

**VILLAGE OF STIRLING
IN THE PROVINCE OF ALBERTA
Bylaw No. 472-17
Land Use Bylaw Amendment**

BEING a bylaw of the Village of Stirling in the Province of Alberta, to amend Bylaw No. 415-08, being the municipal Land Use Bylaw.

WHEREAS the Village Council wishes to amend the Land Use Bylaw to include additional land uses and associated development standards including garden suites, secondary suites, solar collector systems, and temporary shipping containers; revise site coverage standards; update development standards including driveway regulations, fences and easements; update administrative requirements; and clarify and add certain definitions to the Land Use Bylaw to assist in interpretation of the bylaw;

AND WHEREAS the purpose of proposed Bylaw No. 472-17 is to provide opportunity to diversify housing and alternative energy within the community, enhance development standards and processes, and provide clarity to certain terms used in the Land Use Bylaw;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing;

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

1. That the Districts in Schedule 2 are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strikethrough~~):

RESIDENTIAL (R)

1. INTENT

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

2. PERMITTED USES

Dwellings:

Single detached dwelling

Modular home A

Ready-to-move home

Building(s) accessory to dwelling not to exceed 83.6 m² (900 ft²) combined area of all accessory buildings

Home occupation – minor

Home occupation – office

3. DISCRETIONARY USES

Other accessory buildings and uses

Bed and Breakfast

Building(s) accessory to dwelling greater than 83.6 m² (900 ft²) combined area of all accessory buildings

Dwellings:

Garden suite

Manufactured home

Modular home B

Multi-unit dwelling

Row or Townhouse

Secondary suite

Semi-detached dwelling (duplex)

Home occupation – major
 Public or private utility
 Public park or recreation use
 Senior citizen housing
Shipping container temporary
Solar collector household system

4. PROHIBITED USES

Permanent Shipping Containers

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

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

5. MINIMUM LOT SIZE

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

6. MINIMUM SETBACK REQUIREMENTS*

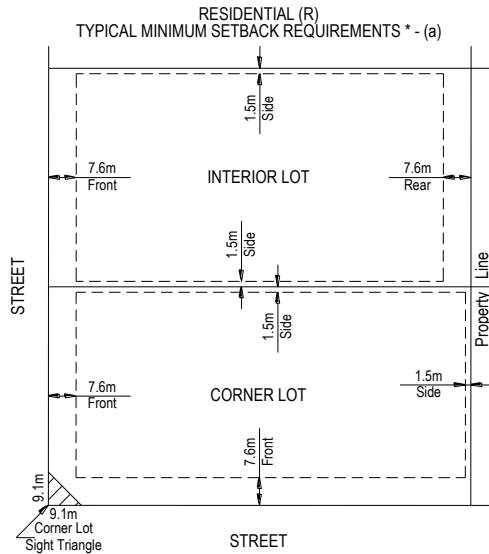
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Manufactured, modular, ready-to-move home	7.6	25	1.5	5	7.6	25
Single detached dwelling	7.6	25	1.5	5	7.6	25
Duplex	7.6	25	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission <u>Development Authority</u>					

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

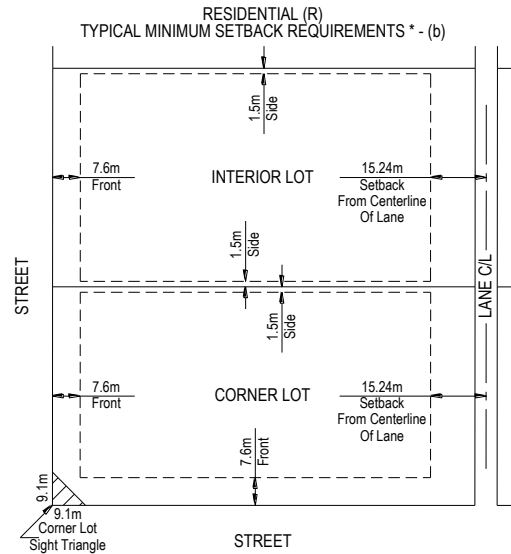
(c) The Development Authority may reduce the setback requirement in 6(b) to 11.43 metres (37.5 ft) for corner lots.

(d) A 4.57 metre (15 ft) wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

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



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



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

7. ACCESSORY BUILDINGS

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

8. SITE COVERAGE

- (a) The principal building shall not cover more than 33 percent of the surface area of the lot.
- ~~(b) The combined area of all accessory buildings on a lot shall not cover more than 14 percent of the lot surface area, or be in excess of 83.6 m² (900 ft²), whichever is the lesser.~~
- (b) Lot coverage for accessory buildings is as follows:
Permitted use accessory buildings – combined total of all accessory buildings shall not exceed 83.6 m² (900 ft²).
Discretionary use accessory buildings – as required by the Development Authority.
- (c) The site coverage for other uses will be as required by the ~~Municipal Planning Commission.~~ Development Authority.

9. MINIMUM FLOOR AREA

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

10. MINIMUM BUILDING WIDTH

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

11. MAXIMUM BUILDING HEIGHT

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

~~12. DUPLEX SITING~~

~~Duplexes are encouraged to locate on corner lots with individual units facing a different street frontage in order to blend in with existing single detached development.~~

~~13. 12. MANUFACTURED, MODULAR, READY-TO-MOVE HOME STANDARDS~~

(a) Eligibility

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

(b) Application

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

(c) Standards

- (i) Manufactured, modular and ready-to-move dwellings shall be placed on a conventional, permanent concrete foundation (either slab-on-grade or basement foundation), unless otherwise approved by the Municipal Planning Commission.
- (ii) If access to a basement foundation is proposed from the exterior, the access must be housed within an enclosure of a design and finish which, in the opinion of the ~~Designated Officer or Municipal Planning Commission~~ Development Authority, complements the unit.

- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
 - (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.
- (d) **Conditions of Approval**
- (i) ~~The Designated Officer or the Municipal Planning Commission~~ Development Authority may impose conditions regulating the exterior finish of the dwelling to ensure compatibility with existing dwellings within the area.
 - (ii) If the home is not complete upon arrival at the lot, it must be finished as per the development permit application before overnight occupancy may occur.
 - (iii) Additions to the home in terms of porches, verandas, carports or attached garages must be finished in materials identical or complementary to that of the primary structure.
 - (iv) To ensure compatibility of housing types, the ~~Designated Officer or Municipal Planning Commission~~ Development Authority may limit the variation of rooflines between manufactured, modular, ready-to-move and single detached dwellings.
 - (v) The ~~Designated Officer or Municipal Planning Commission~~ Development Authority may require a form of security (bond, irrevocable letter of credit, etc.) to ensure the conditions of the development permit are met to the satisfaction of the municipality.
 - (vi) Any other conditions necessary to ensure compliance with the land use bylaw.

13. GARDEN SUITE STANDARDS

- (a) A garden suite shall be restricted to a lot occupied by a single-detached dwelling (i.e., the single-detached dwelling must be constructed before development of a garden suite may be permitted). A garden suite is prohibited on a vacant lot or a lot occupied by a: single-detached dwelling containing a secondary suite; manufactured home; semi-detached dwelling; duplex; row or townhouse; or multi-unit dwelling.
- (b) No more than one garden suite may be permitted on a lot.
- (c) A garden suite shall be incidental and subordinate to the single-detached dwelling and located to the rear or the side of the single-detached dwelling in a manner which clearly indicates the subordinate nature of the garden suite.
- (d) The maximum floor area of a garden suite, inclusive of all floors, shall not exceed 74.32 m² (800 ft²) in size.
- (e) The site coverage requirements for accessory buildings shall apply to a garden suite.
- (f) A garden suite shall be constructed on a permanent foundation.
- (g) A garden suite shall be integrated into the site by appropriate site grading, earthwork and landscaping and be harmonious with the character of the neighbourhood.
- (h) The exterior finish and style of the building containing a garden suite must complement or reflect the design of the single-detached dwelling incorporating similar or complementary features such as window and door detailing, exterior cladding materials, colours, and roof lines.
- (i) A garden suite shall not contain a roof-top deck.
- (j) One off-street parking space, in addition to the parking space requirements for the single-detached dwelling, shall be provided on the lot for the garden suite.
- (k) A garden suite shall be connected to municipal water and sewer services through service connections from the single-detached dwelling.

(l) Construction of a garden suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

(m) Condominium conversion or subdivision of a garden suite is prohibited.

14. SECONDARY SUITE STANDARDS

(a) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being developed in a manufactured home, semi-detached dwelling, duplex, row or townhouse, multi-unit dwelling, garden suite, or in a single-detached dwelling on a lot containing a garden suite.

(b) No more than one secondary suite may be permitted on a lot.

(c) The maximum floor area of a secondary suite shall not exceed 83.61 m² (900 ft²) or 50% of the floor area of the single-detached dwelling, whichever is the lesser.

(d) A secondary suite shall have an entrance separate from the entrance to the principal dwelling unit, either from a common indoor landing or directly from the side or rear of the single-detached dwelling.

(e) One off-street parking space, in addition to the parking space requirements for the single-detached dwelling, shall be provided on the lot for the secondary suite.

(f) Construction of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

(g) Condominium conversion or subdivision of a secondary suite is prohibited.

~~14.~~ 15. FENCING

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

~~15.~~ 16. KIPP COULEE AREA OVERLAY – Schedule 4

~~16.~~ 17. STANDARDS OF DEVELOPMENT – Schedule 5

~~17.~~ 18. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5

~~18.~~ 19. LANDSCAPING – Schedule 5

~~19.~~ 20. OFF-STREET PARKING – Schedule 6

~~20.~~ 21. HOME OCCUPATIONS – Schedule 8

22. SOLAR COLLECTOR SYSTEMS – Schedule 11

MANUFACTURED/MODULAR HOME RESIDENTIAL (R-M)

1. INTENT

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

2. PERMITTED USES

- Dwellings:
 - Manufactured home
 - Modular home A and B
- Building(s) accessory to dwelling not to exceed 78.0 m² (840 ft²) combined area of all accessory buildings
- Home occupation – minor
- Home occupation – office

3. DISCRETIONARY USES

- Other accessory buildings and uses Building(s) accessory to dwelling greater than 78.0 m² (840 ft²) combined area of all accessory buildings
- Home occupation – major
- Public or private utility
- Public park or recreation use
- Ready-to-move home
- Senior citizen housing
- Single detached dwelling
- Shipping container temporary
- Solar collector household system

4. PROHIBITED USES

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

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

5. MINIMUM LOT SIZE

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

6. MINIMUM SETBACK REQUIREMENTS*

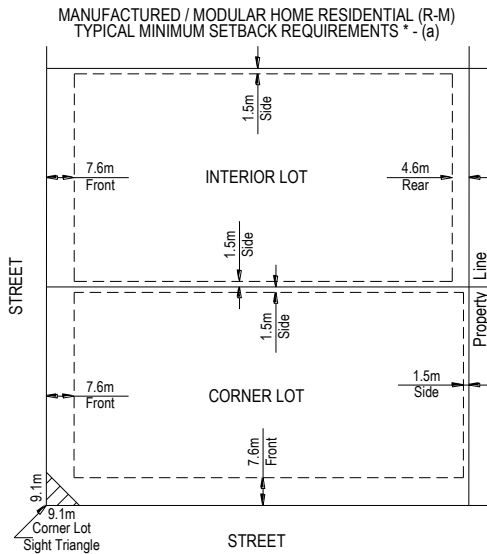
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Manufactured, modular, ready-to-move home, single detached dwelling	7.6	25	1.5	5	4.6	15
All other uses	As required by the Municipal Planning Commission <u>Development Authority</u>					

(b) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; ~~and~~ Block 15, Plan 0111775;

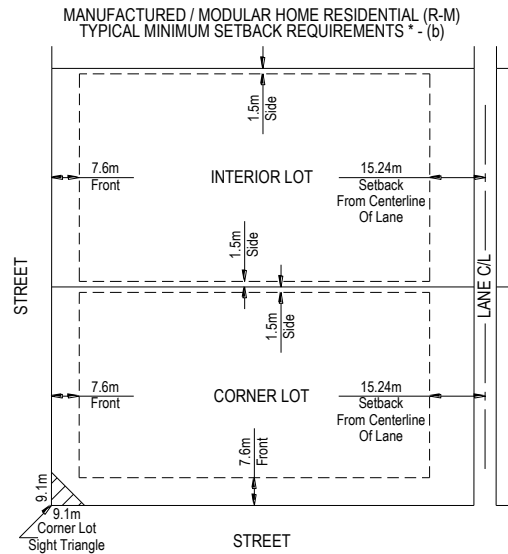
and lots where road right-of-way has been dedicated in accordance with subsection (d). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided.

