

# VILLAGE OF STIRLING



## Land Use Bylaw No. 415-08

April 2008

(consolidated to Bylaw No. 533-23, February 2023)

Prepared by



*OLDMAN RIVER REGIONAL SERVICES COMMISSION*

**VILLAGE OF STIRLING  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 415-08**

BEING A BYLAW OF THE VILLAGE OF STIRLING, IN THE PROVINCE OF ALBERTA, TO ADOPT A  
NEW LAND USE BYLAW FOR THE MUNICIPALITY.

AND WHEREAS, the municipality must adopt a land use bylaw pursuant to Section 639 of the Municipal Government Act, Chapter M-26, as amended and provide for its consideration at a public hearing;

AND WHEREAS, the Council of the Village of Stirling has determined the existing Land Use Bylaw is dated and wishes to adopt a new Land Use Bylaw for the purposes of: updating and establishing standards and procedures regarding the use and development of the land within the municipality; incorporating new district and development standards for uses within the Village; to incorporate and designate lands recently annexed to the Village; to amend the existing Land Use district Map to reflect land use redesignations and new districts; and to comply with the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, M-26, as amended.

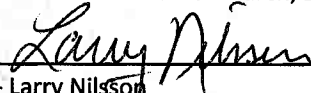
AND WHEREAS, the Council of the Village of Stirling wishes to foster orderly growth and development in the Village.

AND WHEREAS, a public hearing was conducted in accordance with Section 692 of the Act;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, The Council duly assembled does hereby enact the following;

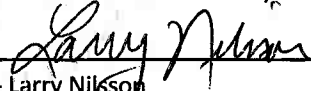
1. Bylaw No. 371-98, being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.
2. Bylaw No. 415-08 shall come into effect upon third and final reading thereof.
3. Bylaw No. 415-08 is hereby adopted.

READ a first time this 5<sup>th</sup> of March, 2008

  
\_\_\_\_\_  
Mayor- Larry Nilsson

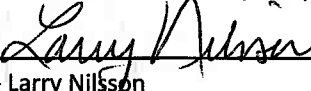
  
\_\_\_\_\_  
Chief Administrative Officer- J. Scott Barton

READ a second time this 2<sup>nd</sup> day of April, 2008

  
\_\_\_\_\_  
Mayor- Larry Nilsson

  
\_\_\_\_\_  
Chief Administrative Officer- J. Scott Barton

READ a third time this 2<sup>nd</sup> day of April, 2008

  
\_\_\_\_\_  
Mayor- Larry Nilsson

  
\_\_\_\_\_  
Chief Administrative Officer- J. Scott Barton



## Village of Stirling Land Use Bylaw No. 415-08 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
435-10	Text changes to rectify administrative issues, clarify specific uses and definitions, include imperial standards, reduce lot coverage for accessory buildings, clarify setback requirements for accessory buildings, exempt certain decks from requiring a development permit, include diagrams, enhance the Designated Officer's authority to issue waivers on permitted uses, place forms and fees as appendices, include fees for discretionary and waiver requests, include additional definitions and uses in districts, enhance development standards and application requirements, and address numbering, ordering and other grammatical issues		8-Sep-2010
443-12	Text changes to include additional classifications for home occupation and clarify the associated development standards, increase the maximum square footage for accessory buildings in the residential land use districts, classify accessory buildings 13.4 m <sup>2</sup> (144 ft <sup>2</sup> ) or less in size as permitted uses in the Commercial, Industrial/Business and Public land use districts; regulate site coverage in the Agricultural district as approved by the Development Authority in keeping with the intent of the district; and clarify and add certain definitions to the Land Use Bylaw to assist in interpretation of the bylaw		21-Nov-2012
444-12	Add a new "Reimer Park Direct Control (DC - Bylaw)" district; "Residential (R)" to "Reimer Park Direct Control (DC - Bylaw No. 444-12	Lots 7-8, Block 29, Plan 752J and W½ of Lot 6, Block 29, Plan 752J	Defeated 6-Feb-2013
472-17	Add additional land uses and associated development standards including garden suites, secondary suites, solar collector systems, and temporary shipping containers; revise site coverage standards; update development standards including driveway regulations, fences and easements; update administrative requirements; and clarify and add certain definitions to assist in interpretation of the bylaw		2-Aug-2017
510-21	Streamline the development permit process for roof mounted solar collector household systems.		5-May-2021
512-21	Designation to "Residential (R)"	That portion of Road which lies North of Block 16, Plan 752J and South of Block R, Plan 1111331	16-June-2021
513-21	Designation to "Public (P)"	Plan 8210319; Block 31 All that portion of lane adjoining the North boundary of Lot 15SR which lies West of the production Southerly of the east boundary of Lot 12 AND Plan 8210319; Block 31 All that portion of lane and cut-off adjoining the North boundary of Lot 15-SR which lies to the East of the production Southerly of the East boundary of Lot 12 and to the West of the production Southerly of the East boundary of Lot 14 across said lane	16-June-2021

<b>Bylaw No.</b>	<b>Amendment Description</b>	<b>Legal Description</b>	<b>Passed</b>
514-21	Designation to " Residential – Large Lot (R-L)"	All that portion of the Lane in Block 45 Plan 752J which lies north of the northern boundary of Irrigation Right of Way Plan IRR43 incorporated within Plan 1811090	16-June-2021
518-21	Designation to "Commercial (C)"	West Half of Lot 1, Block 20, Plan 752J, Excepting: Firstly: The North 25.146 Metres, and Secondly: The Subdivision on Plan 7910504	15-Dec-2021
529-22	Redesignation: "Residential (R)" to "Commercial (C)"	East Half of Lot 1, Block 20, Plan 752J	18-Jan-2023
532-22	Redesignation: "Residential (R)" to "Public (P)"	Lots 1 and 2, Block 32, Plan 752J	15-Feb-2023
533-22	"Redesignation: "Residential Large-Lot (R-L)" to "Public (P)"	Lot 8, Block 1, Plan 0613308	15-Feb-2023

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# **VILLAGE OF STIRLING**

## **LAND USE BYLAW NO. 415-08**

The Council of the Village of Stirling in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, enacts as follows:

### **LAND USE BYLAW NO. 415-08**

Being a bylaw of the Village of Stirling, in the Province of Alberta, to foster orderly growth and development while preserving the historic development patterns of the Village.

This Bylaw may be cited as the Village of Stirling Land Use Bylaw.

#### **DEFINITIONS**

1. For definitions, refer to Schedule 12 of this bylaw.

#### **DESIGNATED OFFICER**

2. The office of "Designated Officer" is established.
3. The Council shall, by resolution, appoint a person to the office of a Designated Officer.
4. The Designated Officer:
  - (a) may perform only such powers and duties as are specified in this bylaw or by resolution of Council;
  - (b) is responsible for processing, deciding upon and referring applications for a development permit in accordance with this bylaw;
  - (c) shall establish and maintain a register in which shall be recorded the applications for a development permit and the decision made on the application, and contain such other information as the Municipal Planning Commission considers necessary;
  - (d) is an authorized person in accordance with section 624 of the Act.
5. The Municipal Planning Commission is additionally authorized to act as a Designated Officer in accordance with the Act and this bylaw.

#### **MUNICIPAL PLANNING COMMISSION**

6. The Municipal Planning Commission may perform only such powers and duties as are specified:
  - (a) in the Village of Stirling Subdivision and Development Authority Bylaw,
  - (b) in this bylaw, or
  - (c) by resolution of Council, or
  - (d) in the Act.

## **LAND USE DISTRICTS**

7. The municipality is divided into those districts specified in Schedule 1 and shown on the Land Use District Map.
8. The one or more uses of land or buildings that are:
  - (a) permitted uses in each district, with or without conditions; or
  - (b) discretionary uses in each district, with or without conditions, or both;are described in Schedule 2.
9. A land use not listed as permitted, discretionary or deemed similar in nature to a use in the district in which it is proposed is prohibited and shall be refused.
10. Where a use is proposed which is not specifically shown in any land use district but is similar in character and purpose to other uses of land and buildings permitted by this bylaw in the land use district in which such a use is proposed, the Municipal Planning Commission may:
  - (a) rule that the proposed use is either a permitted or discretionary use in the land use district in which it is proposed; and
  - (b) direct that a development permit be issued in accordance with the procedures of this bylaw.

## **DEVELOPMENT IN MUNICIPALITY GENERALLY**

11. A person who develops land or buildings in the municipality shall comply with the applicable standards and requirements of development specified in all schedules of this bylaw, in addition to complying with the use or uses prescribed in Schedule 2 and any conditions attached to a development permit if one is required.

## **NUMBER OF DWELLING UNITS ON A PARCEL**

12. No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Municipal Planning Commission through the issuance of a development permit.

## **DEVELOPMENT PERMIT APPLICATIONS**

13. Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the proposed development.
14. An application for a development permit must be made to the Designated Officer by submitting:
  - (a) a completed development permit application signed by the registered owner or his representative;
  - (b) the application fee prescribed;
  - (c) a surveyor's sketch or real property report prepared by an Alberta Land Surveyor or a site plan acceptable to the Designated Officer, including the information as required in Appendix B;
  - (d) such other information as may be stipulated by the bylaw, the appendices or required by the Designated Officer or Municipal Planning Commission to evaluate an application including, but not limited to, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soils analysis, geotechnical reports and/or other reports regarding site suitability.
15. An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

## **DECISION ON PERMITTED USE**

### **A. Approval of Application**

16. A Designated Officer shall approve a completed application for a development permit and may impose conditions as listed in section 20 where:
  - (a) the proposed use is included on the permitted use list of the designated land use district;
  - (b) the proposed development conforms in every respect to the provision of this bylaw appropriate to a permitted use for the land use district for which the site is designated.
17. A Designated Officer may approve, with or without conditions pursuant to section 20, an application for a development permit for a permitted use that does not meet the requirements of this bylaw provided the granting of a minor waiver not to exceed 10 percent of one measured standard and the proposed use is allowed in the land use district of the site in question.
18. A Designated Officer must refer an application for a development permit for a permitted use that does not meet the requirements of this bylaw and is beyond the granting of a minor waiver authorized by section 17 to the Municipal Planning Commission for a decision pursuant to section 28. A Designated Officer may refer an application for a development permit for a permitted use that complies with the bylaw to the Municipal Planning Commission for a decision.
19. All development approvals granted by the Designated Officer in accordance with sections 16 and 17 above shall be summarized and filed with the Municipal Planning Commission at their next regularly scheduled meeting.
20. The Designated Officer or Municipal Planning Commission may issue a development permit with any of the following conditions in addition to a development agreement if he/she considers them applicable to ensure any concerns over the suitability of the development are satisfied:
  - (a) geotechnical investigation to ensure the site is suitable in terms of topography, soil characteristics, flooding subsistence, erosion and sanitary sewerage servicing;
  - (b) alteration of structure of building size or location to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
  - (c) any measures to ensure any other requirements of this land use bylaw are complied with;
  - (d) public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;
  - (e) repairs or reinstatement to original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site, to the satisfaction of the Designated Officer;
  - (f) to give security to ensure the terms of the permit approval under this section are carried out.
21. Upon receipt of a completed application for a development permit for a permitted use that complies with the land use bylaw, the Designated Officer has 40 days from the date of receipt to render a decision. If a decision is not rendered within the 40 days and an agreement to extend the 40-day period has not been entered into with the applicant, the applicant in accordance with section 684 of the Act may deem the application refused and may appeal to the Village of Stirling Subdivision and Development Appeal Board.

**B. Notification of Decision**

22. When an application for a development permit is approved in accordance with section 16, a Designated Officer shall sign the development permit in a timely manner as of the date of the decision and release it to the applicant.
23. When an application for a development permit is approved in accordance with section 17, a Designated Officer shall sign the development permit and mail a written notice to the owners of land likely to be affected by the issuance of the development permit or publish a notice in a newspaper circulated within the municipality.
24. When an application for a development permit is refused, the applicant shall be given written notification of the decision and the reasons for it in a timely manner.

**C. Appeal of Decision**

25. Pursuant to section 685 of the Act, a development permit approved in accordance with section 16 or 17 may be appealed to the Village of Stirling Subdivision and Development Appeal Board by filing a notice of appeal containing reasons and the applicable fee within 14 days of the date of written notification or publication of the notice in the newspaper.
26. Pursuant to section 688 of the Act, a further appeal of the Village of Stirling Subdivision and Development Appeal Board's decision lies with the Court of Appeal.

**DECISION PROCESS FOR DISCRETIONARY USES**

**A. Receipt of Application**

27. Upon receipt of a completed application for a development permit for a discretionary use, the Designated Officer shall send the application to the Municipal Planning Commission.
28. Upon receipt of a completed application for a development permit for a development that does not comply with the requirements of this bylaw but is considered to be a permitted use, discretionary use or similar to a permitted or discretionary use within the land use district of which the site is designated, the application shall be forwarded to the Municipal Planning Commission.
29. Upon receipt of an application under section 27 or 28, the Designated Officer shall, at least 5 days before the Municipal Planning Commission meeting, notify:
  - (a) the owners of land likely to be affected by the issuance of a development permit by the following means:
    - (i) mailing a written notice, or
    - (ii) publishing a notice in a newspaper circulating in the municipality;
  - (b) any neighbouring municipality if, in the opinion of the Municipal Planning Commission, the proposed development could have an impact upon land use in that municipality.
30. In all cases, notification shall:
  - (a) describe the nature and location of the use;
  - (b) state the place, date and time the Municipal Planning Commission will meet to consider the application, and state that written and/or oral submissions on the application will be received at this time;
  - (c) state the address where a copy of the application may be inspected.

## **B. Approval of Application**

**After considering any response to the notifications of persons likely to be affected by the development, the Municipal Planning Commission may do the following:**

31. The Municipal Planning Commission may approve, either permanently or for a limited period of time, a development permit application for a permitted use which does not meet the requirements of this bylaw, with or without conditions, pursuant to section 20 if the proposed development would not:
  - (a) unduly interfere with the amenities of the neighbourhood, and/or
  - (b) materially interfere with or affect the use or enjoyment or value of neighbouring properties.
32. The Municipal Planning Commission may approve, either permanently or for a limited period of time, a development permit application for a discretionary use or a similar use which meets the requirements of this land use bylaw with or without such conditions as the Municipal Planning Commission may deem necessary based on the merits of the application including any approved statutory plan and including any conditions listed in section 20.
33. The Municipal Planning Commission may approve, either permanently or for a limited period of time, an application for a development permit for a discretionary or similar use notwithstanding that the proposed development does not meet the requirements of this bylaw if, in the opinion of the Municipal Planning Commission, the proposed development would not:
  - (a) unduly interfere with the amenities of the neighbourhood, and/or
  - (b) materially interfere with or affect the use or enjoyment or value of neighbouring properties.
34. The Municipal Planning Commission may refuse a development permit application for a discretionary or similar use on its merits, even though it meets the requirements of this bylaw.
35. The Municipal Planning Commission shall refuse a development permit application that does not meet the requirements of this bylaw, except as provided in section 33.
36. Upon receipt of a completed application for a development permit for a permitted use that does not comply with the land use bylaw and is beyond the Designated Officer's discretion to approve pursuant to section 18 or for a discretionary use, the Municipal Planning Commission has 40 days to render a decision. If a decision is not rendered within 40 days and an agreement to extend the 40-day period has not been entered into with the applicant, the applicant in accordance with section 684 of the Act may deem the application refused and may appeal to the Village of Stirling Subdivision and Development Appeal Board.

## **C. Notification of Decision**

37. Upon the issuance of a development permit approved by the Municipal Planning Commission pursuant to section 31, a notice shall be mailed to the owners of land likely to be affected by the issuance of a development permit or published in a newspaper circulating in the municipality.
38. Upon the issuance of a development permit approved by the Municipal Planning Commission pursuant to sections 32 or 33, the municipality will re-notify all persons previously notified under section 29 when the application was initially received.
39. Upon the refusal of a development permit by the Municipal Planning Commission pursuant to sections 34 or 35, the applicant and all those previously notified under section 29 shall be given written notification of the decision and the reasons for it in a timely manner.

**D. Appeal of Decision**

40. Pursuant to section 685 of the Act, a development permit approved by the Municipal Planning Commission in accordance with sections 31 through 33 or refused by the Municipal Planning Commission in accordance with sections 34 or 35 may be appealed to the Subdivision and Development Appeal Board by filing a notice of appeal containing reasons and the applicable fee within 14 days of written notification or publication of the notice in a newspaper circulating in the municipality.

**COMMENCEMENT OF DEVELOPMENT**

41. Notwithstanding the issuance of a development permit, no development authorized by the issuance of a permit shall commence:
- (a) until at least 14 days after the publication of the approval in the newspaper or mailing of written notification;
  - (b) if an appeal is made, until the appeal is decided upon.
42. The person to whom a development permit for either a permitted, discretionary or similar use has been issued shall notify the Designated Officer:
- (a) following the preliminary layout of the site, but prior to the commencement of actual development thereon; and
  - (b) upon completion of the development, but prior to occupancy so that the Development Officer may inspect the development for compliance of all conditions outside of Safety Codes.

**REAPPLICATION**

43. If an application for a development permit is refused by the Designated Officer, Municipal Planning Commission, or on appeal by the Village of Stirling Subdivision and Development Appeal Board, another application for a development on the same lot and for the same or similar use may not be considered for at least six months after the date of refusal.

**VALIDITY OF A DEVELOPMENT PERMIT**

44. Unless a development permit is suspended or cancelled, the application must be commenced or carried out with reasonable diligence in the opinion of the Designated Officer or Municipal Planning Commission within 12 months from the date of issuance of the permit; otherwise the permit is no longer valid.
45. If construction or site development has not commenced within 12 months of the issue of the permit, an application to extend the validity of the permit may be made at any time prior to the expiration of said permit.
46. The validity of the permit may be extended:
- (a) by the Designated Officer or Municipal Planning Commission if issued by the Designated Officer, or
  - (b) by the Municipal Planning Commission if issued by them or the Subdivision and Development Appeal Board,
- for up to 24 months from the date of its issue.



47. When any use has been discontinued for a period of 24 months or more, any development permit that may have been issued previously is no longer valid and said use may not be recommenced until a new application for a development permit has been made and approved.

#### **SUSPENSION OF A DEVELOPMENT PERMIT**

48. If, after a development permit has been issued, the Designated Officer or Municipal Planning Commission becomes aware that:
- (a) the application for the development permit contained misrepresentations; or
  - (b) facts concerning the application or the development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known; or
  - (c) the development permit was issued in error;
- the Designated Officer or the Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of it stating the reasons for any suspension or cancellation.
49. If a development permit is suspended, the Village of Stirling Subdivision and Development Appeal Board shall review the application if requested by the applicant and either:
- (a) reinstate the development permit; or
  - (b) cancel the development permit if the Designated Officer or the Municipal Planning Commission, as the case may be, would not have issued the development permit if the facts subsequently disclosed had been known during consideration of the application.

#### **TRANSFER OF A DEVELOPMENT PERMIT**

50. With the exception of home occupations, which are not transferable, a valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.

#### **TEMPORARY PERMITS**

51. When, in the opinion of the Municipal Planning Commission, a proposed use is temporary in nature it may issue a temporary development permit valid for such a period as it considers appropriate. It shall be a condition of every temporary development permit that the Village of Stirling shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period. The Municipal Planning Commission may require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

#### **COMPLIANCE WITH OTHER LEGISLATION**

52. An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any federal, provincial or municipal legislation; or the condition of any easement, covenant, building scheme or development agreement affecting the building or land.

#### **NON-CONFORMING BUILDINGS AND USES AND NON-CONFORMING VARIANCES**

53. Non-conforming buildings and uses and non-conforming variances are subject to the following:
- (a) A non-conforming building or use may only be continued in accordance with the criteria detailed in the Act.

- (b) The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to section 643(5)(c) of the Act.

#### **MUNICIPAL INSPECTIONS AND ENFORCEMENT**

- 54. Pursuant to section 542 of the Act, a Designated Officer is authorized to carry out any inspection deemed necessary in the performance of duties and powers specified in this bylaw or by resolution of Council.

#### **DEVELOPMENT STOP ORDER**

- 55. The Designated Officer or Municipal Planning Commission is authorized to issue an order under section 645 of the Act whenever it is considered necessary to do so.

#### **DEVELOPMENT AGREEMENTS**

- 56. The Designated Officer or Municipal Planning Commission may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to section 650(1) of the Act, to do any or all of the following:
  - (a) to construct or pay for the construction of a road required to give access to the development;
  - (b) to construct or pay for the construction of a pedestrian walkway system that services or is proposed to serve adjacent development;
  - (c) to install or pay for the installation of a public utility that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;
  - (d) to construct or pay for the construction of off-street or other parking facilities, and/or loading and unloading facilities;
  - (e) to pay an off-site levy or redevelopment levy imposed by bylaw;
  - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- 56.1 The Subdivision Authority may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality pursuant to section 655(1) of the Act.
- 56.2 An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with section 651 of the Act.
- 56.3 The municipality may register a caveat under the Land Titles Act with respect to an agreement under this section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.
- 56.4 If the municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.

