



# CHESTERMERE

**CITY OF CHESTERMERE**  
**LAND USE BYLAW NO. 020-24**

**May 2024**

DRAFT

*This page is left blank intentionally.*

**CITY OF CHESTERMERE  
BYLAW 020-24**

This Bylaw comes into full force and takes effect on the date of third and final reading.

FIRST READING, PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

SECOND READING, PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

THIRD READING, PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

DRAFT

# AMENDMENTS TO LAND USE BYLAW #020-24

All amendments to the City of Chestermere Land Use Bylaw #020-24 must be passed by bylaw. Any bylaw requires three (3) separate hearings by City Council under Section 187 of the *Alberta Municipal Government Act (MGA)*, and a public hearing must be held by Council prior to Second Reading of the proposed bylaw under Section 692 of the *MGA*.

Text amendments incorporated into Land Use Bylaw #020-24 in order of adoption:

## LAND USE BYLAW AMENDMENTS

#020-24

DRAFT

# TABLE OF CONTENTS

<b>PART 1</b>	<b>ENACTMENT AND ADMINISTRATION</b> .....	<b>1</b>
1.1	Title	
1.2	Purpose	
1.3	Application	
1.4	Effective Date	
1.5	Conformity with the Bylaw	
1.6	Other Legislative Requirements	
1.7	Severability	
1.8	Transition	
<b>PART 2</b>	<b>INTERPRETATION</b> .....	<b>2</b>
2.1	Rules of Interpretation	
2.2	Definitions	
<b>PART 3</b>	<b>DEVELOPMENT AUTHORITIES</b> .....	<b>28</b>
3.1	Development Authority	
3.2	Development Officer	
3.3	Council	
3.4	Subdivision and Development Appeal Board	
<b>PART 4</b>	<b>DEVELOPMENT APPLICATIONS</b> .....	<b>30</b>
4.1	Control of Development	
4.2	When a Development Permit Is Not Required	
4.3	Development Permit Applications	
4.4	Decision	
4.5	Variance Authority	
4.6	Fees	
4.7	Development Permit Process	
4.8	Referrals	
4.9	Development Permit Conditions	
4.10	Restrictions on Issuance of a Development Permit	
4.11	Notice of Decision	
4.12	Appealing a Decision	
4.13	The Appeal Process	
4.14	Notice of Appeal	
<b>4.15</b>	<b>Development Completion Certificate</b>	
<b>PART 5</b>	<b>AMENDING THE BYLAW</b> .....	<b>42</b>
5.1	Bylaw Amendments	
5.2	Amendment Applications	
5.3	The Amendment Process	
<b>PART 6</b>	<b>CONTRAVENTION AND ENFORCEMENT</b> .....	<b>44</b>
6.1	Non-Conforming Buildings and Uses	
6.2	Contravention	
6.3	Stop Orders	
6.4	Enforcement	
6.5	Penalties	
6.6	Violation Tickets	
6.7	Specific Enforcement Relating to Signs	
6.8	Other Remedies	

<b>PART 7</b>	<b>GENERAL REGULATIONS</b> .....	<b>48</b>
7.1	Applicability	
7.2	All Accessory Buildings and Uses	
7.3	Bare Land Condominium	
7.4	Bed and Breakfast Accommodation	
7.5	Brewery	
7.6	Building Design, Character and Appearance	
7.7.	Car Washes	
7.8	Child Care Facilities, Group Family Child Care Programs, Approved Family Day Homes	
7.9	Communication Facilities	
7.10	Corner Lot Restrictions	
7.11	Demolition of Buildings	
7.12	Development Setbacks from Water Bodies	
7.13	Docks	
7.14	Drive-Through Businesses	
7.15	Driveways	
7.16	Dwelling Units on a Lot	
7.17	Easements	
7.18	Fencing and Screening	
7.19	Garbage Enclosures	
7.21	Home Business	
7.22	Interim Commercial/Industrial Uses	
7.23	Landscaping	
7.24	Lighting	
7.25	Lot Grading and Drainage	
7.26	Moved-In Buildings	
7.27	Objects Prohibited or Restricted in Yards	
7.28	Permitted Encroachments	
7.29	Places of Worship	
7.30	Private Swimming Pool/Hot Tub	
7.31	Satellite Dishes and Amateur Radio Antennas	
7.32	Secondary Suites	
7.33	Setback Requirements	
7.34	Shopping Centres	
7.35	Site Design for Commercial and Industrial Sites	
7.36	Site Dimensions	
7.37	Solar Collectors	
7.38	Wind Energy Systems (Small) (SWES)	
7.39	Cannabis-related Development Regulations	
<b>PART 8</b>	<b>PARKING AND LOADING FACILITIES</b> .....	<b>72</b>
8.1	Number of Parking Stalls Required	
8.2	Parking Standards	
<b>PART 9</b>	<b>SIGNS</b> .....	<b>79</b>
9.1	Definitions	
9.2	Permits Required	
9.3	Signs Not Requiring Permits	
9.4	Application for a Sign Permit	
9.5	General Regulations for Signs	
9.6	Regulation by Sign Type	

<b>PART 10</b>	<b>LAND USE DISTRICTS</b> .....	<b>91</b>
10.1	Establishment of Districts	
10.2	Residential Single Detached District (R-1)	
10.3	Residential Estate District (R-1E)	
10.4	Residential Estate Modified District (R-1EM)	
10.5	Residential Lakeshore District (R-1L)	
10.6	Residential Planned Lot Rear-Lane District (R-1PRL)	
10.7	Residential Planned Lot Front-Drive District (R-1PFD)	
10.8	Residential Semi-Detached District (R-2)	
10.9	Residential Multi-Unit District (R-3)	
10.10	Low Rise Multi-Unit Residential District (R-4)	
10.11	Local Commercial District (C)	
10.12	Eastern Town Centre Commercial District (ETC)	
10.13	Interim Commercial District (IC)	
10.14	Mixed Use District (MU)	
10.15	Business Park/Light Industrial District (BP/LI)	
10.16	Public Services District (PS)	
10.17	Special Recreation District (SPR)	
10.18	Urban Transition District (UT)	
10.19	Large Lot Rural Residential District (LLR)	
10.20	Transitional Rural Residential (TRR)	
10.21	Rural Residential District (RR)	
10.22	Live Work District (LW)	
10.23	Retirement Living Campus District (RLC)	
10.24	Direct Control District (DC)	

<b>PART 11</b>	<b>WETLANDS</b> .....	<b>162</b>
11.1	Application	
11.2	General Regulations	
11.3	Restrictions in Wetlands	
11.4	Setbacks	
11.5	Application Requirements	

**SCHEDULES**

<b>Schedule A</b>	<b>Land Use Map</b>
<b>Schedule B</b>	<b>Fees</b>
<b>Schedule C</b>	<b>Penalties</b>
<b>Schedule D</b>	<b>2004 Municipal Boundary Map</b>
<b>Schedule E</b>	<b>Lake Lot Areas</b>
<b>Schedule F</b>	<b>Wetland Areas – Appendix A</b>
	<b>Wetland Areas – Appendix B</b>

# PART 1 ENACTMENT AND ADMINISTRATION

## 1.1 Title

This Bylaw shall be referred to as the CITY OF CHESTERMERE LAND USE BYLAW.

## 1.2 Purpose

The purpose of the Bylaw is to regulate and control the uses and development of land and buildings within the City to achieve fair, orderly and economic development of land.

## 1.3 Application

This Bylaw shall apply to the whole of the City of Chestermere being all lands and buildings contained within its corporate limits.

## 1.4 Effective Date

1.4.1 This Bylaw comes into effect upon the date of its third reading.

1.4.2 Land Use Bylaw No.022-10, as amended, is hereby repealed.

## 1.5 Conformity with the Bylaw

1.5.1 No person shall commence any development within the City except in conformity with this Bylaw.

1.5.2 Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted Statutory Plan.

## 1.6 Other Legislative Requirements

1.6.1 In addition to this Bylaw, an applicant is responsible for complying with any other applicable federal, provincial, or municipal legislation or law. The applicant is also responsible for complying with the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

1.6.2 The City is not responsible for, nor has any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.

1.6.3 In the event that the provisions of this Bylaw conflict with any provisions in the Chestermere Traffic Control Bylaw #036-20, the latter shall govern.

1.6.4 The Development Authority shall not approve an application for a development permit that is not in conformity with the City's Statutory Plans.

## 1.7 Severability

In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

## 1.8 Transition

An application for a Subdivision, Development Permit or amendment to this Bylaw started prior to the Bylaw coming into force shall be evaluated under provisions of City Land Use Bylaw No. 022-10, as amended.



## PART 2 INTERPRETATION

### 2.1 Rules of Interpretation

- 2.1.1 Words used in the present tense include the other tenses and derivative forms. Words have the same meaning whether they are capitalized or not.
- 2.1.2 Words used in the singular include the plural, and words using the masculine gender include the feminine gender **and the neutral.**
- 2.1.3 The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- 2.1.4 **The words “should” and “may” means that it is strongly advised the action be taken and provides additional direction, although the action is discretionary it can be enforced.**
- 2.1.5 Words, phrases, and terms not defined in this part may be given their definition in the Act or **the Alberta Interpretation Act.** Other words shall be given their usual and customary meaning.
- 2.1.6 Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- 2.1.7 All units of measure contained within this Bylaw are metric (SI) standards, and are rounded to the nearest decimal place. For the purpose of convenience, the following conversion factors are provided:

<b>Metric</b>	<b>Imperial</b>
1 square meter (m <sup>2</sup> )	10.8 square feet (ft <sup>2</sup> )
1 hectare (ha)	2.47 acres (ac)
1 kilometer (km)	0.6 mile (mi)
1 meter (m)	3.3 feet (ft)
1 centimeter (cm)	0.4 inch (in)
1 millimeter (mm)	0.04 inches (in)
1 kilogram (kg)	2.2 pounds (lb)

- 2.1.8 **For the purpose of confirming compliance with this Bylaw all measurements shall be in metric and rounded to the same number of significant figures set out in this Bylaw.**

### 2.2 Definitions

In this Bylaw, and any amendments made hereto, the definitions set out in the following shall be used. When no definition is provided hereunder, the City’s dictionary of choice shall be used.

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

**"Accessory Building"** means a detached accessory building or structure that is subordinate to, exclusively devoted to, and located on the same site as the principal building or use, and is moveable, with a maximum floor area of less than 10 m<sup>2</sup>.

**"Accessory Building, Garage"** means a detached accessory building or structure that is subordinate to, exclusively devoted to, and located on the same site as the principal building or use, which is over 10 m<sup>2</sup> but not exceeding 50 m<sup>2</sup>, and is intended for the purpose of accommodating onsite parking requirements.

**"Accessory Building, Other"** means a detached accessory building or structure that is subordinate to, exclusively devoted to, and located on the same site as the principal building or use, and does not fit the description of an Accessory Building or Accessory Building, Garage. This use category includes accessory buildings exceeding 10 m<sup>2</sup> and garages exceeding 50 m<sup>2</sup>

**"Accessory Use"** means a use that is subordinate to, exclusively devoted to and located on the same site as the principal use.

**"Act"** means the *Municipal Government Act* and regulations there under, as amended from time to time.

**"Addition"** means the subsequent external construction to an existing building which results in increasing the building's area or external dimensions in any manner. Examples of an Addition includes, but is not limited to, sunrooms, covered stairwells, covered decks or covered patios.

**"Adjacent"** means land that is contiguous to a site and includes land that would be contiguous if not for a public roadway, stream, pipeline, public utility lot, power line, railway or similar feature.

**"Adult Entertainment Facility"** means any facility which includes an adult bookstore, adult motion picture theater, adult live entertainment establishment or any other place of business of any similar purpose, operation or function regardless of whether any of the use is also conducted on the premises.

**"Agricultural Support Services"** means development providing products or services directly related to the agricultural industry.

**"Agriculture, Extensive"** means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes, but is not limited to: (a) the cultivation of land; (b) the raising of poultry and livestock, including game-production animals within the meaning of the *Livestock Industry Diversification Act*; (c) the raising of fur-bearing animals, birds or fish, but excluding kennels; (d) the production of agricultural field crops; (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops; (f) the production of eggs and milk; (g) the production of honey; (h) the operation of agricultural machinery and equipment, including irrigation pumps; and (i) the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes. This use does not include Cannabis Production Facilities.

**"Agriculture, Intensive"** means an intensive animal or horticultural operation of significant investment and permanence that represents a more intensive use of the land than typical extensive agricultural operations. Typical uses include, but are not limited to, a greenhouse, nursery, market garden, specialized livestock operation excluding a confined feeding operation, fish farm, sod farm, bee keeping (apiary), mushroom farm, horse holding area and fur farm. It may also include a residence or consist of a farmstead. This use does not include Cannabis Production Facilities.

**"Amateur Radio Antenna"** means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by federally licensed amateur radio operators.

**"Amenity Space"** means an area comprised of on-site, common or private, indoor or outdoor space designed for active or passive recreational use.

**“Animal Health Care Services”** means a development such as a hospital or shelter used for the temporary accommodation, care, treatment or impoundment of animals. This would include pet clinics, animal veterinary clinics and veterinary offices.

**“Animal Health Care Services, Small Animal”** means development such as a hospital or shelter used for the temporary or overnight accommodation, care, treatment or impoundment of animals considered as domestic pets, but not farm animals. This would include pet clinics, animal veterinary clinics and veterinary offices but not kennels, outdoor pens, runs or enclosures.

**“Apartment Building”** means a single building comprised of three or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rent or occupation for periods of less than 30 days.

**“Approach”** means a vehicular access road, culvert crossing or other structure constructed, erected, installed or maintained in a road between a lot line and the nearest curb or edge of a road and is for the use or benefit of the occupant of such property.

**“Approved”** when used in reference to a development permit, shall mean approved with or without conditions and whether or not the development permit is released.

**“Approved Family Day Homes”** means a program which offers care in an individual’s private residence. There are typically six (6) or less children including the caregiver’s own children, with one (1) caregiver. Children of all ages may participate in Approved Family Day Homes.

**“Area Redevelopment Plan”** means a statutory plan prepared pursuant to the Act that addresses the redevelopment or rehabilitation of established commercial areas or neighborhoods.

**“Area Structure Plan”** means a statutory plan prepared pursuant to the Act that addresses the future development of large areas of land at a conceptual level of detail.

**“Artist Studio”** means a use:

- a) where art is produced by individuals;
- b) that may include the instruction of the art to one person at a time; and
- c) that may include the sale of art pieces produced by that use.

**“Arts and Cultural Centre”** means facilities provided by the municipality or by another group or organization without profit or gain for community activities related to culture and the arts. Activities may include the display of artwork, instructional classes and workshops, performances and the retail sale of art and related supplies.

**“Assisted Living Facility”** means a private or publicly funded seniors lodge; nursing home; extended or congregate care facility; or retirement living.

**“Auto Body and Paint Shop”** means an establishment for the repair or painting of motor vehicle bodies but does not include facilities for the sale of gasoline or lubricating oil or for the repair or maintenance of mechanical or electrical parts. Typical services must occur in an enclosed facility.

**“Auto Detailing Facility”** means an establishment used for detailed auto cleaning and the application of sealants and protective products. Typical services must occur in an enclosed facility and include, but are not limited to, window tinting, interior cleaning and protection, cleaning and care of specialized materials, polish, waxing and application of rock guard products.

**“Automotive, Equipment and Vehicle Services”** means development used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of automobiles, trucks, trailers, motorcycles, heavy equipment, snowmobiles, motor homes, tent trailers, boats, travel trailers or similar light recreational vehicles. Uses and facilities would also include transmission shops, muffler shops, auto body paint and repair facilities and fleet services involving motor vehicles for the delivery of people, goods or services.

**“Automotive Services”** means an establishment for the sale of automotive fuels, lubricating oils and associated automotive fluids or the routine servicing and minor repair of motor vehicles or both, excluding automotive specialty and auto body and paint shop uses and may also include the following accessory uses: grocery store, towing service, single bay car wash or the sale of automotive accessories. **May include Electric Vehicle Charging facilities.**

**“Automotive Specialty”** means an establishment for the servicing and repair of motor vehicles excluding an automotive service use and an autobody and paint shop. Typical services must occur in an enclosed facility and include such establishments as alignment shops, muffler shops, transmission repair shops, rust proofing shops and car washes.

**“Balcony”** means a horizontal structure with a railing adjoining a building above the first storey floor level and intended for use as a private outdoor amenity space with access only from within the building.

**“Basement”** means that portion of a building which is located either partially or wholly below grade.

**“Bay”** means a self-contained unit of part of a building or the whole building which can be sold or leased for individual occupancy.

**“Bed and Breakfast Accommodation”** means a Major Home Business carried on within an owner-occupied single-detached dwelling where temporary accommodation with one meal provided to registered guests for remuneration.

**“Bed and Shore”** means land that is or has been covered so long by water to the extent that:

- a) no vegetation grows on the land, or
- b) the vegetation that grows on the land is aquatic vegetation that must be partially submerged in water for part of its life cycle to survive.

**“Board”** means the City’s Subdivision and Development Appeal Board.

**“Boat House”** means an accessory building or structure enclosed with a minimum of two walls which is designed or used for the sheltering of a boat or other form of water transportation incidental to the use of the lot on which it is located.

**“Boat Launch”** means a structure located on the shore of a body of water that is designed for the purpose of launching or placing a boat in the water, usually for recreational purposes. This does not include a dock.

**“Boulevard”** means that portion of a road right-of-way located between the property line and the curb and may include a sidewalk.

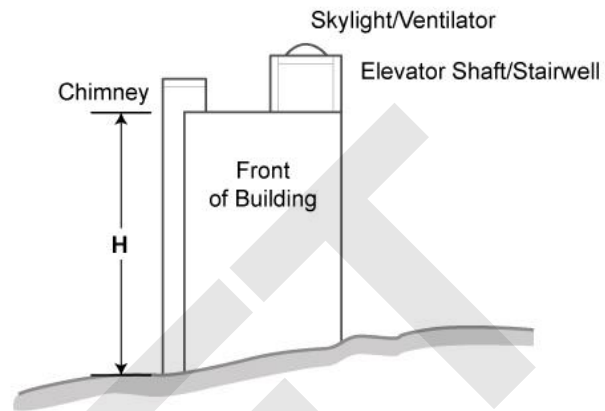
**“Brewery”** means a facility where beer, wine, spirits, or other alcoholic beverages are produced on the Site and then sold or distributed. **May be approved in conjunction with a Drinking Establishment, Restaurant, or Retail Service provided both Uses are listed within the District.**

**“Buffer”** means a row of trees or shrubs, an earth berm or fencing to provide visual screening, noise abatement and separation between sites, districts and non-compatible uses.

“**Building**” includes any structure having a roof supported by columns or walls and intended for shelter, housing or enclosure of any individual, animal, process, equipment, goods or material of any kind.

“**Building Height**” means the maximum vertical distance between the lowest point of the finished grade at the front of a building and the highest point of a building that is not a stairway access to a roof, ventilating fan, skylight, steeple, chimney, smoke stack, firewall, parapet wall, flag pole, pergola or similar device not structurally essential to the building.

Building Height



“**Building Grade Form**” means a grade plan for a specific development site which specifies the finished grade level, top of footings and associated information necessary of the issuance of a building or development permit.

“**Building Permit**” means a building permit issued pursuant to the Alberta Building Code authorizing construction.

“**Business Park**” means a comprehensively planned industrial development with common functional characteristics that may contain a range of business activities in a number of buildings situated within a campus-like setting.

“**Campground**” means the development of land which has been planned and improved for the seasonal short-term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles and is not used as year-round storage or accommodation for residential use.

“**Cannabis**” means:

- a) any part of a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant, and;
- c) any substance that is identical to any phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

Notwithstanding, Cannabis does not include:

- d) a non-viable seed of a cannabis plant,
- e) a mature stalk, without any leaf, flower, seed or branch of such plant,
- f) fibre derived from a stalk; and
- g) the root or any part of the root of such a plant.

“**Cannabis Café/Coffeeshop**” means an establishment where the primary purpose of the facility is the sale of cannabis for personal edible consumption that is authorized by provincial or federal legislation. This use does not include Cannabis Production Facility.

“**Cannabis Counselling**” means a use where counselling on cannabis is provided by persons who are not medical professional which may include the ancillary retail sale or rental of merchandise but not cannabis.

**“Cannabis Cultivation Permit”** means a municipal permit obtained for the personal cultivation of cannabis in one’s own residential dwelling-house pursuant to federal legislation and the City’s Cannabis Cultivation Bylaw.

**“Cannabis Lounge”** means an establishment where the primary purpose of the facility is the sale of cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include Cannabis Production Facility.

**“Cannabis Production Facility”** means a use where cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping. A Health Canada license is required for all associated activities where all processes and functions are in a fully enclosed stand-alone building and may not operate in conjunction with another approved use.

**“Cannabis Retail Store”** means a development used for the retail sale, promotion, storage, distribution or dispensing of cannabis or cannabis derived products. Incidental uses may include the sale of associated consumer products. This use does not include Cannabis Production Facility.

**“Canopy”** means a fixed shelter which extends from the face of a building and includes a structure commonly known as a theatre marquee but does not include normal architectural features such as lintels, sills, moldings, architraves and pediments.

**“Car Wash”** means a facility for the cleaning of motor vehicles.

**“Certificate of Compliance”** means the endorsement by the Development Officer on a survey document indicating that the building locations on a lot are in compliance with this Bylaw.

**“Child Care Facility”** means a development intended to provide care, educational activities and supervision for groups of seven or more children under thirteen (13) years of age during the day or evening, but does not include overnight accommodation and is intended to be operated for at least twelve (12) consecutive weeks each year. This includes daycares, pre-schools and other programs where the primary purpose is the care of children. This may include an out-of-school care component. Child Care Facility does not include Group Family Child Care Programs.

**“City”** means the Municipal Corporation of the City of Chestermere.

**“Collector Street”** means a public road that accommodates vehicle circulation within and between neighborhoods and serves as a feeder to arterial roads.

**“Commencement of Development”** means:

- (a) where a Development Permit is for a change of use, a change in intensity of use, or both, development commences when the applicant begins occupying the parcel and engaging in the Use which was approved by the Development Permit; or
- (b) where a Development Permit is for construction, construction combined with a change of use, or construction combined with a change in intensity of use, or both, development commences once a Building Permit has been issued for the development.

**“Commercial Bin”** means any container provided for the collection and storage of Commercial Waste, Industrial Waste, Institutional Waste, Construction Waste, Residential Waste or Residential Recyclable Material and does not include Collection Cans, Additional Collection Cans, Automated Collection Carts, Additional Automated Collection Carts or Excess Waste Bags.

**“Commercial School or College”** means a place of instruction operated for profit but does not include a public, separate or private school.

**“Community Buildings and Facilities”** means buildings and facilities which are available for the use and enjoyment of the inhabitants of the municipality and the rural area for the purposes of assembly, culture and recreational activity.

**“Communication Facility”** means an Industry, federally regulated communication facility, including radio, television, cellular telephone and microwave transmission towers and accessory structures.

**“Container Recycling Depot”** means a development used for the buying and/or collection, sorting, packaging and temporary storage of empty bottles, cans and containers for reuse where all storage is contained within an enclosed building.

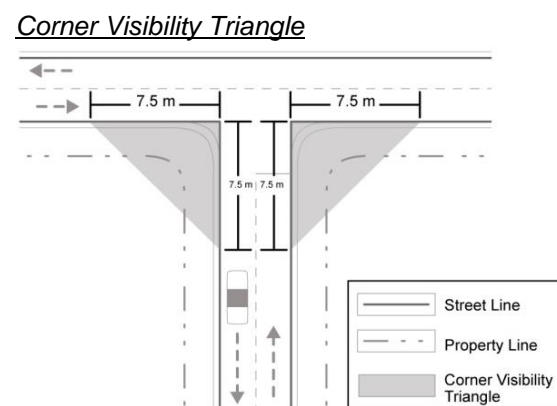
**“Contractor, General”** means a service provider or development used for industrial service support and construction. Typical uses include laboratories, cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

**“Contractor, Limited”** means a service provider or development used for the provision of electrical, plumbing, catering, and similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles.

**“Convenience Store”** means a development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises which do not exceed 186.0 m<sup>2</sup> in gross floor area. Typical uses include small food stores and variety stores selling confectionery, tobacco, grocery, non-alcoholic beverage, pharmaceutical and personal care items, hardware or printed matter, but does not include stores where the majority of total sales are generated through the sale of adult-oriented materials (clothing, videos, magazines, etc.).

**“Convention Services”** means development primarily used for the provision of rooms or suites for temporary sleeping accommodation such as hotels, motels, or development which provides permanent facilities for meetings, banquets, seminars, conventions, product and trade fairs and other exhibitions.

**“Corner Visibility Triangle”** means a triangular area formed on a corner site by the two street lines and a straight line which intersects them 7.5 m (or other such distance prescribed in this Bylaw) from the corner where they meet.



**“Council”** means the Municipal Council of the City of Chestermere.

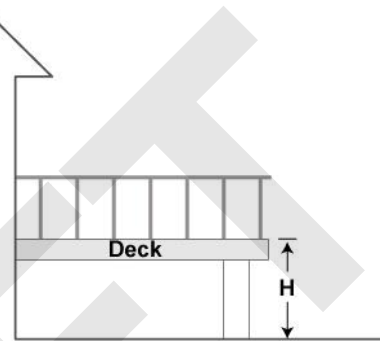
**“Crematorium”** means an establishment with one or more cremation chambers used for the reduction of the human body or pet animals by heat and the keeping of human bodies other than in cemeteries, related funeral services to include the preparation of the dead, arranging and direction of funerals, and may include mausoleums and columbaria.

**“Dealership/Rental Agency, Automotive”** means an establishment with its primary use to store vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

**“Dealership/Rental Agency, Implement and Equipment”** means an establishment with its primary use to store agricultural implements and industrial equipment for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such implements.

**“Dealership/Rental Agency, Recreational Vehicles”** means an establishment with its primary use to store recreational vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

**“Deck”** means an unenclosed amenity area of wood Deck frame or other construction which may be attached to a dwelling. The overall height (H) of a raised deck is greater than 0.6 m measured from finished grade to the finished floor height, but generally no higher than the first storey floor level. A Deck is deemed to be an accessory structure.



**“Density”** means the number of dwelling units on a site expressed in dwelling units per hectare. Dwelling units per gross hectare means the maximum number of dwelling units permitted for each hectare of land and includes all lands within the site except Environmental Reserve as defined by the Act. This does not include those lands within the site required for public roads, public utility lots, environmental reserve or municipal and school reserve.

**“Depth”** when used in reference to a lot or site, means the horizontal distance between the front and rear boundaries of the lot or site.

**“Development”** means:

- a) an excavation or stockpile and the creation of either of them;
- 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;
- 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;
- e) fill placement abutting the lake lot area in the Residential Lakeshore District (R-1L) for the purpose of raising the elevation; or
- f) fill placement in any district adjacent to any wetlands to be retained as defined in Part 11 of this Bylaw.

**“Development Authority”** means the Chief Administrative Officer, Development Officer, or Council as the case may be.

**“Development Completion Certificate”** means a type of certificate issued by a Development Officer confirming that the requirements and conditions of a development permit have been satisfactorily completed.

**“Development Officer”** means a person delegated as a Development Authority by the Chief Administrative Officer to exercise development powers and duties on behalf of the City.



**“Development Permit”** means a document authorizing the commencement of a development issued pursuant to this Bylaw.

**“Discretionary Use”** means the use of land or a building that is listed in the column captioned Discretionary Uses in a table of uses for a land use district in this Bylaw and for which a development permit may be issued.

**“Dock”** means a structure built over or floating upon the water and is used as a landing place for boats and other marine transport, fishing, swimming and other water-related recreational uses.

**“Drinking Establishment”** means an establishment licensed by the Alberta Liquor Control Board in which alcoholic beverages are served for consumption on the premises, and any preparation or serving of food is accessory thereto and includes a licensed lounge that is ancillary to a restaurant.

**“Driveway”** means a private road comprised of hard surfacing for motor vehicles and is often connecting a house or garage with an approach.

**“Drive-In Business”** means an establishment with its primary use to provide on-site service to customers while in their motor vehicles.

**“Drive-Through”** means a use where services are provided to patrons who are in a motor vehicle and may have outdoor speakers provided. This use will be an accessory to a primary use.

**“Duplex”** means a single building containing two dwelling units, one above the other, each having a separate direct entrance from grade.

**“Dwelling, Moved-In”** means a single detached dwelling other than a manufactured home that has never been occupied as a residence that was constructed either in whole or in part on another parcel and is placed onto another parcel.

**“Dwelling, Semi-Detached”** means a single building designed and built to contain two side-by-side dwelling units separated from each other by a party wall extending from foundation to roof, and each dwelling unit having a separate entrance from grade.

**“Dwelling, Single-Detached”** means a building containing one dwelling unit but does not include a manufactured home.

**“Dwelling Unit”** or **“Dwelling”** means a complete building or self-contained portion of a building used by a household and contains a kitchen, living, sleeping and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.

**“Easement”** means the right to use land generally for access to other property or as a right-of-way for a public utility.

**“Eave Line”** means the horizontal line on a building that marks the extreme edge of the overhang of a roof. Where there is no overhang, the eave line shall be the horizontal line at the intersection of the roof and wall.

**“Entertainment Establishment”** means an establishment with its primary purpose to provide entertainment to the public either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a night club, live theatre or cinema, but does not include a restaurant, Bingo, Casino or adult entertainment facility.

**“Environmental Reserve Easement”** means an easement created pursuant to section 664(2) of the *Municipal Government Act*.

**“Essential Public Service”** means a fire station, police station or similar service.

**“Existing”** means in place or approved as of the date of adoption of this Bylaw.

**“Façade”** means the portion of any exterior elevation on the building extending from grade to top of the parapet, wall or eaves and the entire width of the building.

**“Fence”** means a structure which is used to prevent or restrict passage, provide visual screening, sound attenuation, protection from dust and other elements, or mark a boundary.

**“Fill Placement”** means the addition of topsoil or other fill for the purpose of raising the lot area elevation.

**“Financial Institution”** means a bank, trust company, credit union or similar establishment.

**“Floor Area”** means the total floor area of all floors of a building or structure measured from the glass line or the interior wall dimensions, excluding the basement, stairways, elevators, mechanical floors or rooms, vertical service shafts, non-rentable common corridors, lobbies, washrooms, internal garbage storage and internal parking areas.

**“Floor Area Ratio (FAR)”** means the numerical value obtained by dividing the Gross Floor Area of all buildings on a site by the total area of the site, excluding parking structures.

**“Foundation”** means the lower portion of a building, usually constructed of concrete, masonry or preserved wood and includes the footings which transfers the weight of and loads on a building to the ground.

**“Fourplex”** means a single building comprised of four (4) dwelling units, each unit having a separate direct entrance from grade.

**“Freestanding”** refers to an architectural element or object that is unattached to a supporting unit or background.

**“Frontage”** means the width of a lot or a site where it abuts a street.

**“Funeral Home”** means an establishment which provides for the arrangement of funerals, preparation of the dead for burial or cremation, holding of funeral services and carrying out of cremations where not more than one cremation chamber is provided.

**“Gaming Establishment, Bingo”** means the use of a building or a portion thereof which has the capacity to accommodate more than 250 persons at any time or times or which is used on three or more days in any one calendar week for the holding of bingo games.

**“Gaming Establishment, Casino”** means an establishment where its primary use is to provide for gambling and includes a casino but not Bingo or a racetrack.

**“Gas Bar”** means an establishment where its primary purpose is the sale of gasoline, lubrication oils and associated automotive fluids only. **May include Electric Vehicle Charging facilities.**

**“General Industry”** means the following activities:

- a) the processing of raw, value added or finished materials;
- b) the manufacturing or assembling of goods, products or equipment;
- c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial business or cleaning, servicing and repair operations

- to goods and equipment associated with personal or household use where such operations have impacts that would make them incompatible in non-industrial districts;
- d) the storage or transshipping of materials, goods and equipment including petrochemical products and supplies, and
  - e) the training of personnel in general industrial operations.

It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses. General Industry shall be classified as General Industry Type I or General Industry Type II.

**“General Industry Type I”** means those developments where use is primarily carried out within an enclosed building without significant nuisance or environmental factors such as noise, appearance or odour in or outside of the building. Any development despite enclosure where, in the opinion of the Development Authority, there is significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes, shall not be considered a General Industry Type 1.

**“General Industry Type II”** means those developments where use is carried out outdoors without significant nuisance or environmental factors such as noise, appearance or odour extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites due to the nature of the site, materials or processes cannot be successfully mitigated shall not be allowed.

**“Government Services”** means a development providing municipal, provincial or federal government services directly to the public or the community at large and includes development required for the public protection of persons or property.

**“Grade”** means the average elevation at the finished level of the ground, excluding an artificial embankment, at any point immediately adjacent to the building.

**“Grade Plan”** means a drawing or specification prepared by a professional surveyor or similar professional discipline which specifies elevations for buildings, foundations, drainage features, streets, lanes, walks and the finished ground levels of development sites.

**“Gradient”** means the relationship of the vertical distance of a slope to its horizontal distance.

**“Grocery Store”** means an establishment with its primary use being the sale of foodstuff for consumption off premises with a Gross Floor Area in excess of 465 m<sup>2</sup>.

**“Grocery Store, Regional”** means an establishment with its primary use being the sale of foodstuffs and convenience goods to regional clientele, and which specifically excludes the sale of specialty products as a principal use.

**“Group Family Child Care Programs”** means a program which offers care in a private residence. There are typically between seven to 10 children with, at most, two caregivers. Children of all ages may participate in Group Family Child Care Programs.

**“Gross Floor Area (GFA)”** means the total Floor Area of a building or structure contained within all floors and the basement. The Gross Floor Area does not include areas used exclusively for storage or mechanical/electrical services to the building.

**“Ground Cover”** means low-profile vegetation other than grass or shrubs commonly used for landscaping purposes and includes herbaceous perennials and flowers.

**“Habitable Floor Area”** means the Floor Area contained within a building or structure, or a portion of a building or structure that is occupied for residential use. This includes provisions for living, sleeping, eating, cooking, sanitation and/or storage.

**“Hard Surfacing”** means asphalt, concrete or similar material satisfactory to the Development Authority that is used in the construction of driveways, patios, sidewalks or parking areas.

**“Health Care Services”** means a development where the principal use provides medical and health care services for inpatient and/or outpatient care for the public, usually in a campus-type setting. Typical uses include comprehensive health centers, urgent care centers and full-service hospitals.

This development type includes, but is not limited to, doctor and dentist offices, health care clinics, health services laboratories, health diagnostics services, medical cannabis counselling services, chiropractic offices, massage therapy, physiotherapy, psychiatric and psychological counselling services, or other similar services, as determined by the Development Authority. Typical Accessory Uses include, but are not limited to, the sale of pharmaceuticals, supplements, medical supplies, or other items related to the services provided by the use.

**“Highway”** means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public are ordinarily entitled or permitted to use for the passage of vehicles and includes:

- a) a sidewalk, including a boulevard adjacent to the sidewalk;
- b) a ditch if it lies adjacent to and parallel with the roadway; and
- c) a highway if the right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be, but does not include any place declared not to be a Highway.

**“Historical Site”** means a site or a building designated to be of historical significance by the Government of Canada or the Government of Alberta.

**“Home Business, Major or Minor”** means the secondary use of a principal dwelling, or combination of a principal dwelling and an accessory building, in a residential neighbourhood to conduct a business activity. Home businesses do not include general retail stores. This use does not include Cannabis Retail Store or Cannabis Production Facility.

**“Hotel”** means a building used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor, and which may also contain commercial uses and such additional facilities or services as a restaurant, a dining room, room service, or convention services.

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

**“Hydroperiod”** means the seasonal pattern of water levels for a wetland. This pattern shall be defined with reference to three characteristics:

- a) How often the wetland floods (i.e., every year, every second year, every 4 out of 5 years, etc.);
- b) How deep the wetland normally floods; and
- c) How long the wetland normally floods for (i.e., all year, from April through August, April through June, etc.)

**“Impacted Wetlands”** means a naturally occurring wetland that will be physically modified.

**“Indoor/Outdoor Sporting Activities”** means a development providing indoor and/or outdoor facilities for sports and active recreation where patrons are predominantly participants. Typical uses include sports fields, corn-mazes, laser tag arenas, paint-ball fields/arenas, rock climbing centres and go-karting racing tracks. This use may include ancillary uses such as cafeterias and pro-shops.

**“Indoor Participation Recreation”** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a nonrecurring basis.

**“Infill”** or **“Infill Development”** means development or redevelopment occurring on a site or lot that is located within an established and otherwise fully-built area.

**“Industrial Service Shop”** means a development used for assembly, fabricating, rental or repair of goods or products. Typical uses associated with these shops include electrical, heating, metal, plumbing, welding, woodworking, cabinet makers, upholstery, furniture repair, equipment repair, painting, ornamental metal and stone works, equipment rental shops (excluding motor vehicles) and similar uses. Limited product display, retail sales and offices accessory to the principal use may be permitted in this use class.

**“Kennel”** means any premises on which more than two (2) dogs and/or two (2) cats are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale.

**“Kitchen”** means facilities for the preparation or cooking of food.

**“Laboratory”** means a facility for the purpose of scientific or technical research, investigations or experimentation.

**“Lake Lot Area”** means the area of a lot abutting Chestermere Lake which is defined by the purple lined area in Schedule E attached for each and every civic address around the lake.

**“Land Use District”** or **“District”** means an area of the City established as a land use district by this Bylaw.

**“Landing”** means an uncovered platform at the top or bottom of a staircase and being an integral part to the stairs.

**“Landscaping”** means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

- a) Soft Landscaping elements such as trees, shrubs, hedges, plants, lawn, ground cover and ornamental plantings;
- b) Hard Landscaping elements such as bricks, stonework, decorative pavers, shale, crushed rock or other suitable materials, excluding hard surfacing;
- c) Architectural elements such as decorative fencing, walls, and sculpture;
- d) Artificial turf such as synthetic sod or grass.

**“Lane”** means a road which provides a secondary means of vehicle access to a building or site and is located to the rear and/or side of the building or site. This applies to both private roads within a condominium development and public roads.

**“Legal Bank”** means the line where the bed and shore of a wetland ceases which shall be determined by an Alberta Land Surveyor in accordance with the provisions of the *Surveys Act*.

“**Liquor Store**” means the use of a building or portion thereof as a retail outlet licensed by the Province of Alberta for the sale of alcoholic beverages for consumption off-premises.

“**Livestock**” means horses, cattle, sheep, swine, fur-bearing animals raised in captivity, game production animals within the meaning of the *Livestock Industry Diversification Act*, live poultry and bees, but does not include wild boars.

“**Live Work Unit**” means a single family, semi-detached or townhouse unit that contains dedicated floor space for the purpose of conducting work by the resident of the dwelling unit and non-resident employees, but does not include a Home Business.

“**Loading Space**” means an area to accommodate a vehicle while being loaded or unloaded.

“**Lodging House**” means a building where accommodation is provided for remuneration with or without meals, but does not include a residential care facility.

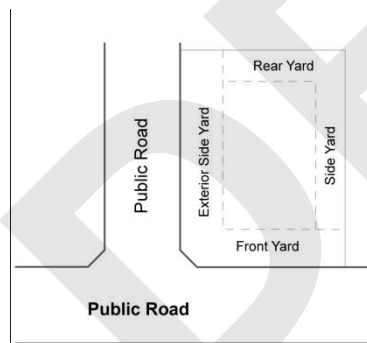
“**Loft**” means the space above the eave line and within the pitch of the roof of a building.

“**Lot**” means: a) a quarter section; b) a river lot shown on an official plan as defined by the *Surveys Act* that is filed or lodged in a land titles office; c) a settlement lot shown on an official plan as defined in the *Surveys Act* that is filed or lodged in a land titles office; d) a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or e) a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in a Certificate of Title by reference to a plan of subdivision.

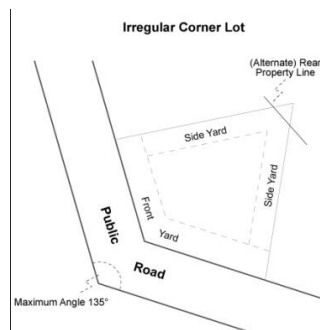
“**Lot Area**” means the area contained within the boundaries of a lot as shown on a plan of subdivision or described in a Certificate of Title.

“**Lot, Corner**” means a lot with two or more sides abutting public roads, neither of which is a lane, which intersect at an angle not exceeding 135 degrees.

#### Corner Lot

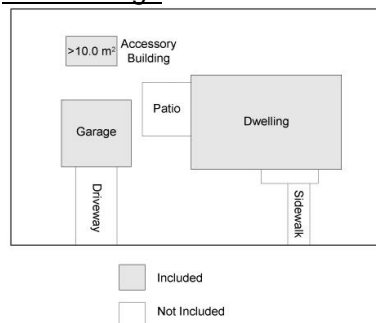


#### Irregular Corner Lot



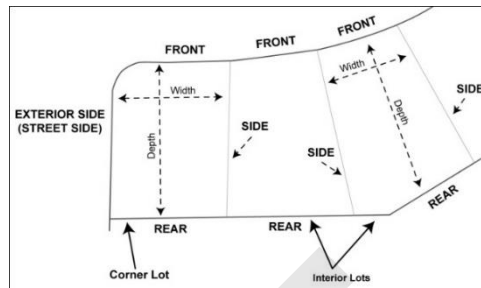
“**Lot Coverage**” means that portion of a lot or, expressed as a percentage, upon which a covered building is located, as measured from a point at grade directly below the outside surface of the exterior walls of the building at the first storey floor level, including any projections less than 2.4 m above grade, and all accessory buildings. Uncovered Decks and uncovered Patios are excluded from Lot Coverage calculations.

#### Lot Coverage



**“Lot Line, Front”** means the property line separating the front of the lot from an abutting public road other than a lane. For corner lots, the shortest side fronting upon a street shall be considered the front of the lot and if unclear, the Development Authority shall determine the front lot line. When necessary, the front of the lot may be established by the orientation of the principal entrance. In the case of a lot where the front of the lot is curved and consists of multiple segments, the front lot line shall consist of the combined length of the multiple segments.

Lot Lines



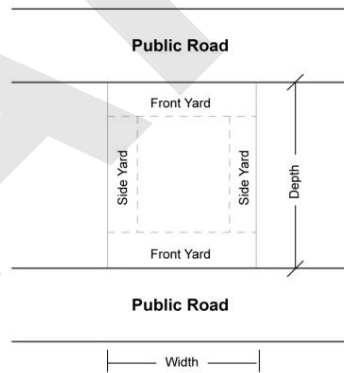
**“Lot Line, Rear”** means the lot line opposite and most distant from the Front Lot Line, or in the case of an irregular shaped lot, a line not less than 3.0 m in length entirely within the lot parallel to and a maximum distance from the Front Lot Line.

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

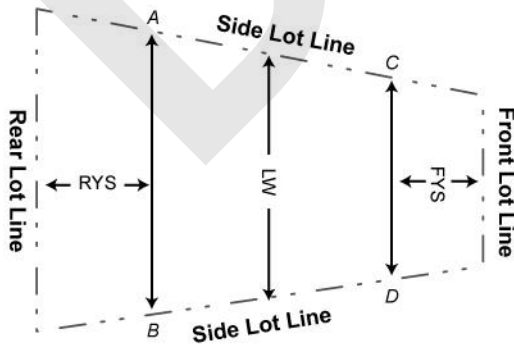
**“Lot, Through”** means a lot that abuts two parallel public roads, not including lanes.

Through Lots

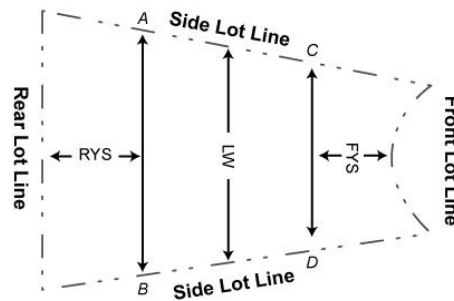
**“Lot Width”** means the average distance between the side lot lines measured in a straight line at the midpoint between the Front Yard Setback (FYS) and Rear Yard Setback (RYS).  $LW = (AB + CD)/2$



Lot Width, Straight Front Lot Line



Lot Width, Curved Front Lot Line



**“Manse”** means a dwelling unit that is accessory to a Place of Worship for occupancy by the minister.

**“Manufactured Home”** means a prefabricated dwelling unit that: a) meets Canadian Standards Association (CSA) Z240 and A277 standards and the requirements of the Alberta Building Code, b) is designed to be transported in not more than two (2) sections and c) when placed on foundation supports and connected to utilities, is ready for occupancy. A manufactured home may also be referred to as a mobile home.

**“Manufacturing”** means a use where all the materials or components are combined to create a product and where all of the processes and functions associated with the use are completely contained within a building.

**“Material”** means any object or article, ashes, building waste, dry refuse, garbage, industrial chemical waste, refuse and includes sand, gravel, earth and building products.

**“Medical Clinic”** means a facility for the provision of human health services without overnight accommodation for patients.

**“Mitigation”** means:

- a) Minimizing the impact of development by limiting the degree or magnitude of its effects, which may be achieved through the use of appropriate technology or by taking affirmative steps to avoid or reduce the impacts;
- b) Rectifying the impact of development by repairing, rehabilitating or restoring the affected environment at the conclusion of the development;
- c) Reducing or eliminating the impact of development over time through the use of preservation strategies and maintenance operations during the life of the development;
- d) Compensating for the impact of development by replacing, enhancing, or providing substitute resources or environments; or
- e) Monitoring the impact of development and taking appropriate corrective measures.

**“Mixed Use Building”** means a building intended to be used for retail/office purposes on the main floor and residential uses on the upper floor(s).

**“Mobile/Curb-side Pick-up”** means a commercial or retail service model wherein customers place orders remotely through electronic means, such as applications or websites, and subsequently retrieve their purchases directly from a designated area adjacent to a commercial establishment, typically from a vehicle parked in a designated pick-up zone or from a designated curbside location.