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

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



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



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

7. ACCESSORY BUILDINGS

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

8. SITE COVERAGE

- (a) The principal building shall not cover more than 33 percent of the surface area of the lot.

~~(b) The combined area of all accessory buildings on a lot shall not cover more than 14 percent of the lot surface area, or be in excess of 78 m² (840 ft²), whichever is the lesser.~~

(b) Lot coverage for accessory buildings is as follows:

Permitted use accessory buildings - combined total of all accessory buildings shall not exceed 78.0 m² (840 ft²).

Discretionary use accessory buildings – as required by the Development Authority.

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

9. MINIMUM FLOOR AREA

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

10. MINIMUM BUILDING WIDTH

Manufactured, modular, ready-to-move home, single detached dwelling:	4.9 m (16 ft)
All other uses:	As required by the Municipal Planning Commission <u>Development Authority</u>

11. MAXIMUM BUILDING HEIGHT

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

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

(a) Eligibility

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

(b) Application

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

(c) Standards

(i) Manufactured, modular and ready-to-move homes shall be placed on a permanent foundation and anchored accordingly.

- (ii) All dwellings placed on pilings, piers, block or other open foundations shall be enclosed and/or finished with materials to the satisfaction of the ~~Designated Officer or the Municipal Planning Commission~~ Development Authority.
- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
- (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.

(d) Conditions of Approval

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

13. FENCING

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

14. KIPP COULEE AREA OVERLAY – Schedule 4

15. STANDARDS OF DEVELOPMENT – Schedule 5

16. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5

17. LANDSCAPING – Schedule 5

18. OFF-STREET PARKING – Schedule 6

19. HOME OCCUPATIONS – Schedule 8

20. SOLAR COLLECTOR SYSTEMS – Schedule 11

RESIDENTIAL LARGE-LOT (R-L)

1. INTENT

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

2. PERMITTED USES

- Dwellings:
 - Single detached dwelling
 - Modular home A
 - Ready-to-move home
- Building(s) accessory to dwelling not to exceed 95.1 m² (1024 ft²) combined area of all accessory buildings
- Home occupation – minor
- Home occupation – office

3. DISCRETIONARY USES

- Other accessory buildings and uses
- Bed and Breakfast
- Building(s) accessory to dwelling greater than 95.1 m² (1024 ft²) combined area of all accessory buildings
- Dwellings:
 - Manufactured home
 - Modular Home B
- Home occupation – major
- Public or private utility
- Public park or recreation use
- Shipping container temporary
- Solar collector household system

4. PROHIBITED USES

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

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

5. MINIMUM LOT SIZE

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

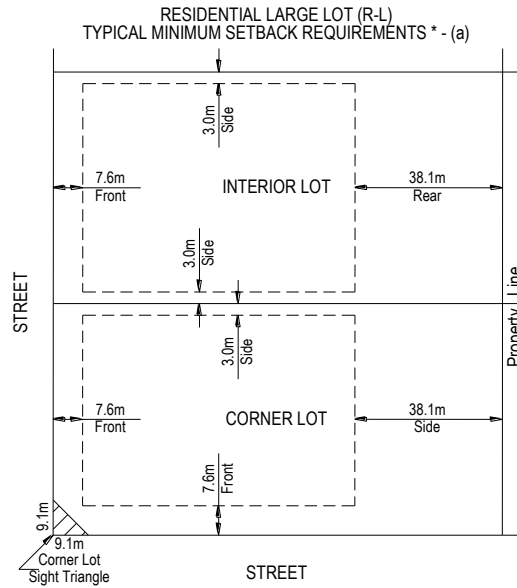
6. MINIMUM SETBACK REQUIREMENTS*

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

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

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

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



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

7. ACCESSORY BUILDINGS

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

8. SITE COVERAGE

- (a) The principal building shall not cover more than 33 percent of the surface area of the lot.
- ~~(b) The combined area of all accessory buildings on a lot shall not cover more than 95.1 m² (1024 ft²).~~

(b) Lot coverage for accessory buildings is as follows:

Permitted use accessory buildings - combined total of all accessory buildings shall not exceed 95.1 m² (1024 ft²).

Discretionary use accessory buildings – as required by the Development Authority.

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

9. MINIMUM FLOOR AREA

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

10. MINIMUM BUILDING WIDTH

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

11. MAXIMUM BUILDING HEIGHT

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

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

(a) Eligibility

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

(b) Application

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

(c) Standards

- (i) Manufactured, modular and ready-to-move dwellings shall be placed on a conventional, permanent concrete foundation (slab-on-grade or basement foundation), unless otherwise approved by the Municipal Planning Commission.
- (ii) If access to a basement foundation is proposed from the exterior, the access must be housed within an enclosure of a design and finish which, in the opinion of the ~~Designated Officer or Municipal Planning Commission~~ Development Authority, complements the unit.

- (iii) The design, character and appearance of the home shall be consistent with the purpose of the district in which the home is located. The quality of the completed home shall be at least equal to the quality of the other homes in the area.
- (iv) Compliance with all other criteria and standards of the land use bylaw, as applicable.

