

VILLAGE OF CREMONA



Land Use Bylaw No. 395-06

July 2006
Office Consolidation April 2011

**Village of Cremona
Amendments to Bylaw No. 395-06**

Amendment Number	Date of Adoption	Description
395-06		Updated Land Use Bylaw adopted.
396-06	July 18, 2006	Amend Land Use Bylaw No 395-06. Lots 1 and 2 and the Lane be re-designated from (I) Industrial land use to (HWY-C) Highway Commercial land use as shown by registered plan No. 9810006 and detail B.
408-08	September 16, 2008	Amend Land Use Bylaw No. 395-06 to incorporate Agricultural District and Country Residential District and new definitions.
411-08	October 21, 2008	Re-designate Lot FA, Block 10, Plan 741 0036 from Urban Reserve to Low Density Residential.
417-09	June 17, 2009	Re-designate a portion of Block A, Plan 2247EG from Urban Reserve District (UR) to Low Density Residential (R1).
423-10	December 21, 2010	Amend Land Use Bylaw No. 395-06 to include a definition for "building height", amend the definition of "grade", increase maximum building heights in all residential districts, include a new section pertaining to public notification of decisions made by the development authority, and provide clarity to a variety of existing policies.
426-11	April 19, 2011	Re-designate Lots 7 and 8, Plan 5860 GB from (R2) General Residential to (R3) Multi-Family Residential.
427-11	April 19, 2011	Amend Schedule B Supplementary Regulations Subsection 2(2)(d) <i>Objects Prohibited or Restricted in Yards</i> to increase the maximum weight restriction in residential districts from 2,730 kg (6,018.6 lbs) GVW to 4,540 kg (10,009 lbs) GVW.

VILLAGE OF CREMONA LAND USE BYLAW

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BYLAW NO. 395-06

BEING A BYLAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS IN THE VILLAGE OF CREMONA

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

NOW THEREFORE the Council of the Village of Cremona in the Province of Alberta enacts as follows:

PART ONE - GENERAL

1.1 SHORT TITLE

This Bylaw may be cited as "The Village of Cremona Land Use Bylaw."

1.2 PURPOSE

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

- (1) divide the municipality into districts;
- (2) prescribe and regulate the use for each district;
- (3) establish the duties of the Development Authority;
- (4) establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) provide the manner in which notice of the issuance of a development permit is to be given;

1.3 REPEAL

- (1) Bylaw No. 240, and amendments thereto, are hereby repealed.

1.4 DEFINITIONS

In this Land Use Bylaw,

"accessory building" means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land and does not include a dwelling unit. With regard to a residential use may include, but is not limited to the following, a garage, storage shed, greenhouse and carport.

"accessory use" means a use customarily incidental and subordinate to the main use and is located on the same parcel of land with such main use;

"Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto;

"adjacent land" means land or a portion of land that is contiguous to the land that is the subject of an application and includes land or a portion of land that would be contiguous except for a public roadway, rail or utility right-of-way, river or stream;

"adult entertainment establishment" means any premises or part thereof wherein live performances, motion pictures, video tapes, video disks, slides, electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are preformed or shown as a principle use or an accessory or similar use to some other business activity is conducted on the premises;

"agricultural operations" means the continued use for existing operations, and the "right to farm", but excluding any new feeding operation, and means general farming including cultivation of land, production of field crops, the raising of livestock, the production of fruits and vegetables, sod, trees, shrubs or any other specialty horticulture crops, the production of honey, the operation of agricultural machinery and any building use or uses, structures or buildings accessory thereto. Agricultural operations and practices, including their hours of operation, traffic movements, the odors, dust and noises emanating from an agricultural practice or operation shall be respected."

"apartment" means a residential building consisting of at least 3 dwelling units having common corridors, and may include buildings containing exterior entranceway(s);

"area redevelopment plan" means a plan adopted by the Council as an area redevelopment plan pursuant to the Act;

"area structure plan" means a plan adopted by the Council as an area structure plan pursuant to the Act;

"auto wrecking yard" means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components;

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"awning sign" means a sign inscribed on or affixed flat upon the covering material of an awning;

"basement" means a habitable portion of a building which is partly underground, but which has more than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above grade;

"Bed and Breakfast" means a detached dwelling occupied by the property owner or the Bed and Breakfast host as a primary residence, in which overnight accommodation, not exceeding fourteen (14) consecutive nights with or without meals, is provided for remuneration.

"better agricultural land" means land having a Canada Land Inventory Soil Capability for Agriculture rating of Class 1, 2, 3 or 4 or lands having a farmland assessment rating greater than 28 percent, or their equivalent as determined by government agencies or independent consultants, and at the discretion of the Municipal Planning Commission may include other cultivated or improved land or potentially irrigable land. Better agricultural land excludes:

- (a) cut-off parcels which are regarded by the local municipality as being of insufficient size to farm, and
- (b) land which the Municipal Planning Commission determines is so badly fragmented by existing use or ownership that the land has a low agricultural capability or cannot logically be used for agricultural purposes;

"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;

"boarding and rooming house" means a detached dwelling in which a proprietor supplies for a fee sleeping accommodations, with or without meals, for a least two (2), but not more than six (6) persons, exclusive of the proprietor's family, for not less than fourteen (14) consecutive nights.

"building" includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;

"building demolition" means the pulling down, tearing down or razing of a building;

"building height" means the vertical distance between the average grade and the highest point on a building, other than any chimney, poles, vents or other things that, in the opinion of the Development Officer or Municipal Planning Commission are similar and are not part of the building structure; [Bylaw No. 423-10]

"bus depot" means a facility providing for the departure and arrival of passengers and freight carried by bus;

"car wash" means a facility for the washing of non-commercial private motor vehicles.

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"cellar" means a portion of a structure which is mainly underground, and which has less than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

"commercial recreation and entertainment facility" means a facility or establishment which provides for recreation or entertainment for a gain or a profit, but does not include drinking establishments or adult entertainment facilities;

"convenience store" means a retail commercial establishment where food stuffs, medicines, periodicals and other similar items of daily household convenience are sold to the public and may include sale of fuel for motor vehicles, but does not include a service station;

"Council" means the Council of the Village of Cremona;

"crematorium" means a facility with one or more cremation chambers used to reduce human bodies to ashes by heat, and where funeral services are not conducted.

"detached dwelling" means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a mobile home, but does include a so called modular home;

"development" means

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

"Development Appeal Board" means a Development Appeal Board appointed pursuant to Section 627 of the Act;

"Development Authority" means a Development Officer as appointed by this Land Use Bylaw or the Municipal Planning Commission as per Development Authority Bylaw No. 299-95;

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

"development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;

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"discretionary use" means a use which may be compatible with other uses in the District, for which a development permit may be issued upon an application having been made;

"District" means Land Use District;

"district shopping centre" means a group of commercial establishments planned, owned, developed and managed as a unit with off-street parking established on the same site which serves the needs of the urban centre and surrounding municipalities;

"drinking establishment" means an establishment the primary use of which is the sale of alcoholic beverages for consumption on the premises and the secondary purpose may include entertainment, dancing, the preparation and sale of food for consumption on the premises, take out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises for which a "Class A" liquor license has been issued and where minors are prohibited by the terms of the license;

"drive-in-business" means an establishment with facilities for on site service to customers who remain in their motor vehicles, but does not include a drive-in theatre;

"drive-in theatre" means a theatre in which customers view motion pictures from their motor vehicles;

"driveway" means a vehicle access route between the carriageway of a public roadway and a use on a parcel;

"duplex" means a separate residential building consisting of two separate dwelling units only, each above grade and having exterior entrances;

"dwelling unit" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

"dwelling unit for the occupancy of the owner, operator or caretaker" means a dwelling unit which is accessory to other development on the parcel;

"eaveline" means the horizontal line that marks the intersection of the roof and the wall of a building;

"existing residence and other related improvements" means a detached dwelling or mobile home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Officer/Municipal Planning Commission;

"facia sign" means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard;

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"feed mills and grain elevators" means buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared;

"floodplain" means the land adjacent to a lake, river or stream inundated by a one in one hundred year return flood as determined by Alberta Environment;

"floodproofing" means the rendering safe from damage arising from a one in one hundred year return flood, as determined by Alberta Environment, through all or any of the following means:

- (a) the raising of the level of land to a minimum of 0.3 m (0.98 ft.) above that flood level, or
- (b) the construction and use of buildings with the lowest water entry point 0.3 m (0.98 ft.) above that flood level, or
- (c) any other such means as may be considered appropriate by the Development Officer/Municipal Planning Commission in consultation with Alberta Environment;

"floor area" means

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

"four-plex" means a building containing four dwelling units, each unit comprising of two floor levels and sharing a common party wall with two other units;

"freestanding sign" means a sign that is supported independently of a building wall or structure but does not include a portable sign;

"front parcel boundary" means, in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shorter of the two boundaries which abut a street [see sketch in Schedule B];

"front yard" means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall(s) of the main building situated on the parcel [see sketch in Schedule B];

"funeral home" means a business establishment where the bodies of the dead are prepared for burial, and where funeral services can be held. A crematorium is a separate use;

"grade" means the ground elevation established for the purpose of regulating the height

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of a building. The building grade shall be the finished ground elevation adjacent the walls of the building if the finished grade is level. If the finished grade is not entirely level, the grade shall be determined by averaging the finished ground elevation for each face of the building;

[Bylaw No. 423-10]

"hard landscaping" means the use of non-vegetative material, other than monolithic concrete, asphalt or gravel, as part of a landscaped area;

"heavy equipment assembly, sales and service" means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities;

"heavy manufacturing" means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land;

"home occupation" means an occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building;

"hotel" means a building which provides rooms for temporary overnight sleeping accommodation where each room has access from a common interior corridor and may provide additional services such as restaurants, meeting rooms and recreational facilities as accessory uses;

"indoor merchandise sales" means the indoor sale or display of merchandise, including indoor storage of merchandise in quantities limited to the needs of the outlet;

"landscaped area" means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, ornamental plantings, fences, walls and associated earthworks; however, it shall not include areas occupied by garbage containers, storage, parking lots or driveways;

"Land Use Bylaw" means Bylaw No. 395-06, and amendments thereto;

"Land Use District" means an area as described in Schedule C and shown in Schedule A of this Land Use Bylaw;

"lane" means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;

"light manufacturing" means the manufacture of products, the process of which does not create and emit fumes, gases, smokes, vapours, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land;

"livestock auction market" means a facility where agricultural related items including cattle are bought and sold by public auction;

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“lot coverage” means the percentage of the lot area covered by the area of all the footprints of buildings or structures and paved driveways, but excluding uncovered decks, terraces, verandas, patios or any other uncovered projection or structure on a lot.

"main building" means a building in which is conducted the main or principal use of the parcel on which it is erected;

"main use" means the principal purpose for which a building or parcel is used;

“manufactured home” means a residential building containing one dwelling unit, built in a factory in one or more sections, suitable for long term occupancy designed to be transported on either its own wheels and chassis or other means to a suitable site;

"mechanized excavation, stripping and grading" means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements;

"mobile home" means a factory constructed detached dwelling unit, with an integral frame, readily relocatable singly or double modules;

"mobile home park" means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of mobile homes on a long-term basis;

“motel” means a building or group of buildings on a parcel designed and operated to provide temporary sleeping accommodation for transient motorists and contains separate sleeping units each of which has direct outside access with conveniently located parking;

"multiple housing development" means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development;

“multiple unit dwelling” means a building designed for or occupied by three (3) or more dwelling units, but not including a hotel or motel.