**“Motel”** means a building or group of buildings on a site designed and operated for the provision of rooms or suites for temporary sleeping accommodation where each room has its own exterior access, and may include a restaurant and/or convention services.

**“Multi-Attached Dwelling”** means a residential building containing three (3) or more dwelling units separated by common walls and located either on a single site or each unit on a separate individual lot or condominium unit, each dwelling unit having a separate direct entrance from grade. This definition applies to forms of housing that include, but are not limited to townhouses, row houses, triplexes and fourplexes.

**“Municipal and School Reserve”** means the land designated as municipal and school reserve under the provisions of the *Municipal Government Act*.

**“Municipal Development Plan”** means a statutory plan prepared pursuant to the Act which provides a general planning policy framework for the City.

**“Municipal Planning Commission”** means a Development Authority of the City that is established by Bylaw



“**Natural Forces**” includes: a) rain and/or snow melt; b) water from hoses or other mechanical or human action; and (c) wind from compressors or other mechanical or human action.

“**Naturally-occurring Wetland**” means a wetland where water has or does accumulate to the water elevations documented to have occurred under natural conditions.

“**Net Floor Area**” means the total of the rentable floor area of all floors of a building measured from the glass line or the interior wall dimensions, excluding stairways, elevators, mechanical floors or rooms, vertical service shafts, malls and non-rentable common corridors, lobbies, washrooms, internal garbage storage and internal parking areas.

“**Non-Conforming Building**” means a building a) that is lawfully constructed or lawfully under construction at the date this Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and b) that on the date this Bylaw or any other amendment thereof becomes effective does not, or when constructed will not, comply with this Bylaw.

“**Non-Conforming Use**” means a lawful specific use a) being made of land or a building or intended to be made of a building lawfully under construction, at the date this Bylaw or any amendment thereof affecting the land or building becomes effective, and b) that on the date this Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with this Bylaw.

“**Occupancy**” means the utilization of a building or land for the use for which it has been approved.

“**Offensive or Objectionable**” means, when used with reference to a development, a use which by its nature or form the manner of carrying on same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation hazard, fire or explosive hazard, heat, humidity, glare, unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which in the opinion of the Development Officer may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighborhood or interferes with or may interfere with the normal enjoyment of any land, building or structure.

“**Office**” means a building or development primarily used for the provision of professional, management, administrative and consulting services. Typical uses include the offices of lawyers, accountants, engineers and architects; offices for real estate, telephone answering, catalogue, mail order or order sales offices where no stock or merchandise is retained or stored on the premises except as may be used for display or showroom purposes and similar other like uses.

“**Office Park**” means a development on a tract of land that contains a number of separate office buildings, accessory and supporting uses and office space and is designed, planned, constructed and managed on an integrated and coordinated basis.

“**Outdoor Cafe**” means a facility where food or beverages are served or offered for sale to the public or in association with a private club, for consumption on or within a portion or portions of such facility that are not contained within a fully enclosed building.

“**Outline Plan**” means a non-statutory plan prepared with the policies outlined in an Area Structure Plan that focuses on a smaller area of land that provides detailed land use direction, subdivision design, and development guidance. An Outline Plan is subordinate to an Area Structure Plan, and may be adopted by bylaw or resolution.

“**Outside Storage**” means the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements. This does not include vehicles, waste materials, debris or garbage.

**“Owner”** means a person who:

- a) is registered under the *Land Titles Act* as the owner of a parcel of land;
- b) is recorded as the owner of a property on the tax assessment roll of the City of Chestermere;
- c) has purchased or otherwise acquired a parcel of land, whether he has purchased or otherwise acquired the land directly from the owner or from another purchaser and has not yet become the registered owner thereof; or
- d) holds himself out as the person having the powers and authority of ownership of a property or premises or who for the time being exercises the powers and authority of ownership.

**“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.

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

**“Parking Facility/Lot/Area”** means an area of land or a structure providing for the parking of motor vehicles.

**“Parking Stall”** means that portion of a parking area, excluding vehicle maneuvering areas that will accommodate one vehicle.

**“Patio”** means an uncovered horizontal structure with a surface height, at any point, no greater than 0.6 m above grade and intended for use as a private outdoor amenity space.

**“Peace Officer”** means a member of a Police Service, or a Peace Officer appointed pursuant to the *Peace Officer Act* and the regulations thereof, as amended or replaced from time to time.

**“Permitted Use”** means the use of land or of a building, which is listed in the column, captioned *Permitted Uses* in a table of uses for a land use districts in this Bylaw, and for which a development permit may be issued.

**“Person”** means any individual, firm partnership, association, corporation, company or society.

**“Personal Service Establishment”** means a development used for the provision of services to an individual or household and includes services which are related to the care, clean or appearance of the body or personal effects. Typical uses include barber shops, beauty parlors, cannabis counselling, nail salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments (pick-up and drop-off only), laundromats, photographic studios, small appliance repair and service shops, personal fitness activity, instructional classes and may include accessory retail sales. This use class does not include escort services, even as accessory uses or retail stores where the majority of total sales are generated through the sale of adult-oriented materials (clothing, videos, magazines, etc.).

**“Pesticide”** means pesticide as defined by the *Environmental Protection and Enhancement Act*, R.S.A. 2000, C. E-12.

**“Pet Care Service”** means a use: a) where small animals are washed, groomed, trained or boarded; b) where animals shall not be boarded overnight; and c) that may have the incidental sale of products relating to the services provided by the use.

**“Place of Worship”** means a development owned and used by a religious organization for worship and related religious, philanthropic or social activities including rectories, manses, classrooms and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

**“Plan of Subdivision”** means an instrument registered or approved for registration at the Land Titles Office that effects the partition of land into one or more parcels.

**“Plot Plan/Site Plan”** means a survey document which is intended to convey information on where a proposed development is proposed to be located on a site.

**“Pollutants”** mean substances such as sediments, nutrients, pesticides and toxic chemicals that typically reach a watercourse by surface or subsurface flows through adjacent lands, or the any “deleterious substance” as defined in the Fisheries Act, R.S.C. 1985, c. F-14, or any substance that may cause an “adverse effect” under the provisions of the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12.

**“Porch”** means an unenclosed, covered structure forming an entry to a building.

**“Principal Building”** means a building or buildings that accommodates the principal use of a site, and may accommodate one or more accessory uses.

**“Principal Use”** means the main purpose for which a building or site is used.

**“Private Swimming Pool/Hot Tub”** means a privately-owned structure with a depth greater than 0.3m, located above or at grade, designed primarily for swimming or bathing.”

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

**“Property Line”** means a legal boundary of a lot.

**“Public Market”** means the use of a building, structure or lot for the purpose of selling any or all of produce, fish, seafood, flowers and crafts and may include retail stores and restaurants.

**“Public Road”** means the right-of-way for a highway, street, or lane that is registered at the Land Titles Office and is used or intended to be used to accommodate vehicular traffic.

**“Public Use”** means any building, installation, or facility owned and operated by or for the City, the Provincial Government, the Federal Government, or a corporation under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the City.

**“Public Utility”** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use: (a) water or steam; (b) sewage disposal; (c) public transportation operated by or on behalf the City; (d) irrigation; (e) drainage; (f) fuel; (g) electrical power; (h) heat; (i) waste management; (j) telecommunications; and includes what is provided for public consumption, benefit, convenience or use.

**“Public Utility Lot”** a lot owned by the City and designed to accommodate one or more public utilities.

**“Qualified Professional”** means a person with experience and training in the applicable field. A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geology or related field, and a minimum of 2 years of related work experience.

**“Real Property Report”** means a codified standard adopted by the Alberta Land Surveyors’ Association which contains:

- a) the legal description of the property and the municipal address;
- b) the dimensions and bearings of all property boundaries as determined by an actual field survey in accordance with the *Surveys Act*;
- c) the designation of adjacent properties, roads, lanes, etc.;
- d) the location and description of all pertinent improvements located on the property along with their dimensions and clearances to the property boundaries. The projections of overhangs or eaves are also shown;
- e) the location of any easements which may affect the property,
- f) the location and dimensions of any visible encroachments onto or off of the property,
- g) a list of the registered encumbrances as noted on the title to the property at the date of the survey, and
- h) a certification by an Alberta Land Surveyor duly signed.

**“Recreational Vehicle”** means a portable structure (a “Recreational Dwelling Vehicle”) designed and built to a) provide temporary living accommodation for travel and recreational purposes, and to be transported on its own wheels or carried by another vehicle but does not include a manufactured home, and b) be used for recreational purposes (a “Recreational Sport Vehicle”) such as an all-terrain vehicle, golf cart capable of carrying passengers, snowmobile, jet ski, boat in excess of 3.7 m in length whether motorized or not, or any similar type vehicle.

**“Recycling Depot”** means a development used for the buying and/or temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed area or building but excludes scrap yards.

**“Required”** means the standard as defined by this Bylaw or as defined in an approved Development Permit.

**“Research Park”** means a development that contains a number of separate office buildings, accessory and supporting uses related to scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. The overall development includes open space and is designed, planned, constructed, and managed on an integrated and coordinated basis.

**“Residential Care Facility”** means a private or publicly funded seniors lodge, nursing home, extended or congregate care facility.

**“Restaurant”** means an establishment where food is prepared and served on the premises for sale to the public, may be licensed for the serving of alcohol, and may include entertainment which is ancillary to the preparation and service of food.

**“Restaurant, Drive-Through”** means a building where food is prepared and sold for consumption to patrons either on the premises or in their vehicles for consumption off the premises.

**“Retail Garden Centre”** means a development providing for the retail sale of bedding, household and ornamental plants, and associated merchandise, and may include display gardens, but does not include on-site outdoor and indoor cultivation or propagation of plants.

**“Retail Store”** means a building where goods, wares, or merchandise are stored, offered or kept for sale and includes storage on or about the store premises of limited quantities of such goods, wares, or merchandise sufficient only to service such store but does not include any retail outlet otherwise listed or defined in this Bylaw. This use includes, but is not limited to, bakeries, delicatessens, food stores, drug stores, clothing stores, sporting goods stores and other similar uses, but does not include retail

stores where the majority of total sales are generated through the sale of adult-oriented materials (clothing, videos, magazines, etc.).

**“Retail Store, Regional”** means a building larger than 60,000 sq ft. or part thereof in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the regional clientele at retail.

**“Retained Wetlands”** means wetlands that will not be disturbed during development, which requires that any development be designed to maintain the pre-development wetland classification as set out in a Chestermere approved Wetland Report. Those wetlands identified in Appendix A with the numbers 1, 2, 3, and 4, to the extent practicable, shall be retained wetlands.

**“Retaining Wall”** means a structure constructed for the purpose of withstanding lateral pressure in order to holdback, retain or prevent the sliding or erosion of earth, fill, rock or similar materials and includes structures which are wholly or partially submerged in water at any time.

**“Riparian Lands”** means lands adjacent to streams, rivers, wetlands, lakes, or other water bodies, where the vegetation and soils show evidence of being influenced by the presence of water. Riparian areas are transitional zone between surface water and drier uplands and play a vital role in the healthy functioning of both.

**“Roads”** means land:

- a) shown as a public right of way on a plan of survey that has been filed or registered in a land titles office; or
- b) used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway as defined in part 17 of the Municipal Government Act.

**“Row Housing”** means development consisting of a building containing a row of three or more dwelling units each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being placed over another in whole or in part, each dwelling unit having separate direct entrance from grade.

**“Sales Centre”** means a temporary building or structure used for a limited period of time for the purpose of marketing land or buildings.

**“Satellite Dish Antenna”** means: a) an antenna the purpose of which is to receive signals from orbiting satellites; b) a low noise amplifier (LNA) situated at the focal point of the receiving component the purpose of which is to magnify and transfer signals; c) a cable with the purpose of which is to transmit signals; and d) other associated components.

**“School, Private”** means a school, other than a school operated by a School Board under the School Act that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.

**“School, Public or Separate”** means a place of instruction operated with public funds pursuant to The School Act.

**“Screening”** means a fence, berm or hedge used to visually separate areas or functions.

**“Sea Can”** means a metal freight container that is used for the temporary storage of materials and equipment.

**“Secondary Suite”** means a self-contained, secondary Dwelling Unit that is located within the principle Dwelling Unit, where both Dwelling Units are registered under the same land title; contains a kitchen, living, sleeping and sanitary facilities and is used or designed to be used as a residence by one or more persons; and that is secondary to the main residential use on the parcel.

**“Self-Storage Facility”** means a building where goods are stored in separate compartments which may be made available to the general public for the storage of personal items.

**“Service Station”** means an automotive service establishment for the sale of fuels, lubricating oils and associated fluids or the routine servicing and minor repair of motor vehicles or both, excluding automotive specialty and auto body and paint shop uses, and may also include the following accessory uses: convenience store, towing service, car wash or the sale of automotive accessories. **May include Electric Vehicle Charging facilities.**

**“Setback”** means a minimum distance measured to the lot line specified in the land use provisions of this Bylaw that development, structures, or uses must be from lot lines, roadways or a utility right-of-way.

**“Shopping Centre”** means a group of commercial uses being primarily retail and personal service establishments with a shared on-site parking area and:

- a) “regional shopping centre” means a shopping centre providing for the sale of general merchandise, apparel, furniture and home furnishings in full depth and variety and convenience goods and personal services. It may be built around one or more regional retail stores and provides services to a regional market-base and clientele;
- b) “sector (community) shopping centre” means a shopping centre which provides a wide variety of goods and services to an area beyond the immediate neighbourhoods and may include office and other non-commercial uses; and
- c) “neighbourhood shopping centre” means a shopping centre which provides commercial uses to meet the frequent needs of the immediate neighbourhoods.

**“Show Home”** means the use of an unoccupied residential building as a sales office for a builder and/or as a facility to demonstrate a builder’s construction quality, design options or methods.

**“Sidewalk”** means a concrete pedestrian facility located within the right-of-way of a public road and which may be separated from the road by a boulevard.

**“Sign”** means any structure, device, light or fixture, or any part thereof used to identify, advertise or attract attention to any person, object, product, event, place, organization, institution, development, business, group, profession, enterprise or industry and is intended to be seen from on or off the site where the sign is located.

**“Similar Use”** means a specific use of land or of a building that is not expressly mentioned in this bylaw but which the Development Authority has determined to be similar in character and purpose to a use listed as a Permitted or Discretionary Use in the district in which the use is proposed.

**“Site”** means an area of land consisting of one or more abutting lots on which a building or use exists or for which an application for a development permit is made.

**“Site Area”** or **“Gross Site Area”** means the area of the land contained within the property lines of a site including any area dedicated to right-of-way property line setbacks.

**“Solar Collector”** means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

**“Specialty Food Store”** means a retail store specializing in a specific type or class of foods such as an appetizer store, bakery, butcher, delicatessen, fish, gourmet and similar foods.

**“Statutory Plan”** means a Municipal Development Plan, Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan approved in accordance with the Act.

**“Storage Area”** means the area of a building or site set aside for the storage of products, goods or equipment.

**“Storey”** means that portion of a building which is situated between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it. The floor of the first storey commences no greater than 2.1 m above finished grade.

**“Street”** means any registered public road, including the boulevards, sidewalks and improvements therein, excluding a lane, bridge or walkway.

**“Structural Alteration”** means any change to the roof, foundation or exterior walls of a structure that results in the expansion of the usable floor area of a structure, or reduces existing setback distances.

**“Structure”** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground and includes walls, light standards, fences and signs, but not including pavements, curbs, walks, and open-air surfaced areas.

**“Subdivision”** means the division of a parcel of land into one or more smaller parcels by a plan of subdivision or another instrument.

**“Sunroom”** means an enclosed, often glass-enclosed, room or amenity area which may be attached to a dwelling.

**“Surrounding Context”** refers to the relationship of a development to its surroundings; that is, to neighbouring existing and planned future uses, the natural characteristics of the site (escarpment, topography, slope, vegetation, etc.), and the neighbouring streetscape and community. Some elements that affect the responsiveness of a new development to its surroundings include appearance, height, scale, massing, setbacks, adjoining setbacks, space between buildings, landscaping, lighting, overshadowing, overlooking, and increases in traffic, parking, activity, noise, or odours. A new development consciously respects/responds to its Surrounding Context when the design maintains or contributes to the quality and character of the neighbourhood.

**“Take-Out Food Service”** means a commercial establishment for the preparation and sale of food or beverages based on a limited menu and produced in a manner that allows for rapid customer service primarily for consumption off the premises and may include a waiting area.

**“Temporary”** means a period of time up to one year or such lesser time specified in an approved Development Permit.

**“Tourist Information Services and Facilities”** means the use of a parcel of land or a building to provide information to the travelling public and may include washrooms and picnic facilities.

**“Townhouse”** means a single building comprised of three (3) or more dwelling units separated one from another by party-walls extending from foundation to roof, with each dwelling unit have a separate, direct entrance from grade and includes all row, linked, patio, garden court or other housing which meet such criteria.

**“Townhouse, Stacked”** means a single building comprised of five (5) or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another, and each dwelling unit has a separate, direct entrance from grade.

**“Tractor Trailer Service Depot”** means a facility for the storage of highway truck trailers and highway truck tractors which may or may not be joined to create one tractor trailer unit and may include a building for maintenance of vehicles and the use of the existing residential building for an administrative office.

**“Triplex”** means a single building comprised of three dwelling units, each unit having a separate, direct entrance from exterior grade or a landscaped area.

**“Truck Stop”** means any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include convenience store and restaurant facilities, and may include overnight accommodation facilities.

**“Use”** means the utilization of a parcel of land for a particular development activity.

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

**“Use, Intensity of”** means the degree or scale of operation of use or activity in relation to the amount of land and buildings associated with the use, vehicular traffic generation resulting thereof, amount of parking required for the particularly land use activity, etc.

**“Use, Interim Commercial/Industrial”** means the utilization of a parcel of land for a range of commercial and industrial uses which include Dealership/Rental Agencies/Recreational Vehicles; General Industry Type II; Industrial Services Shop; Manufacturing; Self Storage Facilities; and Storage Areas.

**“Utilities”** means any one or more of the following:

- a) systems for the distribution of gas, whether artificial or natural, electricity, telephone and cable television;
- 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) any other things that may be prescribed by the Lieutenant Governor in Council by regulation; but does not include those systems or facilities referred to in Clauses a) to d) that are exempted by the Lieutenant Governor in Council by regulation.

**“Vaping Lounge”** means a facility where the primary purpose is for the use of an electronic cigarette, vaporizer, or any other heated smoking equipment used to vaporize any substance whether or not it contains nicotine. This Use does not include the sale of Cannabis Infused Products, Cannabis Retail Sales or a Cannabis Production and Distribution Facility. This use class does include a hookah lounge. May be considered an accessory use to a Retail Store.

**“Variance”** means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Board.

**“Vehicle, Commercial”** means any motorized vehicle that is designed or is used for an activity with the main purpose of financial gain, and shall include, but is not limited to:

- a) any vehicle licensed or used for commercial purposes and having a gross vehicle weight (GVW) rating in excess of 4,500 kg;
- b) any trailer licensed or used for commercial purposes;
- c) any piece of construction equipment or agricultural implement;



- d) any vehicle not licensed as a commercial vehicle, but is used for the collection or delivery, or both, of merchandise or other commodities in the ordinary course of a business undertaking; or
- e) any vehicle that incorporates a boom (cherry picker) or similar mechanical fitting.

**“Veterinary Clinic”** means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include outdoor kennels, or outdoor pens, runs or enclosures.

**“Walkway”** means a concrete or asphalt pedestrian facility that is not a sidewalk.

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

**“Warehouse Store”** means the use of a building for the retail sale of a limited range of bulky goods the size and nature of which typically require large floor areas for direct display to the purchaser, and include, but are not limited to, such bulky goods as furniture, carpets and floor coverings, major appliances, paints and wall coverings, light fixtures, plumbing fixtures and building materials and equipment, but does not include the sale of food, clothing, or other personal goods, wares, substances, articles or things.

**“Watercraft Lift”** means an unenclosed structure constructed either wholly or partially over a body of water and designed to provide shelter for watercraft or marine-related equipment used for non-commercial purposes.

**“Watercraft Lift Height”** means the maximum vertical distance between the maximum operating level of the lake of 1025.6 m to the apex of the watercraft lift.

**“Watershed”** means the area of land that catches precipitation and drains into a water body, including, but not limited to, a wetland, stream, river or lake.

**“Wetland”** means land saturated with water long enough to promote the formation of water altered soils, growth of water tolerant vegetation and various kinds of biological activity that are adapted to the wet environment.

**“Wetland Classification”** means the designation assigned to a wetland pursuant to various methodologies including the Stewart and Kantrud (1971) Wetland Classification Methodology.

**“Wetland Function”** means a process or series of processes that take place within a wetland.

**“Wetland Value”** means the importance of a wetland from an ecological and human perspective. It is assessed based on the relative abundance on the landscape and other key criteria such as biodiversity, water quality improvement, flood reduction, and human values, such as recreation, education, and cultural significance.

**“Wind Energy System, Small (SWES)”** means a wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics which has a rated capacity that does not exceed the allowable rated capacity of 1 kW and which will be used primarily to reduce onsite consumption of utility power.

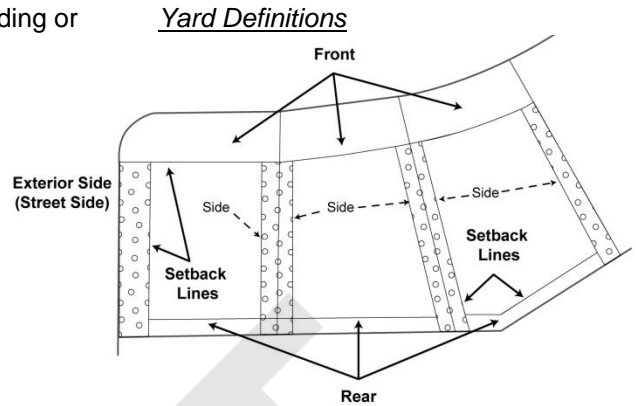
“**Yard**” means a part of a lot upon or over which no building or structure other than a boundary fence is erected except for specifically permitted encroachments and accessory buildings.

“**Yard, Front**” means that area extending the full width of a lot or site, from the front lot line to any part of the front facade of the building and facing a public road.

“**Yard, Rear**” means that area extending the full width of a lot or site from the rear lot line of the site to the rear façade of the principal building.

“**Yard, Exterior Side**” means that portion of a corner lot or site extending from the front yard setback line to the rear lot line and situated between the street and the side façade of the principal building.

“**Yard, Side**” means that portion of the lot or site extending from the front yard setback line to the rear lot line and situated between a side lot line of the lot or site and the side façade of the principal building.



## **PART 3 DEVELOPMENT AUTHORITIES**

### **3.1 Development Authority**

- 3.1.1 The Development Authority is established by bylaw pursuant to the Act.
- 3.1.2 The Development Authority shall exercise development powers and duties on behalf of the City.
- 3.1.3 The Development Authority shall be the Chief Administrative Officer as well as any person delegated as a Development Officer by the Chief Administrative Officer or, where the context of this bylaw permits, City Council.

### **3.2 Development Officer**

- 3.2.1 The office of the Development Officer is hereby established by this Bylaw.
- 3.2.2 The person or persons to fill the office of Development Officer shall be delegated by the Chief Administrative Officer to exercise development powers and duties on behalf of the City. If no person is appointed, the office shall be filled by the Chief Administrative Officer.
- 3.2.3 The Development Officer shall:
  - a) receive and process all applications for Development Permits and Certificates of Compliance;
  - b) keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at reasonable charge;
  - c) keep a register of all applications for development, including the decisions thereon and the reasons therefore, and all orders, for a minimum period of seven (7) years;
  - d) consider and decide on applications for Development Permits for Permitted Uses;
  - e) refer applications for Development Permits located within a non-residential Direct Control district to Council for a decision;
  - f) refer applications for Development Permits located within the following residential Direct Control districts to Council for a decision:
    - i DC (R-1E)
    - ii DC (R-2)
    - iii DC (R-3)
    - iv DC (R-4)
  - g) issue decisions on Development Permit applications located within all residential Direct Control districts, except those specified in 3.2.3(f);
  - h) receive, consider and decide on requests for time extensions for development permits which have been issued;
  - i) advise the applicant for a Development Permit for a use which is not listed as a “Permitted” or “Discretionary” use in the district in which the building or land is situated, of their option of applying to the City for an amendment to this Bylaw; and
  - j) sign and issue all Development Permits and Certificates of Compliance.

### **3.3 Council**

- 3.3.1 Council shall issue decisions for all development contained within a Direct Control District.
- 3.3.2 Notwithstanding 3.3.1, Council may, at its discretion and in accordance with the requirements of the Act, delegate its responsibility to the Development Officer.
- 3.3.3 Notwithstanding 3.3.1, Council delegates its approving authority to the Development Officer for all applications referred to in 3.2.3(g)

### **3.4 Subdivision and Development Appeal Board**

The Board is authorized to perform such duties as specified in the Subdivision and Development Appeal Authority Bylaw and the Act, as amended.

DRAFT

## PART 4 DEVELOPMENT APPLICATIONS

### 4.1 Control of Development

Except as provided in Section 4.2 of this Bylaw, no person shall undertake any development unless a Development Permit has first been issued pursuant to this Bylaw, and the development proceeds in accordance with the terms and conditions of the Development Permit issued in respect of the development.

### 4.2 When a Development Permit Is Not Required

A Development Permit is not required in respect of the following developments but they shall otherwise comply with the provisions of this Bylaw and must be carried out or performed in accordance with all other applicable legislation, regulations and bylaws:

- a) Works of maintenance, repair or alteration, on a structure, either internally or externally, if, in the opinion of the Development Officer, such work does not include structural alterations or change the use or intensity of the use of the structure, with the exception of excavations/fill material and the construction/alteration of structures such as retaining walls and docks/piers adjacent to lakeshore.
- b) The completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that:
  - i) the building is completed in accordance with the terms of any permit granted by the City, subject to the conditions of that permit; and
  - ii) the building is completed within a period of twelve (12) months from the date this Bylaw comes into full force and effect.
- c) The use of any building referred to in subsection (b) for the purpose for which construction was commenced.
- d) The erection or installation of machinery and equipment required in connection with the construction of a building for which a Development Permit has been issued, for the period of construction.
- e) The construction and maintenance of a public utility placed in or upon a public road or public utility easement.
- f) The erection, construction, or the maintenance of gates, fences, or other means of enclosure less than 2.0 m in height provided that the erection of such fence or gate conforms to Section 7.18.
- g) The erection of the first accessory building on site which does not exceed 10.0 m<sup>2</sup> in a residential district.
- h) The installation and operation of a satellite dish antenna less than 0.9 m in diameter.
- i) The use of land by the City of which the City is the legal or equitable owner for a purpose approved by a simple majority vote of Council in connection with any public utility carried out by the City.
- j) The use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election, referendum or plebiscite.
- k) The construction, maintenance and repair of driveways and parking areas installed in accordance with Section 7.15, private walkways, pathways and similar works provided the construction is wholly confined within the legal boundaries of the subject property.

- l) The internal alteration of a residential building as long as the alterations do not result in an increase in the number of dwelling units.
- m) Hard surfacing of any area that is part of a development for which a Development Permit has been issued for the purpose of providing vehicular or pedestrian access or parking where such access or the parking area does not drain onto adjacent properties in accordance with Section 7.15.2.
- n) Stripping, site grading or excavation that is part of a development for which a Development Permit or Development Agreement has been issued.
- o) Removal of soil from a site or stockpiling of soil on a site when a development agreement, pursuant to a subdivision approval, has been duly executed for that site.
- p) Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where a Development Permit allows for such landscaping.
- q) Railways, pipelines, irrigation ditches, conduit flumes and utility lines not integral to an approved development.
- r) Patios, landings and stairways that do not exceed 0.6 m in height.
- s) Solar Collectors located and installed in complete conformity with Section 7.37.
- t) Signs as per Section 9.3.
- u) Fire pits.
- v) The construction of retaining walls less than 1.2 m in height, except retaining walls abutting Chestermere Lake.
- w) Floating docks and watercraft lifts.
- x) Recreational Vehicles as per Section 7.27.
- y) The erection or construction of:
  - i) A single detached dwelling or semi-detached dwelling on a lot, in a district in which such a dwelling is listed as a Permitted Use, when it complies with all other provisions of this bylaw and has been the subject of a Plot Plan **and Building Grade Form review**. This includes decks/stairs and landings.
  - ii) A private swimming pool/hot tub in a district in which they are listed as a Permitted Use when they comply with all other provisions of this bylaw and the Plot Plan stamped by a Development Officer.
- z) Approved Family Day Home / Group Family Child Care Program / After School Care.

### **4.3 Development Permit Applications**

- 4.3.1 An application for a Development Permit shall be made to the Development Officer using the prescribed form, signed by the owner or their agent and accompanied by:
- a) a letter of authorization when an application is made by any person other than the registered land owner;
  - b) A plot plan, drawn to scale, prepared in accordance with City requirements;**

- c) A real property report drawn to scale and prepared within one (1) year of/from the date of application or Plot Plan where any existing building is the subject of or affected by the application for a Development Permit, if deemed necessary by the Development Officer;
  - d) building grade form acceptable to the Development Officer, if required;
  - e) a map showing the designated land use of the project site and all properties adjacent to the site, as well as the grades of abutting sites, if required;
  - f) a completed architectural controls checklist, if required;
  - g) Development Permit fee as prescribed by resolution of Council; and
  - h) such additional information as the Development Officer may deem necessary.
- 4.3.2 An application for a Development Permit shall not be considered complete until such time as, in the opinion of the Development Authority, all documents and other information, including but not limited to all details required for a comprehensively designed development, necessary to review the application have been submitted. Once the Development Authority determines that the application is complete, the Development Authority will notify the applicant accordingly by letter sent to the applicant's physical or electronic address as set out in the application by courier, ordinary mail, or email.
- 4.3.3 Despite determining an application complete, in the course of reviewing that application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary for review of the application.
- 4.3.4 When, in the opinion of the Development Authority, sufficient document, information, and details of the proposed development have not been included with the application for a Development Permit, the Development Authority shall determine the application incomplete, and notify the applicant accordingly by letter sent to the applicant's physical or electronic address as set out in the application by courier, ordinary mail, or email. Further, the letter will set out any outstanding documents, information, or details necessary to consider the application complete and the date for their submission by the applicant, or a later date agreed on between the applicant and the Development Authority. If the application is determined to be materially incomplete following the agreed upon date of submission, the Development Authority shall return the application form and all submission material to the applicant, together with the appropriate refund in compliance with the current fee schedule at the time of the return of the application.
- 4.3.5 Notwithstanding 4.3.4, the Development Authority may accept an application without all of the required information if, in the opinion of the Development Authority, a decision can be properly made on the application without that information.

#### **4.4 Decision**

- 4.4.1 In issuing a Notice of Decision on a Development Permit application for a Permitted Use, the Development Authority shall:
- a) approve, with or without conditions, the application if the proposed development conforms with this Bylaw; or
  - b) refuse the application if the proposed development does not conform to this Bylaw.

- 4.4.2 In issuing a Notice of Decision on an application for a “Discretionary Use,” the Development Authority:
- a) may approve the application, with or without conditions, if it meets the requirements of this Bylaw, based on the merits of the application. In evaluating the merits of the application, the Development Authority shall consider alignment with all relevant statutory plans and policies and responsiveness to the Surrounding Context, in addition to compliance with the regulations and minimum standards of the Land Use Bylaw; or
  - b) may refuse the application even though it meets the requirements of this Bylaw, if the proposed development does not align with relevant statutory plans or policies, or does not respond appropriately to the Surrounding Context; or
  - c) shall refuse the application if the proposed development does not conform to this Bylaw.
- 4.4.3 The Development Authority shall refuse a Development Permit for a use that is not listed as a “Permitted” or “Discretionary Use” in the District in which the building or land is located.
- 4.4.4 Notwithstanding 4.4.3, the Development Authority, at its discretion, may approve a Development Permit, with or without conditions, for a use of land or a building that is not listed as a Permitted or Discretionary Use in the District in which the development is to be located, provided that:
- a) the proposed use is similar to a use identified within the District and not more closely aligned with another use that is prohibited in that District;
  - b) based on 4.4.4(a), the proposed use is determined by the Development Authority to be a Discretionary Use; and
  - c) all public notices of the Development Permit approval specifically reference that the use was approved as a similar use.
- 4.4.5 The Development Authority may issue a temporary Development Permit for a period not exceeding one (1) year.
- 4.4.6 Where a temporary permit is issued, the Development Officer shall:
- a) require that the use be stopped or the temporary development removed once the permit expires; and
  - b) impose a condition that the City is not liable for any costs incurred in removing the development.
- 4.4.7 The Development Officer may require that the applicant enter into an agreement with the City guaranteeing the removal of the temporary development when the intended use is changed or discontinued. The agreement may require the applicant to post a security guaranteeing the removal of the development.
- 4.4.8 Upon expiry of a temporary Development Permit, a new application is required. Such application shall be considered as a first application and the Development Officer is not obliged to approve it on the basis that a previous permit was issued.
- 4.4.9 Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for a Discretionary Use when the Development Authority deems it necessary to do so.



4.4.10 The Development Authority shall consider and decide on applications for Development Permits within forty (40) days of the receipt of the application in its complete and final form. An application for a Development Permit shall, at the option of the applicant, be deemed to be refused when the Development Authority does not make a decision within forty (40) days after receipt of the application by the Development Authority, unless an agreement to extend the forty (40) day period is entered into between the applicant and the Development Authority. In the absence of a time extension, an appeal may be filed by the applicant pursuant to Section 4.12.

## **4.5 Variance Authority**

4.5.1 Notwithstanding 4.4.1(b) and 4.4.2(c), the Development Authority may approve an application for a Development Permit for a development that is a Permitted or Discretionary Use, but that does not otherwise comply with the provisions of this Bylaw, if in the opinion of the Development Authority:

- a) the proposed development would not:
  - i) unduly interfere with the amenities of the neighbourhood; or
  - ii) materially interfere with or affect the use, enjoyment or value, of neighbouring parcels of land; and
- b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.

4.5.2 Notwithstanding 4.5.1, the Development Authority shall not grant a variance from the regulations prescribing height, if the height variance results in an increase in floor area, lot coverage, floor area ratio (FAR), or density.

4.5.3 In addition to the considerations provided under 4.5.1, a variance may only be granted if, in the opinion of the Development Authority:

- a) the variance requested maintains the intent and purpose of the Municipal Development Plan;
- b) the variance requested maintains the intent and purpose of this Bylaw;
- c) the variance is desirable for the appropriate and orderly development or use of the land; and
- d) the variance, in the opinion of the Development Authority, is truly minor in nature.

4.5.4 All requests for a variance shall be accompanied by a letter from the applicant clearly stating the reasons for the variance, outlining the applicable criteria identified in 4.5.3, and the nature of the hardship incurred if the variance is not granted.

4.5.5 If a variance is granted pursuant to this Section, the Development Authority shall specify its nature in the Development Permit approval.

## **4.6 Fees**

4.6.1. The fees to be charged by the City on all applications and other matters arising under this Bylaw are established in the Service Fee Schedule from the current City Policy and are provided for information in Schedule B. Council may, at any time by resolution, increase or reduce any fee shown in Schedule B or specify a fee for any other matter arising under this Bylaw.

- 4.6.2 In relation to any deposit provided to the City pursuant to this Bylaw,
- a) the deposit or forfeiture thereof does not relieve the Applicant or Owner of the property from the responsibility of performing the work to which the deposit relates;
  - b) no interest is payable by the City on the deposit;
  - c) the City will only release the deposit to whomever paid the deposit to the City;
  - d) the City may refuse to return the deposit if the applicant or Owner of the property to which the deposit relates has failed to perform the work or comply with the Act or the regulations thereunder, this Bylaw, a Stop Order, or a development or building permit;
  - e) if the Applicant or Owner has failed to perform the work to which the deposit relates, the deposit will be forfeited to the City upon a 30-day written notice; and
  - f) the City may set off or deduct from the deposit any amounts owed by the Applicant or Owner to the City, without limiting the City's other remedies.
  - g) any deposits of \$250 or more is subject to the Unclaimed Personal Property and Vested Property Act, and any deposits of less than \$250 is presumed abandoned if unclaimed by the apparent owner and shall be forfeited to the City, without recourse.

#### **4.7 Development Permit Process**

- 4.7.1 When an application for a Development Permit has been approved and the Notice of Decision has been given to the applicant, the Development Permit shall not be in effect until:
- a) all conditions of approval that are required to be met prior to the issuance of the permit have been met to the satisfaction of the Development Authority; and
  - b) the appeal period stipulated by the Act has expired.
- 4.7.2 If an appeal is filed with the Subdivision and Development Appeal Board with respect to a Development Permit, the Development Permit shall not come into effect until the Board confirms or varies the decision of the Development Permit, or any condition attached to any of them.
- 4.7.3 If a further appeal is made to the court against the decision of the Subdivision and Development Appeal Board, the Development Permit shall not come into effect until a final decision is made by the court and a final order is entered by filing it with the court clerk.
- 4.7.4 If a Notice of Decision for approval has been granted by the Development Authority, all conditions of approval that are required for the issuance of the Development Permit shall be met to the satisfaction of the Development Authority within twelve (12) months of the date the Notice of Decision is given, unless an extension to this period has been granted by the Development Authority. If the conditions required for the issuance of the Development Permit are not met within the time period, the Development Permit shall automatically expire, without notice, and shall no longer be in effect.
- 4.7.5 Further to 4.7.4, if the development authorized by a Development Permit is not commenced within twelve (12) months of the date of the Notice of Decision, and completed within twenty-four (24) months of the date of the Notice of Decision, the permit shall automatically expire, without notice, and shall no longer be in effect, unless an extension has been granted by the Development Authority.

- 4.7.6 A written request for extension of any period referred to in 4.7.4 or 4.7.5 shall be submitted to and received by the Development Authority no less than thirty (30) days prior to the expiration of the permit. Requests after this time shall necessitate a reapplication for the permit.
- 4.7.7 The Development Authority may suspend or cancel a Development Permit following a Notice of Decision for approval:
- a) if the application contains misrepresentation;
  - b) if the application has not been paid for or a payment or part thereof is outstanding;
  - c) where facts have not been disclosed which should have been at the time of consideration of the application for the Development Permit;
  - d) if the Development Permit was issued in error;
  - e) as part of Bylaw enforcement action pursuant to Part 6;
  - f) where the applicant requests, by way of written notice to the Development Authority, the cancellation of the Development Permit, provided that the commencement of the use, development, or construction has not occurred; or
  - g) if the development or use of the land has been abandoned for a period exceeding twelve (12) months.
- 4.7.8 If the Development Authority suspends or cancels a Development Permit, the Development Authority shall notify the applicant of the Development Permit by letter sent to the applicant's physical or electronic address as set out in the application by courier, ordinary mail, or email.
- 4.7.9 Upon receipt of the Notice of Decision of suspension or cancellation, the applicant must cease all development, uses, and activities to which the Development Permit pertains.
- 4.7.10 When an application for a Development Permit has been voided, suspended, cancelled, or refused pursuant to this Bylaw, or revoked on appeal by the Subdivision and Development Appeal Board pursuant to Section 4.12, the submission of another application for a Development Permit on the same parcel of land for the same or similar use by the same or any other applicant shall not be accepted by the Development Authority for six (6) months after the later of (i) the date of the Notice of Decision to suspend, cancel, or refuse the Development Permit application is given, and (ii) the date of the decision of the Subdivision and Development Appeal Board.

## **4.8 Referrals**

- 4.8.1 The Development Authority may refer for comment any matter or any application for a Development Permit to any authority he deems necessary.
- 4.8.2 Notwithstanding 4.8.1, the Development Authority may refer to any adjacent municipality for consideration and recommendation, any matter or any application for a Development Permit that relates to lands that abut the municipal boundary.
- 4.8.3 Having received a reply on a matter referred to any authority, the Development Authority shall make a decision giving due consideration to the recommendations and comments received.
- 4.8.4 After thirty (30) days from the date of referral, the application may be dealt with by the Development Authority whether or not comments have been received.

## 4.9 Development Permit Conditions

- 4.9.1 As a condition of Development Permit approval, the Development Authority may require that the Applicant enter into a development agreement with the City which, in addition to other matters, may require the Applicant to:
- a) construct or pay for the construction of:
    - i) a road required to give access to the development;
    - ii) a pedestrian walkway system to serve the development or to give access to an adjacent development, or both; and
    - iii) off-street or other parking facilities and loading and unloading facilities;
  - b) construct, install or pay for any local improvements and utilities which are needed to serve the development including, but not limited to, on-site storm water management facilities and any required easements, and joint drainage and access requirements;
  - c) pay all applicable development charges and levies;
  - d) repair or reinstate to original condition any street furniture, curbing, sidewalk, boulevard landscaping or trees which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
  - e) provide an irrevocable letter of credit, or other form of security acceptable to the Development Authority, to guarantee performance of the conditions of the Development Permit; and,
  - f) to attend to all other reasonable matters the Development Authority considers appropriate.
- 4.9.2 To ensure compliance with a development agreement the City may register a caveat against the property being developed which shall be discharged upon the terms of the agreement being met.
- 4.9.3 Subject to this Bylaw, any statutory plan, and the Act, the Development Authority may attach whatever conditions it considers appropriate to a development permit for either a Permitted or Discretionary use, including but not limited to the following:
- a) landscaping requirements;
  - b) noise attenuation;
  - c) special parking provisions;
  - d) location, appearance and character of a building;
  - e) grading of a site to protect adjacent properties; and
  - f) ensuring the proposed development is compatible with surrounding land uses.
- 4.9.4 In the absence of an agreement under 4.9.1, the Development Authority may require, as a condition of issuing a Development Permit **or approving a site plan**, that a developer provide securities to the City to ensure completion of the development in conformance with the Land Use Bylaw, and to cover the cost of repairing local improvements which may be damaged during the process of development. The security shall be returned after the final occupancy permit has been issued.
- 4.9.5 When services or facilities are required, a person shall not begin the excavation for the foundation nor commence the development until provision has been made for such services or facilities to the satisfaction of the approving authorities.

- 4.9.6 Each unit of a semi-detached or multi-attached dwelling complex shall be individually and directly connected to water, sewer and other utility lines located in a public right of way.
- 4.9.7 With the exception of the UT, LLR and RR Districts, no Development Permit shall be issued for a development to be served by non-municipal water and sewer systems until the systems have been approved by the appropriate regulatory authority.
- 4.9.8 As a condition of development permit approval, the Applicant shall ensure that the development site be maintained in a clean and orderly manner and that the cleanliness of surrounding properties not be negatively impacted.

#### **4.10 Restrictions on Issuance of a Development Permit**

- 4.10.1 The Development Authority may restrict the volume and timing of noise generated by a development.
- 4.10.2 The Development Authority may restrict any process involving the emission of dust, flying ash or other particulate material.
- 4.10.3 Underground waste storage tanks are prohibited unless otherwise approved by the Development Authority.

#### **4.11 Notice of Decision**

- 4.11.1 When an application for a Development Permit for a Permitted Use is approved, with or without conditions, the Notice of Decision shall be given to the applicant by courier, ordinary mail, or email to the applicant's physical or electronic address as set out in the application.
- 4.11.2 When an application for a Development Permit for a Permitted Use requiring a variance or a Discretionary Use is approved, with or without conditions or variances, the Notice of Decision shall be given to the applicant by courier, ordinary mail, or email to the applicant's physical or electronic address as set out in the application. In addition, the Development Authority may, at its discretion, do any or all of the following:
- a) publish the decision in a newspaper circulating in the City or on the City website for a period of twenty-one (21) days, stating the legal description and the civic address of the lot of the development, and identifying the use which has been approved on such lot;
  - b) notify adjacent landowners deemed to be affected by the decision by letter sent to their physical address by ordinary mail;
  - c) require the applicant to post site signage conspicuously on the property for which the application has been made with the information prescribed in Section 4.11.2(a) above, for the time period specified by the Development Authority.
- 4.11.3 When an application for a Development Permit is refused, the Notice of Decision, with reasons for refusal, shall be given to the applicant by courier, ordinary mail, or email to the applicant's physical or electronic address as set out in the application.

- 4.11.4 For the purposes of this Bylaw, a Notice of Decision, notice, acknowledgement, letter, or other document relating to a Development Permit may be sent by courier, ordinary mail, or electronic means and such is deemed to have been served:
- a) if by courier, on the day following delivery;
  - b) if by ordinary mail, seven (7) days from the date of mailing;
  - c) if by electronic means, on the day after it was sent; or
  - d) if a Notice of Decision is published in a newspaper circulating in the City or on the City website, on the date the Notice of Decision appears in the newspaper or on the City website.

## **4.12 Appealing a Decision**

- 4.12.1 The Applicant for a Development Permit may appeal to the Board if the Development Authority:
- a) refuses or fails to make a decision on a Development Permit within forty (40) days of receipt of a completed application; or
  - b) issues a Development Permit subject to conditions.
- 4.12.2 In addition to the Applicant, any person affected by a Development Permit or the decision on it, may appeal to the Board.
- 4.12.3 Notwithstanding 4.12.1 and 4.12.2, no appeal lies in respect of the issuance of a development permit for a Permitted Use unless the application was the subject of a variance.
- 4.12.4 An appeal shall be commenced by filing a Notice of Appeal, setting out all of the reasons that the person intends to rely on for the appeal, to the Secretary of the Board within twenty-one (21) days after the Notice of Decision has been given under Section 4.11.
- 4.12.5 A decision on a Development Application within a Direct Control District cannot be appealed unless the appeal is limited to whether or not the Development Authority followed the directions of Council. If the Board finds that the Development Authority did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Authority.