(d) Conditions of Approval

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

13. FENCING

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

14. KIPP COULEE AREA OVERLAY – Schedule 4

15. STANDARDS OF DEVELOPMENT – Schedule 5

16. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5

17. LANDSCAPING – Schedule 5

18. OFF-STREET PARKING – Schedule 6

19. HOME OCCUPATIONS – Schedule 8

20. SOLAR COLLECTOR SYSTEMS – Schedule 11

COMMERCIAL (C)

1. INTENT

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

2. PERMITTED USES

- Accessory buildings 13.4 m² (144 ft²) or less
- Amusement facility
- Financial institution
- Childcare facility
- Office
- Personal services
- Retail store
- Tourist information service and facility

3. DISCRETIONARY USES

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

4. PROHIBITED USES

Permanent Shipping Containers

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

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

5. MINIMUM LOT SIZE

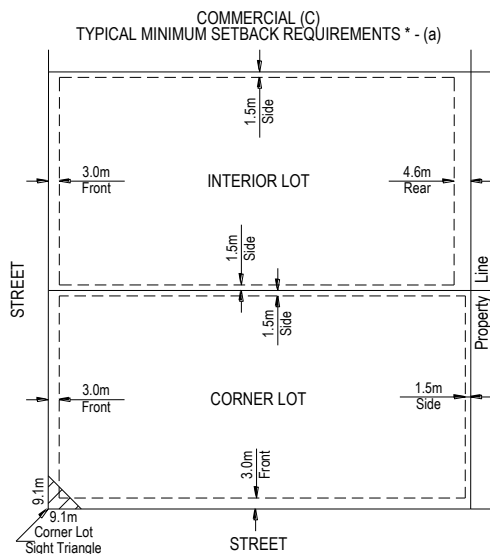
Use	Width		Length		Area	
	m	ft	m	ft	m ²	ft ²
All Uses	7.6	25	30.5	100	232	2500

6. MINIMUM SETBACK REQUIREMENTS*

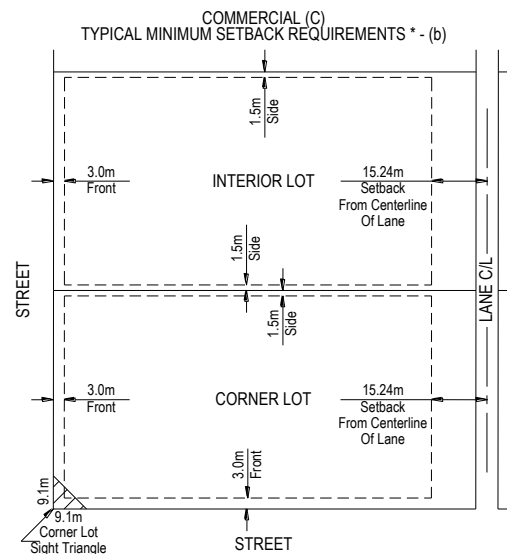
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Permitted Uses	3.0	10	1.5	5	4.6	15

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

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



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



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

7. SITE COVERAGE

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

8. FENCING

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

9. KIPP COULEE AREA OVERLAY – Schedule 4

10. STANDARDS OF DEVELOPMENT – Schedule 5

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

12. **LANDSCAPING** – Schedule 5

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

14. **SIGNAGE** – Schedule 7

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

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

INDUSTRIAL / BUSINESS (I/B)

1. INTENT

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

2. PERMITTED USES

Accessory buildings 13.4 m² (144 ft²) or less
~~Public or private utility~~

3. DISCRETIONARY USES

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

4. PROHIBITED USES

Permanent Shipping Containers

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

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

5. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	ft ²
All Uses	30.5	100	30.5	100	930	10 000

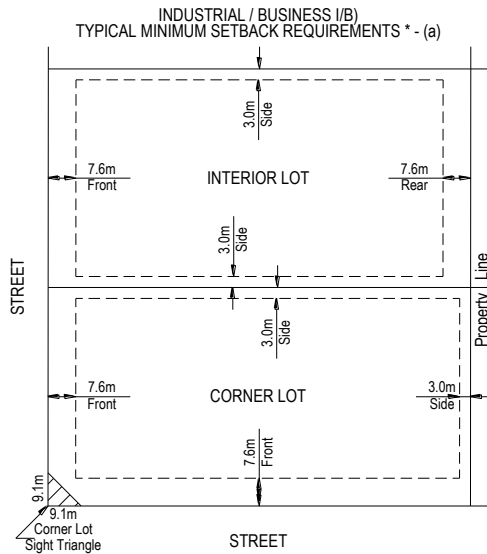
6. MINIMUM SETBACK REQUIREMENTS*

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

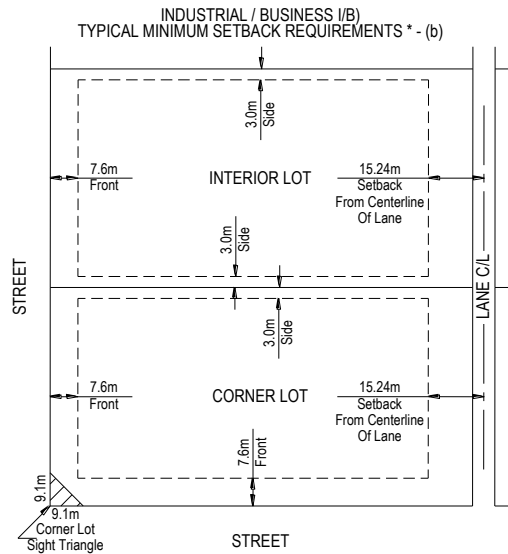
(b) No permanent buildings or structures shall be placed within 15.24 metres (50 ft) of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan

752J; Block 13, Plan 7510875; Block 14, Plan 7410027; ~~and~~ Block 15, Plan 0111775; and lots where road right-of-way has been dedicated in accordance with subsection (d). This area is reserved for future road widening and front yard requirements when these blocks are resubdivided.