#### **ADDITIONAL INFORMATION**

- 57. The Designated Officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land.

## **PENALTY**

58. Every person who contravenes any provision of this bylaw is guilty of an offense under section 566 of the Act and is liable, upon summary conviction, to a fine of not more than \$10,000 or to imprisonment for not more than one year or to both fine and imprisonment.

## **METRIC STANDARDS**

59. The metric standards in this bylaw are applicable. Imperial standards are provided for information only.

## **APPLICATION FEES AND FORMS**

60. For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution or bylaw as may be applicable, the preparation and use of such fee schedules, forms, and notices as in its discretion it may deem necessary. Any such fee schedules, forms or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they were designed, authorized and issued.
61. In any case, where the required fee is not listed in the fee schedule, such fee shall be determined by the Designated Officer and shall be consistent with those fees listed in the schedule for similar developments.
62. Where, in the opinion of the Designated Officer, the application is substantially revised, the applicant, prior to consideration of the application by the Development Authority, shall pay, in addition to the fee specified, a fee equal to 50 percent of the initial application fee, except that such additional fee shall not be required in instances where improvements are suggested by the Designated Officer resulting in substantial revisions.
63. When a development has commenced prior to a development permit application being made, and the applicant subsequently submits an application, the fee charged shall be double the normal permit fee.

## **APPENDICES**

64. Appendices A, B and C attached hereto do not form part of the Village of Stirling Land Use Bylaw but have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued. The Appendices may be amended independent of this bylaw.

## **RULES OF INTERPRETATION**

65. The written regulations of this bylaw take precedence over any graphic or diagrams if there is a perceived conflict.
66. The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.



Schedule 1

**LAND USE DISTRICTS AND AREA OVERLAY**

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## **LAND USE DISTRICTS AND AREA OVERLAY**

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1. The municipality is divided into those districts shown on the Land Use Districts Map enclosed.
2. Each district shown on the Land Use Districts Map shall be known by the following identifying letters:

RESIDENTIAL	(R)
MANUFACTURED/MODULAR HOME RESIDENTIAL	(R-M)
RESIDENTIAL LARGE-LOT	(R-L)
COMMERCIAL	(C)
INDUSTRIAL/BUSINESS	(I/B)
PUBLIC	(P)
AGRICULTURAL	(A)

3. Land Use Districts Map (following this page)
4. Kipp Coulee Area Overlay (following the Land Use Districts Map)





Schedule 2

**LAND USE DISTRICT REGULATIONS**

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## RESIDENTIAL (R)

**1. INTENT**

The intent of this land use district is to provide for variety in residential housing to occur within the Village of Stirling in an orderly, integrated and efficient manner.

**2. PERMITTED USES**

- Dwellings:
  - Single detached dwelling
  - Modular home A
  - Ready-to-move home
- Building(s) accessory to dwelling not to exceed 83.6 m<sup>2</sup> (900 ft<sup>2</sup>) combined area of all accessory buildings
- Home occupation – minor
- Home occupation – office
- Solar collector household system – roof mounted

**3. DISCRETIONARY USES**

- Other accessory buildings and uses
- Bed and Breakfast
- Building(s) accessory to dwelling greater than 83.6 m<sup>2</sup> (900 ft<sup>2</sup>) combined area of all accessory buildings
- Dwellings:
  - Garden suite
  - Manufactured home
  - Modular home B
  - Multi-unit dwelling
  - Row or Townhouse
  - Secondary suite
  - Semi-detached dwelling (duplex)
- Home occupation – major
- Public or private utility
- Public park or recreation use
- Senior citizen housing
- Shipping container temporary
- Solar collector household system – ground mounted
- Solar collector household system – wall mounted

**4. PROHIBITED USES**

- Permanent Shipping Containers
- Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

**5. MINIMUM LOT SIZE**

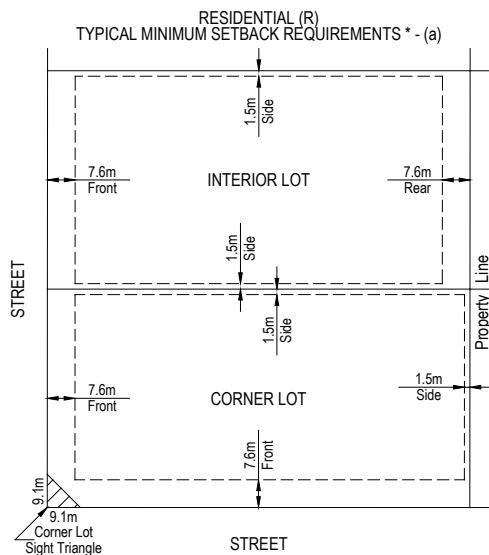
Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
Manufactured, modular, ready-to-move home	20	66	30	98	600	6468
Single detached dwelling	20	66	30	98	600	6468
Duplex	10	33	30	98	300	3234
		(each unit)				(each unit)
All other uses	As required by the Development Authority					

**6. MINIMUM SETBACK REQUIREMENTS\***

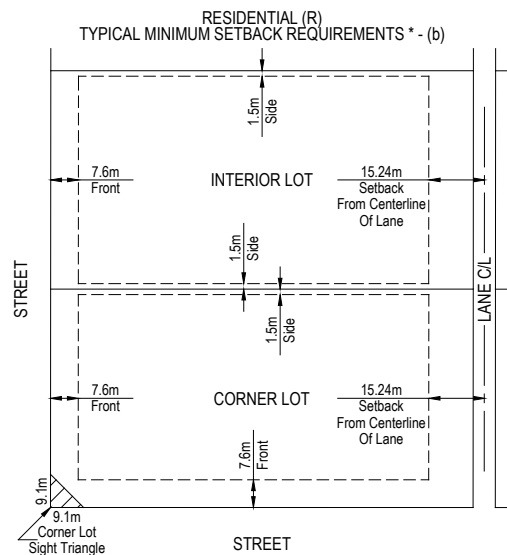
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Manufactured, modular, ready-to-move home	7.6	25	1.5	5	7.6	25
Single detached dwelling	7.6	25	1.5	5	7.6	25
Duplex	7.6	25	1.5	5	7.6	25
All other uses	As required by the Development Authority					

- (b) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (d). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided. On lots where the right-of-way has been dedicated in accordance with subsection (d), the setback requirements for double frontage lots and corner lots stipulated in Schedule 5, section 4(a) and (b) are applicable.
- (c) The Development Authority may reduce the setback requirement in 6(b) to 11.43 metres (37.5 ft) for corner lots.
- (d) A 4.57 metre (15 ft) wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.

**7. ACCESSORY BUILDINGS**

- (a) Accessory buildings shall be set back a minimum of 7.6 metres (25 ft) from a front lot line and 1.5 metres (5 ft) from a side or rear lot line. Also refer to Section 6(b) and (c).
- (b) A carport is permitted in a side yard but shall not be less than 1.5 metres (5 ft) from a side lot line.
- (c) All roof drainage is to be contained within the property upon which the said building is situated.

- (d) Accessory buildings are intended to be incidental and subordinate to the principal building.
- (e) Accessory buildings and structures must be compatible with the dwelling in terms of materials and design.
- (f) The Development Authority may regulate the orientation and location of an accessory building proposed on a lot with more than one street frontage or a lot with potential for subdivision.

**8. SITE COVERAGE**

- (a) The principal building shall not cover more than 33 percent of the surface area of the lot.
- (b) Lot coverage for accessory buildings is as follows:
  - Permitted use accessory building – combined total of all accessory buildings shall not exceed 83.6 m<sup>2</sup> (900 ft<sup>2</sup>).
  - Discretionary use accessory building – combined total of all accessory buildings (permitted and discretionary) shall not exceed 139.4 m<sup>2</sup> (1500 ft<sup>2</sup>), and the footprint of the accessory building shall not exceed the footprint of the principal building.
- (c) The site coverage for other uses will be as required by the Development Authority.

**9. MINIMUM FLOOR AREA**

Duplex:	74.3 m <sup>2</sup> per unit (800 ft <sup>2</sup> )
Manufactured, modular, ready-to-move home:	89 m <sup>2</sup> (958 ft <sup>2</sup> )
Single detached dwelling:	89 m <sup>2</sup> (958 ft <sup>2</sup> )
All other uses:	As required by the Development Authority

**10. MINIMUM BUILDING WIDTH**

Duplex, manufactured, modular, ready-to-move home, single detached dwelling:	7.3 m (24 ft)
All other uses:	As required by the Development Authority

**11. MAXIMUM BUILDING HEIGHT**

Accessory building:	4.6 m (15 ft)
Duplex:	10.2 m (33 ft)
Manufactured, modular, ready-to-move home:	10.2 m (33 ft)
Single detached dwelling:	10.2 m (33 ft)
All other uses:	As required by the Development Authority

**12. MANUFACTURED, MODULAR, READY-TO-MOVE HOME STANDARDS**

- (a) **Eligibility**
  - New factory-built units that have not been previously lived in and are CSA certified and built to the Alberta Building Code or a previously unoccupied dwelling constructed off-site which is built to the current Alberta Building Code.

(b) **Application**

A colour photograph(s) of the exterior and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany the development permit application.

(c) **Standards**

- (i) Manufactured, modular and ready-to-move dwellings shall be placed on a conventional, permanent concrete foundation (either slab-on-grade or basement foundation), unless otherwise approved by the Municipal Planning Commission.
- (ii) If access to a basement foundation is proposed from the exterior, the access must be housed within an enclosure of a design and finish which, in the opinion of the Development Authority, complements the unit.
- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
- (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.

(d) **Conditions of Approval**

- (i) The Development Authority may impose conditions regulating the exterior finish of the dwelling to ensure compatibility with existing dwellings within the area.
- (ii) If the home is not complete upon arrival at the lot, it must be finished as per the development permit application before overnight occupancy may occur.
- (iii) Additions to the home in terms of porches, verandas, carports or attached garages must be finished in materials identical or complementary to that of the primary structure.
- (iv) To ensure compatibility of housing types, the Development Authority may limit the variation of rooflines between manufactured, modular, ready-to-move and single detached dwellings.
- (v) The Development Authority may require a form of security (bond, irrevocable letter of credit, etc.) to ensure the conditions of the development permit are met to the satisfaction of the municipality.
- (vi) Any other conditions necessary to ensure compliance with the land use bylaw.

**13. GARDEN SUITE STANDARDS**

- (a) A garden suite shall be restricted to a lot occupied by a single-detached dwelling (i.e., the single-detached dwelling must be constructed before development of a garden suite may be permitted). A garden suite is prohibited on a vacant lot or a lot occupied by a: single-detached dwelling containing a secondary suite; manufactured home; semi-detached dwelling; duplex; row or townhouse; or multi-unit dwelling.
- (b) No more than one garden suite may be permitted on a lot.
- (c) A garden suite shall be incidental and subordinate to the single-detached dwelling and located to the rear or the side of the single-detached dwelling in a manner which clearly indicates the subordinate nature of the garden suite.
- (d) The maximum floor area of a garden suite, inclusive of all floors, shall not exceed 74.32 m<sup>2</sup> (800 ft<sup>2</sup>) in size.
- (e) The site coverage requirements for accessory buildings shall apply to a garden suite.
- (f) A garden suite shall be constructed on a permanent foundations.
- (g) A garden suite shall be integrated into the site by appropriate site grading, earthwork and landscaping and be harmonious with the character of the neighbourhood.

- (h) The exterior finish and style of the building containing a garden suite must complement or reflect the design of the single-detached dwelling incorporating similar or complementary features such as window and door detailing, exterior cladding materials, colours, and roof lines.
- (i) A garden suite shall not contain a roof-top deck.
- (j) One off-street parking space, in addition to the parking space requirements for the single-detached dwelling, shall be provided on the lot for the garden suite.
- (k) A garden suite shall be connected to municipal water and sewer services through service connections from the single-detached dwelling.
- (l) Construction of a garden suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.
- (m) Condominium conversion or subdivision of a garden suite is prohibited.

#### **14. SECONDARY SUITE STANDARDS**

- (a) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being developed in a manufactured home, semi-detached dwelling, duplex, row or townhouse, multi-unit dwelling, garden suite, or in a single-detached dwelling on a lot containing a garden suite.
- (b) No more than one secondary suite may be permitted on a lot.
- (c) The maximum floor area of a secondary suite shall not exceed 83.61 m<sup>2</sup> (900 ft<sup>2</sup>) or 50% of the floor area of the single-detached dwelling, whichever is the lesser.
- (d) A secondary suite shall have an entrance separate from the entrance to the principal dwelling unit, either from a common indoor landing or directly from the side or rear of the single-detached dwelling.
- (e) One off-street parking space, in addition to the parking space requirements for the single-detached dwelling, shall be provided on the lot for the secondary suite.
- (f) Construction of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.
- (g) Condominium conversion or subdivision of a secondary suite is prohibited.

#### **15. FENCING**

Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

#### **16. KIPP COULEE AREA OVERLAY – Schedule 4**

#### **17. STANDARDS OF DEVELOPMENT – Schedule 5**

#### **18. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5**

#### **19. LANDSCAPING – Schedule 5**

#### **20. OFF-STREET PARKING – Schedule 6**

#### **21. HOME OCCUPATIONS – Schedule 8**

#### **22. SOLAR COLLECTOR SYSTEMS – Schedule 11**





## MANUFACTURED/MODULAR HOME RESIDENTIAL (R-M)

**1. INTENT**

The intent of this land use district is to provide an opportunity for manufactured home residential development in those areas of the Village that are considered suitable for such development while considering the historical significance of the Village.

**2. PERMITTED USES**

- Dwellings:
  - Manufactured home
  - Modular home A and B
- Building(s) accessory to dwelling not to exceed 78.0 m<sup>2</sup> (840 ft<sup>2</sup>) combined area of all accessory buildings
- Home occupation – minor
- Home occupation – office
- Solar collector household system – roof mounted

**3. DISCRETIONARY USES**

- Other accessory buildings and uses
- Building(s) accessory to dwelling greater than 78.0 m<sup>2</sup> (840 ft<sup>2</sup>) combined area of all accessory buildings
- Home occupation – major
- Public or private utility
- Public park or recreation use
- Ready-to-move home
- Senior citizen housing
- Shipping container temporary
- Single detached dwelling
- Solar collector household system – ground mounted
- Solar collector household system – wall mounted

**4. PROHIBITED USES**

- Permanent Shipping Containers
- Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

**5. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
Manufactured, modular, ready-to-move home, single detached dwelling	16.5	54	33.5	110	552	5940
All other uses	As required by the Development Authority					

**6. MINIMUM SETBACK REQUIREMENTS\***

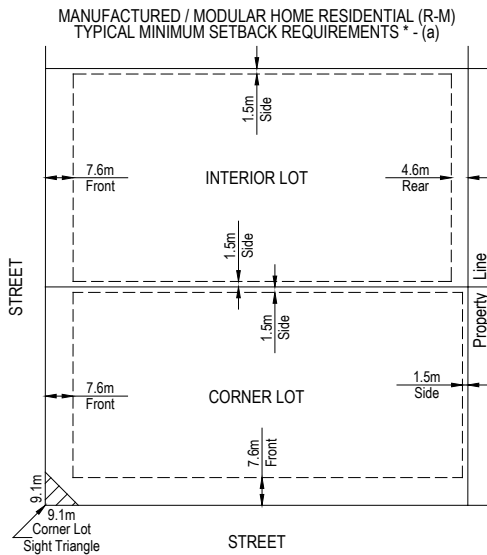
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Manufactured, modular, ready-to-move home, single detached dwelling	7.6	25	1.5	5	4.6	15
All other uses	As required by the Development Authority					

(b) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (d). This area is reserved for future road widening

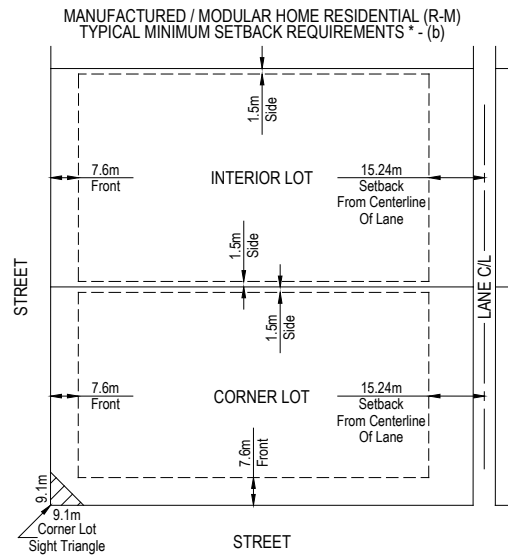
and front yard requirements when these blocks are resubdivided. On lots where the right-of-way has been dedicated in accordance with subsection (d), the setback requirements for double frontage lots and corner lots stipulated in Schedule 5, section 4(a) and (b) are applicable.

- (c) The Development Authority may reduce the setback requirement in 6(b) to 11.43 metres (37.5 ft) for corner lots.
- (d) A 4.57 metre (15 ft) wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.

## 7. ACCESSORY BUILDINGS

- (a) Accessory buildings shall be set back a minimum of 7.6 metres (25 ft) from a front lot line and 1.5 metres (5 ft) from a side or rear lot line. Also refer to Section 6(b) and (c).
- (b) A carport is permitted in a side yard but shall not be less than 1.5 metres (5 ft) from a side lot line.
- (c) All roof drainage is to be contained within the property upon which the said building is situated.
- (d) Accessory buildings are intended to be incidental and subordinate to the principal building.
- (e) Accessory buildings and structures must be compatible with the dwelling in terms of materials and design.
- (f) The Development Authority may regulate the orientation and location of an accessory building proposed on a lot with more than one street frontage or a lot with potential for subdivision.

## 8. SITE COVERAGE

- (a) The principal building shall not cover more than 33 percent of the surface area of the lot.
- (b) Lot coverage for accessory buildings is as follows:  
Permitted use accessory building – combined total of all accessory buildings shall not exceed 78.0 m<sup>2</sup> (840 ft<sup>2</sup>).

Discretionary use accessory building – combined total of all accessory buildings (permitted and discretionary) shall not exceed 139.4 m<sup>2</sup> (1500 ft<sup>2</sup>), and the footprint of the accessory building shall not exceed the footprint of the principal building.

(c) The site coverage for other uses will be as required by the Development Authority.

**9. MINIMUM FLOOR AREA**

Manufactured, modular, ready-to-move home:	89 m <sup>2</sup> (958 ft <sup>2</sup> )
Single detached dwelling:	89 m <sup>2</sup> (958 ft <sup>2</sup> )
All other uses:	As required by the Development Authority

**10. MINIMUM BUILDING WIDTH**

Manufactured, modular, ready-to-move home, single detached dwelling:	4.9 m (16 ft)
All other uses:	As required by the Development Authority

**11. MAXIMUM BUILDING HEIGHT**

Accessory building:	4.6 m (15 ft)
Manufactured, modular, ready-to-move home:	10.2 m (33 ft)
Single detached dwelling:	10.2 m (33 ft)
All other uses:	As required by the Development Authority

**12. MANUFACTURED, MODULAR, READY-TO-MOVE HOME STANDARDS**

(a) **Eligibility**

New factory-built units that have not been previously lived in and are CSA certified and built to the Alberta Building Code or a previously unoccupied dwelling constructed off-site which is built to the current Alberta Building Code.

(b) **Application**

A colour photograph(s) of the exterior and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany the development permit application.

(c) **Standards**

- (i) Manufactured, modular and ready-to-move homes shall be placed on a permanent foundation and anchored accordingly.
- (ii) All dwellings placed on pilings, piers, block or other open foundations shall be enclosed and/or finished with materials to the satisfaction of the Development Authority.
- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
- (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.

(d) **Conditions of Approval**

- (i) The Development Authority may impose conditions regulating the exterior finish of the dwelling to ensure compatibility with existing dwellings within the area.

- (ii) If the home is not complete upon arrival at the lot, it must be finished as per the development permit application before overnight occupancy may occur.
- (iii) Additions to the home in terms of porches, verandas, carports or attached garages must be finished in materials identical or complementary to that of the primary structure.
- (iv) To ensure compatibility of housing types, the Development Authority may limit the variation of rooflines between manufactured, modular, ready-to-move and single detached dwellings.
- (v) The Development Authority may require a form of security (bond, irrevocable letter of credit, etc.) to ensure the conditions of the development permit are met to the satisfaction of the municipality.
- (vi) Any other conditions necessary to ensure compliance with the land use bylaw.