## **4.13 The Appeal Process**

- 4.13.1 The Secretary of the Board shall ensure persons required to be notified under the provisions of the Subdivision and Development Appeal Board Bylaw and the Act are given notice of appeal.
- 4.13.2 If a Notice of Appeal of a decision on a Development Permit application is served on the Secretary of the Board, the Permit shall not be effective until:
- a) the decision to approve the Permit is upheld by the Board; or
  - b) the Secretary receives written notice from the appellant withdrawing the appeal.
- 4.13.3 In dealing with an appeal, the Board shall follow the process described in the Subdivision and Development Appeal Board Bylaw and the Act.
- 4.13.4 If a decision to approve a Development Permit is reversed by the Board, the Development Permit shall be null and void.

- 4.13.5 If a decision to refuse a Development Permit application is reversed by the Board, the Board shall direct the Development Officer to issue a Development Permit in accordance with its decision.
- 4.13.6 If a decision to approve a Development Permit application is varied by the Board, the Board shall direct the Development Officer to issue a Development Permit in accordance with its decision.
- 4.13.7 The decision of the Board is binding except on a question of jurisdiction or law, in which case the appellant may appeal to the Court of Appeal as provided in the Act.

#### **4.14 Notice of Appeal**

- 4.14.1 The Board shall consider and make decisions on appeals as provided in the Act.
- 4.14.2 The Secretary to the Board shall, at least five (5) days prior the hearing of an appeal:
- a) publish a notice in a newspaper circulating in the City or on the City website stating;
    - i) the subject and nature of the appeal;
    - ii) the time, date and location of the hearing; and
    - iii) any other matters the Board considers necessary.
  - b) notify in writing the appellant, the applicant, the Development Authority, objectors of record, and any other person that the Board considers should be notified in accordance with Section 4.11.4.

#### **4.15 Development Completion Certificate**

- 4.15.1 When a development permit is required, a development completion permit must be issued before the development can be occupied or a use commenced.
- 4.15.2 The Development Authority must determine which developments and uses do not require a Development Completion Permit, which may be amended from time to time.
- 4.15.3 The Development Authority must advise an applicant for a development permit if the proposed development or use requires a Development Completion Permit.
- 4.15.4 An application for a Development Completion Permit must be made on a form approved by the Development Authority and must be accompanied by two copies of a surveyor's certificate.
- 4.15.5 An applicant for a Development Completion Permit must ensure the development or use is available for inspection by a Development Inspector during the Inspector's normal work day to confirm the development is completed in accordance with the development permit, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.
- 4.15.6 Where a Development Authority is satisfied that the development has been completed in accordance with all of the requirements of the development permit, the Development Authority may issue a Development Completion Permit for the development.

4.15.7 Where a Development Authority is not satisfied that a development has been completed in accordance with all of the requirements of the development permit, the Development Authority may:

- a) issue a Development Completion Permit upon receipt of a letter of credit or other security in an amount and form acceptable to the Development Authority, in order to ensure fulfilment of the outstanding requirements of the development permit; or
- b) refuse to issue a Development Completion Permit.

DRAFT



## **PART 5 AMENDING THE BYLAW**

### **5.1 Bylaw Amendments**

- 5.1.1 Any amendment to this Bylaw shall be made pursuant to the Act.
- 5.1.2 Council may initiate amendments to this Bylaw. If deemed necessary, and in accordance with the provisions of the Act, the City may initiate an amendment to this Bylaw affecting any parcel of land without the Owner's consent.
- 5.1.3 A person may request an amendment to this Bylaw by applying in writing as described in 5.2.1.

### **5.2 Amendment Applications**

- 5.2.1 A Land Use Bylaw amendment application shall be made to the City on the prescribed form and shall be signed by the Applicant or their agent authorized in writing. The following information and documents will accompany the application:
- a) an application fee as prescribed by resolution of Council;
  - b) if the amendment involves the rezoning of land to a different land use district, a current Certificate of Title for the land affected or other documents satisfactory to the Development Officer including evidence of the applicant's interest in the said land;
  - c) any drawings required to be submitted shall be drawn to scale and accurately dimensioned to the satisfaction of the Development Officer; and
  - d) a statement of the purpose and reasons for the proposed amendments.

### **5.3 The Amendment Process**

- 5.3.1 The amendment application may be referred by the Development Officer to:
- a) any municipal department, adjacent municipality, government agency or other external agency for comment;
  - b) City Council for consideration and recommendation; and
  - c) the Council for first reading and to establish a date for a public hearing to be held prior to second reading.
- 5.3.2 After the date for a public hearing has been set by Council, a notice of the amendment application shall be published **in accordance with the Municipal Government Act**. This notice shall contain:
- a) the legal description of the land which is the subject of the application;
  - b) the purpose of the proposed amendment;
  - c) one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
  - d) the date, place, and time that Council will hold a public hearing on the proposed amendment;

- e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and,
- f) an outline of the procedures to be followed at the public hearing.

5.3.3 If the amendment involves the rezoning of land to a different land use district a notice shall be given to the Owner of the subject land, all adjacent landowners, and at the discretion of Council, to landowners within an area specified by Council.

5.3.4 Council, after considering:

- a) any representations made at the public hearing;
- b) any Intermunicipal Development Plan, Municipal Development Plan, Area Structure Plan, or Area Redevelopment Plan affecting the application and the provisions of this Bylaw; and
- c) any other relevant information and documents properly before Council,

may make any changes it considers necessary to the proposed amendment, if such changes are appropriate, and proceed to pass the proposed amendment, defer the amendment application for more information, such as the completion of an Area Structure Plan, or defeat the proposed amendment.

5.3.5 If Council refuses an application for an amendment, the City shall not accept another application on the same land for the same or similar purpose until six (6) months have passed after the date of such refusal.

## **PART 6 CONTRAVENTION AND ENFORCEMENT**

### **6.1 Non-Conforming Buildings and Uses**

- 6.1.1 A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered, except:
- a) as or may be necessary to make it a conforming building; or
  - b) as may be deemed necessary by the Development Officer for the routine maintenance of the building.
- 6.1.2 If a non-conforming building is damaged or destroyed by fire or other cause to an extent or more than 75% of the market value of the building, above its foundation, the building shall not be repaired or rebuilt except in conformity with the provisions of this Bylaw.
- 6.1.3 When a building is a non-conforming building solely by reason of its encroachment into a required setback or inadequate parking, the Development Officer at their discretion may allow an extension of or an addition to the building, if such extension or addition will not in itself constitute an encroachment into any required yard and if such extension or addition complies with the provisions of this Bylaw.
- 6.1.4 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months, or more, any future use shall conform to the provisions of this Bylaw.
- 6.1.5 A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- 6.1.6 A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot, and no additional buildings shall be erected upon the lot while the non-conforming use continues.

### **6.2 Contravention**

- 6.2.1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any of the provisions of this Bylaw, or fails to comply with any order, notice, or direction given under this Bylaw is guilty of an offence against this By-law and is liable to the penalties hereby imposed. Each day that a violation is permitted to exist shall constitute a separate offence.
- 6.2.2 No person shall authorize or do any development that is not in compliance with the description, specifications or plans that were the basis for issuing a Development Permit or a Plot Plan stamped by a Development Officer under this Bylaw.
- 6.2.3 No person shall contravene a condition of a Permit issued under this Bylaw.
- 6.2.4 No person shall fail to comply with a development permit or the plans and conditions forming part of the permit or Plot Plan stamped by a Development Officer, or make use of land in a manner contrary to the provisions of this Bylaw.

6.2.5 A Person who contravenes a section of this Bylaw not otherwise subject to a Specified Penalty pursuant to this Bylaw is liable to pay a fine as described in "Schedule C".

### 6.3 Stop Orders

6.3.1 If the Development Authority finds that a development or use of land or buildings is not in accordance with:

- a) the Act or the regulations there under, or
- b) a Development Permit or subdivision approval, or
- c) this Bylaw,

the Development Authority may issue a Stop Order in writing to the owner, the person in possession of the land or buildings or the person responsible for the contravention of all or any of them to:

- a) stop the development or use of the land or buildings in whole or part as directed by the notice;
- b) demolish, remove or replace the development; or
- c) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, and the regulations there under, a Development Permit, subdivision approval or the Bylaw, as the case may be; within the time specified by the order.

6.3.2 No person shall fail to comply with a Stop Order issued pursuant to this Bylaw.

6.3.3 If a person fails or refuses to comply with a Stop Order, the City may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.

6.3.4 If the City takes action to carry out a Stop Order the City shall cause the costs and expenses incurred in doing so to be placed on the tax roll of the property concerned.

6.3.5 The City may register a caveat with respect to the Stop Order in the Land Titles Office

6.3.6 A Stop Order written pursuant to this Bylaw shall be served on the Owner by:

- a) delivering the Order personally to the Owner of the premises to which it relates;
- b) leaving the Order for the Owner at the premises with a person who appears to be at least 18 years of age;
- c) posting the Order in a conspicuous place on the premises to which the Stop Order relates, or on the private dwelling place of the owner of the premises as registered at the Land Titles Office or on the municipal tax roll for the premises. The Stop Order shall be deemed to be served upon the expiry of three (3) days after the remedial order is posted;
- d) sending the order registered mail to the last known address of the Owner, and the Stop Order shall be deemed to be served upon confirmation of receipt of the registered mail; or
- e) sending the Order regular mail to the last known address of the Owner, and the Stop Order shall be deemed to be served seven (7) days if mailed within Alberta, and fourteen (14) days elsewhere in Canada.

## **6.4 Enforcement**

- 6.4.1 A Peace Officer or the Development Authority may enforce the provisions of this Bylaw, the *Municipal Government Act* and its regulations, the conditions of a Development Permit or subdivision approval.

## **6.5 Penalties**

- 6.5.1 Every person who contravenes any of the provisions of this Bylaw by doing any act or thing which the person is prohibited from doing is guilty of an offence.
- 6.5.2 Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00. The specific fines to be charged pursuant to this Bylaw are established by Council resolution and are provided for information in Schedule C. Council may at any time by resolution increase or reduce any penalty fee shown in Schedule C or specify a penalty for any other matter arising under this Bylaw.
- 6.5.3 A Development Authority may suspend or cancel a Development Permit which has not been complied with pursuant to Part 4.

## **6.6 Violation Tickets**

- 6.6.1 Where a contravention of this Bylaw is of a continuing nature, further violation tickets may be issued by a Peace Officer provided that no more than one violation ticket is issued for each day that the contravention continues.
- 6.6.2 Where a Peace Officer believes that a person or owner has contravened any provision of this Bylaw, he may commence proceedings by issuing a violation ticket in accordance with the *Provincial Offences Procedure Act*.
- 6.6.3 The person to whom the violation ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided as set out in Schedule C of this Bylaw.
- 6.6.4 When a clerk records the receipt of a voluntary payment pursuant to 6.5.3 and the *Provincial Offences Procedure Act* in the Court records, the act of recording constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.
- 6.5.5 This Section shall not prevent any officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act*, or from laying an information instead of issuing a violation ticket.

## **6.7 Specific Enforcement Relating to Signs**

- 6.7.1 Every sign owner must ensure that their signs are in compliance with every applicable rule. More than one sign owner may be subject to enforcement respecting the same sign.

- 6.7.2 When a sign that is subject to this Bylaw no longer fulfils its function under the terms of the Development Permit, the Development Authority may issue a Stop Order for the repair or removal of the sign to the sign owner or property owner, and the person to whom the Stop Order is issued must:
- a) within thirty (30) days from the receipt of the Stop Order remove the sign and all related structural components including removing or screening exposed base and foundations to the satisfaction of the Development Authority;
  - b) restore the immediate area around the sign to the satisfaction of the Development Authority including the ground or any building to which the sign was attached, as close as possible to its original form prior to the installation of the sign; and
  - c) bear all the costs related to the removal and restoration.
- 6.7.3 Any signage that is not authorized or in compliance with this Bylaw can be seized by a Peace Officer or the Development Officer.
- 6.7.4 The Peace Officer may cause the sign to be destroyed or disposed of without incurring any obligation to compensate any party for the destruction or disposal of the sign.

## **6.8 Other Remedies**

- 6.8.1 Nothing in this Bylaw diminishes or in any way affects the powers of a Development Authority to issue Orders for compliance or in any way affects any person's right to appeal a Development Authority's Order.
- 6.8.2 Nothing in this Bylaw diminishes or in any way affects the provisions of the *Municipal Government Act* relating to offences and penalties.
- 6.8.3 Nothing in this Bylaw diminishes or in any way affects the rights of the City pursuant to the *Municipal Government Act*, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.
- 6.8.4 The levying and payment of any fine or the imprisonment of any period provided in this Bylaw does not relieve a person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of this Bylaw, any other Bylaw or other enactment.

## **PART 7 GENERAL REGULATIONS**

### **7.1 Applicability**

This Part shall apply to all Land Use Districts under this Bylaw.

### **7.2 All Accessory Buildings and Uses**

- 7.2.1 No person shall construct or utilize an accessory building except in compliance with this section.
- 7.2.2 An accessory building shall not be used as a dwelling unit and shall not contain cooking or sanitation facilities.
- 7.2.3 An accessory building shall not be constructed within the required front yard setback area of any district, or exterior residential side yard of any residential district.
- 7.2.4 Accessory buildings shall be constructed with exterior finish materials that compliment those of the principal building.
- 7.2.5 An accessory building shall not be located on an easement or utility right-of-way, unless otherwise provided for in the City of Chestermere Encroachment Policy.
- 7.2.6 An accessory building shall not be developed on a lot prior to construction of the principal building or use on the lot.
- 7.2.7 Decks, balconies, sunrooms and the like shall not be constructed on top of an accessory building unless the setbacks of the accessory building comply with the allowable setbacks for the principal building in that district.
- 7.2.8 An accessory building 10 m<sup>2</sup> or greater is required to meet the setback requirements for the District in which it is located.
- 7.2.9 Regardless of size, the lot coverage requirement for each Land Use District, shall be met.
- 7.2.10 Where an accessory building or structure is attached to the principal building, it shall be considered part of the principal building and shall be required to meet the setbacks and other regulations that apply to the principal building.
- 7.2.11 Where an accessory building or structure is a Permitted use in a residential district, only the first accessory building of that type shall be considered Permitted on a lot. All subsequent accessory buildings of that type shall be considered Discretionary uses. The Development Authority shall take into consideration the cumulative effect of all accessory buildings on a site when issuing a decision on a Discretionary accessory building.

### **7.3 Bare Land Condominium**

- 7.3.1 Structures constructed on bare land condominium units shall comply with the general regulations of this bylaw, including the regulations for the land use district in which the unit is located.
- 7.3.2 For the purposes of this Bylaw, a bare land condominium plan is a plan of subdivision.

## 7.4 Bed and Breakfast Accommodation

7.4.1 Bed and Breakfast Accommodation shall be reviewed as Major Home Business permit.

7.4.2 A Development Authority may permit a Bed and Breakfast Accommodation use only if in the opinion of the Development Authority it will:

- a) be restricted to the dwelling unit;
- b) not change the principal character or external appearance of the dwelling involved; except where minimal exterior modification of the structure or grounds are compatible with the character of the area or neighborhood and pursuant to a Development Permit;
- c) not create a nuisance by way of noise, parking or traffic generation;
- d) not employ anyone but the residents of the dwelling;
- e) be limited to one (1) identification sign no more than 0.3 m<sup>2</sup> in size and displayed from within the establishment;
- f) not occupy more than three (3) bedrooms;
- g) be limited to one (1) meal provided on a daily basis to registered guests only; and
- h) comply with all applicable provincial regulations.

## 7.5 Brewery

### 7.5.1 Brewery:

- a) May have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event;
- b) The Use may have a maximum of 10.0 m<sup>2</sup> of public area used for the purpose of providing entertainment;
- c) May include a public area of 150.0 m<sup>2</sup> or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;
- d) When the use includes a public area, it must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;
- e) When the use includes a public area, it must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street, and;
- f) When the use is located in an industrial district, the maximum floor area of a display and sales area located in a building is the greater of:
  - i) 38.0 m<sup>2</sup>
  - ii) 20.0 percent of the gross floor area to a maximum of 465.0 m<sup>2</sup>
- g) That may include the preparation and sale of food for consumption on the premises to private groups in the private hospitality area and to the general public in the public area.



## 7.6 Building Design, Character and Appearance

- 7.6.1 The design, character and appearance of any building, structure or sign proposed to be erected or located in any district must be acceptable to the Development Authority, having due regard to the amenities and the character of existing development in the district, as well as to its effect on adjacent districts.
- 7.6.2 All proposed development shall conform to any design standard established by the municipality or such other more stringent requirements established for a given development area.
- 7.6.3 All street sides of corner lots and those lots backing onto parkland or green spaces, Chestermere Lake, major roads, or lands administered by other municipal jurisdictions, shall be treated as a principal façade and finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- 7.6.4 Roof lines and building facades shall be articulated and varied to reduce perceived mass and linear appearance of large buildings.
- 7.6.5 Except in agricultural uses in LLR and UT Districts, mechanical equipment shall be screened or incorporated into the roof envelope.
- 7.6.6 The finish and appearance of all the buildings on the lot, including accessory buildings, should complement the other structures and natural features located on the same lot.

### 7.7.1 Car Washes

- 7.7.1 A car wash shall:
- a) not have any vehicle exiting doors located within 23.0 m of a residential district when measured to the nearest lot line of a parcel designated as a residential district; and
  - b) where located within 23.0 m of a residential district, have any vacuum cleaners situated:
    - i) within the building; or
    - ii) within a screened enclosure that must be:
      - shown on plans required at the time the application for the use is made;
      - located where, in the opinion of the Development Authority, it is least likely to adversely affect neighbouring properties; and
      - constructed of materials and to the standards required by the Development Authority.

## 7.8 Child Care Facilities, Group Family Child Care Programs, Approved Family Day Homes

- 7.8.1 Child Care Facilities:
- a) shall follow the *Child Care Licensing Regulations* that may provide programming for the social, creative, educational and physical development of children;
  - b) shall have privacy screening or other buffering techniques designed to limit impact on other uses or the surrounding residential properties;
  - c) in any Residential District:
    - i) shall not change the principal character or external appearance of the structure in which it is located;

- ii) shall have an outdoor play area designed and secured according to Provincial regulations and must be shown on the plan submitted for a Development Permit; and
- iii) shall provide parking according to the regulations outlined in PART 8 of this Bylaw. In addition, a drop-off area shall be provided at the rate of one (1) drop-off space for every five (5) children, or at the discretion of the Development Authority.

7.8.2 A Group Family Child Care Program / Approved Family Day Home / After School Care:

- a) shall not be located in a dwelling unit containing another Major Home Business;
- b) may require privacy screening that prevents visual intrusion into any outdoor play areas; and
- c) shall not require a development permit.

## 7.9 Communication Facilities

Note: Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location and height of radio communication facilities including radio, television and microwave transmission facilities. In making its decision regarding transmission, communication and related facilities, Industry Canada considers the following:

- the input provided by the land-use authority;
- compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
- Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and,
- an environmental assessment may be required in order to comply with the *Canadian Environmental Assessment Act*.

The participation of the City in the consultation process does not transfer any federal decision-making authority, nor does it confer a right of veto in the location of the radio communication facility. City of Chestermere's *Telecommunication Antenna Structure Policy* (No. 302) is the guiding document to install a communication facility within the City.

## 7.10 Corner Lot Restrictions

7.10.1 Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub or tree exceeding 0.6 m in height on that part of a corner visibility triangle.

7.10.2 Corner visibility triangles are determined as follows:

- a) In a Residential District, a visibility triangle is comprised of two sides which are 7.5 m long as measured from the edge of road along the boundaries of the lot which meet at the said intersection, and a third side the length of which is a straight line connecting the two points along the said boundaries; or
- b) If a lot is at the intersection of a lane and a street in a Residential District, or if a corner lot is located in a commercial or industrial district, a visibility triangle is comprised of two sides which are 7.5 m long, as measured from the corner of the corner lot along the boundaries of the lot which meet at the said intersection, and a third side the length of which is a straight line connecting the two points along the said boundaries.

## **7.11 Demolition of Buildings**

- 7.11.1 Where a Development Permit is to be approved for the demolition of a building, the Development Officer shall require the applicant to provide a performance bond to cover costs of reclamation and damage to public and quasi-public utilities, roadways and sidewalks, and to carry sufficient comprehensive liability insurance naming the City of Chestermere as an insured party in all public liability policies.
- 7.11.2 Where a demolition is carried out, the person causing the same to be made shall at their own expense, protect from displacement any wall, sidewalk, roadway or other utility to be affected by such demolition and shall sustain, protect and underpin the same so that they will remain in the same condition as before the demolition was commenced and that adequate measures shall be taken by way of fencing and screening to ensure the general public's safety.
- 7.11.3 Whenever a Development Permit is issued for demolition of a building, it shall be a condition of the permit that the site shall be properly cleaned with all debris removed and left in a graded condition.

## **7.12 Development Setbacks from Water Bodies**

- 7.12.1 Development on land that is subject to flooding, subsidence or is marshy or unstable shall be discouraged, but when such development is allowed, the developer shall hold the City harmless from any damage to or loss of the development caused by flooding, subsidence, or other cause by entering into a Save Harmless Agreement with the City as a condition of development permit approval. Flood proofing standards will apply where any buildings are permitted.
- 7.12.2 A minimum developed floor elevation of 1,026.25 m shall apply to all development within the 2004 Municipal Boundary (Schedule D). No mechanical or electrical equipment or habitable floor area is permitted below this elevation.
- 7.12.3 Notwithstanding 7.12.2, the minimum developed floor elevation for the lands identified within the Kinniburgh South Outline Plan shall be at the discretion of the Development Authority.

## **7.13 Docks**

- 7.12.1 Multi-level docks may be permitted provided that the levels or tiers are not located directly over top of each other.

## **7.14 Drive-Through Businesses**

- 7.14.1 Drive-Through Businesses:
- a) may have outdoor speakers provided:
    - i) the speakers are not located within 23.0 meters of a lot line of any parcel designated as a Residential District; or
    - ii) they are separated from a Residential District by a building;
  - b) must screen any drive-through aisles that are adjacent to a Residential District;
  - c) must not have any drive-through aisles in a setback area;
  - d) must fence any drive-through aisles where necessary to prevent access to a lane or street; and
  - e) must provide vehicle queuing and parking in accordance with Section 8.

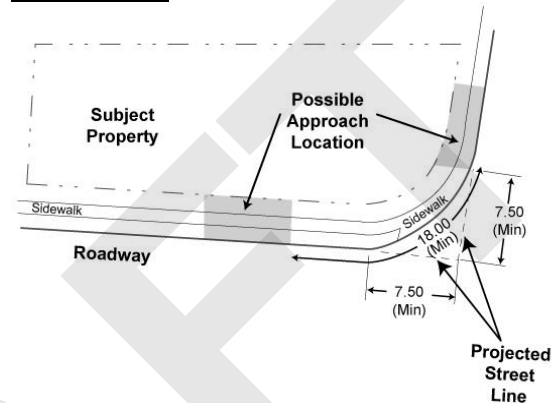
## 7.15 Driveways

7.15.1 No person shall construct or utilize a driveway/parking pad or approach except in compliance with this section.

### 7.15.2 Approaches

- a) No approach shall directly access a major street unless approved by the Development Authority.
- b) No approach shall be constructed within an intersection, or within 7.5 m of the intersecting projected street line as illustrated in Figure 7.15.1.
- c) No approach shall be constructed within 3.0 m of a community mailbox or hydrant, or 1.0 m of a light post or a utility pedestal.
- d) The minimum distance between approaches serving the same property shall be 18.0 m measured along the applicable lot line(s).
- e) An approach extending over a drainage ditch will require a development permit from the City.
- f) Each new approach from newly created infill lots onto East Chestermere Drive or East Lakeview Road shall serve a maximum of two (2) residential lots unless an internal road exiting onto East Lakeview Road is provided. In the case of a subdivision block resulting in an odd number of lots, a single driveway may be developed on the odd lot at the discretion of the Development Authority.
- g) Approaches shall not be wider than 8m. This width may be varied in new subdivisions where a Storm Water Management Plan and/or where a permeable surface is accepted by the Municipality. Loose gravel is not permitted where the approach abuts a paved road.

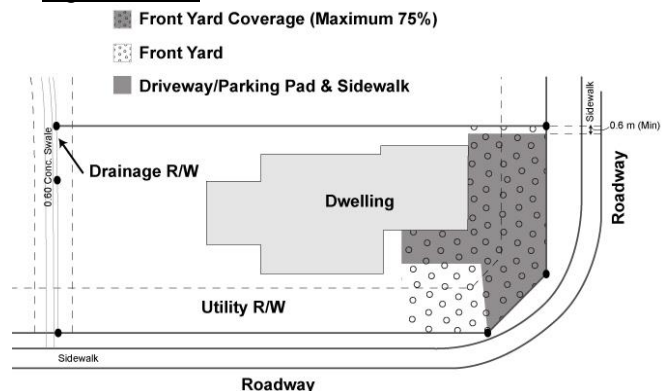
*Figure 7.15.1*



### 7.15.3 Driveways and Parking Areas

- a) Driveways and parking areas shall require a setback of 0.6 m from a side lot line excluding joint garages on side by side units and shall not be constructed closer than 1 m to utility pedestals and light posts.
- b) The combined coverage of all driveway/parking areas including patio and sidewalk contained within the front yard of a lot shall be a maximum of 75% of the area of the front yard as shown in Figure 7.15.3 provided City's engineering requirements are met.

*Figure 7.15.3*



- c) All garage driveways in Residential Districts shall be hard surfaced in accordance with the City's engineering requirements and to the satisfaction of the Development Authority.
- d) Other on-site parking areas shall be permeable surfaced in accordance with the City's engineering requirements and to the satisfaction of the Development Authority.

## 7.16 Dwelling Units on a Lot

7.16.1 The number of dwelling units permitted on a parcel shall be one (1) except where additional dwellings are:

- a) contained in a building designed for, or divided into, two (2) or more dwelling units and is located in a land use district which permits multiple units;
- b) contained in a building as defined by the *Condominium Property Act* that is the subject of an approved condominium plan registered with Alberta Registries; or
- c) a secondary suite approved under Section 7.32.

## 7.17 Easements

7.17.1 No structure shall be erected on a utility easement unless:

- a) in the opinion of the Development Authority the structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility;
- b) written consent has been obtained from the utility company to which the easement has been granted; or
- c) it is otherwise provided for by the City's *Encroachment Policy*.

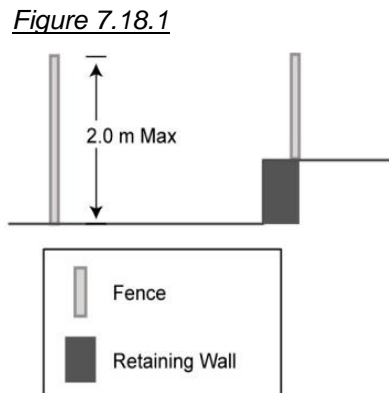
## 7.18 Fencing and Screening

7.18.1 Unless otherwise specified in a Land Use District, a person may construct a fence of up to 2.0 m in height provided that:

- a) the fence does not exceed 1.0 m within the required front yard of the site;
- b) the fence does not exceed 1.0 m within 8.0 m of the lake lot area; and
- c) it is not constructed within the lake lot area.

For the purpose of this section, in residential areas in cases where a fence is constructed on top of a retaining wall, the combined height of the fence and retaining wall shall not exceed 2.0 m as illustrated in Figure 7.18.1.

7.18.2 Fencing shall not encroach or hinder access to utility right-of-ways. When a utility right-of-way is next to a property line, the fence shall be built directly on the property line or within the property, and not constructed upon the utility right of way. Where there is a swale in the rear of a property, the fence shall be constructed on the property line.



- 7.18.3 Notwithstanding 7.18.1, the height of a fence in a Commercial or Urban Reserve District shall be at the discretion of the Development Officer.
- 7.18.4 Except in the Urban Transition or Large Lot Rural Residential, no fence shall be of barbed wire construction below a height of 2.0 m.
- 7.18.5 Where a non-residential development is proposed which abuts a residential site, adequate screening or buffering shall be provided on the site of the development to the satisfaction of the Development Authority.
- 7.18.6 Storage Yards and all outside storage areas shall be screened from view of adjacent sites and public thoroughfares to the satisfaction of the Development Authority.
- 7.18.7 Fences shall complement the character and quality of the principal building.
- 7.18.8 Unless required as part of the sale, promotion or display of the vehicle, equipment or product, all outdoor storage of vehicles, equipment, or products shall be screened from public view to the satisfaction of the Development Authority.
- 7.18.9 Screening in the form of fences, hedges, landscaped berms or other means is required along the lot lines of all commercial and industrial lots where such lines are adjacent to a residential district. Such screening shall be at least 1.8 m high. Length and width of the screening shall be at the discretion of the Development Authority.
- 7.18.10 For bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage and similar uses, where because of height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof to the satisfaction of the Development Authority, shall be required.

## **7.19 Garbage Enclosures**

- 7.19.1 All commercial, industrial, institutional and multi-attached residential developments shall provide a garbage facility suitable for the intended land use and shall be designed to the satisfaction of the Development Authority.
- 7.19.2 Garbage shall be:
- a) stored in weatherproof and animal-proof containers;
  - b) screened from adjacent sites and public thoroughfares;
  - c) provided in a location easily accessible for pickup; and
  - d) for garbage collection, containers shall be delivered and removed from the roadside within a 24-hour period.

## **7.20 Gas Bars and Service Stations**

- 7.20.1 A gas bar or service station:
- a) must not have a canopy that exceeds 5.0 m in height when measured from grade;
  - b) must have fully recessed canopy lighting;

- c) may have an outdoor display of products related to the use, provided they are within 4.5 m of the building entrance or on gas pump islands;
- d) must provide vehicle queuing and parking in accordance with Section 8; and
- e) is included with the Automotive Service use group.

## 7.21 Home Business

7.21.1 All home businesses shall:

- a) Comply with all home business development maximum requirements under table 7.21;
- b) require a Development Permit;
- c) be considered temporary uses; and
- d) comply with all applicable provincial and federal regulations.

7.21.2 Major Home Business Permits shall have a fixed expiry date specified in a development permit.

7.21.3 Only one Home Business Permit shall be issued per residence. Multiple Home Businesses may be allowed under the single Permit provided that the requirements specified in Table 7.21.1 are not exceeded by the combined businesses.

7.21.4 Uses that are not considered Home Businesses include, but are not limited to:

- a) Adult Entertainment Facilities;
- b) Auto Body and Paint Shop, Auto Detailing Facility, Automotive, Equipment and Vehicle Services, Automotive Services, and Automotive Specialty;
- c) Child Care Facilities;
- d) Escort Services;
- e) Veterinary Services; and
- f) Residential Care Facility.

7.21.5 Personal service establishments, such as aesthetics and beauty establishments, will only be considered as Major Home Businesses.

7.21.6 The Development Authority has the discretion to refuse a Home Business Permit application if the proposed use would be better suited in a Commercial or Industrial District.

7.21.7 Retail sales by Home Businesses shall be limited to goods and articles produced on the site and may include mail-order or telephone sales, and the sale of articles which are produced elsewhere but pre-packaged and held for distribution to customers or picked-up by customers. All retail sales shall be considered as a Major Home Business except in cases where there are no client/business-related trips to the property (i.e., wholly online-/internet-based sales.)

7.21.8 Home Businesses shall comply with the standards provided in Table 7.21 for the relevant class:

*Table 7.21 Home Business Development Maximum Requirements*

<b>Standard</b>	<b>Minor Home Business</b>	<b>Major Home Business</b>
a) Maximum Area	20% of net floor area of dwelling or 30 m <sup>2</sup> , whichever is lesser.	20% net floor area of dwelling or 30 m <sup>2</sup> , whichever is lesser plus any additional area as approved by the Development Authority.
b) Structural Alterations	None	May be allowed if necessary to accommodate the business at the discretion of the Development Authority.
c) Exterior Impact	No nuisance and shall preserve privacy and enjoyment of adjacent residences and neighbourhood.	No nuisance and shall preserve privacy and enjoyment of adjacent residences and neighbourhood.
d) Equipment/Material Storage	No exterior storage.	May be allowed in an accessory building or with appropriate screening if necessary to accommodate the business.
e) Traffic Generation	Five (5) or less business-related vehicle trips per day.	Fifteen (15) business related vehicle trips per day, vehicle not exceeding 4,500 kg (GVW), restricted hours.
f) Parking	One (1) off-street space or at the discretion of the Development Authority.	Two (2) off-street spaces or at the discretion of the Development Authority.
g) Employees	No non-resident employees.	One (1) non-resident employee. Minimum one employee to occupy the dwelling as their primary residence.
h) Business-Related Vehicles	One passenger vehicle without a commercial license.	One (1) single axle, commercially licensed vehicle up to 4,500 kg (GVW) parked on-site.
i) Business Related Vehicles Allowed	Monday to Saturday - 7:00 a.m. to 9:00 p.m.; and, Sundays and Statutory Holidays - 10:00 a.m. to 6:00 p.m. Emergencies excepted.	Monday to Saturday - 7:00 a.m. to 9:00 p.m.; and, Sundays and Statutory Holidays - 10:00 a.m. to 6:00 p.m. Emergencies excepted.
j) Signage	None	One (1) non-illuminated identification sign or plaque, no larger than 0.3 m <sup>2</sup> attached to the dwelling or displayed in a window.
k) Example Business	Desk and telephone Accountant	Personal Service Establishment Taxi Service

## 7.22 Interim Commercial/Industrial Uses

7.22.1 Uses will be allowed for a maximum of five (5) years following which a Development Permit renewal will be required.

7.22.2 No permanent buildings or structures shall be erected related to the intended use.

7.22.3 Adequate site servicing and accesses must be demonstrated.

7.22.4 The applicant must provide details on the hours of operations and the scale of activity on the site.



- 7.22.5 A screening plan should be included in the application.
- 7.22.6 Sites adjacent to residential properties must be fully screened.
- 7.22.7 Signage will be considered at the time of submission.
- 7.22.8 The site must not produce vibration, smoke, dust, foul odours or other disturbances.
- 7.22.9 Development Services will consider permanent improvements to structures should the use comply with the Municipal Development Plan and the necessary site servicing improvements are completed.

## **7.23 Landscaping**

- 7.23.1 An area required to be landscaped may, at the discretion of the Development Officer, be left in its natural state or be loamed and planted with grass, trees, shrubs, and/or flowers or similar materials or a combination thereof which enhance the appearance of the site and which complement the development thereon.
- 7.23.2 Landscaped areas (yards or setbacks) for any proposed multi-unit residential, commercial, institutional or industrial development must be provided in accordance with a landscape plan approved by the Development Officer. A landscape plan must be prepared by a Landscape Architect registered with the *Alberta Association of Landscape Architects* and submitted as part of each Development Permit application. The Landscape Plan must show at least the following:
  - a) the existing and proposed topography;
  - b) the existing vegetation and indicate whether it is to be retained or removed;
  - c) the layout of berms, open space, pedestrian circulation, retaining walls, screening, and slope of the land.
  - d) a detailed breakdown of soft and hard landscaping materials;
  - e) the types, species, sizes and numbers of plant material and the types of landscaped areas;
  - f) details of the irrigation system; and
  - g) details of water conservation measures that are being included in the landscaping (e.g., drought tolerant species, capture and reuse of rain water, all planting in mulched beds, use of soil trenches, etc.).
- 7.23.3 Landscaped areas shall conform to the following requirements and standards:
  - a) all areas of a site not covered by buildings, outside storage, parking or vehicular manoeuvring areas or similar structures shall be landscaped;
  - b) where a private outdoor amenity space is provided within a required minimum landscaped area, it shall be considered as satisfying both requirements;
  - c) existing soft landscaping retained on the site may be considered as part of the fulfilment of the total landscaping requirement. Existing trees that are intended to remain on site shall be protected during development. Existing trees that are not to be retained on site, but that are in good condition and suitable for transplanting, shall be relocated on site or to an alternate location within the City;

- d) trees shall be planted in accordance with the City's Development Guidelines and Standard Specifications and Landscape Construction Guidelines as amended from time to time;
  - e) the quality and extent of landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development;
  - f) all soft surfaced landscaped areas in multi-attached dwelling, commercial, industrial, and public service districts must be irrigated by an underground irrigation system unless a low water irrigation system is provided; and
  - g) in addition to all other landscaping requirements, all City boulevards adjoining the site shall be landscaped.
- 7.23.4 In multi-attached residential, commercial, public service and industrial districts, all required yard (setback) areas are to be landscaped. For the purpose of determining the minimum number of trees and shrubs in a setback area, portions of setback areas that are paved for sidewalks and vehicle access, utility rights-of-way or any other purpose allowed by the Development Officer, must be included in the calculation of the required area, even though they are not capable of sustaining trees and shrubs.
- 7.23.5 Unless otherwise specified in a district, all required yard (setback) areas in multi-attached dwelling, commercial, public service and industrial districts are to meet the following landscape requirements:
- a) be a soft surfaced landscaped area; and
  - b) provide a minimum of one (1) tree and two (2) shrubs:
    - i) for every 35.0 m<sup>2</sup> of required yard area; or
    - ii) for every 50.0 m<sup>2</sup> of required yard area, where irrigation is provided by a low water irrigation system.
- 7.23.6 Planting Requirements: All plant materials must be of a species capable of healthy growth in the City and must conform to the standards of the *Canadian Nursery Landscape Association* and be phytosanitary. The following planting requirements shall be met in all landscaped areas in multi-attached dwelling, commercial and industrial districts:
- a) A minimum of 25% of all trees required must be coniferous. Coniferous trees must have a minimum height of 2.0 m and at least 50% of the provided coniferous trees must have a minimum of 2.0 m in height at the time of planting;
  - b) Deciduous trees must have a minimum caliper of 50 mm and at least 50% of the provided deciduous trees must have a minimum caliper of 50 mm at the time of planting; and
  - c) Shrubs must be a minimum height or spread of 0.4 m at the time of planting.
- 7.23.7 Perimeter landscaping is required for all parking lots serving a development in a multi-attached dwelling, commercial, public service and industrial district. In addition, all parking lots sized to accommodate twenty-five (25) or more vehicles are required to provide landscaped islands within the parking area. Such landscaped islands shall:
- a) be provided at a ratio of 0.15 m<sup>2</sup> for every square metre of the total parking surface area;
  - b) provide a minimum of one (1) tree and two (2) shrubs; and
  - c) be surrounded by a concrete curb.

7.23.8 Should low water landscaping be provided in multi-attached dwelling, commercial, public service and industrial areas, the required landscaped area may be reduced. To achieve the reduction the landscaping shall meet the following requirements:

- a) a low water irrigation system is provided; details of the low water irrigation system, including extent of water delivery shall be provided;
- b) the delivery of the irrigated water is confined to trees and shrubs;
- c) trees and shrubs with similar water requirements are grouped together; and
- d) a maximum of 30% of the required landscaped area is planted with sod and the remainder is covered with plantings, mulch or similar surfaces.

7.23.9 The Development Officer shall require, as a condition of Development Permit approval for any proposed multi-attached residential, commercial, public service or industrial development, a guaranteed security from the Owner to ensure that landscaping is provided as per the approved landscape plan and maintained in a healthy growing condition through the warranty period:

- a) the landscape security shall be in the form of cash or an irrevocable Letter of Credit in the amount of 100% of the estimated landscaping value;
- b) the estimate of the landscape value shall be prepared by a Landscape Architect registered with the *Alberta Association of Landscape Architects* to the satisfaction of the Development Officer; and
- c) the landscape security shall be held by the City, without interest payable, until the Development Completion Certificate (DCC) has been issued. A partial release of the landscape security of up to 50% of the value may be released upon written request by the owner upon completion of the landscaping prior to issuance of the DCC.

7.23.10 For single-detached and semi-detached dwelling sites or multi-family sites which have separate titles prior to construction the City shall, as a condition of Development Permit or Plot Plan approval, require that the applicant provide a deposit in the amount established by the current City Service Fee Schedule Policy as a surety to ensure that:

- a) sodding/seeding of the front yard, exterior side yard (for a corner lot), and, if adjacent to a park or otherwise visible from a public space, the visible yard, be undertaken within one (1) year of final building inspection, or such other time specified at the discretion of the Development Authority, and
- b) Provide a minimum of one (1) tree or two (2) shrubs within the front yard setback area of that property.

7.23.11 The deposit as described in Section 7.23.10 shall be held by the City until the As Constructed Grading Certificate has been issued as accepted by the City and an inspection by the Development Authority deems the landscaping to be complete in accordance with Section 7.23.10 of this Bylaw. **If the applicant is indemnified from paying the deposit described in Section 7.23.10, the As Constructed Grade Certificate must still be submitted by the applicant for the review and accepted by the City prior to landscaping.**

7.23.12 Should the Applicant of the Development Permit or approved Plot Plan not complete the landscaping as provided in Section 7.23.10, the City may use the deposit to fulfill the landscaping requirements of the subject property for which the deposit was taken. The City, in its sole discretion, may choose to complete any landscaping/grading which is not completed up to the amount of the deposit. Any further landscaping/grading requirements shall be the responsibility of the landowner.

## **7.24 Lighting**

- 7.24.1 Appropriate lighting of multi-attached residential, commercial, industrial and institutional development shall be required to provide security and add visual interest to the satisfaction of the Development Authority.
- 7.24.2 Lighting standards and fixtures shall be of consistent design and complement the architectural theme of the buildings located on the site.
- 7.24.3 Outdoor lighting shall be located so that rays of light:
- a) are not directed at an adjacent site or skyward;
  - b) do not adversely affect an adjacent site; and
  - c) do not adversely affect traffic safety.
- 7.24.4 On commercial, industrial, public service and multi-attached residential sites the developer may be required to provide a plan indicating the location of all exterior lights, including the projected light patterns in relation to the low-density residential sites.
- 7.24.5 On commercial, industrial, and multi-attached residential sites located adjacent to low-density residential sites, flashing lights shall be prohibited within 30.0 m of an adjacent residential site.
- 7.24.6 No flashing, strobe or revolving lights shall be installed on any structure or site which are red, green, amber, blue and/or another such colour that may impact the safety of motorists using adjacent public roadways.

## **7.25 Lot Grading and Drainage**

- 7.25.1 All development shall be graded in accordance with any drainage plan accepted by the City.
- 7.25.2 In all cases, site grades shall be established with regard to preventing drainage from one site to the next except where drainage conforms to an acceptable local or subdivision drainage plan.
- 7.25.3 The builder on a site shall be responsible to ensure that grading is completed to provide effective site drainage and conforms to the accepted grading plan.
- a) Site grading and the submission of a certificate of final grades is the responsibility of the authorized individual or company to whom the Development Permit was issued.
  - b) The responsibility for the site grading may only be transferred from the developer to another person based on a written request and subject to approval of the Development Authority.
- 7.25.4 The Owner of a site shall be responsible to ensure that grading is maintained to continue to provide effective site drainage:
- a) where maintenance of a common drainage path at lot line is required, the responsibility for maintenance lies with the Owners of both sites.
  - b) where a drainage swale is established within an easement or right of way on a site, swale grades shall be maintained and the swale shall be kept free from any obstructions by the Owner of the site.

7.25.5 Retaining walls shall be designed and constructed to:

- a) maintain positive overland drainage on all portions of the site;
- b) respect overland drainage patterns established for the lot at the time the lot was created; and
- c) not divert overland drainage onto adjacent properties.

7.25.6 Retaining walls equal to or higher than 1.2 m and all retaining walls abutting Chestermere Lake regardless of height, may be allowed as a Discretionary Use for which an application for a Development Permit must be made. Such retaining walls shall be designed by a professional engineer and meet the provisions of the Alberta Building Code. The landowner shall provide to the City the design bearing the seal and signature of a professional engineer.

## 7.26 Moved-In Buildings

7.26.1 Except as otherwise provided for in this Bylaw, no person shall relocate a building or structure, or portion thereof onto a site without first obtaining a Development Permit for the moved-in building or structure. The moved-in building or structure shall comply with the appropriate district regulations.

7.26.2 To assist in the assessment of the compatibility of a moved-in building with surrounding development, Development Permit applications for a relocated building shall include:

- a) recent colour photographs showing all sides of the building;
- b) a statement of the age, size and structural condition of the building; and
- c) a statement of any proposed improvements to the building, including a description of the colour, texture and/or finish applied to exterior surfaces, and a description of proposed landscaped areas.

7.26.3 Any renovations or improvements required to ensure that the relocated building or structure complies with this bylaw shall be listed as conditions of the Development Permit, and such conditions shall be met within one (1) year of the relocation.

7.26.4 Where a Development Permit has been granted for a moved-in building, the Development Authority may require the Applicant to provide a Letter of Credit or some other form of security of such amount to ensure completion of any renovations or site improvements set out as a condition of approval of a Development Permit.

7.26.5 Where a Development Permit has been issued pursuant to 7.26.1, the Development Authority may as a condition of the Development Permit require the developer to provide a security deposit for any maintenance, repairs or improvements associated with the building relocation, or for repair of roads, sidewalks, and boulevards that may be caused by the relocation.

7.26.6 All structures relocated to a site within the municipality shall meet minimum standards of the Alberta Building Code in effect at the time of the relocation.

## 7.27 Objects Prohibited or Restricted in Yards

7.27.1 No person shall be allowed to keep or maintain in a Residential District:

- a) A Vehicle or Recreational Vehicle, unless stated in the Bylaw:
  - i) having a gross vehicle weight (GVW) rating in excess of 4,500 kg;
  - ii) having more than one rear axle;
  - iii) being more than 6.7 m in length;
  - iv) being more than 2.1 m in height; or
  - v) in the front yard, or in the case of a corner lot, front yard and exterior side yard adjacent to the street, except on an approved driveway.
- b) A Commercial Vehicle with a gross vehicle weight (GVW) rating in excess of 4,500 kg for longer than is reasonably necessary to load or unload the Vehicle;
- c) A Commercial Vehicle except when such a Vehicle is required pursuant to a Development Permit or Building Permit for that site;
- d) An unlicensed, dismantled or derelict Vehicle for more than 48 hours; or
- e) Any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the district. This includes any excavation, stockpiling or storage of materials, explosives, flammable liquids, diesel fuel and gasoline products other than typically required for home use.