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



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



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

7. SITE COVERAGE

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

8. OUTDOOR STORAGE

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

9. FENCING

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

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

PUBLIC (P)

1. INTENT

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

2. PERMITTED USES

Accessory buildings 13.4 m² (144 ft²) or less
 Government service
 Public and institutional use
 Public park or recreation use

3. DISCRETIONARY USES

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

4. PROHIBITED USES

Permanent Shipping Containers

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

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

5. MINIMUM LOT SIZE

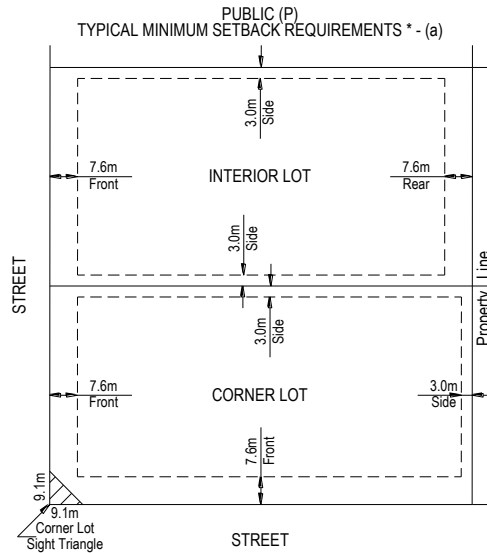
All uses – As required by the ~~Designated Officer or Municipal Planning Commission~~
Development Authority

6. MINIMUM SETBACK REQUIREMENTS*

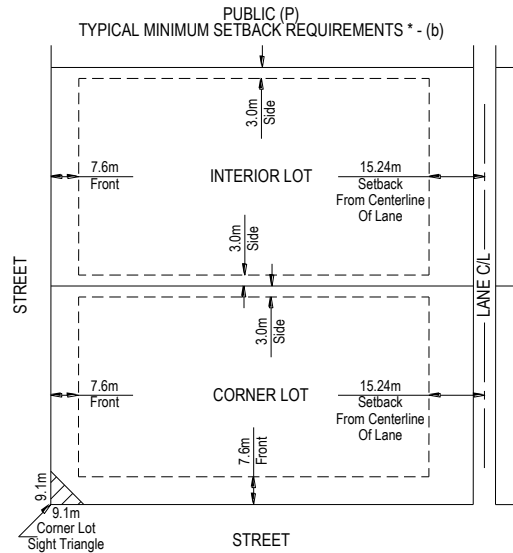
	Front		Side		Rear	
	m	ft	m	ft	m	ft
(a) Permitted Uses	7.6	25	3.0	10	7.6	25
(b) Discretionary Uses	As required by the Municipal Planning Commission					
(c) No permanent buildings or structures shall be placed within 15.24 metres of the centre line of adjacent lanes in all blocks, excepting Blocks 3, 4, 16, 17, and 18 of Plan 752J; Block 13, Plan 7510875; Block 14, Plan 7410027; and Block 15, Plan 0111775; <u>and lots where road right-of-way has been dedicated in accordance with subsection (e)</u> . This area is reserved for future road widening and front yard requirements when these blocks are resubdivided.						
(d) The Development Authority may reduce the setback requirement in 6(c) to 11.43 metres (37.5 ft) for corner lots.						

- (e) A 4.57 metre wide right-of-way running the entire length of the subject parcel(s) shall be dedicated at the time of subdivision for future road widening for any lots adjacent to a lane.

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



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



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

7. MAXIMUM SITE COVERAGE

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

8. MAXIMUM BUILDING HEIGHT

As required by the ~~Designated Officer or Municipal Planning Commission~~ Development Authority keeping in mind the impact to adjacent property owners and land uses.

9. FENCING

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

10. KIPP COULEE AREA OVERLAY – Schedule 4

11. STANDARDS OF DEVELOPMENT – Schedule 5

12. MUNICIPAL SERVICES AND ROAD ACCESS – Schedule 5

13. LANDSCAPING – Schedule 5

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

15. **SIGNAGE** – Schedule 7

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

17. SOLAR COLLECTOR SYSTEMS – *Schedule 11*

AGRICULTURAL (A)

1. INTENT

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

2. PERMITTED USES

Accessory buildings to a maximum of 2 per lot
 Extensive agriculture
 Home occupation – minor
 Home occupation – office

3. DISCRETIONARY USES

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

4. PROHIBITED USES

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

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

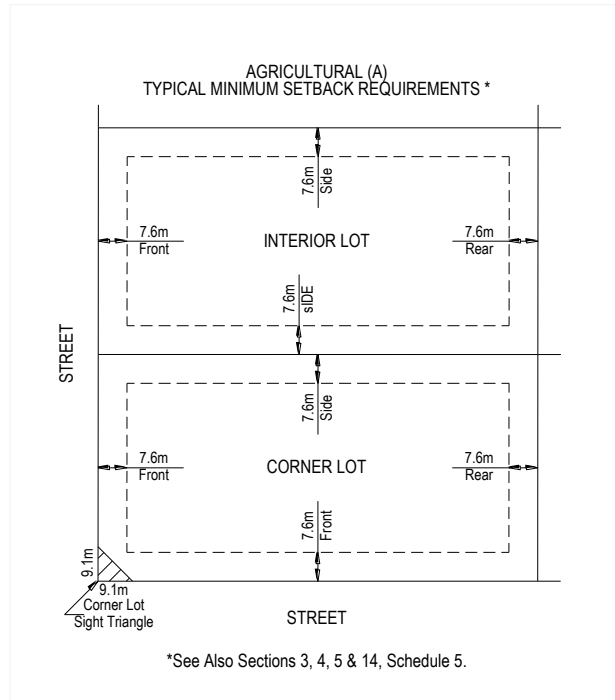
5. MINIMUM LOT SIZE

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

6. MINIMUM SETBACK REQUIREMENTS*

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

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



7. SITE COVERAGE

As required by the ~~Designated Officer or Municipal Planning Commission~~ Development Authority, in keeping with the intent of the district.

8. LANDSCAPING

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

9. FENCING

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

10. REDESIGNATION TO ANOTHER LAND USE DISTRICT

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

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

(a) Eligibility

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

(b) Application

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

(c) Standards

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

(d) Conditions of Approval

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

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

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

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

15. **HOME OCCUPATIONS** – Schedule 8

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

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

2. That Schedule 11 Definitions is renumbered as Schedule 12 and all references in the bylaw are updated accordingly and a new Schedule 11 titled, "Solar Collector Standards" is inserted as follows:

Schedule 11

SOLAR COLLECTOR STANDARDS

1. CLASSIFICATION

Solar collector systems are classified as follows:

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

2. DEVELOPMENT PERMIT REQUIREMENTS

- (a) A development permit application for a solar collector household system shall be accompanied by the following additional information:
 - (i) documentation demonstrating the system is designed to produce energy primarily for the sole use and consumption on-site;
 - (ii) manufacturer's specifications for system design and rated output;
 - (iii) orientation of solar panels;
 - (iv) for panels mounted to the roof of a building or affixed to the wall of a building, a description of how the panels are to be mounted or affixed, maximum projection from roof or wall, and structural capacity of the building to support the proposed development (a report prepared by a structural engineer may be required);
 - (v) for free-standing solar panels, a description of the proposed ground mount design and maximum height from existing grade.
- (b) A development permit application for a solar collector industrial system shall be accompanied by the following additional information:
 - (i) a site suitability analysis including but not limited to: topography; soil characteristics; access; compatibility with surrounding land uses; environmental features; identification of any sensitive environmental or topographical features on or abutting the site; potential visual and noise impacts; stormwater management; and if applicable, water supply, sewage disposal and solid waste disposal;

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

3. GENERAL STANDARDS

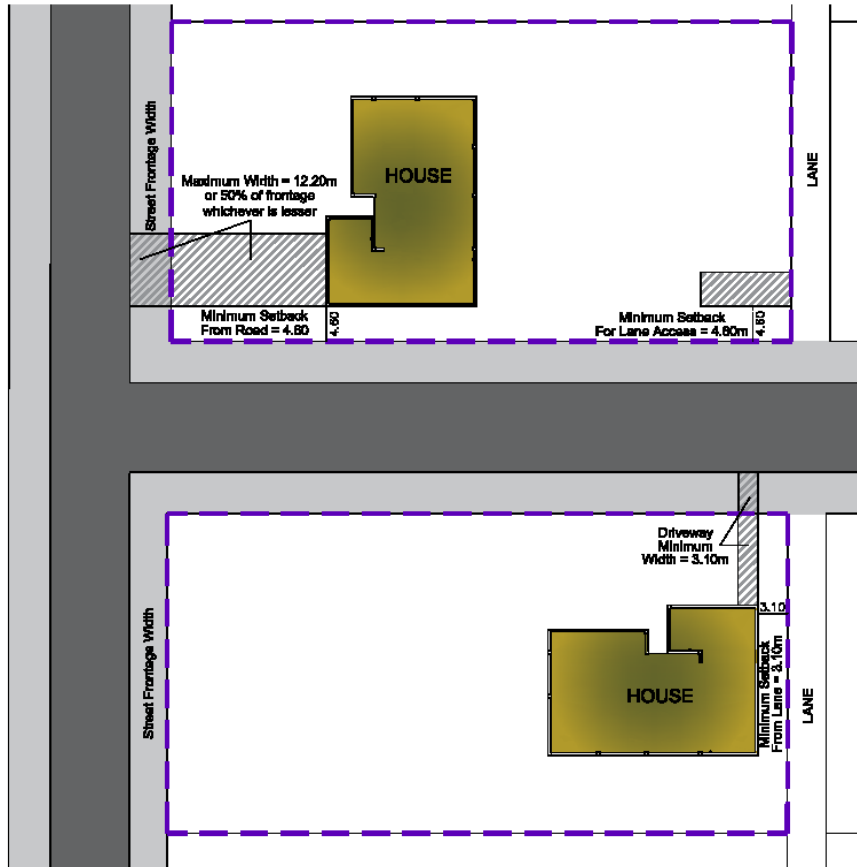
- (a) A solar collector household system is subject to the following general standards:
 - (i) solar panels must be located such that they do not create undue glare on neighbouring lots or public roadways;
 - (ii) solar panels mounted to the roof of a principal building or accessory building must not extend beyond the outermost edge of the roof;
 - (iii) the maximum projection of solar panels affixed to the wall or mounted to the roof of a principal building or accessory building shall be as regulated by the Development Authority;
 - (iv) setback requirements are as prescribed in the applicable land use district;
 - (v) the height of free-standing solar panels shall not exceed 2.44 m (8 ft); the maximum height of solar panels affixed to a principal or accessory building are subject to the approval of the Development Authority;
 - (vi) the maximum number and location of solar panels per lot may be regulated by the Development Authority.
- (b) A solar collector industrial system is subject to the following general standards:
 - (i) solar panels and associated equipment must be located such that they do not create undue glare on neighbouring lots or public roadways;
 - (ii) setback requirements are as prescribed by the Development Authority;
 - (iii) maximum height requirements are as prescribed by the Development Authority;
 - (iv) any development permit issued for a solar collector industrial system may, in addition to standard development permit conditions, be subject to conditions that address: location, height, and type of fencing; weed control measures; grading, stockpiling and soil erosion control; financial security in the amount and type acceptable to the municipality to ensure conditions are met; and any other condition necessary to mitigate potential impacts and provide compatibility with surrounding uses.

3. That Schedule 5 Standards of Development, section 9(c), (d), (e) and the accompanying diagram are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strikethrough~~):

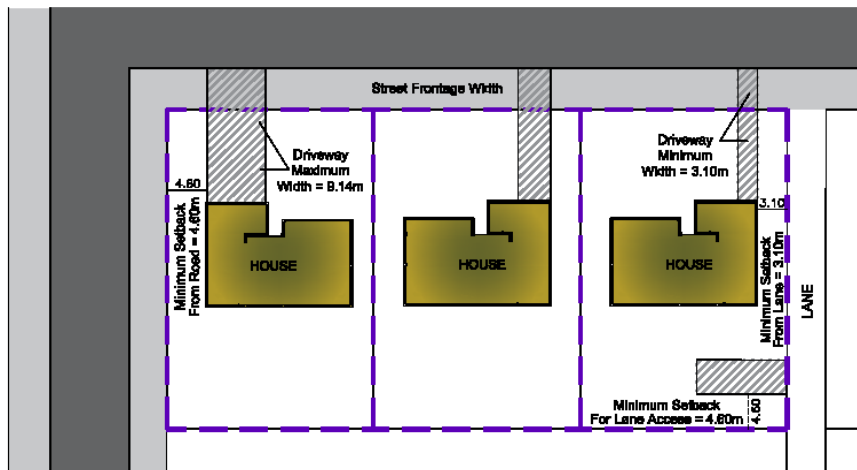
9 (c) Only one driveway per lot should be permitted ~~for single detached residential development,~~
except as follows:

- (i) Corner lots are permitted one driveway located on each street frontage, subject to the minimum setback requirements for driveways in section (e) and the corner lot sight triangle requirements in section 3 of this Schedule.
 - (ii) On lots with a street frontage width of 40 metres (131 ft) or greater, a second driveway may be permitted in accordance with the minimum setback requirements for driveways in section (e) and the corner lot sight triangle requirements in section 3 of this Schedule.
 - (iii) On lots with lane access, one driveway located off the lane may be permitted in accordance with the minimum setback requirements in section (e) and the corner lot sight triangle requirements in section 3 of this Schedule.
- (d) ~~Driveways shall be a minimum of 3.1 metres (10 ft) and a maximum of 6.1 metres (20 ft) in width, unless otherwise approved by the Municipal Planning Commission on the basis of merit. Driveway widths, within the street right-of-way and on private property, shall be as follows:~~
- (i) on lots with a street frontage width of 20 metres (66 ft) or less, driveways shall be a minimum of 3.1 metres (10 ft) in width and a maximum of 9.14 metres (30 ft) in width (refer to diagram for illustration);
 - (ii) on lots with a street frontage width greater than 20 metres (66 ft), driveways shall be a minimum width of 3.1 metres (10 ft) and not exceed 50% of the frontage where access is taken or 12.2 metres (40 ft) in width, whichever is the lesser (refer to diagram for illustration).
- (e) Driveways shall be a minimum of 3.1 metres (10 ft) from the entrance to a lane, and 4.6 metres (15 ft) from the intersection of two public roadways measured from the property line. Driveways off a lane shall be a minimum of 4.6 metres (15 ft) from the intersection of the public roadway and the lane, measured from the property line. Refer to diagram for illustration.

LOTS WITH A STREET FRONTAGE WIDTH OF MORE THAN 20m



LOTS WITH A STREET FRONTAGE WIDTH OF 20m OR LESS



DRIVEWAY SETBACK DIAGRAM

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

4. That Schedule 9 Moved-In Building Standards is amended to include Shipping Container Standards as follows (text to be added identified in underlined italics):

Schedule 9

MOVED-IN BUILDING STANDARDS AND SHIPPING CONTAINER STANDARDS

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

MOVED-IN BUILDING STANDARDS

All moved-in buildings shall comply with the following:

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

SHIPPING CONTAINER STANDARDS

All shipping containers shall comply with the following:

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

5. That the following Administration sections are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strike through~~):

9. A land use not listed as permitted, discretionary or deemed similar in nature to a use in a the district in which it is proposed is prohibited and shall be refused.
14. (d) such other information as may be stipulated by the bylaw, the appendices or required by the Designated Officer or Municipal Planning Commission to evaluate an application including, but not limited to, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soils analysis, geotechnical reports and/or other reports regarding site suitability.
17. A Designated Officer may approve, with or without conditions pursuant to section 20, an application for a development permit for a permitted use that does not meet the requirements of this bylaw provided the granting of a minor ~~setback~~ waiver not to exceed 10 percent of ~~the~~ one measured standard and the proposed use is allowed in the land use district of the site in question.
18. A Designated Officer must refer an application for a development permit for a permitted use that does not meet the requirements of this bylaw and is beyond the granting of a minor ~~setback~~ waiver as authorized by ~~resolution of Council~~ section 17 to the Municipal Planning Commission for a decision pursuant to section 28. A Designated Officer may refer an application for a development permit for a permitted use that complies with the bylaw to the Municipal Planning Commission for a decision.
20. The Designated Officer or Municipal Planning Commission may issue a development permit with any of the following conditions in addition to a development agreement if

he/she considers them applicable to ensure any concerns over the suitability of the development are satisfied:

- (a) geotechnical investigation to ensure the site is suitable in terms of topography, soil characteristics, flooding subsistence, erosion and sanitary sewerage servicing;
- (b) alteration of structure of building size or location to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
- (c) any measures to ensure any other requirements of this land use bylaw are complied with;
- (d) public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;
- (e) repairs or reinstatement to original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site, to the satisfaction of the Designated Officer;
- (f) to give security to ensure the terms of the permit approval under this section are carried out.

33. The Municipal Planning Commission may approve, either permanently or for a limited period of time, an application for a development permit for a discretionary or similar use notwithstanding that the proposed development does not meet the requirements of this bylaw if, in the opinion of the Municipal Planning Commission, the proposed development would not:

- (a) unduly interfere with the amenities of the neighbourhood, and/or
- (b) materially interfere with or affect the use or enjoyment or value of neighbouring properties.

46. The validity of the permit may be extended:

- (a) by the Designated Officer or Municipal Planning Commission if issued by the Designated Officer, or
- (b) by the Municipal Planning Commission if issued by them or the Subdivision and Development Appeal Board.

for up to 24 months from the date of its issue.

NON-CONFORMING BUILDINGS AND USES AND NON-CONFORMING VARIANCES

53. Non-conforming buildings and uses and non-conforming variances are subject to the following:

- (a) A non-conforming building or use may only be continued in accordance with the criteria detailed in the Act.
- (b) The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to section 643(5)(c) of the Act.

DEVELOPMENT AGREEMENTS

56. ~~Where a development is proposed in any land use district which would require servicing beyond that which the municipality would normally supply, or special requirements, the Designated Officer of Municipal Planning Commission shall recommend to Council that a development agreement, establishing the responsibilities of each of the involved parties, be entered into by the developer(s) and the municipality as a condition of approval.~~

The Designated Officer or Municipal Planning Commission may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to section 650(1) of the Act, to do any or all of the following:

(a) to construct or pay for the construction of a road required to give access to the development;

(b) to construct or pay for the construction of a pedestrian walkway system to serve the development and/or connect the pedestrian walkway system that services or is proposed to serve adjacent development;

(c) to install or pay for the installation of a public utility that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;

(d) to construct or pay for the construction of off-street or other parking facilities, and/or loading and unloading facilities;

(e) to pay an off-site levy or redevelopment levy imposed by bylaw;

(f) to give security to ensure that the terms of the agreement under this section are carried out.

56.1 The Subdivision Authority may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality pursuant to section 655(1) of the Act.

56.2 An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with section 651 of the Act.

56.3 The municipality may register a caveat under the Land Titles Act with respect to an agreement under this section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.