**13. FENCING**

Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

**14. KIPP COULEE AREA OVERLAY – Schedule 4**

**15. STANDARDS OF DEVELOPMENT – Schedule 5**

**16. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5**

**17. LANDSCAPING – Schedule 5**

**18. OFF-STREET PARKING – Schedule 6**

**19. HOME OCCUPATIONS – Schedule 8**

**20. SOLAR COLLECTOR SYSTEMS – Schedule 11**

## RESIDENTIAL LARGE-LOT (R-L)

**1. INTENT**

The intent of this land use district is to provide for residential development on larger lots to occur within the Village of Stirling in an orderly, integrated and efficient manner while considering the historical significance of the area.

**2. PERMITTED USES**

- Dwellings:
  - Single detached dwelling
  - Modular home A
  - Ready-to-move home
- Building(s) accessory to dwelling not to exceed 95.1 m<sup>2</sup> (1024 ft<sup>2</sup>) combined area of all accessory buildings
- Home occupation – minor
- Home occupation – office
- Solar collector household system – roof mounted

**3. DISCRETIONARY USES**

- Other accessory buildings and uses
- Bed and Breakfast
- Building(s) accessory to dwelling greater than 95.1 m<sup>2</sup> (1024 ft<sup>2</sup>) combined area of all accessory buildings
- Dwellings:
  - Manufactured home
  - Modular Home B
- Home occupation – major
- Public or private utility
- Public park or recreation use
- Shipping container temporary
- Solar collector household system – ground mounted
- Solar collector household system – wall mounted

**4. PROHIBITED USES**

- Permanent Shipping Containers
- Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

**5. MINIMUM LOT SIZE**

Use	Width		Area	
	m	ft	ha	acres
All Uses	38.1	125	0.45	1.11

**6. MINIMUM SETBACK REQUIREMENTS\***

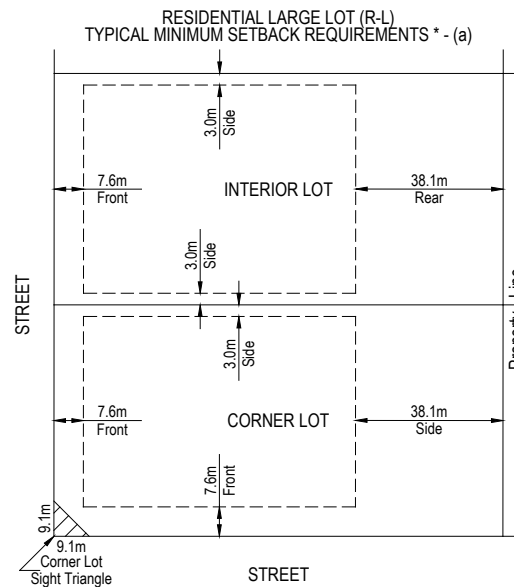
	Front		Side		Rear	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
(a) Single-detached dwelling, modular home and ready-to-move home	7.6	25	interior lot - 3.0 corner lot - 38.1	10 125	38.1	125
All other uses	As required by the Development Authority					

(b) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (d). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided. On lots where the right-of-way

has been dedicated in accordance with subsection (d), the setback requirements for double frontage lots and corner lots stipulated in Schedule 5, section 4(a) and (b) are applicable.

- (c) The Development Authority may reduce the setback requirement in 6(b) to 11.43 metres (37.5 ft) for corner lots.
- (d) A 4.57 metre (15 ft) wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.

## 7. ACCESSORY BUILDINGS

- (a) Accessory buildings shall be set back a minimum of 7.6 metres (25 ft) from a front lot line and 1.5 metres (5 ft) from a side or rear lot line. Also refer to Section 6(b) and (c).
- (b) A carport is permitted in a side yard but shall not be less than 1.5 metres (5 ft) from a side lot line.
- (c) All roof drainage is to be contained within the property upon which the said building is situated.
- (d) Accessory buildings are intended to be incidental and subordinate to the principal building.
- (e) Accessory buildings and structures must be compatible with the main dwelling in terms of materials and design.
- (f) The Development Authority may regulate the orientation and location of an accessory building proposed on a lot with more than one street frontage or a lot with potential for subdivision.

## 8. SITE COVERAGE

- (a) The principal building shall not cover more than 33 percent of the surface area of the lot.
- (b) Lot coverage for accessory buildings is as follows:  
Permitted use accessory building – combined total of all accessory buildings shall not exceed 95.1 m<sup>2</sup> (1024 ft<sup>2</sup>).

Discretionary use accessory building – combined total of all accessory buildings (permitted and discretionary) shall not exceed 139.4 m<sup>2</sup> (1500 ft<sup>2</sup>), and the footprint of the accessory building shall not exceed the footprint of the principal building.

(c) The site coverage for other uses will be as required by the Development Authority.

**9. MINIMUM FLOOR AREA**

Manufactured, modular, ready-to-move home:	89 m <sup>2</sup> (958 ft <sup>2</sup> )
Single detached dwelling:	89 m <sup>2</sup> (958 ft <sup>2</sup> )
All other uses:	As required by the Development Authority

**10. MINIMUM BUILDING WIDTH**

Manufactured, modular, ready-to-move home, single detached dwelling:	7.3 m (24 ft <sup>2</sup> )
All other uses:	As required by the Development Authority

**11. MAXIMUM BUILDING HEIGHT**

Accessory building:	4.6 m (15 ft)
Manufactured, modular, ready-to-move home:	10.2 m (33 ft)
Single detached dwelling:	10.2 m (33 ft)
All other uses:	As required by the Development Authority

**12. MANUFACTURED, MODULAR, READY-TO-MOVE HOME STANDARDS**

(a) **Eligibility**

New factory-built units that have not been previously lived in and are CSA certified and built to the Alberta Building Code or a previously unoccupied dwelling constructed off-site which is built to the current Alberta Building Code.

(b) **Application**

A colour photograph(s) of the exterior and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany the development permit application.

(c) **Standards**

- (i) Manufactured, modular and ready-to-move dwellings shall be placed on a conventional, permanent concrete foundation (slab-on-grade or basement foundation), unless otherwise approved by the Municipal Planning Commission.
- (ii) If access to a basement foundation is proposed from the exterior, the access must be housed within an enclosure of a design and finish which, in the opinion of the Development Authority, complements the unit.
- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
- (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.

(d) **Conditions of Approval**

- (i) The Development Authority may impose conditions regulating the exterior finish of the dwelling to ensure compatibility with existing dwellings within the area.
- (ii) If the home is not complete upon arrival at the lot, it must be finished as per the development permit application before overnight occupancy may occur.
- (iii) Additions to the home in terms of porches, verandas, carports or attached garages must be finished in materials identical or complementary to that of the primary structure.
- (iv) To ensure compatibility of housing types, the Development Authority may limit the variation of rooflines between manufactured, modular, ready-to-move and single detached dwellings.
- (v) The Development Authority may require a form of security (bond, irrevocable letter of credit, etc.) to ensure the conditions of the development permit are met to the satisfaction of the municipality.
- (vi) Any other conditions necessary to ensure compliance with the land use bylaw.

**13. FENCING**

Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

**14. KIPP COULEE AREA OVERLAY – Schedule 4**

**15. STANDARDS OF DEVELOPMENT – Schedule 5**

**16. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5**

**17. LANDSCAPING – Schedule 5**

**18. OFF-STREET PARKING – Schedule 6**

**19. HOME OCCUPATIONS – Schedule 8**

**20. SOLAR COLLECTOR SYSTEMS – Schedule 11**



## COMMERCIAL (C)

**1. INTENT**

The intent of this land use district is to encourage the development of a commercial area within the Village of Stirling that is located to serve the needs of residents and those of the travelling public who may be interested in the historical nature and features of the Village.

**2. PERMITTED USES**

- Accessory buildings 13.4 m<sup>2</sup> (144 ft<sup>2</sup>) or less
- Amusement facility
- Childcare facility
- Financial institution
- Office
- Personal services
- Retail store
- Solar collector household system – roof mounted
- Tourist information service and facility

**3. DISCRETIONARY USES**

- Other accessory buildings and uses
- Boarding house
- Building supply outlet
- Car and truck wash
- Commercial recreation
- Government service
- Hotel
- Kennel
- Medical and dental office
- Mini-storage
- Motel
- Moved-in building
- Parking facility
- Private recreation
- Public and institutional use
- Public or private utility
- Residential accommodation in conjunction with an approved commercial use
- Restaurant
- Service station
- Shipping container temporary
- Sign
- Solar collector household system – ground mounted
- Solar collector household system – wall mounted
- Veterinary clinic, small animals only

**4. PROHIBITED USES**

- Permanent Shipping Containers
- Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

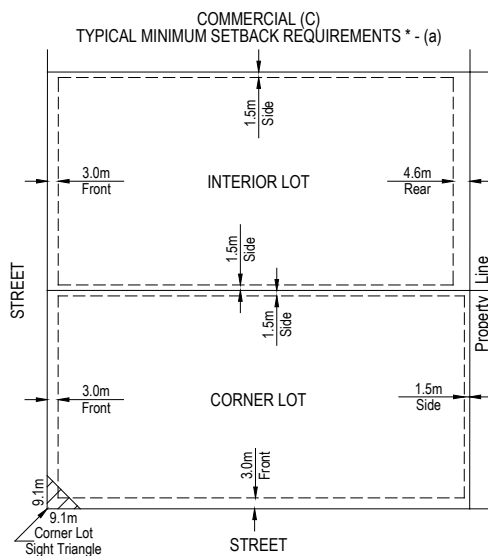
**5. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
All Uses	7.6	25	30.5	100	232	2500

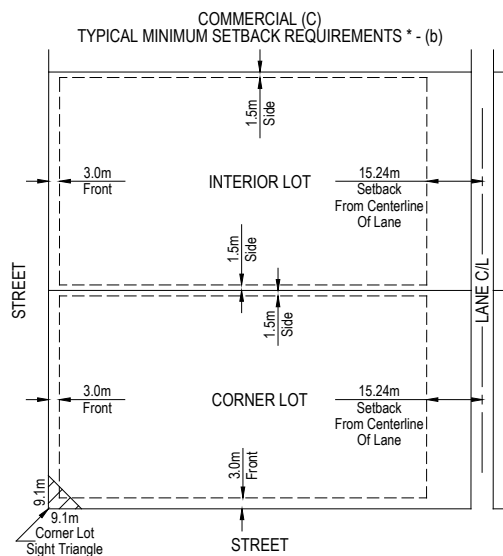
**6. MINIMUM SETBACK REQUIREMENTS\***

	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Permitted Uses	3.0	10	1.5	5	4.6	15
(b) Discretionary Uses	As required by the Development Authority					
(c) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (e). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided. On lots where the right-of-way has been dedicated in accordance with subsection (e), the setback requirements for double frontage lots and corner lots stipulated in Schedule 5, section 4(a) and (b) are applicable.						
(d) The Development Authority may reduce the setback requirement in 6(c) to 11.43 metres (37.5 ft) for corner lots.						
(e) A 4.57 metre (15 ft) wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.						

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.

**7. SITE COVERAGE**

Buildings shall cover no more than 80 percent of the surface area of any lot.

**8. FENCING**

Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

**9. KIPP COULEE AREA OVERLAY – Schedule 4**

10. **STANDARDS OF DEVELOPMENT** – Schedule 5
11. **MUNICIPAL SERVICES AND ROAD ACCESS** – Schedule 5
12. **LANDSCAPING** – Schedule 5
13. **OFF-STREET PARKING** – Schedule 6
14. **SIGNAGE** – Schedule 7
15. **MOVED-IN BUILDING STANDARDS** – Schedule 9
16. **SOLAR COLLECTOR SYSTEMS** – Schedule 11



## INDUSTRIAL / BUSINESS (I/B)

### 1. INTENT

The intent of this land use district is to provide for light industrial and business development within the Village of Stirling that is compatible with existing land uses and broadens the tax base of the Village while maintaining its agricultural nature.

### 2. PERMITTED USES

Accessory buildings 13.4 m<sup>2</sup> (144 ft<sup>2</sup>)  
or less  
Solar collector household system –  
roof mounted

### 3. DISCRETIONARY USES

Other accessory buildings and uses  
Building supply outlet  
Bulk fuel or chemical storage and sales  
Construction supply and contractors  
Farm/Industrial machinery sales, rental and  
service  
General industrial  
Intensive horticultural operation  
Kennel  
Light manufacturing  
Mini-Storage  
Moved-in building  
Outdoor storage and warehousing  
Parking facility  
Public or private utility  
Retail uses ancillary to an industrial/business  
use  
Shipping container temporary  
Sign  
Solar collector household system –  
ground mounted  
Solar collector household system –  
wall mounted  
Solar collector industrial system

### 4. PROHIBITED USES

Permanent Shipping Containers  
Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

### 5. MINIMUM LOT SIZE

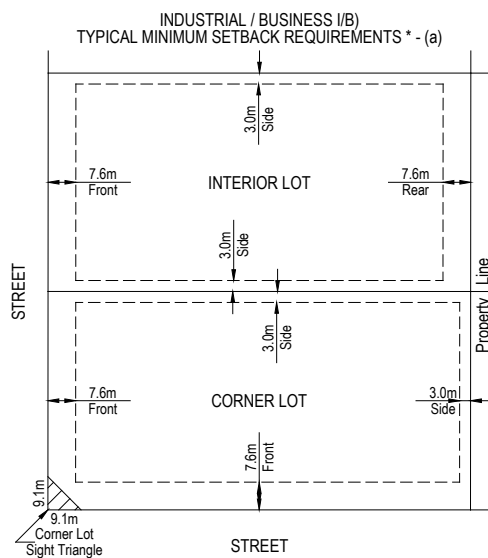
Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
All Uses	30.5	100	30.5	100	930	10 000

### 6. MINIMUM SETBACK REQUIREMENTS\*

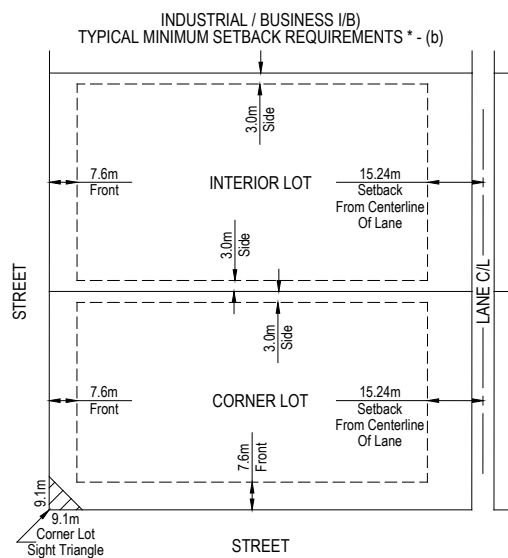
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) All uses	7.6	25	3.0	10	7.6	25

- (b) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (d). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided. On lots where the right-of-way has been dedicated in accordance with subsection (d), the setback requirements for double frontage lots and corner lots stipulated in Schedule 5, section 4(a) and (b) are applicable.
- (c) The Development Authority may reduce the setback requirement in 6(b) to 11.43 metres (37.5 ft) for corner lots.
- (d) A 4.57 metre (15 ft) wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.

## 7. SITE COVERAGE

Buildings shall occupy no more than 60 percent of the surface area of any lot.

## 8. OUTDOOR STORAGE

- (a) No outdoor storage shall be permitted in the required front yard setback or in the required corner lot side yard setback.
- (b) Display of vehicles, new machinery, and new equipment may be allowed in front of a proposed building provided such display does not encroach on the required front or side yards.
- (c) Other outdoor storage areas shall be effectively screened from view by buildings, solid fences, trees, landscaped features or combinations thereof.

## 9. FENCING

Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

10. **KIPP COULEE AREA OVERLAY** – Schedule 4
11. **STANDARDS OF DEVELOPMENT** – Schedule 5
12. **MUNICIPAL SERVICES AND ROAD ACCESS** – Schedule 5
13. **LANDSCAPING** – Schedule 5
14. **OFF-STREET PARKING** – Schedule 6
15. **SIGNAGE** – Schedule 7
16. **MOVED-IN BUILDING STANDARDS** – Schedule 9
17. **SOLAR COLLECTOR SYSTEMS** – Schedule 11





## PUBLIC (P)

**1. INTENT**

The intent of this land use district is to ensure that land uses of a public nature that provide services for a range of age groups within the Village of Stirling are developed in appropriate locations to be compatible with adjacent uses and address the needs of residents.

**2. PERMITTED USES**

- Accessory buildings 13.4 m<sup>2</sup> (144 ft<sup>2</sup>) or less
- Government service
- Public and institutional use
- Public park or recreation use
- Solar collector household system – roof mounted

**3. DISCRETIONARY USES**

- Other accessory buildings and uses
- Child care facility
- Commercial recreation
- Lodge
- Medical and dental office
- Moved-in building
- Nursing home
- Parking facility
- Private recreation
- Public and private utility
- Shipping container temporary
- Sign
- Solar collector household system – ground mounted
- Solar collector household system – wall mounted
- Solar collector industrial system

**4. PROHIBITED USES**

- Permanent Shipping Containers
- Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

**5. MINIMUM LOT SIZE**

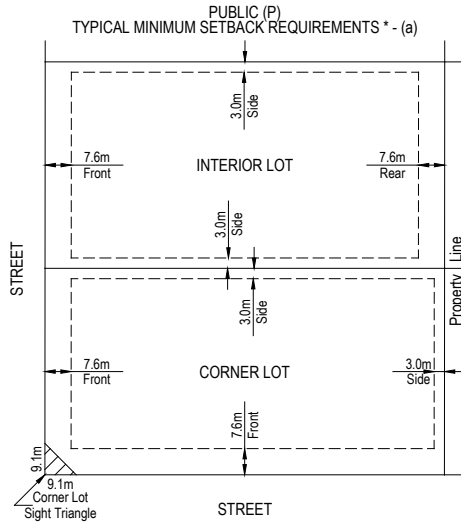
All uses – As required by the Development Authority

**6. MINIMUM SETBACK REQUIREMENTS\***

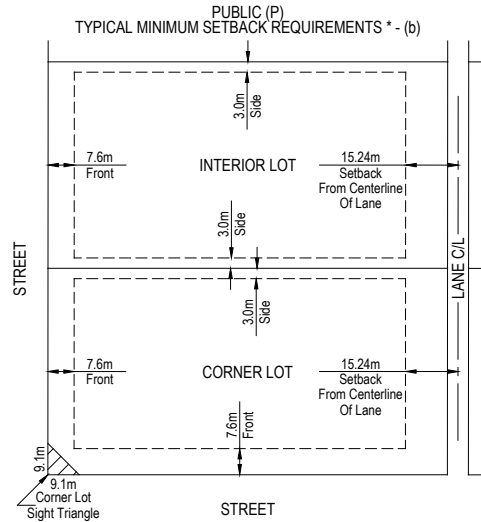
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Permitted Uses	7.6	25	3.0	10	7.6	25
(b) Discretionary Uses	As required by the Municipal Planning Commission					
(c) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (e). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided. On lots where the right-of-way has been dedicated in accordance with subsection (e), the setback requirements for double frontage lots and corner lots stipulated in Schedule 5, section 4(a) and (b) are applicable.						

- (d) The Development Authority may reduce the setback requirement in 6(c) to 11.43 metres (37.5 ft) for corner lots.
- (e) A 4.57 metre wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.



\*See Also Sections 3, 4, 5 & 14, Schedule 5.

**7. MAXIMUM SITE COVERAGE**

Buildings shall cover no more than 50 percent of the surface area of any lot.

**8. MAXIMUM BUILDING HEIGHT**

As required by the Development Authority keeping in mind the impact to adjacent property owners and land uses.

**9. FENCING**

Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

**10. KIPP COULEE AREA OVERLAY – Schedule 4**

**11. STANDARDS OF DEVELOPMENT – Schedule 5**

**12. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5**

**13. LANDSCAPING – Schedule 5**

**14. OFF-STREET PARKING AND LOADING REQUIREMENTS – Schedule 6**

**15. SIGNAGE – Schedule 7**

**16. MOVED-IN BUILDING STANDARDS – Schedule 9**

**17. SOLAR COLLECTOR SYSTEMS – Schedule 11**

# AGRICULTURAL (A)

**1. INTENT**

The intent of this land use district is to preserve the agricultural and historical nature of the Village of Stirling by limiting the further fragmentation of any existing 4.0 ha (10 acre) blocks and the conversion of existing uses into those of an increased intensity or scale and of a non-agricultural nature.

**2. PERMITTED USES**

- Accessory buildings to a maximum of 2 per lot
- Extensive agriculture
- Home occupation – minor
- Home occupation – office
- Solar collector household system – roof mounted

**3. DISCRETIONARY USES**

- Bed and Breakfast
- Dwelling:
  - Manufactured home
  - Modular home A and B
  - Ready-to-move home
  - Single detached dwelling
- Farm supplies and services
- Home occupation – major
- Intensive horticultural operation
- Kennel
- Moved-in building
- Other accessory buildings and uses
- Public and institutional use
- Public and private utility
- Public park or recreational use
- Shipping container temporary
- Solar collector household system – ground mounted
- Solar collector household system – wall mounted
- Veterinary clinic – large and small animal

**4. PROHIBITED USES**

- Permanent Shipping Containers
- Travel Trailers, Motor Homes or other Recreational Vehicles used as dwellings

Any use which is not listed as either a permitted or discretionary use, or is not ruled to be similar to a permitted or discretionary use in accordance with Section 10, is a prohibited use.

