costs to the owner; or
 - (iii) remove the sign and charge costs to the owner, and pay a penalty or fine as set out in Part One of this Bylaw.

(4) Unlawful Signs

Where the Development Officer finds that a sign contravenes the provision of this Bylaw he may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravening sign to:

- (a) take such measures as are specified in the notice to alter the sign so that it complies with the provision of this Bylaw, or
- (b) remove the sign and charge costs to the owner; or
- (c) remove the sign and charge costs to the owner and pay a penalty or fine as set out in Part One, Section 1.20 of this Bylaw.

(5) Signs Located Adjacent to Highways

Where a sign is adjacent to a Provincial Highway, the Applicant shall refer their application to Alberta Transportation for comment and approval of an Alberta Transportation Road Side Development permit. The Development Application must be accompanied with evidence that Provincial Permits have been secured, or that Provincial Permits are not required.

(6) Garage Sale Signs

Garage Sale signs and similar are allowed to be placed one day prior to the sale, and must be removed by no later than the Monday morning following the date of the sale. Where the Development Authority finds that a sign contravenes the provision of this Bylaw he may order the person responsible for the contravening sign to:

- (a) remove the sign and charge costs to the owner; or
- (b) remove the sign and charge costs to the owner and pay a penalty or fine as set out in Part One of this Bylaw.

(7) TEMPORARY REAL ESTATE SIGN

Temporary Real Estate Signage may be placed on street boulevards, subject to:

- (a) The sign owner or applicant indemnifying and saving harmless the Town from any damage done to the Temporary Real Estate Sign, howsoever occasioned, as well as indemnifying and saving harmless the Town from any and all damages, losses, claims, suits resulting from any incident of death, personal injury or property damage occurring as a result of the Temporary Real Estate Sign howsoever occasioned.
- (b) The Town reserving the right, at all times, to remove the Temporary Real Estate Sign for any reason or, alternatively due to any contravention of this Bylaw.
- (c) The Temporary Real Estate Sign not impeding pedestrian movement or vehicle traffic sight visibility.
- (d) The sign not exceeding 0.04 m² in area and 1.0 m in height.

(8) Establishment of Sign Schedules

Signs shall be allowed in Land Use Districts as stated in Sign Schedules 5.A to 5.C inclusive, and according to assignment of Land Use Districts to those Schedules as set out in this Section:

- (a) SIGN SCHEDULE 5.A
Land Use Districts: R-1, R-2, R-3, R-4, R-4A, SR
- (b) SIGN SCHEDULE 5.B
Land Use Districts: C-1, C-2, C-3, I-1, I-2, I-3, I-4 and PS
- (c) SIGN SCHEDULE 5.C
- (d) Land Use Districts: UR

(9) General Regulations for On-Premise Signs

This Section contains the general regulations with which the various type of permanent on-premise identification and business identification signs must comply, subject to any exceptions or additional regulations specified in a Sign Schedule. The regulations apply to Awning, Canopy, Under-canopy, Fascia Freestanding, Projection, Roof and Window signs.

- (a) Signs shall not project over abutting public roadway or municipal provincial or federal owned property or easement, unless otherwise allowed by the Approving authority upon evidence of an encroachment agreement.
- (b) All Roof, Canopy and Projecting Signs shall be erected in such manner that the structural support elements are designed to minimize visual impact from a public roadway.
- (c) Lighting: No flashing, scintillating or running lights shall be used on a sign unless specially allowed by a Sign Schedule.
- (d) No permanent third party advertising sign shall be allowed on any site.

(e) Awning Sign:

- (i) Awning Signs shall be painted on or directly affixed to the awning covering. No sign shall be suspended from an awning covering or support structure.

(f) Canopy Signs:

- (i) On a one-storey building the top of a Canopy Sign shall not extend more than 30 cm above the building roof. On a building of two or more storey's the top of a canopy sign shall not extend more than 75 cm above the floor or the second storey more higher than the window sill level of the second storey.
- (ii) The bottom of a Canopy Sign shall be not less than 2.4 m above grade.
- (iii) The vertical dimension of a Canopy Sign shall not exceed 1.5 m.

(g) Fascia Signs:

- (i) A Fascia Sign shall not extend more than 40 cm out from the face of a building wall and shall not extend beyond the building wall.

(h) Freestanding Signs:

- (i) No part of a Freestanding Sign shall extend out from the face of the property line of the site which the sign is intended to serve or be placed upon property other than that which the sign is to serve.
- (ii) Shall be set back a minimum of 3 meters from side property lines.
- (iii) The face or blade of the sign shall be set back a minimum of 0.6 m from property line.

(i) Projecting Signs:

- i) The horizontal separation distance between a Projecting Sign and the property line shall be not less than 0.6 m.
- ii) Projecting sign shall have a vertical clearance of at least 3 m from grade.
- iii) The maximum projection from the building face shall not exceed 2.5 m.
- iv) No Projecting Sign shall be located closer than 1.5m to the horizontal limits of the frontage of an adjacent business
- v) Except in the case of corner signs, a Projecting Sign shall be placed at right angles to the building face to which it is attached
- vi) The top part of a Projecting Sign on a one-storey building shall not extend more than 30 cm above the building roof or parapet wall. On a building two storey's or higher, it shall not extend more than 75 cm above the floor of the second storey's nor higher than the window sill levee of the second floor.

(j) Roof Signs:

- (i) The maximum vertical dimension of a Roof Sign, including the support structure, shall not exceed a height of 2 m.

- (i) The maximum area of the sign shall not exceed 7.5 m².
- (ii) No portion of the Roof Sign shall overhang the roof on which it is located.

(k) Third Party Advertising Signs:

When a sign is to display third party advertising it must be limited to:

- (i) Local advertising;
- (ii) General advertising, not specific to a specific location; or
- (iii) Advertising a recreation, sporting, cultural, or charitable event.

(l) Window Signs:

Only one permanent window business identification sign shall be allowed per window and the area of the sign shall not exceed fifty percent (50%) of the window in which it is located.

(10) General Regulations for Temporary and Portable Signs

This Section contains the general regulations with which Temporary and Portable Signs must comply, subject to any exceptions or additional regulations specified in a Sign Schedule. The regulations govern Temporary Signs and Portable Signs used for such purposes as business identification local advertising, building construction identification and land development information:

- (a) All Temporary or Portable Sign applications shall be approved by, and at the discretion of the Development Authority.
- (b) A Portable Sign is allowed by permit on a non-permanent basis only, for a maximum time period of one (1) year.
- (c) A Temporary Sign may be allowed by permit on a temporary basis only, for a maximum period of on (1) year.

- (d) Each face or copy area of a Portable or Temporary sign shall not exceed 3.7 m² and the support structure or top of sign shall not exceed 1.5 m in height nor 2.9 m in length, excluding any trailer hitches.
- (e) All Temporary and Portable Signs shall be setback from the property line a distance of 0.6 m, and shall not interfere with pedestrian or vehicle movements or obstruct traffic visibility.
- (f) More than one Portable or Temporary Sign may be placed on a multi use or a large site at the discretion of the Development Authority, provided the placement of the signs do not interfere with pedestrian or vehicle movements or obstruct traffic visibility, and that the sign be allowed by permit on a temporary basis only, for a maximum period of one (1) year.
- (g) Portable and Temporary Signs shall not be located in such a manner so as to restrict the view of a traveler on any street from obtaining a clear view of approaching vehicles or pedestrians for a distance of 45 m along a street.
- (h) Except for Community Event Signs, Public Safety Advisory signs, and Temporary Real Estate Signs, all parts of Temporary Advertising and Portable Advertising Signs, including electrical cords are prohibited:
 - i) on a Town right-of-way;
 - ii) on a Town boulevard;
 - iii) on a Town sidewalk.
- i) Temporary and Portable Signs may contain continuously illuminated lighting but shall not employ:
 - i) any flashing or intermittent lights; or
 - ii) means or devices to intensify their illumination or create the impression of flashing lighting.

5.A SIGN SCHEDULE FOR LAND USE DISTRICTS: R-1, R-2, R-3, R-4, R-4A, SR

Allowable Signs and Sign Regulations

- (a) The following signs shall be allowed:
 - (i) signs not requiring a development permit as listed in Part One of this Bylaw;
 - (ii) a Freestanding Sign or Fascia Sign to identify an Apartment Building, Child Care Services facility or Mobile Home Park which does not:
 - 1. exceed 1.5m² in area; or
 - 2. exceed 2m in height
 - (iii) one permanent Freestanding Identification Sign may be placed at each entrance to a subdivision, neighbourhood or Mobile Home park. The copy on such signs shall be restricted to the name and logo of the subdivision, neighbourhood or Mobile Home Park and shall be located entirely upon private property within the area to which they refer. The sign shall be landscaped in a manner consistent with the character and appearance of adjacent development, and
- (2) All signs shall comply with the general regulations for signs in Section 5 of this Bylaw.

5.B SIGN SCHEDULE FOR LAND USE DISTRICTS: C-1, C-2, C-3, I-1, I-2, I-3, I-4 and PS

(1) Allowable Signs and Sign Regulations

- (a) The following signs shall be allowed in structures or those portions of structures not used for residential purposes:
 - (i) signs not requiring a development permit as listed in Part One of this Bylaw,
 - (ii) Freestanding Signs provided that:

1. the maximum height shall not exceed 9 m;
 2. the total sign area shall not exceed 28 m² for each side of the sign; and
 3. such signs shall not have the effect of materially obscuring the view of the landscape or adversely affecting the surrounding area.
- (iii) Fascia Signs provided that the total copy area of a sign or signs shall not exceed 20% of the face of the building or bay to which the sign is attached;
- (iv) Projecting Signs provided that the maximum sign area shall not exceed 9 m²;
- (v) Roof Signs provided that the maximum area of the sign shall not exceed 7.5 m²;
- (vi) Portable and Temporary Signs;
- (vii) Awning, Canopy, Changeable Copy Signs; and
- (viii) Window Signs.
- (b) Local Advertising Signs which may include the following:
- (i) “A” or Sandwich Board Signs which:
1. shall not exceed 0.6 m in width and 1 m in height; and
 2. shall not impede the safe movement of pedestrian traffic or block a fire exit or doorway; and
 3. shall be removed at the end of the business day; and
 4. will be restricted to one sign per business; and
 5. shall not be illuminated.
- (ii) Window signs:

1. must, where materials permit, be placed on the inside of the window and may be painted, attached, or free standing;
 2. may be illuminated but shall not exceed 0.4 m² in area and shall not be flashing, intermittent or animated when visible from a public roadway.
- (iii) Banners or Pennant:
1. identifying the building, contractor or real estate company associated with the sale of a building or bay may be allowed on site. The maximum area for any such single sign shall not exceed 1.8 m² and where such sign is affixed to building, the top of the sign shall not be located higher than the second storey.
 2. in all other cases, shall not exceed 5 m² in area; and
 3. shall be secured or anchored to a support structure other than public property.
- (iv) Balloons and Dirigible:
1. will be of a size at the discretion of the Development Authority; and
 2. shall be secured or anchored to a support structure other than public property.
- (v) Free Standing Signs:
1. will be one (1) sign per business on a multiple use site and one (1) sign per single use site;
 2. shall not exceed 1.5 m² in area for each sign or 2m in height;
 3. shall not be placed on private internal walkways, sidewalks and parking areas; and
 4. shall not be located closer than 1.6 m from a public right of way or 0.6 m from a public sidewalk;”
- c) All signs shall comply with the general regulations for signs in Section 5 of this By-law.
- d) Such signs shall not have the effect of materially obscuring the view of the landscape or adversely affecting the surrounding area.