"municipality" means the Village of Cremona;

"Municipal Planning Commission" means a Municipal Planning Commission established by Council pursuant to Section 626 of the Act;

"municipal shop and storage yard" means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment;

"natural environment preservation area" means an area that is to be preserved because it is unsuitable in its natural state for development;

"non-conforming building" means a building

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- (a) that is lawfully constructed or lawfully under construction at the date this 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 this 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" means a lawful specific use

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

"non-renewable resource extraction" means the mining or removal from the ground of deposits of coal, sand, gravel, clay and other minerals;

"occupancy permit" means a document authorizing the use of a development undertaken in accordance with a development permit issued pursuant to this Land Use Bylaw;

"office" means a facility providing for the administration of business, or government, or the provision of professional services;

"On site renewable energy source" means nonpolluting energy generation technology such as solar, wind or geothermal.

"open storage yard" means land that is used for the storage of products, goods or equipment;

"parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

"parcel coverage" means the area covered by buildings, parking facilities, driveways, storage areas and display areas;

"parking facility" means a structure or an area providing for the parking of motor vehicles;

"parks and playgrounds" means areas of public land known for their natural scenery and/or preservation for public recreation either active or passive;

"permitted use" means a use which is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms with this Land Use Bylaw;

"personal service" means the provision of a service to individuals on a commercial basis,

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and includes such services as photographers, travel agencies, beauty salons, restaurants and dry cleaners;

"portable sign" means a sign which is not in a permanently installed or affixed position;

"projecting sign" means a sign which projects from a structure or a building face;

"public and quasi-public use" means a use of land or a building for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity;

"public roadway" means a highway, local road, service road, street, avenue or lane which is registered as a public right-of-way in a land titles office;

"public utility" means the right-of-way for municipal

- (a) telephone systems,
- (b) waterworks systems,
- (c) irrigation systems,
- (d) systems for the distribution of gas, whether natural or artificial
- (e) systems for the distribution of artificial light or electric power,
- (f) heating systems, and
- (g) sewage systems,

or for the service or commodity supplied by any of those systems;

"rear yard" means a yard extending across the full width of a parcel measured perpendicularly from the rear wall(s) of the main building situated on the parcel to the rear property boundary of the parcel [see sketch in Schedule B];

"recreation facilities" means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs;

"registered owner" 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 purchaser 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;

"repair service" means the restoration and maintenance of objects, which is compatible

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with other uses in the District. Excluding vehicle repair, restoration and maintenance;

“restaurant” means an establishment for the preparation or sale of food for consumption on the premises and may include take out food service and entertainment, excluding adult entertainment, as accessory uses. A restaurant may include premises for which a “Class A” liquor license has been issued and minors are not prohibited by the terms of the license. Drive-in businesses and drinking establishments are separate uses;

"row housing" means a group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade;

"sales and service outlet for automobiles, trucks, recreation vehicles or mobile homes" means a facility providing for the sale, rental, service and repair of automobiles, trucks, recreation vehicles or mobile homes;

"sales and service outlet for farm equipment" means a facility providing for the sale, rental, service or repair of farm equipment;

"screen" means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas;

"seed cleaning plant" means a building for the storage and preparation of seed used in agriculture;

“secondary suite” means a separate and subordinate dwelling unit contained in within a single detached dwelling. A secondary suite must have a separate entrance from the principle dwelling, either from a common indoor landing or directly from the exterior of the building;

"service for the travelling public" means the provision of overnight accommodation, meals, or vehicular service or repair normally required by travellers;

“service station” means a building or portion thereof for the servicing and repairing of motor vehicles and includes the sale of fuel, oils and other accessories for motor vehicles and may include a convenience store;

"set back" means a distance additional to minimum yard requirements which may be required on parcels adjacent to the public roadways;

"side yard" means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of any building thereon [see sketch in Schedule B];

"sight triangle" means an area at the intersection of roadways in which all buildings, fences, vegetation and finished ground elevations shall be less than 0.92 m (3. ft.) in height above the average elevation of the carriageways/rails, in order that vehicle operators may see approaching vehicles in time to avoid collision.

"sign" means any word, letter, model, placard, board, notice, device or representation,

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whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure;

"soft landscaping" means the use of vegetative material as part of a landscaped area;

"Solar panel" means a large panel containing solar cells or heat-absorbing plates that convert the Sun's radiation into energy for use, e.g. in heating buildings.

"solid waste transfer station" means a facility for the collection and temporary holding of solid waste in a storage container;

"statutory plan" means the Municipal Development Plan, an area structure plan and an area redevelopment plan or any one or more of them;

"street" means any category of public roadway except a lane;

"structural alterations" means altering the main building components which support a building;

"truck wash" means a facility for the washing of agricultural, commercial or large vehicles;

"use" means a building or an area of land and the function and activities therein or thereon;

"utilities" means any one or more of the following

- (a) systems for the distribution of gas, whether artificial or natural
- (b) facilities for the storage, transmission, treatment, distribution or supply of water;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage
- (d) storm sewer drainage facilities
- (e) systems for electrical distribution and lighting
- (f) any other things prescribed by the Lieutenant Governor in Council by regulation,

but does not, include those systems or facilities referred to in subclauses (a) to (e) that are exempted by the Lieutenant Governor in Council by regulation;

"utility building" means the building in which the proprietor of a utility

- (a) maintains its office(s), and/or
- (b) maintains or houses equipment used in connection with the utility and which is not a public utility right-of-way;

"warehouse" means a facility for the indoor storage of goods and merchandise;

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"yard" means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.

All other words and expressions have the meaning respectively assigned to them in the Act.

1.5 ESTABLISHMENT OF DEVELOPMENT OFFICER

- (1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- (2) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things
 - (a) keeping and maintaining for the inspection of the public during all reasonable hours, a copy of this Land Use Bylaw and all amendments thereto,
 - (b) keeping a register of all applications for development, including the decisions thereon and the reasons therefore, for a minimum of seven (7) years, and
 - (c) refer all applications for discretionary uses to the Municipal Planning Commission.
- (3) The Development Officer may:
 - (a) refer any development permit application for those uses listed as permitted uses to the Municipal Planning Commission, and
 - (b) refer any other planning and development matter to the Municipal Planning Commission for its review, support and advice.

1.6 MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission established by Bylaw No. 241 shall:

- (1) Issue decisions on development permit applications referred to it by the Development Officer; including attaching any terms and conditions deemed necessary to achieve compliance with this Bylaw; and
- (2) Consider and if necessary, state terms and conditions or provide direction on any other planning or development matter referred by the Development Officer; and
- (3) Perform such additional duties as described in this Bylaw. [Bylaw No. 423-10]

1.7 DEVELOPMENT APPEAL BOARD

The Development Appeal Board established by Bylaw No. 242 shall perform such duties as are specified therein.

1.8 ESTABLISHMENT OF FORMS

- (1) For the purpose of administering the provisions of this Land Use Bylaw, the Council shall, by resolution, authorize the preparation and the use of such forms and notices as it may deem necessary.
- (2) Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized and issued.

1.9 ESTABLISHMENT OF SUPPLEMENTARY REGULATIONS

Supplementary Regulations as set forth in Schedule "B" hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.10 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS

Land Use District Regulations as set forth in Schedule "C" hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.11 ESTABLISHMENT OF DISTRICTS

- (1) For the purpose of this Land Use Bylaw, the Village of Cremona is divided into the following Districts:

R1	LOW DENSITY RESIDENTIAL DISTRICT
R2	GENERAL RESIDENTIAL DISTRICT
R3	MULTI-FAMILY RESIDENTIAL DISTRICT
R4	MANUFACTURED HOME DISTRICT
CR	COUNTRY RESIDENTIAL DISTRICT
C1	CENTRAL COMMERCIAL DISTRICT
C2	HIGHWAY COMMERCIAL DISTRICT
I	INDUSTRIAL DISTRICT
PFR	PUBLIC FACILITY AND RECREATION DISTRICT
UR	URBAN RESERVE DISTRICT
DC	DIRECT CONTROL DISTRICT
AG	AGRICULTURAL DISTRICT

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- (2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All public roadways, water courses and lakes are excluded from the Land Use Districts.
- (3) Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
 - (a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
 - (b) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
 - (c) a boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

1.12 APPLICATION FOR BYLAW AMENDMENT

- (1) A person may make application to the Development Officer for amendment to this Land Use Bylaw. The application shall include:
 - (a) a statement of the specific amendment (s) requested;
 - (b) the purpose and reasons of support for the application;
 - (c) if the application is for a change of land use district:
 - (i) a fully dimensioned drawing of the proposed area to be amended to the satisfaction of the Development Officer,
 - (ii) a current copy of the certificate(s) of title indicating ownership and encumbrances of the subject lands, and
 - (iii) if the applicant is not the current registered owner of the lands and is acting as an agent, a letter from the owner verifying the agent's authority to make the application;
 - (d) an application fee established which shall be determined from time to time by resolution of Council for which a portion, as determined by resolution of Council from time to time, may be returned to the applicant if first reading of the amending bylaw is not passed.;
- (2) In additions to the requirements of subsection (1), Council may request any other information as it considers necessary to properly evaluate the proposed amendment application.

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- (3) If the application to amend the bylaw is for a redesignation of land, the Development Officer may require the submission of an outline plan for the area to be redesignated to the level of detail as specified by the Development Officer or appointed agent of the Village.
- (4) In the case where an application to amend the bylaw is not approved by Council a similar application may not be made for a period of six (6) months following refusal of the original application.
- (6) Upon receipt of an application for amendment to this Land Use Bylaw, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than 10 days' notice to the applicant advising that he may appear before the Council at that time, and speak to the application.
- (7) An application for amendment shall be placed before the Council within 60 days of its receipt by the Development Officer.

1.13 BYLAW AMENDMENT PROCESS

- (1) The Council on its own initiative may amend this Land Use Bylaw by directing the Development Officer to initiate an amendment thereto.
- (2) The Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:
 - (a) refuse the application, or
 - (b) refer the application for further information; or
 - (c) pass first reading to a bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
 - (d) defeat first reading of a bylaw to amend this Land Use Bylaw; or
 - (e) pass first reading of an alternative amendment to this Land Use Bylaw, with or without conditions.
- (3) Following first reading to an amending bylaw, the Council shall
 - (a) establish the date, time and place for a public hearing on the proposed bylaw;
 - (b) outline the procedure to be followed by anyone wishing to be heard at the public hearing; and
 - (c) outline the procedure by which the public hearing will be conducted.