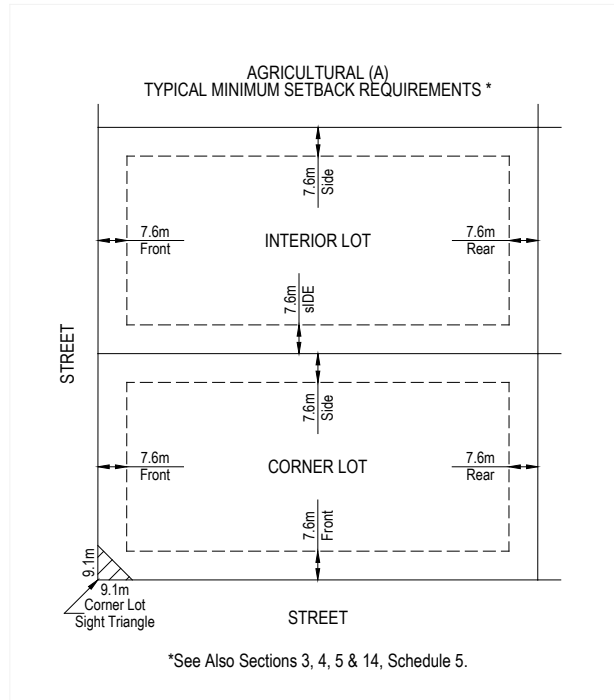
**5. MINIMUM LOT SIZE**

All uses: 4.0 hectares (10 acres), or  
Existing title at the time of the adoption of this bylaw.

**6. MINIMUM SETBACK REQUIREMENTS\***

	Front		Side		Rear	
	m	ft	m	ft	m	ft
All Uses	7.6	25	7.6	25	7.6	25

\* Also refer to Sections 3, 4, 5 and 14, Schedule 5.



**7. SITE COVERAGE**

As required by the Development Authority, in keeping with the intent of the district.

**8. LANDSCAPING**

Each property owner is encouraged to maintain existing tree rows, orchards, and drainage courses while limiting noxious weeds and ensuring stormwater flow is not compromised and negatively affects adjacent lands.

**9. FENCING**

Barbed wire fencing is permitted. Fencing shall not be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense. Also see Schedule 5.

**10. REDESIGNATION TO ANOTHER LAND USE DISTRICT**

The redesignation of lands currently zoned "Agricultural" to another district shall be evaluated based on the availability of municipal services and the policies within the Village of Stirling Municipal Development Plan regarding the preservation of this unique and historic landscape in an urban setting.

**11. MANUFACTURED, MODULAR, READY-TO-MOVE HOME STANDARDS**

**(a) Eligibility**

New factory-built units that have not been previously lived in and are CSA certified and built to the Alberta Building Code or a previously unoccupied dwelling constructed off-site which is built to the current Alberta Building Code.

(b) **Application**

A colour photograph(s) of the exterior and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany the development permit application.

(c) **Standards**

- (i) Manufactured, modular and ready-to-move dwellings shall be placed on a conventional, permanent concrete foundation (either slab-on-grade or basement foundation), unless otherwise approved by the Municipal Planning Commission.
- (ii) If access to a basement foundation is proposed from the exterior, the access must be housed within an enclosure of a design and finish which, in the opinion of the Development Authority, complements the unit.
- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
- (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.

(d) **Conditions of Approval**

- (i) The Development Authority may impose conditions regulating the exterior finish of the dwelling to ensure compatibility with existing dwellings within the area.
- (ii) If the home is not complete upon arrival at the lot, it must be finished as per the development permit application before overnight occupancy may occur.
- (iii) Additions to the home in terms of porches, verandas, carports or attached garages must be finished in materials identical or complementary to that of the primary structure.
- (iv) To ensure compatibility of housing types, the Development Authority may limit the variation of rooflines between manufactured, modular, ready-to-move and single detached dwellings.
- (v) The Development Authority may require a form of security (bond, irrevocable letter of credit, etc.) to ensure the conditions of the development permit are met to the satisfaction of the municipality.
- (vi) Any other conditions necessary to ensure compliance with the land use bylaw.

**12. KIPP COULEE AREA OVERLAY – Schedule 4**

**13. ADDITIONAL STANDARDS OF DEVELOPMENT – Schedule 5**

**14. OFF-STREET PARKING AND LOADING REQUIREMENTS – Schedule 6**

**15. HOME OCCUPATIONS – Schedule 8**

**16. MOVED-IN BUILDINGS – Schedule 9**

**17. SOLAR COLLECTOR SYSTEMS – Schedule 11**



Schedule 3

**DEVELOPMENT NOT REQUIRING A PERMIT**

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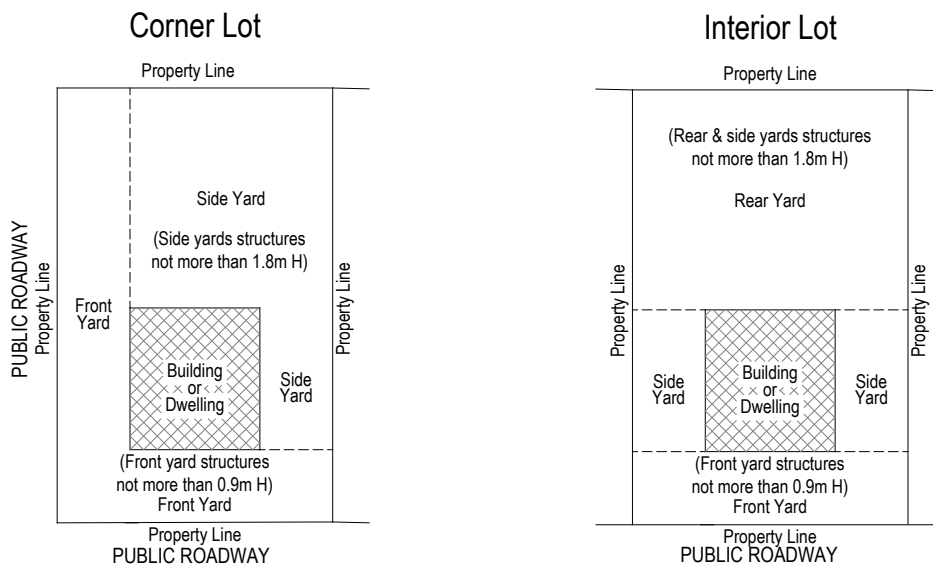




## DEVELOPMENT NOT REQUIRING A PERMIT

A development permit is not required for the following:

1. Development that is specifically exempt by the Lieutenant Governor in Council pursuant to section 618(4) of the Act.
2. The carrying out of works of maintenance or repair to any building if such works does not include structural alterations or major works of renovation.
3. The completion of a building which was lawfully under construction at the date of the first publication of the official notice required by section 692 of the Act, provided that:
  - (a) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which that permit was granted; and
  - (b) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice.
4. The use of any building referred to in section 3(a) and (b) for the purpose for which construction was commenced.
5. The erection of gates, fences, walls, hedges or other means of enclosure, which are:
  - (a) not more than 0.9 metre (3 ft) in height in front yards lying between the dwelling and the property line. Barbed wire fencing is permitted in the Agricultural district without a permit to a maximum height of 1.2 metres (4 ft);
  - (b) not more than 1.8 metres (6 ft) in all other yards.



6. The erection or construction of buildings, works, plant or machinery needed in connection with operations for which a development permit and a building permit have been issued for the period of those operations.
7. The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled.
8. Any landscaping that was not required as part of the original development permit.
9. Any accessory storage building or garden shed not exceeding 13.4 m<sup>2</sup> (144 ft<sup>2</sup>) that is not on a permanent foundation and complies with all provisions of the applicable district (e.g., setbacks, site coverage).
10. Decks less than 0.61 metre (2 ft) in height, provided they meet the minimum setback requirements of the applicable district.
11. Interior renovations to a building that do not:
  - (a) create another dwelling,
  - (b) increase parking requirements,
  - (c) result in a change of use of a building.
12. A Home Occupation – office use in accordance with Schedule 8 – Home Occupations.
13. Driveways in compliance with the provisions of the bylaw.

Schedule 4

**KIPP COULEE AREA OVERLAY**

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## **KIPP COULEE AREA OVERLAY**

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### **1. INTENT**

It is the intent of the Kipp Coulee Area Overlay to promote the public health, safety and general welfare of residents and to minimize impacts to dwellings due to potential seasonal flooding.

### **2. APPLICABILITY**

The regulations of this schedule apply to all property located within the Overlay, as identified on the "Kipp Coulee Area Overlay Map".

### **3. DEVELOPMENT REQUIREMENTS**

- (a) Dwellings shall not be permitted to locate within the Kipp Coulee Area Overlay unless:
  - (i) Documentation demonstrating that the potential flood hazard can be mitigated is submitted to and deemed acceptable by the Development Officer or Municipal Planning Commission. Any such documentation must be prepared by and stamped by a licensed engineer; or
  - (ii) Flood mapping is completed at the applicant's expense demonstrating that the property is not within a flood prone area. Any such mapping must be prepared by and stamped by a licensed engineer.
- (b) Expansion or alteration of existing dwellings located within the Kipp Coulee Overlay shall not be permitted except in compliance with Section 3(a)(i) or (ii).
- (c) Dwellings shall be set back a minimum of 9.1 metres (30 ft) from the top of the bank of Kipp Coulee.
- (d) All other applicable requirements of the underlying land use district and applicable schedules of the Land Use Bylaw must be met.

### **4. DISCLAIMER OF LIABILITY**

The degree of flood protection provided by this schedule is generalized and is based upon flooding that occurred in June of 2002. Larger flood events may occur on occasion, or man made or natural causes, such as ice jams and bridge openings restricted by debris, may increase the flood height. This schedule does not imply that areas outside the potential flood prone areas or land uses permitted within such areas will always be totally free from flooding or flood damages. This schedule shall not create any liability on the part of, or a cause of action against the Village of Stirling for any flood damages that may result from reliance on this regulation or any administrative decision lawfully made there under.



Schedule 5

**STANDARDS OF DEVELOPMENT**

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## STANDARDS OF DEVELOPMENT

### 1. QUALITY OF DEVELOPMENT

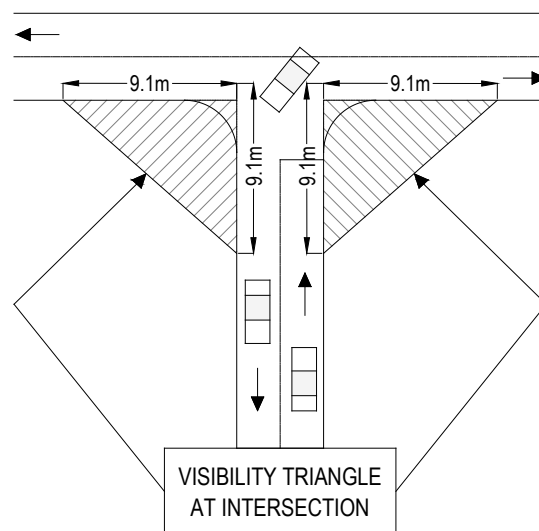
The Designated Officer or the Municipal Planning Commission may require additional standards as a condition of a development permit, in order to complement existing historical assets or improve the quality of any proposed development such as, but not limited to, paved parking areas, exterior finishes to buildings, landscaping or screening, and street or lot setbacks.

### 2. DEVELOPMENT ON NON-CONFORMING SIZED LOTS

With the approval of the Municipal Planning Commission, development may be permitted on a lot that does not conform to the minimum requirements for length, width or area specified in Schedule 2.

### 3. CORNER LOT SIGHT TRIANGLE

No fence, wall, hedge, landscaping, sign or other material or structure that will obstruct vision between a height of 0.9 metres (3 ft) and 3.0 metres (10 ft) shall be erected, placed, or maintained within the triangular area formed by a line starting at the point of intersection of property lines and extending 9.1 metres (30 ft) from their point of intersection, as shown on the following illustration.

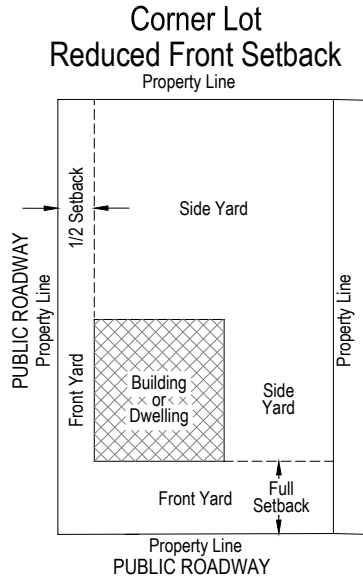
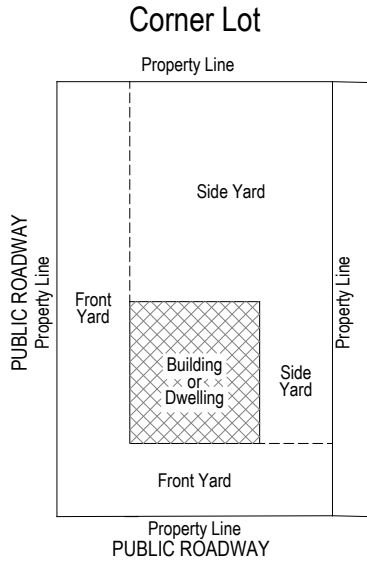


### 4. YARDS

#### (a) Corner Lots – Multiple Front Yard Provision

Front and side yards are as illustrated in the diagram below. There are no rear yards on corner lots. Where a lot has more than one front yard, the Designated Officer or Municipal Planning Commission shall determine the front yard requirements, subject to the following limitations:

- (i) at least one front yard shall be provided at the full depth required generally in the district; and
- (ii) no other front yard on such lot shall have less than half of the full depth required generally.



**(b) Double-Frontage Lots**

Front and side yards are as illustrated in this diagram. There are no rear yards.

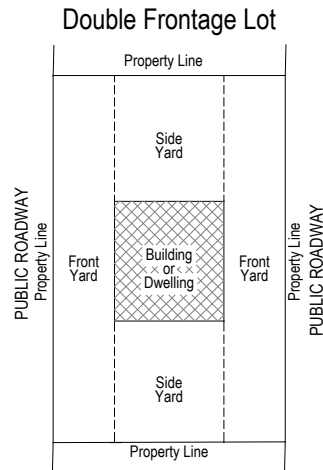
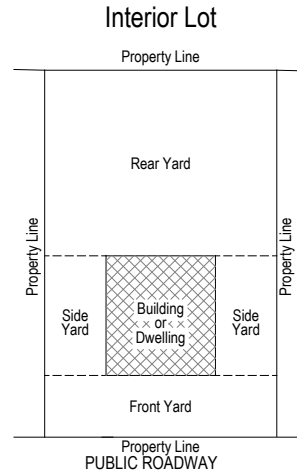


diagram.

**(c) Interior Lots**

Front, side and rear yards are as required in "Minimum Setback Requirements" of the districts in Schedule 2.



(d) **Porches and Decks**

Any enclosed porch or deck shall be considered part of the building in the determination of the lot coverage and setback requirements.

(e) **Attached Garage or Carport**

The side yard requirements for a principal building with an attached garage or carport shall be the same as for a principal building itself.

(f) **Projections Over Yards**

The portions of, and attachments to a principal building that may project over or on a yard are:

- (i) a cornice, belt course, sill, canopy or eave which projects over a yard a distance not exceeding one-half the width of the smallest yard requirement for the site;
- (ii) a chimney which is not more than 1.2 metres (4 ft) wide and projects 0.6 metres (2 ft) or less over a yard;
- (iii) entrance steps above the surface of a yard with a landing of less than 3.7 m<sup>2</sup> (40 ft<sup>2</sup>) or without a landing if they do not project more than 2.4 metres (8 ft).

**5. BUILDING SETBACKS**

- (a) The Municipal Planning Commission or Designated Officer may waive the building setback requirement in a well-established area if the setback blends in with the prevailing yard pattern.
- (b) The Municipal Planning Commission or Designated Officer may require varied building setbacks in undeveloped or developing areas if the variation in setbacks will enhance the appearance of that area.

**6. RETAINING WALLS, GRADING AND DRAINAGE**

The Municipal Planning Commission or Designated Officer may require:

- (a) the construction of a retaining wall as a condition of development if significant differences in grade exist or will exist between the parcel being developed and adjacent parcels;
- (b) special grading to prevent drainage problems with neighbouring lots as a condition of a development permit;
- (c) the construction of a retaining wall according to a certified engineering design.

**7. LANDSCAPING STANDARDS AND SCREENING**

- (a) The Municipal Planning Commission or Designated Officer may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.
- (b) Where any parcel or part of a parcel adjacent to a provincial highway is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Municipal Planning Commission or Designated Officer shall require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features.
- (c) The front yard shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Municipal Planning Commission or Designated Officer.
- (d) Care should be taken by the landowner to ensure plantings of hedges, shrubs and trees do not extend into the municipal right-of-way and/or hamper visibility and are a safety concern for motorists and pedestrians. Refer also to Section 3 regulating sight triangles.

- (e) Landscaping may consist of any or all of the following:
  - (i) trees, shrubs, lawn, flowers;
  - (ii) large feature rocks, bark chips, field stone (Municipal Planning Commission approval is required if this type of landscaping exceeds 25 percent of the total landscaped);
  - (iii) berming, terracing;
  - (iv) innovative landscaping features.
- (f) In the residential district, property owners are encouraged to maintain existing tree rows, orchards and drainage courses while limiting noxious weeds and ensuring stormwater flow is not compromised and negatively affects adjacent lands.

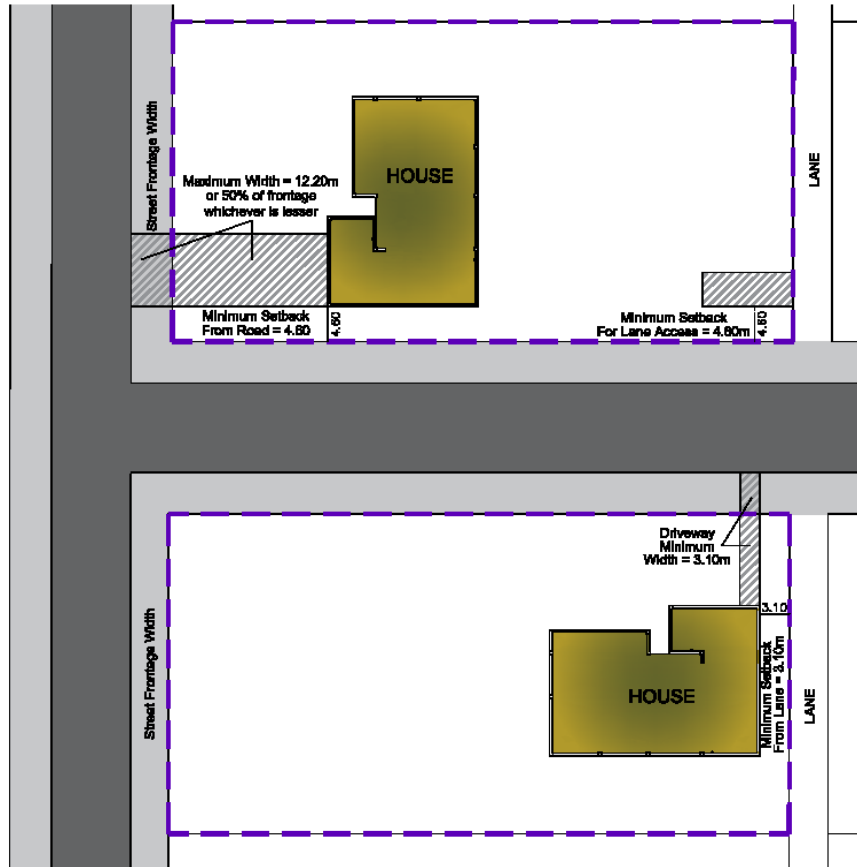
## **8. ROAD ACCESS**

All new development must have access to a municipal road that is satisfactory to the Designated Officer or the Municipal Planning Commission. A development agreement to address the costs of upgrading or constructing municipal roads may be required at the time of subdivision and development.