5.C SIGN SCHEDULE FOR LAND USE DISTRICTS: UR

(1) Allowable Signs and Sign Regulations

- (a) The following signs shall be allowed:
 - (i) signs not requiring a development permit as listed in Part One of this Bylaw;
 - (ii) Portable and Temporary Signs;
 - (iii) one Fascia Sign per building which does not exceed 1.5 m² in area nor 3.5 m in height; and
 - (iv) Freestanding Signs provided that:
 - 1. the maximum height shall not exceed 9 m; and
 - 2. the total sign area shall not exceed 28 m² for each side of the sign; and
 - 3. such signs shall not have the effect of materially obscuring the view of the landscape or adversely affecting the surrounding area.
- (b) All signs shall comply with the general regulation for signs in Section 5 of this By-law.

6. Miscellaneous

6.1 Primary Access

The primary physical and legal access to all parcels shall be via a street. A lane may provide secondary access only.

6.2 Dangerous Goods

Prior to making any decision on a development application, which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods, the

Development Authority shall refer the development proposal to the appropriate regulatory authority for comments.

6.3 Mechanized Excavation Stripping and Grading of Parcels

- (a) A temporary fence shall be erected around all excavations, which in the opinion of the Development Authority may be hazardous to the public.
- (b) Where finished ground elevations are established, all grading shall comply therewith.
- (c) All parcels shall be graded to ensure that storm water is directed to a road without crossing adjacent land, except as permitted by the Development Authority.
- (d) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

6.4 Environmental Conservation and Development

In the course of any development within the Town of Sundre, the following must, unless otherwise specified in Part Four or permitted by the Town of Sundre, be adhered to;

- a) the retention, in their natural state, of
 - (i) Swamps, gullies and drainage courses that handle normal, natural run-off
 - (ii) unstable land
 - (iii) land with a natural gradient of 15% or greater, and
 - (iv) a strip of land not less than 15.0 m. in width along any river, stream or creek, such distance to be measured from the top of bank
- b) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads.

6.5 Accessory Suites

- (a) Accessory suites may only be situated in a detached dwelling, which is occupied by the registered owner.
- (b) The number of accessory suites per detached dwelling is limited to one (1).

(c) Off-street parking will be provided in accordance with Section 3(1) of Part Three.

(d) Accessory suites will only be permitted in R-2 districts where the subject parcel area is a minimum of 470 m² for interior parcels and 560 m² for corner parcels.

6.6 Garden Suites

- (1) Only one Garden Suite shall be allowed per lot, and must be detached from the primary residence.
- (2) Garden Suites will be restricted to a single storey dwelling and may include an attached single car garage.
- (3) The maximum site coverage for a Garden Suite shall not exceed 13%.
- (4) The rear yard setback for a lot with a Garden Suite must be a minimum of 1.5 m.
- (5) On a lot where a Garden Suite is to be located, only one servicing connection per utility will be permitted. The utilities must be first connected to the primary residence, and then fed to the Garden Suite.
- (6) Garden Suites shall be constructed with exterior building materials compatible with those of the Principal Building.
- (7) Garden Suites shall comply with all fire regulations and all municipal and provincial regulations.
- (8) Garden Suites shall not be constructed within the front yard setbacks for principal buildings.
- (9) All lots with a Garden Suite must have a driveway that provides access to the Garden Suite.
- (10) Lots containing a Garden Suite will only be allowed to have one mailing address.

6.7 Bed and Breakfast Accommodation

- (1) Bed and Breakfast Accommodation shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Bed and Breakfast Accommodation shall be an incidental and subordinate use to the principal residential use and shall be restricted to the Primary Dwelling.
- (2) Bed and Breakfast Accommodations shall:
 - (a) require a development permit renewable on a yearly basis approved by the Development Authority;
 - (b) not require any structural alterations;
 - (c) not display any form of advertising for the operation on site;
 - (d) not create a nuisance by way of noise, parking or traffic generation;
 - (e) not occupy more than three rooms; and
- (e) be limited to one meal provided on a daily basis to registered guests only. Meals are to be prepared in one common kitchen and served in one common room.

6.8 Land Use Policies

Every action undertaken by the municipality and the Development Authority must be consistent with any land use policies established pursuant to the *Municipal Government Act*.

6.9 Decks

A development permit is required for the construction of a deck if:

- (a) it will be constructed so that the decking is situated more than 0.61 m. above grade, or
- (b) subject to Part One: s1.11, any portion of the deck is situated within the applicable minimum yard setback requirements.

6.10 Drainage

- (a) All roof drainage from a building shall be directed onto the parcel upon which the building is situated by means satisfactory to the Development Authority.
- (b) Any landscaping and/or re-contouring shall be done so that the finished grade does not direct surface drainage or cause the impounding of drainage onto an adjoining site unless otherwise approved by the Development Authority.

7. Guidelines for Other Land Uses

All uses, which are not covered by specific regulations in Part Four, shall, in accordance with the following guidelines, be

- a) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses,
- b) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan,
- c) setback from any parcel boundary abutting a road (not lanes) a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses,
- d) of a height which will be consistent with that prevailing in the area,
- e) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent roads and
- f) developed in conformance with any applicable statutory plan policies.

8. Flood Risk Area Development

8.1 Flood Risk Overlays

(a) General Purpose of Overlays

To provide for the safe and efficient use of lands within the defined floodway and flood fringe of the Bearberry Creek and of the Red Deer River by way of prohibiting the construction of new buildings or structures in the floodway and allowing development and redevelopment of buildings or structures in the flood fringe, only if these facilities are satisfactorily flood proofed or constructed so that the main floor is above the 1:100 year flood level.

(b) Floodway Uses

In the Floodway, only those uses which are listed below, shall apply:

- (i) Private open space
- (ii) Environmental Reserve or natural areas
- (iii) Formal parks
- (iv) Existing uses, buildings and structures provided that they are listed as a permitted or discretionary use in the Land Use District for which the site is designated and the use already approved by the Development Authority prior to the passing of this By-Law.

(c) Flood Fringe Uses

In the flood fringe area, the permitted and discretionary uses listed in the underlying Land Use District shall continue to apply. Where the provisions of this overlay appear to be in conflict with the regulations of any underlying District, the provisions of the overlay shall take precedence and be applied in addition to the regulations of the underlying District.

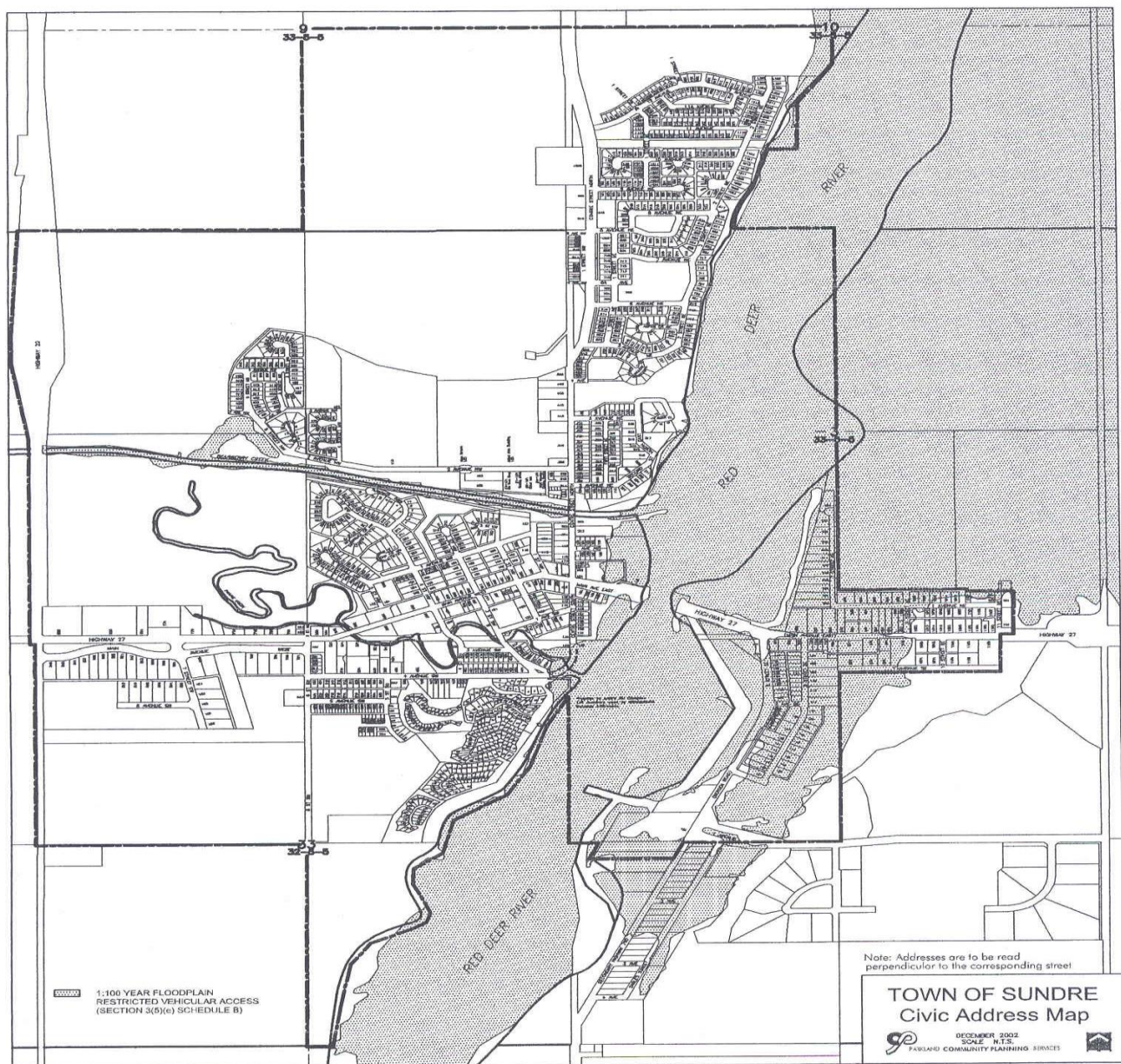
(d) Regulations

- (i) No new buildings will be allowed in the floodway.
- (ii) Before a Development Permit is issued for the construction of any development within the Flood Fringe, the Development Authority may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been incorporated in the building and lot:

- a. Canadian Mortgage and Housing Corporation guidelines for building in flood-susceptible areas,
 - b. The flood proofing of habitable rooms and openable windows;
 - c. Basement drainage and site drainage; and
 - d. Information on grade elevation in relation to the 1:100 year flood elevation.
- (iii) The Development Authority must be satisfied that adequate flood proofing exists before a Development Permit is issued;
- (iv) The Development Authority may refer any Development Permit Application for development within the flood fringe to Alberta Environment for their comments;
- (v) The feasibility of permitting any new subdivisions and thereby removing any land from the flood fringe shall be determined through a comprehensive Planning and Geotechnical Report which is to be funded in full by the Developer and a copy submitted to the Development Authority
- (vi) The area surrounding the foundation of all habitable buildings shall be raised to at least the 1:100-year flood elevation using fill or other such methods to the satisfaction of the Development Authority;
- (vii) The main floor and all electrical and mechanical equipment in new buildings and all electrical and mechanical equipment in new additions to buildings within the flood fringe shall be located a minimum of 0.5 metres (1.64 feet) above the 1:100-year flood elevation;
- (viii) Basements shall be prohibited in new buildings located within the flood fringe unless they are flood proofed to the satisfaction of the Development Authority;

- (ix) Inside or outside storage of chemicals, explosives, flammable liquids, toxic or waste materials shall not be allowed on any new development;
- (x) Any Geotechnical Report prepared in association with a development that is approved shall be registered by caveat against the title affected by the development.
- (xi) Exceptions
 - a. The Development Authority shall permit minor renovations or repairs to an existing building (whether structural or not) in the flood-fringe without requiring the flood proofing of a building.
 - b. The Development Authority may allow additions to an existing building in the flood fringe, providing such additions are adequately flood proofed, without requiring the flood proofing of the existing building(s).
 - c. The Development Authority may allow aboveground fuel storage tanks within the flood fringe at service stations provided that the Development Authority is satisfied that the tanks are anchored, and flood proofed to the extent that they will not create a hazard or contamination as a result of flooding.