7.27.2 No Recreational Vehicle may be parked, kept or stored outside on any parcel in a Residential Land Use District except as specifically permitted by the following:

- a) A Recreational Vehicle may be parked, kept or stored in the rear yard, including the rear yard setback area of a residential lot, as a permitted use provided that the subject lot:
  - i) has direct, approved access to a public road or lane from the rear yard; and
  - ii) is fully screened by a fence around the rear yard, including the rear yard setback area, and said fence shall comply with the provisions of this Bylaw.
- b) A Recreational Vehicle may be parked, kept or stored in a rear yard, including a rear yard setback area, of a residential lot as a Discretionary Use for which application for a Development Permit must be made where the Recreational Vehicle is not fully screened by a fence which complies with this Bylaw.

7.27.3 A Recreational Vehicle must not be parked, kept or stored less than 1.0 m from the side and rear lot lines of a residential lot.

7.27.4 A Recreational Vehicle shall not encroach onto the sidewalk, curb or roadway

7.27.5 No person shall erect a dwelling unit on a site on which another residential building is already located except as may be permitted pursuant to Section 7.32.

7.27.6 A freestanding exterior air conditioner must not be:

- a) located in a front yard.

7.27.7 Outside storage is not permitted except for:

- a) the parking of Vehicles used in the operation of an approved commercial or industrial use for periods no longer than seventy-two (72) hours;

- b) storage areas approved in association with a Major Home Business Permit;
- c) the temporary storage of vehicles intended for repair at an Automotive Repair and Service Shop or Auto Body and Paint Shop;
- d) the temporary storage of building supplies intended for sale to the public within an approved Building Supply Centre; and
- e) within an approved Storage Yard or a Storage Yard Accessory to an approved industrial use.

7.27.8 No person shall place, dispose, direct or allow to be placed, directed or disposed, any material belonging to that person or over which that person exercises control on a portion of a Highway or adjacent properties.

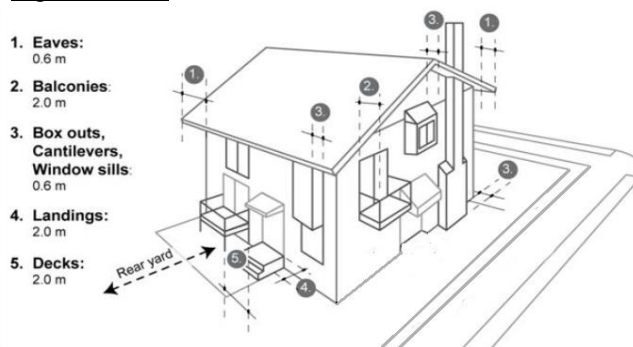
- a) Notwithstanding Section 7.27.8 (b), sand, gravel, salt or calcium chloride placed upon icy portions of a Highway to reduce the danger of slippery conditions shall be allowed under this Bylaw.
- b) A Landowner shall ensure that material on their property or on property in their control is stored, placed or disposed of in such a way that the material does not enter onto the Highway or adjacent properties by any means including Natural Forces.
- c) No person shall store, place or dispose of any material in such a way that it may enter onto the Highway or adjacent properties by any means including Natural Forces.
- d) A person authorized under permit to develop private or public land adjacent to a Highway, or the general contractor or other person acting on behalf of such person, shall:
  - i) not allow mud, dirt or other construction debris to be tracked by motor vehicles from said lands onto a Highway or adjacent properties;
  - ii) not place any building materials, building tools, machinery, or construction device on any portion of a Highway or adjacent properties;
  - iii) not leave standing, portable commercial bins on any portion of a Highway or adjacent properties; and
  - iv) ensure safe and unimpeded pedestrian movements can be maintained past the work area.

## 7.28 Permitted Encroachments

7.28.1 Except as provided for in this section, no development on a lot shall reduce the minimum setbacks established for the land use district in which the lot is located.

7.28.2 Sills, eaves, chimneys, cantilevers, pilasters and window bays may project a maximum of 0.6 m into any setback, as shown in Figure 7.28.1. No individual projection into a required yard except for eaves and decks shall exceed **3.1 metres** in length and the total length of all projections on a façade shall not exceed 40% of that façade length.

*Figure 7.28.1*



- 7.28.3 Stairways, landings, balconies, decks and unenclosed porches, including eaves and cornices, may project a maximum of 2.0 m into any required front and rear yard setbacks. This rear yard setback excludes R-1L District.
- 7.28.4 Where a site is to be developed for semi-detached or townhouse/row house complexes, and where each half of a semi-detached dwelling or dwelling units of a townhouse/row house building are to be contained on a separate parcel or title, no side yard shall be required within the section that abuts the adjacent dwelling unit by means of a fire separation. This exception shall not apply for any portion of a dwelling that is not connected to the firewall.
- 7.28.5 The minimum distances required for yards do not apply to construction wholly beneath the surface of the ground or for patios, raised platforms, sidewalks and steps which do not rise more than 0.6 m above the finished ground elevation.
- 7.28.6 Signs may be located in any setback area, and where so located must be in accordance with Section 9.
- 7.28.7 Where a parcel shares a property line with another parcel, air conditioning units may project a maximum of 1.0 metres. At the discretion of the Development Authority, this setback may be increased in order to minimize negative impacts to the adjacent dwelling unit.

## **7.29 Places of Worship**

- 7.29.1 The site on which a Place of Worship is situated shall have a frontage of not less than 30.0 m and an area of not less than 900 m<sup>2</sup> except where a building for a Manse is to be erected on the same site. The combined area of the site in this case shall not be less than 1,440 m<sup>2</sup>.
- 7.29.2 Front, side and rear yards shall be those permitted within the district in which the Place of Worship is located except where the height restriction of the district is exceeded. In that case, the yard setback requirement shall be at the discretion of the Development Authority.
- 7.29.3 All Places of Worship in Residential Districts shall be located on sites which abut a collector street.

## **7.30 Private Swimming Pool/Hot Tub**

- 7.30.1 A Private Swimming Pool/Hot Tub is subject to the setback requirements for an Accessory Building for the district in which it is located.
- 7.30.2 A Private Swimming Pool/Hot Tub shall be secured against entry by the public other than owners, tenants or their guests.

## **7.31 Satellite Dishes and Amateur Radio Antennas**

- 7.31.1 All Satellite Dishes shall be located on the same site as the intended signal user.
- 7.31.2 An amateur radio antenna shall be installed in accordance with City's *Telecommunication Antenna Structures Policy* (No. 302).



### **7.32 Secondary Suites**

- 7.32.1 No person shall construct or utilize a Secondary Suite except in compliance with this section.
- 7.32.2 A secondary suite shall comply with the *Safety Codes Act*.
- 7.32.3 At least one on-site parking space shall be provided for a Secondary Suite in addition to the parking requirements for the principal dwelling pursuant to Part 8 of this Bylaw.
- 7.32.4 A Secondary Suite shall be developed in such a manner that the exterior of the principal building containing the Secondary Suite shall appear as a single dwelling.
- 7.32.5 Only one Secondary Suite may be developed in conjunction with a principal dwelling.
- 7.32.6 A Secondary Suite shall not be developed within the same principal dwelling containing a Major Home Business unless the Secondary Suite is an integral part of a Bed and Breakfast Accommodation.
- 7.32.7 A Secondary Suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- 7.32.8 Secondary Suites are a Discretionary Use in Land Use Districts associated with Single Family Dwellings only and require a Development Permit.

### **7.33 Setback Requirements**

- 7.33.1 The front, rear and side yard setbacks of any site shall be established and maintained as required for the district in which the site is located.
- 7.33.2 Setbacks in excess of the minimum requirements may be required when deemed necessary by the Development Authority.

### **7.34 Shopping Centres**

- 7.34.1 A comprehensive plan must include all lands within the Shopping Centre development and show building design compatibilities, site layout, parking, landscaping, pedestrian and vehicular access and circulation, signage, garbage enclosures and fencing.
- 7.34.2 Parking areas shall be arranged within smaller cells and defined by medians and landscaping so as to delineate entrance and through routes, vehicular and pedestrian pathways and provide visual relief.
- 7.34.3 Traffic signage shall be provided to direct vehicular circulation.
- 7.34.4 All Shopping Centre accesses shall be established an adequate distance from an intersection to ensure sufficient space for the stacking of vehicles entering and exiting the site.
- 7.34.5 Buildings and landscaping should be the most prominent feature on the site.
- 7.34.6 The internal pedestrian circulation system should be designed to have direct and visible connections to the public sidewalk and facilitate safe pedestrian movement throughout the site.
- 7.34.7 A wide range of commercial uses should be strategically located on the site to mutually benefit and complement each other.

- 7.34.8 Implementation of traffic calming measures may be required on large sites or adjacent pedestrian-oriented developments.
- 7.34.9 A commercial space should not be occupied prior to the issuance of the Occupancy Permit from the Development Authority.

### **7.35 Site Design for Commercial and Industrial Sites**

- 7.35.1 Vehicular entrances and exits and traffic and pedestrian routes shall be located and designed in a manner that provides a safe, clearly defined, and convenient vehicular traffic and pedestrian circulation system.
- 7.35.2 Loading bays shall be located in such a manner as to not impede the efficient flow of on-site traffic and pedestrian movement and to minimize impacts on adjacent land uses.
- 7.35.3 Development on adjoining lots shall be integrated by direct on-site access connections to provide for convenient and free flowing traffic movements between lots where such integration is advantageous and feasible, at the discretion of the Development Authority.
- 7.35.4 Notwithstanding any other provision of this Bylaw, signs on building facades within the same development site and situated in high visibility areas such as adjacent to an arterial, provincial or federal road shall be similar in proportion, finish material, and placement.
- 7.35.5 The design, placement and scale of the sign shall be to the satisfaction of the Development Authority and approved in accordance with Part 9 so as to ensure that the signage does not detract from the overall appearance of the development and the neighbourhood.

### **7.36 Site Dimensions**

- 7.36.1 No Permit shall be issued for any development on a site, the area or width of which is less than the minimum prescribed for the district in which the site is located, except that a lot of separate record in the Land Titles Office containing less than the required minimum area or width may be used subject to the discretion of the Development Officer if all requirements of this Bylaw and amendments hereto are observed.
- 7.36.2 Public Lands which are described on Title as Reserve (R), Municipal Reserve (MR), School Reserve (SR), Municipal School Reserve (MSR), Environmental Reserve (ER) or Public Utility Lot (PUL) are not required to conform to minimum width or area requirements of any Land Use District.

### **7.37 Solar Collectors**

- 7.37.1 A Solar Collector may be located on the roof or wall of a building or structure.
- 7.37.2 A Solar Collector mounted on a roof with a pitch of less than 4:12 may project:
- a) a maximum of 0.5 m from the surface of a roof, when the solar collector is located 5.0 m or less from a side lot line, measured directly due south from any point along the side lot line; and
  - b) in all other cases, maximum of 1.3 m from the surface of a roof.
- 7.37.3 A Solar Collector mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of a roof.

7.37.4 A Solar Collector mounted on a roof must not extend beyond the outermost edge of the roof.

7.37.5 A Solar Collector that is mounted on a wall:

- a) must be located a minimum of 2.4 m above grade; and
- b) may project a maximum of:
  - i) 1.5m from the surface of that wall, when the wall is facing a rear lot line; or
  - ii) in all other cases, 0.6 m from the surface of that wall.

7.37.6 A Solar Collector mounted on a structure must meet yard setback and district height regulations.

## 7.38 Wind Energy Systems (Small) (SWES)

7.38.1 Definitions

For the purpose of this Section the following definitions shall apply, in addition to those contained in Section 2.2:

**“Blade”** means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.\

**“Rotor’s Arc”** means the largest circumferential path travelled by a blade.

**“Total Height”** means the height from the grade at the base of the building on which a SWES is mounted to the highest vertical extension of a SWES. In the case of a SWES with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor’s arc.

**“Tower”** means the structure which supports the rotor.

7.38.2 A Small Wind Energy System may only be located on the roof of a building.

7.38.3 Small Wind Energy Systems shall require a development permit.

7.38.4 In addition to the requirements of Section 4.3, applications for Small Wind Energy Systems shall include the following information where applicable:

- a) the manufacturer’s specifications indicating:
  - i) the SWES rated output in kilowatts;
  - ii) safety features and sound characteristics;
  - iii) type of material used in tower, blade, and/or rotor construction;
  - iv) Canadian Standards Association approval.
- b) potential for electromagnetic interference;
- c) nature and function of over speed controls which are provided;
- d) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;
- e) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and
- f) location of existing buildings or improvements.

7.38.5 Prior to making a decision on a development application for a Small Wind Energy System, the Development Authority may refer and consider the input of the following agencies and departments:

- a) Alberta Energy and Utilities Board,
- b) Transport Canada, and
- c) Navigation Canada.

7.38.6 The total height of a Small Wind Energy System may exceed the maximum allowable building height of a district by a maximum of 2.0 m.

7.38.7 Small Wind Energy Systems shall comply with the following standards:

- a) There shall be a limit of one (1) Small Wind Energy System per lot.
- b) The System's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas;
- c) The System's Tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (e.g. earth-tones, gray, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments;
- d) The System shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer;
- e) The System shall be operated such that no electro-magnetic interference is caused;
- f) The System's maximum power shall not exceed 3 kW;
- g) Wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms; and
- h) Brand names or advertising associated with the System or the System's installation shall not be visible from any public place.

## **7.39 Cannabis-related Development Regulations**

7.39.1 Cannabis Retail Store Minimum Separation Distance

- a) Cannabis Retail Stores shall not be located within 150m of a school site or provincial health care facility;
- b) Cannabis Retail Stores shall not be located within 50m of another Cannabis Retail Store, bike park, skateboard park, public library or child care facility;
- c) The minimum separation distance for a Cannabis Retail Store shall be measured from the nearest exterior wall of a Store to the nearest exterior wall of the sensitive land use, except for schools and provincial health care facilities which shall be measured from the nearest exterior wall of a Store to the relevant boundary of land on which the sensitive land use is located;

- d) The Development Authority shall not grant a variance to reduce the separation distance by more than 10% pursuant to Section 4.5 of the *Land Use Bylaw*, and
- e) Where a Cannabis Retail Store has been approved and another land use, not including a Cannabis Retail Store, is proposed within the specified separation distance, the Development Authority may vary the prescribed separation distance provided that:
  - i) the applicant/owner of the proposed use acknowledges the proximity of the application to an existing Cannabis Retail Store;
  - ii) any concerns regarding proximity, interface, site design and compatibility are addressed to the satisfaction of the Development Authority; and
  - iii) notification of the variance pursuant to Section 4.11 Notice of Decision.

#### 7.39.2 Cannabis Retail Store Development Permit Requirements

- a) All process and functions of the Cannabis Retail Store use shall be fully enclosed within a stand-alone unit or building;
- b) A Cannabis Retail Store shall provide its own access and loading areas which are secure and dedicated for the sole use of the Cannabis Retail Store;
- c) The Development Authority shall require the submission of a copy of any federal and/or provincial licenses as a condition of approval prior to the issuance of a Development Permit for a Cannabis Retail Store;
- d) When considering a Development Permit application for a Cannabis Retail Store, the Development Authority shall consider the compatibility of the proposed use with the surrounding area having regard to:
  - i) Pedestrian and vehicular access, including the location and orientation of building entrances and loading facilities;
  - ii) Interface with the surrounding area, including proximity and connections to site access, sidewalks, walkway connections and nearby parking and amenity areas;
  - iii) Validation of minimum separation distance from all nearby sensitive land uses;
  - iv) The design and orientation of landscaping, access, lighting, windows and/or storefronts to enhance safety and security and align with Crime Prevention Through Environmental Design (CPTED) principles to the satisfaction of the Development Authority.
- e) Cannabis Retail Stores shall only be located in Local Commercial, Town Centre Commercial or Business Park/Light Industrial land use districts as Discretionary Uses; and
- f) Cannabis Retail Stores shall only operate between the hours of 10:00 a.m. and 2:00 a.m.

#### 7.39.3 Cannabis Production Facility Development Permit Requirements

- a) All process and functions of the use shall be fully enclosed within a stand-alone building;
- b) The use of the site shall not operate in conjunction with another approved use; no outdoor storage of goods, materials or supplies shall be permitted, and all loading, operating, garbage, waste and recycling facilities shall be contained within the building containing the use;
- c) The development and site shall be designed and oriented so as to prevent odours and emissions judged by the Development Authority to constitute a nuisance or that would negatively impact the use, enjoyment, amenity or value of adjacent properties;
- d) The Development Authority shall require the submission of a copy of any federal and/or provincial licenses as a condition of approval prior to the issuance of a Development Permit for a Cannabis Production Facility;

- e) When considering a Development Permit application for a Cannabis Production Facility, the Development Authority shall consider the compatibility of the proposed use with the surrounding area having regard to:
  - i) Pedestrian and vehicular access, including the location and orientation of building entrances and loading facilities;
  - ii) Interface with the surrounding area, including proximity and connections to site access, sidewalks, walkway connections and nearby parking and amenity areas; and
  - iii) The design and orientation of landscaping, access, lighting, windows and/or storefronts to enhance safety and security and align with Crime Prevention Through Environmental Design (CPTED) principles to the satisfaction of the Development Authority.
- f) Cannabis Production Facilities shall only be located in Business Park/Light Industrial land use zones as a Discretionary Use.

#### 7.39.4 Cannabis Café/Coffeeshop

- a) Cannabis Cafés/Coffeeshops shall not be permitted.

#### 7.39.5 Cannabis Lounge

- a) Cannabis Lounges shall not be permitted.

#### 7.39.6 Personal Cultivation

- a) Under federal legislation, adults are able to grow up to four (4) plants per dwelling-house from seeds purchased from licensed cannabis retailers.
- b) No person shall cultivate cannabis plants under federal laws unless the person has registered the dwelling-house with the City of Chestermere as a residential cannabis cultivation site and obtained a municipal cannabis cultivation permit. The municipal cannabis cultivation permit may only be issued for single-detached homes.

#### 7.39.7 Public Consumption of Cannabis

- a) The consumption of cannabis is not permitted in any place to which the public has access or any place where children under the age of 18 have access or are likely present. For more information please refer to the City of Chestermere's Cannabis Consumption Bylaw.

## PART 8 PARKING AND LOADING FACILITIES

### 8.1 Number of Parking Stalls Required

8.1.1 Off street parking shall be provided in accordance with the following tables:

a) Residential Land Uses

	Minimum Parking Spaces Required
Single-Detached and Semi-Detached Dwellings, Townhouses (with Party Wall on Individual Lots)	2 per dwelling unit
Townhouses (on a single parcel) and Bare land Condominium	2 per dwelling unit Plus 0.15 visitor space per unit
Apartment	1 per bachelor and 1-bedroom dwelling unit 1.5 per 2-bedroom dwelling unit 2 per 3 or more, bedroom dwelling unit Plus 0.15 visitor spaces per unit
Senior Self-contained Apartment	1 per dwelling unit Plus 0.15 visitor space per unit
Residential Care Facilities	1 space per 4 unit plus 1 per employee Plus 0.15 visitor spaces per unit
Child Care Facilities	1 per employee plus 1 per 5 children or at the discretion of the Development Authority

b) Commercial and Industrial Land Uses

	Minimum Parking Spaces Required
Accessory Uses	At the discretion of the Development Authority
Auto Detailing Facilities	1 per 46 m <sup>2</sup> plus 3 stack-up spaces per bay
Automotive Repair and Service Shops	1 per 46 m <sup>2</sup> plus 3 stack-up spaces per bay
Automotive Sales/Rentals	1 per 37 m <sup>2</sup> of GFA
Bed and Breakfast Accommodations	2 per dwelling unit plus 1 per rented room
Brewery	1 per 18m <sup>2</sup> GFA, plus minimum of 3 staff parking stalls
Car Washes	3 stacking spaces per bay and 1 per 46 m <sup>2</sup> for accessory uses
Child Care Facilities	1 per employee plus 1 per 5 children
Container Recycling Depots	1 per 46 m <sup>2</sup> of GFA
Drinking Establishment	1 per 18 m <sup>2</sup> of GFA
Drive-In or Drive-Through Facilities	6 stacking spaces per drive up window, all to be located on site. The required number of stalls may be varied at the discretion of the Development Authority based on the specific nature of the use.
Entertainment Establishments	1 per 18 m <sup>2</sup> of GFA
Financial Institutions	1 per 74 m <sup>2</sup> of GFA
Gas Bars	3 stacking spaces per pump plus 1 per 37 m <sup>2</sup> of GFA for accessory uses
Hotels and Motels	1 per employee plus 1 per sleeping unit plus 1 loading space. For accessory uses, 50% of the required parking is calculated on the individual uses listed in this table.
Industrial Service Shops	1 per 46 m <sup>2</sup> of GFA

Industrial Warehousing and Storage	1 per 100 m <sup>2</sup> of GFA up to 2,000 m <sup>2</sup> plus 1 per additional 500 m <sup>2</sup> , but not less than 3 parking spaces per tenant or establishments
Manufacturing Plants	5 per individual establishment or 1 per 2 employees on a maximum shift, or 1 per 93 m <sup>2</sup> up to 1860 m <sup>2</sup> and 1 additional space for each subsequent 465 m <sup>2</sup> , whichever is greatest.
Medical Clinics	1 per 37 m <sup>2</sup> of GFA
Offices (Administrative, Business)	1 per 37 m <sup>2</sup> of GFA
Personal Service Establishments	1 per 37 m <sup>2</sup> of GFA
Recreation Facilities – Private	1 per 37 m <sup>2</sup> of GFA
Retail Stores	1 per 37 m <sup>2</sup> of GFA up to 2,000 m <sup>2</sup> plus 1 per additional 46 m <sup>2</sup> plus 1 loading space
Restaurants	1 per 18 m <sup>2</sup> of GFA
Service Stations	1 per 46 m <sup>2</sup> of GFA plus 3 per service bay plus 3 stacking spaces per pump
Take-out Food Services	1 per 37 m <sup>2</sup> of GFA
Animal Health Care Services and Veterinary Clinics	1 per 37 m <sup>2</sup> of GFA
Warehouse Stores	1 per 100 m <sup>2</sup> of GFA up to 2,000 m <sup>2</sup> plus 1 per additional 200 m <sup>2</sup> provided not less than 3 parking spaces per tenant or establishments

c) Institutional Land Uses

	Minimum Parking Spaces Required
Fire Station	10 per 100 m <sup>2</sup> of GFA (excluding parking garages)
Post Office	5 per 100 m <sup>2</sup> of GFA
School, Commercial	2.2 per 100 m <sup>2</sup> of GFA
School, Elementary/Junior High (Grades K-9)	2 per classroom plus 1 per classroom for pick-up and drop-off parking
School, High (Grades 10-12)	9 per classroom
Colleges	10 per classroom

d) Community and Recreational Land Uses

	Minimum Parking Spaces Required
Campground	1 per camping space plus 0.15 per camping space as overflow parking
Community Building, Multi-purposes	1 per 10 m <sup>2</sup> net public area
Convention Facility/Exhibition Hall	1 per 5 fixed seating spaces plus 20 per 100 m <sup>2</sup> of net floor area
Golf Course	4 per hole
Indoor Recreational Facilities	1 per 37 m <sup>2</sup> of GFA
Library	1 per 37 m <sup>2</sup> of GFA
Place of Worship	1 per 37 m <sup>2</sup> of GFA



e) Other Land Uses

	Minimum Parking Spaces Required
All Other Uses	At the discretion of the Development Authority

\* Employee shall refer to the total number of employees expected to be on site at any given peak period of time/shift

\*\* GFA means Gross Floor Area

8.1.2 Notwithstanding 8.1.1(a), the minimum number of residential parking spaces can be reduced in the following cases:

- a) Locations within 200 m walking distance of a grocery store and a major employment centre can have their total parking reduced by 10%;
- b) Apartments that have a car share program can have the number of car parking spaces reduced by four (4) for each car sharing vehicle;
- c) New condominiums where parking stalls are sold separately from residential units can have their parking reduced by 10%; and
- d) Up to 10% of the number of parking stalls can be provided on a contingency basis. The site plan must indicate which stalls are in the contingency, and securities to construct the stalls within two (2) years after the building occupancy permit is issued must be provided to the City. After two (2) years, if it is deemed that the stalls are not needed, the security is returned.

The above reductions can be combined in a multiplicative fashion, but shall not exceed a 20% reduction in total. For example:

For a development requiring 50 stalls, a maximum reduction of 10 stalls (20%) would be allowed. Assuming (a) and (c) apply:

Total Stalls Required for Development: 50

Subsection a):  $50 - (50 \times 0.1) = 45$

Subsection c):  $45 - (45 \times 0.1) = 40.5$  (round to 41)

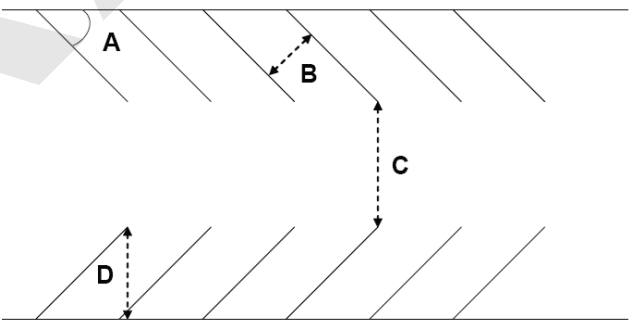
8.1.3 Notwithstanding 8.1.1 b), c) or d), the minimum number of commercial/industrial, institutional and community and recreational parking spaces can be reduced in the following cases:

- a) Locations within 200 m walking distance of medium-density housing (at least 100 units) and can have their total parking reduced by 10%; and
- b) Up to 10% of the number of parking stalls can be provided on a contingency basis. The site plan must indicate which stalls are in the contingency, and securities to construct the stalls within two (2) years after the Occupancy Permit is issued must be provided to the City. After two (2) years, if it is deemed that the stalls are not needed, the security is returned.

Where the Applicant for a Development Permit can demonstrate through a vehicular parking demand study prepared and submitted with respect to the proposed development, that by virtue of the use, character or location of the proposed development and its relationship to public transit facilities and other available parking facilities, the parking requirement for the proposed development is less than any minimum or more than any maximum set out in the Parking Schedule, the Development Officer may allow a reduction from the minimum.

- 8.1.4 Unless otherwise stated, where a fractional figure occurs in the calculation of required off-street parking, the requirement shall be rounded up to the next higher figure. Parking requirements involving more than one use shall be added together in accordance with 8.1.6. as their fractional figure and then rounded up to the next higher figure.
- 8.1.5 Schools shall be designed to accommodate all buses onsite without reducing the minimum requirement for parking and loading.
- 8.1.6 When a building is occupied by a combination of two (2) or more uses, parking requirements shall be determined in accordance with each use separately unless the combination of two (2) or more uses is associated in terms of ownership and/or management and it can be demonstrated that the combination of uses have different periods of peak parking demand or efficiencies in parking are achieved through the combination of uses.
- 8.1.7 When a building is enlarged, altered or a change in the use occurs in such a manner as to cause a more intensive use of that building, provision shall be made for the additional parking spaces required under the provisions of this Bylaw. The calculation shall be based on the number of additional parking spaces required as a result of the enlargement, alterations or change in the use of the building.
- 8.1.8 Where employee parking is required, parking shall be factored on the basis of maximum persons employed at any one time.
- 8.1.9 Parking and loading requirements for uses similar to those as set out in this Bylaw, shall be provided as determined by the Development Authority.
- 8.1.10 Parking and loading requirements for a unique situation or circumstance not anticipated in this Bylaw, shall be provided as determined by the Development Authority.

## 8.2 Parking Standards

<p>8.2.1 Parking areas shall be located on site, and designed and provided in accordance with minimum requirements as shown in in Figure 8.2.1.</p> <p>Note: Aisles are one-way for parallel, 30, 45, and 60 degree angle parking</p>	<p><i>Figure 8.2.1</i></p>  <p>The diagram illustrates parking standards for different angles. It shows two rows of parking stalls between two parallel lines representing the boundaries.      - <b>A</b>: The angle of the parking stalls relative to the boundary lines.     - <b>B</b>: The width of a single parking stall, measured perpendicular to the stall's length.     - <b>C</b>: The width of the aisle between two rows of stalls, measured perpendicular to the aisle's direction.     - <b>D</b>: The depth of a stall, measured perpendicular to the aisle.     The diagram shows stalls at 30, 45, 60, and 90 degrees, as well as parallel stalls. Aisles are shown as one-way paths between the rows of stalls.</p>
---	---

Angle of Parking <b>A</b>	Width of Stall <b>B</b>	Width of Aisle <b>C</b>	Depth of Stall Perpendicular to Aisle <b>D</b>
30	2.5 m for residential use, 2.7 m for other uses	3.5 m	5.1 m
45		3.7 m	6.0 m
60		5.5 m	6.4 m
90		7.0 m	6.0 m
Parallel		3.5 m	7.0 m *stall length
Boat Launches	3.0 m	N/A	12.0 m *stall length

8.2.2 Barrier free parking stalls shall be provided in accordance with the *Safety Codes Act*, as amended, and shall be included part of, and not in addition to, the applicable minimum parking requirements.

The minimum required designated barrier free stall shall be:

Number of Parking Stalls Required	Number of Designated Barrier Free Parking Stalls Required
2 – 10 Stalls	1 Stall
11 – 25 Stalls	2 Stalls
26 – 50 Stalls	3 Stalls
51 – 100 Stalls	4 Stalls
Each Additional 100 Stalls Thereafter	1 Additional Stall

*\*This table is intended to reference the requirements for Barrier Free Parking under the Safety Codes Act, as amended. If this table does not match the requirements of the Alberta Building Code, the Alberta Building Code requirements shall apply.*

8.2.3 Barrier free parking stalls must:

- a) have a minimum width of 2.5 m for residential use or 2.7 m for other uses and be adjacent to a 2.5 m for residential use or 2.7 m for other uses wide access aisle that is demarcated to indicate no parking;
- b) have ramp access(es);
- c) be clearly marked as such; and
- d) have an unobstructed route of access with a total distance less than 20.0 m from a primary entrance.

8.2.4 A loading space shall have an area of not less than 28.0 m<sup>2</sup>, 3.5 m width and 3.5 m of overhead clearance. Signage indicating the loading space shall be provided.

8.2.5 Parking spaces, drive aisles and drive-through lanes shall not be provided within a required landscaped area.

8.2.6 Parking areas and loading spaces shall be designed, located and constructed to ensure:

- a) adequate maintenance;
- b) safe and efficient vehicle and pedestrian circulation;
- c) an aesthetically pleasing appearance from public roads;
- d) adequate landscaping can be incorporated;
- e) easy access to all parking spaces is provided; and
- f) adequate lighting is provided to all parking areas.

8.2.7 Wheel stops shall:

- a) have a maximum height of 0.10 m;
- b) be placed perpendicular to the parking stall depth; and

c) be a minimum of 0.60m from the front of the parking stall.

8.2.8 Where structural columns encroach into a parking stall, columns must:

a) not encroach into the width of the parking stall by more than a total of 0.30 m;

b) be located within 1.2 m of either end of the parking stall; and

c) not encroach into a parking stall within 0.30 m of a drive aisle.

8.2.9 All required on-site parking shall ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Authority.

8.2.10 For all parking and loading areas, surface materials, curbs, bumpers, fences and the location and construction of curb cuts and driveways shall be provided to the satisfaction of the Development Officer.

8.2.11 Notwithstanding 8.2.1, the Development Authority may deem it required that the developer provide off-street parking on land other than that to be developed. Such parking provisions shall be:

a) within 150 m of the site where the principal building is located or where the approved use is carried on and within the same land use district;

b) under the absolute control of the developer or their successor to the principal development for a term of years equal to the life of the approved principal development and that the said alternate parking site will be maintained and made available at all times in a like manner to an onsite parking area;

c) the Owner of the development or a successor shall enter into an agreement under seal with the City depositing as to these and any other such relevant things as the City may require and the said agreement shall be in such form as may be registered and maintained on the Title or Titles to such lands in the Land Titles Office;

d) notwithstanding b) and c), subject to the approval of the Development Authority, the Owner of the development or a group of such Owners may pool their required off-street parking within one or more shared parking facilities and may thereby fulfil the requirement of 8.2.1. An appropriate joint parking agreement is required with the City of Chestermere being a third party; and

e) signage at the development location and the alternate or shared parking locations to direct traffic shall be provided to the satisfaction of the Development Officer.

8.2.12 Bike parking shall be provided as follows:

a) The number of bicycle stalls shall be as per the following table:

Use	Number of Bicycle Parking Spaces
Residential uses containing more than eight dwelling units and all non-residential uses except educational uses	5% of car parking requirement but in no case less than 4 stalls
Educational Uses	10% of students based on design capacity but in no case less than 4 stalls

b) Each bicycle parking stall shall be at less 0.6 m in width and 1.8 m in length, with a minimum overhead clearance of at least 2.1 m. Aisle widths between rows of bicycle parking shall be at least 1.8 m;

- c) Bicycle parking spaces shall be located within 25 m of a primary building entrance;
- d) Bicycle parking can be provided via secure bicycle storage rooms, lockers, racks or railings, either inside or outside a building;
- e) Bicycle parking shall support the bicycle by the frame, not the wheel, and otherwise be reasonably designed to safeguard from accidental damage; and
- f) The location of bicycle parking spaces shall be identifiable from inside and outside of the building.

8.2.13 Live Work Parking Requirements:

- a) Residential parking shall either be provided to the side or the rear of the principal building.
- b) Commercial parking requirements shall be at the discretion of the Development Authority.
- c) One (1) bicycle stall shall be provided per Live Work unit.
- d) Approaches or Driveways shall accommodate on street parking.
- e) All parking areas shall comply with the Parking Standards found within subsection 8.2.

8.2.14 Mobile/Curb-side Pick-up

- a) Commercial and retail establishments offering mobile/curb-side pick-up services may designate specific pick-up zones within their premises.
- b) Designated Pick-up Zones shall be clearly marked and identified with signage indicating their purpose and any applicable time-restrictions.
- c) Pick-up zones must be situated to ensure safe and efficient circulation of vehicles within the premises and along adjacent roadways at the discretion of the Development Authority.

## PART 9 SIGNS

### 9.1 Definitions

For the purpose of this Part the following definitions shall apply, in addition to those contained in Section 2.2:

**“A-Board Sign”** means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure. **Also known as an A-Frame Sign.**

**“Address Sign”** means a sign on which the copy displays the municipal address, or unit number, or combination thereof, of a property or premises on which the sign is located, erected, or displayed.

**“Alteration”** means a structural modification of a sign but does not include routine maintenance, painting or change in face, copy or lettering.

**“Awning”** means shelter projecting from and supported by the exterior wall of a building and designed to be collapsible, retractable and generally constructed of fabric or similar non rigid material.

**“Banner Sign”** means a temporary sign constructed from a non-rigid fabric in a banner style which **may include its own supporting structure or be attached to another feature or structure.**

**“Bench Sign”** means a sign which is painted on or affixed flat to a bench.

**“Billboard Sign”** means a sign to which third party advertisement copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement, and may take the form of a Dynamic Sign.

**“Canopy Sign”** means a Sign which either forms part of, or is attached to, a freestanding, retractable or permanently affixed Canopy or Awning.

**“Community Advertising Sign”** means a sign sponsored by a Community Business Group or Association for the purpose of identifying and promoting individual businesses, business groups or associations in a business directory format and may be incorporated into a community information sign.

**“Community Identification Sign”** means a sign which states the name of a residential community area and may contain a logo or symbol which is related to the community name.

**“Community Information Sign”** means a sign sponsored directly or indirectly by the City which provides information about the City of Chestermere and may include a computerized sign and space for information about special community events.

**“Construction Site Identification Sign”** means a temporary sign erected by an individual or a firm on the premises undergoing construction, for which the sign user is advertising or furnishing such items as labour, services, materials or financing.

**“Copy Area”** means the area of a sign covered by a single figure drawn around the extremities or the message contained on the sign, and:

- a) shall include but is not limited to decorations related to the specific nature of the message;
- b) in the case of a double or multi-face sign, the average of the total area of all sign faces will be counted in copy area calculations, and;
- c) does not include landscaping.

**“Development Marketing”** means a type of sign copy which is used to promote a new subdivision or development projects, vacant lots, and/or show homes.

**“Directional Sign”** means:

- a) a sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site or hospital;
- b) a sign which directs and regulates traffic;
- c) a sign which denotes any public or transportation facility, and;
- d) a sign which gives direction to a private premises or its vehicular use area.

**“Double Faced”** means having two faces, with each face being of equal area and in identical proportion to the other, and with each face located on the structure so as to be parallel and opposite to and facing away from each other.

**“Dynamic Sign”** means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. It includes any display that incorporates a technology or other method allowing the image on the sign face to change, such as a Rotating Sign with revolving panels, LED lights manipulated through digital or electronic input or any form of animation.

**“Fascia Sign”** means a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached and may include a Dynamic Sign.

**“Flashing Sign”** means a sign which contains an intermittent or flashing light source but does not include a Dynamic Sign.

**“Freestanding Sign”** means a sign supported independently of a building, wall, or structure and attached permanently to the ground. It is supported by one or more columns, uprights, or braces in or upon grade. May include a Dynamic Sign.

**“Height of Sign”** means the vertical distance measured from the highest point of the sign or sign structure to grade.

**“Identification Sign”** means a sign which contains no advertising, but is limited to the name, address and number of a building, institution or the occupation of the person.

**“Illumination”** means the lighting of any sign face from a light source located on or near the exterior of the sign. May be direct, indirect or internal:

- a) **“Illumination, Direct”** means the lighting of any sign face from a light source located on or near the exterior of the sign.
- b) **“Illumination, Indirect”** means the lighting of any sign face by reflected light.
- c) **“Illumination, Internal”** means the lighting of any sign face from a light source located within the sign or behind the copy.

**“Landscaping”** means any decorative features, such as concrete bases, planter boxes, pole covers or decorative framing on the sign support or base structures and shrubs or plants, but does not include any copy or logo.

**“Lawn Sign”** means a temporary freestanding sign commonly made of corrugated plastic or a similar type of material. Typical uses include temporary signs used to advertise election campaigns, yard sales, seasonal retail sales and specials, real estate for sale and community events.

**“Maintenance”** means the cleaning, painting, repair or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of a sign and does not include a change in copy or logo.

**“Message”** includes any image, written copy, structure, graphics, pictures, logo, symbol or letter used or intended to be used for advertising or for calling attention to any person, matter, object or event.

**“Multi-Tenant Sign”** means a sign containing copy for three or more tenants or occupants located on a site.

**“Neighbourhood Identification Sign”** means a sign which states the name of a neighbourhood and may contain a logo or symbol which is related to the neighbourhood.

**“Painted Wall Sign”** means a sign which is painted directly upon any outside surface of a building or other integral part of a building.

**“Portable Sign”** means a sign, excluding an A-Board, which is not in a permanently installed or affixed position, advertising a product, merchandise or an activity on a limited time basis, but does not include a sign for which a limited term development permit has been approved or is required.

**“Portable Sign, Affixed”** means a portable sign, excluding an A-Board, which is permanently affixed in position by concrete blocks or anchored into a concrete pad, advertising a product, merchandise or an activity.

**“Projecting Sign”** means a sign other than a canopy or awning sign which projects from a structure or a building face or wall.

**“Public Service Announcement”** means an announcement, for which no charge is made, that promotes the programs, activities or services of a federal, provincial, or municipal governments, non-profit charitable organizations, or another groups serving community interests, including date, time, and temperature information.

**“Real Estate Sign”** means a temporary sign advertising real estate that is “for sale”, “for lease” or “for rent” or real estate that has been “sold”.

**“Roof Sign”** means a sign which projects above a roofline to which the sign is attached or is erected upon or above a roof or parapet of a building which the sign is attached.

**“Roofline”** means the line made by the intersection of a wall of a building with the roof of the building.

**“Rotating Sign”** means a sign or portion of a sign which moves in a revolving manner, but does not include a clock.



**“Sign Area”** means:

- a) the entire area of a sign on which copy is to be placed and in the case of a sign comprising of individual letters or symbols, means the size of a single geometric figure (e.g. square, rectangle, circle, triangle, trapezoid) which would enclose all of the letters or symbols;
- b) in the case of a painted wall sign, the area of the building face, and;
- c) in the case of a double-face or multi-face sign, the average of the total area of all sign faces will be counted in the sign area calculations.

**“Temporary Sign”** means any sign, other than a portable sign, not permanently attached to a supporting structure or building that advertises a business, site, event or activity for a limited period of time.

**“Window Sign”** means a sign that is painted on, attached to or placed inside a window for the purpose of viewing from outside the premises.

## 9.2 Permits Required

Except as stated in Section 9.3, no sign shall be erected on land or affixed to any exterior surface of a building or structure unless a Sign Permit for this purpose has been issued by the Development Authority.

## 9.3 Signs Not Requiring Permits

The following signs do not require a Sign Permit, but shall otherwise comply with this Bylaw:

9.3.1 One temporary sign in any district which does not exceed 3.0 m<sup>2</sup> in area and is intended for:

- a) identifying a construction or demolition project for which a permit has been issued; or
- b) advertising a campaign event or drive which has been approved by Council. Such a sign may be posted for a maximum period of fourteen (14) days; or
- c) advertising the sale or lease of a building, or a bay, or land.

9.3.2 One temporary sign which does not exceed 1.0 m<sup>2</sup> in area or 1.0 m in height and is intended for:

- a) identifying a political campaign. Such a sign may be displayed for thirty (30) days prior to an election or referendum and must be removed within seven (7) days following the election or referendum;
- b) advertising a garage sale or open house. Such a sign may be posted for a maximum period of 48 hours;
- c) signs in residential districts which contain no more than the name, address and number of a building or occupant, provided the sign area does not exceed 0.3 m<sup>2</sup>;
- d) municipal signs used to indicate street names, control traffic or identify municipal buildings;
- e) an official notice, sign, placard or bulleting required to be displayed pursuant to the provisions of federal, provincial or municipal legislation;

- f) existing signs when only the face of a previously approved sign is being changed to reflect a change in the business name;
- g) maintenance of any lawful sign;
- h) window signs in any non-residential district, if intended as a substitute for other forms of exterior building or structure signage not requiring a sign permit;
- i) community information signs;
- j) A-board signs;
- k) signs intended to provide guidance, warning or restraint of persons, provided the sign area does not exceed 0.4 m.; and
- l) banner signs that are not permanently installed and which are displayed for a period of time not exceeding two (2) months per calendar year per commercial unit, and on the wall of one (1) commercial unit within a building.

9.3.3 One temporary sign in any district which does not exceed 18 m<sup>2</sup> in area and is intended for:

- a) identifying and advertising a new development on the site to which the development is proposed for.

## **9.4 Application for a Sign Permit**

9.4.1 An application for a Sign Permit shall be made by submitting to the Development Authority the prescribed form, signed by the Owner or an authorized agent and accompanied by a coloured replica of the proposed sign, drawn to scale showing:

- a) all dimensions of the sign structure, including the height and projection of the signs attached to buildings;
- b) image of buildings with proposed sign detail;
- c) the area of the sign and the copy face(s);
- d) the design of the copy face;
- e) the manner of all sign illumination and/or animation;
- f) the type of construction and finish to be utilized;
- g) the method of supporting or attaching the sign;
- h) in the case of a freestanding sign, a site plan showing the sign location in relationship to lot lines, parking and buildings, and an elevation plan showing the height of the sign in relationship to the height of the principal building considering the gradient of the site; and
- i) any other information that may be required by the Development Authority.

9.4.2 The Development Authority may require additional copies of the application or of the sign replica.

9.4.3 If the sign is to be located other than on the applicant's property a statement of permission from the property Owner is required to be provided.

## 9.5 General Regulations for Signs

- 9.5.1 In considering a Development Application for any sign, the Development Officer shall have due regard to the amenities of the district in which the sign is to be located and the design of the proposed sign and ensure that the sign does not conflict with the general character of the surrounding streetscape or the architecture.
- 9.5.2 All signs shall comply with any design guidelines established or approved by the City for the district in which the sign is located.
- 9.5.3 No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, or be located, or display a light intensity or colour where it may interfere or be confused with any authorized traffic sign, signal or device and in doing so, create a traffic hazard.
- 9.5.4 Unless otherwise approved by the Development Authority, signs which overhang or encroach any abutting municipal, provincial or federal property are prohibited.
- 9.5.5 Freestanding signs in any district shall not project within 0.6 m of a lot line.
- 9.5.6 Portable signs are not permitted in residential districts.
- 9.5.7 Illumination Provisions
- a) Signs may be illuminated but not flashing.
  - b) No illuminated window signs are permitted facing onto Highway 1A.
  - c) No person shall place a Dynamic Sign at locations which may, in the opinion of the Development Authority, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.
  - d) No permit shall be issued for and no person shall erect, install or maintain an electric sign, unless it conforms with the *Alberta Safety Codes Act* and regulations thereto.
- 9.5.8 No person shall erect, construct or maintain a sign or display structure so as to create a hazard for pedestrian or vehicular traffic.
- 9.5.9 Electrical signs shall be erected, installed, and maintained so that they conform to all Provincial regulations.
- 9.5.10 The Owner of a sign shall be responsible for maintaining the sign in a proper state of repair and shall:
- a) keep it properly painted at all times;
  - b) ensure that all structural members and guy wires are properly attached to the sign and the building; and
  - c) wash or otherwise clean all sign surfaces as it becomes necessary.
- 9.5.11 When a sign cannot be clearly categorized as any one of the sign types defined in this Bylaw, the Development Authority shall determine the sign type and applicable controls.
- 9.5.12 All signs regulated by this Bylaw must be located on a parcel.**

## 9.6 Regulation by Sign Type

9.6.1 The sign regulations in this section do not apply to those signs not requiring a Sign Permit as listed in Section 9.3.