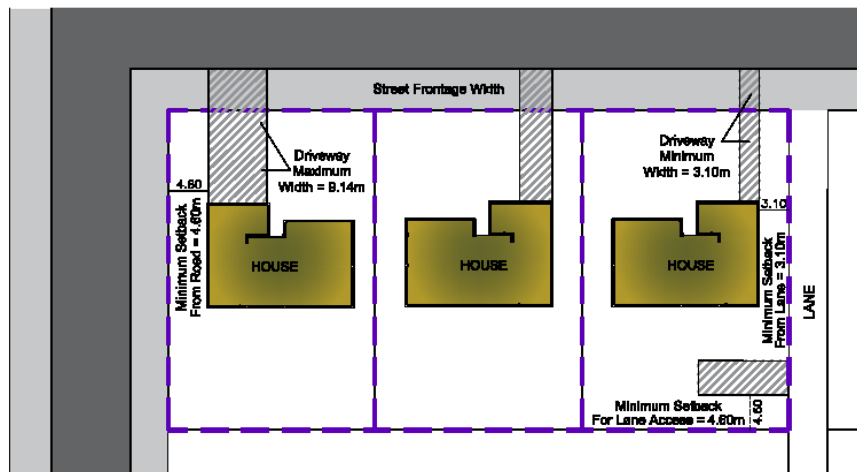
## **9. DRIVEWAYS**

- (a) Vehicular access for corner lots shall generally be limited to locations along the minor street.
- (b) In laneless subdivisions, and when not already included in laned subdivisions, all single detached and duplex dwellings should provide for the future construction of an attached garage or carport for one or more vehicles.
- (c) Only one driveway per lot should be permitted except as follows:
  - (i) corner lots are permitted one driveway located on each street frontage, subject to the minimum setback requirements for driveways in section (e) and the corner lot sight triangle requirements in section 3 of this Schedule;
  - (ii) on lots with a street frontage width of 40 metres (131 ft) or greater, a second driveway may be permitted in accordance with the minimum setback requirements for driveways in section (e) and the corner lot sight triangle requirements in section 3 of this Schedule;
  - (iii) on lots with lane access, one driveway located off the lane may be permitted in accordance with the minimum setback requirements in section (e) and the corner lot sight triangle requirements in section 3 of this Schedule.
- (d) Driveway widths, within the street right-of-way and on private property, shall be as follows:
  - (i) on lots with a street frontage width of 20 metres (66 ft), driveways shall be a minimum of 3.1 metres (10 ft) in width and a maximum of 9.14 metres (30 ft) in width (refer to diagram for illustration);
  - (ii) on lots with a street frontage width greater than 20 metres (66 ft), driveways shall be a minimum width of 3.1 metres (10 ft) and not exceed 50% of the frontage where access is taken or 12.2 metres (40 ft) in width, whichever is the lesser (refer to diagram for illustration).
- (e) Driveways shall be a minimum of 3.1 metres (10 ft) from the entrance to a lane, and 4.6 metres (15 ft) from the intersection of two public roadways measured from the property line. Driveways off a lane shall be a minimum of 4.6 metres (15 ft) from the intersection of the public roadway and the lane, measured from the property line. Refer to diagram for illustration.

**LOTS WITH A STREET FRONTAGE WIDTH OF MORE THAN 20m**



**LOTS WITH A STREET FRONTAGE WIDTH OF 20m OR LESS**



**DRIVEWAY SETBACK DIAGRAM**

-  DRIVEWAY
-  STREET PAVEMENT
-  BOULEVARD (REMAINDER OF STREET RIGHT OF WAY)
-  PROPERTY LINE

## **10. FENCES**

- (a) No fence, wall, hedge or any combination thereof shall extend more than 0.9 metres (3 ft) above the ground in any front yard area, except as provided in section 10(c), without approval by the Municipal Planning Commission.
- (b) Fences in rear and side yards shall be limited to 1.8 metres (6 ft) in height.
- (c) Barbed wire fences will be permitted only in the Agricultural district and Public district to a maximum of 1.2 metres (4 ft) in height in the front, rear and side yards.
- (d) In any residential land use district, fences, walls and other means of enclosure shall not be constructed of barbed wire, razor wire, commercial concrete retaining blocks, or other materials incompatible with a residential aesthetic. Examples of typically acceptable materials include, but are not limited to, wood, brick, residential concrete block, vinyl, composite, wrought iron and stone.

## **11. REFUSE COLLECTION AND STORAGE**

- (a) Refuse and garbage shall be kept in a suitably sized containers or permanent enclosures.
- (b) Refuse and garbage shall be effectively screened from public view.
- (c) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removal for disposal.

## **12. EXTERIOR BUILDING FINISHES**

The Municipal Planning Commission or Designated Officer may require that specific finishing materials and colour tones be utilized:

- (a) to maintain the compatibility of any proposed development with surrounding or adjacent developments;
- (b) to maintain the compatibility of any proposed additions or ancillary structures with existing buildings on the same lot.

## **13. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES**

- (a) All development shall be required to connect to municipal servicing lines (water and sewer). In the Agricultural District, where in the opinion of the Development Authority, municipal water and sewer services cannot be made available, development approval may be considered and shall be subject to compliance with Regional Health Authority and provincial standards for unserved parcels and submittal of a soils analysis prepared by a qualified engineer or professional demonstrating site suitability.
- (b) An application to locate or expand a land use shall not be approved unless, in the opinion of the Municipal Planning Commission, the approved use will not have a detrimental effect on any:
  - (i) transportation or communication system, including provincial highways, railway, airport sites or communication facility; or
  - (ii) regionally significant services or utilities facilities, including irrigation works, pipelines and power transmission lines.

## **14. EASEMENTS**

It is the responsibility of the applicant to determine the location of easements and utility rights-of-way registered on the lot that is the subject of a development and ensure that the development complies with required setbacks and associated agreements registered on title.

**15. EXPOSED FOUNDATIONS**

The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Designated Officer or Municipal Planning Commission.

**16. CONSTRUCTION HOARDING**

A temporary development permit is required for erection of construction hoarding that may infringe on any public property such as sidewalks or streets. The maintenance of pedestrians and vehicle access shall be deemed to be essential.

**17. SETBACKS FOR COULEE AREAS**

Based on the "Interim Guidelines for Subdivision of Land Adjacent to Steep Valley Banks" by Alberta Environment, it is recommended that development setbacks be determined by the slope or grade of the coulee. A professional engineer who would determine the setback based on the slope as well as other factors such as soil stability and erosion potential should calculate the slope or grade. In all cases, the Raymond Irrigation District should be contacted for their comments before an approval is granted.





Schedule 6

**OFF-STREET PARKING AND  
LOADING AREA REQUIREMENTS**

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## OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

### 1. OFF-STREET PARKING

- (a) Parking areas shall be accessible and laid out and delineated in a manner which will provide for orderly parking (see Figure 6a on following page).
- (b) Parking areas shall be constructed in a manner that will permit adequate drainage, snow removal and maintenance and may be hard surfaced if required by the Municipal Planning Commission.
- (c) Each use shall provide and maintain the number of parking spaces as stipulated in Table 1.
- (d) Where the calculated number of required spaces, in accordance with Table 1, results in a fraction, the next larger whole number shall apply.
- (e) Off-street parking may be located in the front yard provided the parking space is not situated directly in front of the residence.
- (f) The Municipal Planning Commission may levy a fee, the value of which will be established by resolution of Council, as a condition of approval in lieu of off-street parking spaces.
- (g) All parking spaces shall be in accordance with the minimum dimensions shown in Figure 6b.

### 2. PARKING FOR THE HANDICAPPED

- (a) The Municipal Planning Commission may require:
  - (i) that the oversized parking spaces for the handicapped be provided in accordance with the size requirements in Figure 6b; and
  - (ii) that at least 5 percent of the required number of parking spaces to a maximum number of 4 spaces be designated for the handicapped.
- (b) Each parking space for the handicapped shall be:
  - (i) located closest to the entrance of the building for which it is intended;
  - (ii) identified by a sign; and
  - (iii) identified by pavement markings if the parking surface is paved.

Figure 6b

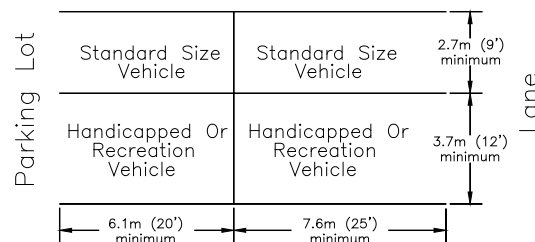
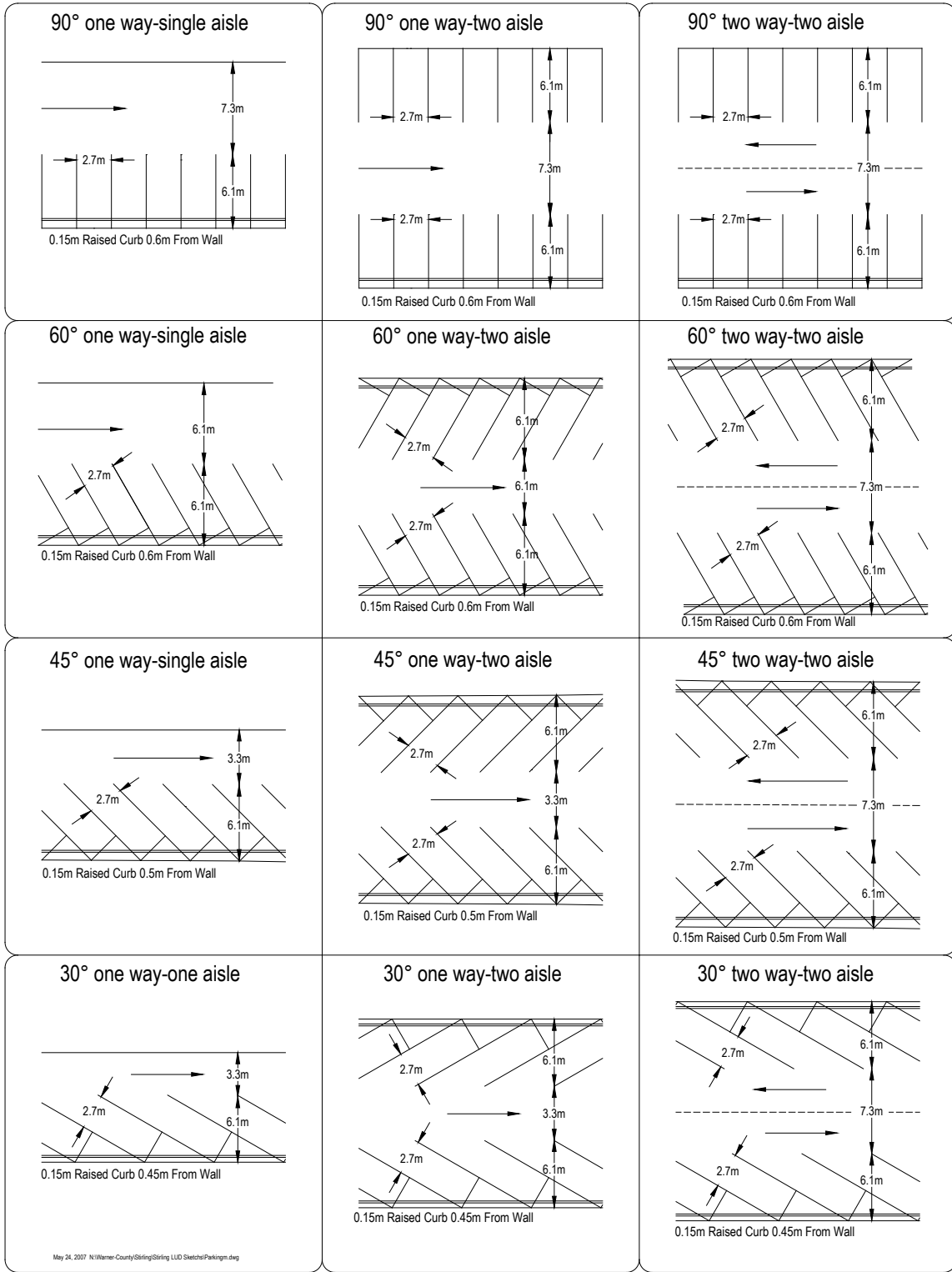


Figure 6a

PARKING LAYOUT ALTERNATIVES-METRES



**Table 1**

<b>Use</b>	<b>Minimum Number of Parking Spaces Required (GFA = Gross Floor Area)</b>
Club and fraternal organization: <ul style="list-style-type: none"> <li>- meeting, assembly, eating, drinking and entertainment components</li> <li>- sports and recreation component</li> </ul>	1 space per 5.0 m <sup>2</sup> (54 ft <sup>2</sup> ) of patron use area plus 1 parking space per employee Same as “Public park or recreation use”
Convenience store	1 space per 27.9 m <sup>2</sup> (300 ft <sup>2</sup> ) GFA
Drive-in restaurant	15 spaces or 1 space per 5.1 m <sup>2</sup> (55 ft <sup>2</sup> ) of dining area, whichever is greater
Dwelling: <ul style="list-style-type: none"> <li>- Single family home, ready-to-move home, modular home and manufactured home</li> <li>- Duplex dwelling</li> <li>- Multiple-family dwelling</li> <li>- All others</li> </ul>	2 spaces per dwelling  2 spaces per dwelling unit 2 spaces per dwelling unit plus visitor parking spaces if required by the MPC As required by the MPC
Education facility: <ul style="list-style-type: none"> <li>- community use component</li> <li>- classroom component</li> </ul>	1 space per 5.1 m <sup>2</sup> (55 ft <sup>2</sup> ) of gymnasium and community meeting area 2 spaces per classroom
Farm machinery sales, rental and service	1 space per 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) GFA
Financial institution	1 space per 37.2 m <sup>2</sup> (400 ft <sup>2</sup> ) GFA
Hospital	1 space per bed
Hospital, auxiliary	1 space per 3 beds
Hotel / Motel: <ul style="list-style-type: none"> <li>- guest room or suites</li> <li>- eating, drinking, entertainment and convention meeting components</li> </ul>	1 space per guest room or suite 1 space per 10.2 m <sup>2</sup> (110 ft <sup>2</sup> ) of patron dining or beverage use area
Industrial	1 space per 65.0 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA; or 1 per 3 employees, whichever is greater, with a minimum of 2 spaces
Medical and dental clinic	1 space per staff member and 2 spaces per examination room
Nursing home	1 space per 5 beds
Office	1 space per 46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) GFA
Place of worship	1 space per 5 seats
Public utility	As required by the MPC

Use	Minimum Number of Parking Spaces Required (GFA = Gross Floor Area)
Restaurant	1 space per 5.1 m <sup>2</sup> (55 ft <sup>2</sup> ) dining and beverage area; 1 space per employee
Retail stores and personal service shops	1 space per 46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) of GFA
Senior citizen housing	1 space per 2.5 dwelling units
Service station	1 space per 39.5 m <sup>2</sup> (425 ft <sup>2</sup> ) GFA
Vehicle sales and rental uses	1 space per 44.1 m <sup>2</sup> (475 ft <sup>2</sup> ) GFA
All other uses	As required by the Municipal Planning Commission

**3. OVER-SIZED VEHICLE PARKING AND MANOEUVRING AISLES**

Where a use or a development may have to accommodate over-sized vehicles such as semi-trailers, large recreation vehicles, buses and similar vehicles, the Municipal Planning Commission may require larger parking space and manoeuvring aisle dimensions.

**4. MINIMUM MANOEUVRING AISLES AND DRIVEWAY WIDTHS**

- (a) Fire lanes 6.1 metres (20 ft).
- (b) Serving two-way truck movements 9.1 metres (30 ft).
- (c) Conventional two-way traffic 7.3 metres (24 ft).

**5. LOADING SPACE REQUIREMENTS**

- (a) There shall be a minimum of one off-street loading area per building in the Commercial and Industrial/Business land use districts.
- (b) The Designated Officer or Municipal Planning Commission may require that off-street loading areas be provided in districts other than Commercial and Industrial/Business if deemed necessary.
- (c) The minimum dimensions for a loading space shall be 3.1 metres (10 ft) by 9.1 metres (30 ft) with an overhead clearance of 4.2 metres (14 ft).
- (b) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.
- (c) The Municipal Planning Commission may consider a joint loading area for adjacent uses if traffic congestion would be relieved.
- (d) Loading space shall be encouraged in off-street locations with lane access at the rear of the principal building or other suitable areas effectively screened from public view by solid fences or other Municipal Planning Commission or Designated Officer approved enclosures.
- (e) All loading areas shall provide a doorway into a building sufficient to meet the needs of the uses within the building.
- (f) Additional doorways may be required by the Municipal Planning Commission.

Schedule 7

**SIGN REGULATIONS**

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## SIGN REGULATIONS

### 1. DEFINITIONS

For the purpose of this bylaw, certain terms or words herein shall be interpreted or defined as follows:

**Sign** means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure or portion thereof which is used primarily to carry, hold, maintain, support or sustain a sign is constructed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, a sign includes posters, panels, boardings and banners.

**Area of a sign** means the total surface area contained within the perimeter of said sign. Frames and structural members not bearing advertising matter shall not be included in computation of surface areas.

**Billboard** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.

**Fascia sign** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building.

**Freestanding sign** means a sign on a standard or column permanently attached to the ground, and which is not connected in any way to any building or other structure.

**Freestanding portable sign** means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

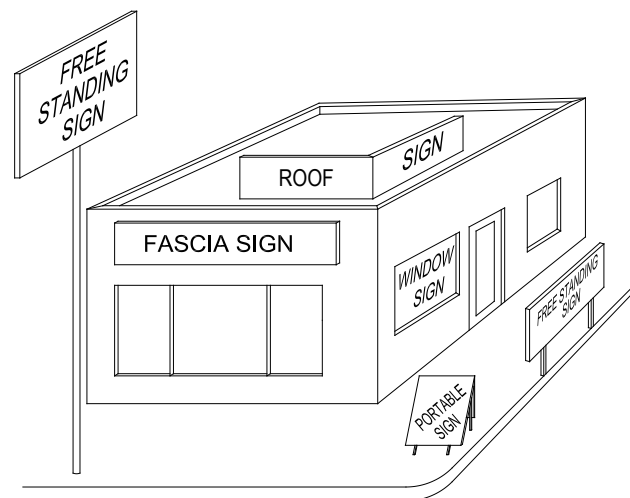
**Merchandising aids** means devices used for the display of merchandise and related advertising material.

**Point-of-sale advertising** means advertising which is related to the name of the occupier or firm, the nature of the business conducted and/or the goods produced, and/or the main products and services sold or obtainable at the premises on which the advertising is displayed.

**Roof** means the top enclosure, above or within the vertical walls of a building.

**Roof sign** means any sign placed on or over a roof.

**Sky sign** means a roof sign comprising individual letters or symbols on an open framework.



## 2. EXEMPTIONS

- (a) The following shall be exempted from the provisions of these sign regulations:
- (i) signs displayed on enclosed land where they are not readily visible to the public;
  - (ii) signs displayed within a building;
  - (iii) signs displayed in or on an operational vehicle;
  - (iv) signs displayed on private residences (name plates) not in excess of 0.2 m<sup>2</sup> (2 ft<sup>2</sup>);
- (b) The following specified signs are also exempted from these sign regulations and may be erected without further application being made to the Municipal Planning Commission, provided that the permission hereby granted in respect of any such signs specified below, shall be subject to any conditions or limitations specified in the case of the particular signs, and be subject to all other orders, bylaws and regulations affecting such signs:
- (i) statutory and official notices and functional advertisements of local authorities and public transport authorities;
  - (ii) traffic and directional signs authorized by Council;
  - (iii) notices of identification in respect of the land or building on which they are displayed, and professional business and trade name plates related to the occupants of the land or buildings on which they are displayed, provided that:
    - each notice or name plate shall not exceed 0.2 m<sup>2</sup> in area (2 ft<sup>2</sup>);
    - there shall be a limit of one notice for each occupant of each firm or company represented within the building, at one entrance on each different street;
  - (iv) notices relating to the sale, lease, or rental of the buildings, or land to which they are attached, provided that:
    - the notice shall not be illuminated;
    - each notice shall not exceed 0.4 m<sup>2</sup> (4 ft<sup>2</sup>) in area;
    - there shall be a limit of one notice for each of the land or buildings on a different street;
  - (v) posters relating specifically to a pending election, provided that such posters shall be removed within 14 days after the election;
  - (vi) notices of land or buildings used for religious, educational, cultural, recreational, medical or similar public or quasi-public purposes, provided that:
    - each notice shall not exceed 1.1 m<sup>2</sup> (12 ft<sup>2</sup>) in area;
    - there shall be a limit of one notice for each side of the land or buildings on a different street;
  - (vii) signs of building contractors relating to constructional work in progress on the land on which such signs are erected, provided that:
    - such signs shall be removed within 14 days of occupancy;
    - such signs shall be limited in size to a maximum of 6.0 m<sup>2</sup> (65 ft<sup>2</sup>) and in number to one sign for each boundary of the property under construction which fronts onto a public street;
  - (viii) temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
    - the signs shall not be illuminated and shall be constructed of paper, canvas, cardboard, or other light materials or painted on glass and intended to be displayed for a short period of time only;
    - such signs shall not be erected more than 7 days before the commencement of the sale to which they refer and shall be removed within 8 days of the completion of the said sale;
  - (ix) freestanding portable signs advertising a vacant premises are exempted, provided that:
    - such signs shall be removed within 14 days of occupancy;
    - the overall height of the sign shall not be greater than 1.2 metres (4 ft) above ground level;
    - the maximum area of the sign shall not exceed 1.1 m<sup>2</sup> (12 ft<sup>2</sup>);

- (x) signs on merchandising aids are exempted, provided that:
  - any device shall be placed wholly within the property lines;
  - the overall height of any sign shall not be greater than 1.8 metres (6 ft) above ground level;
  - the maximum area of any sign shall not exceed 1.1 m<sup>2</sup> (12 ft<sup>2</sup>).