8.2 Flood Risk Overlay Map



9. Landscaping

- 9.1** Any area requiring landscaping or topographic reconstruction shall be landscaped and/or reconstructed so that the finished surface contours do not direct surface drainage onto an adjoining site.

9.2 Landscaping Plan Required

An application for a Development Permit for a proposed commercial, industrial, institutional or condominium residential development shall be accompanied by a detailed landscaping plan that shows:

- a) the location with dimensions of all existing and proposed landscaping including trees, shrubs and grass,
- b) any existing trees on the property, which trees will remain, and which trees are proposed to be removed,
- c) the number, size and species of all proposed trees and shrubs,

9.3 Landscaped areas

Landscaped areas shall conform to the following requirements and standards:

- a) All areas of a site not covered by buildings, outside storage, parking or vehicular maneuvering areas or similar structures shall be landscaped;
- b) where a private outdoor amenity space is provided within a minimum landscaped area, it shall be considered as satisfying both requirements;
- c) existing soft landscaping retained on the site may be considered in fulfillment of the total landscaping requirement;
- d) the quality and extent of landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development.

9.4 General Landscaping Requirements

Unless otherwise specified in Part Four for Development Applications, the following standard of landscaping or equivalent landscaping provisions shall be required for all

areas of a parcel not covered by buildings, driveways, parking or vehicular maneuvering areas, storage and display areas.

- a) the retention of trees, which exist prior to development to the extent possible, especially mature coniferous trees. No live trees shall be removed prior to either a submitted landscape plan being approved or permission being granted by the Development Authority by way of a Development Permit. Such applications shall list the reasons for tree removal. Any such trees which are retained following development may be considered in assessing fulfillment of the landscaping requirements provided that construction activity has not, in the opinion of the Development Authority, impacted on the ability of existing trees to survive 5 years beyond the date the development was completed,
- b) the planting of additional trees and shrubs to provide:
 - i) a minimum overall density of one tree per 35 m² of the required landscaped area, except that the ratio shall be one tree per 70 m² for institutional developments,
 - ii) a mixture of tree sizes at the time of planting shall be equivalent to a minimum of 50% large trees,
 - iii) a minimum overall density of one shrub per 15 m² of the required landscape area,
 - iv) a minimum of 33% coniferous trees and shrubs,
 - v) a minimum height of 1.52 m. for small trees and 2.44 m. for large trees.
- c) allowable trees and shrubs shall not include those species or gender that create seeds of the cottony type such as cottonwoods and some species of Poplar. Suckering trees and shrubs shall not be allowed unless approved by the Town of Sundre.
- d) a sufficient depth of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded, cultivated as a garden in residential districts or left with its natural grass cover,
- e) a maximum of 15% of the required landscaped area being hard landscaped in residential and commercial districts and a maximum of 30% of the required landscaped area being hard landscaped in industrial districts,

- f) in addition to all other landscaping requirements, all Boulevards adjoining the site shall be landscaped,
- g) where a tree is planted in a boulevard or in proximity to overhead utility lines, it shall be of a species that will not exceed a maximum height of 6.0 m. in height and shall not have a root spread that will cause damage to curbs, gutters and sidewalks nor shall it be allowed to have branches that will interfere with vehicular or pedestrian traffic on the street or the sidewalk.
- h) new residential subdivisions may be required within the Development Agreement to plant one medium height street tree in the boulevard in front of each and every residential lot and on certain Municipal Reserve lots;
- i) completion of the landscaping by the end of the first full growing season following completion of construction or the commencement of the use, whichever first occurs,

9.5 Parking Areas

- a) where off-street parking for 25 or more vehicles is required and is being provided at grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells,
- b) the landscaping treatment shall be in the form of landscaped islands, particularly at the termini of long rows of parking; tree lines separating facing rows of parking stalls, or some other form or combination of landscaping treatments,
- c) the location, extent and type of plantings and other landscaping treatments shall be to the satisfaction of the Development Authority.

9.6 Landscaping Completion

- a) Landscaping is to be completed in accordance with the provisions of this Bylaw and the approved landscaping plan by the end of the first full growing season following completion of construction or the commencement of the use, whichever first occurs, and
- b) an inspection of the site by the Development Authority must demonstrate that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping. This inspection will be performed at the discretion of the Development Authority within four weeks from the date of receiving a written request for the applicant to perform said inspection.

9.7 Screening Between Residential and Non-Residential Districts

Where a development is proposed that is not residential and which abuts an existing residential site, adequate screening or buffering shall be provided on the site of the development to the satisfaction of the Development Authority.

10. Alternate Energy Systems

10.1 Alternative Energy Systems shall require a Development Permit application, which shall include the following information where applicable:

- (a) the manufacturers specifications indicating;
 - (i) the SWES rated output in kilowatts,
 - (ii) safety features and sound characteristics,
 - (iii) type of material used in tower, blade, and/or rotor construction.
 - (iv) CSA or ULC approval, if applicable.
- (b) potential for electromagnetic interference,
- (c) nature and function of over-speed controls which are provided,
- (d) specifications on the foundation and/or anchor design, including location and anchoring of any guy wires,
- (e) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity, natural gas or propane,
- (f) location of existing buildings, improvements, roads, lanes and public utilities both on the applicant's property and all adjacent properties.

10.2 Any Wind Tower (including all attachments and equipment) to be installed shall not exceed the manufacturers recommended weight and wind load capacities.

10.3 Wind Towers must either be certified to meet ULC standards or be certified by the manufacturer or a qualified Professional Engineer registered under the "*Engineering, Geological, or Geophysical Professions Act*" of the Province of Alberta that it is capable of withstanding the weight and wind load for the area it is installed.

- 10.4** Ground mounted Wind Towers, prior to installation of the wind turbine, shall not be less than 8.3 m. nor greater than 20.1 m. in height. If roof mounted, the tower shall not be less than 9.84 m. and no more than 4.6 m. above the highest point on the roof.
- 10.5** No wind tower mounted portion of a wind energy system shall extend within 6.1 m. of the ground. Blades may not extend over parking areas, public right-of-ways, driveways or sidewalks. Blades and tail vane shall be a minimum of 3.0 m. from utility lines in all wind directions.
- 10.6** No part of a Wind Tower structure, including guy wires, blades or tail vane may be placed closer than 3.0 m. to the side or rear property boundaries. In addition, towers shall be setback a minimum of the distance equal to the height of the structure from roads, lanes and utility lines.
- 10.7** No aboveground portion of any component of any alternative energy system shall be located in a front or side yard.
- 10.8** For lots 929 m² or less, the maximum diameter of the wind turbine blades shall be 3.0 m. For lots greater than 929 m², the maximum rotor blade diameter shall be 3.7 m.
- 10.9** One wind turbine at a size specified in paragraph 10(7) shall be installed on a tower and used to provide electricity for the primary residence. A second, smaller wind turbine, not to exceed a rotor diameter of 1.5 m., may also be installed on the same lot and used to provide electricity for a garage, workshop or utility shed and may be roof installed.
- 10.10** All wind energy systems shall be equipped with manual and automatic over-speed controls to limit the blade rotation speed to within the design limits of the wind energy system or to control the rotors in the case of a system failure or when wind speeds are beyond the capacity of the system to control.
- 10.11** All wind energy systems shall have lightning arresters installed and properly grounded.
- 10.12** Sounds from residential wind energy systems shall not exceed 60 dBA at average wind speeds for the area, measured at the closest neighboring inhabited dwelling. This level, however, may be exceeded when wind speeds are above average.
- 10.13** No residential or commercial wind energy system shall be installed until evidence is provided that the electric power distribution utility and the sales utility have been informed of the customer's intent to install an interconnected customer owned generator. Off-grid systems are exempt from this requirement.

- 10.14** Electrical wires, including grounding wires, from a wind tower to the building being serviced shall be underground. A wind energy system, including all wiring shall meet all applicable provincial electrical code requirements including permit requirements and be inspected by an electrical inspector having jurisdiction within the corporate limits of the Town of Sundre.
- 10.15** Any alternative energy system shall be operated and shielded so as to prevent any electro-magnetic interference. Any system found in violation of this policy shall be required to cease operation until such time as the problem is resolved.
- 10.16** Small wind turbines with a rotor diameter of less than one meter that use direct current solely for decorative or yard lighting or used strictly for ornamental purposes are exempt from permit requirements and restrictions listed in this section.
- 10.17** Brand names or advertising associated with any alternative energy system or the system's installation shall not be visible from any public area, including lanes, streets and highways.
- 10.18** Any alternative energy system shall be located and screened, to the extent possible, by land forms, natural vegetation or other means to minimize its visual impact on adjacent residences, public roads, trails or other public areas. Towers and other supporting structure shall be painted a single, neutral, non-reflective, non-glossy color (earth tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.
- 10.19** Upon abandonment or termination of any alternative energy system's use, the entire facility and all components associated with the system, including towers or support structures, shall be removed and the site restored to its pre-construction condition.
- 10.20** Solar panels may be installed on the roof of any building or may be ground mounted in a rear or side yard.
- 10.21** If a roof-mounted solar panel requires rising of the top of the panel for solar alignment, the top of the panel shall not project above the highest roofline by more than 0.3 m.
- 10.22** All plumbing, reservoirs, pumps and other equipment associated with solar or geo-thermal heating or cooling systems shall require plumbing, electrical and building permits as required and must meet all applicable provincial plumbing, electrical and building code and any other municipal requirements.
- 10.23** Geothermal installations must be stamped by a qualified Professional Engineer registered under the "*Engineering, Geological, or Geophysical Professions Act*" of the Province of

Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.

10.24 Geothermal installations must comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided that documented proof is provided that shows that the exception meets or exceeds the CSA-C448 standard.

10.25 All Geothermal systems installed within the Town of Sundre shall be a Closed Loop system. Open Loop systems are not allowed.

10.26 Heat-transfer fluids used within a geothermal system shall be of the most environmentally friendly type available at the time of installation such as propylene glycol. In no case may an ethylene glycol based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas or propane be used.

11. Daycares

11.1 Day Home Facility

Day Home Facility – shall comply with the following:

- a) Maximum of six (6) children shall be cared for at any one time, including children that reside on the property;
- b) The owner/operator must reside on the subject property;
- c) Employees working at the day home shall be limited to those living at the residence;
- d) One other Home Occupation – minor may operate within the residence;
- e) If an on-site play area is provided in conjunction with the day home facility, the area shall be fenced to the satisfaction of the Development Authority;
- f) One (1) on-site parking space for drop off is required in addition to the parking requirement for the residential use;
- g) There will be no signage permitted;
- h) A Development Permit is required. A permit may be revoked at any time, if in the opinion of the Development Authority; the operator of the facility has violated any provisions of

this Bylaw or the conditions of the permit. A day home facility shall not operate without a valid Business License issued by the Municipality;

11.2 Day Care Facility – Neighbourhood

Day Care Facility - Neighbourhood shall comply with the following:

- (a) The facility provides care for seven (7) to a maximum of (15) children, at any time, including children that reside on the property;
- (b) The owner/operator of the neighbourhood day care may or may not reside on the subject property;
- (c) No more than two (2) non-residence may be employed by the day care facility;
- (d) No other accessory use (such as a home occupation etc.) is permitted when a day care facility operates from the property;
- (e) If an on-site play area is provided in conjunction with the day care facility, the area shall be fenced to the satisfaction of the Development Authority and the Provincial Licensing Authority;
- (f) One (1) on-site parking space per employee is required in addition to the parking requirement for the residential use;
- (g) No signage is permitted;
- (h) The day care facility shall be in full compliance with the Alberta Provincial Day Care Regulations;
- (i) A Development Permit is required. A permit may be revoked at any time, if in the opinion of the Development Authority; the operator of the facility has violated any provisions of this Bylaw or the conditions of the permit. A day care facility shall not operate without a valid Business License issued by the Municipality;

11.3 Day Care Facility - Commercial

Day Care Facility - Commercial shall comply with the following:

- a) The number of children may not exceed the capacity as determined by on-site parking capacity.