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- (4) Following first reading to an amending bylaw, the Development Officer shall issue notice of the public hearing
 - (a) by publication in two issues of a newspaper circulating in the area, the publication date of the second issue being not less than five (5) days preceding the date of the hearing; and
 - (b) by mail or arrangement of delivery, no less than 14 days preceding the date of the hearing to
 - (i) the applicant;
 - (ii) to the registered owner of the land if not the applicant;
 - (iii) the owners of adjacent land if the proposed bylaw provides for a change of District; and
 - (iv) any other authority or perceived stakeholder who, in the opinion of the Development Officer, may be affected.
- (5) Prior to the public hearing, the Development Officer shall forward a copy of the proposed bylaw to
 - (a) Mountain View County if, the proposed bylaw
 - (i) affects land on the boundary with Mountain View County, or
 - (ii) may have an effect upon Mountain View County.
- (6) The notice of the public hearing shall provide the following information:
 - (a) the date, time and place of the public hearing;
 - (b) a statement of the general purpose of the public hearing and proposed bylaw;
 - (c) that the proposed bylaw and any public documents applicable to the proposed bylaw may be inspected at the Municipal Office at all reasonable times; and
 - (d) the procedure for the public hearing;
 - (e) in the case of an amendment to change the district designation of a parcel of land, in addition to the requirements listed above, the notice shall also contain:
 - (i) the municipal address, if any, and the legal address of the parcel of land; and
 - (ii) a map showing the location of the parcel of land.
- (7) At the public hearing, the Council shall hear

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- (a) any person or group of persons, or person acting on their behalf, who
 - (i) has complied with the procedures outlined by the Council, and
 - (ii) claims to be affected by the proposed bylaw; and
 - (b) any other person who wishes to make representations and whom the Council agrees to hear.
- (8) The Council after considering any representations made at the public hearing, the Municipal Development Plan and any Inter-Municipal Development Plan, area structure plan or area redevelopment plan affecting the application, and the provisions of this Land Use Bylaw and any other matters it considers appropriate may:
- (a) pass the bylaw;
 - (b) make such amendments or changes as it considers necessary to the proposed bylaw and proceed to pass the proposed bylaw without further advertising or hearing;
 - (c) refer the bylaw for further information to any person or agency/authority it decides needs referring to; or
 - (d) defeat the proposed bylaw.
- (9) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- (10) After third reading of the proposed bylaw, the Development Officer shall send a copy of it to:
- (a) the applicant;
 - (b) the registered owner of the land, if not the applicant;
 - (c) Mountain View County, if its received a copy of the proposed bylaw pursuant to subsection (8).
- (11) The Development Officer shall maintain an accurate and up-to-date file of amendments to this Bylaw and ensure that such amendments of the Bylaw are effected to copies to the Bylaw for regular usage by councillors, administration, members of committees and the general public.

1.14 SECTIONS FOUND INVALID

If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

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DEVELOPMENT PERMITS, CONTRAVENTION AND APPEAL

2.0 DEVELOPMENT PERMITS

2.1 DEVELOPMENT PERMIT REQUIRED

- (1) All development within the municipality, unless listed in Section 2.2, requires a development permit authorizing the use and development.

2.2 DEVELOPMENT PERMIT NOT REQUIRED

- (1) The following developments are exempt from requiring a development permit provided such development complies with this bylaw:
 - (a) improvement, maintenance, renovation or repair to any building provided that such works are not adding to or structurally altering the exterior of the building;
 - (b) the erection or construction of gates, fences, walls or other means of enclosure, except on corner lots, less than 0.91 m. (3 ft.) in height in the front yard and less than 1.83 m. (6 ft.) in height in the side and rear yards;
 - (c) the construction of an accessory building no more than 10.0 m². (107 ft².) in floor area;
 - (d) a temporary building for which the sole purpose is incidental to the erection or alteration of a permanent building, for which a permit has been issued under this bylaw;
 - (e) One (1) non-illuminated signs of the following nature and size for each use with a building or on a parcel, provided such signs do not resemble or conflict with traffic signs:
 - (i) a fascia sign for the purpose of identification, direction, and warning not exceeding 0.19 m². (2 ft².),
 - (ii) a fascia sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.28m². (3 ft².),
 - (iii) a fascia or freestanding sign relating to a religious, educational, cultural, recreational or similar character, or to an apartment block not exceeding 1.02 m². (11 ft².);
 - (iv) temporary advertisement not exceeding 1.9 m². (20 ft².) in sign area relating to the sale of goods or livestock, the carrying out of building or

PART TWO

similar work, announcement of any local event of a religious, educational, cultural, recreational, political, or governmental nature not exceeding 2.97 m². (32 ft².) and must be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such signs relate;

- (v) the erection of an on-site fascia sign offering any residential site, commercial site, or industrial site for development, sale, lease or for rent, provided the sign does not exceed 2.97 m². (32 ft².) in sign area;
 - (vi) a flag attached to a single upright flag pole provided the height of the flag pole does not exceed the height of the principal building or 25 ft. which ever is smaller.
- (f) the erection of a communication aerial, television aerial or satellite dish provided the dish is no larger than 0.91 m (3 ft.) in diameter.
- (g) signs in relation to the function of local authorities, utility boards, or other public or quasi-public bodies;
- (h) development specified in Section 618 of the Act, which includes:
- (i) a highway or road,
 - (ii) a well or battery within the meaning of the Oil and Gas Conservation Act,
 - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline, or
 - (iv) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation.

2.3 PERMISSION FOR DEVELOPMENT

- (1) An application for a development permit must be made to the Development Authority in writing on a form prescribed by Council and must be accompanied by:
- (a) a scaled site plan and elevations in duplicate illustrating the front, rear, and side yards, heights, landscaped areas, off-street loading and vehicle parking as required, and access locations to the parcel;
 - (b) A current copy of the certificate of title to the land;
 - (c) If the applicant is not the registered owner of the land, a statement of the applicant's interest in the land accompanied with the written consent of the owner to the application;
 - (d) The estimated commencement and completion dates;
 - (e) The estimated cost of the project or contract price;

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- (f) A non-refundable registration fee as set by Council; and
 - (g) Any other plans and information the Development Authority may consider necessary to properly evaluate the proposed development.
- (2) Where demolition of a building requires a development permit, such a permit requires the applicant to provide details indicating:
- (a) how the demolition will be carried out; and
 - (b) how the parcel will be reclaimed. [Bylaw No. 423-10]
- (3) The Development Authority may consider an application and render a decision without all of the information required by subsection (1) if, in the opinion of the Development Officer, a decision on the application can be properly made without such information.
- (4) The Development Authority:
- (a) shall receive, consider, and decide upon all complete applications for a development permit; and
 - (b) must refer any received application to an adjacent municipality, relevant agency or person which may provide comment respecting the application; and
 - (c) must refer all such applications to the Alberta Energy and Utilities Board within 1.5 km (0.93 mi.) of a sour gas facility; and
 - (d) may refer any such application to adjacent land owners to provide comment respecting the application.
- (5) The Development Officer shall;
- (a) receive all completed applications for a development permit; and
 - (b) consider and decide on applications for a development permit for those uses listed in Schedule C, which constitute a permitted use in a District; and
 - (c) refer with his/her recommendations, to the Municipal Planning Commission for its consideration and decision applications for a development permit for those uses listed in Schedule C which constitute a discretionary use in a District; and
 - (d) refer any application onto the Municipal Planning Commission which he/she deems should be decided by the Municipal Planning Commission; and
 - (e) refer all applications for development to the Alberta Energy and Utilities Board within 1.5 km (0.93 miles) of a sour gas facility; and

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- (f) may refer any such application to adjacent land owners to provide comment respecting the application;
 - (g) shall refer any such application to adjacent land owners for a discretionary use or for a proposed development requesting a variance/relaxation in excess of 10% of any listed maximum or minimum standard; and
 - (h) must refer any received completed application to an adjacent municipality, relevant agency or person which may provide comment respecting the application.
- (6) For a permitted use in any District other than a Direct Control District;
- (a) the Development Authority shall approve an application for a development permit for a permitted use if the application conforms to the requirements of the Land Use Bylaw, the Act and the Subdivision and Development Regulation and statutory plans, and the Development Authority may attach conditions to the permit necessary to ensure any of the following:
 - (i) arrangements satisfactory to the development authority for the supply of utilities including, but not limited to, water, electric power, sanitary sewer, storm sewer, natural gas, cable, or any one or more of them, including payment of the cost of installation or construction of any such utility or facility by the applicant;
 - (ii) arrangements satisfactory to the development authority for vehicular and pedestrian access from public roads and trails, on-site vehicular and pedestrian circulation, parking, loading, landscaping or drainage, or any one or more of these matters, including payment of the costs of installation or constructing any such facility by the applicant;
 - (iii) that the developer enters into a development agreement or an interim agreement, which shall form part of such a development permit and may be required to be registered by caveat against title to the site at the Land Titles Office, 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:
 - (I) a pedestrian walkway system to serve the development;
 - (II) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;

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- (C) to install or pay for the installation of public utilities, other than telecommunications systems or works and landscaping, that are necessary to serve the development;
 - (D) to construct or pay for the construction of:
 - (I) off-street or other parking facilities; and
 - (II) loading and unloading facilities;
 - (b) that the developer pays an off-site levy or redevelopment levy imposed by a bylaw adopted pursuant to the Municipal Government Act;
 - (c) that the developer provides security to ensure compliance with this Bylaw, a development permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the site;
 - (d) that the developer provide a real property report to the satisfaction of the Development Authority.
- (7) If an application for a development permit for a permitted use in any district, other than a Direct Control District, does not conform to the requirements of the Land Use Bylaw, the Municipal Government Act and the Subdivision and Development Regulation and statutory plans, the Development Officer:
- (a) may refuse the application stating the reasons for refusal; or
 - (b) may approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the Municipal Government Act and the Subdivision and Development Regulation and statutory plans; or
 - (c) may approve the application, subject to those regulations of this Bylaw that pertain to an application for a permitted use, if in the opinion of the Development Officer, the proposed development:
 - (i) would not
 - (A) Unduly interfere with the amenities of the neighbourhood; or
 - (B) Materially interfere with or affect the use enjoyment or value of the neighbouring sites, and
 - (ii) conforms to the use prescribed for that land or building in the Land Use Bylaw; and

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- (iii) would not require a variance of any minimum or maximum standard within the district in excess of 10%.
- (8) For a discretionary use in any District other than a Direct Control District,
- (a) The Municipal Planning Commission, in its discretion, may approve the application for a discretionary use subject to conditions listed under 2.3 (6) (a) and any conditions that the development authority may deem appropriate to ensure compatibility with the amenities of the neighbourhood and the use, enjoyment and value of neighbouring parcels of land, including, but not limited to the following:
 - (i) limiting the time of operation including hours of the day, days of the week, and parts of the year;
 - (ii) limiting the number of patrons;
 - (iii) requiring attenuation or mitigation of noise or any other nuisances that may be generated by the proposed development;
 - (iv) regarding the location, character and appearance of buildings;
 - (v) regarding the grading of the site or such other matters as are necessary to protect the site from other developments or to protect other developments from the site;
 - (vi) establishing the period of time for which a development permit is valid.or;
 - (b) The Municipal Planning Commission, in its discretion, may refuse an application for a discretionary use permit stating the reasons for its refusal.
- (9) The Municipal Planning Commission may:
- (a) consider and render a decision for an application for a development permit;
 - (b) recommend approval on an application for subdivision approval;
- notwithstanding that the proposed development or subdivision does not comply with the Bylaw or is in a non-conforming building it, in the opinion of the Municipal Planning Commission, the proposed development or subdivision or non-conforming building:
- (i) would not
 - (A) Unduly interfere with the amenities of the neighbourhood; or

PART TWO

- (B) Materially interfere with or affect the use enjoyment or value of the neighbouring sites, and
 - (ii) conforms to the use prescribed for that land or building in the Land Use Bylaw. [Bylaw No. 423-10]
 - (c) refuse an application stating reason for its refusal.
- (10) Prior to imposing any condition upon the issuance of a Development Permit pursuant to Section 2.3 (6) (a), the Development Authority shall consult with Council as may be required in the circumstances and shall specify the terms and content of the agreement in the conditions of the development permit;
 - (11) The municipality may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with. [Bylaw No. 423-10]
 - (12) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Authority for at least six (6) months after the date of the final decision, unless in the opinion of the development authority, the reasons for refusal have been adequately addressed or circumstances of the application have changed significantly.
 - (13) For compliance requests, where the Village is requested to provide comments on the conformance of a development to the standards listed in the appropriate District of the Land Use Bylaw, the Development Officer may at his/her discretion;
 - (a) grant a variance to any listed standard up to 40% without requiring development permit approval;
 - (b) grant up to a 10% variance to setback standards of a previously approved development permit;
 - (c) require the approval of a development permit due to concern over public safety or additional variance request;
 - (d) refer any compliance request to the Municipal Planning Commission for their consideration.