### 9.6.2 A-Board Signs

- a) A-Board Signs shall only be allowed in the Public Service District (PS) and all the commercial and industrial districts and directly adjacent to the main entrance to the business to which the sign pertains;
- b) A-Board Signs shall not impede the movement of pedestrian traffic;
- c) A-Board Signs shall only be on display during regular business hours and be removed at the end of the business day; and
- d) A-Board Signs shall be limited to one (1) sign per business.

### 9.6.3 Bench Signs

One (1) Bench Sign may be permitted per site within commercial, industrial and public services district at the discretion of the Development Officer, provided that

- a) The Bench Sign is located in an approved location and it is to benefit to the general public as an amenity, not solely for the purpose of signage; and
- b) The exterior finish and appearance is in conformance with the surrounding land uses;
- c) There is a minimum setback of 3.0 m from a curb or 1.5 m from a property line, whichever is the greater distance or as otherwise approved by the Development Officer;
- d) The Bench Signs are easily accessible by pedestrians with ground cover and landscaping;
- e) The Bench Signs are located adjacent to a building, public sidewalk, pedestrian trail or area where pedestrian foot traffic is expected;
- f) There is a minimum of 100.0 m separation from any other Bench Sign; and
- g) A change of copy to the Bench Sign will not require a Development Permit.

### 9.6.4 Billboards

- a) Billboards shall not be permitted.

### 9.6.5 Cannabis-related Signage

- a) All signage for cannabis-related development shall adhere to the signage policies set by the Alberta Liquor and Gaming Commission (AGLC);
- b) The use of the term "Alberta" or "AGLC" is prohibited in a store name;
- c) Signage must be in good taste and not depict a lifestyle, endorsement, person, character or animal;

- d) Signage must not promote intoxication nor make a statement regarding increased potency or concentration. Signage shall not use terms and images including but not limited to “chronic”, “stoned” or “high”;
- e) The use of any term, symbol or graphic traditionally associated with medicine, health or pharmaceuticals is prohibited and may include, but is not limited to:
  - i) use of the term Pharmacy, Dispensary, Apothecary, Rx, Drug Store, med, medi or clinic;
  - ii) use of the term Medicine, Medicinal, Health or Therapeutic; or
  - iii) use of graphics or symbols that would denote the above.
- f) Signage or identification shall not include graphics which:
  - i) appeal to minors;
  - ii) shows the use of cannabis;
  - iii) displays intoxication;
  - iv) displays or identifies a cannabis product or accessory;
  - v) displays a price or indicates a price advantage; or
  - vi) displays any sporting or cultural event or activity.
- g) A common business name may be used when a number of Cannabis Retail Stores are operated by the same owner.

#### 9.6.6 Canopy Signs

- a) Canopy Signs shall only be allowed in Commercial and Industrial Districts; and
- b) Canopy Signs shall only be used as identification signs.

#### 9.6.7 Community Advertising Signs

- a) Community Advertising Signs shall only be allowed in the Public Service (PS) District and all the commercial districts.
- b) Community Advertising Signs shall:
  - i) Have a low profile and blend in with the surrounding area;
  - ii) Be permanent and stationary;
  - iii) Not contain lighting depicting action or movement to create special effects or a pictorial scene; and
  - iv) Be constructed of maintenance free materials.
- c) The number, size and location of Community Advertising Signs shall be determined by the Development Officer.

#### 9.6.8 Development Marketing and Directional Signs

- a) Development and Directional Signs associated with a subdivision or development project shall be subject to a Development Permit application to facilitate a comprehensive review of the signage proposed for the site and its potential impacts on surrounding areas.
- b) All Development Marketing and Directional Signs shall be sited such that they allow for access and maintenance of the site, the adjoining boulevards, and surrounding properties, to the satisfaction of the Development Authority.
- c) All Development Marketing and Directional Signs shall be sited such that they do not impact any established or occupied residential dwellings.

### 9.6.9 Dynamic Signs

- a) No Dynamic Sign may be erected except as permitted in this section;
- b) The provisions of 9.6.6 apply to all Dynamic Signs and notwithstanding section 4.5 these provisions may not be varied by the Development Authority.
- c) The Development Authority shall only approve a Dynamic Sign as a portion of a permitted community, canopy, free standing or fascia sign.
- d) A Dynamic Sign may display Public Service Announcements but shall not include third party advertising or sponsor recognition except when it is located on a site in a PS District.
- e) Dynamic Signs shall only be permitted in Commercial, Industrial and Public Service Districts, and must meet the following requirements:
  - i) not be located within 30.0 m radius of a residential district, and when site or lot of a proposed dynamic sign location is adjacent to a residential district, notification will be sent within a 100.0 m radius of the proposed site;
  - ii) be limited to one sign per building or site, with the exception of Public Service sites over 17 ha will be limited to two (2) signs provided that one of the signs must be a fascia sign and the other must be a portion of a freestanding sign, and further provided that the two (2) signs must be at least 50.0 m apart;
  - iii) not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign; and
  - iv) comprise of not more than 25% of the total freestanding or fascia sign area.
- f) Dynamic Signs shall not be permitted adjacent to a Highway.
- g) A Development Permit for a Dynamic Sign shall be valid for a maximum of two (2) years, at which time a new Permit must be applied for. The conversion of an existing sign to a Dynamic Sign shall require a Development Permit.
- h) A Dynamic Sign may not allow the display or message to change more frequently than once every eight (8) seconds, with a transition period of one (1) second or less.
- i) Brightness of digital signs shall be measured as follows:
  - i) at least thirty (30) minutes following sunset, a foot candle meter shall be used to obtain an ambient light reading for the location. This is done while the sign is off or displaying black copy. The reading shall be made with the meter aimed directly at the sign area at the pre-set location,
  - ii) the sign shall then be turned on to full white copy to take another reading with the meter at the same location,
  - iii) if the difference between the readings is 2.15 lumens/m<sup>2</sup> (0.2 foot candles) or less, the brightness is properly adjusted.
- j) Any digital sign located within 50 m of a Residential District may be subject to restricted operating hours at the discretion of the Development Authority.
- k) The use, size and location of digital signs must comply with all other relevant municipal and provincial regulations.
- l) Copy on the sign shall not be animated, nor can it be flashing.
- m) Copy shall not have to be read over several transitions.
- h) Rotating Signs shall not be permitted.

#### 9.6.10 Fascia Signs

- a) shall only be allowed in the Public Service (PS) District and all the Commercial and Industrial Districts.
- b) shall be located on an exterior frontage wall, and at the discretion of the Development Authority, may be located on an existing wall which is not a frontage.
- c) shall be allowed provided that the total copy area of a sign shall not exceed 20% of the face of the building or bay to which the sign is attached; and
- d) Fascia signs shall only be used as identification signs.

#### 9.6.11 Freestanding Signs

- a) Freestanding Signs shall only be allowed in the Public Service (PS) District and all Commercial and Industrial Districts.
- b) Primary Freestanding Signs in the Public Service District (PS) and all Commercial Districts shall:
  - i) Not exceed 9.0 m in height or project above the height of the principal building;
  - ii) Not exceed 30.0 m<sup>2</sup> in sign area;
  - iii) Not project within 0.6 m of a lot line; and
  - iv) Not exceed one (1) sign per site.
- c) Primary Freestanding Signs in Industrial Districts shall:
  - i) Not exceed 9.0 m in height or project above the height of the principal building;
  - ii) Not exceed 9.0 m<sup>2</sup> in sign area;
  - iii) Not project within 0.6 m of a lot line; and
  - iv) Not exceed one (1) sign per site.
- d) Additional auxiliary or tenant signs on the same commercial and industrial site may be allowed to the discretion of the Development Authority. The following regulation shall be taken into the consideration:
  - i) The sign does not exceed 6.0 m in height;
  - ii) Not exceed 9.0 m<sup>2</sup> in sign area;
  - iii) Multiple signs on single sites shall be architecturally compatible; and
  - iv) A distance of 30.0 m is maintained between freestanding signs.
- e) Notwithstanding subsections b), c) and d), the requirements of 9.6.7 shall apply if a Freestanding Sign contains a Dynamic Sign.

#### 9.6.12 Neighbourhood Identification Signs

- a) Neighbourhood Identification Signs are allowed in all districts and shall:
  - i) have a low profile and blend in with the architecture or development theme of the surrounding area;
  - ii) contain only the name of the neighbourhood or subdivision area and may contain symbols, logos or both of them related to the name;
  - iii) be permanent and stationary;
  - iv) not contain lighting depicting action or movement to create special effects or a pictorial scene;
  - v) be constructed of maintenance free materials; and
  - vi) not project within 0.6 m of a lot line.

- b) The number, size and location of neighbourhood identification signs shall be determined by the Development Authority.
- c) Any signs identifying the developer's name shall be separate from a neighbourhood identification sign, and shall be removed at the developer's expense once the subject development is built out.

#### 9.6.13 Offensive Signage

- a) No Sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
- b) No Sign shall be allowed to feature nudity.

#### 9.6.14 Portable Signs

- a) Portable and Portable, Affixed Signs shall not be permitted within 15.0 m of a site which contains residential development;
- b) Portable and portable, affixed signs shall not project within 0.6 m of a lot line;
- c) Portable and Portable, Affixed Signs must be wholly located on the property of the landowner who has been granted a Permit;
- d) Portable and Portable, Affixed Signs shall not be placed on private internal sidewalks, parking areas, and where there is an existing affixed portable sign;
- e) Portable and Portable, Affixed Signs shall not exceed 6.75 m<sup>2</sup> in sign area and shall not exceed 1.5 m in height;
- f) No Portable or Portable, Affixed Sign shall be illuminated or employ any **elements of a Dynamic Sign**;
- g) A second Portable Sign may be permitted on a lot with a minimum of ten (10) commercial businesses, 40.0 m from another portable sign and is at the discretion of the Development Authority;
- h) Portable, Affixed Signs will only be allowed in Commercial, Industrial and Institutional Districts and not exceed one (1) Sign per lot;
- i) A Development Permit for a Portable Sign is valid for a maximum of ninety (90) days, and only permitted twice per calendar year per lot;
- j) No Portable Sign shall be erected directly adjacent to a business location where an A-Board Sign is displayed; and
- k) Portable and Portable, Affixed Signs do not require a Development Permit for a change of copy.



9.6.15 Projecting Signs shall:

- a) Projecting Signs shall only be allowed in all Commercial and Industrial Districts.
- b) Projecting Signs shall:
  - i) Not project more than 2.0 m from a building face;
  - ii) Have a minimum clearance of 2.4 m from grade;
  - iii) Not have any support from the ground over which it is hung;
  - iv) Not exceed 5.0 m<sup>2</sup> in sign area; and
  - v) Not exceed 6.0 m in maximum height and the sign must not project over the height of the principal building.

9.6.16 Roof Signs:

- a) Roof Signs shall not be permitted.

9.6.17 Rotating Signs:

- a) Rotating Signs shall not be permitted.

9.6.18 Signage associated with a Major Home Business or Bed and Breakfast Accommodation within an Urban Transition District shall be regulated with the following requirements:

- a) One (1) on-site, identification type Sign is permitted containing either the name of the Resident or the name of the Home Occupation **at the discretion of the Development Authority** (no telephone numbers, logos or advertising permitted);
- b) Maximum Sign dimensions shall be as follows: 1.0 m in length, 0.6 m in height;
- c) Sign construction and lettering shall be as follows:
  - i) Sign constructed using 19.0 mm high density plywood or 38.0 mm solid wood;
  - ii) Sign finish consisting of a high-density reflective finish or equivalent, with die cut lettering or silk screen lettering;
  - iii) Minimum letter size of 10.0 cm all upper case, uniform letter style;
- d) The Sign shall be located in the front yard adjacent to the front lot line and either supported on independent posts or attached to existing fencing in an attractive fashion; and
- e) No off-site advertisement signage associated with a Home Occupation is permitted.

## PART 10 LAND USE DISTRICTS

### 10.1 Establishment of Districts

10.1.1 For the purposes of this Bylaw, the land within the City shall be divided into the following Land Use Districts.

a) Residential Single Detached District	R-1
b) Residential Estate District	R-1E
c) Residential Estate Modified District	R-1EM
d) Residential Lakeshore District	R-1L
e) Residential Planned Lot Rear-Lane District	R-1PRL
f) Residential Planned Lot Front-Drive District	R-1PFD
g) Residential Semi-Detached District	R-2
h) Residential Multi-Unit District	R-3
i) Low Rise Multi-Unit Residential District	R-4
j) Local Commercial District	C
k) Eastern Town Centre District	ETC
l) Interim Commercial District	IC
m) Mixed Use District	MU
n) Business Park/Light Industrial District	BP/LI
o) Public Service District	PS
p) Special Recreation District	SPR
q) Urban Transition District	UT
r) Large Lot Rural Residential District	LLR
s) Transitional Rural Residential District	TRR
t) Rural Residential District	RR
u) Live Work District	LW
v) Retirement Living Campus District	RLC
w) Direct Control District	DC

10.1.2 Throughout this Bylaw and amendments thereto, a District may be referred to either by its full name or its abbreviation.

10.1.3 The boundaries of the Districts listed in Section 10.1.1 are delineated on Schedule A “Land Use Map” as amended or replaced from time to time by bylaw.

10.1.4 Where uncertainty exists regarding the location of boundaries on the Land Use Map, the boundaries shall be determined using the following criteria:

- Where a boundary is shown following a street, lane, stream or canal, it shall be deemed to be following the centre line thereof;
- Where a boundary is shown as approximately following a lot line, it shall be deemed to be following the lot line; and
- Notwithstanding a) and b), the adjacent Land Use District shall extend to the location of the established corporate limits.

10.1.5 Where a boundary cannot be determined by the preceding criteria, the exact location of the boundary shall be decided by Council either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary.

## 10.2 Residential Single Detached District (R-1)

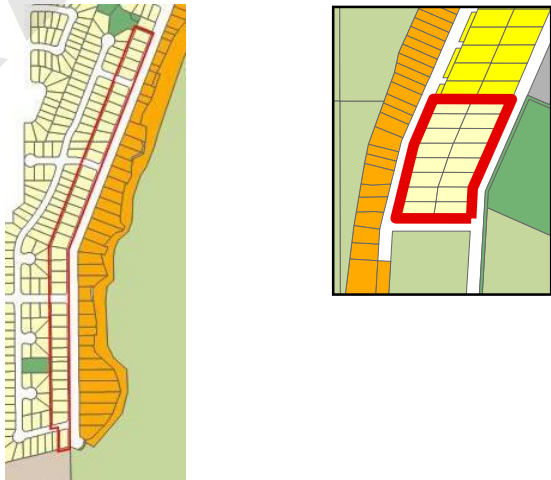
### 10.2.1 Purpose


The purpose of this District is to provide for low density residential development having high standards of design and appearance.

10.2.2 Permitted Uses	10.2.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Places of Worship</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.2.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Rear Lane	No Rear Lane
<p>Lot Area (minimum):</p>	<ul style="list-style-type: none"> <li>• 700 m<sup>2</sup> for lots abutting East or West Chestermere Drive or East Lake View Road as illustrated in Figure 10.2.1</li> <li>• 454 m<sup>2</sup> for all other lots</li> </ul>	<p><i>Figure 10.2.1</i></p> 

Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 22.0 m for lots abutting East or West Chestermere Drive as illustrated in Figure 10.2.1</li> <li>• 13.75 m for all other lots</li> </ul>	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>	
Side Yard Setback (minimum) (Principal Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 1.5 m on all other lots</li> </ul>	<ul style="list-style-type: none"> <li>• 1.5 m</li> <li>• 3.0 m on street side of corner lot</li> </ul>
Side Yard Setback (minimum) (Accessory Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 0.6 m including eaves on all other lots</li> <li>• The side yard setbacks of principal and accessory buildings on infill lots shall be varied where possible in order to maximize the visual amenity of the district and facilitate sunlight and ventilation to individual dwellings to be determined at the discretion of the Development Authority.</li> </ul>	
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for principal buildings</li> <li>• 8.0 m for principal building on Lots 1-60, Block 9, Plan 9311609 and Lots 13-19, Block 8, Plan 9112616 as illustrated in Figure 10.2.2</li> <li>• <b>1.0 m for accessory buildings</b></li> </ul>	<p><i>Figure 10.2.2</i></p> 
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 45% for all buildings</li> <li>• 10% for accessory buildings</li> </ul>	
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys not exceeding 12.0 m for principal buildings</li> <li>• 4.5 m for accessory buildings</li> </ul>	

## 10.3 Residential Estate District (R-1E)

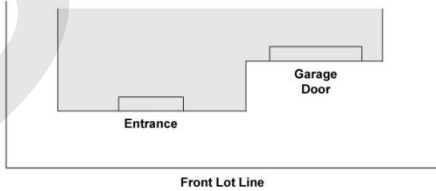
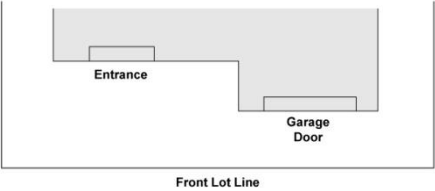
### 10.3.1 Purpose

The purpose of this District is to provide for single detached residential dwellings located on large lots with high standards of design and appearance.

10.3.2 Permitted Uses	10.3.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Secondary Suites</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.3.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Principal Buildings	Accessory Buildings
Lot Area (minimum):	• 850 m <sup>2</sup>	
Lot Width (minimum):	• 22.9 m	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> <li>• All attached garages shall be constructed such that the garage door or doors are not located closer to the front lot line than the main entrance door of the principal building as illustrated in Figure 10.3.1.</li> </ul> <p><i>Figure 10.3.1</i></p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p><b>Permissible Entrance Location</b></p>  <p>Entrance</p> <p>Garage Door</p> <p>Front Lot Line</p> </div> <div style="text-align: center;"> <p><b>Non Permissible Entrance Location</b></p>  <p>Entrance</p> <p>Garage Door</p> <p>Front Lot Line</p> </div> </div>	
Side Yard Setback (minimum):	• 3.0 m	• 3.0 m
Rear Yard Setback (minimum):	• 8.0 m	• 1.0 m
Lot Coverage (maximum):	• 40% for all buildings to maximum of 510 m <sup>2</sup> whichever is the lesser	• 10%
Building Height (maximum):	• 2 storeys not exceeding 12.0 m	• 4.5 m

### 10.3.5 Additional Requirements

- a) With the exception of a secondary suite, no person may erect a residential building on a lot in this District on which another residential building is already located.

DRAFT

## 10.4 Residential Estate Modified District (R-1EM)

### 10.4.1 Purpose

The purpose of this District is to provide for single detached dwellings located on above average-sized lots with modified setback requirements and high standards of design and appearance.

10.4.2 Permitted Uses	10.4.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Places of Worship</li> <li>• Secondary Suites</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.4.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Principal Buildings	Accessory Buildings
Lot Area (minimum):	• 615 m <sup>2</sup>	
Lot Width (minimum):	• 18.28 m	
Front Yard Setback (minimum):	• 6.0 m	
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 2.4 m</li> <li>• 3.0 m on street side of a corner lot</li> </ul>	<ul style="list-style-type: none"> <li>• 0.6 m including eaves</li> <li>• 3.0 m on street side of a corner lot</li> </ul>
Rear Yard Setback (minimum):	• 6.5 m	• 1.0 m
Lot Coverage (maximum):	• 40% for all buildings	• 10%
Building Height (maximum):	• 2 storeys not exceeding 12.0 m	• 4.5 m

### 10.4.5 Additional Requirements

- a) With the exception of a secondary suite, no person may erect a residential building on a lot in this District on which another residential building is already located.
- b) Notwithstanding 10.4.4, the side yard setbacks of principal and accessory buildings may be required at the discretion of the Development Authority to be increased in order to maximize the visual amenity of the district and individual dwellings.

## 10.5 Residential Lakeshore District (R-1L)

### 10.5.1 Purpose

The purpose of this District is to provide low density residential development on the lakeshore having high standards of design and appearance.

10.5.2 Permitted Uses	10.5.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Watercraft Lifts</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodations</li> <li>• Community Buildings and Facilities</li> <li>• Docks</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Retaining Walls</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.5.4 General Requirements

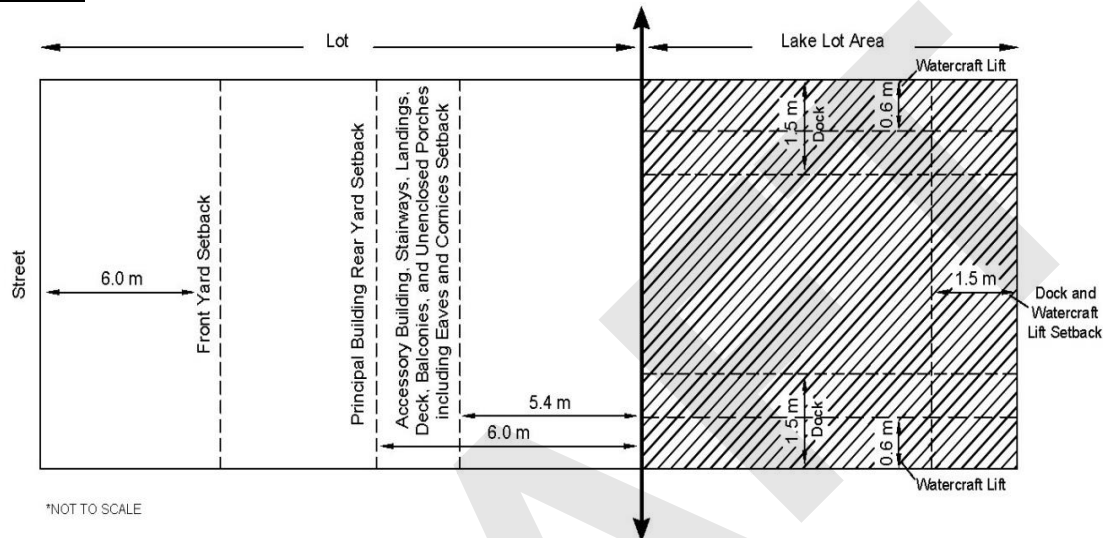
In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Principal Buildings	Accessory Buildings
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 558 m<sup>2</sup></li> </ul>	
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 15.0 m</li> </ul>	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>	
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 1.5 m</li> <li>• 3.0m on street side of a corner lot</li> </ul>	<ul style="list-style-type: none"> <li>• 1.5 m for docks</li> <li>• 0.6 m for watercraft lifts and all others including eaves</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m from boundary of lake lot area as illustrated in Figure 10.5.1</li> </ul>	<ul style="list-style-type: none"> <li>• 1.5 m as illustrated in Figure 10.5.1 for watercraft lifts and docks</li> <li>• 5.4 m from boundary of lake lot area as illustrated in Figure 10.5.1 for decks and accessory buildings excluding watercraft lifts</li> <li>• At discretion of Development Authority for all others</li> </ul>



Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 40% for all buildings excluding lake lot area</li> </ul>	<ul style="list-style-type: none"> <li>• 10% excluding lake lot area</li> <li>• 25% of lake lot area for docks, including floating docks</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys not exceeding 12.0 m</li> </ul>	<ul style="list-style-type: none"> <li>• 3.0 m for watercraft lifts</li> <li>• 3.6 m for all others</li> </ul>

Figure 10.5.1



### 10.5.5 Lake Lot Development Standards

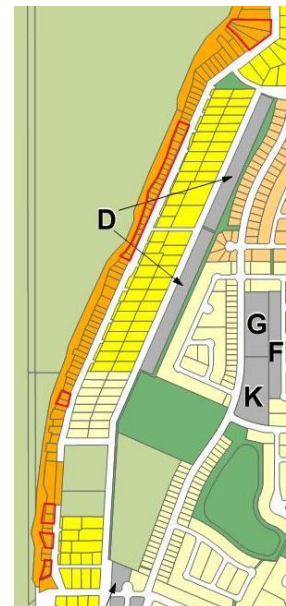
- Docks may be allowed in the lake lot area as a Discretionary Use for which a Development Permit must be applied for. Refer to Section 10.5.4 for side and rear yard setbacks.
- Watercraft Lifts and floating docks shall be allowed in the lake lot area for which a Development Permit is not required. Refer to Section 10.5.4 for side and rear yard setbacks.
- No fence shall be constructed in the Lake Lot Area.
- No retaining walls are allowed in the Lake Lot Area.
- No fill placement shall be placed in the Lake Lot Area.
- No development within a Lake Lot Area may materially impede or adversely affect the flow of water to, from or on, or may in any manner materially diminish the water storage capacity of the Lake.
- No development within a Lake Lot Area shall result in the discharge or release of any substance or material into or onto Chestermere Lake.
- No pressure treated wood nor railroad ties shall be allowed in the building of retaining walls abutting Chestermere Lake.

- i) Fill placement shall only be permitted up to the boundary of the Lake Lot Area and is a Discretionary Use for which a Development Permit is required. A retaining wall or replacement of an existing retaining wall must be constructed to withhold the fill and must be constructed on or up to the boundary of the Lake Lot Area. The retaining wall in this district is a Discretionary Use for which a Development Permit is required. The following shall apply:
  - i) All Development Permit applications for placement of fill up to the boundary of the Lake Lot Area must be accompanied by a written professional report prepared by (or overseen, signed and stamped) by a P.Eng., P.Ag. (Agronomist) or a CPESC Professional with a permit to practice in Alberta, stating that the fill material contains no deleterious substances which may result in an adverse effect to the environment or the water quality of Chestermere Lake.
  - ii) During construction under a Development Permit for fill placement or a retaining wall, proper soil erosion control measures to the satisfaction of the Development Authority may be required.
  - iii) The Landowner shall be responsible to ensure compliance with the Restrictive Covenant which is registered as instrument number 091 271 056 on each title around the lake by the Western Irrigation District.
  - iv) The Applicant/Landowner shall be responsible for adherence to any additional permit requirements under any provincial or federal agencies.
  - v) At the completion of any development for which a Development Permit was required, a Real Property Report, signed and sealed by an Alberta Surveyor may be requested by the Development Authority to confirm the compliance of the permit or such development.

### 10.5.6 Additional Requirements

- a) Notwithstanding 10.5.4, minimum and maximum requirements for the specific lots listed below and illustrated in Figure 10.5.2 shall be at the discretion of the Development Authority in response to the site-specific constraints present on each lot and the potential impact on surrounding properties.
  - i) Lots 56, 57, 60, 62, 64, 66-68, 70-72 and 110, Block 2, Plan 3883 JK;
  - ii) Lots 46-68, Block 5, Plan 101 2722;
  - iii) Lots 4, 5, 7, 8, 11, 12, and 21-23, Block 5, Plan 101 3158; and
  - iv) Lots 19-21, Block 6, Plan 101 3491.
- b) No fence shall exceed 1.0 m in height if within 8.0 m of the lake lot area.

Figure 10.5.2



## 10.6 Residential Planned Lot Rear-Lane District (R-1PRL)

### 10.6.1 Purpose

The purpose of this District is to provide for compact single-detached residential development with modified lot width and side yard standards, on lots with rear lane access.

10.6.2 Permitted Uses	10.6.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centre</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Major Home Businesses</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.6.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Principal Buildings	Accessory Buildings
Access and Garage:	<ul style="list-style-type: none"> <li>• Rear Lane Access</li> </ul>	
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 301.62 m<sup>2</sup></li> </ul>	
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 9.14 m</li> </ul>	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.5 m</li> </ul>	
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 1.2 m on all other lots</li> </ul>	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 0.6 m including eaves on all other lots</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>	<ul style="list-style-type: none"> <li>• 1.0 m</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 45% for all buildings</li> <li>• 30% for principal buildings</li> </ul>	<ul style="list-style-type: none"> <li>• 15% for accessory buildings</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys not exceeding 12.0 m</li> </ul>	<ul style="list-style-type: none"> <li>• 4.5 m</li> </ul>

### 10.6.5 Additional Requirements

- a) Rear Lane access is required.
- b) Lots shall provide a garage or concrete parking pad accessed from rear lane.
- c) Front-facing attached garages are not permitted.
- d) Individual Development Permit applications shall be evaluated in terms of compatibility with the City of Chestermere Residential Planned Lot Design Guidelines.
- e) Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage.
- f) The density of the property shall not be varied. The habitable floor area shall not be increased beyond the maximum habitable floor area identified in this Bylaw or the original development permit, whichever is less.
  - i) Maximum lot coverage regulations shall not be eligible for variance.
  - ii) Minimum setback requirements shall only be eligible for variance provided there is no increase to density and is necessary due to physical constraints including lot configuration.
  - iii) The Development Authority shall not grant a variance from the regulations prescribing height that would result in any change to density, floor area, lot coverage or Floor Area Ratio (FAR).

## 10.7 Residential Planned Lot Front-Drive District (R-1PFD)

### 10.7.1 Purpose

The purpose of this District is to provide for compact single-detached residential development with modified lot width and side yard standards, in a front-drive format with no lane access.

10.7.2 Permitted Uses	10.7.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Community Buildings and Facilities</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Major Home Businesses</li> <li>• Public Uses</li> <li>• Places of Worship</li> <li>• Public Utilities</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.7.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Requirement
Lot Area (minimum):	351.0 m <sup>2</sup>
Lot Width (minimum):	10.97 m
Front Yard Setback (minimum):	6.0 m
Side Yard Setback (minimum) (Principal Building):	3.0 m on street side of a corner lot 1.2 m on all other lots
Side Yard Setback (minimum) (Accessory Building):	3.0 m on street side of a corner lot 0.6 m including eaves on all other lots
Rear Yard Setback (minimum):	6.0 m for Principal Building 1.0 m for Accessory Building
Lot Coverage (maximum):	55% for all buildings <ul style="list-style-type: none"> <li>• Maximum 45% for Principal Building</li> <li>• Maximum 10% for Accessory Buildings</li> </ul>
Building Height (maximum):	2 storeys not exceeding 12.0 m for Principal Building 4.5 m for Accessory Building

### 10.7.5 Additional Requirements

- a) Adherence to Architectural Controls, approved by the Development Authority, shall be demonstrated at the building permit application stage.
- b) The density of the property and/or the habitable floor area shall not be increased beyond the maximum habitable floor area identified in this district.
- c) Minimum setback requirements shall only be eligible for variance provided there is no increase to density, and provided the variance is necessary due to physical site constraints.

DRAFT

## 10.8 Residential Semi-Detached District (R-2)

### 10.8.1 Purpose

The purpose of this District is to provide for residential neighbourhoods which have a high standard of design and appearance in which semi-detached dwellings are the predominant housing form.

10.8.2 Permitted Uses	10.8.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Duplex</li> <li>• Dwellings, Semi-Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Community Buildings and Facilities</li> <li>• Dwellings, Single Detached</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Secondary Suites (in association with a single detached dwelling only)</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.8.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Rear Lane	No Rear Lane
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 454 m<sup>2</sup> for single detached dwellings and duplexes</li> <li>• 305 m<sup>2</sup> per unit for semi-detached dwellings</li> </ul>	
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 13.75 m for single detached dwellings and duplexes</li> <li>• 11.0 m per unit for semi-detached dwellings on a corner lot</li> <li>• 10.0 m per unit for all other semi-detached dwellings</li> </ul>	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>	
Side Yard Setback (minimum) (Principal Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• No side yard required for a semi-detached where a common wall is on a side lot line.</li> <li>• 1.5 m on all other lots</li> </ul>	<ul style="list-style-type: none"> <li>• 1.5 m</li> <li>• 3.0 m on street side of a corner lot</li> </ul>
Side Yard Setback (minimum) (Accessory Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 0.6 m including eaves on all other lots</li> <li>• No side yard required for accessory building, garage where a common wall is on a side lot line.</li> </ul>	

Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.0 m for accessory building</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 55% for all buildings</li> <li>• 40% for Principal Building</li> <li>• 15% for Accessory Buildings</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys not exceeding 12.0 m for principal building</li> <li>• 4.5 m for accessory building</li> </ul>

**10.8.5 Additional Requirements**

a) Notwithstanding 10.8.4, the site standards for Lots 68-70, Block 3, Plan 3883JK as illustrated in Figure 10.8.1 shall be at the discretion of the Development Authority.

*Figure 10.8.1*



DRAFT



## 10.9 Residential Multi-Unit District (R-3)

### 10.9.1. Purpose

The purpose of this District is to provide for multi-unit residential development along with Semi-Detached Dwellings in order to increase the variety of dwelling types available in the community.

10.9.2 Permitted Uses	10.9.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Community Buildings and Facilities</li> <li>• Dwellings, Duplex</li> <li>• Dwellings, Semi-Detached</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> <li>• Townhouses, Stacked</li> <li>• Townhouses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Child Care Facilities</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.9.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

Site Standard	Rear Lane	No Rear Lane
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 520 m<sup>2</sup> per building for semi-detached dwellings, 204 m<sup>2</sup> for one of the two dwelling units</li> <li>• 204 m<sup>2</sup> per townhouse unit that fronts onto a public road</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>	
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m per lot for townhouses that front onto a public road</li> <li>• 15.0 m per building for semi-detached dwellings, 6.0 m for one of the two dwellings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for lots with an attached front drive garage</li> <li>• 3.5 m for lots with frontage onto a public road without an attached front yard garage, provided all eaves and cantilevers do not encroach into the required front yard setback.</li> </ul>	
Side Yard Setback (minimum) Principal Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 1.5 m on all other lots</li> <li>• No side yard required for a semi-detached dwelling or townhouse where a common wall is on a side lot line.</li> </ul>	<ul style="list-style-type: none"> <li>• 1.5 m</li> <li>• 3.0 m on street side of a corner lot</li> </ul>

Side Yard Setback (minimum) (Accessory Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 0.6 m including eaves on all other lots</li> <li>• No side yard required for accessory building, garage where a common wall is on a side lot line.</li> </ul>
Building Separation (minimum):	<ul style="list-style-type: none"> <li>• 2.4 m for elevations with no living room and/or bedroom windows facing each other</li> <li>• 10.0 m for elevations with living rooms and/or bedroom windows facing each other, or compliance with any other Alberta regulation, whichever is greater</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.0 m for accessory building</li> </ul>
Density (maximum):	<ul style="list-style-type: none"> <li>• 6 units per grouping</li> <li>• 44 units/ha</li> </ul>
Amenity Space (minimum):	<ul style="list-style-type: none"> <li>• 10% of site to be used for communal space for complexes of 10 or more units</li> <li>• 16 m<sup>2</sup> of private fenced outdoor amenity space for each attached housing unit</li> <li>• Minimum 1.5 m-high opaque wall required to separate adjoining decks</li> </ul>
Lot Coverage (maximum):	<p>55% for all buildings excluding lake lot area</p> <ul style="list-style-type: none"> <li>• Maximum 40% for Principal Buildings</li> <li>• Maximum 15% for Accessory Buildings</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys plus loft not to exceed 12.0 m for principal building</li> <li>• 4.5 m for accessory building</li> </ul>

### 10.9.5 Additional Requirements

- a) Units which front onto a public road shall be compatible in terms of mass and character with existing buildings on neighbouring sites.
- b) Notwithstanding Section 7.23.7, a minimum of 30% of the lot area, plus all adjoining boulevards, shall be landscaped.
- c) Identical front elevations must be separated by a minimum of three (3) dwelling units except where buildings are separated by roadways.

## 10.10 Low Rise Multi-Unit Residential District (R-4)

### 10.10.1 Purpose

The purpose of this District is to provide for the development of multi-family housing in the form of 3 to 4 storey apartment buildings in order to increase the variety of housing choices available in the community.

10.10.2 Permitted Uses	10.10.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Uses</li> <li>• Apartment Building with density &lt;99 u/ha regardless of other housing types on parcel</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Show Homes / Sales Centres</li> <li>• Townhouses</li> <li>• Townhouses, Stacked</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Garage</li> <li>• Accessory Building, Other</li> <li>• Apartment Buildings with density &gt;99 u/ha</li> <li>• Child Care Facilities</li> <li>• Fill Placement</li> <li>• Major Home Businesses</li> <li>• Residential Care Facilities</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 10.10.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 1,400 m<sup>2</sup> for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 30.0 m for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3 m or ½ the height of the principal building(s), whichever is greater, for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>
Building Separation (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m where more than one building is located on the site</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.5 m for accessory building</li> </ul>
Density (maximum):	<ul style="list-style-type: none"> <li>• 50 units per building, unless the building is designed to be unobtrusive to surrounding neighbours to the discretion and satisfaction of the Development Authority</li> </ul>
Amenity Space (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m<sup>2</sup> per unit for at grade units plus 4.0 m<sup>2</sup> per unit for above grade units or 10% of the lot, whichever is greater</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 3 storeys or 12.0 m to the top of the parapet of the principal building</li> <li>• 4 storeys or 15.0 m if building incorporates barrier free design</li> <li>• 4.5 m for accessory buildings</li> </ul>

### 10.10.5 Additional Requirements

- a) Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform architectural style or theme.
- b) A minimum of 40% of the lot area, plus all adjoining boulevards, shall be landscaped.

DRAFT

## 10.11 Local Commercial District (C)

### 10.11.1 Purpose

The purpose of this District is to provide for a wide range of commercial uses, encourage a high quality, aesthetically pleasing pedestrian environment and encourage a high architectural design standard for buildings.

10.11.2 Permitted Uses	10.11.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Child Care Facilities</li> <li>• Convenience Stores</li> <li>• Fascia and Portable Signs</li> <li>• Financial Institutions</li> <li>• Government Services</li> <li>• Grocery Store</li> <li>• Health Care Services</li> <li>• Household Repair Services</li> <li>• Marina and Snowmobile Sales and Services</li> <li>• Marine Gas Sales</li> <li>• Offices</li> <li>• Personal Service Establishments</li> <li>• Pet Care Services</li> <li>• Restaurants</li> <li>• Retail Stores</li> <li>• Take-Out Food Services</li> <li>• Watercraft Lifts</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Animal Health Care Services, Small Animal</li> <li>• Arts and Cultural Centres</li> <li>• Automotive Services and Repair Shops</li> <li>• <b>Brewery</b></li> <li>• Boat Launches</li> <li>• Cannabis Retail Store</li> <li>• Car Washes</li> <li>• Commercial School or College</li> <li>• Community Buildings and Facilities</li> <li>• Dealership / Rental Agencies, Automotive</li> <li>• Docks</li> <li>• Drinking Establishments</li> <li>• Dwelling Accommodations</li> <li>• Entertainment Establishments</li> <li>• Fill Placement</li> <li>• Gas Bars</li> <li>• Grocery Store, Regional</li> <li>• Hotels</li> <li>• Liquor Stores</li> <li>• Medical Clinics</li> <li>• Motels</li> <li>• Outdoor Cafes</li> <li>• Parking Lots</li> <li>• Places of Worship</li> <li>• Police Stations / Offices</li> <li>• Post Offices</li> <li>• Private Clubs and Organizations</li> <li>• Public Markets</li> <li>• Public Uses</li> <li>• Residential Care Facilities</li> <li>• Restaurant (Drive-Through)</li> <li>• Retail, Garden Centre</li> <li>• Retail Stores, Regional</li> <li>• Retaining Walls</li> <li>• Signs (excluding Fascia and Portable Signs)</li> <li>• Specialty Food Stores</li> <li>• Warehouse Stores</li> </ul>

#### 10.11.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	<b>Site Standard</b>
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 929 m<sup>2</sup></li> </ul>
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 30.0 m</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• None required for all other cases</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m where site abuts a residential district</li> <li>• None required for all other cases</li> </ul>
Floor Area Ratio (maximum):	<ul style="list-style-type: none"> <li>• 1.5</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 3 storeys (except for Plan 121, Block 1, Lot 2 where 4 storeys may be permitted for a Residential Care Facility at the discretion of the approving authority)</li> </ul>

#### 10.11.5 Additional Requirements

- a) The facade of buildings in the District shall be maintained to the standard approved by the Development Authority.
- b) Landscaping
  - i) The boulevard and a minimum of 15% of the site area shall be landscaped as approved by the Development Authority.
  - ii) All landscaping shall be located as approved by the Development Authority.
  - iii) Any trees or shrubs which die must be replaced on a continuing basis according to Landscaping Design Guidelines.
  - iv) Where a proposed development abuts or faces an existing residential site, adequate screening and/or buffering of the proposed site shall be provided to the satisfaction of the Development Authority.
- c) There shall be no outside storage of materials unless approved by the Development Authority.
- d) All apparatuses on the roof shall be screened from view to the satisfaction of the Development Authority.
- e) Dwelling Accommodations shall:
  - i) be limited to the second story or above;
  - ii) not be located below or on the same floor as a non-residential use; and
  - iii) have an entrance to grade that is separate from the entrance to any non-residential component of the building.
- f) The Development Authority may specify such other requirements as it deems necessary or desirable having due regard to the nature of the proposed development, purpose of the district and the impact of the use on adjacent non-commercial properties.

- g) Refer to Section 10.5 Residential Lakeshore District (R-1L) for extra requirements for Lot 61, Block 8, Plan 1110556.
- a) Refer to Section 7.39 Cannabis-related Development Regulations and Section 9.6.17 Cannabis-related Signage for additional land use requirements.

DRAFT

## 10.12 Eastern Town Centre Commercial District (ETC)

### 10.12.1 Purpose

The purpose of this District is to accommodate commercial business appropriate in a comprehensively-planned area that may provide a combination of shops, services, offices, entertainment, accommodation and government services. The types of development within this District are moderate to large in size and primarily serve the needs of a regional client. Developments are comprehensively planned and designed to demonstrate a wide variety of building types and scale with a comprehensive pedestrian network and parking areas with attractive landscaping components.

10.12.2 Permitted Uses	10.12.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Automotive Services</li> <li>• Child Care Facilities</li> <li>• Convenience Stores</li> <li>• Convention Services</li> <li>• Dealership / Rental Agencies, Automotive</li> <li>• Drinking Establishments</li> <li>• Fascia and Portable Signs</li> <li>• Financial Institutions</li> <li>• Government Services</li> <li>• Grocery Stores, Regional</li> <li>• Health Care Services</li> <li>• Hotels</li> <li>• Household Repair Service</li> <li>• Household Service Shops</li> <li>• Liquor Stores</li> <li>• Mixed Use Buildings</li> <li>• Motels</li> <li>• Offices</li> <li>• Patio, accessory to the principle business use</li> <li>• Personal Service Establishment</li> <li>• Pet Care Service</li> <li>• Public Uses</li> <li>• Restaurants</li> <li>• Restaurants, Drive-Through</li> <li>• Retail, Garden Centre</li> <li>• Retail Stores</li> <li>• Retail Stores, Regional</li> <li>• Service Stations</li> <li>• Shopping Centres, Regional</li> <li>• Specialty Food Stores</li> <li>• Warehouse Stores</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Animal Health Care Services, Small Animal</li> <li>• Arts and Cultural Centres</li> <li>• <b>Brewery</b></li> <li>• Car Washes</li> <li>• Commercial Schools or Colleges</li> <li>• Dealership / Rental Agencies, Recreational Vehicle</li> <li>• Fill Placement</li> <li>• Gaming Establishments, Bingo</li> <li>• <b>Gas Bars</b></li> <li>• Places of Worship</li> <li>• Private Clubs and Organizations</li> <li>• Public Markets</li> <li>• Signs (except Fascia and Portable Signs)</li> </ul>



### 10.12.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	<b>Site Standard</b>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> <li>• 1.0 m for street oriented mixed use buildings</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m</li> <li>• No side yard is required where fire resistant wall is provided in accordance with the Alberta Building Code</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 15 m for commercial buildings</li> <li>• 3 storeys or 12.0 m for mixed use buildings</li> <li>• 4 storeys or 15.0 m for mixed use buildings that incorporate barrier-free design</li> <li>• 4.5 m for all other buildings</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 50%</li> </ul>
Floor Area Ratio (maximum):	<ul style="list-style-type: none"> <li>• 1.0 for commercial buildings</li> <li>• 2.0 for mixed use buildings</li> </ul>

Refer to PART 9 for sign requirements.

### 10.12.5 Additional Requirements

- i) Building elevations which face the Trans-Canada Highway or Highway 1A shall incorporate design elements that will enhance the appearance of all facades of the building.
- ii) The Development Officer may require a greater building setback for any development which backs onto either the Trans-Canada Highway or Highway 1A.
- iii) The Development Officer may require additional landscaping and berming along the rear lot lines of commercial development which backs onto either the Trans-Canada Highway or Highway 1A.
- iv) A building may be occupied by a combination of one or more uses listed in this District.
- v) More than one building may be constructed on any parcel.
- vi) Notwithstanding Section 7.23, a minimum of 15% of each lot is required to be landscaped in either hard or soft landscaping.
- vii) The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.

## 10.13 Interim Commercial District (IC)

### 10.13.1 Purpose

The purpose of this District is to accommodate commercial business that may provide a combination of shops, services, offices, entertainment, accommodation, and government services on an interim basis. The types of development within this District primarily serve the needs of a regional clientele and are designed to demonstrate a wide variety of building types and scale with pedestrian linkages and parking areas connected to the permanent commercial area.

10.13.2 Permitted Uses	10.13.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Automotive Services</li> <li>• Child Care Facilities</li> <li>• Convenience Stores</li> <li>• Dealership / Rental Agencies, Automotive</li> <li>• Drinking Establishments</li> <li>• Financial Institutions</li> <li>• Government Services</li> <li>• Grocery Stores, Regional</li> <li>• Health Care Services</li> <li>• Hotels</li> <li>• Household Repair Service</li> <li>• Household Service Shops</li> <li>• Liquor Stores</li> <li>• Motels</li> <li>• Offices</li> <li>• Patio, accessory to the principle business use</li> <li>• Personal Service Establishments</li> <li>• Pet Care Service</li> <li>• Public Uses</li> <li>• Public Markets</li> <li>• Restaurants</li> <li>• Restaurants, Drive-Through</li> <li>• Retail, Garden Centre</li> <li>• Retail Stores</li> <li>• Retail Stores, Regional</li> <li>• Self-Storage Facilities</li> <li>• Service Stations</li> <li>• Signs</li> <li>• Specialty Food Stores</li> <li>• Truck Stops</li> <li>• Warehouse Stores</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Animal Health Care Services, Small Animal</li> <li>• Arts and Cultural Centres</li> <li>• <b>Brewery</b></li> <li>• Campgrounds</li> <li>• Car Washes</li> <li>• Dealership / Rental Agencies, Recreational Vehicle</li> <li>• Fill Placement</li> <li>• Gaming Establishments, Bingo</li> <li>• Golf Driving Ranges</li> <li>• Places of Worship</li> <li>• Private Clubs and Organizations</li> </ul>

#### 10.13.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	<b>Site Standard</b>
Front Yard Setback (minimum):	<ul style="list-style-type: none"><li>• 6.0 m</li></ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"><li>• 6.0 m</li><li>• No side yard is required where fire resistant wall is provided in accordance with the Alberta Building Code</li></ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"><li>• 6.0 m</li></ul>
Building Height (maximum):	<ul style="list-style-type: none"><li>• 15 m for principal buildings</li><li>• 4.5 m for accessory buildings</li></ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"><li>• 50%</li></ul>
Floor Area Ratio (maximum):	<ul style="list-style-type: none"><li>• 1.0</li></ul>

Refer to PART 9 for sign requirements.