- b) The day care facility shall always be considered the primary use on a site where Development Permit for a day care facility has been approved. Accessory use(s) may be permitted at the discretion of the Development Authority where the accessory use does not conflict with the day care facility;
- c) If an on-site play area is provided in conjunction with the day care facility, the area shall be fenced to the satisfaction of the Development Authority and the Provincial Licensing Authority;
- d) The required number of on-site parking spaces shall be one (1) per employee on maximum working shift, and one (1) on-site parking space per six (6) children;
- e) A day care facility shall meet all parking requirements on-site and shall endeavour to limit use of on street parking;
- f) All signage is a discretionary use and a Development Permit must be submitted and reviewed by the Municipal Planning Commission;
- g) The day care facility shall be in full compliance with the Alberta Provincial Day Care regulations;
- h) A Development Permit is required. A permit may be revoked at any time, if in the opinion of the Development Authority; the operator of the facility has violated any provisions of this Bylaw or the conditions of the permit. A care facility shall not operate without a valid Business License issued by the Municipality;

12. Sea Cans

Sea cans shall only be allowed in land use districts where listed as a Discretionary Use in Part Four. Sea cans are prohibited in all other districts.

12.1 Sea Cans

Sea cans shall comply with the following:

- (a) Sea Cans shall not be erected or placed within the front yard of a parcel;
- (b) Sea Cans shall conform to the rear yard setbacks of the district in which the parcel is located;
- (c) Sea Cans shall conform to the side yard setbacks of the district in which the parcel is located;

- (d) Sea Cans shall be considered a structure and added to the calculation in determining the maximum lot coverage in the applicable land use district as outlined in Part Four;

12.2 Sea Cans – General Standards

- (a) There shall be a legal primary use on the property where the sea can is proposed;
- (b) Sea cans are permitted to be used for storage only and shall not be used as a building or a construction material;
- (c) A maximum of one (1) sea can may be permitted on a lot;
- (f) The Development Authority may regulate the maximum height of sea cans;
- (g) The Development Authority may require as a condition of approval that a sea can be screened from view or landscaped to make it aesthetically pleasing;
- (f) The Development Authority may require as a condition of approval that any sea can be sandblasted and/or painted a neutral or complimentary colour to match the existing building(s) on the property;
- (g) The Development Authority may regulate the time period for which a development permit for a sea can is valid through the issuance of a temporary permit;
- (h) Removal of the sea can at the expiration of the permit shall be at the expense of the applicant and/or landowner. The Development Authority may require as a condition of approval the posting of a security deposit guaranteeing the removal of the container and/or compliance with the conditions of the permit;
- (i) The sea can shall not display advertising, company logos, names or other marketing without an approved sign permit;

13. Home Occupation

13.1 Home Occupation - Minor

Home Occupation - Minor shall comply with the following:

- (a) Are less intensive home-based businesses. Home Occupation - Minor are “desk, computer and telephone” home businesses that require no deliveries, require no storage, do not generate any non-residential traffic, no walk-in clientele, do not have signage, and are essentially “invisible” within a residential neighbourhood;

- (b) Require a Development Permit and an annual Business License issued by the Town of Sundre. A permit can be revoked at any time if, in the opinion of the Development Authority, the operator of a Home Occupation - Minor has violated any provisions of this Bylaw or the conditions of a permit or a valid Business License is not in place;
- (c) Shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood;
- (d) Shall be an incidental and subordinate use to the principal residential use and shall be contained within the principal building;
- (e) Development Permits are non-transferable to other locations; they are approved for a specific Lot, Block and Plan;
- (h) The Development Authority may require that the permit be reviewed on a periodic basis to ensure compliance with an approved Development Permit;
- (g) Home Occupation - Minor are limited to two (2) minor businesses per dwelling unit;
- (h) Employees working at the Home Occupation - Minor shall be limited to those living at the residence;
- (i) The operator of a Home Occupation - Minor shall not:
 - i. have outside storage of materials, goods or equipment on the site;
 - ii. create a nuisance by way of dust, noise, odour, smoke, parking, excessive traffic generation, electrical interruption, bright light or anything of an objectionable nature which is detectable to normal sensory perception outside the building containing the Home Occupation - Minor or beyond the parcel boundaries;
 - iii. display any form of advertising related to the Home Occupation - Minor on the site except in accordance with this bylaw;
 - iv. a Home Occupation - Minor permit does not exempt the applicant from compliance with any Federal or Provincial regulation, or any other municipal bylaw or regulation;
 - v. shall not use any dangerous goods which would not reasonably be used in association with a residential use of the dwelling;

- vi. Exterior storage of goods related to the Home Occupation - Minor is prohibited;
- vii. include the direct sale of goods to walk-in clientele.

13.2 Home Occupation - Major

Home Occupation - Major shall comply with the following:

- (a) Are more intensive home-based businesses and may generate vehicular traffic, but will not result in traffic that has a negative impact on the community, may have walk in cliental, does not have signage;
- (b) Requires a Development Permit and an annual Business License issued by the Town of Sundre. A permit may be revoked at any time if, in the opinion of the Development Authority, the operator of a Home Occupation - Major has violated any provisions of this Bylaw or the conditions of a permit or a valid Business License is not in place;
- (c) Shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood;
- (d) Shall be incidental and a subordinate use to the principal residential use and be located or contained within the principal building, or accessory structure;
- (e) Development Permits are non-transferable to other locations; they are approved to a specific Lot, Block and Plan;
- (f) The Development Authority may require that the permit be reviewed on a periodic basis to ensure compliance with an approved Development Permit;
- (g) Home Occupation - Major are limited to one (1) Home Office and one (1) Home Occupation – Major per dwelling unit;
- (h) Employees working at the Home Occupation - Major shall be limited to a maximum of two (2) and at least one shall live at the residence;
- (i) Allowed one vehicle with commercial advertising associated with the business parked on-site that does not exceed 4500 kg. and or a length of 6.3 m. Anything over 4500 kgs. requires a CVOR certificate.

- (j) In addition to parking requirements for residential use, up to two (2) additional parking spaces may be required at the discretion of the Development Authority;
- (k) No commodity other than the product or service of the Home Occupation – Major shall be sold on the premises;
- (l) The operator of a Home Occupation - Major shall not:
 - (i) have outside storage of materials, goods or equipment on the site;
 - (ii) create a nuisance by way of dust, noise, odour, smoke, parking, excessive traffic generation, electrical interruption, bright light or anything of an objectionable nature which is detectable to normal sensory perception outside the building containing the home craft or beyond the parcel boundaries;
 - (iii) display any form of advertising related to the Home Occupation on the site except in accordance with this bylaw;
 - (iv) a Home Occupation – Major permit does not exempt the applicant from compliance with any Federal or Provincial regulation, or any other municipal bylaw or regulation;
 - (v) shall not use any dangerous goods, which would not reasonably be used in association with the residential use of the dwelling. Exterior storage of goods related to the Home Occupation - Major is prohibited;
 - (vi) shall not be permitted if, in the opinion of the Development Authority, it would be more appropriately located in a commercial or industrial district;

14. Temporary Residential Sales Centres

1. Temporary Residential Sales Centres shall be a Discretionary Use in all residential Districts and may be a separate structure (ATCO style construction trailer or set up in the attached garage of a residential structure).
2. A Development Permit for a Residential Sales Centre shall be issued for a maximum two-year period on a site.
3. Residential Sales Centres shall be situated in locations in which impacts to the adjacent neighbourhood(s) are minimized and access to major transportation routes is available.

4. Connection points between Residential Sales Centres which cross property lines or encroach on setbacks shall be temporary in nature and removed when the Residential Sales Centre is vacated, or when the Development Permit for the Use expires.
5. Residential Sales Centres shall substantially conform to the appearance of the existing community.
6. Where required by the Development Authority, additional information with regards to the location of parking and access to Residential Sales Centres may be requested as supporting information for a decision on an application.
7. Any exterior lighting of Residential Sales Centres shall be located such that impact to neighbours is minimized and located so that no direct rays shall impact adjacent neighbours.
8. All on or offsite signage and advertising for Residential Sales Centres shall be in accordance with Part Three: Section 5 of this Bylaw.

15. Cannabis Retail Store

A Cannabis Retail Store shall comply with the following:

- (a) Any Cannabis Retail Store and property associated with the store shall have a minimum separation distance of 150 m. from the following:
 - (i) the property line of a school and parcels that are designated school reserve (SR) and municipal and school reserve (MSR) under the *Municipal Government Act*;
 - (ii) the property line of a Provincial health care facility including a hospital;
 - (iii) the property line of a public use facility comprising the arena, aqua-plex, community centre, curling rink and library;
 - (iv) the property line of another Cannabis Retail Store;
 - (v) any Town owned playground structure, skateboard structure and outdoor ice rink measured from the closest point of that structure.

- (b) Signage for the advertising of cannabis is prohibited. Any signage for the sole purpose of business identification on the same parcel as the Cannabis Retail Store is subject to a Development Permit pursuant to PART THREE: GENERAL REGULATIONS Section 5. Signs.
- (c) Development proposals must consider and include on-site elements to create a safe premise such as:
 - (i) a well-lit customer parking lot;
 - (ii) well-lit access to the store that is visible from the street, sidewalk and/or customer parking facility; and
 - (iii) any other safety measures as required by the Development Authority.

PART FOUR

LAND USE DISTRICT REGULATIONS

PART FOUR: LAND USE DISTRICT REGULATIONS

LOW DENSITY RESIDENTIAL DISTRICT (R-1)

General Purpose: To provide an area for low-density residential development in the form of single detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.

Permitted Uses: Accessory building
Home Office
Housing, Single Detached Dwellings
Protective Emergency Services
Public Parks and Playgrounds

Discretionary Uses: Adult Care Residence
Alternate Energy Systems
Bed and Breakfast Accommodation
Day care facility – neighbourhood
Day home facility
Government Services
Group Homes, Limited
Home Occupation
Public and quasi-public uses
Public utility buildings
Temporary Residential Sales Centre
Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

The following regulations apply to detached dwellings:

Minimum Front Yard: 6.0 m.

Minimum Side Yard: 1.5 m. except where it abuts a road (not lanes) 3.0 m.
See Section 2.5 of Part Three if laneless subdivision.

Minimum Rear Yard: 7.0 m.

Minimum Parcel Area: Interior parcels 495 m²
Corner parcels 550 m²

Note: Development Authority may relax the minimum parcel area requirement based upon a comprehensive development plan for an area (minimum of 5 lots)

Maximum Parcel Coverage: 50%

Maximum Site Coverage for Accessory Building is 13%

Minimum Floor Area: 78.97 m²

Minimum Frontage:

| Parcel: | Laned | Laneless |
|------------------|----------|-----------|
| Interior Parcels | 13.7 m. | 15.25 m . |
| Corner Parcels | 15.25 m. | 16.75 m. |

Note: Development Authority may relax the minimum frontage requirement based upon a comprehensive development plan for an area (minimum of 5 lots).

Landscaping: The boulevard and 30% of the site.

Minimum overall density of trees - one tree per 100 m² of the required landscaped area.

Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – None.

Maximum Building Height: 9.0 m.