### **3. DETAILS OF APPLICATION**

- (a) Applications for a development permit shall be made to the Designated Officer. The application shall be:
  - (i) made out on the official form provided by the Designated Officer;
  - (ii) supported by two copies of drawings drawn to scale. Where a building is involved, the scale shall not be smaller than 1:100. In the case of a plot plan, the scale shall not be smaller than 1:360;
  - (iii) The drawings shall indicate:
    - the location of the sign by elevational drawing or plot plan;
    - the overall dimensions of the sign;
    - the size of the letters or letter;
    - the amount of projection from the face of the building;
    - the amount of projection over town property;
    - the height of the sign above the town street or sidewalk, or the height above the average ground level at the face of the building;
    - the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction;
    - the least distance that the sign will be erected from an intersection of one street with another; also, the least distance from any device for the control of traffic at such an intersection.
- (b) No person shall perform any work of erection or of placing a sign differing from or enlarging the work for which a development permit has been issued. If during the progress of the work, the applicant desires to deviate in any way from the terms of the original approved development permit, he shall notify the Designated Officer and submit amended drawings, and if necessary shall make application to the Designated Officer for approval of the plans as amended.
- (c) A development permit shall not be required to clean, repair or repaint any sign.

### **4. GENERAL PROVISIONS**

- (a) All proposed signs, with the exception of the exemptions as provided for in section 2, shall be authorized by the Municipal Planning Commission prior to erection or construction.
- (b) All signs shall contain "point-of-sale advertising" only, as desired.
- (c) No sign shall be permitted which is attached to a fence, pole, tree or any object in a public street or place.
- (d) No sign shall be permitted which is attached to or standing on the ground in any public street or place.
- (e) No signs shall be erected so as to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device.
- (f) All signs shall be maintained in a safe and tidy manner to the satisfaction of the Municipal Planning Commission.

**5. BILLBOARD SIGNS**

Billboard signs are not permitted.

**6. FASCIA SIGNS AND FREESTANDING SIGNS**

Fascia, freestanding, and freestanding portable signs are permitted subject to the following limitations:

- (a) Not more than 2 signs shall be installed on the premises.
- (b) No fascia or freestanding sign or combination of 2 signs on single premises shall be in excess of 11 m<sup>2</sup> (118 ft<sup>2</sup>) in area. Each sign may be double-faced.
- (c) No freestanding portable sign shall be in excess of 1.5 m<sup>2</sup> (16 ft<sup>2</sup>).
- (d) No sign shall be illuminated unless the source of light is steady and suitably shielded.
- (e) The maximum height of any freestanding sign shall be 6 metres (20 ft).
- (f) The maximum height of any freestanding portable sign shall be 1.5 metres (5 ft).
- (g) No sign shall create a visual obstruction to traffic.

**7. ROOF AND SKY SIGNS**

Roof and sky signs in commercial and industrial districts shall be considered by the Municipal Planning Commission according to the merits of each individual application, provided that:

- (a) the Municipal Planning Commission shall be satisfied that the purpose of the sign cannot be achieved by another type of sign; and
- (b) the sign must refer to the principal use of the building on which it is erected.

**8. VARIANCES**

If there are exceptional circumstances or conditions applicable to a particular property where the strict and literal interpretation and enforcement of these regulations would create practical difficulties, the Municipal Planning Commission may consider issuing a variance based on the merits of the individual application.

**9. EXISTING SIGNS**

These Sign Regulations shall not be applied to signs legally in existence at the date of the adoption of this bylaw.

Schedule 8

**HOME OCCUPATIONS**

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## HOME OCCUPATIONS

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### 1. INTENT

The intent of this schedule is to provide regulations respecting Home Occupations, as defined, in accordance with the following objectives:

- (a) to protect residential areas and districts from incompatible non-residential land uses;
- (b) to ensure that commercial and industrial/business uses are located in appropriate districts.

### 2. CLASSIFICATION

Home occupations are classified as follows:

#### (a) Home Occupation – Office

A small-scale home business incidental to the residential use of the lot that:

- (i) is contained entirely within the principal residence;
- (ii) consists of phone and office use only; and
- (iii) does not involve:
  - (1) the use of an accessory building or garage;
  - (2) non-resident employees;
  - (3) the use of a vehicle associated with the home occupation; or
  - (4) customer/client visits to the residence.

#### (b) Home Occupation – Minor

A small-scale home business incidental to the residential use of the lot that:

- (i) is contained entirely within the principal residence;
- (ii) does not involve the use of an accessory building or garage; and
- (iii) may involve:
  - (1) 1 non-resident employee;
  - (2) the use of 1 vehicle associated with the home occupation in accordance with section (d);
  - (3) up to 10 customer/client visits per week.

#### (c) Home Occupation – Major

A small-scale home business incidental to the residential use of the lot that does not meet the criteria for Home Occupation – Office or Home Occupation – Minor and involves any of the following:

- (i) the use of the principal residence;
- (ii) the use of an accessory building or garage;
- (iii) more than 1 non-resident employee;
- (iv) the use of more than 1 vehicle associated with the home occupation in accordance with section (d);
- (v) more than 10 customer/client visits per week.

### **3. PERMIT AND LICENSE REQUIREMENTS**

- (a) All home occupations are required to obtain a business license from the Village of Stirling in order to operate within its municipal boundaries.
- (b) A Home Occupation – Office does not require a development permit, but must otherwise comply with all other provisions of this bylaw. This exemption does not negate the requirement for the applicant to obtain all other applicable permits under the Safety Codes Act and any other provincial or federal statute.
- (c) A Home Occupation – Minor and a Home Occupation – Major shall require a development permit. The following additional information shall be submitted with a development permit application:
  - (i) proof of ownership and residency, or signature of the registered land owner;
  - (ii) description of business;
  - (iii) materials, equipment and/or vehicles that will be used for the home occupation;
  - (iv) number of resident and non-resident employees;
  - (v) estimated number of customer/client visits per day, including deliveries;
  - (vi) number of parking spaces on the property; and
  - (vii) the dimensions, materials and location of the sign proposed for the home occupation.

### **4. GENERAL STANDARDS**

All home occupations are subject to the following standards:

- (a) A home occupation shall only be approved for a lot with an existing principal residence.
- (b) A home occupation shall be incidental and subordinate to the residential use of the dwelling and shall not change the external appearance or character of the dwelling, accessory building or land.
- (c) A home occupation shall not be permitted if the Development Authority decides the use will:
  - (i) materially interfere with, or affect the use, enjoyment or value of neighbouring properties;
  - (ii) include any activity or house any material readily discernible, under normal public scrutiny, from abutting or adjoining lands or roadways;
  - (iii) produce offensive noise, vibration, electrical interference, dust, odour, heat, glare or other nuisance discernible beyond the lot boundaries;
  - (iv) cause an increase in the demand placed on one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation significantly exceeds the average for residences in the area;
  - (v) change the fire rating of the structure or premises upon which it is located;
  - (vi) involve toxic, hazardous or harmful materials or wastes;
  - (vii) involve the outdoor storage or display of goods or equipment;
  - (viii) generate more vehicular or pedestrian traffic and more vehicular parking than normal within the immediate neighbourhood;
  - (ix) involve the parking of any commercial trailers on site or on public roadways in residential areas.
- (d) Any vehicle associated with a home occupation is limited to:
  - (i) a passenger vehicle; or
  - (ii) a truck or van, excluding a cube van, with a maximum loading capacity not exceeding 1000 kg (1 tonne), or a length of 6 metres (20 ft).
- (e) Signage advertising a home occupation is limited to one sign not exceeding 0.2 m<sup>2</sup> (2 ft<sup>2</sup>) in size and must be in compliance with Schedule 7 – Sign Regulations.
- (f) An approved development permit for a home occupation shall only be valid for the period of time the property is occupied as the applicant's full-time residence and is not transferable to another



property or person. An approved development permit for a home occupation is also subject to the requirements in Administration sections 44-47.

- (g) Unless otherwise approved by the Municipal Planning Commission, not more than one home occupation shall be allowed for any one dwelling or lot.
- (h) All development permits issued for home occupations may, in addition to standard development permit conditions, be subject to conditions that regulate:
  - (i) hours of operation;
  - (ii) number of customer/client visits;
  - (iii) provision of on-site parking;
  - (iv) screening and landscaping requirements; and
  - (v) any other condition necessary to mitigate potential negative impacts on adjacent properties and ensure compatibility with the residential area.
- (i) Any change to an approved home occupation requires a new development permit application.
- (j) The Designated Officer or Municipal Planning Commission may, at their discretion, issue a temporary development permit for a home occupation.



Schedule 9

**MOVED-IN BUILDING STANDARDS**

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## **MOVED-IN BUILDING STANDARDS**

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The intent of this schedule is to ensure that moved-in buildings and shipping containers, through the adherence to building conditions and regulations, do not create a land use conflict.

### **MOVED-IN BUILDING STANDARDS**

All moved-in buildings shall comply with the following:

1. A report by a qualified assessor and building inspector acceptable to the Municipal Planning Commission and recent colour photographs of all exterior sides shall be filed before any application will be considered.
2. The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular district as set out in this bylaw.
3. The building, when completed, shall meet all requirements of the Safety Codes Act.
4. The value of the completed building shall be comparable to, or better than the average value of the other buildings in the immediate area.
5. The applicant shall submit a plan for access, landscaping and building exterior improvements with the initial application.
6. The building shall comply with all provincial health and fire regulations and with all applicable municipal bylaws.
7. The building shall not be moved until the expiration of the appeal period as set in this bylaw.
8. The Municipal Planning Commission shall establish a limit for the time of completion and full compliance with all stipulated requirements at the time of the approval of the application not to exceed one year.
9. The Municipal Planning Commission shall require a deposit to the Village of Stirling to be made by the applicant in the following amounts:
  - accessory structure with a value of up to \$9,999.99 ..... \$1000.00 deposit
  - accessory structure/building with a value of \$10,000.00 to \$49,999.99 ..... \$5000.00 deposit
  - building with a value of \$50,000.00 or greater ..... \$15,000.00 deposit
10. A final inspection and report by the building inspector and/or Designated Officer shall be made to establish full compliance with all requirements for the issuance of an occupancy permit and for return of the applicant's deposit.

### **SHIPPING CONTAINER STANDARDS**

All shipping containers shall comply with the following:

1. A development permit application for a shipping container shall be accompanied by the following additional information:
  - (a) recent colour photographs of all sides of the shipping container; and

- (b) documentation that the shipping container is needed in connection with construction of a development for which a development permit has been issued, or to support construction activities that may not require a development permit relating to maintenance, repair or renovation, flood damage, sewer back-up, fire damage or other similar circumstances.
2. There shall be an approved principal building or use on the lot where the shipping container is proposed.
  3. Painting and landscaping or screening of the shipping container may be required as a condition of the development permit.
  4. Only a temporary development permit may be issued for a shipping container. The time period for which the temporary permit is valid shall be regulated as a condition of development and shall not exceed one year.
  5. Removal of the shipping container at the expiration of the permit shall be at the cost of the applicant. The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing the removal of the container and/or compliance with the conditions of the permit.

Schedule 10

**REDESIGNATION CRITERIA**

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## REDESIGNATION CRITERIA

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### A. GENERAL

1. A request for a redesignation from one land use district to another shall be accompanied by:
  - (a) a completed application form and applicable fee;
  - (b) geotechnical information prepared by an engineer to prove soil stability if the application is on property considered by the Designated Officer or Municipal Planning Commission to have potential stability problems;
  - (c) preliminary subdivision design proposal, if appropriate;
  - (d) preliminary proposals for servicing;
  - (e) a technical evaluation of surface drainage which may include adjacent properties if warranted by the Designated Officer or Municipal Planning Commission; and
  - (f) any other information as deemed necessary by the Designated Officer or Municipal Planning Commission to properly evaluate the application.
2. An area structure plan or design scheme may be required where:
  - (a) more than one owner is involved;
  - (b) several pieces of fragmented land are adjacent to the proposal;
  - (c) more than four lots are to be created;
  - (d) when internal public roads are required.
3. Requests for redesignation shall be circulated to appropriate provincial and federal government departments and agencies and, if applicable, the County of Warner and Raymond Irrigation District.
4. Requests for redesignation shall be circulated pursuant to section 692 of the Municipal Government Act and Council shall consider any comments received.

### B. LAND USE DISTRICT REQUIREMENTS

1. When redesignating land from one land use district to another, Council should consider the following when making a decision:
  - (a) the safe and efficient use of public roads and/or provincial highways;
  - (b) traffic flow changes and parking requirements;
  - (c) amount of developable land on site;
  - (d) municipal servicing availability and capacity;
  - (e) compatibility with adjacent uses;
  - (f) setback distances contained in the Subdivision and Development Regulation;
  - (g) Municipal Development Plan policies concerning future directions of growth and land uses.

2. As each land use district contains permitted and discretionary uses, Council should consider that once a parcel of land is redesignated, any of the permitted uses in that district should be suitable on the site.

Schedule 11

**SOLAR COLLECTOR SYSTEMS**

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## SOLAR COLLECTOR STANDARDS

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### 1. CLASSIFICATION

Solar collector systems are classified as follows:

- (a) **Solar collector household system** – means a solar energy system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal, or chemical energy that is primarily intended for sole use and consumption by the landowner, resident or occupant. Solar panels may be mounted or affixed to the roof of a principal and/or accessory building (**solar collector household system - roof mounted**), the wall of a principal and/or accessory building (**solar collector household system - wall mounted**), or the ground as a free-standing structure (**solar collector household system - ground mounted**).
- (b) **Solar collector industrial system** – means a solar energy system comprising a grouping of multiple devices, panels or structures to collect energy from the sun and convert it to energy that is intended for off-site consumption and commercial connection to the provincial electrical grid or distribution system.

### 2. DEVELOPMENT PERMIT REQUIREMENTS

- (a) A development permit application for a solar collector household system (all types) shall be accompanied by the following additional information:
  - (i) documentation demonstrating the system is designed to produce energy primarily for the sole use and consumption by the landowner, resident, or occupant;
  - (ii) manufacturer's specifications for system design and rated output;
  - (iii) number and orientation of solar panels;
  - (iv) for panels mounted to the roof of a building or affixed to the wall of a building, a description of how the panels are to be mounted or affixed, maximum projection from roof or wall, and structural capacity of the building to support the proposed development (a report prepared by a structural engineer may be required);
  - (v) for free-standing solar panels, a description of the proposed ground mount design and maximum height from existing grade and
  - (iv) any additional information required by the Development Officer, including but not limited to information regarding general public safety and security measures; site suitability analysis; compatibility with surrounding land uses; potential visual impacts; impacts to future development potential; preliminary grading and drainage plans; emergency management plans; decommissioning plans; environmental assessment review; other studies and reports to demonstrate site suitability and impact mitigation.
- (b) A development permit application for a solar collector industrial system shall be accompanied by the following additional information:
  - (i) a site suitability analysis including but not limited to: topography; access; compatibility with surrounding land uses; environmental features; identification of any sensitive environmental or topographical features on or abutting the site; potential visual and noise impacts; stormwater management; and if applicable, water supply, sewage disposal and solid waste disposal;
  - (ii) information regarding setbacks from property lines and proximity to structures or uses on the site and adjacent parcels of land;

- (iii) detailed information about the system type, number of structures, height of structures, estimated reflection produced, estimated noise produced, and the energy process and rated output;
- (iv) preliminary grading and drainage plan, including a site construction/grading plan with details on proposed management practices for any soil stripping and erosion control;
- (v) access to and potential impacts to public roads;
- (vi) plans and methods of weed control;
- (vii) information regarding general public safety and security measures;
- (viii) decommissioning plan; and
- (ix) if required by the Development Authority, an Environmental Assessment Review prepared by a qualified professional and other studies and reports to demonstrate site suitability and impact mitigation.

### **3. GENERAL STANDARDS**

- (a) A solar collector household system mounted or affixed to the roof of a principal or an accessory building:
  - (i) may project a maximum of 1.22 m (4 ft) from the surface of the roof and is subject to the maximum building height requirements in the applicable land use district;
  - (ii) must not extend beyond the outermost edge of the roof; and
  - (iii) must be located such that it does not create undue glare on neighbouring lots or public roadways.
- (b) A solar collector household system mounted or affixed to the wall of a principal or an accessory building:
  - (i) is subject to the minimum setback requirements for principal and accessory buildings in the applicable land use district;
  - (iii) must be located such that it does not create undue glare on neighbouring lots or public roadways; and
  - (ii) the maximum number, location and projection of solar panels shall be as prescribed by the Development Authority.
- (c) A solar collector household system mounted or affixed to the ground:
  - (i) must be located such that it does not create undue glare on neighbouring lots or public roadways; and
  - (ii) the minimum setback requirements and maximum number and height of solar panels and associated equipment are as prescribed by the Development Authority.
- (d) A solar collector industrial system:
  - (i) must be located such that it does not create undue glare on neighbouring lots or public roadways; and
  - (ii) the minimum setback requirements and maximum number and height of solar panels and associated equipment are as prescribed by the Development Authority.

Schedule 12

**DEFINITIONS**

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## DEFINITIONS

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The following is a list of definitions referred to in the Land Use Bylaw of the Village of Stirling:

### A

**Accessory building** means a building or structure:

- (a) which is separate from the principal building on the lot on which both are located and the use of which the Designated Officer or Municipal Planning Commission decides is normally subordinate and incidental to that of the principal building; or
- (b) the use of which the Designated Officer or Municipal Planning Commission decides is normally subordinate and incidental to that of the principal use of the site on which it is located.

A principal building or use must be established to the satisfaction of the Designated Officer or Municipal Planning Commission before an accessory building can be approved.

**Accessory use** means a use of a building or site that the Designated Officer or Municipal Planning Commission decides is normally subordinate and incidental to the principal use of the building or site. A principal building or use must be established to the satisfaction of the Designated Officer or Municipal Planning Commission before an accessory use can be approved.

**Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and subsequent amendments.

**Additions to existing buildings** means a physical expansion of the footprint of a building that currently conforms with this bylaw in terms of measurable standards and requirements and in terms of use. If a waiver has been issued previously for a measurable standard or if it was constructed prior to the standards of this bylaw being in effect, the building would be considered to be conforming.

**Amusement facility** means development for amusement pastimes, and may incorporate eating facilities as an accessory use. This includes amusement arcades, billiard parlours, bingo halls, bowling alleys and any such other uses the Municipal Planning Commission considers similar.

**Area structure plan** means a statutory plan in accordance with the Act and municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

### B

**Basement** means any storey of a building, the ceiling level of which is less than 1.8 metres (6 ft) above the average finished surface level of the surrounding ground.

**Bed and Breakfast** means a home occupation that provides short-term accommodation on a commercial basis, with or without meals, to non-residents.

**Berm** means a dyke-like form used to separate incompatible area or functions, or constructed to protect the site or district from vehicular road or other noise.

**Boarding house** means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where means or lodging for 5 or more persons are provided for compensation pursuant to previous arrangements or agreement.

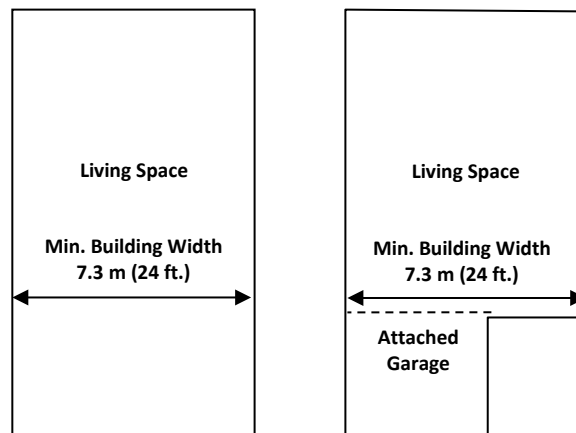
**Building** includes, but is not limited to, any structure used or intended for supporting or sheltering any use or occupancy.

**Building height** means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device but structurally essential to the building.

**Building inspector** means the person or persons appointed by the municipality to be the chief building inspector or building inspectors in and for the Village of Stirling.