#### 10.13.5 Additional Requirements

- i) The interim commercial lands will be required at some point in time for the realignment and widening of the Trans-Canada Highway by Alberta Transportation. Consequently, all buildings and structures will have to be removed within five years following notice from Alberta Transportation that construction of highway improvements will commence.
- ii) Building elevations which face the Trans-Canada Highway or Highway 1A shall incorporate design elements that will enhance the appearance of all facades of the building.
- iii) The Development Officer may require a greater building setback for any development which backs onto either the Trans-Canada Highway or Highway 1A.
- iv) The Development Officer may require additional landscaping and berming along the rear lot lines of commercial development which backs onto either the Trans-Canada Highway or Highway 1A.
- v) A building may be occupied by a combination of one or more uses listed in this District.
- vi) More than one building may be constructed on any parcel.
- vii) Notwithstanding the requirements of Section 7.23, a minimum of 15% of each lot is required to be landscaped in either hard or soft landscaping.
- viii) The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.

## 10.14 Mixed Use District (MU)

### 10.14.1 Purpose

The purpose of this District is to provide for a mix of commercial and residential uses, with only commercial uses on the first floor.

10.14.2 Permitted Uses	10.14.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Bakeries</li> <li>• Convenience Stores</li> <li>• Dwelling Accommodation</li> <li>• Grocery Stores</li> <li>• Minor Home Businesses</li> <li>• Offices</li> <li>• Post Offices</li> <li>• Retail Stores</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• <b>Brewery</b></li> <li>• Child Care Facilities</li> <li>• Commercial Schools or Colleges</li> <li>• Community Buildings and Facilities</li> <li>• Drinking Establishments</li> <li>• Fill Placement</li> <li>• Liquor Stores</li> <li>• Major Home Businesses</li> <li>• Outdoor Cafes</li> <li>• Personal Service Businesses</li> <li>• Pet Care Services</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Restaurants</li> <li>• Signs</li> <li>• Specialty Food Stores</li> </ul>

### 10.14.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Site Area (minimum):	<ul style="list-style-type: none"> <li>• None</li> </ul>
Site Width (minimum):	<ul style="list-style-type: none"> <li>• None</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 5.0 m</li> </ul>
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• 1.5 m in all other cases</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• None in all other cases</li> </ul>
Habitable Second and Third Floor Areas (minimum):	<ul style="list-style-type: none"> <li>• 65 m<sup>2</sup></li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 3 storeys plus loft, not exceeding 12 m for principal buildings</li> <li>• 4.5 m for accessory buildings</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 60% for all buildings including accessory buildings</li> <li>• 15% for all accessory buildings</li> </ul>

Refer to PART 9 for sign requirements.

### 10.14.5 Additional Requirements

- a) Building Orientation
  - i) All buildings shall be oriented to the front yard.
  - ii) All building facades adjacent to the front yard and the street side yard of a corner site shall incorporate a degree of visual interest through the provision of such design features as building or unit entries, porches, balconies, roof dormers and pitched roofs.
  
- b) Commercial Development
  - i) Commercial uses shall only be allowed within buildings containing residential units and where the commercial use is located on the first floor.
  - ii) The total Gross Floor Area of commercial uses shall not exceed 4,500 m<sup>2</sup>.
  - iii) Commercial uses shall have a separate entry from the residential component of the building.
  - iv) Commercial signage shall be of a size, height, design and appearance that are compatible with the residential character of the area.
  - v) There shall only be one (1) freestanding sign which shall not exceed 4.5 m in height.
  - vi) There shall be no outside storage of materials. Storage of equipment used in the operation of the commercial activity shall be located on the inside of the building.
  - vii) All mechanical apparatus on the roof shall be screened from view to the satisfaction of the Development Authority.
  
- c) Dwelling accommodations shall:
  - i) be limited to the second storey (floor) or above;
  - ii) not be located below or on the same floor as non-residential use; and
  - iii) have an entrance to grade that is separate from the entrance to any non-residential component of the building.
  
- d) Landscaping and Screening
  - i) The boulevard and a minimum of 15% of the site area shall be landscaped.
  - ii) All landscaping shall be provided to visually screen parking areas from the public street.
  - iii) Where a proposed development abuts or faces a residential site, adequate screening and/or buffering of the proposed site shall be provided to the satisfaction of the Development Authority.
  
- e) Parking and Vehicular Access
  - i) Residential parking shall be restricted to the rear of each building while commercial parking is to be restricted to the front of each building.
  - ii) All on-site parking shall be located a minimum of 1.5 m from the front lot line.
  
- f) Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform architectural style or theme.

## 10.15 Business Park/Light Industrial District (BP/LI)

### 10.15.1 Purpose

The purpose of this District is to create employment opportunities in the City through the development of an integrated business park area.

10.15.2 Permitted Uses	10.15.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Agricultural Support Services</li> <li>• Animal Health Care Services, Small Animal</li> <li>• Automotive, Equipment and Vehicle Services</li> <li>• Automotive Services</li> <li>• Business Parks</li> <li>• Commercial Schools / Colleges</li> <li>• Contractors, Limited</li> <li>• Convention Services</li> <li>• General Industries, Type 1</li> <li>• Government Services</li> <li>• Health Care Facility</li> <li>• Hotels</li> <li>• Indoor Participation Recreation</li> <li>• Laboratories</li> <li>• Manufacturing</li> <li>• Office Parks</li> <li>• Offices</li> <li>• Personal Service Establishments</li> <li>• Research Parks</li> <li>• Restaurants</li> <li>• Restaurants, Drive-Through</li> <li>• Self-Storage Facilities</li> <li>• Service Stations</li> <li>• Tourist Information Services and Facilities</li> <li>• Warehouses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• <b>Brewery</b></li> <li>• Cannabis Production Facility</li> <li>• Cannabis Retail Store</li> <li>• Crematoriums</li> <li>• Contractors, General</li> <li>• Dealership / Rental Agencies, Automotive</li> <li>• Dealership / Rental Agencies, Implement and Equipment</li> <li>• Dealership / Rental Agencies, Recreational Vehicles</li> <li>• Fill Placement</li> <li>• Funeral Homes</li> <li>• General Industries, Type 2</li> <li>• Places of Worship</li> <li>• Tractor Trailer Service Depots</li> <li>• Truck Stops</li> </ul>

### 10.15.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m for street side of a corner site</li> <li>• 1.2 m in all other cases</li> <li>• No side yard is required where fire resistant wall is provided in accordance with the Alberta Building Code</li> </ul>

Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for street side of corner site or where rear yard abuts a residential district</li> <li>• 1.2 m in all other cases</li> <li>• No side yard is required where fire resistant wall is provided in accordance with the Alberta Building Code</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 3 storeys to a maximum of 15.0 m for principal buildings</li> <li>• 4.5 m for accessory buildings</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 50%</li> </ul>
Floor Area Ratio (maximum):	<ul style="list-style-type: none"> <li>• 1.0</li> </ul>

**10.15.5 Additional Requirements**

- a) Notwithstanding Section 7.23, 10% of each individual lot is required to be landscaped in either soft or hard surfaces.
- b) The Development Authority may require a greater building setback for a development which abuts the Trans-Canada Highway, Highway 791 and any other major road at the discretion of the Development Authority.
- c) The Development Authority may require additional landscaping and berming along the rear lot lines of development which abuts the Trans-Canada Highway, Highway 791 and any other major road at the discretion of the Development Authority.
- d) The Development Authority may require a greater building setback, additional landscaping and architectural detailing of any wall of a business which is across the street from property to be developed in a residential fashion.
- e) A building may be occupied by a combination of one or more uses listed for this District.
- f) The front yard for a business shall be along the lot line where vehicular access is provided.
- g) The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.
- h) All apparatus on the roof shall be screened from view to the satisfaction of the Development Authority.
- i) Lighting
  - i) Lighting shall be located, oriented and shielded so as not to adversely affect the adjacent properties.
  - ii) Pedestrian-scale lighting is required.
  - iii) Lighting for signage, parking areas and pedestrian areas should be carefully placed and oriented to shine away from adjacent properties. Neon and/or flashing lights are discouraged.
- j) Air Contaminants, Visible and Particulate Emissions
  - i) No use or operation shall cause or create air contaminants, visible emissions or particulate emissions which exceed those measures prescribed by the provincial *Clean Air Act* and the regulations pursuant thereto.
  - ii) Airborne particulate matter originating from open storage areas, yards or roads shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting or other means.

- k) No use or operation shall cause or create the emission of toxic matter in amounts or quantities that exceed the levels prescribed by the provincial *Clean Air Act* and the regulations pursuant thereto.
- l) All uses and operations which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics shall comply with the City's *Fire Prevention Bylaw* or applicable provincial/federal regulations.
- m) The Development Authority may specify such other requirements as it deems necessary or desirable having due regard to the nature of the proposed development, purpose of the district and the impact of the use on adjacent non-industrial properties.
- n) Refer to Section 7.39 Cannabis-related Development Regulations and Section 9.6.17 Cannabis-related Signage for additional land use requirements.

DRAFT



## 10.16 Public Services District (PS)

### 10.16.1 Purpose

The purpose of this District is to accommodate recreational and educational facilities, places of worship, offices, health and research facilities and public utilities to service the community.

10.16.2 Permitted Uses	10.16.3 Discretionary Use
<ul style="list-style-type: none"> <li>• Accessory Uses</li> <li>• Accessory Building</li> <li>• Commercial Schools/Colleges</li> <li>• Community Buildings and Facilities</li> <li>• Government Services</li> <li>• Health Care Services</li> <li>• Indoor Participation Recreation</li> <li>• Offices</li> <li>• Parks</li> <li>• Places of Worship</li> <li>• Private Clubs and Organizations</li> <li>• Public Uses</li> <li>• Research Facilities</li> <li>• Retaining Wall</li> <li>• Schools, Public or Separate</li> <li>• Tourist Information Services and Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Garage</li> <li>• Accessory Building, Other</li> <li>• Boat Launches</li> <li>• Child Care Facilities</li> <li>• Fill Placement</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Sea Can</li> <li>• Signs</li> </ul>

### 10.16.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m</li> <li>• No side yard is required where fire resistant wall is provided in accordance with the Alberta Building Code</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 4 storeys and/or 15 m for principal buildings for residential care facility</li> <li>• 3 storeys and/or 12 m for other principal buildings</li> <li>• 4.5 m for accessory buildings</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 40%</li> </ul>

### 10.16.5 Additional Requirements

- a) Notwithstanding Section 7.23, a minimum 15% of each lot is required to be landscaped in either hard or soft landscaping.

- b) The use of a Sea Can may be permitted on a temporary basis and meet the following requirements at the discretion of the Development Authority:
- i. The Sea Can must be screened from adjacent roads and not exceed the height of the screening provided.
  - ii. Sea Can's may only be located in the Public Service District providing that:
    - a. They are not located in a front yard or exterior side yard;
    - b. They are not stacked;
    - c. They are not used to store any dangerous or hazardous materials, and;
    - d. There are no visual or material impacts of neighbouring properties, to the satisfaction of the Development Authority.
- c) Temporary vendor or concession stands may be permitted on a temporary basis and require a business license from the City.

DRAFT

## 10.17 Special Recreation District (SPR)

### 10.17.1 Purpose

The purpose of the District is to provide for commercial recreational facilities on public or private lands.

10.17.2 Permitted Uses	10.17.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Irrigation Works and Reservoirs</li> <li>• Parks</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Garage</li> <li>• Accessory Building, Other</li> <li>• Accessory Uses</li> <li>• Boat Launches</li> <li>• Campgrounds</li> <li>• Community Buildings &amp; Facilities</li> <li>• Docks</li> <li>• Fill Placement</li> <li>• Golf Courses</li> <li>• Indoor/Outdoor Sporting Activities</li> <li>• Marinas</li> <li>• Outdoor Boat Parking</li> <li>• Places of Worship</li> <li>• Private Clubs</li> <li>• Public Uses</li> <li>• Signs</li> <li>• Water Ski Jumps</li> </ul>

### 10.17.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

- a) Unless otherwise specified, all minimum site requirements shall be determined by the Development Authority.
- b) Building Height (max):
  - i) 12.0 m for principal buildings; and
  - ii) 4.5 m for accessory buildings unless otherwise determined by the Development Authority.

### 10.17.5 Additional Requirements

- a) Permanent boat docks shall not extend greater than 30.0 m into Chestermere Lake unless the applicant can demonstrate to the satisfaction of the Development Authority that such limitations constrain the effective use of the structure.
- b) All required onsite parking shall be located a minimum of 1.5 m from a lot line and shall be screened from view to the satisfaction of the Development Authority.
- c) The development and future use of Lot 87, Block 1, Plan 0813311 as illustrated in Figure 10.17.1 shall be specified in the South East Chestermere Area Structure Plan and the Kinniburgh North Outline Plan.
- d) All roof apparatuses shall be screened from view to the satisfaction of the Development Authority.

Figure 10.17.1



- e) The Development Authority may specify such other requirements as it deems necessary or desirable having regard to the nature of the development, purpose of this district and impact on adjacent properties.
- f) Refer to Section 10.5 Residential Lakeshore District (R-1L) for extra requirements for Lot 87, block 5, Plan 1014797; Lot 68, Block 6, Plan 1112293 and Lot 23, Block 2, Plan 3883JK.

DRAFT

## 10.18 Urban Transition District (UT)

### 10.18.1 Purpose

The purpose of this District is to preserve land in an environmentally sustainable manner and in a relatively undeveloped state awaiting urban development and utility servicing while allowing a limited range of temporary uses and recognizing existing agricultural operations.

10.18.2 Permitted Uses	10.18.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Uses</li> <li>• Accessory Building</li> <li>• Agriculture, Extensive</li> <li>• Dwelling, Single Detached</li> <li>• Irrigation Works and Reservoirs</li> <li>• Minor Home Businesses for a Single Detached Dwelling</li> <li>• Parks</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Garage</li> <li>• Accessory Building, Other</li> <li>• Agriculture, Intensive</li> <li>• Animal Health Care Services</li> <li>• Bed and Breakfast Accommodations</li> <li>• Community Buildings and Facilities</li> <li>• Dwellings, Moved-In</li> <li>• Dwellings, Single Detached</li> <li>• Fill Placement</li> <li>• Interim Commercial / Industrial Uses</li> <li>• Kennels</li> <li>• Major Home Businesses</li> <li>• Manufactured Home for farm help</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> </ul>

### 10.18.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• At the discretion of the Development Authority</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 45.0 m from a collector road</li> <li>• 15.0 m from a local road</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 15.0 m from a collector road</li> <li>• 5.0 m from all other</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 30.0 m collector</li> <li>• 15.0 m from all other</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 10.0 m for Principal Building</li> <li>• 5.5 m for Accessory Building</li> </ul>

### 10.18.5 Additional Requirements

- a) Farm buildings over 10.0 m<sup>2</sup> shall not be constructed on parcels that contain agricultural uses unless a development permit has been issued. Portable cylindrical grain bins and portable farm animal shelters less than 27.9 m<sup>2</sup> are excluded.
- b) Portable cylindrical grain bins and farm animal shelters less than 27.9 m<sup>2</sup> are not required to meet minimum setback requirements on parcels over 16.2 ha that contain agricultural uses, but no bins or stock shelters shall be placed within 30.0 m of a corner of the site that is formed by the intersection of two roads.
- c) Notwithstanding 7.28.1, the Development Authority may approve a development permit for the construction of a second dwelling unit on a parcel if the second dwelling unit is required for occupancy by persons who are employed full time (for at least six months of each year) in an agricultural operation located on the same parcel as the second dwelling unit.
- d) Refer to Part 7 for Interim Commercial/Industrial Use for development regulations.

## 10.19 Large Lot Rural Residential District (LLR)

### 10.19.1 Purpose

The purpose of this District is to allow for residential developments and a limited range of agricultural and rural land use activities that do not prejudice the future use of the lands for urban use.

10.19.2 Permitted Uses	10.19.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Uses</li> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Agriculture, Extensive</li> <li>• Dwellings, Single Detached</li> <li>• Minor Home Businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Agriculture, Intensive</li> <li>• Animal Health Care Services</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Dwellings, Moved-In</li> <li>• Fill Placement</li> <li>• Interim Commercial/Industrial Uses</li> <li>• Kennels</li> <li>• Major Home Businesses</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Places of Worship</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> </ul>

### 10.19.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• Titled area. Subdivision of parcels in this District is not allowed. Redistricting must precede subdivision.</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 15.0 m from a collector road</li> <li>• 7.0 m from a local road</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 15.0 m from a collector road</li> <li>• 5.0 m from all other</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 30.0 m collector</li> <li>• 15.0 m from all other</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 10.0 m for Principal Building</li> <li>• 5.5 m for Accessory Building</li> </ul>
Building Area (maximum)	<ul style="list-style-type: none"> <li>• 225 m<sup>2</sup> for all Accessory Buildings</li> </ul>

### 10.19.5 Additional Requirements

- a) Farm building over 10.0 m<sup>2</sup> shall not be constructed on parcels that contain agricultural uses unless a development permit has been issued. Portable cylindrical grain bins and portable farm animal shelters less than 27.9 m<sup>2</sup> are excluded.
- b) Portable cylindrical grain bins and farm animal shelters less than 27.9 m<sup>2</sup> are not required to meet minimum setback requirements on parcels over 16.2 ha that contain agricultural uses, but no bins or stock shelters shall be placed within 30.0 m of a corner of the site that is formed by the intersection of two roads.
- c) Notwithstanding 7.29.1, the Development Authority may approve a development permit for the construction of a second dwelling unit on a parcel if the second dwelling unit is required for occupancy by persons who are employed full time (for at least six months of each year) in an agricultural operation located on the same parcel as the second dwelling unit.
- d) Refer to Part 7 for Interim Commercial/Industrial Use for development regulations.



## 10.20 Transitional Rural Residential (TRR)

### 10.20.1 Purpose

The purpose of this District is to provide for additional residential subdivision to occur in a phased manner in the East Acreages, North Acreages and Paradise Meadows areas identified in Figure 4 of the MDP. This District is intended to regulate the transition from rural residential to higher density residential development, including the provision of urban utility services.

10.20.2 Permitted Uses	10.20.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Dwellings, Single Detached</li> <li>• Parks</li> <li>• Minor Home Businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Dwellings, Moved-In</li> <li>• Fill Placement</li> <li>• Major Home Business</li> <li>• Places of Worship</li> <li>• Public Utilities</li> <li>• Private Swimming Pool / Hot Tub</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> </ul>

### 10.20.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 0.4 ha (1 ac)</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for Principal Building</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 3.0 m for Principal Building</li> <li>• 3.0 m for Accessory Buildings</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 10.0 m for Principal Building from any public road</li> <li>• 3.0 m for Accessory Buildings</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys, not exceeding 12.0m for Principal Building</li> <li>• 5.5 m for Accessory Buildings</li> </ul>
Building Area (maximum)	<ul style="list-style-type: none"> <li>• 120 m<sup>2</sup> for all Accessory Buildings</li> </ul>
Lot Coverage (Maximum)	<ul style="list-style-type: none"> <li>• 30% for Principal Building</li> <li>• 10% for Accessory Buildings</li> </ul>
Density	<ul style="list-style-type: none"> <li>• At the discretion of the Development Authority</li> </ul>

### 10.20.5 Additional Requirements

- a) This land use district shall only apply to the lands known as the East Acreages, North Acreages and Paradise Meadows as identified in Figure 4: Chestermere Planning Areas in the Municipal Development Plan.

- b) All development permit applications shall identify placement of proposed residential dwelling and provide a shadow-plan identifying location of future additional residential dwellings, property lines and necessary rights-of-way for future utilities and roads in accordance with the MDP requirements.
- c) Screening between residential densities and uses shall be provided to the satisfaction of the Development Authority. A screening plan may be required.
- d) With the exception of a secondary suite, no person may erect a residential building on a lot in this District on which another residential building is already located.

In the absence of a stormwater management facility for the development, 50% of the lot area must be allocated for stormwater management and stormwater must be directed to these lands. Stormwater must not discharge off the lot. A caveat shall be registered on title identifying the lands. This may be reduced with the development of a stormwater facility and corresponding stormwater management report to the satisfaction of the Development Authority.

## 10.21 Rural Residential District (RR)

### 10.21.1 Purpose

The purpose of this District is to provide for residential development in a rural setting generally without the provision of the full range of urban utility services. This District is intended to regulate rural residential development within existing rural residential subdivisions that existed prior to the passage of this Bylaw and is not intended to facilitate future rural residential development and subdivision.

10.21.2 Permitted Uses	10.21.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Uses</li> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Dwellings, Single Detached</li> <li>• Parks</li> <li>• Minor Home Businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodations</li> <li>• Child Care Facilities</li> <li>• Dwellings, Moved-In</li> <li>• Fill Placement</li> <li>• Major Home Business</li> <li>• Places of Worship</li> <li>• Public Utilities</li> <li>• Secondary Suites</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> </ul>

### 10.21.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 0.8 ha</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 45.0 m from a collector road</li> <li>• 15.0 m from any local or service road</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 60.0 m from a highway or arterial road</li> <li>• 45.0 m from a collector road</li> <li>• 15.0 m from any local or service road</li> <li>• 7.0 m from all other</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 30.0 m from any road</li> <li>• 15.0 m from all other</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 10.0 m for Principal Building</li> <li>• 5.5 m for Accessory Building</li> </ul>
Building Area (maximum)	<ul style="list-style-type: none"> <li>• 120 m<sup>2</sup> for all Accessory Building</li> </ul>

## 10.22 Live Work District (LW)

### 10.22.1 Purpose

The purpose of this District is to provide for a range of commercial uses within residential developments including, but not limited to, single family dwellings, semi-detached dwellings or townhouses where occupants can reside and work.

10.22.2 Permitted Uses	10.22.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Dwellings, Semi-Detached</li> <li>• Dwellings, Single-Detached</li> <li>• Parks</li> <li>• Offices</li> <li>• Townhouses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Uses</li> <li>• Accessory Building, Other</li> <li>• Bed and Breakfast Accommodation</li> <li>• Child Care Facility</li> <li>• Convenience Store</li> <li>• Health Care Services</li> <li>• Fill Placement</li> <li>• Medical Clinic</li> <li>• Personal Service Establishment</li> <li>• Pet Care Services</li> <li>• Places of Worship</li> <li>• Public Utilities</li> <li>• Restaurants</li> <li>• Retail Stores</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.36</li> <li>• Specialty Food Stores</li> <li>• Take-Out Food Service</li> </ul>

### 10.22.4 General Requirements

In addition to the Regulations contained in Part 7 of this Bylaw, the following provisions shall apply to every development in this District.

	Site Standard
Access and Garage:	<ul style="list-style-type: none"> <li>• Rear Lane Access</li> </ul>
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 454 m<sup>2</sup> for single detached dwellings</li> <li>• 305 m<sup>2</sup> per unit for semi-detached dwellings</li> <li>• 204 m<sup>2</sup> per townhouse unit that fronts onto a public road</li> </ul>
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 13.75 m for single detached dwellings</li> <li>• 11.0 m per unit for semi-detached dwellings on a corner lot</li> <li>• 10.0 m per unit for all other semi-detached dwellings</li> <li>• 6.0 m per lot for townhouses that front onto a public road</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.5 m, provided all eaves and cantilevers do not encroach into the required front yard setback</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 1.5 m</li> </ul>

(Principal Building):	<ul style="list-style-type: none"> <li>• A higher setback may be necessary based on the use or at the discretion of the Development Officer</li> </ul>
Side Yard Setback (minimum) (Accessory Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 0.6 m including eaves on all other lots</li> </ul>
Building Separation (minimum for townhouse development within a private site):	<ul style="list-style-type: none"> <li>• 2.4 m for elevations with no living room and/or bedroom windows facing each other</li> <li>• 10.0 m for elevations with living rooms and/or bedroom windows facing each other, or compliance with any other Alberta regulation, whichever is greater</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.5 m for Accessory Building</li> </ul>
Density (maximum):	<ul style="list-style-type: none"> <li>• 6 units per grouping</li> <li>• 44 units/ha</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 40% for all buildings</li> <li>• 10% for Accessory Building</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys not exceeding 12.0 m for Principal Building</li> <li>• 4.5 m for accessory building</li> </ul>
Commercial Area Distribution (Principle Building)	<ul style="list-style-type: none"> <li>• 40-60% of gross floor area</li> </ul>

### 10.22.5 Additional Requirements

- a) A variety of housing forms within a proposed development project shall be encouraged by the Development Authority.
- b) There shall be internal access between the dwelling and the work components of the live work unit.
- c) The exterior character of the building shall maintain a residential character.
- d) Front yards must be landscaped according to Section 7.23 and have a minimum 1.5 m wide walkway that connects the residential dwellings.
- e) There shall be no exterior storage on the site in relation to the live/work unit
- f) Restaurants may have a fenced outdoor patio which encroaches 2.0 m within the front yard setback.
- g) Hours of operations for businesses may be from 7 a.m. to 10 p.m.
- h) Fire rating within the Principle Building shall comply with the current Alberta Building Code. The commercial component of the building may be required upgrades depending on the type of commercial use.
- i) The work spaces shall not produce vibrations, smoke, dust, foul odours or other disturbances beyond the dwelling unit.
- j) A business license shall be required for all commercial uses.

## 10.23 Retirement Living Campus District (RLC)

### 10.23.1 Purpose

The purpose of this district is to create an "aging in place" community with a variety of residential dwelling forms at a range of price points, with a high standard of design and appearance. Communities within this District will be developed under condominium structures where residency is generally restricted to those who have reached the age of 55.

10.23.2 Permitted Uses	10.23.3 Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Uses</li> <li>• Dwellings, Semi Detached</li> <li>• Accessory Building</li> <li>• Multi-Attached Dwelling</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Apartment Building</li> <li>• Residential Care Facilities</li> <li>• Accessory Building, Garage</li> <li>• Accessory Building, Other</li> <li>• Convenience Stores</li> <li>• Health Care Services</li> <li>• Minor Home Businesses</li> <li>• Personal Service Businesses</li> <li>• Private Club or Organization</li> <li>• Private Swimming Pool/ Hot Tub</li> <li>• Restaurant</li> <li>• Signs</li> </ul>

### 10.23.1 General Requirements

In addition to the Regulations contained in Part 7 the following provisions shall apply to every development in this District.

Site Standard	Dwellings, Semi Detached and Multi-Attached	Apartment Buildings and Residential Care Facilities
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 300 m<sup>2</sup> per unit.</li> </ul>	<ul style="list-style-type: none"> <li>• 1,400 m<sup>2</sup> for apartment buildings.</li> <li>• At the discretion of the Development Authority for all other uses.</li> </ul>
Lot Width (minimum):	<ul style="list-style-type: none"> <li>• 11.0 m per semi-attached units and corner lots.</li> <li>• 10.0 m per unit.</li> </ul>	<ul style="list-style-type: none"> <li>• 30.0 m for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses.</li> </ul>
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.5 m</li> </ul>	
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot.</li> <li>• 1.5 m on all other lots.</li> <li>• No side yard is required for a semi-detached dwelling where a common wall is on a side lot line.</li> </ul>	<ul style="list-style-type: none"> <li>• 3 m or 1/2 the height of the principal building(s), whichever is greater, for apartment buildings.</li> <li>• At the discretion of the Development Authority for all other uses.</li> </ul>
Building Separation (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m or compliance with any other Alberta regulation, whichever is greater.</li> </ul>	<ul style="list-style-type: none"> <li>• 6.0 m where more than one building is located on the site.</li> </ul>

Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m for principal building</li> <li>• 6.0 m for principal building when the Rear Yard borders another Land Use District.</li> <li>• 1.5 m for accessory building.</li> </ul>	<ul style="list-style-type: none"> <li>• 6.0 m for principal building.</li> <li>• 1.5 m for accessory building.</li> </ul>
Density (maximum):		<ul style="list-style-type: none"> <li>• 50 units per building. This may be increased at the Discretion of the Development Authority, if architectural design interventions are effectively utilized to reduce the impacts of massing and shadowing on surrounding neighbors.</li> </ul>
Amenity Space (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m<sup>2</sup> per unit for at grade units plus.</li> </ul>	<ul style="list-style-type: none"> <li>• 6.0 m<sup>2</sup> per unit for at grade units plus 4.0 m<sup>2</sup> per unit for above grade units or 10% of the lot, whichever is greater.</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 1 storey not exceeding 6.0 m for principle building</li> <li>• 4.5 m for accessory building.</li> </ul>	<ul style="list-style-type: none"> <li>• 3 storeys or 12.0 m to the top of the parapet of the principle building.</li> <li>• 4 storeys or 15.0 m if building incorporates barrier free design.</li> <li>• 4.5 m for accessory buildings.</li> </ul>

### 10.23.2 Additional Requirements

- a) Adhere to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform architectural style or theme.
- b) The combined area of the condominium (or all adjacent condominiums under the same District) will be no less than 2 hectares including common area units.
- c) A minimum of 30% of the condominium area, plus all adjoining boulevards, shall be landscaped.
- d) A Master Site Plan shall be submitted along with any Development Permit application for a listed non-residential use, to ensure the cumulative impacts and interface between residential and non-residential uses are appropriately managed.

## **10.24 Direct Control District (DC)**

### **10.24.1 Purpose**

The purpose of this District is to provide for developments that require specific regulations due to their unique characteristics, innovative ideas or unusual site constraints that cannot be reasonably accommodated in other Districts of this Bylaw.

### **10.24.2 Uses**

In approving a Direct Control District, Council shall specify those uses that may be allowed in this District.

### **10.24.3 General Requirements**

Each application for use and development shall be evaluated with respect to its compliance with:

- a) the objectives and policies of the *Municipal Development Plan*; and
- b) the objectives and policies of any other Statutory Plan in effect within any area designated Direct Control District.

Decisions on an application for a development permit in a Direct Control District may not be appealed to the Board.

### **10.24.4 Individual Direct Control Districts**

#### **a) DC(R-3) District – Original Bylaw 2002-600/6 (Pt SW 10 & NW 3-24-28-W4M)**

The Direct Control (Residential Multi-Unit District (DC(R-3))) shall be developed for multi-unit purposes in general conformance with the following guidelines:

##### **1. Uses**

The Permitted and Discretionary Uses of the R-3 District shall be the Permitted and Discretionary Uses respectively.

##### **2. General Requirements**

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.9 (Residential Multi-Unit (R-3) District) shall apply.

#### **b) DC(R-1E) District – Original Bylaw 2006-600/2 (Pt SW 11 & NW 2-24-28-W4M)**

The Direct Control (Residential Estate District (DC(R-1E))) shall be developed for large lot single detached estate residential dwelling purposes in general conformance with the following guidelines:

##### **1. Uses**

The Permitted and Discretionary Uses of the R-1E District shall be the Permitted and Discretionary Uses respectively.



## 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.3 (Residential Multi-Unit (R-1E) District) shall apply unless noted below.

Side Yard Setback (minimum) (Accessory Building):	<ul style="list-style-type: none"><li>• 3.0 m from street side of a corner site</li><li>• 0.6 m including eaves on all other sites</li></ul>
Rear Yard Setback (minimum) (Principal Building):	<ul style="list-style-type: none"><li>• 7.0 m</li></ul>

## 3. Additional Requirements

Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform style or theme.

### c) DC(R-2) District – Original Bylaw 2006-600/2 (Pt SW 11 & NW 2-24-28 W4M)

The Direct Control (Semi-Detached Residential District (DC(R-2))) shall be developed for multi-unit purposes in general conformance with the following guidelines:

#### 1. Uses

The Permitted and Discretionary Uses of the R-2 District shall be the Permitted and Discretionary Uses respectively.

#### 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.8 (Residential Semi-Detached (R-2) District) shall apply unless noted below.

#### 3. Additional Requirements

Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform style or theme.

### d) DC(R-3) District – Original Bylaw 2006-600/2 (Pt SW 11 24-28-W4M)

The Direct Control (Residential Multi-Unit District (DC(R-3))) shall be developed for multi-unit purposes in general conformance with the following guidelines:

#### 1. Uses

The Permitted and Discretionary Uses of the R-3 District shall be the Permitted and Discretionary Uses respectively.

## 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.9 (Residential Multi-Unit (R-3) District) shall apply unless noted below.

Rear Yard Setback (minimum) (Principal Building):	<ul style="list-style-type: none"> <li>5.0 m</li> </ul>
Separation Between Buildings in Dwelling Groups:	<ul style="list-style-type: none"> <li>2.5 m for elevations with no living room and/or bedroom windows</li> </ul>

## 3. Additional Requirements

Visitor Parking:	<ul style="list-style-type: none"> <li>Stalls shall be provided based on the formula: 0.15 x total number of units on the site = total visitor parking stalls</li> </ul>
Site Access:	<ul style="list-style-type: none"> <li>Any vehicle access to internal roads shall be off the collector road</li> </ul>

### e) DC(R-2) District – Original Bylaw 2006-600/5 (PLAN 0914743, BLOCK 1, LOT 1)

#### 1. Purpose

The purpose of this District is to provide for residential neighbourhoods which have a high standard of design and appearance in which semi-detached dwellings are the predominant housing form.

#### 2. Uses

The Permitted and Discretionary Uses of the R-2 District shall be the Permitted and Discretionary Uses respectively.

#### 3. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 shall apply unless noted below

Site Standard	Rear Lane	No Rear Lane
Lot Area (minimum):	<ul style="list-style-type: none"> <li>454 m<sup>2</sup> for single detached dwellings and duplexes</li> <li>301 m<sup>2</sup> per unit for semi-detached dwellings</li> </ul>	
Lot Width Setback (minimum):	<ul style="list-style-type: none"> <li>13.75 m for single detached dwellings and duplexes</li> <li>11.0 m per unit for semi-detached dwellings on a corner lot</li> <li>9.14 m per unit for all other semi-detached dwellings</li> </ul>	
Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>6.0 m</li> </ul>	
Side Yard Setback (minimum) (Principal Building):	<ul style="list-style-type: none"> <li>3.0 m on street side of a corner lot</li> <li>1.2 m on all other lots</li> <li>No side yard required for a semi-detached where a common wall is on a side lot line.</li> </ul>	<ul style="list-style-type: none"> <li>1.2 m</li> <li>3.0 m on street side of a corner lot</li> </ul>

Side Yard Setback (minimum) (Accessory Building):	<ul style="list-style-type: none"> <li>• 3.0 m on street side of a corner lot</li> <li>• 0.6 m including eaves on all other lots</li> <li>• No side yard required for accessory building, garage where a common wall is on a side lot line.</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.5 m for accessory building</li> </ul>
Lot Coverage (maximum):	<ul style="list-style-type: none"> <li>• 50% for all buildings</li> <li>• 10% for accessory buildings</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 2 storeys not exceeding 12.0 m for the principal building</li> <li>• 4.5 m for accessory buildings</li> </ul>

#### 4. Additional Requirements

- i) Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform style or theme.
- ii) Decisions on all Development Permit applications in the Direct Control Semi-Detached Residential District DC(R-2) may be made by the Development Officer.

#### f) DC(R-3) District – Original Bylaw 014-11 (Pt Block 3 Plan 4323JK)

The Direct Control (Residential Multi-Unit District (DC(R-3)) shall be developed for multi-unit purposes in general conformance with the following guidelines:

##### 1. Uses

The Permitted and Discretionary Uses of the R-3 District shall be the Permitted and Discretionary Uses respectively.

##### 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.9 (Residential Multi-Unit (R-3) District) shall apply unless noted below.

##### 3. Additional Requirements

Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform style or theme.

#### g) DC(C) District – Original Bylaw 049-08 (Lot 1, Block 9, Plan 0813311)

The Direct Control (Local Commercial District (DC(C)) shall be developed for local commercial purposes in general conformance with the following guidelines:

##### 1. Uses

The Permitted and Discretionary Uses of the C District shall be the Permitted and Discretionary Uses respectively.

## 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.11 (Local Commercial (C) District) shall apply unless noted below.

Front Yard Setback (minimum):	<ul style="list-style-type: none"><li>• 3.5 m</li></ul>
Side and Rear Yard Setback (minimum):	<ul style="list-style-type: none"><li>• Where the site abuts a residential district, the yard adjacent to the residential shall not be less than 1.8 m with a 1.8 m-high privacy fence between properties with tall vegetation</li></ul>

### h) DC(R-3) District – Original Bylaw 020-09 (Pt NE 14-24-28-W4M)

The Direct Control (Residential Multi-Unit District (DC(R-3)) shall be developed for multi-unit purposes in general conformance with the following guidelines:

#### 1. Uses

The Permitted and Discretionary Uses of the R-3 District shall be the Permitted and Discretionary Uses respectively.

#### 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.9 (Residential Multi-Unit (R-3) District) shall apply unless noted below.

Front Yard Setback (minimum):	<ul style="list-style-type: none"><li>• 1.5 m for frontage onto a public roadway and were vehicular parking and access is off the rear lane, provided all eaves and cantilevers do not encroach into the required front yard setback</li></ul>
-------------------------------	--

### i) DC(R-4) District – Original Bylaw 020-09 (Pt NE 14-24-28-W4M)

The Direct Control (Low Rise Multi-Unit Residential District (DC(R-4)) shall be developed for multi-unit purposes in general conformance with the following guidelines:

#### 1. Uses

The Permitted and Discretionary Uses of the R-4 District shall be the Permitted and Discretionary Uses respectively.

#### 2. General Requirements

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.10 (Low Rise Multi-Unit Residential (R-4) District) shall apply.

**j) DC(BP/LI-C) District – Original Bylaw 012-13 and 033-13 (Lot 10, Block 5, Plan 1112257)**

The Direct Control (Business Park/Light Industrial-Commercial District (BP/LI-C)) shall be developed for both business park/light industrial and commercial purposes in general conformance with the following guidelines:

**1. Uses**

The Permitted and Discretionary Uses of the DC(BP/LI-C) District are as follows:

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• Agricultural Support Services</li> <li>• Animal Health Care Services, Small Animal</li> <li>• Automotive, Equipment and Vehicle Services</li> <li>• Automotive Services</li> <li>• Business Parks</li> <li>• Commercial Schools/Colleges</li> <li>• Contractors, Limited</li> <li>• Convention Services</li> <li>• Fascia and Portable Signs</li> <li>• General Industries, Type 1</li> <li>• Government Services</li> <li>• Hotels</li> <li>• Indoor Participation Recreation</li> <li>• Laboratories</li> <li>• Manufacturing</li> <li>• Office Parks</li> <li>• Offices</li> <li>• Personal Service Establishments</li> <li>• Research Parks</li> <li>• Restaurants</li> <li>• Restaurants, Drive-Through</li> <li>• Self-Storage Facilities</li> <li>• Service Stations</li> <li>• Tourist Information Services and Facilities</li> <li>• Warehouses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Cannabis Production Facilities</li> <li>• Child Care Facilities</li> <li>• Convenience Stores</li> <li>• Crematoriums</li> <li>• Contractors, General</li> <li>• Dealership/Rental Agencies, Automotive</li> <li>• Dealership/Rental Agencies, Implement and Equipment</li> <li>• Dealership/Rental Agencies, Recreational Vehicles</li> <li>• Fill Placement</li> <li>• Financial Institutions</li> <li>• Funeral Homes</li> <li>• General Industries, Type 2</li> <li>• Household Repair Services</li> <li>• Liquor Stores</li> <li>• Medical Clinics</li> <li>• Pet Care</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Retail Stores</li> <li>• Signs, excluding Fascia and Portable</li> <li>• Specialty Food Stores</li> <li>• Take-Out Foods</li> <li>• Tractor Trailer Service Depots</li> <li>• Truck Stops</li> </ul>

**2. General Requirements**

The General Regulations for all Districts contained in Section 7.0, the Parking Regulations under Section 8.0, the Signage Regulations under Section 9.0 and the Use Rules of Section 10.15 (Business Park/Light Industrial (BP/LI) District) shall apply.

**3. Additional Requirements**

- i) The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the lands must be acceptable to the Development Authority having due regard to the compatibility with, and the effect on, adjacent properties and the surrounding area.

- ii) The Designated approving authority or City Council shall be responsible for decisions regarding subdivision applications affecting the lands subject to this Bylaw.

## **k) Direct Control Town Centre Commercial District DC(TCC)**

### **1. Purpose**

The purpose of this District is to provide for a flexible variety of commercial, retail, institutional, residential, public and quasi-public uses at a comprehensively planned Town Centre, The Town Centre will promote a pedestrian-friendly environment, provide linkages between Chestermere Lake and the commercial Town Centre, and will encourage a high architectural Design standard of buildings.

### **2. General Requirements**

In addition to the Regulations contained in Part 7 the following provisions shall apply to every development in this District unless otherwise noted in this bylaw:

### **3. Additional Requirements**

#### a) Architectural Guidelines

- i) Adherence to architectural guidelines shall be demonstrated with the development permit application and to the satisfaction of the Development Authority.
- ii) Architectural style must reflect a unified Town Centre theme.
- iii) Front, side, and rear elevations shall be maintained to a prescribed standard as set in the approved architectural guidelines.

#### b) Development Plans

- i) Approval of the application does not constitute approval of a development permit.
- ii) Comprehensive plans shall subsequently be submitted to the satisfaction of the Development Authority as part of a development permit application.
- iii) An overall pedestrian connection and landscaping plan shall be submitted as part of the first Development Permit for Site 1.

#### c) Signage

- i) Along with all the buildings and structures, signage and illumination shall also be guided by architectural control and regulations.

Figure 10.23.1

- d) The locations of the sites referenced within this District are illustrated in Figure 10.23.1.
- e) Decisions on the following types of Development Permit applications in the Direct Control Town Centre District DC(TCC) shall be made by the Development Officer, and do not require Council approval
  - i) Sign permits
  - ii) Development Permits of limited scope proposing changes to landscaping, fencing, garbage enclosures, accessory buildings and structures, which do not propose any new buildings or Uses;
  - iii) Change of Use permits (Permitted and Discretionary) on Sites 1, 2, 3, 4, 5, and 8.



### Direct Control Town Centre Commercial District DC(TCC) – Site 1

#### 1. Purpose

Development on these sites should provide for a variety of entertainment, restaurant, and retail uses to promote a pedestrian-friendly environment with linkages to Chestermere Lake, and to strengthen the Town Centre as a destination point for the City. The area should have a high architectural design standard of building that reflects a unified theme to foster a strong sense of place within the Town Centre.

#### 2. Uses

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Arts and Cultural Centre</li> <li>• Commercial School or College (<i>when not located on a main floor</i>)</li> <li>• Convenience Stores</li> <li>• Drinking Establishments</li> <li>• Entertainment Establishment</li> <li>• Health Care Services (<i>when not located on a main floor</i>)</li> <li>• Indoor/Outdoor Sporting Activities</li> <li>• Indoor Participation Recreation</li> <li>• Medical Clinic (<i>when not located on a main floor</i>)</li> <li>• Offices (<i>when not located on a main floor</i>)</li> <li>• Outdoor Cafe</li> <li>• Personal Service Establishment</li> <li>• Public Market</li> <li>• Restaurant (<i>no drive-throughs</i>)</li> <li>• Retail Garden Centre</li> <li>• Retail Store</li> <li>• Signs, Fascia</li> </ul>	<ul style="list-style-type: none"> <li>• Animal Health Care Service (Small Animal)</li> <li>• Apartment Building</li> <li>• <b>Brewery</b></li> <li>• Cannabis Retail Store</li> <li>• Child Care Facility</li> <li>• Commercial School or College (<i>on a main floor</i>)</li> <li>• Community Building and Facility</li> <li>• Dwelling Units</li> <li>• Financial Institution</li> <li>• <b>Gaming Establishment, Bingo</b></li> <li>• <b>Gaming Establishment, Casino</b></li> <li>• Government Service</li> <li>• Grocery Store</li> <li>• Health Care Service (<i>on a main floor</i>)</li> <li>• Hotel</li> <li>• Household Repair Service</li> <li>• Liquor Store</li> <li>• Medical Clinic (<i>on a main floor</i>)</li> <li>• Mixed Use Building</li> <li>• Motel</li> </ul>

<ul style="list-style-type: none"> <li>• Signs, Portable</li> <li>• Specialty Food Store</li> <li>• Take-out Food Services</li> <li>• Tourist Information Services and Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Office (on a main floor)</li> <li>• Park</li> <li>• Pet Care Service</li> <li>• Place of Worship</li> <li>• Public Use</li> <li>• Public Utility</li> <li>• Residential Care Facility</li> <li>• Signs (<i>excluding Fascia Signs and Portable Signs</i>)</li> </ul>
--	---

### 3. General Requirements

The site standards of Section 10.11 (Local Commercial District) shall apply with the exception of those listed below.

Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• 15.0 m from side abutting Highway IA</li> <li>• None required for all other cases</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• At the discretion of the Development Authority for through lots or lots abutting John Peake Park</li> <li>• 5.4 m for all other cases</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 11.0 m</li> </ul>

Refer to PART 9 for sign requirements.

Refer to Section 7.39 Cannabis-related Development Regulations and Section 9.6.17 Cannabis-related Signage for additional land use requirements.