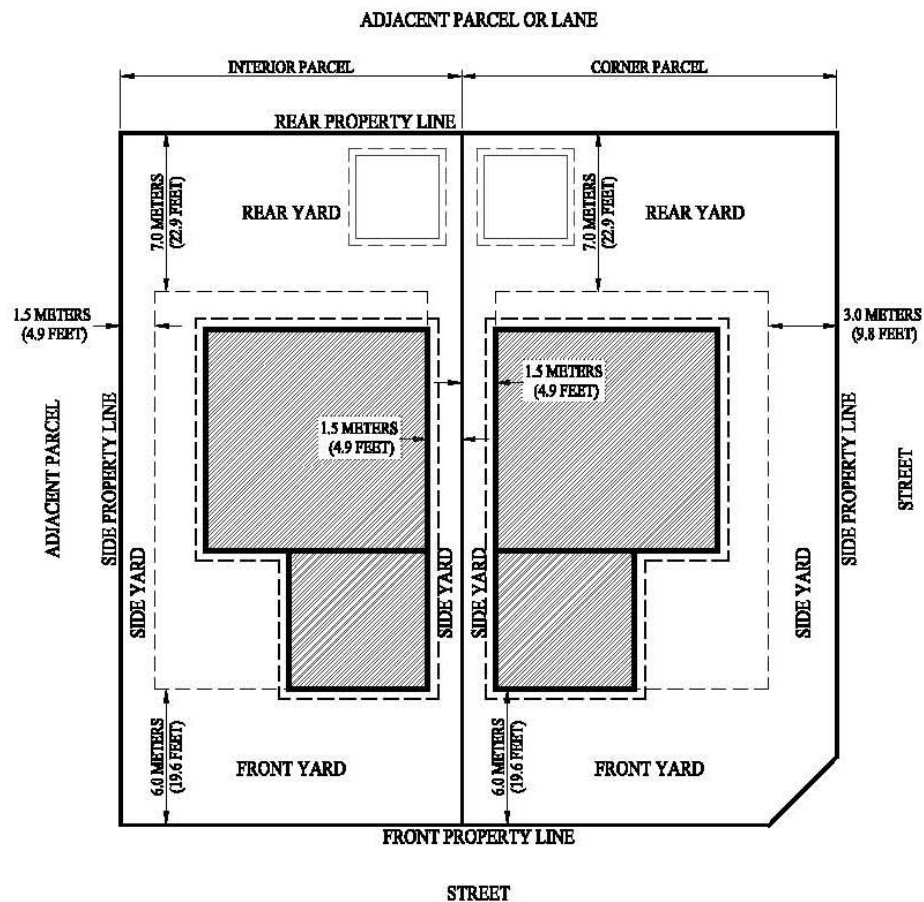
Flood Plain Provision: All development within the 1:100 year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A, shall be flood proofed as per the definition to the satisfaction of the Development Authority

Exception: Accessory suite in single detached dwelling
Lot B, Block 2, Plan 2462JK

Exceptions to Minimum Floor Area:

| Lot(s) | Block | Plan | Minimum |
|--------------------|-------|---------|--------------------|
| 3 - 14 and 25 - 44 | 12 | 8910549 | 102 m ² |
| 15 - 23 | 12 | 8910549 | 116 m ² |
| 2 - 14 | 13 | 9912954 | 116 m ² |
| 1 - 13 | 14 | 9912954 | 97 m ² |
| 2 - 53 | 15 | 9912954 | 97 m ² |
| 1 - 15 | 16 | 9912954 | 97 m ² |
| 2 - 7 | 17 | 9912954 | 97 m ² |
| 1 - 16 | 18 | 9912954 | 97 m ² |

Figure 1: Example Yard Setback for Single Detached Dwelling



Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Bed and Breakfast Accommodation shall be developed in accordance with Part Three, Section 6.8 of this Bylaw.

Day Homes shall be developed in accordance with Part Three Section 11.1 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Day Care Facility – Neighbourhood shall be developed in accordance with Part Three, Section 11.2 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

Temporary Residential Sales Centres shall be in accordance with Part Three, Section 14 of this Bylaw

GENERAL RESIDENTIAL DISTRICT (R-2)

General Purpose: To provide an area for a variety of dwelling types and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.

Permitted Uses:

- Accessory buildings
- Housing, Duplex Dwelling
- Home Office
- Housing, Semi-Detached Dwelling
- Housing, Single Detached dwellings
- Protective Emergency Services
- Public Parks and Playgrounds

Discretionary Uses:

- Adult Care Residence
- Alternate Energy Systems
- Accessory Suites
- Bed and Breakfast Accommodation
- Day care facility – neighbourhood
- Day home facility
- Housing, Apartment Dwellings
- Housing, Attached Dwelling
- Housing, Modular Homes
- Housing, Multi-plex Dwellings
- Garden Suites
- Government Services
- Group Home, Limited
- Home Occupation
- Public and quasi-public uses
- Public utility buildings
- Temporary Residential Sales Centre
- Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

Minimum Front Yard: Single Detached dwellings, duplex dwellings, attached dwellings, and four-plex dwellings: 6.0 m.

Apartment dwellings: 7.5 m.

Multiple housing developments: Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions.

Minimum Side Yard: Single Detached dwellings, semi-detached dwellings, duplex dwellings, four—plex dwellings, and attached dwelling end units:

1.5 m. except where it abuts a road (not lanes) – 3.0 m.
See Section 2.5 of Part Three if laneless subdivision.

Apartment Dwellings:

3.0 m. except where it abuts a road (not lanes) - 6.0 m.

Multiple housing development:

Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions.

Minimum Rear Yard: Single Detached dwellings 7.0 m.

Duplex Dwellings, semi-detached dwellings, four-plex dwellings and apartment dwellings: 7.0 m.

Multiple housing developments (incorporating buildings with ground level private access, such as: four-plex dwellings, duplex dwellings and single detached dwellings):

Each dwelling unit shall have a private, screened yard area of not less than 45.0 m²

Minimum Parcel Area:

| Type/Parcel | Area |
|---|--------------------|
| Single & Semi-Detached Dwellings | |
| Interior Parcels | 375 m ² |
| Corner Parcels | 420 m ² |
| Duplex Dwellings (per dwelling unit) | |
| Interior Parcels | 235 m ² |
| Corner Parcels | 280 m ² |
| Attached Dwellings (per dwelling unit) | |
| Interior Parcels | 185 m ² |
| Corner Parcels | 275 m ² |
| Four-plex Dwellings (per dwelling unit) | |
| Interior Parcels | 180 m ² |

| | |
|------------------------------|--|
| Corner Parcels | 185 m ² |
| Apartment Dwellings | 1.3 times the building's total floor area |
| Multiple Housing Development | The ground area on non-recreational buildings, of the parking facilities and driveways and the minimum *amenity area (*see chart) shall be totalled. |
| Minimum Amenity Area* | |
| Bachelor Unit | 15 m ² per unit |
| One (1) Bedroom Unit | 20 m ² per unit |
| Two (2) Bedroom Unit | 55 m ² per unit |
| Three (3) Bedroom Unit | 90 m ² per unit |
| Four (4) Bedroom Unit | 110 m ² per unit |

* Minimum amenity area includes hard and soft landscaped areas, balconies, recreational facilities and communal lounges

Maximum Parcel Coverage: Single Detached dwellings, semi-detached dwellings, duplex dwellings, 50%
Accessory Buildings 13%

Apartment Dwellings: 65%

Four-plex dwellings, and Attached dwellings, Multiple housing developments: Determined by subtracting the minimum amenity area from the parcel area

Landscaping: The Boulevard and 30% of the site except for apartment buildings and condominiums, which require the Boulevard, and 20% of the site.

Minimum overall density of trees - one tree per 100 m² of the required landscaped area except for apartment buildings and condominiums.

Minimum overall density of shrubs – None except for apartment buildings and condominiums.

Mixture of tree sizes – None except for apartment buildings and condominiums.

| | |
|--------------------------|---|
| | Ratio of coniferous trees to deciduous trees – None except for apartment buildings and condominiums. |
| Maximum Building Height: | Single Detached dwellings, semi-detached dwellings, duplex dwellings, attached dwellings and four-plex dwellings: 9.0 m. Apartment dwellings: 12.0 m. |
| | Multiple housing developments: As required for the various housing types described above. |
| Flood Plain Provision: | All development within the 1:100-year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule “A”, shall be flood proofed as per the definition to the satisfaction of the Development Authority |
| Building Design: | The external design of all buildings shall be to the satisfaction of the Development Authority taking into consideration such things as finishing materials, roof pitch, eaves, size, siting, architectural features, and compatibility with other development in the vicinity. |
| Exception: | Reclassify part of Block 1, Plan 941 1097 from Urban Reserve District to General Residential District and add the site-specific use 'office' to the General Residential District (R-2) on part of Block 1, Plan 941 10-97 only |

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Accessory Suites shall be developed in accordance with Part Three, Section 6.6 of this Bylaw.

Bed and Breakfast Accommodation shall be developed in accordance with Part Three, Section 6.8 of this Bylaw.

Day Homes shall be developed in accordance with Part Three Section 11.1 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Day Care Facility – Neighbourhood shall be developed in accordance with Part Three, Section 11.2 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Garden Suites shall be developed in accordance with Part Three, Section 6.7 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Temporary Residential Sales Centres shall be in accordance with Part Three, Section 14 of this Bylaw

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

MANUFACTURED HOME DISTRICT (R-3)

General Purpose: To provide an area for and to regulate the development and use of land for manufactured home parks and subdivisions and other uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed park wherein sites are rented or owned or manufactured home subdivision where lots are owned under separate registered title. The area is to be connected to municipal sewer and water systems.

Permitted Uses: Accessory building
Home Office
Manufactured homes
Modular Homes (Subdivision Only)
Parks and Playgrounds

Discretionary Uses: Day care facility – neighbourhood
Day home facility
Government Services
Home Occupation
Public and quasi-public uses
Public utility buildings
Residential Sales Centre
Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

Landscaping: The Boulevard and 30% of the site except for existing Manufactured Home Parks.

Minimum overall density of trees - one tree per 100 m² of the required landscaped area except for existing Manufactured Home Parks.

Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – None.

1. Manufactured Home Park Standards

Maximum Gross Density: 17 manufactured homes per hectare

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| Minimum Park Area: | 2.0 hectares |
| Recreation Area: | A minimum of 5% of the total area of a manufactured home park shall be set-aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Authority. |
| Roadways: | All manufactured home park roadways shall have at least a 12.0 m. right-of-way and a carriageway no less than 8.0 m. in width. |
| Walkways: | Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m. in width. |
| Storage Areas: | Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be screened. Such storage areas shall have an area of not less than 20.0 m ² per manufactured home lot. |
| Utilities: | All utility services and all utility wires and conduits shall be installed underground. |
| Fences and Lot Lines: | Fences and hedges shall be allowed only if they are erected and maintained by the manufactured home park operator to a uniform standard throughout the manufactured home park. All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system. |
| Minimum Yard Requirements: | <p>Manufactured homes and their attached structures shall be at least:</p> <ul style="list-style-type: none"> i) 4.5 m. from one another ii) 7.0 m. from any park boundary iii) 3.0 m. from any internal access road or common parking area iv) 1.5 m. from any side lot line v) 4.5 m. from any rear lot line |

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| Minimum Lot Area: | As determined by the size of the manufactured home units and the lot coverage and minimum yard requirements specified in this Section. |
| Maximum Lot Coverage: | 55% |
| Minimum Width: | 3.5 m. |
| Minimum Floor Area: | 65.0 m ² excluding any attached structures |
| Building Design: | All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home development. |
| Park Site Plan: | The Development Authority may require the developer to provide a site plan showing all lot boundaries and dimensions. |

2. Manufactured Home Subdivision Standards

The following regulations apply to manufactured homes:

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|----------------------------|--|
| Minimum Yard Requirements: | <p>Manufactured homes and their attached structures shall be at least:</p> <ul style="list-style-type: none"> i) 6.0 m. from one another ii) 6.0 m. from the front parcel boundary iii) 3.0 m. from the rear parcel boundary iv) 1.5 m. from the side parcel boundary except on a corner parcel where the side yard abutting a road (not lanes) shall be at least 3.0 m. |
| Minimum Parcel Area: | <p>Interior parcels 450 m² Corner parcels 500 m²</p> |
| Maximum Parcel Coverage: | 45% |
| Building Design: | All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. All wheels and tow hitches must be removed. |

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|---------------------|---|
| Minimum Floor Area | 90.0 m ² excluding any attached structures. |
| Minimum Requirement | Lots 1-8, Block 2, Plan 9610892 & Lots 1-8, Block 4, Plan 9610892 shall be doublewide manufactured homes. |
| Minimum Age: | All manufactured homes shall not be more than 10 years old. |
| Minimum Width: | 4.88 m. |

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Bed and Breakfast Accommodation shall be developed in accordance with Part Three, Section 6.8 of this Bylaw.