**Building supply outlet / lumberyard** means an industrial premise used for storage, milling, and wholesale sales of a broad range of building materials and tools, and which may include a retail operation. This use includes carpet flooring shops, supply shops, and plumbing, heating, sheet metal, electrical supply shops. It may also include fire and safety supplies, paint stores, and hardware and tool stores.

**Building width, minimum** means the minimum horizontal distance of the building's living space measured parallel to the shortest exterior wall of the building and perpendicular to the longest exterior wall of the building, but excludes porches, decks, patios, balconies, carports, garage, unheated storage space, porte-cochere and other similar architectural features.



**Bulk fuel and chemical storage** means development where refined or crude oil, fuel, or liquid or solid chemical is stored, and includes the storage of dangerous/hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act and the Major Industrial Accidents Council of Canada (MAICC). The development may include facilities for cleaning, blending or packaging of bulk oil, fuel or chemicals, but does not include manufacture of any of these products. This includes bulk oil distributor.

## C

**Carport** means a partially enclosed structure intended for the shelter of one or more motor vehicles. Enclosure is limited to the roof and to a height of not greater than 0.9 metres (3 ft) above the ground or finished surface of the carport.

**Campground** means development of land for the use of holiday trailers, motor homes, tents, campers and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses.

**Car and truck wash** means a use, building, or structure where facilities are specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand.

**Cemetery** means development for the entombment of the deceased and may include such facilities as crematories, cinerariums, columbariums, mausoleums, memorial parks, burial grounds, cemeteries and gardens of remembrance.

**Child care facility** means the use of a building or portion thereof for the provision of care, instruction, maintenance or supervision of seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, early childhood services, nurseries and after-school or babysitting programs which meet this definition.

**Commercial recreation** means a facility or building that charges a fee and is not operated by a public body that is used for recreational activities.

**Common wall** means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which from its roof to its lowest level is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

**Comprehensive development** means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provision.

**Condominium** means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest or a tenant in common with other owners.

**Construction supply and Contractor** means development for the operation of a building trade or service, or a materials supplier to the construction industry.

**Corner lot** means a lot located at the intersection or junction of two or more streets (not including lanes).

**Council** means the Council of the Village of Stirling in the Province of Alberta.

## **D**

**Deck** means a platform with or without a roof, walls or railings for use as an outdoor amenity area.

**Designated Officer** means a person authorized by Council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's development authority bylaw.

**Development** has the same meaning as in the Act.

**Development authority** means the Municipal Planning Commission, except in such instances whereby the Designated Officer may be the development authority in accordance with this bylaw.

**Discretionary use** means the one or more uses of land or buildings that are described in Schedule 2 of this Land Use Bylaw as discretionary uses. A development permit may be issued for such use(s) at the discretion of the development authority in accordance with this bylaw.

**District** means a defined area of a municipality as set out in the land use district schedule of uses and indicated on the Land Use District Map.

**Drive-in restaurant** means a restaurant that offers car attendant service or drive-through pickup service.

**Dwelling** means any building used for human habitation and which is supported on a permanent foundation extending below ground level, including garden suites, duplexes, single-detached dwellings, manufactured homes, modular homes, ready-to-move dwellings, secondary suites, semi-detached dwellings, townhouses, multi-unit dwellings, and lodging and boarding houses.

**Dwelling, multi-unit (apartment)** means a building containing three or more separate dwelling units.

**Dwelling, row or town house** means a building containing three or more separate dwelling units with each unit placed side by side and each having a separate front and rear entrance.

**Dwelling, semi-detached (duplex)** means a two-unit residential building on one lot comprised of one dwelling unit joined side by side to one other dwelling unit with a common wall and each dwelling unit having separate entrances.

**Dwelling, single-detached** means a site built building containing a single dwelling unit as the principal use of the building entirely surrounded by open space on the same lot. This does not include manufactured homes, modular homes, ready-to-move homes, moved-in dwellings or moved-in buildings.

## E

**Extensive agriculture** means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing at least 4 ha (10 acres) more or less.

## F

**Farm / industrial machinery sales, rental and service** means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kg tare weight and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

**Farm supplies and service** means the use of land or buildings for the sale, storage and distribution of grain (including grain elevators), livestock feed, fertilizer and chemicals used in agriculture.

**Financial institution** means a development, use, or building that is primarily for the banking or lending of money and other related services. It includes a trust company, chartered bank, and credit union.

**Floor area** means the sum of the horizontal area of all the floors of a building, but does not include basements, unfinished attics, breezeways, attached garages or spaces used for off-street parking or loading, and unenclosed porches or decks.

**Foundation** means the supporting base structure of a building.

**Freestanding telecommunications tower** means an installation consisting of a tower or tower array, supported by a metal tower or support structure, designed for the purpose of the reception or transmission of signals by a telecommunications operator.

## G

**Garage (residential)** means an accessory building designed and used for storage of motor vehicles.

**Garden suite** means a self-contained dwelling unit used or designed to be used as a residence by one or more persons located within a detached building on a lot containing a single-detached dwelling. A garden suite shall be connected to municipal water and sewer services and affixed to a permanent foundation. A garden suite shall be incidental and subordinate to the single-detached dwelling and located to the rear or the side of the single-detached dwelling in a manner which clearly indicates the subordinate nature of the garden suite. A maximum of one garden suite may be permitted. A garden suite is prohibited on a vacant lot or a lot occupied by a: single-detached dwelling containing a secondary suite; manufactured home; semi-detached dwelling; duplex; row or townhouse; or multi-unit dwelling.

**General industrial** means development used principally for one or more of the following activities:

- (a) processing of raw materials;
- (b) 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 would make them incompatible in non-industrial districts.

**Government service** means development providing municipal, provincial or federal government services directly to the public or the community at large, such as courthouses, and includes development required for the public protection of persons or property.

**Grade** means the average elevation of the finished ground or street surface.

**Grain elevator** means a building normally located adjacent to a railway constructed for the purpose of storing harvested cereal crops until such time that the product can be transported to market.

## H

**Home occupation** means the secondary use of a dwelling for a small-scale home business incidental to the residential use of the lot by a full-time occupant of the dwelling for an occupation, trade, profession or craft, which does not change the residential character of the neighbourhood and is in accordance with the home occupation regulations of this bylaw. See Schedule 8 – Home Occupations for definitions of Home occupation – office, Home occupation – minor and Home occupation – major.

**Hospital** means a building providing medical treatment on both an in-patient and out-patient basis and may include provision for outdoor amenity areas, laundry facilities, maintenance buildings and air transport facilities.

**Hotel** means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms that may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities or lounge, dining room, room service or public convention facilities.

## I

**Improvement** means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

**Intensive horticultural operations or facilities** means a use of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms and such other uses that the Municipal Planning Commission considers similar in nature and character to any one or all of these uses.

## K

**Kennel** means where 2 or more domestic pets over the age of 6 months are harboured, maintained boarded, bred, trained or cared for or kept for the purpose of sale but excludes a veterinary clinic.

## L

**Lane** means a public roadway, not exceeding 9.1 metres (30 ft) in width that provides a secondary means of access to a lot.

**Light manufacturing** means the manufacture of products so that there is no evidence of fumes, gases, glare, smoke, vapour or vibration outside the building, and where the noise generated by the use measured at any property line does not exceed 10 decibels.

**Loading area** means a space for parking a commercial vehicle while being loaded or unloaded.

**Lodge** means a building and grounds used as a residence for senior citizens who do not need constant or intensive nursing care but may require personal service and meal provision on a daily or regular basis.

**Lot** means an area of land the boundaries of which are shown on a plan registered in a Land Titles Office, or are described in the Certificate of Title to the land, and that has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office. The words SITE and PARCEL shall have the same meaning as the word LOT.

**Lot area** means the total area of a lot.

**Lot, corner** means a lot located at the intersection or junction of two or more streets.

**Lot, double-fronting or double frontage** means a site abutting two parallel or approximately parallel streets.

**Lot, interior** means a lot other than a corner lot, which is bounded by one street.

**Lot, length** means the distance between the front property boundary and the opposite property boundary, measured along the median between the side property boundaries.

**Lot lines** means the legally defined limits of any lot.

**Lot, width** means the measurement between the side lot lines measured at the front setback line.

## M

**Manufactured home** means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards. The unit is typically constructed with an integrated frame for placement on a permanent surface foundation in conformance with CSA-Z240.10.1 standards and designed in one or two sections for transport, whether on its own wheels or a transport trailer. The unit arrives at the site where it is to be occupied complete and ready for occupancy, except for incidental operations such as placement on an acceptable foundation and removal of any hitch and/or wheels. For the purposes of this bylaw, manufactured home does not include “modular home”, “modular construction” or “ready-to-move home”.

**Medical and dental office** means development providing medical and health care on an outpatient basis. Examples of this use include medical and dental offices, clinics, occupational health and safety offices, counselling services, chiropractic and naturopathic services and such other uses as the Municipal Planning

Commission considers similar in character and nature to any of these uses, but this use excludes dispensaries (which sell pharmaceutical and related medical supplies) as an accessory use.

**Modular home / modular construction** means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in modules or sections. The dwelling unit is transported by transport trailer in sections and delivered to the site where it is intended for occupancy and assembled over a concrete slab or basement foundation. A modular home is not constructed with an integrated longitudinal frame. For the purposes of this bylaw, modular home / modular construction does not include “manufactured home” or “ready-to-move home”.

**Modular home A** means a dwelling unit that meets the definition of modular home/modular construction and is a minimum of 7.3 metres (24 ft) wide and a maximum of 15.2 metres (50 ft) in length.

**Modular home B** means a dwelling unit that meets the definition of modular home/modular construction and is a minimum of 7.3 metres (24 ft) wide and is in excess of 15.2 metres (50 ft) in length.

**Motel** means a building or group of buildings on a site providing separate sleeping units complete with washing and sanitary facilities and with adjoining or conveniently located parking space, designed or operated primarily for the purpose of providing temporary accommodation.

**Motor home** means a motor home intended to provide accommodation for vacation use and equipped to travel on a road.

**Moved-in building** means a conventional, pre-constructed previously occupied building which is physically removed from one site, transported and re-established on another site with a different legal description and does not include manufactured homes, modular homes, moved-in dwellings or ready-to-move homes.

**Moved-in dwelling** means a conventional, pre-constructed previously occupied building which is physically removed from one site, transported and re-established for residential use on another site with a different legal description and does not include manufactured homes, modular homes, ready-to-move homes or moved-in buildings.

**Municipal Development Plan** means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act.

**Municipal Government Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and subsequent amendments.

**Municipal Planning Commission (MPC)** means an appointed body responsible for rendering decisions on subdivision and development applications in a municipality.

**Municipal reserve** means the land specified to be municipal reserve by a subdivision approving authority pursuant to section 661(b) or 666 of the Act.

**Municipal and school reserve** means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to section 661(b) or 666 of the Act.

**Municipality** means the Village of Stirling in the Province of Alberta.

## **N**

**Non-conforming building** in accordance with the Act means a building:

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

**Non-conforming use** in accordance with the Act 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 of a land use bylaw or any amendment thereof, affecting the land or building becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the land use bylaw.

**Noxious or hazardous industries** are those industrial uses which may be detrimental to public health, safety and welfare or those uses which because of their toxic gases, noxious smells, wastes, noise, dust or smoke emissions may be incompatible with residential or other development.

**Nuisance** means any use, prevailing condition or activity which has a detrimental effect on living conditions.

**Nursing home** means a building and grounds used as a residence for senior citizens who require constant and intensive nursing care as well as meal and personal service provisions.

## O

**Off-street loading space** means an open area located in the rear yard space, designed expressly for the parking of haulage vehicles while loading or unloading.

**Office** means development to accommodate professional, managerial or consulting services; the administrative needs of businesses, trades, contractors and other organizations; and service-related businesses such as travel agents and insurance brokers.

**Orientation** means the arranging or facing of a building or other structure with respect to the points of the compass.

**Outdoor storage** means the open storage of goods, merchandise, materials, machinery, vehicles or equipment outside a building.

## P

**Parcel** means the aggregate of the one or more areas of land described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office.

**Parking facility** includes parking areas, parking spaces and parking structures which are defined as follows:

- (a) **Parking area** means a portion of land or of a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.
- (b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.
- (c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether or not above or below the ground.



**Permanent foundation** means a foundation installed to provide structural support for a building or structure in accordance with the current Alberta Building Code. Wood blocking or wood piled footings are not considered permanent foundations for the purpose of this bylaw.

**Permitted use** means:

- (a) any use of land or buildings listed in Schedule 2 as a permitted use; and
- (b) a use which, in accordance with and subject to the Act, shall be issued a development permit with or without conditions, and that conforms with this bylaw.

**Personal services** means a development providing services for personal care and appearance; services for cleaning, servicing, altering and maintenance of personal effects and accessories. Personal service includes barber shops, beauty salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats and such other uses that the Municipal Planning Commission considers similar to any one or all of these uses.

**Place of worship** means a building available for the purpose of assembly and worship and may include a childcare facility, and may also include as accessory uses social recreational and community activities such as group meetings and banquets.

**Principal building** means a building or structure which, in the opinion of the Designated Officer or Municipal Planning Commission:

- (a) is the chief or main building among one or more buildings for which the site is used;
- (b) constitutes, by reason of its use, the primary purpose for which the site is used.

**Principal use** means the primary purpose for which, in the opinion of the Designated Officer or Municipal Planning Commission, a lot or building is used or intended to be used.

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

**Private utility** means any aboveground building or structure essential to the provision of any utility such as, but not limited to, electricity, natural gas and/or telecommunications. Propane tanks/cylinders used for residential heating purposes shall be classified as a private utility. Generation of electricity by means of solar energy is classified as a separate use – refer to solar collector household system and solar collector industrial system.

**Provincial Land Use Policies** means policies established by order of the Lieutenant Governor pursuant to section 622 of the Act.

**Public and institutional use** means a use of land or buildings for any of the following public or semi-public developments:

- (a) a school or educational facility whether public or private, including preschools;
- (b) churches or places of worship;
- (c) medical facilities which provide both in-patient and out-patient services including hospitals, nursing homes and sanatoriums;
- (d) government and municipal offices, libraries, museums and similar developments;
- (e) protective services, including firehalls, police stations and ambulance services; and
- (f) cemeteries;
- (g) community halls.

**Public open space** means land that is not in private ownership and is open to use by the public.

**Public park or recreation use** means a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government.

**Public roadway** means:

(a) in a city, town, new town, village or summer village, the right-of-way of all or any of the following:

- (i) a local road;
- (ii) a service road;
- (iii) a street;
- (iv) an avenue; or
- (v) a lane;

that is public used or intended for public use;

(b) in a county, municipal district, improvement district or special area, the right-of-way of all or any of the following:

- (i) a controlled street or rural road as defined in the Public Highways Development Act; or
- (ii) a service road or a lane that is intended for public use; or

(c) a road, street or highway designated as a secondary road pursuant to the Public Highways Development Act, except those secondary roads numbered between 900 and 999;

and includes a public right-of-way on which no motor vehicle, as defined in the Motor Vehicle Administration Act, is permitted to operate.

**Public utility building or structure** means any above-ground building or structure essential to the provision of the utility as defined in the Act, but excluding those that are exempted by the Act or the Lieutenant Governor in Council pursuant to section 618(4) of the Act. Subject to the Act and the Regulations, a public utility building may include, but is not limited to, sewage treatment facilities, water treatment facilities, telecommunication towers (subject to federal regulations) and sanitary landfill sites.

## R

**Railway** means the right-of-way for a public utility as defined in the Municipal Government Act.

**Ready-to-move home** means a previously unoccupied dwelling unit constructed to the current Alberta Building Code that would normally be constructed on the site intended for occupancy, but for various reasons, is constructed on a construction site, plant site or building yard. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a slab or basement foundation. Ready-to-move- home does not include manufactured homes, modular homes, moved-in-dwellings or moved-in buildings.

**Rear lane** means service access, generally for vehicular traffic at the rear of properties.

**Registered owners** means:

(a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or

(b) in the case of any other land:

- (i) the purchase of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
- (ii) in the absence of a person described in paragraph (i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

**Reserve land** means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

**Restaurant** means development where food and beverages are prepared and served and includes supplementary alcoholic beverage service and supplementary on- or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, take-out restaurants and such other uses as the Municipal Planning Commission considers similar in character and nature to any one of these uses.

**Retail store** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store.

## S

**Schools** means a place of instruction operated with public or private funds pursuant to the School Act.

**Screening** means a fence, wall, berm or hedge used to visually separate areas of functions which detract from the urban street or neighbouring land uses.

**Secondary suite** means a self-contained dwelling unit used or designed to be used as a residence by one or more persons located within a single-detached dwelling. A secondary suite is considered part of and secondary to the single-detached dwelling. A maximum of one secondary suite may be permitted within a single-detached dwelling. A secondary suite is prohibited from being developed in a manufactured home, semi-detached dwelling, duplex, row or townhouse, multi-unit dwelling, garden suite, or in a single-detached dwelling on a lot containing a garden suite.

**Senior citizen housing** means development, including lodges which is used as a residence for elderly individuals not requiring constant or intensive medical care.

**Service station** means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

**Setback** means the distance required between a building, development or use from a property line facing a street.

**Shipping Container** means any container that was used for transport of goods by means of rail, truck or by sea. These containers are rectangular in shape and are generally made of metal.

**Sign** – as defined in Schedule 7 of this bylaw.

**Similar use** means a use of land or building(s) for a purpose that is not provided in any district designated in this bylaw, but is deemed by the Subdivision and Development Approving Authority to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**Site** means that part of a parcel or a group of parcels on which a development exists or for which an application for a development permit is being made.

**Site coverage** means that portion of a lot, expressed as a percentage, which is covered by all buildings and structures, excluding uncovered or unenclosed porches and decks.

**Solar collector household system** means a solar energy system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal, or chemical energy that is primarily intended for sole use and consumption by the landowner, resident or occupant. Solar panels may be mounted or affixed to the roof of a principal and/or accessory building (**solar collector household system - roof mounted**), the wall of a principal and/or accessory building (**solar collector household system - wall mounted**), or the ground as a free-standing structure (**solar collector household system - ground mounted**).

**Solar collector industrial system** means a solar energy system comprising a grouping of multiple devices, panels or structures to collect energy from the sun and convert it to energy that is intended for off-site consumption and commercial connection to the provincial electrical grid or distribution system.

**Stop order** means an order issued by the development authority pursuant to section 645 of the Act.

**Storey** means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

**Street** means a public thoroughfare afforded the principal means of access to abutting parcels and includes the sidewalks and the land on each side of and contiguous to the prepared surface of the thoroughfare and owned by the municipality.

**Structure** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, and signs.

**Subdivision/Subdivide** means the division of a parcel by an instrument.

**Subdivision and Development Appeal Board (SDAB)** means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development.

**Subdivision and Development Regulation** means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the Act.

## T

**Tourist information services and facilities** means the use of a parcel of land or a building to provide information to the travelling public and may include washrooms and picnic facilities.

**Travel trailer** means a trailer intended to provide accommodation for vacation use and equipped to travel on a road.

## V

**Vehicle sales and rental** means the sale of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks. It may include supplementary vehicle

maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel as well as autobody and automotive repair if these are accessory to the principal use.

**Veterinary clinics:**

**Veterinary clinic, large and small animals** refers to a veterinary clinic which treats animals of all sizes and can consist of inside and outside pens.

**Veterinary clinic, small animals only** refers to a veterinary clinic that treats only small animals with no provision for outside pens or cages.

**W**

**Waiver or variance** means permission granted by the approving authority to do something contrary to the usual ruling or zoning.

**Warehouse** means the use of a building or portion thereof for the storage and distribution of materials, goods or products, but does not include a retail component.