### Direct Control Town Centre Commercial District DC(TCC) – Site 2

#### 1. Purpose

Development on this site should provide for a variety of commercial, retail, and personal service uses, to promote a pedestrian friendly environment and linkages to Chestermere Lake, and to encourage a high architectural design standard of buildings that reflects a unified theme.

#### 2. Uses

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"> <li>• Accessory buildings and uses</li> <li>• Animal Health Care Services (Small Animal)</li> <li>• Cannabis Retail Store</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Commercial School or College</li> <li>• Convenience Stores</li> <li>• Drinking Establishments</li> <li>• Dwelling Units</li> <li>• Fill Placement</li> <li>• Financial Institutions</li> <li>• Hotels</li> <li>• Household repair services</li> </ul>



	<ul style="list-style-type: none"> <li>• Liquor Store</li> <li>• Medical Clinic</li> <li>• Motels</li> <li>• Office</li> <li>• Outdoor Cafes</li> <li>• Parking Lots</li> <li>• Parks</li> <li>• Personal Service Establishment</li> <li>• Pet Care Service</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Restaurants</li> <li>• Restaurants, Drive-Through</li> <li>• Retail Stores</li> <li>• Signs</li> <li>• Take-out Food Services</li> </ul>
--	--

### 3. General Requirements

The site standards of Section 10.11 (Local Commercial District) shall apply with the exception of those listed below.

Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• 15.0 m from side abutting Highway IA</li> <li>• None required for all other cases</li> </ul>
Rear Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• At the discretion of the Development Authority for through lots or lots abutting John Peake Park</li> <li>• 5.4 m for all other cases</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 11.0 m</li> </ul>

Refer to PART 9 for sign requirements.

Refer to Section 7.39 Cannabis-related Development Regulations and Section 9.6.17 Cannabis-related Signage for additional land use requirements.

### Direct Control Town Centre Commercial District DC(TCC) – Site 3 & 4

#### 1. Purpose

The intent of development on these sites is to provide for a variety of retail commercial and personal service uses adjacent to Highway IA.

#### 2. Uses

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Automotive Services</li> <li>• Brewery</li> <li>• Cannabis Retail Store</li> <li>• Child Care Facilities</li> <li>• Convenience Stores</li> </ul>

	<ul style="list-style-type: none"> <li>• Drive-in Businesses</li> <li>• Fill Placement</li> <li>• Financial Institutions</li> <li>• Gas Bars</li> <li>• Grocery Stores</li> <li>• Hotels</li> <li>• Household Repair Services</li> <li>• Liquor Stores Medical Clinics</li> <li>• Motels</li> <li>• Offices</li> <li>• Outdoor Cafes</li> <li>• Parks</li> <li>• Personal Service Establishment</li> <li>• Pet Care Services</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Restaurants</li> <li>• <b>Restaurants, Drive-Through</b></li> <li>• Retail Stores</li> <li>• Signs</li> <li>• Take-out Food Services</li> </ul>
--	---

### 3. General Requirements

The site standards of Section 10.11 (Local Commercial District) shall apply with the exception of those listed below.

Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• 15.0 m from side abutting Highway IA</li> <li>• 2.0 m for all other cases</li> </ul>
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 15.0 m from side abutting Highway IA</li> <li>• 6.0 m for all other cases</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 4 storeys or 14 m, whichever is greater for hotels</li> <li>• 2 storeys or 7 m, whichever is greater for all other uses</li> </ul>

Refer to PART 9 for sign requirements

Refer to Section 7.39 Cannabis-related Development Regulations and Section 9.6.17 Cannabis-related Signage for additional land use requirements.

### 4. Additional Requirements

i) Landscaping:

- a. All boulevards and a minimum of 15% of the site area shall be landscaped as approved by the Development Authority.
- b. Additional landscaping shall be located in the rear yard setback area adjacent to Highway IA, as approved by the Development Authority.

- ii) All on-site parking shall be located a minimum of 10.0 m from the lot line adjacent to Highway 1A.

**Direct Control Town Centre Commercial District DC(TCC) – Site 5 & 6**

**1. Purpose**

The intent is to provide for a flexible variety of commercial, retail, institutional, public and quasi-public, and residential uses in a comprehensively planned Town Centre.

**2. Uses**

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Automotive Services</li> <li>• Bed and Breakfast Accommodations</li> <li>• Drinking Establishments</li> <li>• Child Care Facilities</li> <li>• Community Buildings and Facilities</li> <li>• Convenience Stores</li> <li>• Dwelling Units</li> <li>• Dwellings, Semi-Detached</li> <li>• Essential Public Services</li> <li>• Fill Placement</li> <li>• Financial Institutions</li> <li>• Gas Bars</li> <li>• Grocery Stores</li> <li>• Home Business, Minor</li> <li>• Home Business, Major</li> <li>• Hotels</li> <li>• Lodging Houses</li> <li>• Medical Clinics</li> <li>• Motels</li> <li>• Office</li> <li>• Outdoor Cafes</li> <li>• Parking Lots</li> <li>• Parks</li> <li>• Places of Worship</li> <li>• Personal Service Establishment</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Restaurants</li> <li>• Residential Care Facilities</li> <li>• Retail Stores</li> <li>• Signs</li> <li>• Specialty Food Stores</li> <li>• Take-out Food Services</li> <li>• Townhouses, Stacked</li> <li>• Townhouses</li> </ul>

### 3. General Requirements

The site standards of Section 10.11 (Local Commercial District) shall apply to non-residential uses in Sites 5 and 6 with the exception of those listed below.

Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m from side that abuts a residential district</li> <li>• 1.5 m for all other residential cases</li> <li>• 2.0 m for all other cases</li> </ul>
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m for site that abuts a residential district</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 11.0 m for non-residential uses</li> <li>• 3 storeys plus loft or 9.5 m to eave line, whichever is greater for residential uses</li> </ul>
Density (maximum):	<ul style="list-style-type: none"> <li>• 82 units/ha for residential uses</li> </ul>

Refer to PART 9 for sign requirements

### 4. Additional Requirements

- i) For non-residential sites, all boulevards and minimum of 15% of the site area shall be landscaped in accordance with the concept plan approved by the Development Authority;
- ii) For residential sites, all boulevards and a minimum of 40% of the site area shall be landscaped in accordance with the site plan approved by the Development Authority.

### Direct Control Town Centre Commercial District DC(TCC) – Site 7

#### 1. Purpose

The intent is to diversify the housing options in Chestermere, to provide a variety of multi-dwelling residences, and to permit non-residential development at the termination of the main street.

#### 2. Uses

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Apartment Buildings</li> <li>• Child Care Facilities</li> <li>• Dwelling Units</li> <li>• Dwellings, Semi-Detached</li> <li>• Fill Placement</li> <li>• Home Business, Minor</li> <li>• Home Business, Major</li> <li>• Medical Clinics</li> <li>• Office</li> <li>• Public Uses</li> <li>• Places of Worship</li> <li>• Residential Care Facilities</li> <li>• Signs</li> <li>• Townhouses, Stacked</li> <li>• Townhouses</li> </ul>

### 3. General Requirements

In addition to the Regulations contained in Part 7 the following regulations shall apply to every development in this District.

Front Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 3.0 m</li> </ul>
Side Yard Setback (minimum):	<ul style="list-style-type: none"> <li>• 6.0 m from side that abuts a residential district</li> <li>• 3.0 m for all other cases</li> </ul>
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m for site that abuts a residential district</li> <li>• None required for all other cases</li> </ul>
Building Height (maximum):	<ul style="list-style-type: none"> <li>• 3 storeys plus loft or 9.5 m to eave line, whichever is greater for residential uses</li> <li>• 3 storeys or 11.0 m, whichever is greater, for all non-residential uses</li> </ul>
Density (maximum):	<ul style="list-style-type: none"> <li>• 82 units/ha</li> </ul>

Refer to PART 9 for sign requirements

### 4. Additional Requirements

- i) For non-residential sites, all boulevards and minimum of 15% of the site area shall be landscaped in accordance with the concept plan approved by the Development Authority;
- ii) For residential sites, all boulevards and a minimum of 40% of the site area shall be landscaped in accordance with the site plan approved by the Development Authority.

## Direct Control Town Centre Commercial District DC(TCC) – Site 8

### 1. Purpose

The intent of development on these sites is to provide for a variety of small to medium-sized retailers and services that include a food store and accessory uses.

### 2. Uses

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"> <li>• Accessory Buildings and Uses</li> <li>• Animal Health Care Services (Small Animal)</li> <li>• Auto Detailing Facilities</li> <li>• <b>Brewery</b></li> <li>• Cannabis Retail Store</li> <li>• Child Care Facility</li> <li>• Container Recycling Depots</li> <li>• Convenience Stores</li> <li>• Drinking Establishments</li> <li>• Fascia Signs and Portable Signs</li> <li>• Fill Placement</li> <li>• Financial Institutions</li> <li>• Gas Bars</li> <li>• Hotels</li> <li>• Liquor Stores</li> <li>• Medical Clinics</li> </ul>

	<ul style="list-style-type: none"> <li>• Motels</li> <li>• Office</li> <li>• Outdoor Cafes</li> <li>• Parking Lots</li> <li>• Parks</li> <li>• Personal Service Establishment</li> <li>• Places of Worship</li> <li>• Public Uses</li> <li>• Restaurants</li> <li>• <b>Restaurants, Drive-Through</b></li> <li>• Retail Stores</li> <li>• Signs (except Fascia Signs and Portable Signs)</li> <li>• Take-out Food Services</li> </ul>
--	---

### 3. General Requirements

In addition to the Regulations contained in Part 7 the following regulations shall apply to every development in this District.

Front Yard Setback (minimum):	• 6.0 m
Side Yard Setback (minimum):	• 6.0 m from side that abuts a residential district
Rear Yard Setback (minimum)	• 6.0 m for site that abuts a residential district
Building Height (maximum):	• 3 storeys or 11.0 m, whichever is greater

Refer to PART 9 for sign requirements

Refer to Section 7.39 Cannabis-related Development Regulations and Section 9.6.17 Cannabis-related Signage for additional land use requirements.

### 4. Additional Requirements

Notwithstanding the requirements of Section 7.23 the boulevard and minimum of 15% of the site area shall be landscaped in accordance with the concept plan approved by the Development Authority.

#### I) Direct Control Residential Cottage Housing Cluster District DC(R-2C)

##### 1. Purpose

The Residential Cottage Housing District is intended to accommodate innovative development, in the form of a comprehensively designed Cottage Housing Cluster, which is characterized by:

- a. the provision of Cottage Buildings which are smaller in scale to other low-density residential building forms;
- b. a high quality of aesthetics, building design, function, landscaping, materials and site design;
- c. Cottage Buildings located around a common open space with at least one façade exposed to the common open space; and
- d. site and building design that integrates and interfaces with the surrounding land use districts.

## 2. Uses

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Cottage Housing Cluster</li> <li>• Cottage Building</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Show Homes / Sales Centres</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Other</li> <li>• Community Buildings and Facilities</li> <li>• Private Swimming Pool/ Hot Tub</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.36</li> </ul>

## 3. General Requirements

In addition to the Regulations contained in Part 7 the following provisions shall apply to every development in this District:

Building Setback (minimum)	<p>From a property line shared with a common amenity space</p> <ul style="list-style-type: none"> <li>• 4.0 m</li> </ul> <p>From a property line shared with another parcel</p> <ul style="list-style-type: none"> <li>• 1.5 m</li> </ul> <p>From a property line shared with a private lane or internal roadway</p> <ul style="list-style-type: none"> <li>• 1.5 m for a Cottage Building</li> <li>• 1.0 m for a detached garage</li> </ul> <p>From a property line shared with a public road</p> <ul style="list-style-type: none"> <li>• 3.0 m</li> </ul>
Building Separation (minimum)	<ul style="list-style-type: none"> <li>• 3.0 m</li> </ul>
Building Height (maximum)	<ul style="list-style-type: none"> <li>• 12.0 m for principle building</li> <li>• 4.5 m for accessory building</li> </ul>

## 4. Rules Applying to a Cottage Housing Cluster

a. Cottage Housing Cluster means a use:

- i) that is a grouping of Cottage Buildings around a common outdoor amenity space;
- ii) where no Dwelling Unit is located wholly or partially above another Dwelling Unit;
- iii) that may have a minimum of two Cottage Buildings;
- iv) that the maximum number of buildings be limited to that number which maintains direct access from the unit to the common outdoor amenity space.

- b. Cottage Building means:
- i) A residential building located within a Cottage Housing Cluster that is restricted in size and contains one Dwelling Unit.
  - ii) The maximum gross floor area of any individual storey is 100.0 square metres.
  - iii) The maximum gross floor area is **210.0** square metres.
- c. Common outdoor amenity space required for each Cottage Housing Cluster must be provided at grade, and
- i) must contain a soft surfaced landscaped area and/or hard surfaced landscaped area;
  - ii) must include a sidewalk to a public street;
  - iii) must not be used for vehicular access; and
  - iv) may be located in a building setback from a property line shared with a public road.
- d. Each Cottage Building must be adjacent to the common open space.
- e. For Cottage Building, a private amenity space must be provided outdoors in the form of a patio, porch or deck.
- f. Motor vehicle stalls may be attached to the cottage building or provided in a private garage detached from the cottage building, as approved by the Development Authority.
- g. Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage.
- h. The Development Authority may approve Cottage Housing Clusters with less than the minimum Cottage Buildings, as stated in section 4(a)(iii), when design limitations exist due to irregular parcel dimensions.

**m) Direct Control Low Rise Multi-Unit Residential/Commercial District DC(R-4C)**

**1. Purpose**

The purpose of this District is to allow for commercial uses within the existing Low Rise Multi-Unit Residential District (R-4).

**2. Uses**

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Uses</li> <li>• Apartment Building with density &lt;99 u/ha</li> <li>• Minor Home Businesses</li> <li>• Parks</li> <li>• Private Swimming Pool/Hot Tub</li> <li>• Show Homes / Sales Centres</li> <li>• Townhouse</li> <li>• Townhouse, Stacked</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building, Garage</li> <li>• Accessory Building, Other</li> <li>• Apartment Buildings with density &gt;99 u/ha</li> <li>• Bakeries</li> <li>• Child Care Facilities</li> <li>• Convenience Stores</li> <li>• Grocery Stores</li> <li>• Major Home Businesses</li> <li>• Outdoor Cafes</li> <li>• Personal Service Establishment</li> </ul>



	<ul style="list-style-type: none"> <li>• Post Office</li> <li>• Residential Care Facilities</li> <li>• Retail Stores</li> <li>• Signs</li> <li>• Speciality Food Stores</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.36</li> <li>• Take-Out Food Service</li> </ul>
--	--

### 3. General Requirements

Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 1,400 m<sup>2</sup> for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>
Lot Width (minimum)	<ul style="list-style-type: none"> <li>• 30.0 m for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>
Front Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 3.0 m or ½ the height of the principal building(s), whichever is greater, for apartment buildings</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>
Building Separation (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m where more than one building is located on the site</li> </ul>
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.5 m for accessory building</li> </ul>
Density (maximum)	<ul style="list-style-type: none"> <li>• 50 units per building, unless the building is designed to be unobtrusive to surrounding neighbours to the satisfaction of the Development Authority</li> </ul>
Amenity Space (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m<sup>2</sup> per unit for at grade units plus 4.0 m<sup>2</sup> per unit for above grade units or 10% of the lot, whichever is greater.</li> </ul>
Building Height (maximum)	<ul style="list-style-type: none"> <li>• 3 storeys or 12.0 m for principal buildings</li> <li>• 4 storeys or 15.0 m if the building incorporates barrier free design</li> <li>• 4.5 m for accessory building</li> </ul>

### 4. Additional Requirements

- i). Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform architectural style or theme.
- ii). A minimum of 40% of the lot area, plus all adjoining boulevards, shall be landscaped.

**5. Rules for Commercial Uses**

- a. Commercial uses within this District shall only be located within Apartment Buildings and shall:
  - i). only be located on the first floor;
  - ii). not share an internal hallway with dwelling units and;
  - iii). have a separate entry from the residential component of the building.
- b. The maximum use area for a commercial use is 465.0 m<sup>2</sup>.
- c. Commercial signage shall be of a size, height, design and appearance that are compatible with the residential character of the area.
- d. There shall only be one (1) freestanding sign, which shall not exceed 4.5 m in height.
- e. There shall be no outside storage of materials; and storage of equipment used in the operation of the commercial activity shall be located within the use area.
- f. All mechanical apparatuses on the roof shall be screened to the satisfaction of the Development Authority.
- g. Parking standards for Commercial Uses adhere to Part 8 of this bylaw.

**n) Direct Control Back-to-Back Townhouse Residential District DC(R-3B)**

**1. Purpose**

The purpose of this district is to provide for a back-to-back form of townhouse development. Development in this district is intended to be designed to increase density while providing a housing form that is compatible when adjacent to low density residential uses. This district is intended to be used in close proximity to major corridors where higher density development is supported by public amenities.

**2. Uses**

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• Dwelling, Back-to-Back Townhouse</li> <li>• Minor Home Businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Child Care Facilities</li> <li>• Major Home Businesses</li> <li>• Supportive Housing</li> </ul>

**3. General Requirements**

Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 80 m<sup>2</sup> for interior unit</li> <li>• 100 m<sup>2</sup> for end unit</li> <li>• 129 m<sup>2</sup> for corner unit</li> </ul>
Lot Width (minimum)	<ul style="list-style-type: none"> <li>• 6.1 m for interior unit</li> <li>• 7.3 m for end unit</li> <li>• 9.0 m for corner unit</li> </ul>
Front Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 4.5 m</li> </ul>

Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• N/A for interior unit</li> <li>• 1.2 m for end unit</li> <li>• 9.0 m for corner unit</li> </ul>
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Density (maximum)	<ul style="list-style-type: none"> <li>• 6 units per grouping, or 45.0 m of continuous frontage, whichever is less</li> </ul>
Amenity Space (minimum)	<ul style="list-style-type: none"> <li>• 8.0 m<sup>2</sup> per unit</li> </ul>
Lot Coverage (maximum)	<ul style="list-style-type: none"> <li>• 75% of site area</li> </ul>
Building Height (maximum)	<ul style="list-style-type: none"> <li>• 3 storeys not to exceed 12.0 m</li> </ul>
Landscaping (minimum)	<ul style="list-style-type: none"> <li>• 10% of site area</li> </ul>

#### 4. Additional Requirements

i) Signs in this district shall be regulated in accordance with the Chestermere Land Use Bylaws;

ii) Each unit must include landscaping to include 1 tree or 2 shrubs as per the City of Chestermere Guidelines.

o) **Direct Control Residential Multi-Unit District DC(R-3) (N14-24-28W4 Plan 8910976 Block 1, NE14-24-28-W4, PT NW13-24-28-W4)**

##### 1. Purpose

The purpose of this District is to provide for multi-unit residential development, along with semi-detached, and a limited number of single-detached dwellings to increase a variety of dwelling types within the community.

##### 2. Uses

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• Accessory Building</li> <li>• Accessory Building, Garage</li> <li>• Accessory Uses</li> <li>• Community Buildings and Facilities</li> <li>• Dwellings, Duplex</li> <li>• Dwellings, Semi-Detached</li> <li>• Home Business, Minor</li> <li>• Parks</li> <li>• Private Swimming Pool/Hot Tub</li> <li>• Show Homes / Sales Centres</li> <li>• Townhouse</li> <li>• Townhouse, Stacked</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Buildings, Other</li> <li>• Child Care Facilities</li> <li>• Dwellings, Single-Detached</li> <li>• Fill Placement</li> <li>• Home Business, Major</li> <li>• Live-Work Unit</li> <li>• Place of Worship</li> <li>• Public Uses</li> <li>• Public Utilities</li> <li>• Residential Care Facilities</li> <li>• Signs</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors not in conformance with Section 7.37</li> </ul>

### 3. General Requirements

In addition to the Regulations contained in Part 7 the following provisions shall apply to every development in this District:

Site Standard	Rear Lane	No Rear Lane
Lot Area (minimum):	<ul style="list-style-type: none"> <li>• 306 m<sup>2</sup> for single detached dwellings</li> <li>• 520 m<sup>2</sup> per building for semi-detached lot</li> <li>• 204 m<sup>2</sup> per townhouse unit</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>	
Lot Width (minimum)	<ul style="list-style-type: none"> <li>• 9.14 m for single detached dwellings</li> <li>• 15.0 m per building for semi-detached dwellings, 6.0 m for one of the two dwellings</li> <li>• 6.0 m per unit or lot for townhouses that front onto a public road or internal road</li> <li>• At the discretion of the Development Authority for all other uses</li> </ul>	
Front Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m per unit or lot with an attached front drive garage</li> <li>• 3.5 m for units or lots with frontage onto a public road without an attached front yard garage, provided all eaves and cantilevers do not encroach into the required front yard setback.</li> </ul>	
Side Yard Setback (minimum) Principal Building	<ul style="list-style-type: none"> <li>• 3.0 m on the street side of a corner unit or lot</li> <li>• 1.2 m on all other units or lots</li> <li>• No side yard is required for a semi-detached or townhouse dwelling where a common wall is on a side unit or lot line</li> </ul>	<ul style="list-style-type: none"> <li>• 3.0 m on the street side of a corner unit or lot</li> <li>• 1.2 m on all other units or lots</li> <li>• No side yard is required for a semi-detached or townhouse dwelling where a common wall is on a side unit or lot line</li> </ul>
Side Yard Setback (minimum) Accessory Building	<ul style="list-style-type: none"> <li>• 3.0 m on the street side of a corner lot</li> <li>• 0.6 m including eaves on all other sides</li> <li>• No side yard required for accessory building, garage where a common wall is on a side lot line.</li> </ul>	
Building Separation (minimum):	<ul style="list-style-type: none"> <li>• 2.4 m for elevations with no living room and/or bedroom windows facing each other</li> </ul>	
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m for principal building</li> <li>• 1.0 m for accessory building</li> </ul>	
Density (maximum)	<ul style="list-style-type: none"> <li>• 6 units per grouping</li> <li>• 44 units/ha</li> </ul>	
Amenity Space (minimum)	<ul style="list-style-type: none"> <li>• 10 % of site to be used for communal space for complexes of 10 or more units</li> <li>• Minimum 1.5 m high opaque wall required to separate adjoining decks</li> </ul>	
Lot Coverage (maximum)	<ul style="list-style-type: none"> <li>• 55% for all buildings</li> <li>• Maximum 40% for principal buildings</li> <li>• Maximum 15% for accessory buildings</li> </ul>	
Building Height (maximum)	<ul style="list-style-type: none"> <li>• 2 storeys plus loft not to exceed 12.0 m for principal building</li> <li>• 4.5 m for accessory building</li> </ul>	

#### 4. Additional Requirements

- a) Where units front onto a public road, they shall be compatible in terms of mass and character with existing buildings on neighbouring sites.
- b) Notwithstanding Section 7.23.7, a minimum of 30% of the lot area, plus all adjoining boulevards, shall be landscaped.
- c) Identical front elevations must be separated by a minimum of three (3) dwelling units, except where buildings are separated by roadways.
- d) Live-Work Unit
  - i. Live-work Units in this district may incorporate only the following uses in a Dwelling Unit to create a Live-work Unit:
    - i. Office
  - ii. A variety of housing forms within a proposed development project shall be encouraged by the Development Authority.
  - iii. There shall be internal access between the dwelling and the work components of the Live-work unit.
  - iv. The exterior character of the building shall maintain a residential character.
  - v. Front yards must be landscaped according to Section 7.23 of bylaw 022-10 and have a minimum 1.5 m wide walkway which connects the residential dwellings.
  - vi. There shall be no exterior storage on the site in relation to the Live-Work unit.
  - vii. Restaurants may have a fenced outdoor patio which encroaches 2.0 m within the front yard setback.
  - viii. Hours of operations for businesses may be from 7 am to 10 pm.
  - ix. Fire rating within the principle building shall comply with the current Alberta Building Code.
  - x. The commercial component of the building may be required to be upgraded depending on the type of commercial use.
  - xi. The Live-Work area must not exceed 50.0 per cent of the gross floor area of the Dwelling Unit.
  - xii. The Dwelling and work components of the Live Work Unit shall not be legally separated through a subdivision or condominium conversion.
- e) Planned Lots (less than 13.75 m in width and no smaller than 9.14m in width) shall not comprise more than 35% of the single-family housing in the Clearwater Park West Outline Plan

p) **Direct Control Eastern Town Centre District DC(ETC) (N14-24-28W4 Plan 8910976 Block 1, NE14-24-28-W4, PT NW13-24-28-W4)**

**1. Purpose**

The purpose of this District is to provide for long-term regional commercial uses within the Clearwater Park commercial area and permit discretionary residential uses prior to the regional commercial market maturing.

**2. Uses**

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
<ul style="list-style-type: none"> <li>• Automotive Services</li> <li>• Accessory Buildings and Uses</li> <li>• Child Care Facility</li> <li>• Commercial Schools or Colleges</li> <li>• Convenience Stores</li> <li>• Drinking Establishments</li> <li>• Dynamic Signs, Freestanding</li> <li>• Fascia Signs, Freestanding Signs, and Portable Signs</li> <li>• Financial Institutions</li> <li>• Gas Bars</li> <li>• Government Services</li> <li>• Grocery Stores, Regional</li> <li>• Health Care Services</li> <li>• Household Repair Service</li> <li>• Household Service Shops</li> <li>• Liquor Stores</li> <li>• Mixed Use Buildings</li> <li>• Medical Clinic</li> <li>• Offices</li> <li>• Patio, accessory to principal business use</li> <li>• Personal Service Establishments</li> <li>• Pet Care Service</li> <li>• Public Uses</li> <li>• Restaurants</li> <li>• Restaurants (Drive-Thru)</li> <li>• Retail, Garden Centre</li> <li>• Retail Stores</li> <li>• Retail Stores, Regional</li> <li>• Service Stations</li> <li>• Shopping Centres, Regional</li> <li>• Specialty Food Stores</li> </ul>	<ul style="list-style-type: none"> <li>• Animal Health Care Services, Small Animal</li> <li>• Artist Studios</li> <li>• Arts and Cultural Centres</li> <li>• Cannabis Retail Stores</li> <li>• Bed &amp; Breakfast Accommodation</li> <li>• Car Washed</li> <li>• Convention Services</li> <li>• Dealership/Rental Agencies, Automotive</li> <li>• Dealership/Rental Agencies, Recreational Vehicles</li> <li>• Dwelling unit ancillary and subordinate to the principal commercial land use</li> <li>• Gaming Establishments, Bingo</li> <li>• Dwelling, Single Detached</li> <li>• Dwellings, Semi-Detached</li> <li>• Hotels</li> <li>• Indoor Participant Recreation</li> <li>• Live-Work</li> <li>• Parking Lots</li> <li>• Private Clubs, Parks and Organizations</li> <li>• Public Markets</li> <li>• Restaurants (Drive Through)</li> <li>• Shopping Centres, Regional</li> <li>• Signs (except Fascia, Freestanding, and Portable Signs)</li> <li>• Small Wind Energy Conversion Systems</li> <li>• Solar Collectors</li> <li>• Townhouse</li> <li>• Warehouse Stores</li> </ul>

**3. General Requirements**

In addition to the Regulations contained in Part 7, Part 8, and Part 9 of the Land Use Bylaw 022-10, the following regulations shall apply to every development in this District:

<b>Criteria</b>	<b>Site Standard</b>
Lot Area (minimum)	• 1.0 ha

Lot Width (minimum)	<ul style="list-style-type: none"> <li>• At the discretion of the Development Authority</li> </ul>
Front Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m</li> <li>• 1.0 m for street-oriented Mixed Use buildings</li> </ul>
Side Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Rear Yard Setback (minimum)	<ul style="list-style-type: none"> <li>• 6.0 m</li> </ul>
Building Height (maximum)	<ul style="list-style-type: none"> <li>• 15.0 m for commercial buildings</li> <li>• 3 storeys or 12.0 m for mixed use buildings</li> <li>• 4 storeys or 15.0 m for mixed use buildings that incorporate barrier free design</li> <li>• 4.5 m for all other buildings</li> </ul>
Lot Coverage (maximum)	<ul style="list-style-type: none"> <li>• 50%</li> </ul>
Floor Area Ratio (maximum)	<ul style="list-style-type: none"> <li>• 1.0 for commercial buildings</li> <li>• 2.0 for mixed use buildings</li> </ul>
Landscaping (minimum)	<ul style="list-style-type: none"> <li>• 40 % of the lot area, plus all adjoining boulevards</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• Refer to Part 8 for Parking Requirements</li> </ul>
Signage	<ul style="list-style-type: none"> <li>• Refer to Part 9 for Sign Requirements</li> </ul>

#### Discretionary Residential Uses

- a) Basement will not be permitted.
- b) Fee-simple lots are not permitted.
- c) Landscaping and Screening
  - i. The boulevard and a minimum of 15% of the site area shall be landscaped.
  - ii. All landscaping shall be provided to visually screen parking areas from the public street.
  - iii. Where a proposed development abuts or faces a residential site, adequate screening and/or buffering of the proposed site shall be provided to the satisfaction of the Development Authority.

#### 4. Additional Requirements

- a) Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage.
- b) Location of Uses within Buildings:
  - i. Dwelling units must not be located on the main floor.
- c) Building elevations which face the Trans Canada Highway or Highway 1A shall incorporate design elements that will enhance the appearance of all facades of the building.
- d) The Development Officer may require a greater building setback for any development which backs onto either the Trans Canada Highway or Highway 1A.

- e) The Development Officer may require additional landscaping and berming along the rear lot lines of commercial development which backs onto either the Trans Canada Highway or Highway 1A.
- f) A building may be occupied by a combination of one or more uses listed in this District.
- g) More than one building may be constructed on any parcel.
- h) Notwithstanding Section 7.23, a minimum of 15% of each lot is required to be landscaped in either hard or soft landscaping.
- i) The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.
- j) Dynamic Sign, Freestanding guidelines:
  - i. The regulations in Section 9.6 (Regulation by Sign Type) of the Land Use Bylaw No. 020-24 shall apply with the following exceptions:
    - 9.6.7 Dynamic Signs:
      - a) A Dynamic Sign may be located adjacent to a Highway.
    - 9.6.9 Freestanding Signs:
      - b) Primary freestanding signs shall:
        - i) Not exceed 9.0m in height;
        - ii) Not exceed 27 m<sup>2</sup> in sign area.

**q) Direct Control Special Recreational District DC(SPR) (N14-24-28W4 Plan 8910976 Block 1, NE14-24-28-W4, PT NW13-24-28-W4)**

Add the following provisions to the existing Special Purpose District.

**1. Uses**

Discretionary Uses  
- Public Art (Lighthouse)

**2. Additional Requirements**

- i.) The development and future use of Lot 1, Block 5, Plan A1, as illustrated in Figure 10.16.1, shall include a community identification feature. The design and location of the community development feature shall be to the satisfaction of the Development Authority.
- ii.) The maximum height of the public art (lighthouse feature) shall be 30 m.



## PART 11 WETLANDS

### 11.1 Application

The land use regulations and provisions in this section apply to the use and development of all lands and buildings in all land use districts.

### 11.2 General Regulations

- a) The wetlands identified with the numbers 1, 2, 3, 4, 5, 6, 7, 8, and 9 on the map attached as Schedule F (Appendix A) shall be retained to the extent practicable. These wetlands will be integrated with a City-approved stormwater system provided that the operation of the stormwater system maintains the wetlands' incoming water quality, hydrology and wetland classification. If these wetlands are claimed as Crown land pursuant to the *Public Lands Act*, the development shall be consistent with the directions of Alberta Environment and Parks.
- b) The wetlands identified with letters A, B and C on the map attached as Schedule F (Appendix B) shall be prioritized for retention. These wetlands will be integrated with a City-approved stormwater system provided that the operation of the stormwater system maintains the wetlands' incoming water quality, hydrology and wetland classification. If these wetlands are claimed as Crown land pursuant to the *Public Lands Act*, the development shall be consistent with the directions of Alberta Environment and Parks (AEP).
- c) The Development Authority may require the developer to retain all or portions of naturally occurring wetlands not identified in section 13.3(a) where the Development Authority determines that the development may be done in a manner that avoids, minimizes or mitigates the impacts to the wetlands.
- d) Prior to Area Structure Plan or Outline Plan approval, the developer shall consult with Alberta Environment and Parks to determine whether the Crown intends to claim the wetlands on site in accordance with the *Public Lands Act*. Crown claimed wetlands shall be retained in accordance with direction from Alberta Environment and Parks.
- e) In accordance with section 11.6 of this Bylaw, the applicant is solely responsible for adhering to all relevant provincial and federal legislation and regulations including the *Water Act*, R.S.A. 2000, c. W-3, and the Alberta Wetland Policy.
- f) Where practicable to retain wetlands, the Development Authority may not approve development that disturbs a wetland. Where it can be demonstrated to the satisfaction of the Development Authority that it is not practical to avoid impacting a wetland, for example, due to inherent site constraints or the requirements for the proper functioning of a wetland, the Development Authority may approve development that disturbs a wetland with conditions designed to mitigate the impact of the development on the wetland. Preference will be given to mitigation actions in the following order of priority:
  - i) Minimizing the impact of unavoidable disturbance on the highest value wetlands;
  - ii) Rectifying or eliminating the impact of development over time through the use of preservation strategies and maintenance operations during the life of the development;
  - iii) Compensating for the impact of development by replace, enhancing or providing substitute resources or environments within the affected site; and
  - iv) Monitoring the impact of the development and taking appropriate corrective measures.

- g) Roads and utility rights-of-way shall only be allowed to cross retained wetlands and their buffers when:
  - i) alternative alignments are neither reasonable nor practical;
  - ii) roads and utilities are aligned together to minimize the number of crossings;
  - iii) the amount of disturbance is minimized by mitigation that maintains the natural long-term hydroperiod of the wetland; and
  - iv) any disturbed areas are restored using native plant species appropriate for the wetland type in the location.
- h) No stripping, grading, placing or removal of fill of any kind, excess sedimentation or ditching, shall be permitted on or within retained wetlands and their buffers unless authorized or permitted by federal or provincial law.
- i) Storage of any pollutants is prohibited on or within retained wetlands and their buffers unless authorized or permitted by federal or provincial law.
- j) No outside storage is permitted on or within retained wetlands and their buffers.
- k) Where retained wetlands are proposed to be integrated with approved stormwater systems, a stormwater report consistent with the policies of the City of Chestermere's Integrated Stormwater Master Plan shall be submitted in conjunction with a Wetland Report.

### **11.3 Restrictions in Wetlands**

- a) Other than uses authorized or permitted by provincial or federal law, only the following uses are permitted in retained wetlands and their buffers:
  - i) Existing agriculture;
  - ii) Existing parks and playgrounds;
  - iii) Existing public and quasi-public utility installations and facilities; and
  - iv) Existing roads and pathways.
- b) The following uses may be approved by the Development Authority in retained wetlands and their buffers:
  - i) Proposed roads;
  - ii) Proposed public parks; and
  - iii) Proposed public utilities.

### **11.4 Setbacks**

- a) For those wetlands to be retained, the developer shall provide a strip of land not less than 6.0 m in width, abutting the bed and shore.
- b) Minimum building setbacks beyond the 6.0 m buffer in 11.5(a) of a naturally occurring wetland shall be proposed by the developer through a Wetland Report and approved by the Development Authority.
- c) The Development Authority may grant reductions in the minimum building setbacks from the legal bank of a naturally occurring wetland if the development incorporates measures to minimize the impacts of the proposed development on the retained wetlands. The following table contains examples of the types of measures that may, but are not required to be, considered by the Development Authority in determining whether to grant a variance to the minimum building setbacks.

<b>Examples of Disturbance</b>	<b>Activities that Cause the Disturbance</b>	<b>Examples of Measures to Minimize Impacts</b>
Lights	Parking lots, warehouses, manufacturing, residential use	Direct lights away from wetland.
Noise	Manufacturing, residential use, commercial use	Locate activity that generates noise away from wetland.
Toxic runoff	Parking lots, roads, manufacturing, residential areas, pesticides, landscaping	Direct all new runoff away from wetland.  Establish restrictive caveats limiting use of pesticides within 30.0 m of wetland.  Apply integrated pest management. Integrate plans for improving water quality through the use of upland and wetland best management practices for surface water runoff.
Change in water regime (e.g., less or more runoff)	Impermeable surfaces, lawns, tilling	Infiltrate or treat, detain, and disperse new runoff into buffer.  Ensure water quality of runoff is maintained or improved through the use of best management practices.
Pets	Residential use	Plant dense vegetation around development, such as rose, hawthorn, native grasses etc.  Consider restricting off leash pet use of the area at certain times of the year (i.e., May through mid-August).
Human disturbance	Residential use	Establish and maintain a buffer with natural vegetation appropriate for region.
Dust/Sedimentation	Tilled fields, residential/industrial construction	Utilize best management practices for the type of development to control dust and minimize excess sediments.

## 11.5 Application Requirements

- a) Prior to applying for an approval of an Area Structure Plan (ASP), Outline Plan (OP) or Subdivision, the developer shall provide evidence of a Crown Land determination from the Public Lands division of AEP pertaining to the wetlands within the development site.
- b) Wetland-related documents shall be required at each stage of development including, at a minimum, the following site and proposal-related information:

<b>Area Structure Plan</b>	<b>Outline Plan</b>	<b>Subdivision</b>
Map depicting the location of all wetlands present on the project site included in ASP document	Map depicting wetland classification and location of all wetlands present on project site as well as those wetlands proposed for full retention, impact, and compensation	Map depicting wetlands to be retained and their buffers
Avoidance Policies present in document	Avoidance Analysis (as described below)	Avoidance Analysis if not completed at Outline Plan stage (as described below)
Crown land determination	Crown land determination if not submitted at ASP stage	Crown land determination if not submitted at ASP or OP stage
	<p>Biophysical (and Wetland) Impact Assessment to assess all existing environmental features, assess potential environmental impacts, identify mitigations, and evaluate significance</p> <ul style="list-style-type: none"> <li>• Includes above map plus classification</li> <li>• Vegetation, wildlife habitat, general soils information</li> <li>• Field inventories of all biophysical features</li> <li>• Wetland functional assessment</li> <li>• Wetland mitigation plan</li> <li>• General Strategy for setbacks around wetlands</li> <li>• General strategies for monitoring</li> </ul>	<p>Biophysical Impact Assessment if not already done</p> <p>Wetland Management Plan</p> <ul style="list-style-type: none"> <li>• Provides the plan for implementing the wetland mitigation strategy</li> <li>• Specific to the wetlands to be retained or only partially impacted</li> <li>• More specific field inventories are completed to provide data for managing the wetlands' health</li> <li>• Setbacks are identified more specifically in the field</li> <li>• Specific plans for integration with stormwater management infrastructure</li> <li>• Monitoring program</li> </ul>
		Detailed engineering reports
		Detailed stormwater reporting including pond report, engineered drawing with cross sections

c) Avoidance Analysis

To the extent possible, it is the City's intent to retain as many wetlands within the City as possible in their natural state. Where development is proposed on sites with naturally occurring wetlands, the City will consider impact or compensation of wetlands if the development applicant can demonstrate full consideration of development impact through an Avoidance Analysis. The Avoidance Analysis should include consideration of the following:

- i) Ecological value (functional assessment results, presence of listed species);
- ii) Level/type of current wetland disturbance;
- iii) Current and planned land use constraints (e.g., roadway alignment, residential density requirements); and
- iv) Stormwater management constraints.

d) Wetland Report

A written report prepared by a Qualified Professional is required and requires the following:

- i) Maps identifying the location of the existing wetlands and buffers within the project area;
- ii) The legal banks of the wetlands and proposed minimum building setbacks alongside rationale for the proposed minimum building setbacks;
- iii) Existing wetland acreage as determined by a qualified professional including the delineation (acreages) for the on-site portion of the wetland and the entire wetland area;
- iv) Wetland classification for the entire wetland complex;
- v) Identification, vegetation (including the species present and the community composition), spatial characterization and digital mapping of the vegetative communities including the location of various wetland/upland plant communities, wetland water depths associated with each plant community, and the health of each plant community (i.e., the presence and extent of invasive plant species);
- vi) Wildlife habitat;
- vii) Soil and substrate conditions based on a site assessment and/or soil survey information;
- viii) Topographic elevations or lidar information; and
- ix) A discussion of the all water sources supplying the wetland and documentation of hydrologic regime and condition including, but not limited to:
  - the locations of all inlet and outlets;
  - the connectivity of the wetland to other water bodies and sources;
  - the hydroperiod information for the wetland;
  - evidence of recharge or discharge;
  - mapping of algal mats, flood debris, islands, and sediment deposits;
  - extent of the wetland watershed;
  - hydrology calculations to determine the average water depth in most years; and
  - timing of water inputs along with wetland water runoff requirements in a normal year;
- x) A habitat, hydrological and native vegetation conservation strategy that addresses methods to protect and enhance on-site habitat and wetland functions through the design, construction and post-commissioning phases of the project;
- xi) Functional evaluation of the wetland and its buffer(s) using a method approved by the Development Authority, including the reference of the method used to determine the method alongside all data sheets;
- xii) A scaled map of the proposed development site and adjacent area;
- xiii) Recommendations for ongoing management practices that will protect the retained wetlands after the project site has been developed, including proposed monitoring and maintenance protocols over the short-term and long-term lifespan of the development; and
- xiv) Performance standards that provide a measurable standard to verify that the wetland category has been maintained post-development.

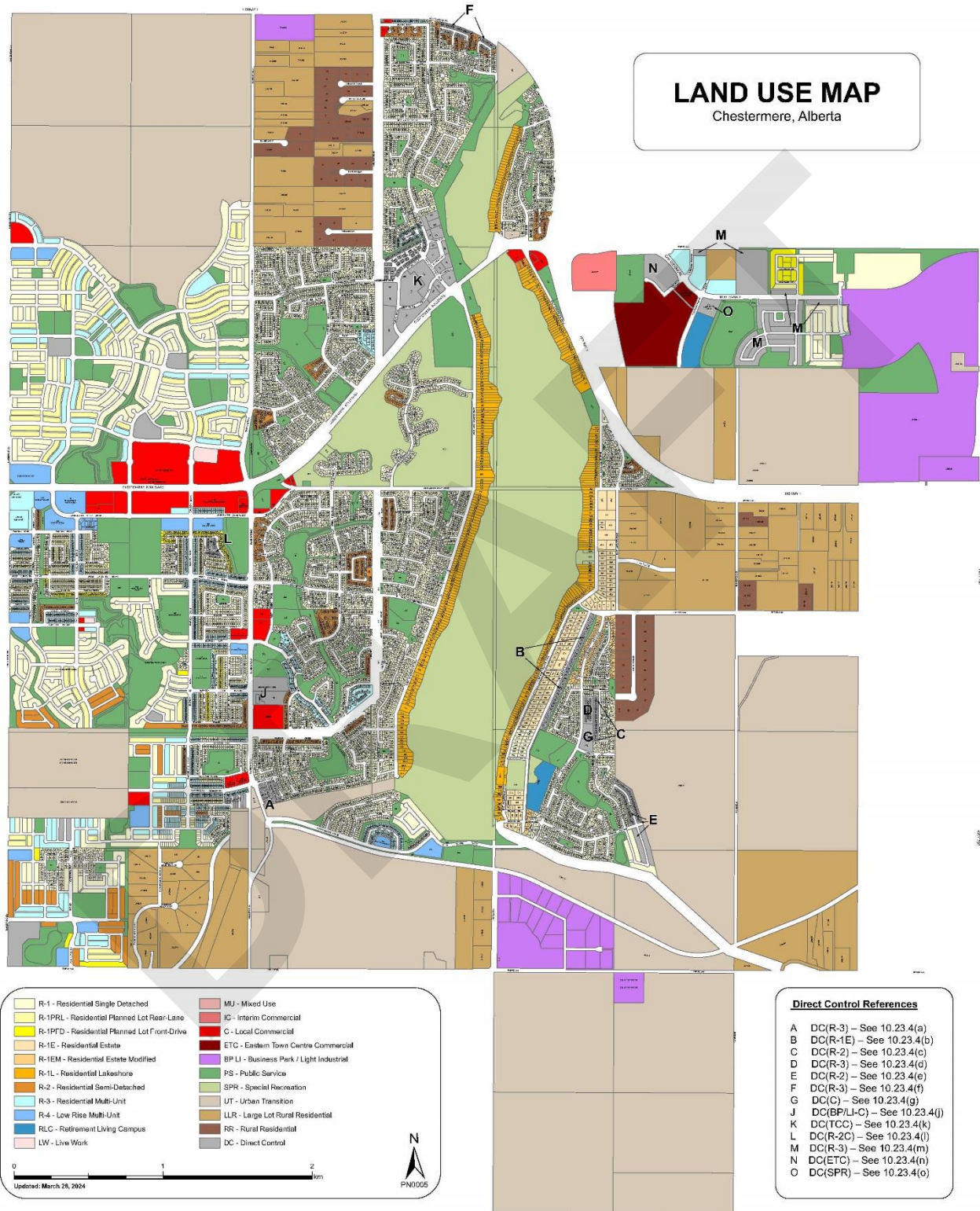
e) Wetland Mitigation Report

The developer shall submit a Wetland Mitigation Report for wetlands that will be impacted by the proposed development, but that will retain some wetland functions and values despite the change in their wetland classification value, including those wetlands that are proposed to be integrated into a stormwater system or park/open spaces. The Wetland Mitigation Report will including the following:

- i) A report prepared by a Qualified Professional including a minimum of one Qualified Professional who is a professional wetland scientist. Depending on the complexity of the project, the design team may include other Qualified Professionals such as civil engineers, landscape architects or landscape designers. For projects where wetlands and stormwater systems are integrated, the plans shall combine information on both the stormwater system and wetland. The stormwater report shall be consistent with the policies of the City's Integrated Stormwater Master Plan.