Day Homes shall be developed in accordance with Part Three Section 11.1 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Day Care Facility – Neighbourhood shall be developed in accordance with Part Three, Section 11.2 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Temporary Residential Sales Centres shall be in accordance with Part Three, Section 14 of this Bylaw

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

ESTATE RESIDENTIAL DISTRICT (R-4)

General Purpose: To provide an area for very low-density residential development in the form of single detached dwellings and compatible uses, herein listed, which are not connected to the municipal sewer and water systems.

Permitted Uses: Accessory building
Home Office
Housing, Single Detached Dwellings
Parks and Playgrounds
Protective Emergency Services

Discretionary Uses: Alternate Energy Systems
Bed and Breakfast Accommodation
Day care facility – neighbourhood
Day home facility
Garden Suites
Government Services
Home Occupation
Public and quasi-public uses
Public utility buildings
Temporary Residential Sales Centre
Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

The following regulations apply to single detached dwellings:

Minimum Front Yard: 6.0 m.

Minimum Side Yard: 1.5 m. except where it abuts a road (not lanes) - 3.0 m. See Section 2.4(a) of Part Three if laneless subdivision.

Minimum Rear Yard: 10.0 m.

Minimum Floor Area: 78.965 m²

Maximum Parcel Coverage: 45%

Maximum Building Height: 9.0 m.

Minimum Parcel Area:

| Parcel Requirements: | Minimum Parcel Width | Minimum Parcel Area |
|---|-----------------------------|----------------------------|
| 1. Parcels not intended to be served by a sewage collection system or by a water distribution system | 30.5 m | 1860 m ² |
| 2. Parcels intended to be served by a water distribution system but not by a sewage collection system | 30.5 m | 1395 m ² |
| 3. Parcels intended to be served by a sewage collection system but not by a water distribution system | 30.5 m | 930 m ² |
| 4. Parcels intended to be serviced by a sewage collection system and water distribution system | 20.0 m | 750 m ² |
| 5. Parcels not complying with 1. – 4. above but legally created prior to the promulgation of Alberta Regulation 132/78 (April 1, 1978) are not subject to the foregoing | 15.0 m | 585 m ² |

Landscaping: The Boulevard and 40% of the site.

Minimum overall density of trees - one tree per 50 m² of the required landscaped area.

Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – 1 to 1

Flood Plain Provision: All development within the 1:100-year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A, shall be flood proofed as per the definition to the satisfaction of the Development Authority.

Sewage Pump out System: Where a private sewage pump-out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve Alberta Environment.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Accessory Suites shall be developed in accordance with Part Three, Section 6.6 of this Bylaw.

Bed and Breakfast Accommodation shall be developed in accordance with Part Three, Section 6.8 of this Bylaw.

Day Homes shall be developed in accordance with Part Three Section 11.1 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Day Care Facility – Neighbourhood shall be developed in accordance with Part Three, Section 11.2 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Garden Suites shall be developed in accordance with Part Three, Section 6.7 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Temporary Residential Sales Centres shall be in accordance with Part Three, Section 14 of this Bylaw

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

SERVICED ESTATE RESIDENTIAL DISTRICT (R-4A)

General Purpose: To provide an area for Single Detached Dwelling residential development on large sites and compatible uses, herein listed, which are connected to the municipal sewer and water systems.

Permitted Uses: Accessory building
Home Office
Housing, Single Detached Dwellings
Parks and Playgrounds

Discretionary Uses: Alternate Energy Systems
Bed and Breakfast Accommodation
Day care facility – neighbourhood
Day home facility
Garden Suites
Government Services
Home Occupation
Public and quasi-public uses
Public utility buildings
Temporary Residential Sales Centre
Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

General Requirements: In addition to the general land use provisions contained in Part Three, the following provisions as contained within this Section shall apply to every development in this District.

Minimum Requirements

Minimum Front Yard: 6.0 m.

Minimum Side Yard: 1.5 m. except where it abuts a road (not lanes) - 3.0 m. See Section 2.5 of Part Three if laneless subdivision.

Minimum rear yard: 15.0 m.

Minimum floor area: 148.64m²

Minimum parcel area: 950m²

Minimum lot width: 20.0 m. or as measured 6.0 m. back from front property line in the case of a pie shaped lot.

Maximum Limits:

Maximum Parcel Coverage:

- a) 40% of the site, all buildings together, including detached garages and other Accessory buildings.
- b) 12% of the site, detached garages and all other Accessory buildings.

Maximum building Height:

- a) Principal building: 9.0 m.
- b) Detached garages and all other Accessory buildings: 4.5 m.

Landscaping: The Boulevard and 40% of the site.

Minimum overall density of trees - one tree per 50 m² of the required landscaped area.

Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – 1 to 1.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Accessory Suites shall be developed in accordance with Part Three, Section 6.6 of this Bylaw.

Bed and Breakfast Accommodation shall be developed in accordance with Part Three, Section 6.8 of this Bylaw.

Day Homes shall be developed in accordance with Part Three Section 11.1 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Day Care Facility – Neighbourhood shall be developed in accordance with Part Three, Section 11.2 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Garden Suites shall be developed in accordance with Part Three, Section 6.7 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Temporary Residential Sales Centres shall be in accordance with Part Three, Section 14 of this Bylaw

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

CENTRAL COMMERCIAL DISTRICT (C-1)

General Purpose: To provide an area for intensive commercial use, offering a wide variety of goods and services, and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.

Permitted Uses:

- Accessory Building
- Amusement Establishments, Minor
- Brew Pub
- Contractor Services, Limited
- Custom Manufacturing Establishments
- Eating and Drinking Establishments, Minor
- Financial Services
- Government Services, General
- Government Services, Retail
- Health Services
- Household Repair Services
- Home Office
- Liquor Store
- Personal Service Shops
- Professional Offices and Office Support Services
- Protective Emergency Services
- Public Parks
- Public Utility Buildings
- Retail Stores, Convenience
- Retail Stores, General
- Second Hand Store
- Signs, except billboards
- Veterinary Services, Minor

Discretionary Uses:

- Alternative Energy System
- Amusement Establishments, Major
- Cannabis Retail Store
- Child Care Services
- Day Care Facility - Commercial
- Commercial Schools
- Eating and Drinking Establishments, Major
- Fleet Services
- Funeral Services
- Gas Bars

Home Occupation
 Hotel
 Housing, Apartment
 Indoor Recreation Services
 Libraries and Cultural Exhibits
 Micro-Brewery (Craft-Brewery)
 Micro-Distillery
 Mixed Use Development
 Motel
 Private Clubs
 Religious Assembly
 Seniors Housing
 Shopping Centre
 Spectator Entertainment Establishments
 Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

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|------------------------------|--|
| Minimum Front Yard: | Nil |
| Minimum Side Yard: | Nil |
| Minimum Rear Yard: | Shall be provided for parking and loading spaces in accordance with Sections 3.1 and 3.2 of Part Three |
| Maximum Parcel Coverage: | 70% |
| Outdoor Storage and Display: | Outdoor storage or display is not permitted |
| Maximum Building Height: | 10.0 m. |
| Landscaping: | At the discretion of the Development Authority. |

The following regulation applies to dwelling units:

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|-------------------------|---|
| Dwelling Unit Entrance: | Dwelling units shall have an entrance separate from the entrance to any commercial component of the building. |
|-------------------------|---|

Flood Plain Provisions: All development within the 1:100 year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A, shall be flood proofed as per the definition to the satisfaction of the Development Authority.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Bed and Breakfast Accommodation shall be developed in accordance with Part Three, Section 6.8 of this Bylaw.

Day Care Facility – Commercial shall be developed in accordance with Part Three, Section 11.3 of this Bylaw, and Use Definitions, Part Two, Section 3 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

HIGHWAY COMMERCIAL DISTRICT (C-2)

General Purpose: To provide an area for commercial uses and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles

Permitted Uses:

- Accessory Building
- Amusement Establishments, Minor
- Automotive and Recreation Vehicles Sales/Rentals
- Automotive Services
- Brew-Pub
- Bus Services
- Contractor Services, Limited
- Custom Manufacturing Establishments
- Drive-In Food Services
- Eating and Drinking Establishments, Minor
- Equipment Rentals
- Exhibition and Convention Facilities
- Financial Services
- Fleet Services
- Gas Bars
- Government Services, General
- Government Services, Retail
- Greenhouses and Plant Nurseries
- Health Services
- Home Office
- Household Repair Services
- Hotels
- Indoor Recreation Services
- Libraries and Cultural Exhibits
- Liquor Store
- Motels
- Natural Science Exhibits
- Personal Service Shops
- Professional Offices and Office Support Services
- Protective and Emergency Services
- Rapid Drive-Through Vehicle Services
- Retail Stores, Convenience
- Retail Stores, General

Secondhand Stores
Service Stations
Shopping Centers
Signs, except billboards
Spectator Entertainment Establishments
Veterinary Services, Minor

Discretionary Uses: Amusement Establishments, Major
Auctioneering Establishment
Automotive and Equipment Repair Shops
Cannabis Retail Store
Contractor Services, General
Eating and Drinking Establishments, Major
Education Services
Equipment and Storage Yard
Funeral Services
Heavy Vehicle and Equipment Sales/Rentals
Home Occupation
Micro-Brewery (Craft Brewery)
Micro-distillery
Mini or Self Storage
Mixed Use Development
Private Clubs
Public and quasi-public uses
Religious Assembly
Temporary Residential Sales Centre
Truck and Mobile Home Sales/Rentals
Warehouse Sales
Veterinary Services, Major
Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Minimum Front Yard: 9.0 m. adjacent to a service or local road

Minimum Side Yard: 3.0 m.

Minimum Rear Yard: 6.0 m.

Minimum Parcel Frontage: 15.0 m. adjacent to a service or local road

| | |
|------------------------------|---|
| | 46.0 m. without a service road |
| Maximum Parcel Coverage: | 70% |
| Outdoor Storage and Display: | All outdoor storage shall be screened |
| Maximum Building Height: | 10.0 m. |
| Landscaping: | The Boulevard and 12% of the site. At the discretion of the Development Authority, the landscape area may be reduced to 10% provided that hard landscape elements and decorative lamps are utilized to create a high quality landscape environment. |
| Flood Plain Provision: | All development within the 1:100 year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A, shall be flood proofed as per the definition to the satisfaction of the Development Authority |
| Sewage Pump out System: | Where a private sewage pump out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve Alberta Environment. |

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Home Occupation shall be developed in accordance with Part Three, Section 13.2 of the Bylaw

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

NEIGHBOURHOOD COMMERCIAL DISTRICT (C-3)

General Purpose: To provide an area for low impact commercial convenience services for the use of area residents and primarily located at the main entrance or within a residential district.