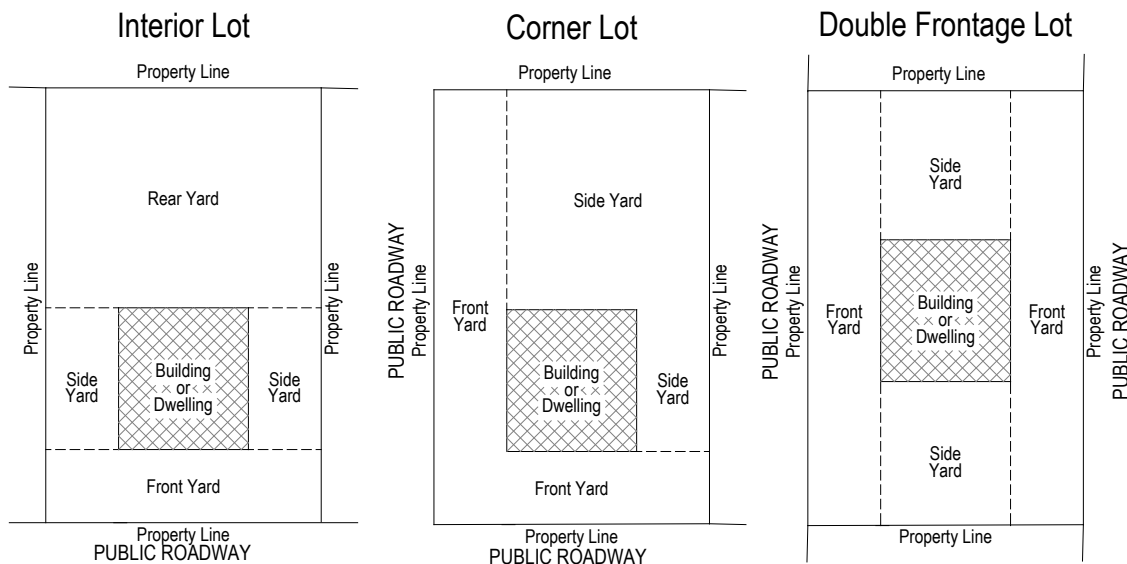
**Y**

**Yard** means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted.

**Yard, front** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal buildings.

**Yard, rear** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.

**Yard, side** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.



**NOTE:** All other words and expressions, not otherwise defined, have the same meaning as in the Act.



APPENDIX A  
FEE SCHEDULE

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**FEE SCHEDULE**

1. Every application for a development permit shall be accompanied by the following fee(s):
  - (a) **RESIDENTIAL USES**
    - single family and two family dwellings..... \$25
    - additions to existing residences..... \$15
    - multi-family dwellings (for the purpose of this section the total number of dwelling units in the complex will be used to determine the fee
      - 3-10 units ..... \$50
      - 11-20 units ..... \$100
    - discretionary use or request for waiver – an additional fee of \$125
  - (b) **COMMERCIAL USES**
    - change of occupancy..... \$50
    - commercial buildings
      - under 21.5 m<sup>2</sup> (231 ft<sup>2</sup>)..... \$50
      - 21.6 - 43 m<sup>2</sup> (232 - 463 ft<sup>2</sup>)..... \$100
      - over 43 m<sup>2</sup>..... \$200
    - discretionary use or request for waiver – an additional fee of \$125
  - (c) **INDUSTRIAL USES**
    - change of occupancy..... \$50
    - industrial and warehousing buildings
      - under 21.5 m<sup>2</sup> (231 ft<sup>2</sup>)..... \$50
      - 21.6 - 43 m<sup>2</sup> (232 - 463 ft<sup>2</sup>)..... \$100
      - over 43 m<sup>2</sup>..... \$200
    - discretionary use or request for waiver – an additional fee of \$125
  - (d) **MISCELLANEOUS USES**
    - public service buildings (such as churches, schools, auditoriums, fire halls police stations, etc.)
      - under 30 m<sup>2</sup> (323 ft<sup>2</sup>) ..... \$100
      - over 30.1 m<sup>2</sup> (324 ft<sup>2</sup>) ..... \$200
    - government office buildings shall be regarded as commercial buildings for the purpose of determining fees
    - sign permits ..... \$5
    - accessory buildings or structures ..... \$15
    - discretionary use or request for waiver – an additional fee of \$100
2. Requests for a Land Use Bylaw Amendment, Statutory Plan, or Statutory Plan Amendment shall be accompanied by a fee of \$500.
3. Requests for an appeal to the Subdivision and Development Appeal Board shall be accompanied by a fee of \$300 (\$150 will be refunded for successful appeals).

**NOTES:**

- a. In any case, where the required fee is not listed in the fee schedule, such fee shall be determined by the Designated Officer and shall be consistent with those fees listed in the schedule for similar developments.
- b. Where, in the opinion of the Designated Officer, the application is substantially revised, the applicant, prior to reconsideration of the application, shall pay, in addition to the fee specified, a fee equal to 50 percent of the initial application fee, except that such additional fee shall not be required in instances where improvements are suggested by the Designated Officer, resulting in substantial revisions.
- c. When a development has commenced prior to a development application being made, and the applicant subsequently submits an application, the fee charged shall be double the normal permit fee.
- d. The Fee Schedule may be amended by resolution of Council.

APPENDIX B  
DEVELOPMENT APPLICATIONS  
– INFORMATION AND FORMS

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**DEVELOPMENT APPLICATIONS  
– INFORMATION AND FORMS**

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**1. MANDATORY INFORMATION – ALL DISTRICTS AND USES**

An applicant for a development permit shall submit to the Designated Officer:

- (a) a completed development application, signed by the registered owner or his authorized representative;
- (b) a surveyor's sketch or a real property report prepared by an Alberta Land Surveyor, or a site plan acceptable to the Designated officer showing:
  - (i) a north arrow and scale;
  - (ii) the legal description of the lot with the municipal address, where relevant;
  - (iii) the lot boundaries;
  - (iv) the location of all existing and proposed buildings, structures, signs and easements including their distances from lot boundaries;
  - (v) all adjoining public roadways, including lanes;
  - (vi) existing and proposed driveways, vehicular accesses, parking areas, loading bays and refuse confinement areas;
  - (vii) public utility service connections;
  - (viii) existing and proposed private sewage disposal systems if applicable; and
  - (ix) notable topographic features, including wetlands, depressions and watercourses;
- (c) the height of all proposed development, buildings and structures including signs, accessory buildings and fences;
- (d) any other information required by the bylaw for specific uses (e.g., shipping containers, home occupations, etc.);
- (e) a drainage plan, professionally prepared, when development of a vacant lot is proposed;
- (f) a general description of the proposed development and its purpose.

**2. ADDITIONAL INFORMATION**

To evaluate an application, the Designated Officer or the Municipal Planning Commission may also require:

- (a) a landscaping plan, prepared by a landscape architect, showing the location and other details of all existing and proposed landscaping and contours;
- (b) a set of building plans, drawn to scale, showing the floor plans including the front, rear and side elevations of any proposed building, as well as the colour and materials proposed for its exterior finish;
- (c) drainage plans, existing and proposed grades, servicing and infrastructure plans, soils analysis, geotechnical reports or other reports regarding site suitability; and/or
- (d) any other information as may be deemed necessary by the Designated Officer or the Municipal Planning Commission to properly evaluate the application.



<b>Application No.</b>
<b>Date Received:</b>
<b>Received By:</b>

FORM A  
**VILLAGE OF STIRLING**  
**DEVELOPMENT**  
**APPLICATION**

<b>Land Use District:</b>
<b>Plans Attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Application Fee:</b> (Non-Refundable)

I/WE hereby make application under the provisions of the LAND USE BYLAW NO. 415-08 to develop or use land and/or buildings in accordance with the plans and information submitted, which form a part of this application.

<b>APPLICANT'S NAME:</b> _____	<b>PHONE:</b> _____
<b>ADDRESS:</b> _____	<b>BOX #:</b> _____
<b>REGISTERED OWNER'S NAME:</b> _____	<b>PHONE:</b> _____
<b>ADDRESS:</b> _____	<b>BOX #:</b> _____
<b>PROPOSED DEVELOPMENT</b>	
<b>STREET ADDRESS:</b> _____	<b>POSTAL CODE:</b> _____
<b>MAILING ADDRESS:</b> _____	<b>BOX #:</b> _____
<b>LEGAL DESCRIPTION:</b> Lot(s) _____ Block _____ Plan _____	
<input type="checkbox"/> <b>CORNER LOT</b> <input type="checkbox"/> <b>INTERIOR LOT</b>	
<b>EXISTING USE:</b> _____	
<b>PROPOSED USE:</b> _____	
<b>MAIN BUILDING:</b> Floor area _____ Percentage of lot occupied _____ Height _____	
<b>SETBACK:</b> Front yard _____ Rear yard _____ Side yard _____ and _____	
<b>ACCESSORY BUILDINGS:</b> Total floor area _____ Percentage of lot occupied _____ Height _____	
<b>SETBACK:</b> Rear yard _____ Side yard _____ and _____	
<b>OFF-STREET PARKING:</b> No. of spaces _____ Size of space _____	
<b>OFF-STREET LOADING:</b> No. of spaces _____ Size of space _____	
<b>REQUESTED DURATION OF APPROVAL:</b> <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary	
<b>ESTIMATED DATE, COMMENCEMENT:</b> _____	
<b>ESTIMATED DATE, COMPLETION:</b> _____	
<b>ESTIMATED VALUE OF DEVELOPMENT (\$):</b> _____	
<b>ADDITIONAL INFORMATION – (PROPOSED HOME OCCUPATION ONLY)</b>	
<b>TYPE OF OPERATION:</b> <input type="checkbox"/> Phone and office <input type="checkbox"/> Retail sales or services <input type="checkbox"/> Other	
<b>LOCATION ON SITE:</b> <input type="checkbox"/> Main building <input type="checkbox"/> Accessory building <input type="checkbox"/> Outside	
<b>SUMMARY OF PROPOSED HOME OCCUPATION:</b> _____	

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the owner of the land described above is aware of this application. I further authorize representatives of the Village to enter my land for purposes of a site visit in connection with my application for development.

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**SEE IMPORTANT INFORMATION ON REVERSE**

**TERMS AND INFORMATION AFFECTING DEVELOPMENT APPLICATION**

<b>DEVELOPMENT DEFINED</b>	Subject to the provisions of the Land Use Bylaw No. 415-08 of the Village of Stirling, the term "development" includes the making of any change in the use of buildings or land.
<b>ADDITIONAL INFORMATION</b>	Additional information such as building elevations, photographs, studies and reports, etc. may be required prior to a decision being made on this application (also see Appendix B of the Land Use Bylaw).
<b>LIMITATIONS OF INFORMATION</b>	Although the Designated Officer may provide information related to proposed development, this does not comprise or imply approval, and is without prejudice to the decision made on any application. Any development or use undertaken before a development permit is issued is at the applicant's own risk.
<b>DEEMED REFUSAL</b>	An application for a development permit shall, at the option of the applicant, be deemed refused if no decision is made within 40 days from the receipt of the application in its complete and final form, or within such longer period of time as the applicant may agree to through an extension agreement.
<b>RESUBMITTAL</b>	If an application for a development permit is refused by the Designated Officer, Municipal Planning Commission, or on appeal by the Village of Stirling Subdivision and Development Appeal Board, another application for a development on the same lot for the same or similar use may not be made for at least six months after the date of refusal.



Application No.

FORM B

**VILLAGE OF STIRLING  
NOTICE OF DEVELOPMENT HEARING  
Land Use Bylaw No. 415-08**

Please take notice that an application has been made for a development permit for the following:

**LEGAL DESCRIPTION OF SITE:**

**PLACE OF HEARING:** \_\_\_\_\_

**TIME OF HEARING:** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

Any person affected by the said proposal has the right to present a written brief prior to the hearing and to be present and be heard at the hearing.

Persons requesting to be heard at the hearing shall submit briefs to the Designated Officer not later than \_\_\_\_\_ (a.m./p.m.) on \_\_\_\_\_ .

**Date:** \_\_\_\_\_

**Signed:** \_\_\_\_\_  
*Designated Officer*



Application No.

FORM C

Permit No.

**VILLAGE OF STIRLING  
DEVELOPMENT PERMIT  
Land Use Bylaw No. 415-08**

This permit, respecting development involving \_\_\_\_\_

(as further described in Application No. \_\_\_\_\_ ) is hereby issued to \_\_\_\_\_

with:

no conditions

the following conditions:

**No development authorized by the issue of this permit shall commence:**

- (a) less than 14 days after the date of notification of issue of this permit, or
- (b) if an appeal is made, until the appeal is decided upon.

**After the 14-day period, if no appeal is made, you are hereby authorized to proceed with the development specified, provided that any stated conditions are complied with, the development is in accordance with the application and plans as approved, and that a building permit is obtained if construction is involved. If an appeal is made on this permit to the Village of Stirling Subdivision and Development Appeal Board, this permit shall be null and void. Anyone commencing development before this permit becomes valid does so at his or her own risk.**

This permit is issued on \_\_\_\_\_, \_\_\_\_\_ and becomes valid 14 days after the date of its issue on \_\_\_\_\_, \_\_\_\_\_.

**Notification to Applicant:** \_\_\_\_\_, \_\_\_\_\_ **Signed:** \_\_\_\_\_  
*Designated Officer*

**SEE IMPORTANT INFORMATION ON REVERSE**

## **TERMS APPLICABLE TO DEVELOPMENT PERMIT**

### **CONDITIONS OF DECISION**

The decision on this application applies only to the use and development described in the decision. .

### **APPEAL**

The Municipal Government Act provides that any person affected by the issue of a development permit may appeal to the Village of Stirling Subdivision and Development Appeal Board by serving written notice to the secretary of the Village of Stirling Subdivision and Development Appeal Board within 14 days of the date of notification of issuance.

### **PERMIT EXPIRY**

A development permit expires 12 months from the date of its issue, if the development or use authorized by the permit has not been commenced or carried out with reasonable diligence within 12 months from the date of its issue, in accordance with administrative procedures of the Land Use Bylaw.

### **PERMIT NOT TRANSFERABLE**

A development permit is valid only for the location for which it is issued.

### **PERMIT AUTHORITY**

A development permit indicates that only the development to which it relates is authorized in accordance with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw of the municipality or any applicable provincial or federal legislation.

### **OTHER PERMITS AND LICENCES**

A development permit is not a building permit, plumbing permit, electrical permit, a permit to install underground or above-ground fuel tanks, a permit issued by a Public Health Inspector, or a business licence. These and other separate permits or licences may be required by municipal, provincial or federal authorities.

Application No.

FORM D

Permit No.

VILLAGE OF STIRLING  
NOTICE OF HEARING OF APPEAL  
Land Use Bylaw No. 415-08

NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

A public hearing in the matter of the Appeal of \_\_\_\_\_

of \_\_\_\_\_ to the decision of the Designated Officer /

Municipal Planning Commission on Application No. \_\_\_\_\_

being the application for a development permit for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

at \_\_\_\_\_

by \_\_\_\_\_

shall be heard on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ o'clock in the (a.m./p.m.).

The hearing will be held in the Town Office.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

*Designated Officer*



Date Received: \_\_\_\_\_

FORM E

Processing Fee: \_\_\_\_\_

**VILLAGE OF STIRLING**

**APPLICATION FOR LAND USE BYLAW AMENDMENT**

**Land Use Bylaw No. 415-08**

APPLICANT'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_

REGISTERED OWNER'S NAME (if not applicant): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: \_\_\_\_\_  
(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_  
 Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
 Street Address (if applicable) \_\_\_\_\_

NATURE AND REASONS FOR AMENDMENT REQUEST: (attach additional pages, as required) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SIGNATURE OF APPLICANT: \_\_\_\_\_

SIGNATURE OF REGISTERED OWNER (if not applicant): \_\_\_\_\_

Approved by Amending Bylaw No. \_\_\_\_\_ Third and Final Reading Date \_\_\_\_\_

Refused (date) \_\_\_\_\_





APPENDIX C

SUBDIVISION AND DEVELOPMENT AUTHORITY /  
MUNICIPAL PLANNING COMMISSION BYLAW

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**VILLAGE OF STIRLING  
IN THE PROVINCE OF ALBERTA  
Bylaw No. 450-13  
Subdivision and Development Authority/Municipal Planning  
Commission Bylaw**

BEING a bylaw of the Village of Stirling in the Province of Alberta, to establish a municipal Subdivision and Development Authority and Municipal Planning Commission;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Authority;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended permits the municipality to adopt a bylaw to establish a Municipal Planning Commission to act as the municipal Subdivision and Development Authority;

AND WHEREAS, this bylaw may be cited as the Village of Stirling Subdivision and Development Authority/Municipal Planning Commission Bylaw;

NOW THEREFORE, the Council of the Village of Stirling in the Province of Alberta, duly assembled, enacts as follows:

1. DEFINITIONS:

- a) **ACT** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
- b) **MUNICIPALITY** means the Village of Stirling in the Province of Alberta.
- c) **COUNCIL** means the Municipal Council of the Village of Stirling.
- d) **MUNICIPAL PLANNING COMMISSION** means the person or persons appointed to exercise and perform the Development and Subdivision Authority powers and duties on behalf of the municipality as are specified:
  - i) in the Act; or
  - ii) in the Village of Stirling Land Use Bylaw; or
  - iii) in this bylaw; or
  - iv) by resolution of council.

- e) **DESIGNATED OFFICER** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
- f) **MEMBERS** means the members of the Municipal Planning Commission.
- g) **SECRETARY** means the person or persons appointed by council to act as secretary of the Subdivision and Development Authority.
- h) **AUTHORIZED PERSONS** means a person or organization, regional services commission, or intermunicipal service agency authorized by the council to which the municipality may delegate any of its Subdivision Authority and/or Development Authority powers, duties or functions.
- m) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

## **PART 1 – SUBDIVISION AND DEVELOPMENT AUTHORITY**

- 2. The Subdivision and Development Authority is hereby established in accordance with the Act.
- 3. For the purpose of this bylaw, the Subdivision and Development Authority for the municipality shall be the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority in accordance with the land use bylaw.
- 4. The Municipal Planning Commission is authorized to exercise development and subdivision powers and duties on behalf of the municipality as are specified in the Act, in the Village of Stirling Land Use Bylaw, in this bylaw, or by resolution of Council.
- 5. The municipality may by resolution delegate any of its subdivision authority and/or development authority powers, duties or functions to an authorized person or persons.

## **PART 2 – MUNICIPAL PLANNING COMMISSION**

- 6. The Municipal Planning Commission is hereby established in accordance with the Act.
- 7. The Municipal Planning Commission shall be comprised of a minimum of three (3) and a maximum of five (5) persons, all of whom shall be elected members of Council.
- 8. Appointments to the Municipal Planning Commission shall be made by resolution of Council.
- 9. Appointments to the Municipal Planning Commission shall be made for a term of one year, expiring on the date of the next annual organizational meeting of Council.

10. When a person ceases to be a member of the Municipal Planning Commission before the expiration of his/her term, Council may, by resolution, appoint another person for the unexpired portion of that term.
11. After the organizational meeting of Council each year, the members of the Municipal Planning Commission shall elect one of themselves as chairman and one as vice-chairman to hold office for a term of one year.
12. If the chairman or vice-chairman for whatever reason ceases to hold that position prior to the end of the term, members of the Municipal Planning Commission may, by resolution, appoint another member for the unexpired portion of that term.
13. Each member of the Municipal Planning Commission shall be entitled to such remuneration, travelling, and living expenses as may be fixed from time to time by Council; and the remuneration, travelling, and living expenses shall be paid by the Village of Stirling.
14. Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Municipal Planning Commission, but shall not vote on any matter before the Municipal Planning Commission.
15. The Municipal Planning Commission shall hold regular meetings at least 12 times per year on a date to be determined by the Municipal Planning Commission unless there are no agenda items, and it may also hold special meetings at any time at the call of the chairman or vice-chairman.
16. Majority of the Municipal Planning Commission shall constitute a quorum.
17. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Municipal Planning Commission.
18. The Municipal Planning Commission may make its orders, decisions, development permits, and approvals, and may issue notices with or without conditions.
19. Any order, decision or approval made, given or issued by the Municipal Planning Commission may be signed by a designated officer or by the chairman or vice-chairman of the Municipal Planning Commission.
20. The Municipal Planning Commission may make rules to govern its hearings.
21. Members of the Municipal Planning Commission shall not be members of the Subdivision and Development Appeal Board.
22. The secretary of the Municipal Planning Commission shall attend all meetings of the Municipal Planning Commission and shall keep the following records with respect thereto:
  - a) the minutes of all meetings;

- b) all applications;
- c) records of all notices of meetings and or persons to whom they were sent;
- d) copies of all written representations to the Subdivision and Development Authority;
- e) notes as to each representation;
- f) the names and addresses of those making representations at the meeting;
- g) the decision of the Subdivision and Development Authority;
- h) the reasons for the decision of the Subdivision and Development Authority;
- i) the vote of the members of the Subdivision and Development Authority on the decision;
- j) records of all notices of decision and of persons to whom they were sent;
- k) all notices, decisions and orders made on appeal from the decision of the Subdivision and Development Authority;
- l) such other matters as the Subdivision and Development Authority may direct.

23. This bylaw shall come into effect upon third and final reading thereof.

24. Bylaw No. 359-95 and amendment thereto are hereby rescinded.

READ A FIRST TIME THIS THE 18<sup>th</sup> DAY OF NOVEMBER, 2013

READ A SECOND TIME THIS THE 18<sup>TH</sup> DAY OF NOVEMBER, 2013

MOTION TO HOLD THIRD READING IN COUNCIL THIS 18<sup>TH</sup> DAY OF NOVEMBER, 2013

READ A THIRD TIME AND PASSED THIS THE 18<sup>TH</sup> DAY OF NOVEMBER, 2013



\_\_\_\_\_  
Mayor - Ben Nilsson



\_\_\_\_\_  
CAO - Mike Selk