2.4 PUBLIC NOTIFICATION

PART TWO

- (1) Notice of all decisions by the Development Authority on development permit applications shall be given to the applicant and the landowner (when the landowner is not the applicant) in writing.
- (2) Where the development application has been approved, the Development Authority shall immediately issue a notice of the decision in any or all of the forms described as follows:
 - (a) mail a notice of the decision to all landowners who may be affected at the discretion of the Development Authority; and/or
 - (b) post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (c) publish a notice of the decision once in a newspaper circulating in the Village; and/or
 - (d) post a notice of the decision conspicuously in the Village office.
- (3) All notices of the decision referenced in Section 2.4 (2) shall include the location of the property for which the application has been approved and shall describe in general terms the development approved.
- (4) In addition to the foregoing, where a development permit application is denied, notice of the decision, together with reasons, shall be given to the applicant by way of original mail.

[Bylaw No. 423-10]

2.5 CONTRAVENTION AND ENFORCEMENT

- (1) If the Development Authority determines that a development, land use, or use of a building does not conform with/to:
 - (a) the Land Use Bylaw, Part 17 of the Municipal Government Act, the Subdivision and Development Regulation; or
 - (b) a development permit or subdivision approval;

the Development Authority shall issue a stop order, in accordance with the Act, to the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them in order to ensure conformity with the respective document or approval.

- (2) If a person fails to comply with a stop order under subsection (1) or an order of the Subdivision and Development Appeal Board, pursuant to the Act, the Village must pursue any action necessary to perform and complete the stop order.
- (3) If the Village is required to perform a stop order, the Village will, in accordance with

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the Act, register such stop order against the certificate of title for the land that is the subject of the stop order.

- (4) If the Village is required to perform a stop order, the Village will, in accordance with the Act, register such costs incurred in executing the stop order against the tax roll of the land that is the subject of the stop order.

2.6 OFFENCES AND PENALTIES

- (1) A person who contravenes or does not comply with a provision of the Municipal Government Act, the Subdivision and Development Regulation, the Land Use Bylaw, a stop work order issued under this bylaw, a development permit or subdivision approval, or a decision of the Subdivision and Development Appeal Board or who obstructs or hinders any person in the exercise or performance of their powers or duties under the Municipal Government Act, the Subdivision and Development Regulation, or this bylaw is guilty of an offence.
- (2) A person who is found guilty of an offence pursuant to subsection (1) is liable to a fine not more than \$10,000 or to imprisonment for not more than one (1) year, or to both fine and imprisonment.
- (3) If a person is found guilty of an offence under the Municipal Government Act or this bylaw, the court, in addition to any other penalty imposed, may order the person to comply with the Act or this bylaw or permit issued under this bylaw.
- (4) Development Permit applications submitted after site preparation or construction has commenced may be subject to double fee provisions, as described in the fee schedule established by resolution of Council.

2.7 APPEAL

- (1) An appeal of an order, a decision, or a failure to make a decision of the Development Authority may be made in writing to the Subdivision and Development Appeal Board in accordance with the provisions of the Subdivision and Development Appeal Board Bylaw.

2.8 COMPLIANCE WITH OTHER LEGISLATION

Compliance with the requirements of this Land Use Bylaw does not exempt any person from:

- (1) the requirement of any federal, provincial or municipal legislation; and;
- (2) complying with any easement, covenant, agreement or contract affecting the development.

SCHEDULE A

SCHEDULE A

A copy of Schedule A Land Use District Map is located at the back of this Land Use Bylaw.

SCHEDULE A

SUPPLEMENTARY REGULATIONS

1. **BUILDINGS**

1(1) Accessory Buildings

(a) Residential Districts

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
- (ii) An accessory building on an interior parcel shall be situated so that the exterior wall is at least 0.91 m (3.00 ft.) from the side and rear boundaries of the parcel.
- (iii) An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 0.91 m (3.00 ft.) to the other side parcel boundary or the rear parcel boundary.
- (iv) An accessory building shall not be more than 4.5 m (14.76 ft.) in height, and shall not exceed the height of the main building.
- (v) Notwithstanding subsection (iv) of this Section, a detached garage shall not be more than 7.6 m (25 ft.) in height, and shall not exceed the height of the main building.
- (vi) Notwithstanding subsections (ii) and (iii) of this Section, an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
- (vii) An accessory building erected or placed on a parcel shall not be used as a dwelling.

(b) Other Districts

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.

1(2) Building Orientation and Design

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

SCHEDULE B

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

1(3) Number of Buildings on a Parcel

At the discretion of the Development Authority, construction may commence on a second residence if that area is removed from the original parcel prior to an occupancy permit being issued. [Bylaw No. 423-10]

1(4) Relocation of Buildings

(a) No person shall

- (i) place on a parcel a building which has previously been erected or placed on a different parcel, or
- (ii) alter the location on a parcel of a building which has already been constructed on that parcel

unless a development permit has been issued by the Municipal Planning Commission.

(b) In addition to the requirements of Section 2.3(1), PART TWO, the Municipal Planning Commission may require an application for a development permit to be accompanied with

- (i) recent colour photographs showing all sides of the building;
- (ii) a statement on the age, size and structural condition of the building, and
- (iii) a statement of proposed improvements to the building.

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

(d) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Municipal Planning Commission may require the applicant to provide a security in the form of a certified cheque or letter of credit of such amount to ensure completion of any renovations set out as a condition of approval of a permit.

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

1(5) Building Demolition

SCHEDULE B

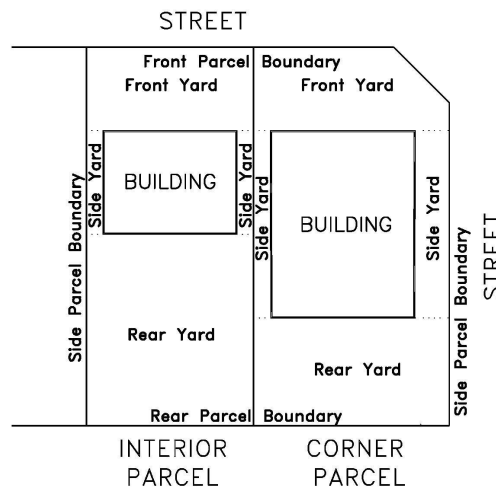
An application to demolish a building shall not be approved without a statement or plan which indicates:

- (a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
- (b) the final reclamation of the parcel

which is satisfactory to the Development Authority.

[Bylaw No. 423-10]

2. YARDS



2.(1) Projections Over Yards

Projections on foundation walls and footings, or on piles are deemed to be part of the building, and shall not be considered as a projection over a yard.

- (a) In residential Districts the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
 - (i) Side Yards

Any projection, including unenclosed steps or eaves, not exceeding one-half of the minimum sideyard required for the building, except in laneless subdivisions where Section 2(4)(a) of Schedule B shall apply;

SCHEDULE B

(ii) Front Yards

Any projection not exceeding 1.52 m (5.00 ft.) over or on the minimum front yard;

(iii) Front and Rear Yard

Unenclosed steps, if they do not project more than 2.44 m (8.00 ft.) over or on a minimum front or rear yard.;

(iv) Rear Yards

Any projection not exceeding 3.05 m (10.00 ft.) over the minimum rear yard.

(b) In all other Districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:

(i) any projection not exceeding 1.52 m (5.00 ft.) into a front or rear yard;

(ii) any projection not exceeding 0.61 m (2.00 ft.) into a side yard;

(iii) any projection that is an exterior fire escape not exceeding 1.22 m (4.00 ft.) in width.

(c) No portion of a building shall project into a public or private right-of-way.

2(2) Objects Prohibited or Restricted in Yards

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

(b) No person shall allow a holiday trailer, motor home, camper, or large boat to be stored in any yard abutting a street in a residential District, except in a rear yard on a corner parcel where it shall not be less than 3.05 m (10.00 ft.) from the boundary of the street.

(c) A holiday trailer, motor home or camper parked in a residential District may be used for living and sleeping accommodation only by bona fide tourists for a maximum period of 30 days per annum.

(d) No person shall allow a vehicle of more than 4,540 kg (10,009.0 lbs) (GVW) and/or a length of 6.5 m (21.3 ft.) to be parked or stored in a residential District, except those vehicles described in subsection 2(2)(b) of this Schedule.

[Bylaw No. 427-11]

SCHEDULE B

2(3) Satellite Dish Antennas

- (a) A satellite dish antenna shall only be located in a rear yard, or a side yard which does not abut a street.
- (b) On an interior parcel, a satellite dish antenna shall be situated so that no part of it is closer than 1 m (3.28 ft.) from the side or rear boundaries of the parcel.
- (c) On a corner parcel, a satellite dish antenna shall be situated so that no part of it is closer to the street than the main building, or closer than 1 m (3.28 ft.) from the other side parcel boundary or the rear parcel boundary.
- (d) Where any part of a satellite dish antenna is more than 4 m (13.12 ft.) above grade level, or when it is located other than described in subsection 2(3)(a) above, it shall be both screened and located to the satisfaction of the Development Authority.
- (e) No advertising other than the manufacturer's name/logo shall be allowed on a satellite dish antenna.
- (f) The illumination of a satellite dish antenna is prohibited.
- (g) A satellite dish antenna is an accessory use which requires an approved development permit.

2(4) Laneless Subdivisions

- (a) In a laneless subdivision in a Residential District, one side yard shall not be less than
 - (i) 1.5 m (4.92 ft.), in the case of a detached dwelling with attached garage, or
 - (ii) 3.05 m (10.00 ft.), in the case of a detached dwelling without attached garage;and both side yards shall not be less than
 - (i) 1.5 m (4.92 ft.) in the case of a duplex with attached garages, or
 - (ii) 3.05 m (10.00 ft.), in the case of a duplex without attached garages.
- (b) In a laneless subdivision in a commercial or industrial District one side yard shall be not less than 6.1 m (20.00 ft.). This does not apply to an accessory building where such building is located to the rear of the main building and separated there from by a minimum distance of 12.04 m (39.5 ft.).

2(5) Setbacks on Major Roadways

Where a parcel abuts a street for which a setback is established, the minimum yard

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requirement shall be increased by the amount of the applicable setback shown below.

Street	From	To	Existing Right-of-Way	Setback Required
South Side of Hwy. 580	Easterly Village Boundary	Hwy. 22	66 ft.	10.00 ft. (3.05 m)
East Street	Hwy. 580	Entire Length of Street	66 ft	10.00 ft. (3.05 m)

2(6) Access to Highways

All proposed accesses onto Highway 22 and Highway 580 must meet Village of Cremona and Alberta Infrastructure and Transportation (AIT) standards. All development permits proposed for lands adjacent the aforementioned Highways must be referred to AIT for comments. Service roads will be required for lands south of Highway 580 and shall be built to the Village of Cremona and AIT standards.