- ii) The name and contact information of the applicant, the name, qualifications, and contact information for the primary author(s) of the report, a description of the proposal, a summary of the impacts and the proposed mitigation concept, identification of all the local, provincial, and/or federal wetland related permit(s) required for the project, and a vicinity map for the project;
- iii) A description and delineation (acres) of the existing wetland and buffer areas proposed to be impacted, the existing wetland classification including dominant vegetation community types (for upland and wetland habitats), the results of a functional and hydrological assessment for the entire wetland and those portions of the wetland proposed to be impacted;
- iv) An assessment of the potential changes in wetland hydroperiod as a result of the proposed development and how the design has been modified to avoid, minimize or reduce adverse impacts to the wetland hydroperiod. A description of the sequence of expected changes in hydroperiod for the mitigation locations;
- v) A description of the proposed mitigation actions for wetland and upland areas, including all species proposed by location, community type and hydrologic requirements, the type of plant material to be installed, the plant installation methodologies and timing of installations, the total number of each species by community type.
- vi) An assessment of the existing site conditions at the location of the proposed mitigation actions, including, but not limited to, a plant list, vegetation community structure and composition, existing hydroperiod, existing soil conditions, and existing habitat functions.
- vii) An analysis of future site conditions if the mitigation actions are not undertaken (i.e., how would this site progress through natural succession without the mitigation actions);
- viii) The field data collected to document the existing site conditions and that inform the analysis of the future site conditions (e.g., soil pit data – hand dug or mechanically trenched, soil boring data). Soil survey data is not sufficient to establish existing site conditions;
- ix) A discussion of ongoing management practices that will protect and maintain the natural hydrology of the wetlands after the project site has been developed, including proposed monitoring and maintenance programs;
- x) Performance standards that provide a measurable standard to verify that the wetland design plans have met the performance requirements of the pre-development naturally occurring wetland, the effectiveness of post-development mitigation actions for upland and wetland communities, a bi-annual monitoring and maintenance schedule.
- xi) Proof that an environmental reserve easement against the land exists in favour of the City.
- xii) Plan sheets for the proposed mitigation actions that must contain, at a minimum, the following information, drawn to scale:
  1. The legal banks of the existing wetlands and their buffers, any proposed areas of the wetlands and/or buffer that will be impacted by the proposed development, and the location of the proposed wetland and/or buffer mitigation actions;
  2. If any grading activity is proposed to create the mitigation area, the existing topography at two-foot contour intervals at the location of the proposed mitigation actions. The plan sheets shall include Cross-sections (estimated one-foot internals) of the existing on-site wetlands and the proposed mitigation actions and buffers;
  3. Surface and subsurface hydrologic conditions, including an analysis of existing and proposed hydrologic regimes for enhanced, created, or restored mitigation areas.
  4. Proposed site conditions expected from the proposed mitigation actions on site including future hydro geomorphic classification of the wetlands, vegetation including the species present and the community composition (wetland and upland), and future hydrologic regimes; and
  5. Minimum building setbacks for retained wetlands and proposed mitigation areas.

# SCHEDULE A LAND USE DISTRICT MAP (Last updated March 28, 2024)



## SCHEDULE B

# CITY OF CHESTERMERE SERVICE FEE SCHEDULE POLICY HANDBOOK

<b>EFFECTIVE DATE:</b> December 7 <sup>th</sup> , 2009	<b>SECTION: 600 POLICY: 643</b>
<b>APPROVED BY:</b> COUNCIL	<b>SUBJECT:</b> Service Fee Schedule
<b>REVISED DATE:</b> Previous revision: February 21, 2017 Previous revision: January 17, 2023 Previous revision: September 1, 2023 Effective date of revision: June 1, 2024	<b>PAGE NO.:</b>    21 pages

NOTE: GST DOES NOT APPLY UNLESS NOTED

<u>FEE TYPE</u>	<u>FEE</u>
<b>Plans</b>	
Area Structure Plan	\$7,500 plus \$100 per ha
Re-development Plan Application	(same as ASP)
Outline Plan Application	\$3000 plus \$300 per ha
Tech report review submissions (TIA, BIA, Storm reports. Water reports. Sanitary-etc.).	3 <sup>rd</sup> Party cost plus 10%

NOTE: Fees are for general administration review process as posted online in relating specifications.

<b>Amendments</b> (cost per amendment)	
Area Structure Plan Amendment	\$5000
Area Re-development Plan Amendment	\$5000
Municipal Development Plan Amendment and Land Use Amendment	\$5000

NOTE: Fees are for general administration review process as posted online in relating specifications.

<b>Subdivision Requests</b>	
Subdivision (Tentative) Plan Application Except for MR & ER lots.	\$1750 for 2 lot subdivision plus \$200 per lot for 3 or more lots.
Bare land Condo:	
	\$1150 for >10 units.
Land Redivision	\$1150 plus \$150 per unit for > 10 units
Building Redivision	\$50 per unit



Linen Endorsements and Discharge of Caveats Except for MR and ER lots.	\$150 per lot
Road Closure	\$5000
Stripping and Grading	\$1500
Subdivision time extension request	\$400

<b>Subdivision Other Fees</b>	
Administration fees	\$15,000 per ha
Public Facilities	
Commercial/Industrial lands	\$45,000 per ha
Residential lands The Public Facility fee for multi-family lot shall be calculated and paid at the approval of Comprehensive Development Permit.	\$4,000 per residential unit
Mixed-Use (Commercial & Residential)	\$45,000 per ha plus \$4,000 per residential unit
Others (e.g. roads, excluding MR/ER/PUL)	\$45,000 per ha

NOTE: if the land is rezoned after subdivision, the developer shall pay for the increased amount from the recalculation; However, the original fee will remain if the recalculation results in a reduction of the fees.

<b>Residential Development Permits/ Land Use Compliance/Development Reviews</b>	
Single Family Dwelling / Semi-Detached – per unit (Permitted Development Review)	\$300
DC & Infill Development (pre-& post site inspection)	\$800
Multi-Unit Dwelling	\$850 plus \$75 per unit
Minor Residential (All Discretionary Uses in the Residential District except Home Business and Accessory Building between 10 to 30 sq. m) Admin fee may apply at the description of the Development Officer for additional work outside the scope of a general development review for infills or more than minimum pre-application meetings.	\$400
All Accessory Building >10 sq m.	\$100 plus \$1.00 per sq. m.
Addition Minor Residential (Permitted Uses and addition to structures that are listed under Permitted Use)	\$100 plus \$1.00 per sq. m.
Demolition/Relocation (All buildings)	\$250

Revisions after Development review or issued Development Permit (Complexity of revision to be determined by Development Authority)	\$150 and 50% of DP fee plus admin fee at the discretion of the Development Authority
--	---

<b>Home Business Permits</b> (this does not include annual licensing fees)	
Minor	\$250
Major (3-year permit)	\$300 plus Advertising fee
Major Renewal	\$150 plus Advertising fee

<b>Commercial / Industrial / Institutional Development &amp; Use Permits</b>	
New Development	\$800 plus \$0.75 per sq. m
Permitted Uses	\$250
Change of Tenancy	\$100
Discretionary Uses	\$500
Revision of Issued Development Permit (complexity of revision to be determined by Development Authority)	\$350
Residential Show Home/Sales Centre/Spec Home	\$350
Exterior Renovation	\$250
Development Completion Certificate (DCC) Inspect.	\$250
DCC additional inspections (same project)	\$100 per additional inspection

<b>Sign Requests</b>	
Freestanding	\$350
Freestanding (2 or more)	\$350
Fascia, Canopy, Awning	\$200
Fascia, Canopy, Awning (2 or more)	\$350
Temporary/Portable	
61 days to 90 Days	\$300
31 days to 60 Days	\$200
Up to and including 30 Days	\$100
Certificate of Sign Conformance	\$150
All other signs / not otherwise listed	\$150

<b>Variance Request</b> (Plus advertising fee for approval)	
Single Family/Duplex/Semi-Detached/Multi-Unit Dwelling (principal building incl. eaves, cantilevers & front porch) <ul style="list-style-type: none"> <li>Admin fee may apply for legal non-confirming</li> <li>Per type of variance</li> </ul>	\$400
Other Residential Uses (deck, accessory building, stairs, fence, etc.) <ul style="list-style-type: none"> <li>Admin fee may apply for legal non-confirming</li> <li>Per type of variance</li> </ul>	\$250
Commercial/Industrial/Institutional – per variance	\$500
Home business	\$150
Sign	\$150

<b>Certificate of Compliance</b>	
Residential (Regular Service)	\$150
Residential (Rush Service)	\$300
Commercial & All Others (Regular Service)	\$350
Commercial & All Others (Rush Service)	\$450
Amendments to compliance letter (within a year)	Admin fee
Compliance review after refusal addressing a non-compliant issue will be performed at no cost to the applicant as long as compliance is obtained within a year of the date of the RPR.	
Appeal as Permit Applicant	\$400
Appeal as Affected Neighbour	\$200
Subdivision Appeal	\$350

<b>Encroachment Agreements</b> (originally established by policy 316)	
Letter of Consent; encroachments not requiring an encroachment agreement (Schedule 'A'; Policy 316)	Basic Admin Fee
Encroachment Agreement; non-circulation (Schedule 'B'; Policy 316)	\$300
Encroachment Agreement Application (Utility ROW & ODRW)	\$100
Application for Encroachment Agreement; to be circulated (outside of Schedule 'A' & 'B'; Policy 316)	\$200

<u>Encroachment Agreement</u> Less than 10 m <sup>2</sup> , and Approved by the circulation process	\$500
<u>Encroachment Agreement</u> more than 10 m <sup>2</sup> , and Approved by the circulation process	\$1000

<b>Third Party Agreements: Crossings and Proximities</b>	
Fee must be attached to this Application for New Application	\$500
Fee must be attached to this Application for Amendments (GST exempt)	\$250
Large Application/Requests there is a minimum of \$2,000.00 for new requests and a \$1,000.00 for Amendments	\$2000
<b>Approach Approval</b>	
Fee must be attached to this Application for New Application	\$500
Fee must be attached to this Application for Amendments (GST exempt)	\$250

<b>Performance Deposit</b>	
Demolition (residential)	\$1,500
Demolition (commercial)	To the discretion of Development Officer (Minimum \$1500)
New Home Construction	<b>\$7,500</b>
Landscaping Deposit	\$2,500

NOTE: Deposits are returned when completed and inspected for compliance.

<b>Others</b>	
Advertising for Permit Approval	\$100
Advertising for Public Hearing (excl. SDAB hearing)	\$250
Basic Administration Fee Note: Basic admin fees are not returned. Discretionary Use approvals and Variance approvals are subject to the advertising fee.  Basic Administration Fee applies to the following applications: <ol style="list-style-type: none"> <li>i. Statutory Declaration to prove removal of non-compliance issues,</li> <li>ii. Applicant withdraws application,</li> <li>iii. Other administrative work considered necessary by Development Officer.</li> </ol>	\$100 per hour
Land filling (existing acreage)	\$525
Zoning Letters	\$100 per address, \$200 for rush service
Discharge of Caveat	\$100 per title

**Important Notes:**

- Permits applied for after Stamp of Compliance are subject to doubling the building permit fee, at the discretion of the Building Safety Codes Officer
- SDAB Fee Refunds: Successful appeals by an affected adjacent residential property owner shall be refunded \$100.
- Development Services may consider the application inactive and return the application if:
  - If an applicant does not communicate with Development Services Staff their intentions for the application for 6 months after the ASP, OP, Amendments, Subdivision, or Commercial/Industrial / Institutional application has been received by the City;
  - If a residential development permit application is not deemed complete within 40 days after the application has been received by the City.

Development Services may consider the application inactive and return the application. The application fee will not be refunded. Should a new application be submitted after return of the original application the new application fee shall apply.

<b>Building Permit Fee</b> (note: fees are calculated by set rates, times sq. area, divided by \$1000, or by prevailing market value (PMV) times by set rates, divided by \$1000)	
Residential Construction (Single & Semi-detached) Refer to Exhibit "A" for the calculation of cost estimation	\$9.93 per \$1000 value (cost estimation), Minimum fee \$100
Residential home waste management fees – Three bins (one bin per service) per address, includes delivery and kitchen catcher.	\$250.00
Commercial, Industrial, Institutional & Multi-family Construction	\$10.45 per \$1000 value (cost estimation*), Minimum fee \$250
Partial Building Permit to Subfloor Only (Single & Semi-detached residential only)	\$95
Partial building permit to grade (Commercial, Industrial, Institutional & Multi-family)	\$1.47 per sq. meter of building area (\$200 minimum to \$4,516 maximum)
Accessory Building between 10 to 30 sq. m (not including hot tubs/pools).	\$115
Renovations (Residential) Refer to Exhibit "R" (Residential Cost Estimate – Renovation) for the calculation of cost estimation	9.93 per \$1000 value (cost estimation) Minimum fee \$100
Renovations (Non-residential)	\$10.45 per \$1000 value (cost estimation*), Minimum \$200
Retaining Walls (supporting over 1.2m of backfill or over 1.2m in height)	\$200
Hot Tubs	\$110
Swimming Pool	\$120/ above ground
	\$170/ below ground
Demolition/Relocation Permits	\$1.44 per m <sup>2</sup> minimum fee \$100
Secondary Suite(new)	\$40.69 per m <sup>2</sup> minimum fee \$100
Pre-Application Inspection (Home Business-Bed and breakfast, Hair salon, and Secondary Suite)	\$100/discipline
Extra requested inspections above required set out in plans review, QMP, or out of sequence, at the discretion of the Safety Codes Officer. (minimum fee must be paid prior to Inspection, additional hours to be paid prior to final inspection)	Commercial/Residential \$150.00 per inspection, per discipline
Environmental Restoration Permit	\$2500 plus \$9.93 per \$1000 (cost estimate), minimum of \$100 plus Plumbing, Electrical, Gas & HVAC permit if required

Safety Inspection Fee (minimum fee must be paid prior to inspection, additional hours to be paid prior to final inspection)	\$150 per hr (Minimum 2 hours)
Failure to File a Verification of Compliance (within time requested by a Safety Codes Officer)	\$300 per offence
Failure to Call for an inspection or to recall an Inspection (must pay prior to next inspection)	\$300 per offence
Occupying a Building Prior to Final inspection, or at the discretion of the Safety Codes Officer.	\$750 per day of occupancy, up to a maximum of \$10,000
Unauthorized Work, including excavation, started prior to issuance of a Permit, shall have double fees	Double Building Permit Fee (At the discretion of BSCO)
Plan Re-Examination (where requested by a Safety Codes Officer due to inaccuracies or lack of information in the plans or specifications originally submitted or revisions submitted by the applicant after the plans review has been completed)	Residential \$150 Comm., Industrial, Institutional and Multi- Family \$350
If, in the opinion of the Safety Codes Officer, more than one inspection is necessitated by the failure of the contractor/owner to complete any of the following: a) ensure safe access to a site for an inspection, b) ensure the deficiencies are corrected for the next inspection, c) work not ready for the inspection, d) no address posted on the building during all stages of construction; additional fees may be charged for re-inspection.	\$300
Failure to ensure construction bins are fully placed on the construction site, emptied in a timely fashion, or used as required	\$1000

NOTE: Permits applied for after Stamp of Compliance are subject to doubling the building permit fee, at the discretion of the BSCO.

<b>Gas Permit Fees</b>	
Residential	
Base Permit Fee	\$90
0-2000ft <sup>2</sup>	\$150 Plus base permit fee
2000ft <sup>2</sup> -3500ft <sup>2</sup>	\$175 Plus base permit fee
Over 3500 ft <sup>2</sup>	\$250 Plus base permit fee

Com, Ind, Ins, Accessory Permit	
0 - 400,000 BTU	\$200 Plus base permit fee
400,001 - 1,000,000 BTU	\$250 Plus base permit fee
1,000,001 - 2,000,000 BTU	\$350 Plus base permit fee
Over 2,000,000 BTU	\$450 plus base permit fee
Replacement Fee for Com, Ind appliance Base Fee = \$90	
0 - 400,000 BTU	Base Fee plus \$40 per unit
400,001 - 5,000,000	Base Fee plus \$110 per unit
over 5,000,000 BTU	Base Fee plus \$340 per unit
Propane Tank Sets (Commercial)	\$90 per unit
Gas Fireplace Installation (Residential)	\$90 per unit
Gas Fireplace Installation (non-residential)	Base Fee of \$90 plus \$80 per unit
Gas Air Test - 1 per unit required including Commercial & Residential (reinspection fee will apply for reinspection of failed gas air test)	\$90
Appliance replacement	\$90
Temporary Gas Permit or Propane	\$120

### Plumbing Permit Fees

Residential	
All Plumbing permit fees are calculated at \$9.00 per \$1,000.00 of estimated construction costs (minimum \$100) plus \$90.00 base permit fee. If the calculated fee is less than \$100, use \$100 (minimum) plus \$90.00 base permit fee.	
Com, Ind, Ins, Multi-family & Accessory Permit	
All Plumbing permit fees are calculated at \$9.75 per \$1,000.00 of estimated construction costs per unit plus processing fee of \$120.00 per unit.	
Private Sewage	\$250
Water and Sewer Connection (New house construction)	\$110
Ground works Inspection (mandatory for new house construction)	\$110
Special Event (connection only)	\$100
Hydronic heating	\$125

### Mechanical (HVAC) Permit Fees

Residential	Included in building permit fee
Comm. Ind. Ins. Multi-family & Accessory Permits	\$9.00 per \$1000 of estimated construction value plus a minimum processing fee of \$120.00)
Air Conditioning Unit	As per Cost Estimate Exhibit



<b>Electrical Permit Fees</b>	
Residential	
Base Permit Fee	\$90
Less than 2000ft2	\$180 Plus base permit fee
2000ft2 - 3500 ft2	\$225 Plus base permit fee
over 3500 ft2	\$275 Plus base permit fee
Com, Ind, Ins, Multi-Family & Accessory Permit (Value of Material/Labour)	
\$0 -\$500	\$90
\$500.01 - \$1,000	\$150 Plus base permit fee
\$1,000.01 - \$5,000	\$165 Plus base permit fee
\$5,000.01 - \$10,000	\$225 Plus base permit fee
\$10,000.01 -\$20,000	\$350 Plus base permit fee
\$20,000.01 - \$40,000	\$500 Plus base permit fee
\$40,000.01 - \$60,000	\$700 Plus base permit fee
\$60,000.01- \$80,000	\$900 Plus base permit fee
\$80,000.01 - \$100,000	\$1,100 Plus base permit fee
\$100,000.01 - \$120,000	\$1,400 Plus base permit fee
\$120,000.01 plus	\$1400.00 plus for each \$5000 in construction value add \$50
Utility for Residential units (water meter)	\$822 per unit
Annual maintenance permit	\$150

**Safety Council Fee:**  
**\$4.50 per permit issued or 4% of permit cost, whichever is greater to a maximum of \$560**  
 For other building permits not listed in this fee schedule, \$80/hour will be charged.

<b>Permit Extensions</b>	
Building Permit Extension	Single & Semi-detached, Multi-family residential and Commercial/Industrial/Institutional)  25% of original building permit fee Minimum \$100 Others: 25% of original building permit fee Minimum \$50
Utility Permit Extension (Plumbing, Gas, Electrical and HVAC)	50% of the original permit fee, Min \$100

Development Application Extension Agreement	Admin Fee at the discretion of the Development Authority
Development Permit Extension	50% of DP fee/min \$100

<b>Permit Refund</b>		
No refund on the Safety Codes Fee		
STAGES	DP REFUND	BP REFUND
Submitted application	DP Fee Minus \$100	Full Refund if Paid
Development Permit is currently being reviewed.	NO REFUND	Full Refund if Paid
Development Permit is Approved.	NO REFUND	Full Refund if Paid
Building Permit is in Plans Examination Stage and/or Issued.	NO REFUND	Total of BP minus \$100 (per hour)
Building Inspection (at least one) has been done and completed.	NO REFUND	NO REFUND
Utility Permit	Permit is reviewed and issued.	Permit Fee Minus \$100
	Permit is Issued and at least 1 inspection is done or at the Final stage. (Plumbing, Electrical, Gas and Hvac)	NO REFUND

<b>Subdivision Additional Inspection Fee</b>	
Subdivision additional inspections (Engineering or Landscape inspections)	\$150/hr

NOTE: City staff reserves the right to refuse inspection due to unsatisfactory site conditions. At the discretion of the inspector, additional inspection charges/fees may apply.

<b>Photo Copying &amp; Faxing Fees</b>		
Copies per page	Black & White	Colour
8.5 x 11	.50	1.00
8.5 x 14	1.00	2.00
11 x 17	2.00	3.00

<b>GIS &amp; Mapping Fees (plus GST)</b>	
<u>Map Products – Hard Copy</u>	
Civic Addressing Map (42" x 55")	\$35
Subdivision Phase Map (34" x 42")	\$28
Land Use Map (34" x 42")	\$28
Map Book	\$28
<u>Digital Data (Imagery, GIS or CAD Layers)</u>	
Orthophoto – City Extent	\$800
Orthophoto – Per ¼ Section	\$25
GIS and CAD Layers – Per ¼ Section	\$25
Digital Data Processing Fee per Hour	\$85
<ul style="list-style-type: none"> <li>Please contact us for more information on available GIS and CAD Data</li> </ul>	
<u>Custom GIS Analysis/Map Requests</u>	
Custom Mapping & GIS Analysis Per Hour	\$85

<b>RCMP &amp; Community Safety Fees</b>	
<b>RCMP Fees</b>	
Criminal Records Check	\$40
Criminal Record Checks – Volunteer with letter	Free
Criminal Record Checks – Students with letter	Free
Adoptive, Foster, Guardianship Families (per family)	\$50.00 Family Rate
Fingerprinting who have already paid for a Criminal record Check and require prints for Vulnerable Sector Check	\$10 (for employment)
Fingerprinting – Non-Residents (outside jurisdiction)	\$50
Insurance Letters and Criminal Reports - Basic	\$40 (each)
<b>Fire Services Fees</b>	
File Search	\$100 plus Copy Charges
Fire Safety Plan Review	\$150
Emergency Response Plan Review	\$150

Initial Fire Inspection	Free
Second Fire Inspection, if required	\$200
Third or more Fire Inspections	\$500
Initial Occupancy Fire Inspection	Free
Second Occupancy Fire Inspection, if required	\$200
Third or more Fire Inspections	\$500
Special Event Permit Fire Inspection	\$100
Copies of Provincial Fire Report	\$100

NOTE: The cost for the re-issuance of documents will be equal to the original fee charged.

<b>Business License Fee</b>			
License Type	Annual (Jan 1- Dec 31)	After July 1	After Oct 1
Non-Chestermere Business	\$300	\$150	\$75
Commercial Premise	\$150	\$75	\$40
Major Home Business	\$100	\$50	\$25
Minor Home Business	\$50	\$25	\$15
Other License Types			
1 Day	\$50		
3 Consecutive Days	\$70		
7 Consecutive Days	\$90		
30 Consecutive Days	\$120		
Seasonal 4-month License (Consecutive)	\$150		
Change of Business Type, ownership or name	\$50		
Appeal or Refusal, Revocation, or Suspension	\$50		

<b>Finance Service Fee</b>	
Tax Certificate	\$30
Tax recovery filing notification	\$30
Assessment Fee	As per Bylaw 019-10
N.S.F. Charge	\$30
Interest Charged on Outstanding Invoices (per month)	2%
Administration Charge for goods or services (per invoice) Plus GST	10%

## Environmental Services Fees

Monthly rates must be a minimum of a full calendar year.

Replacement residential recycle collection cart (360L)	\$96.00
Replacement residential compost or garbage collection cart (240L)	\$82.00
Replacement residential recycle, compost or garbage collection cart (120L)	\$56.00
Additional kitchen catcher	\$6.00
Excess collection cart monthly fee (Lake weeds carts excluded- no charge)	\$8.00
Delivery charge	\$10 per request
Eco centre monthly fee	\$5.00
Base rate (monthly)	\$24.00 per dwelling unit

## Parks Department Fees

Monthly rates must be a minimum of a full calendar year.

Application to plant a tree on Municipal Property	\$75
Memorial bench/Honorary bench (delivery and installation only maintenance fees are not included)	\$2000
Birth place forest for children born to residential family	\$50
Birth place forest for children born to non-residents.	\$85

## Dog Permits

Annual fee for spayed and neutered dogs	\$35
Annual fee for intact dogs	\$55

## Freedom of Information and Protection of Privacy (FOIP) requests

Note: Alberta's FOIP legislation and regulations set out the services that a public body may charge when processing a request for access and the maximum fees that may be charged for each service. The City of Chestermere's fee schedule is in accordance with Schedule 2 of the FOIP Regulation. FOIP request fees are set by the Alberta Government – in the event of inconsistency, the fees under the FOIP Regulation shall prevail.

Request for access to a record other than the applicant's own personal information	\$25 for a one-time request
--	-----------------------------

Continuing request for access to a record other than the applicant's own personal information	\$50 for a continuing request
Request for an applicant's own personal information is free, however the City may assess fees only for producing a copy of the record – only if the costs are estimated to exceed \$10	\$10
When estimated fees exceed \$150 for a general request	The full amount is charged to the applicant
When estimated fees exceed \$10 for a personal information request	The full amount is charged to the applicant
Searching for, locating and retrieving records \$6.75 per ¼ hour Computer processing and related charges	Actual cost to the City of Chestermere
Computer programming	Actual cost to the City of Chestermere up to \$20.00 per ¼ hour
Producing a paper copy of the record (photocopies and computer printouts)	Black and white up to 8 ½" x 14" - \$0.25 per page Other formats \$0.50 per page
Producing a paper copy of a record (from plans and blueprints)	Actual cost to the City of Chestermere
Producing a copy of a record by duplication of audio and video tapes	Actual cost to the City of Chestermere
Producing a photographic copy (colour or black and white) printed on photographic paper from a negative, slide or digital image	1. 4"x6" \$3.00 2. 5"x7" \$6.00 3. 8"x10" \$10.00 4. 11"x14" \$20.00 5. 16"x20" \$30.00
Producing a copy of a record by any process or in any medium or format not listed above	Actual cost to the City of Chestermere
Preparing and handling a record for disclosure	\$6.75 per ¼ hour
Shipping records to the applicant	Actual cost to the City of Chestermere
Supervising examination of records by an applicant	\$6.75 per ¼ hour

<b>Recreation</b>	
<b>Boat Launch Fees</b>	Visitor Daily Rate Monday – Friday
Motorized	\$35
Personalize watercraft	\$25
Open bow boat (under 10 horsepower)	\$10
Non-motorized	Free
<b>Boat Launch Fees</b>	Visitor Daily Rate Weekends and Holidays.
Motorized Boat	\$65

Personal Motorized Watercraft	\$45
Open bow boat (under 10 horsepower)	\$10
Non-motorized Watercraft	Free
Resident Season Pass	\$25.00
<b>Sports Field Rental</b>	
Local Rate	\$10.00/Hour
Non-Local Rate	\$20.00/Hour

## Events

All events require a non-refundable Booking Fee of \$25.00 plus GST prior to the event. Also, depending on the size and scope of the event, a \$500 damage deposit may also be required by organizers. This applies to any event with the potential of park, road, venue or environmental damage or significant levels of maintenance. The damage assessment is based on a review of the site by City staff immediately before and after the event. All fee's must be paid 7 business days prior to the event.

Parks	Max # of Participants	Under 1 hour	1-2 hrs	2-3 hrs	4-5 hrs	5-6 hrs	7-8 hrs	8+ hrs
John Peake Park (Includes pavilion)	1000+	\$100	\$150	\$250	\$350	\$500	\$700	\$1,500
Sunset Beach	200	\$100	\$150	\$250	\$350	\$500	\$700	\$1,500
Cove Beach	50	\$100	\$150	\$250	\$350	\$500	\$700	\$1,500
Rainbow Falls	100	\$100	\$150	\$250	\$350	\$500	\$700	\$1,500
John Peake Pavilion Only	100	\$25	\$50	\$75	\$100	\$150	\$200	\$400
Sunset Beach Volleyball Courts FLAT FEE- \$25 (per court per hour) Maximum 2-hour rental	20	\$25	\$50	N/A	N/A	N/A	N/A	N/A

\* For events with more than 1000 people, please contact the events department directly.

\* Non residents must pay an additional \$25 per hour fee

Non-Profit/Charitable Organizations may receive a 50% discount on park rentals, conditions may apply.

Non-Profit/Charitable Organizations wishing to have their fees waived must:

1. Provide their charitable donation number.
2. Provide proof that they are a registered non-profit organization; and
3. Ensure that their event is open to the public.

## EQUIPMENT AND PERSONNEL CHARGE OUT RATES (Plus GST)

Equipment and personnel charge outs shall have a two (2) hour minimum applied. Any charge outs of equipment and personnel over the two (2) hour minimum shall be rounded up to the nearest half hour.

<b><u>TRUCKS &amp; TRANSPORTING EQUIPMENT</u></b>	<b><u>Unit #</u></b>	<b><u>Rate</u></b>	<b><u>Per</u></b>
Crew Cab 1 Ton Truck	PK046, Pk257, PK 279	\$32	hour
Half Ton - 3/4 Ton Truck		\$24	hour
Half Ton - 3/4 Truck - 4-wheel drive		\$27	hour
1 Ton Single Axle Dump Truck	PK176, PK180, PK236, PK324 PK334	\$95	hour
Tandem Axle Dump Truck	PW028, PW184 PW165	\$120	hour
1 Ton Truck with Plow and Sander - single axle	PW134	\$176	hour
Slide in Sander	PW138, PW128, PW167	\$18	hour
Tandem Axle Truck with Sander and Plow	PW028, PW165, PW126, PW184	\$191	hour
International 7300 Truck Roll Off Truck	PK347, PW157, PK248	\$131	hour
Water Tank Truck 3001- 3600 imperial gallons	PK262	\$127	hour
Remote Mower	PK238	\$104	hour
Rough Cut Mower	PK335	\$95	hour
Tractor w/Mower	PK121	\$94	hour
Rear Boom Flail Mower	Add \$10/hr to tractor rate above	\$104	hour
Rock Picker	Add \$14/hr to tractor rate above	\$108	hour
Riding Mower		\$94	hour
Side by Side		\$27	hour
Tractor w/Trailer	PW108, PW146	\$223	hour
Utility Trailer		\$9	Hour



<b><u>COMPACTION EQUIPMENT</u></b>			
Packer – Single Drum – 3307p	PW064	\$122	hour
Sakai Pneumatic Roller – TW320-1	PW076	\$68	hour
<b><u>LOADERS</u></b>			
John Deere Loader 624K	PW137	\$142	hour
John Deere Loader 204L	PK336	\$90	hour
John Deere Loader 624P	PW198	\$149	hour
Bobcat Skid Steer	PW152, PK292	\$112	hour
Cat 242 Skid Steer	PK007	\$95	hour
John Deere Skid Steer CT332	PK087	\$108	hour
Backhoe 310SG	PW005	\$104	hour
John Deere Hydraulic Excavator 220D	PW109	\$181	hour
Compact Excavator - Bobcat 324	PK183	\$85\$68	hour
Wheel Loader – Wacker Neuson WL30	PK181	\$98	hour
Trackless	PK092, PK280, PK301, PW158	\$95	hour
Sweeper (High Dump)	PW042, PW197, PW169	\$206	hour
<b><u>MOTOR GRADERS</u></b>			
Cat Grader – 140M	PW106	\$183	hour
John Deere Grader 770GP	PW136	\$183	hour
<b><u>VACUUM, HYDRO EXCAVATION TRUCKS</u></b>			
Bucket Truck /w 2 Operators	PK091	\$160	hour
Vac Truck	PW065	\$273	hour
<b><u>Timber Salvage &amp; Land Clearing Equipment</u></b>			
Tree Chipper 12 “with 1 operator	PK232, PK343	\$132	hour
NOTE: 2 Operators are required			
<b><u>MISCELLANOUS EQUIPMENT</u></b>			
Air Compressor 375 CFM	PW057	\$388	day
Arc Welder		\$68	day
Gas Drive Self Priming Pump - 2"		\$49	day

Gas Drive Self Priming Pump - 3"		\$61	day
Generator - 3000 Watt	PK114	\$49	day
Generator - 2500 Watt		\$40	day
Light Tower 8 kw	PW066	\$333	day
Post Pounder		\$8	hour
Pressure Washer/Steamer		\$55	hour
Push Lawn Mower	PK011	\$8	hour
Roll off Bin		\$25	day
EZ Screen Screener 1200 XL	PK188	\$100	hour
Shop Rate		\$100	hour
Signs - Labour per Sign		\$127	hour
Signs - Hardware per Sign		\$200	each
Solar Message Board	PW129, PW133, PW151, PW178, PW193, PW194, PW195	\$165	day
Weed Sprayer		\$8	hour
Weed Whip		\$7	hour
Ice Melt		\$20	bag
<b><u>Lasers, Level, Locators &amp; Camera</u></b>	<b><u>Unit #</u></b>	<b><u>Rate</u></b>	<b><u>Per</u></b>
Digital Pushrod Inspection Camera	PW-071	\$100	day
Pipe & Cable Locator Multi Frequency	PK-260	\$70	day
Construction Laser		\$30	day
Construction Auto Level		\$15	day

<b><u>Public Works Personnel</u></b>	<b><u>Rate</u></b>	<b><u>Per</u></b>
Labourer	\$49.21	hour
Equipment Operator	\$71.81	hour
Coordinator	\$84.27	hour
Manager	\$90.25	hour

<u>Technical Personnel</u>	<u>Rate</u>	<u>Per</u>
Prof.	\$150	hour
Senior Prof.	\$200	
Senior Technologist	\$140	hour
Technologist	\$115	hour
Project Manager	\$150	hour
Project Coordinator	\$120	hour

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director

Previous Signatures:

February 2<sup>nd</sup>, 2023  
Date

\_\_\_\_\_  
Mayor

February 2<sup>nd</sup>, 2023  
Date

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

Previous approvals:

**Adopted by Council; Resolution No.**

Feb 21, 2017

3.017.022117

052-17

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CAO

Revisions with LUB 020-24

Date:

Mayor:

Date:

CAO:

Date:

Director:

Date:

Director:

Date:

Director:

Adopted by Council; Resolution No.

DRAFT

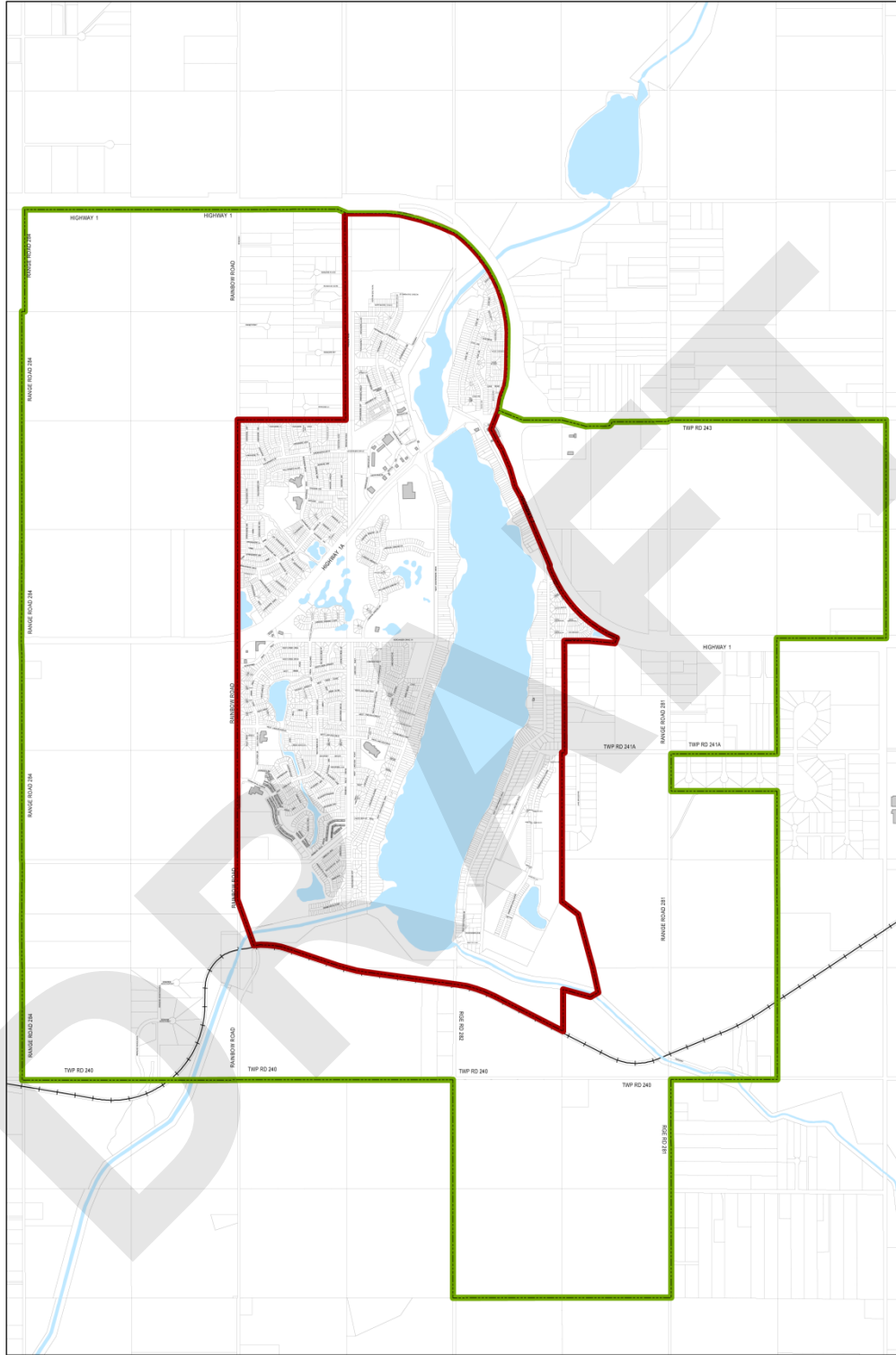
## SCHEDULE C PENALTIES

Section	Offence	Minimum Penalty	Specified Penalty
4.1	Fail to obtain development permit	\$1800	\$3000
4.9.8	Failure to maintain development site in clean and orderly manner	\$300	\$500
6.2.2 and 6.2.4	Development conducted outside of specifications/plans of development permit	\$1800	\$3000
6.2.5	Person who contravenes a section of this bylaw not otherwise subject to a specified penalty	\$1200	\$2000
6.3.2	Fail to comply with stop order	\$2500	\$5000
7.2.1	Fail to comply with accessory building regulations	\$250	\$500
7.14.1	Failure to comply with driveway/parking pad regulations	\$300	\$500
7.15.1	Excessive dwelling units on lot	\$2500	\$5000
7.22.6	Flashing sign/strobe lights	\$100	\$200
7.26.	Failure to comply with objects restricted in residential districts regulations	\$300	\$500
7.26.8 (b)	Allow material to enter Highway (Landowner)	\$250	\$500
7.26.8 (c)	Allow material to enter Highway (Person)	\$250	\$500
7.26.8 (d)(i)	Track mud/debris/waste onto Highway	\$250	\$500
7.26.8 (d)(ii)	Place or allow to be placed, material on Highway	\$500	\$500
7.26.8 (d)(iii)	Place or allow to be placed, commercial bin on Highway	\$500	\$1000
7.26.8 (d)(iv)	Fail to ensure safe pedestrian movement	\$500	\$1000
7.31.1	Failure to comply with Secondary Suite regulations	\$600	\$1000
9.2	Fail to obtain permit for sign	\$500	\$1000
9.5.2	Fail to comply with sign guidelines	\$500	\$1000
9.5.3	Sign obstruct vision of vehicle traffic	\$250	\$500
9.5.4	Sign encroaching/abutting government property	\$250	\$500
9.5.5	Sign project within 0.6 meters of lot line	\$250	\$500
9.5.6	Portable sign in residential district	\$250	\$500
9.5.7	Fail to comply with illuminated sign provisions	\$250	\$500

9.5.8	Sign create hazard to pedestrian/vehicle	\$250	\$500
9.5.10	Fail to maintain sign in proper state of repair	\$250	\$500
9.6.5	Unlawful billboard	\$250	\$500
9.6.16	Sign includes offensive material	\$2500	\$5000

DRAFT

# SCHEDULE D 2004 Municipal Boundary



<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid green; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> New Town Boundary</li> <li><span style="border: 1px solid red; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Old Town Boundary</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightblue; margin-right: 5px;"></span> Water</li> <li><span style="display: inline-block; width: 10px; border-bottom: 1px solid black; margin-right: 5px;"></span> Railway</li> </ul>	<p><b>City</b></p>	<p><b>Town Boundaries</b></p> <p>Chestermere, Alberta</p>	<p>0 250 500 1,000 1,500 Meters</p> <p><b>Date: July 27th 2011</b>  <small>This map may not be reproduced, in whole or part, in any form or by any means without written permission of The Town of Chestermere. The Town of Chestermere provides this information in good faith, but it provides no warranty, nor accepts any liability arising from any incorrect, incomplete or misleading information or its improper use.</small></p>
--	--------------------	---	---


# SCHEDULE E MAPS SHOWING LAKE LOT AREA

101 - 133 Cove Road



Note: Accuracy of lot dimensions are within +/-1 meter. This map is for reference purposes only. In no way does the content within this map represent legal information.



 Lake Lot Area


0 10 20 40 Meters

137 - 169 Cove Road



Note: Accuracy of lot dimensions are within +/-1 meter. This map is for reference purposes only. In no way does the content within this map represent legal information.



 Lake Lot Area

0 10 20 40 Meters



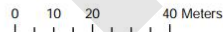
173 - 205 Cove Road



Note: Accuracy of lot dimensions are within +/-1 meter. This map is for reference purposes only. In no way does the content within this map represent legal information.



Lake Lot Area



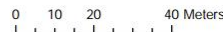
209 - 241 Cove Road



Note: Accuracy of lot dimensions are within +/-1 meter. This map is for reference purposes only. In no way does the content within this map represent legal information.



Lake Lot Area

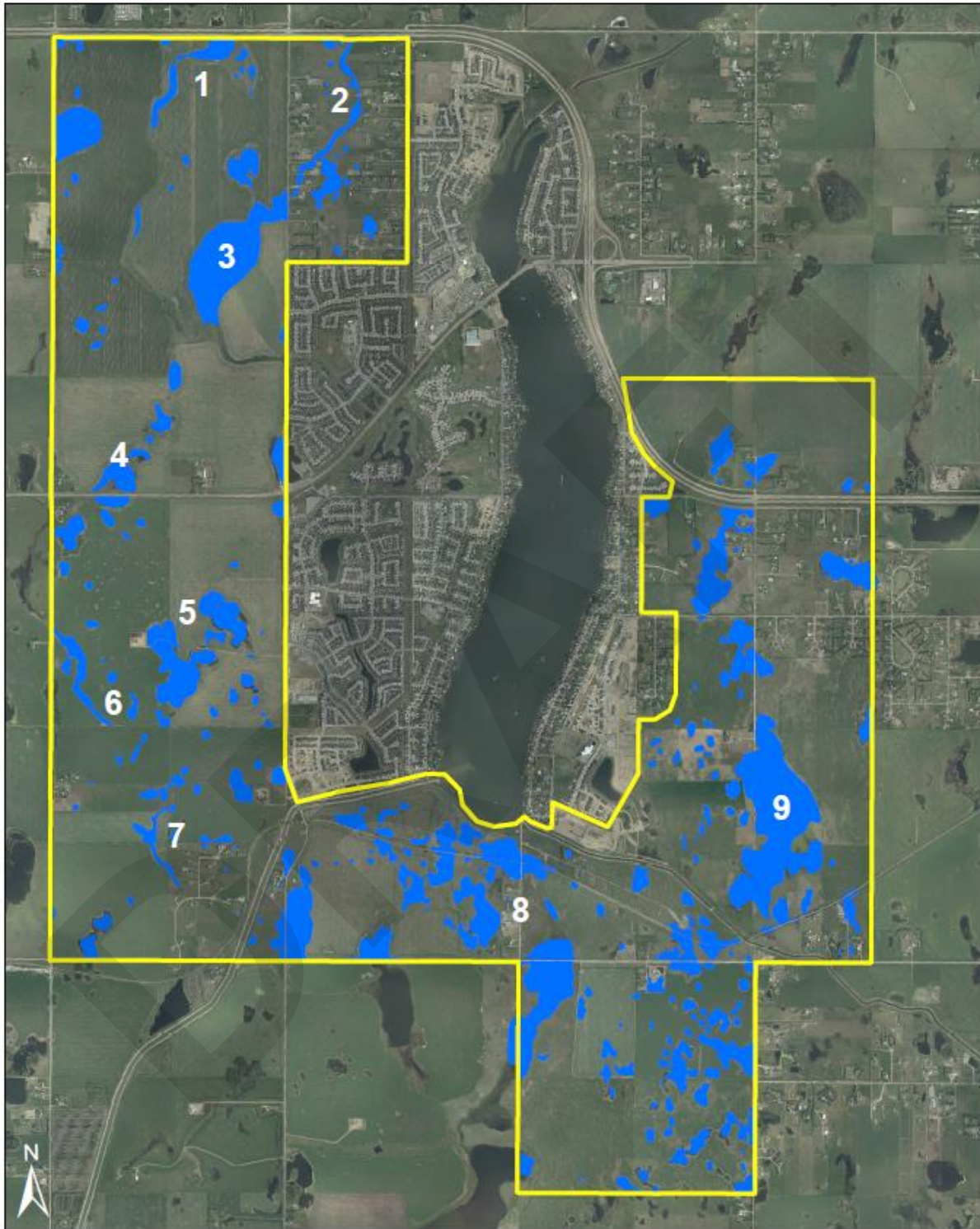




**FOR REMAINING SCHEDULE E – PLEASE ATTEND CITY HALL OR REQUEST FULL SCHEDULE E  
PLEASE SEE BYLAW 010-16 REGARDING LAKE LOT AREA UPDATES FOR 488-528 WEST  
CHESTERMERE DRIVE**

**DRAFT**

**SCHEDULE F WETLAND AREAS – APPENDIX A**



Wetlands

**Appendix A**

0 250 500 1,000 Meters

**SCHEDULE F WETLAND AREAS – APPENDIX B**