Permitted Uses: Day care facility – neighbourhood
Eating and Drinking Establishments, Minor
Financial Services
Government Services, General
Government Services, Retail
Health Services
Home Office
Mixed Use Development
Personal Services
Professional Offices and Office Support Services
Protective Emergency Services
Public Utility Buildings
Retail Stores, Convenience
Retail Stores, General
Signs

Discretionary Uses: Accessory building
Alternate Energy Systems
Brew-Pub
Day care facility – commercial
Amusement Establishments, Minor
Custom Manufacturing Establishments
Drive-In Food Services
Eating and Drinking Establishments, Major
Gas Bars
Indoor Recreation Services
Liquor Store
Private Club
Secondhand Stores
Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

General Requirements: In addition to the general land use provisions contained in Part Three, the following provisions as contained within this section shall apply to every development in this district.

Minimum Requirements:

Setback from Public Roads:

- a) Roads: 6.0 m.
- b) Highways: 6.0 m. provided there is no objection from Alberta Transportation.
- c) Lanes: 3.0 m.

Setbacks from abutting sites:

- a) Residential sites: 9.0 m.
- b) Other sites designated Gateway Commercial District: None unless required pursuant to Provincial Legislation.
- c) All other: At the discretion of the Development Authority taking into consideration the comprehensive site plan, proximity to major transportation routes and adjacent land uses.

Outdoor Storage & Display: All outdoor storage shall be screened.

Landscaping: The Boulevard and 12% of the site shall be landscaped to the satisfaction of the Development Authority. A comprehensive landscaping plan shall be submitted along with the Development Permit Application on all new development. At the discretion of the Development Authority, the landscape area may be reduced to 10% provided that hard landscape elements and decorative lamps are utilized to create a high quality landscape environment.

Maximum Limits:

Maximum Parcel Coverage: 70%

Maximum building Height: 10.0 m.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Day Care Facility – Neighbourhood shall be developed in accordance with Part Three, Section 11.2 of this Bylaw.

Day Care Facility – Commercial shall be developed in accordance with Part Three, Section 11.3 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Home Office shall be developed in accordance with Part Three, Section 13.1 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

LIGHT INDUSTRIAL DISTRICT (I-1)

General Purpose: To provide an area for light industrial uses, and other similar uses, herein listed, which are compatible with the surrounding area in approved locations at the discretion of the Development Authority

Permitted Uses:

- Accessory Buildings
- Auctioneering Establishments
- Automotive and Equipment Repair Shops
- Automotive and Recreational Vehicle - Sales/Rentals
- Automotive Services
- Brew-pub
- Commercial Schools
- Contractor Services, General
- Contractor Services, Limited
- Custom Manufacturing Establishments
- Eating and Drinking Establishments, Minor
- Equipment Rental
- Fleet Services
- Funeral Services
- Gas Bar
- General Industrial Uses, Minor Impact
- Government Services
- Greenhouse and Plant Nurseries
- Household Repair Services
- Micro-Brewery (Craft-brewery)
- Micro-distillery
- Natural Habitat Areas
- Parks
- Professional Offices and Office Support Services
- Protective and Emergency Services
- Rapid Drive-Through Vehicle Services
- Retail Stores, General
- Religious Assembly
- Sales and service outlets for farm equipment
- Service Stations
- Signs (except Billboards)
- Truck and Mobile Home Sales/Rentals
- Veterinary Services, (Minor)
- Warehouse Sales

| | |
|------------------------------|---|
| Outdoor Storage and Display: | Outdoor storage shall be screened. |
| Landscaping: | The Boulevard and 10% of the site. |
| Sewage Pump out System: | Where a private sewage pump out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve notification to Alberta Environment. |

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

FLOOD PLAIN INDUSTRIAL DISTRICT (I-2)

General Purpose: To provide an area for flood compatible industrial uses, and other uses, herein listed, which are acceptable in an area that lies within the 1:100 year floodplain of the Red Deer River.

Permitted Uses: Nil

Discretionary Uses: Accessory Building
Alternate Energy Systems
Automotive and Equipment Repair Shops
Automotive and Recreational Vehicle - Sales/Rentals
Auto wrecking yards
Cannabis Retail Store
General Industrial Uses, Minor Impact
Outdoor Storage
Sea cans
Signs (except Billboards)
Solid waste transfer station
Public Utility building
Veterinary Services, Major
Any use that is similar, in the opinion of the Development Authority, to the discretionary uses described above.

The regulations for all discretionary uses shall be as established in Part One and by the Development Authority.

Outdoor Storage and Display Outdoor storage shall be screened

Landscaping: The Boulevard and 10% of the site.

Sewage Pump out System: Where a private sewage pump-out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve Alberta Environment.

Flood Plain Provision: All development within the 1:100-year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A, shall be flood proofed as per the definition to the satisfaction of the Development Authority.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

LIGHT INDUSTRIAL BUSINESS PARK DISTRICT (I-3)

General Purpose: The purpose and intent of the (I-3) Light Industrial Business Park District is to provide for an aesthetically attractive working environment for the development of specialized light manufacturing establishments, warehousing, offices and research and development type institutions. The essential purpose of this District is to achieve development in a business park-like setting that is an economic asset to the owners, neighbours and the community. The district encourages attractively designed buildings, provides for an abundance of landscaping and establishes uses that do not create air, ground, noise and water pollution.

Permitted Uses:

- Accessory Building
- Brew-Pub
- Eating & Drinking Establishments, Minor
- Commercial Schools
- Contractor Services, Limited
- Custom Manufacturing Establishments
- Household Repair Services
- General Industrial Uses, Minor Impact
- Government Services
- Professional Offices and Office Support Services
- Parks
- Signs (except Billboards)
- Veterinary Services - Minor

Discretionary Uses:

- Alternate Energy Systems
- Cannabis Retail Store
- Contractor Services, General
- Custodial Dwelling Unit
- Micro-Brewery (Craft-brewery)
- Micro-Distillery
- Warehouse sales

The minimum building setbacks from public roads and highways shall be provided as follows provided there is no objection from Alberta Transportation.

Minimum Front Yard: 6.0 m.

Minimum Side Yard: 3.0 m.

Minimum Rear Yard: 6.0 m.
Parcel Frontage: 15.0 m., except where abutting a highway without a service road, in which case 30.0 m. shall be required.
Maximum Parcel Coverage: 70%

Maximum Building Height: 10.0 m.

General Requirement: In addition to the general land use provisions contained in Part Three, the following provisions as contained within this section apply to every development in this district.

Performance Standards:

- (a) No primary or accessory use shall be so conducted as to cause the discharge of any harmful waste materials
 - (i) into or upon the ground;
 - (ii) into or within any sanitary or storm sewer system;
 - (iii) into or within any water system or water body; or
 - (iv) into the atmosphere.
- (b) No use or activity shall be conducted or permitted that is dangerous
 - (i) to persons or property by reason of the creation of a fire, explosion, or other physical hazard; or
 - (ii) by reason of air pollution, odour, smoke, noise, vibration, radiation or fumes.

Building Design: In addition to the requirements in Part Three, Section 1.2, all buildings must be finished as follows to the satisfaction of the Development Authority:

- (a) Building materials shall be appropriate for the use and for the type of structure in which they are used including:
 - (i) materials used for building exterior shall be concrete, exposed aggregate concrete, stucco, glass, brick, natural stone, wood or metal; and

- (ii) corrugated metal and similar materials are discouraged for use on building facades or roofs and shall not be used for facades visible from public rights-of-way, commercial or residential districts.
- (b) All exterior surfaces shall have a finished treatment.
- (c) The use of two or more colours is required to enhance the building exterior and to create design accents. Building and architectural details (including flashing and downspouts) shall have a colour that compliments or accents the main building.
- (d) Large expanses of uninterrupted wall planes are prohibited where visible from a public right-of-way or from the boundaries of the District.
 - (i) the use of fascia's, canopies and other multi-dimensional exterior features is encouraged to break up large, uniform wall surfaces;
 - (ii) multi-dimensional features shall be in proportion to the wall heights and building mass.
- (e) Trailers, mobile offices, and other temporary structures shall not be allowed except for use during construction.

Parking and Loading Areas: In addition to the parking requirements in Part Three, Section 9.5, parking and loading areas must conform to the following requirements:

- (a) all loading docks shall be located at the rear of the site or shall be screened from the public right-of-way, commercial and residential districts and residential uses by means of a sight-obscuring screen to the satisfaction of the Development Authority.
- (b) parking facilities shall be used for temporary automobile parking only.
- (c) parking facilities shall not be used for temporary or permanent recreational vehicle parking.

- (d) where parking is in the front yard setback, landscaped screening or the parking area shall be required to the satisfaction of the Development Authority.

Outdoor Lighting: The maximum mounting height for an outdoor light fixture with wattage greater than 100 watts is 9.0 m. except for recreational uses.

All outdoor light fixtures must:

- (a) be aimed and shielded in a manner that does not direct illumination onto a street or adjacent residential uses;
- (b) not emit light above the horizontal plane at the bottom of the light fixture except where the light fixture is:
 - (i) used for accent lighting; or
 - (ii) has a wattage of less than 75 watts

Outdoor Storage and Display: Outdoor storage and display is prohibited.

Garbage Storage: Garbage storage must be located in

- (a) a storage bay within, or attached to, the principal building,
- or,
- (b) a freestanding enclosure designed to the satisfaction of the Development Authority

Landscaping: The boulevard and 12% of the site. At the discretion of the Development Authority, the landscape area may be reduced to 10% provided that hard landscape elements and decorative lamps are utilized to create a high quality landscape environment.

Sewage Pump Out System: Where a private sewage pump out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve Alberta Environment.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

GENERAL INDUSTRIAL DISTRICT (I-4)

General Purpose: To provide for a range of general industrial uses that may carry out a portion of their operations outdoors or may require outdoor storage. No industrial uses that are likely to become a nuisance or are likely to create a hazard to persons on the property are to be carried on in this District.

Permitted Uses:

- Accessory Buildings
- Auctioneering Establishments
- Auto Body and Paint Shop
- Automotive and Equipment Repair Shops
- Bulk Fuel dealership
- Bus Services
- Cartage and freight terminal
- Commercial Schools
- Contractor Services, General
- Equipment Rentals
- General Industrial Uses, Minor Impact
- Greenhouses and Plant Nurseries
- Heavy Vehicle and Equipment Sales/Rentals
- Micro-brewery (Craft beer brewery)
- Micro-distillery
- Municipal Shop and storage yard
- Natural Habitat Areas
- Outdoor Storage
- Private Recreational Vehicle Storage
- Protective Emergency Services
- Public Parks
- Rapid Drive-Through Vehicle Services
- Recreation
- Recycling Depots
- Sea Cans
- Signs (except Billboards)
- Public Utility Buildings
- Utility Services, Minor
- Veterinary Services, Major
- Warehouse Sales

Discretionary Uses:

- Alternate Energy System
- Cannabis Production Facility
- Crematorium

Custodial Dwelling Unit
Detention and Correction Services
Feed mills and grain elevators
General Industrial Uses, Major Impact
Recycling Depots
Seed cleaning plant
Utility Services, Major

The following regulations shall apply to Permitted and Discretionary Uses.

- Area of Site: The minimum Area of Site shall be 929m²
- Site Width: No minimum requirement.
- Front Yard: The minimum Front Yard shall be 6 m.
- Side Yards: No minimum requirement
- Rear Yard: The minimum Rear Yard shall be 1.0 m.
- Maximum Parcel Coverage: 70%
- Building Height: Maximum of 9.0 m.
- Landscaping: At least 10% of the gross site area (excluding boulevards) shall be devoted to landscaping area.
- Parking Areas: Surface treatment of the Parking Area shall be at the discretion of the Development Authority
- Exterior Building Materials: Extensions to existing buildings shall be constructed with compatible materials to the existing buildings and be satisfactory to the Approving Authority.
- Should the Development Authority determine that the proposed development may be a nuisance in terms of smoke, fumes, noise, vibration, dust, odors or involves the use of highly flammable chemical materials, then the applications for the development shall be circulated to the appropriate authority for their comments and recommendations prior to the decision being made.