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3. VEHICLES

3(1) Parking

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

USES	PARKING SPACES
<p><u>Public</u> Hospitals and nursing homes Places of worship Public assembly buildings Schools Elementary and junior high Senior high</p>	<p>1.0/4 beds and 1.0/2 employees at max. staffing 1.0/4 seats 1.0/4 seats 1.0/1 employee 1.0/1 worker and 1.0/15 students</p>
<p><u>Residential</u> Apartments, bachelor suites 1 bedroom 2 bedroom 3 or more bedrooms visitor parking and vehicle storage fourplexes and rowhousing Secondary Suites Bed and Breakfast Boarding and Rooming House All others</p>	<p>1.0/unit 1.25/unit 1.5/unit 2.0/unit 0.25/unit 2.0/unit 1.0/unit 1.0/bedroom or in the case of an open dorm style room 1.0/bed 2.0/3 units of accommodation 2.0/dwelling</p>
<p>Uses not listed above</p>	<p>The number of spaces shall be determined by the Municipal Planning Commission having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.</p>

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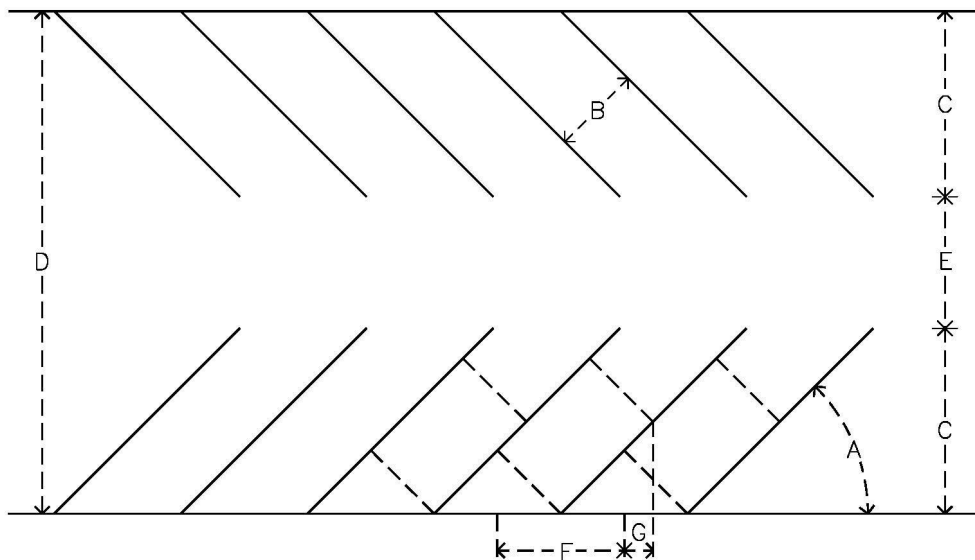
USES	NO. OF PARKING SPACES/ GFA (GROSS FLOOR AREA)
<p><u>Commercial</u> Indoor merchandise sales District shopping centres Neighbourhood shopping centres Other Offices Motels/Hotels Personal services Repair services Restaurants, lounges and taverns Drive-in businesses Vehicle and equipment sales</p>	<p>5.0/100 m² (1,076.4 sq.ft.) 4.0/100 m² (1,076.4 sq.ft.) 3.5/100 m² (1,076.4 sq.ft.) 2.0/100 m² (1,076.4 sq.ft.) of office administration area and 0.5/1.5 m² (16 sq.ft.) of customer reception area 1.0/guest room and 1.0/staff at night 2.0/100 m² (1,076.4 sq. ft.) 2.0/100 m² (1,076.4 sq. ft.) 1.0/5 seats and 1.0/ 2 employees parking spaces as calculated for the business plus additional queuing spaces as per Section 3(6) 2.0/100 m² (1,076.4 sq.ft.)</p>
<p><u>Industrial</u> Manufacturing industry Minimum provision Office/Administration area Other area Warehousing and Storage Minimum provision Office area Storage area</p>	<p>6.0 2.0/100 m² (1,076.4 sq. ft.) 1.0/100 m² (1,076.4 sq. ft.) 4.0 per bay 2.0/100 m² (1,076.4 sq. ft.) 0.7/100 m² (1,076.4 sq. ft.)</p>

- (b) When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.
- (c) The parking space requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.
- (d) Any loading space provided pursuant to subsection 3(2) of this Schedule may be used as parking space.

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- (e) Each parking space shall have dimensions of not less than 3.05 m (10 ft.) by 5.8 m (19 ft.).
- (f) The dimensions of parking areas shall be as set out in the following diagram and table

A	B	C	D	E	F	G
Parking Angle	Stall Width	Stall Depth	Overall Depth	Manoeuvring Space	Curb Length	Row End Length
0°	7.0 m (23 ft.)	2.9 m (9.5 ft.)	9.14 m (30 ft.)	3.66 m (12 ft.)	6.70 m (21.98 ft.)	0.00 m
30°	2.75 m (9.02 ft.)	5.00 m (16.4 ft.)	13.50 m (44.29 ft.)	3.5 m (11.48 ft.)	5.45 m (17.89 ft.)	0.85 m (2.79 ft.)
45°	3.05 m (10 ft.)	6.1 m (20 ft.)	15.7 m (51.5 ft.)	3.8 m (12.5 ft.)	3.85 m (12.63 ft.)	2.05 m (6.72 ft.)
60°	2.75 m (9.02 ft.)	6.0 m (19.69 ft.)	17.5 m (57.41 ft.)	5.5 m (18.04 ft.)	3.20 m (10.49 ft.)	2.00 m (6.56 ft.)
90°	3.05 m (10 ft.)	5.8 m (19 ft.)	18.3 m (60 ft.)	6.7 m (22 ft.)	3.05 m (10 ft.)	0.00 m



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- (g) A minimum standard of 25 m² (269 sq. ft.) per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.
- (h) In the Central Commercial District, in lieu of providing parking spaces and subject to the approval of the MPC, a payment may be made to the Village at a rate per space which shall be determined from time to time by Council through resolution.
- (i) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Municipal Planning Commission, the spaces may be located on another parcel within 50 m (164.0 ft.) walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (j) Hard surfacing of the parking area shall be required, where a parking area enters a paved public roadway, otherwise, the surfacing shall be all-weather.
- (k) As a condition of development permit, an irrevocable letter of credit or a certified cheque may be required up to 200% of the value of the estimated cost of the proposed paving/parking to ensure that such paving/parking is carried out with reasonable diligence. The condition of the security being that, if the paving/parking is not completed in accordance with this Bylaw and the development permit within one construction season after completion of the development, then the amount fixed shall be available to the Village for its use in installing the required paving/parking.

3(2) Loading Spaces

- (a) Loading spaces shall be required for all non-residential development and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a public roadway.
- (c) Loading spaces shall be located in rear and side yards only.
- (d) A loading space shall be at least 3.5 m x 8 m (11.48 ft. x 26.25 ft.), with an overhead clearance of at least 4.6 m (15.09 ft.).
- (e) Hard surfacing of the loading space shall be required, where a loading space enters a paved public roadway, otherwise, the surfacing shall be all-weather.

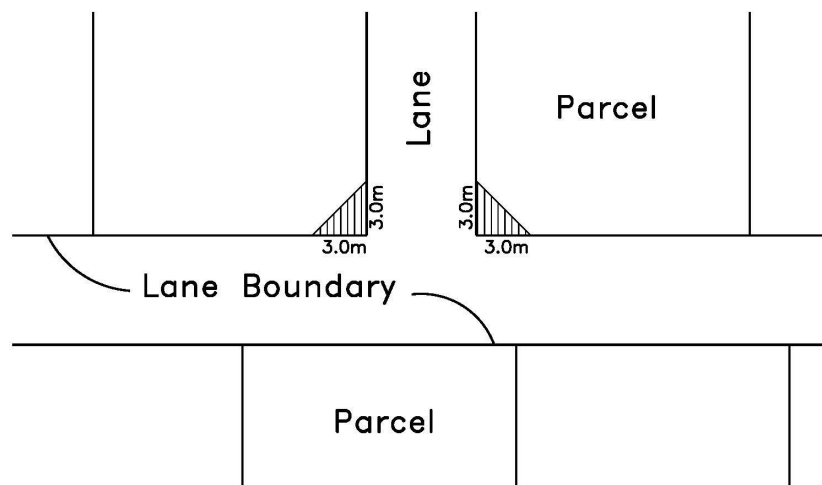
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3(3) Vehicle Access to Buildings

- (a) Any building into which a vehicle may enter shall have a driveway on the parcel at least 6.1 m (20.0 ft.) in length, except where the driveway enters a lane, where it shall be either 1 m (3.28 ft.) or at least 6.1 m (20.0 ft.).

3(4) Sight Lines at Intersections of Roadways

- (a) At the intersection of lanes, a 3.05 m (10 ft.) sight triangle shall be provided (see diagram below).



- (b) At the intersection of other roadways, the Development Authority may require the calculation of sight triangles where:
 - (i) one or more rights-of-way is less than 15 m (49.21 ft.), or
 - (ii) regulated vehicles speed exceeds 50 km/h, or
 - (iii) one of the carriageways is not centred in its right-of-way, or
 - (iv) an intersection leg is curved or skewed, or
 - (v) an intersection leg is sloped at 2% or greater.
- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distance for roadways.

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3(5) Driveways

- (a) At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
 - (i) 6.1 m (20 ft.) where the driveway serves not more than four dwelling units, or
 - (ii) 15.09 m (49.5ft.) for all other uses,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a driveway shall be 9.75 m (32 ft.).
- (c) The minimum distance between driveways shall be:
 - (i) nil, where the driveways serve single dwelling units,
 - (ii) 6.1 m (20 ft.), where the driveways serve any other use,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a driveway to a use which generates high traffic volumes shall be 70°.
- (e) To ensure that the movement of traffic is both safe and efficient, driveways are not allowed on the streets identified on Schedule A, unless alternative access is available.

3(6) Queuing Spaces

- (a) for drive-in/through food and beverage services a minimum of six (6) inbound queuing spaces shall be provided prior to the service window;
- (b) for drive through vehicle services a minimum of eight (8) inbound queuing spaces shall be provided prior to each service bay and a minimum of five (5) outbound queuing spaces shall be provided prior to exiting onto any public roadway; and
- (c) each queuing space shall be a minimum of 3.05 m (10 ft.) in width and 5.8 m (19 ft.) in length and shall allow adequate space for turning and manoeuvring.

3(7) Site Circulation

The space for the manoeuvring and circulation of vehicles on a parcel shall be sufficient to ensure that vehicles do not drive onto roads other than lanes

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or onto adjacent parcels when manoeuvring and circulating, except where an easement is registered for these purposes against the title to the adjacent parcels.

4. NON-CONFORMING BUILDINGS AND USES

- (a) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of this Land Use Bylaw.
- (b) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- (c) A non-conforming use of part of a parcel shall not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings shall be erected upon the parcel while the non-conforming use continues.
- (d) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except
 - (i) as may be necessary to make it a conforming building, or
 - (ii) as the Development Authority considers necessary for the routine maintenance of the building.
 - (iii) in accordance with the Land Use Bylaw that provides minor variance powers to the development authority for the purposes of this section.
- (e) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- (f) The use of land or the use of a building is not affected by reason only of a change of registered ownership, tenancy or occupancy of the land or building.

5. SIGNS

5(1) General Provisions

- (a) A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings or be liable to create a cluttered appearance to the streetscape.

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- (b) No sign shall project higher than the roof-line of the building to which it is attached.
- (c) A sign shall not project closer than 0.76 m (2.50ft.) to the existing or future curb line.
- (d) Where a sign projects over public property, a minimum clearance of 2.6 m (8.5 ft.) above grade level shall be maintained.
- (e) Notwithstanding subsection (d), where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.57 m (15.00 ft.) above grade level shall be maintained.
- (f) A sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- (g) A sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire ambulance or other emergency vehicles.