56.4 If the municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.

APPENDICIES

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

6. That Schedule 3 Development Not Requiring A Permit, is amended to include section 13 as follows (text to be added identified in underlined italics):

13. Driveways in compliance with the provisions of the bylaw.

7. That the following sections of Schedule 5 Standards of Development are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strikethrough~~):

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

10. Fences

(a) No fence, wall, hedge or any combination thereof shall extend more than 0.9 metres (3 ft) above the ground in any front yard area, except as provided in section 10(c), without approval by the Municipal Planning Commission.

(b) Fences in rear and side yards shall be limited to 1.8 metres (6 ft) in height.

(c) Barbed wire fences will be permitted only in the Agricultural district and Public district to a maximum of 1.2 metres (4 ft) in height in the front, rear and side yards.

(d) In any residential land use district, fences, walls and other means of enclosure shall not be constructed of barbed wire, razor wire, commercial concrete retaining blocks, or other materials incompatible with a residential aesthetic. Examples of typically acceptable materials include, but are not limited to, wood, brick, residential concrete block, vinyl, composite, wrought iron and stone.

14. Easements

~~All buildings shall be located a minimum of 3.1 metres (10 ft) from an easement unless otherwise permitted by the Designated Officer or Municipal Planning Commission.~~

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

8. That Schedule 6 Off-Street Parking and Loading Area Requirements, section 1(e) and (f) are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strikethrough~~):

1. Off-Street Parking

(e) Off-street parking may be located in the front yard provided the parking space is not situated directly in front of the residence. ~~Off-street parking for recreation vehicles shall be provided in the rear or side yard only (except where the recreation vehicle is the sole means of transportation for members of that household).~~

(f) The Municipal Planning Commission may ~~waive the provision of parking spaces by~~ levying a fee, the value of which will be established by resolution of Council, as a condition of approval in lieu of off-street parking spaces.

9. That Schedule 8 Home Occupations, sections 2(b)(iii)(2), 2(c)(iv) and section 4(f) are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strikethrough~~):

2.(b)(iii)(2) the use of 1 vehicle associated with the home occupation in accordance with section 4(e); (d);

2.(c)(iv) the use of more than 1 vehicle associated with the home occupation in accordance with section 4~~(e)~~; (d);

4.(f) An approved development permit for a home occupation shall only be valid for the period of time the property is occupied as the applicant's full-time residence and is not transferable to another property or person. An approved development permit for a home occupation is also subject to the requirements in Administration sections 44-47.

10. That the following definitions in Schedule 11 Definitions are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strike through~~):

Accessory building means ~~any~~ building or structure:

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

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

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

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

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

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

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

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

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

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

11. That the following definitions are added to Schedule 11 Definitions as follows:

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

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

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

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

12. That Appendix B Development Applications – Information and Forms, sections 1 and 2 are amended as follows (text to be added identified in underlined italics; text to be deleted identified in ~~strikethrough~~):

1. MANDATORY INFORMATION ALL DISTRICTS AND USES

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

- (a) a completed development application, signed by the registered owner or his authorized representative;
- (b) a surveyor's sketch or a real property report prepared by an Alberta Land Surveyor, or a site plan acceptable to the Designated officer showing:
 - (i) a north arrow and scale;
 - (ii) the legal description of the lot with the municipal address, where relevant;
 - (iii) the lot boundaries;
 - (iv) the location of all existing and proposed buildings, structures, signs and easements including their distances from lot boundaries; and
 - (v) all adjoining public roadways, including lanes;

- ~~(vi)~~ existing and proposed driveways, vehicular accesses, parking areas, loading bays and refuse confinement areas;
- ~~(vii)~~ public utility service connections;
- ~~(viii)~~ existing and proposed private sewage disposal systems if applicable; and
- ~~(ix)~~ notable topographic features, including wetlands, depressions and watercourses;
- ~~(c)~~ the height of all proposed development, buildings and structures including signs, accessory buildings and fences;
- ~~(d)~~ any other information required by the bylaw for specific uses (e.g., shipping containers, home occupations, etc.);
- ~~(e)~~(e) a drainage plan, professionally prepared, when development of a vacant lot is proposed;
- ~~(f)~~(f) a general description of the proposed development and its purpose.

2. ADDITIONAL INFORMATION

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

- ~~(a)~~ — the location and, where applicable, the dimensions of:
 - ~~(i)~~ — existing and proposed driveways, vehicular accesses, parking areas, loading bays and refuse confinement areas;
 - ~~(ii)~~ — public utility service connections;
 - ~~(iii)~~ — existing and proposed private sewage disposal systems;
 - ~~(iv)~~ — existing and proposed grades, contours and on-site drainage; and
 - ~~(v)~~ — notable topographic features, including depressions and watercourses;
- ~~(b)~~ — details of existing and proposed landscaping;
- ~~(c)~~ — the height of all proposed development, buildings and structures including signs, accessory buildings and fences;
- ~~(d)~~ (a) a landscaping plan, prepared by a landscape architect, showing the location and other details of all existing and proposed landscaping and contours;
- ~~(e)~~ (b) a set of building plans, drawn to scale, showing the floor plans including the front, rear and side elevations of any proposed building, as well as the colour and materials proposed for its exterior finish;
- ~~(f)~~ (c) drainage plans, existing and proposed grades, servicing and infrastructure plans, soils analysis, geotechnical reports or other reports regarding site suitability; and/or
- ~~(g)~~ (d) any other information as may be deemed necessary by the Designated Officer or the Municipal Planning Commission to properly evaluate the application.

13. That the Table of Contents and page numbering throughout Bylaw No. 415-08 are to be updated accordingly.

14. Bylaw No. 415-08 is hereby amended.

15. This bylaw shall come into effect upon third and final reading hereof.

16. That a consolidated version of Bylaw No. 415-08 be prepared.

READ a **first** time this 17 day of May, 2017.

Mayor – Ben Nilsson

Chief Administrative Officer – Mike Selk

READ a **second** time this _____ day of _____, 2017.

Mayor – Ben Nilsson

Chief Administrative Officer – Mike Selk

READ a **third** time and finally PASSED this _____ day of _____, 2017.

Mayor – Ben Nilsson

Chief Administrative Officer – Mike Selk