Sewage Pump out System: Where a private sewage pump-out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve notification to Alberta Environment.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

PUBLIC SERVICE DISTRICT (PS)

General Purpose: To provide an area for the development of public land for major multi-use recreational facilities, the preservation of public land in its natural state, or other uses, herein listed, which are compatible with the area.

Permitted Uses:

- Accessory Buildings
- Cemeteries
- Community Recreation Services
- Education Services
- Government Services, General
- Government Services, Retail
- Natural Habitat Areas
- Parks and playgrounds
- Parking, non-accessory
- Protective and Emergency Services
- Recreation facilities
- Religious Assembly
- Utility Services, Minor Impact

Discretionary Uses:

- Alternate Energy Systems
- Exhibition and Convention Services
- Extended Medical Treatment Services
- Indoor Recreation Services
- Libraries and Cultural Exhibits
- Public and quasi-public uses
- Utility Services, Major Impact
- Signs
- Tourist Campsite

Any use that is similar, in the opinion of the Development Authority, to their permitted or discretionary uses described above.

The following regulations apply to permitted uses and public and quasi-public uses:

Minimum Front Yard: 9.0 m.

Minimum Side Yard: 3.0 m.

Minimum Rear Yard: 6.0 m.

Maximum Parcel Coverage: 70%

Outdoor Storage & Display:

1. Outdoor storage shall be screened
2. Outdoor display is not allowed

Maximum Building Height: 12.0 m.

Sewage Pump out System: Where a private sewage pump out system is involved, proof of pump out must be provided to the Town of Sundre on a semi-annual basis. Failure to provide proof will involve Alberta Environment.

Flood Plain Provision: All development within the 1:100 year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A, shall be flood proofed as per the definition to the satisfaction of the Development Authority

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

URBAN RESERVE DISTRICT (UR)

General Purpose: To reserve land for future subdivision and development until an overall plan is prepared for and approved by Council.

Permitted Uses: Farms and farming operations, excluding feedlots
Natural Habitat Areas
Home Occupation - Minor
Public Parks
Signs

Discretionary Uses: Accessory Buildings
Alternate Energy Systems
Bed and Breakfast Accommodation
Home Occupation - Major
Outdoor Recreation Services
Utility Services, Major Impact
Utility Services, Minor Impact

Uses that will not, in the opinion of the Development Authority:

1. Materially alter the use of the land from that existing on the date the land was designated to this Land Use District; or
2. Conflict with future urban expansion

Any use that is similar, in the opinion of the Development Authority, to the discretionary uses described above.

The following regulations apply to all uses:

Minimum Parcel Area: All the land contained in the existing Certificate of Title, unless otherwise approved by the Development Authority, having regard to future use of the parcel and the form of future subdivision and development.

Outdoor Storage and Display: 1. Outdoor storage shall be screened
2. Outdoor display shall be screened from residential districts

Flood Plain Provision: All development within the 1:100-year floodplain of the Red Deer River, as shown on the Land Use District Map, being Schedule A,

shall be flood proofed as per the definition to the satisfaction of the Development Authority

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Building Orientation and Design shall be provided in accordance with Part Three, Section 1.2 of this Bylaw.

Fencing shall be provided in accordance with Part Three, Section 2.4 of this Bylaw.

Landscaping shall be developed in accordance with Part Three, Section 9 of this Bylaw.

Parking shall be provided in accordance with Part Three, Section 3.1 of this Bylaw.

Projections Over Yards shall be in accordance with Part Three, Section 2.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

SEASONAL RESIDENTIAL DISTRICT (SR)

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| General Purpose: | To provide for and control the placement of Recreational Vehicles (motorhomes, 5th wheel, pull trailer) and Park Model Homes not designed for year-round occupancy, the placement of accessory structures and associated facilities. |
| Permitted Uses: | Adjacent Accessory Structure Detached Accessory Structure (including Guest Cabin) Deck / Deck Cover / Enclosed Deck Parks and Playgrounds Parking, non-accessory Recreation Vehicle Park Model Homes Signs |
| Discretionary Uses: | Dwelling Unit for the Occupancy of the Manager/Caretaker Public and quasi-public uses Public Utility Buildings Any use that is similar, in the opinion of the Development Authority, to the permitted and discretionary uses above |

1.0 General Regulations

1.1 Approval and Permit requirements

All Recreation Vehicles, Adjacent Accessory Structures and Detached Accessory Structures will require approval by the Condominium Board or their designated Site Approval Directors prior to any other permits being applied for, after which a Town of Sundre Development Permit must be obtained prior to commencement of construction or placement on the lot.

Additions, decks exceeding 0.61 m. in height as measured from grade to top of floor, deck covers, enclosed decks, guest cabins of any size and sheds exceeding 10 m² will also require a Building Permit prior to commencement of construction.

1.2 Recreational Vehicle Construction

Only manufacturers that are members of and are recognized by the Canadian Recreation Vehicle Association (CRVA) and be licensed for manufacture of Recreation Vehicles shall build all Recreation Vehicle units, with the exception of Park Models, in a controlled

factory environment. All Recreation Vehicles built in a certified factory must be CSA and/or ULC approved prior to leaving the factory. No Recreation Vehicle may be constructed on site.

If a Park Model is built outside a certified factory, it must have had inspections by all building disciplines prior to the unit being delivered to the lot. If a Park Model is constructed outside the Town of Sundre's jurisdiction, proof of inspections must be provided to the Town prior to delivery of the unit, otherwise, the unit will be subject to being inspected by the Town's Inspection Agency at the owners sole expense.

1.3 Vehicles and Parking

Minimum # of parking Spaces Per lot: 1 per lot measuring 2.75 m. x 5.50 m.

Common Visitor parking: As determined by the Development Authority

1.4 Commercial Use

There shall not be any commercial, professional, home occupational or other business carrier on nor shall there be any signs or advertising posted anywhere or visible within a Recreation Vehicle including individual lots.

2.0 Recreation Vehicle Park Standards

Minimum Park Area: As determined by the Development Authority

Minimum Lot Area: 232.25 m²

Maximum Lot Coverage: 55%

Maximum # of Recreation Vehicles per Lot: 1

Seasonal Storage Storage of a 2nd unoccupied recreational vehicle is permitted from October 1 to May 15 provided all minimum yard requirements and maximum lot coverage provisions are met. A development permit must be obtained for the storage for a 2nd unoccupied recreational vehicle.

Landscaping: A minimum of 30% of the site shall consist of soft landscaping

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| Open Space Areas: | A minimum of 5% of the total area of the recreation vehicle park shall be set aside in a suitable location as a common open space/recreation area(s). Playground apparatus or other recreational facilities shall be provided in accordance with an overall site plan approved by the Development Authority. |
| Minimum Roadways: | All weather roads as follows: <ul style="list-style-type: none"> a) 3.75 m. width for one-way traffic and/or b) 7.25 m. width for two way traffic |
| Miscellaneous: | The location and site requirements of a dwelling unit for occupancy of the Manager/Caretaker and any possible common facilities such as washroom/showers, Laundromat, recreation building, fire pits, tennis court, fire wood storage, and any other similar uses that may be associated with a recreation vehicle park shall be as determined by the Development Authority based upon a comprehensive concept plan. |

3.0 Recreation Vehicle Standards

Maximum Length Recreation Vehicles: 12.2 m. *(except Park Models)*

Maximum Length Park Models: 13.4 m. excluding bay or bow windows

Maximum Width:

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| Recreation Vehicles: <i>(except Park Models)</i> | 2.4 m. but extendable using factory installed slide-outs only |
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| Maximum Width Park Models: | 4.27 m. excluding bay or bow windows |
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| Height: | The maximum recreational vehicle height for recreational vehicles built in a certified factory, including park models, is as determined by the manufacturer. The maximum height for park models that have been built outside a certified factory is 4.27 m. as measured from the bottom of the wheels to the highest point of the roof. |
|---------|---|

Miscellaneous: All recreation vehicles must retain their travel ability and be livable with the removal of any additions. Axels, wheels and hitches must remain on the vehicle as well as all original doorways and doors. Park models may have hitches removed but they must remain available on the lot for immediate reinstallation if required.

Minimum Yard Requirements

Recreation Vehicles and any Adjacent Accessory Structures including slide-outs, extensions and windows shall be at least

- a) 3.0 m. from front property boundary
- b) 3.0 m. from rear property boundary
- c) 1.5 m. from any side property boundary
- d) 3.0 m. from one another
- e) 3.0 m. from any creek as measured from top of bank

Detached Accessory Structures or any portion thereof except eaves shall be at least:

- f) 3.0 m. from front property boundary
- g) 0.3 m. from any side or rear property boundary
- h) 3.0 m. from any creek as measured from top of bank

4.0 Accessory Structures and Building Standards

Adjacent Accessory Structures:

Maximum Length: Length including any cantilevered projections shall not exceed the body length of the Recreation Vehicle

Maximum Width: Shall not exceed 3.66 m. excluding the eve projection

Maximum Area: Recreation Vehicle and Adjacent Accessory Structure shall not exceed 89.18 m² with the exception of Park Models, which may

have a combined maximum area of 106.27 m²

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| Eve Projection: | An eve projection not exceeding 46 cm. is permitted |
| Maximum Height: | 4.5 m. and shall not exceed 0.61 m. above the Recreation Vehicle |
| Additions: | Additions may be constructed with either 3 walls, and the 4 th wall being the Recreation Vehicle or with 4 walls, but in no case may any portion of the structure be attached to the Recreation Vehicle including Park Models |

Detached Accessory Structures:

Gazebo

Maximum # of Gazebos per lot: 1 on skids to facilitate relocation

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| Maximum Size: | 11.1 m ² |
| Maximum Height: | 3.05 m. from grade to peak |
| Maximum Eve Projection: | 0.30 m (1 ft) |

Maximum # of Guest Cabins per lot: 1 on skids to facilitate relocation

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| Maximum Size: | 3.05 m. x 3.66 m. including any cantilevered projections |
| Verandah: | 1 covered but otherwise unenclosed verandah on one wall of the cabin with a maximum width of 1.22 m. and must not exceed the length of the adjacent wall |
| Maximum Eve Projection: | 0.30 m. |

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| Maximum Height | 3.05 m. from grade to peak |
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Sheds

Maximum # of Sheds per lot: 2 on skids to facilitate relocation
(A guest cabin will count as a shed and if all sides of a wood box are enclosed it shall count as a shed)

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| Maximum Size: | One shed will not exceed 3.05 m. x 3.66 m. including any cantilevered projections |
| | The second shed will not exceed a maximum size of 2.44 m. x 3.05 m. including any cantilevered projection |
| Verandah: | 1 covered but otherwise unenclosed verandah on one wall of the shed with a maximum width of 1.22 m. and must not exceed the length of the adjacent wall |
| Maximum Eve Projection: | 0.30 m. |
| Maximum Height: | 3.05 m. from grade to peak |

Wood Boxes

Maximum # of Wood boxes per lot: 1 with at least one side open

Maximum Size: 2.44 m. High x 2.44 m. Long x 1.22 m. Deep

Miscellaneous: If all sides of a wood box are enclosed, it shall be deemed to be a shed and governed by the rules governing sheds

Garages, Carports and RV Covers

No structures may be used as a garage, carport or as a roof structure to cover an RV or any portion thereof. An eve extension of not more than 47 cm. may extend from an adjacent accessory structure over the roof of a Recreational Vehicle.

Additional Development Regulations For Permitted And Discretionary Uses:

The following regulations are found in Part Three of this Bylaw and may apply to development in this District

Accessory Buildings shall be developed in accordance with Part Three, Section 1.1 of this Bylaw.

Signs shall be developed in accordance with Part Three, Section 5 of this Bylaw.