5(2) Facia and Projecting Signs

- (a) No facia or projecting sign shall be lower than 2.6 m (8.5 ft.) above grade, except in the case of signs intended solely for the information of pedestrian in which case the height shall be determined by the Municipal Planning Commission having regard, amongst other things, to clarity and safety.
- (b) No facia or projecting sign on a single storey building shall be higher than the eaveline of the building.
- (c) No facia sign shall project more than 0.4 m (1.31 ft.) over a street or public property.
- (d) No facia or projecting sign on a building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall.
- (e) The maximum size for projecting signs shall be 1 m² (10.76 sq. ft.).
- (f) On corner sites, projecting signs shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall.
- (g) Projecting signs shall not project more than 1.07 m (3.5 ft.) over a street or public property.
- (h) Only one projecting sign may be erected on each street frontage of a building.

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5(3) Freestanding Signs

- (a) No freestanding sign shall extend beyond 6.1 m (20 ft) above grade or be larger than 4.5 m² (48.5 ft.²) except in a Highway Commercial District where
 - (i) the maximum in all cases other than a district shopping centre, shall be 7 m (23 ft.) in height and 9.5 m² (102 ft.²) in area, and
 - (ii) at a district shopping centre, the maximum shall be 8.53 m (28 ft.) in height and 14 m² (150 ft.²) in area.
- (b) Only one freestanding sign may be erected on each of a parcel's boundaries with a street and no portion of freestanding sign may project over the parcel boundary.
- (c) No freestanding sign shall be erected in such proximity to a Public Recreation or Environmental Open Space District that it would detract from the natural aesthetics of that District.
- (d) Freestanding signs shall be separated by a minimum distance of 30 m (98.43 ft.) from each other.
- (f) Freestanding signs shall only be erected on sites to which their display relates except in the case of
 - (i) advance directional signs which may be approved by the Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced, or
 - (ii) signs used solely by community organizations.

5(4) Billboards

- (e) Billboards shall only be permitted in the Highway Commercial and Industrial Districts except on sites fronting Highway 580.
- (f) Billboards shall be placed in accordance with the following:
 - (c) billboards shall be spaced a minimum of 300 m (984 ft.) apart.
 - (ii) no billboard shall be permitted on a site that contains a free standing sign, portable sign or any other sign not attached to the principle building on the site.
 - (iii) no billboard shall be located on a site that contains a regional or district shopping/strip mall
 - (iv) no billboard shall

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- I. contain an advertising face more than 3.05 m (10 ft.) in height and 6.1m (20 ft.) in length;
- II. have a height greater than 6.1 m (20ft.);
- III. be located closer than 3.05 m (10 ft.) to a property line;
- IV. be erected, constructed, altered or used anywhere within the Village except as where provided within this Bylaw;
- V. project over any property line;
- VI. be less than 2.44 m (8 ft.) above the ground.

- (v) The land near and about where the Billboard is located shall be maintained in a neat and clean manner and kept free of litter at all times.
- (vi) Where the rear of the sign is visible to the public it may be required to attached a second face or finish it with an acceptable material to the satisfaction of the Development Authority.
- (vii) A billboard sign may be illuminated but shall not incorporate flashing lights.

5(5) Portable Signs

- (a) Portable signs may only be used to advertise businesses which commence operation on the parcel upon which the sign is erected within 60 days before or after the date of application for a development permit.
- (b) The use of a portable sign shall be limited to a maximum of 60 days following which time the sign shall be removed from the parcel.
- (c) Only one portable sign shall be permitted on a parcel at any one time and a minimum of 30 days shall elapse between the removal of one portable sign and the erection of another on the same parcel.
- (d) No portable sign shall be higher than 2 m (6.6 ft.) above grade or larger than 3 m² (32 ft²).
- (e) Portable signs must be located on sites to which their display relates and may be situated on, but not over, the property boundary.

5(6) Awning Signs

Awning signs shall only be permitted if the awning is a minimum of 2.6 m (8.5 ft.) above grade level.

5(7) Other Signs

The Municipal Planning Commission may approve other signs subject to the General Provisions of subsection 5(1).

5(8) Sign Removal

Where a sign no longer fulfils its function under the terms of the approved development permit, the Municipal Planning Commission may recommend that the Council resolve to order the removal of such a sign, and the lawful owner of the sign or where applicable, the registered property owner, shall, upon such a resolution,

- (a) remove such a sign and all related structural components within 30 days from the date of receipt of such a removal notice,
- (b) restore the immediate area around the sign to the satisfaction of the Municipal Planning Commission,
- (c) bear all the costs related to such removal and restoration.

6. LANDSCAPING, ENVIRONMENTAL CONSERVATION AND DEVELOPMENT

Unless otherwise specified in Schedule C, the following standards of landscaping shall be required for all areas of a parcel not covered by buildings, driveways, storage and display areas:

- (a) the conservation of existing trees and shrubs to the maximum extent possible;
- (b) the retention, in their natural state, of
 - (i) swamps, gullies and natural drainage courses,
 - (ii) unstable land,
 - (iii) land subject to flooding by a 1:1000 year flood,
 - (iv) land with a natural gradient of 15% or greater, and
 - (v) a strip of land not less than 15.1 m (49.5 ft.) in width along any river, stream, creek or lake, such distance to be measured from the top of the bank;
- (c) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and public roadways to the satisfaction of the Development Authority;
- (d) a 4.6 m (15 ft.) landscaped buffer is required between any residential and non-residential parcel and shall include a mixture of deciduous and coniferous trees, with a minimum of 33% being coniferous, at a minimum 1.53 m (5 ft.) in height and located to the satisfaction of the Development Authority.
- (e) multi-unit sites (two units and over), apartments and highway commercial sites shall be landscaped as follows:
 - (i) 10% of the total area with one tree for every 35 m² (538 ft. ²) and 4

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- (ii) shrubs for every 100 m² (1076.5 ft. ²)
the balance of the site not covered by buildings or parking at a rate of 1 tree or four shrubs for every 150 m² (1614.5 ft.²)
- (iii) trees shall be a mixture of coniferous and deciduous with a minimum 33% being coniferous, at a minimum of 1.53 m (5 ft.) in height and located to the satisfaction of the Development Authority.
- (f) notwithstanding Section 6(e) above, a 3.05 m (10 ft.) perimeter landscaping shall be provided along the property boundaries of Highway Commercial and Industrial sites adjacent any public road (other than a lane). Landscaping shall include trees (being a minimum of 5 ft. in height) provided to the satisfaction of the Development Authority. The required perimeter landscaping for Highway Commercial sites may be included in the overall calculation for landscaping as per Section 6(e).
- (g) the Development Authority may require the developer to provide securities in the way of irrevocable letter of credit or certified cheque equal up to 200% of the estimated landscaping cost as a condition of development permit. The developer shall provide a quote of the estimated costs of the required landscaping to the satisfaction of the Development Authority.
- (h) Securities taken by the Development Authority for landscaping will be returned to the Developer, upon written request, once an inspection has taken place and the Development Authority is satisfied with the quality of the landscaping supplied.
- (i) a maximum of 10% of the parcel area may be hard landscaped to the satisfaction of the Development Authority, except in the Industrial District where a maximum of 30% of the parcel area may be hard landscaped.

7. MISCELLANEOUS

7(1) Home Occupations

Home occupations shall comply with the following:

- (a) a home occupation shall not include any use of operation which interferes with the rights of neighbouring residents to a quiet enjoyment of their property by way of noise, dust, smoke, steam, fumes, exhaust, odour, heat, glare, vibration, the generation of excess traffic, excessive on-street parking, late calling of clients, the loss of visual character of privacy, or any other objectionable effect;
- (b) a home occupation shall be incidental and subordinate to both the residential use and the accessory building

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- (c) there shall be no signs or advertisement displayed from the residence or property;
- (d) there shall be no outside storage of materials, commodities or finished products, or any hazardous or dangerous goods;
- (e) no commodity other than the product or service of the home occupation shall be sold on the premises; and
- (f) no person other than a resident of the dwelling shall be employed.
- (g) on-street parking is not allowed for a home occupation;
- (h) a home occupation shall only be allowed in combination with a single-detached dwelling, modular home or mobile home. A home occupation shall not be allowed on the same parcel as a bed and breakfast, boarding/rooming house or another home occupation;
- (i) a home occupation shall not be allowed if, in the opinion of the development authority, it would be more appropriately located in a commercial or industrial district;

7(2) Swimming Pools

Every private swimming pool shall be secured against entry of the public other than owners, tenants or their guests.

7(3) Dangerous Goods

Prior to making any decision on a development application which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods or oil and gas related facility including pipelines, the Development Officer/Municipal Planning Commission shall refer the development proposal to the appropriate regulatory authority for comments.

7(4) Mechanized Excavation, Stripping and Grading of Parcels

- (a) A temporary fence shall be erected around all excavations which in the opinion of the Development Officer/Municipal Planning Commission may be hazardous to the public.
- (b) Where finished ground elevations are established, all grading shall comply herewith.
- (c) All parcels shall be graded to ensure that storm water is directed to a public roadway without crossing adjacent land, except as permitted by the Municipal Planning Commission.

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- (d) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

7(5) Secondary Suites

- (a) Secondary suites may only be situated in a detached dwelling that is occupied by the registered owner and shall remain subordinate and secondary to the detached dwelling.
- (b) The number of secondary suites per detached dwelling shall be limited to one (1).
- (g) One additional off-street parking space shall be provided in accordance with Section 3(1) of Schedule B.
- (h) Secondary suites must meet Alberta Building Code standards.

7(6) Bed and Breakfast Establishments

- (a) The residential nature of the dwelling and the neighbourhood shall be preserved as much as reasonably possible.
- (b) A dwelling that is being used as a bed and breakfast establishment shall not be used as a boarding and rooming house or home occupation at the same time. [Bylaw No. 423-10]
- (c) The granting of a development permit for a bed and breakfast establishment does not exempt compliance with any provincial regulations or other permit requirements.

7(7) Development Setbacks from Oil and Gas Wells, Landfills and Waste Sites

All developments must be setback from oil and gas facilities, landfills and waste sites in accordance with the *Municipal Government Act Subdivision and Development Regulation*.

7(8) Development on or Near Slopes

- (a) For the purposes of this Section, “top of the bank” is as determined by the Development Authority.
- (b) Notwithstanding the yard requirements prescribed in the land use districts, no permanent buildings intended for human habitation shall be permitted within 10 m of the top of the bank of any waterbody and no development shall be permitted within 20 m of the top or bottom of a slope where the grade exceeds 15% (fifteen percent).
- (c) The Development Authority may require a greater setback than is

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prescribed in subsection (2) above.

- (d) Notwithstanding that a proposed development conforms in all respects with this Bylaw, including subsection (2) above, where the application is for development on lands that are or may be subject to subsidence, the Development Authority may require the applicant to demonstrate, by means of an engineering report bearing the seal and signature of a professional engineer registered in the Province of Alberta, that preventative engineering and construction measures can be instituted to ensure suitability of the development to the site.
- (e) Further to subsection (4), the Development Authority may require that the development site and buildings be designed by a professional engineer registered in the Province of Alberta.
- (f) Subject to subsections (4) and (5), the Development Authority may reduce the setback requirements if the applicant provides satisfactory proof of slope stability.
- (g) Development permit applications for any open, enclosed, attached or detached swimming and wading pool, any water fountain and/or water sculpture, any water reservoirs and water tanks, any ornamental ponds and lakes, and any water retaining excavation structure or vessel that could alter sub-soil adhesion characteristics on sites abutting or adjacent the “top of bank” shall be accompanied by a report prepared by a qualified, registered professional engineer detailing the structural components of the proposal which will mitigate risks to bank stability.

7(9) Adult Entertainment Establishments

Unless otherwise approved by Council, an adult entertainment establishment shall not be located on a parcel having a minimum radius of less than 150 m (492 ft.) from the boundary of a parcel in a residential district, and from the boundary of a parcel accommodating a private, public or separate school, church, public park or playground, day care (or similar) facility or any other adult entertainment facility.

7(10) Deferred Paving and Landscaping

If a street, lane or boulevard abutting a site in a commercial or industrial District is not paved or landscaped, the Development Authority may permit an extension of not more than 12 months following notification by the Village of completion of such paving or landscaping within which the owner shall comply with this Bylaw's requirements for onsite paving and landscaping, provided that the registered owner of the site enters into an agreement in writing satisfactory to the Village to complete such works. The Village may register a caveat on the title to the site to protect the agreement.

8. MANUFACTURED HOMES IN R1, R2 RESIDENTIAL DISTRICTS

The external appearance of manufactured homes must be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity and must have the following:

- (a) a minimum roof pitch of 4:12;
- (b) a roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes;
- (c) a minimum roof overhang or eaves of 0.40 m (16 inches) from each external wall;
- (d) a maximum length to width ratio of 3:1;
- (e) a minimum width of 6.7 m (22 ft.);
- (f) a permanent foundation.

9. GUIDELINES FOR OTHER LAND USES

- 9(1) All uses which are not covered by specific regulations in Schedule C shall, in accordance with the following guidelines, be
- (i) separated from adjacent uses by such distance as to ensure that there will be no adverse impact upon or by those adjacent uses,
 - (ii) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan,
 - (iii) set-back from any parcel boundary abutting a public roadway a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses,
 - (iv) of a height which will be consistent with that prevailing in the area,
 - (v) development in such a manner that there will be no adverse impact upon or by traffic on adjacent public roadways, and
 - (vi) developed in conformance with any applicable statutory plan policies.

10. AUTOMOBILE, MACHINERY AND MISCELLANEOUS EQUIPMENT STORAGE

- (a) No person shall allow a motor vehicle or other machinery which is in a dilapidated unsightly condition, or discarded, to remain or be parked on any lot in the Village of Cremona unless it is suitably housed or screened to the satisfaction of the Development Officer, or has been issued a Development Permit.

LAND USE DISTRICT REGULATIONS

LOW DENSITY RESIDENTIAL DISTRICT (R1)

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

Permitted Uses: Accessory building
Detached dwelling

Discretionary Uses: Bed and Breakfast
Boarding and Rooming House
Duplex existing at the date of passage of this Land Use Bylaw
Front Yard Fence
Home occupation
Manufactured Home
Parking facilities for uses in this District
Parks and playground
Public and quasi-public use
Screen
Secondary Suite
Sign
Solar panels
Utility building
Any use that is similar, in the opinion of the Municipal Planning Commission, to be permitted or discretionary uses described above.

The following regulations apply to detached dwellings, boarding and rooming houses, and manufactured homes

Minimum Front Yard: 7.6 m (25.00 ft)

Minimum Side Yard: 1.53 m (5.0 ft.) except where it abuts a public roadway – 4.6 m (15.00) or as required in the Alberta Building Code, whichever is greater 3.05 (10.00 ft.) in the case of a detached dwelling, manufactured home without an attached garage in a laneless subdivision.

Minimum Rear Yard: 10.1 m (33 ft.)

Minimum Parcel Area: Interior Parcels 512 m² (5,509 ft.²)
Corner Parcels 550 m² (5,929 ft.²)

Maximum Parcel Coverage: 50%

SCHEDULE C

Minimum Floor Area:	93 m ² (1,000 ft. ²)
Landscaped Area:	In the case of applications for development permits for uses other than detached dwellings, refer to Schedule B.
Maximum Building Height:	9.75 m (32 ft.) for principal building(s) only. [Bylaw No. 423-10]
Manufactured Homes:	Design guidelines listed in Schedule B.
Home Occupations:	Additional regulations listed in Schedule B.
Supplementary Regulations:	All uses must comply with the regulations in Schedule B

GENERAL RESIDENTIAL DISTRICT (R2)

General Purpose:	To provide an area for a variety of dwelling types and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential building Detached dwelling Duplex
Discretionary Uses:	Bed and Breakfast Boarding and Rooming House Front Yard Fence Home Occupation Manufactured Home Parking Facility for Uses in this District Parks and Playgrounds Public and Quasi-public Use Secondary Suite Sign Solar panels Utility Building Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	Detached dwellings, manufactured homes, duplexes: 7.6 m (25.00 ft.)
Minimum Side Yard:	Detached dwellings, manufactured homes, duplexes; 1.53 m (5.0 ft.), except where it abuts a public roadway – 3.05 m (10.00) 3.05 (10.00 ft.) in the case of a detached dwelling, duplex, manufactured home without an attached garage in a laneless subdivision.
Minimum Rear Yard:	Detached dwellings, manufactured homes, duplexes: 10.1 m (33.00 ft.)
Minimum Floor Area:	79.0 m ² (850.0 ft ²)
Minimum Parcel Area:	Detached dwellings, manufactured homes: Interior parcels 464.5 m ² (5,000 ft ²) Corner parcels 512 m ² (5,511 ft ²) Duplexes: Interior parcels 280 m ² (3,013.9 ft. ²)

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Corner parcels 330 m² (3,552.1 ft.²)

Maximum Parcel Coverage: Detached dwellings, duplexes: 50%

Landscaped Area: Detached dwelling and manufactured homes:
No specified requirements.
Duplexes:
An area 6.1 m (20 ft) in perpendicular depth and 1.2 m (4 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B.
For all other development refer to Schedule B.

Maximum Building Height: Detached dwellings, manufactured homes, duplexes:
9.75 m (32 ft.) for principal building(s) only. [Bylaw No. 423-10]

Manufactured Homes: Design guidelines listed in Schedule B.

Home Occupations: Additional regulations listed in Schedule B.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

MULTI-FAMILY RESIDENTIAL DISTRICT (R3)

General Purpose:	To provide an area for multi-family type uses at a higher density, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory Building Apartment Duplex Four-plex Row housing
Discretionary Uses:	Bed and Breakfast, in existing single detached dwellings only Boarding and rooming house, in existing single detached dwellings only Detached dwelling, existing at the time of passage of this bylaw Front yard fence Funeral home Home occupation Multiple housing developments Parking facilities for uses in this district Park and playground Public and quasi-public use Screens Secondary suite, in existing single detached dwellings only Solar panels Utility building Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	Detached dwellings, duplexes, row houses, and four-plexes: 6.1 m (20.00 ft.) Apartments: 7.6 m (25.00 ft.) Multiple housing developments: Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions.
Minimum Side Yard:	Detached dwellings, duplexes, four-plexes, and row house end units: 1.53 m (5.0 ft.), except where it abuts a public roadway – 3.05 m (10.0) 3.05 (10.0 ft.) in the case of a duplex or four-plex

SCHEDULE C

without an attached garage in a laneless subdivision.

Apartments:

3.5 m (10.0 ft.), except where it abuts a public roadway - 6.1 m (20.0 ft.), or as required in the Alberta Building Code, whichever is greater.

Multiple housing development:

Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard:

Detached dwellings, duplexes, row houses, four-plexes, multiple unit dwellings and apartments:

10.1 m (33.00 ft.)

Multiple housing developments (incorporating buildings with ground level private access)

Each dwelling unit shall have a private, screened yard area of not less than 45 m² (484.39 ft.²)

Minimum Floor Area:

Row houses, main floor (1 level):

790 m² (850.0 ft²) per dwelling

Row houses, main floor (2 levels):

67.0 m² (721.0 ft²) per dwelling

Apartments and four-plexes:

bachelor unit: 32.5 m² (350.0 ft²) per dwelling unit

one-bedroom unit: 51.0 m² (549.0 ft²) per dwelling unit

two-bedroom unit: 65.0 m² (699.5 ft²) per dwelling unit

three-bedroom unit: 78.75 m² (847.5 ft²) per dwelling unit

Minimum Parcel Area:

Duplexes:

Interior parcels 325 m² (3,497.0 ft.²) per dwelling unit

Corner parcels 370 m² (3,981 ft.²) per dwelling unit

Row houses:

Interior parcels 185 m² (1,991.5 ft.²), per dwelling unit

Corner parcels 280 m² (3,013.9 ft.²), per dwelling unit

Fourplexes:

Interior parcels 180 m² (1,937.5 ft²) per dwelling unit

Corner parcels 220 m² (2,368 ft²) per dwelling unit

Apartments:

1.5 times the building's total floor area

SCHEDULE C

Maximum Parcel Coverage: Detached dwellings, duplexes, four-plexes and row housing : 50%
Apartments: 75%
Multiple housing developments:
Determined by subtracting the minimum amenity area from the parcel area

Landscaped Area: An area 6.1 m (20 ft) in perpendicular depth and 1.2 m (4 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Section 6 of Schedule B.

Maximum Building Height: Detached dwellings, duplexes, row houses and four-plexes: 9.75 m (32 ft.) for principal building(s) only.
Apartments: 13.5 m (44 ft.) for principal building(s) only.
Multiple housing developments:
As required for the various housing types as described above.

[Bylaw No. 423-10]

Home Occupations: Additional regulations listed in Schedule B.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

MANUFACTURED HOME DISTRICT (R4)

General Purpose: To provide an area for and to regulate the development and use of land for manufactured homes, and other uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems.

Permitted Uses: Accessory residential buildings/structures
Manufactured homes
Manufactured home park

Discretionary Uses: Home occupation which in the opinion of the Development Authority, will not generate excessive traffic
Parks and playgrounds
Public and quasi-public uses
Public Utility Buildings
Signs
Solar panels

In this District,

"lot" means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupant(s);

"structure" means a subordinate building which is an addition to, or supplements the facilities provided by a manufactured home, such as awnings, storage structures, carports, porches and skirting.

(1) Manufactured Home Park

Comprehensive Siting Plan: A comprehensive siting plan satisfactory to the development authority is required for all manufactured home parks. The plan shall identify and provide detail regarding dimensions and treatments for the following:

- Entire site and individual "lots"
- Roads
- Walkways
- Recreation areas
- Storage areas
- Parking areas
- Perimeter landscape area

Maximum Gross Density: 17 manufactured homes per hectare (7 per acre)

Minimum Park Area: 2 hectares (4.9 acres)

Maximum Park Area: 4 hectares (9.9 ac)

Minimum Lot Area: As determined by the size of the manufactured home units

SCHEDULE C

and the lot coverage and minimum yard requirements specified in this Section.

Maximum Lot Coverage: 50%

Minimum Yard Requirements: Manufactured homes shall be at least:

- i) 4.5 m (14.76 ft.) from one another
- ii) 6.0 m (19.69 ft.) from any park boundary
- iii) 3.0 m (9.84 ft.) from any side internal access road or common parking area
- iv) 6.0 m (19.69 ft.) from the front lot line
- iv) 1.5 m (4.92 ft.) from any side lot line
- v) 4.5 m (14.76 ft.) from the rear lot line

Attached structures shall be at least 1.5 m (4.92 ft.) from any lot line.

Minimum Manufactured Home Floor Area: 91 m² (980 sq. ft.)

Minimum Manufactured Home Width: 4.4 m (14.44 ft.)

Maximum Height: 7.5 m (25 ft.) [Bylaw No. 423-10]

Recreation Area: A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Officer/Municipal Planning Commission.

Landscaped Areas: All areas of a manufactured home park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other developed facilities, including paved playgrounds, shall be landscaped. A manufactured home park shall have on its perimeter a landscaped area not less than 3 m (9.84 ft.) in width between any manufactured home lot and a boundary line of the development. This buffer shall not comprise part of the 5% recreation area requirement. The Development Authority may require the provision of a screening fence or wall within the 3.0 m perimeter. The height, material, style, finish and siting of the fence / wall shall be to the satisfaction of the Development Authority.

Roadways: All manufactured home park roadways shall have at least a 12 m (39.37 ft.) right-of-way and a carriageway no less than 8 m (26.25 ft.) in width.

Walkways: Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (4.92 ft.) in width.

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Storage Areas:	Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be screened. Such storage areas shall have an area of not less than 20 m ² (215.29 sq. ft.) per manufactured home lot.
Utilities:	All utility services and all utility wires and conduits shall be installed underground.
Fences and Lot Lines:	Fences and hedges shall be allowed only if they are erected and maintained by the manufactured home park operator to a uniform standard throughout the manufactured home park. All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.
Building Design:	All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home development. Each manufactured home shall be levelled, blocked and skirted, and the hitch skirted within 30 days of being placed on a lot.
Development Permits:	All manufactured homes in a manufactured home park require a development permit.

(2) Manufactured Home Subdivision Standards

The following regulations apply to manufactured homes:

Minimum Parcel Area:	Interior parcels 375 m ² (4,036.59 sq. ft.) Corner parcels 420 m ² (4,520.99 sq. ft.)
Maximum Parcel Coverage:	50%
Front Yard:	6 m (19.69 ft.)
Side Yard:	1.5 (4.92 ft.) on the right side facing lot from the street [except where it abuts a road other than a lane, then it shall be 3.0 m (9.84 ft.)]; and 4.5 m (14.76 ft.) on the left side. Attached structures shall be at least 1.5 m (4.92 ft.) from any lot line.
Rear Yard:	3.0 m (9.84 ft.)
Minimum Floor Area:	91 m ² (980 sq. ft.)

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Minimum Manufactured Home Width:	4.40 m (16.0 ft.)	
Maximum Height:	7.5 m (25 ft.)	[Bylaw No. 423-10]
Building Design:	All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. All wheels must be removed and the manufactured home placed on permanent foundation, or concrete piers.	
Supplementary Regulations:	All uses must also comply with the regulations in Schedule B.	

COUNTRY RESIDENTIAL DISTRICT (CR)

General Purpose: To provide an area for an existing acreage residential development in the form of a detached dwelling and compatible uses, herein listed, which are not connected to the municipal sewer and water systems. This district is specific to Lot 1, Plan 8910967.

Permitted Uses: Accessory building
Detached dwelling

Discretionary Uses: Accessory use
Bed and Breakfast
Building demolition
Domestic animals
Home occupation
Manufactured home
Mechanized excavation, stripping and grading
On site renewable energy source
Parks and playground
Public and quasi-public use
Utility building
Secondary suite
Screen
Sign
Solar Panels
Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to the existing parcel and dwelling only:

Minimum Front Yard: 15.0 m (49.20 ft.)

Minimum Side Yard: 4.5 m (14.76 ft.)

Minimum Rear Yard: 12.0 m (39.36 ft.)

Minimum Parcel Area: Existing parcel area

Maximum Parcel Coverage: 35%

Landscaped Area: In the case of applications for development
Permits for uses other than detached dwellings, refer to Schedule B.

Maximum Building Height: 9.75 m (32 ft.) [Bylaw No. 423-10]

SCHEDULE C

- Manufactured Homes: Design guidelines listed in Schedule B.
- Home Occupations: Additional regulations listed in Schedule B.
- Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B”.

CENTRAL COMMERCIAL DISTRICT (C1)

- General Purpose: To provide an area for intensive commercial use, offering a wide variety of goods and services, and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.
- Permitted Uses: Indoor merchandise sales
Offices
Personal services
- Discretionary Uses: Accessory use
Commercial recreation and entertainment facility
Dwelling unit above the ground floor
Offices above the ground floor
Parking facility
Public and quasi-public use
Repair service
Restaurant
Convenience Store
Signs
Solar panels
Utility building
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
- Minimum Front Yard: Nil
- Minimum Side Yard: Nil, or as required in the Alberta Building Code, whichever is greater.
- Minimum Rear Yard: Shall be provided for parking and loading spaces in accordance with Sections 3(1) and 3(2) of Schedule B.
- Maximum Parcel Coverage: 100%
- Outdoor Storage and Display: Outdoor storage or display is not permitted.
- Maximum Building Height: 10 m (33.0 ft.)
- The following regulation applies to dwelling units:
- Dwelling Units Entrance: Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

SCHEDULE C

Landscaping:	Landscaping shall be provided to the satisfaction of the Development Authority.
Parking:	All commercial developments located south of Highway 580 may provide parking at the front of the parcel.
Supplementary Regulations:	All uses must also comply with the regulations in Schedule B.

HIGHWAY COMMERCIAL DISTRICT (C2)

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

Permitted Uses: Drive-in business
Sales and service outlets for automobiles, trucks, recreation vehicles and mobile homes
Service for the travelling public
Service Station

Discretionary Uses: Accessory use
Bus Depot
Car wash
Commercial recreation and entertainment facilities
Convenience store
District shopping centre
Drinking establishment
Dwelling unit for the occupancy of the owner, operator or caretaker
Hotel
Motel
Parking facility
Public and quasi-public uses
Restaurant
Sales and service outlet for farm equipment
Sign
Solar panels
Truck wash
Utility building
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

Minimum Front Yard: 6.1 m (20.0 ft.) adjacent to a service or local road

Minimum Side Yard: 2 m (5.5 ft.), or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: 6.1 m (20.0 ft.)

Minimum Parcel Frontage: 15 m (49.21 ft.)

Maximum Parcel Coverage: 80%

SCHEDULE C

Outdoor Storage and Display:

1. All outdoor storage shall be screened
2. All outdoor display shall be screened from residential Districts.

Maximum Building Height: 10.06 m (33.0 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

INDUSTRIAL DISTRICT (I)

General Purpose:	To provide an area for industrial uses, and other uses, herein listed, which are compatible to the area which are located in an attractive environment; to accommodate uses which do not cause any external, objectionable or dangerous conditions beyond the parcel boundary.
Permitted Uses:	Light manufacturing Repair services Warehousing
Discretionary Uses:	Accessory use Adult entertainment establishment Auto wrecker Cartage and freight terminal Crematorium Dwelling unit for the occupancy of the owner, operator or caretaker Feed mill and grain elevator Funeral Home Heavy equipment assembly, sales and service Non-renewable resource extraction Parking facilities for uses in this District Restaurant Sign Solar panels Solid waste transfer station Truckwash Utility building Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	12 m (39.4 ft.) without a service road and 9 m (29.5 ft.) with a service road
Minimum Side Yard:	3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard:	6 m (19.96 ft.)
Minimum Parcel Frontage:	15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.
Maximum Parcel Coverage:	80% Outdoor Storage and Display:

SCHEDULE C

1. All outdoor storage shall be screened
2. All outdoor display shall be screened from adjacent residential districts.

Maximum Building Height: 10.06 m (33.0 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

PUBLIC FACILITY AND RECREATION DISTRICT (PFR)

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

Permitted Uses: Parks and playground
Recreation facility

Discretionary Uses: Accessory use
Parking facility (public)
Public and quasi-public use
Sign (public)
Solar panels
Utility building
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

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

Minimum Front Yard: 9 m (29.53 ft.)

Minimum Side Yard: 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Minimum Year Yard: 6 m (19.69 ft.)

Maximum Parcel Coverage: 80%
Outdoor Storage and Display:
1. Outdoor storage shall be screened
2. Outdoor display is not allowed

Maximum Building Height: 12 m (39.37 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

URBAN RESERVE DISTRICT (UR)

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

Permitted Use: Agricultural operations lawfully existing at the date of adoption of this Land Use Bylaw excluding feedlots

Discretionary Uses: Accessory use
Agricultural operations, excluding confined feeding operations
Existing residence and other related improvements
Parking facility for uses in this District
Sign
Solar panels
Uses that will not, in the opinion of the Municipal Planning Commission,
(1) materially alter the use of the land from that existing on the date the land was designated to this Land Use District, or
(2) conflict with future urban expansion
Utility buildings
Any use that is similar, in the opinion of the Municipal Planning Commission, to the discretionary uses described above.

The following regulations apply to all uses:

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

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

Supplementary Regulations: All uses must also comply with the regulations in Schedule B

DIRECT CONTROL DISTRICT (DC)

General Purpose: The purpose of this district is to provide for the development of land uses under individually unique circumstances requiring site-specific controls where the application of conventional land use districts would be inappropriate or inadequate.

Uses: In approving a bylaw for a Direct Control District for a particular site, Council shall specify those uses that may be allowed.

Development Standards: In approving a bylaw for a Direct Control District for a particular site, Council shall establish the development standards that apply.

Administrative Provisions

- 1) This District shall only be applied where the following conditions are met:
 - (a) The development is, in the opinion of Council, considered appropriate for the site having regard for the policies and objectives of any statutory plans applicable to the site and surrounding area and its compatibility with the scale and character of surrounding development;
 - (b) The use of any other district on the site would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such district be utilized; and
 - (c) The development is of a unique form or nature not contemplated or reasonably regulated by another district.

- 2) In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following:
 - (a) Support rationale explaining why the proposed district is desirable for the site having regard for the conditions listed in (1) above;
 - (b) A list of uses proposed for the site;
 - (c) An explanation of the methods used to obtain public input and written documentation of the opinions and concerns of surrounding property owners and residents and how the proposed development responds to those concerns;

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- (d) Plans and elevations that would help substantiate the need for the District and establish the development standards that would apply to the site; and
 - (e) Any other information as may be required by the Development Officer to evaluate the proposed development and its potential impacts.
- 3) In approving a bylaw for a Direct Control District for a particular site, Council may specify:
- (a) Those uses to be decided upon by a Development Authority; and

Those development standards for which a variance may be granted.

Sites Subject to Direct Control

The allowable uses and specific regulations for a particular site subject to Direct Control are described in the applicable bylaw listed below.

Legal Description

Bylaw

Date Passed

AGRICULTURAL DISTRICT (AG)

General Purpose: The purpose of this district is to provide an area that will facilitate a limited range of agricultural pursuits and other uses on land in close proximity to urban development.

Permitted Uses: Accessory residential building
Accessory use
Agricultural operations
Detached dwelling
Fences and enclosures
Parking facility for uses in this District

Discretionary Uses: Accessory agricultural building
Bed & Breakfast
Building demolition
Excavating, stripping and grading
Home occupation
Manufactured home
New, expanded, or altered agricultural operation, excluding confined feeding operation
Secondary suite
Sign
Solar Panels
Uses that will not, in the opinion of the Municipal Planning Commission,
(1) materially alter the use of the land from that existing on the date the land was designated to this Land Use District, or
(2) conflict with future urban expansion
Utility building
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

Minimum Front Yard: 15 m (49.20 ft.)

Minimum Side Yard: 7.5 m (25 ft.)

Minimum Rear Yard: 12 m (39.36 ft.)

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

Maximum Building Height: 8.5 m (27.89 ft.)

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Agricultural buildings may be exempt from the above maximum building height but may be limited to such height as is deemed suitable and appropriate for the intended use as determined by the Municipal Planning Commission.

Outdoor Storage and Display:

1. Outdoor storage shall be screened.
2. Outdoor display shall be screened from residential districts

Manufactured Homes:

Design guidelines listed in Schedule B.

Home Occupations:

Additional regulations listed in Schedule B.

Supplementary Regulations:

All uses must comply with the regulations in Schedule B”.

The regulations for all other uses shall be as established in Schedule B.