

BYLAW NO. 838/12

**A BYLAW OF THE TOWN OF MUNDARE
TO AMEND THE LAND USE BYLAW OF THE TOWN OF MUNDARE**

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Mundare wishes to amend its Land Use Bylaw as it affects certain lands.

NOW THEREFORE the Council of the Town of Mundare, duly assembled, enacts as follows.

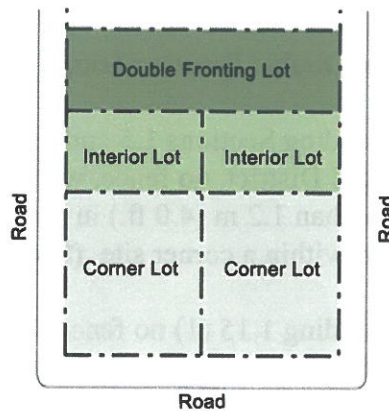
1. Bylaw No. 825/10, the Land Use Bylaw of the Town of Mundare, as amended, is hereby further amended as follows:

(a) The last sentence of Section 1.3(20) in Schedule A is deleted in its entirety and replaced with the following:

“The corner site shall be the triangular area formed by the intersecting road, highway, or lane right-of-way boundary lines and a straight line joining points on the road, highway or lane right-of-way boundary line located 6.1 m (20.0 ft.) from their intersection. At the intersection of a lane with another lane the corner site shall be the triangular area formed by the intersecting lane right-of-way boundary lines and a straight line joining points on the lane right-of-way boundary line located 2.4 m (7.9 ft.) from their intersection.

(b) Schedule A Section 1.3(30) is deleted in its entirety and replaced with:

““Double fronting lot” means a lot abutting onto two roads:



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- (c) Sections 1.14 and 1.15 of Schedule C are deleted in their entirety and replaced with the following text and figures:

“1.14 Corner Sites

- (1) Except in the Downtown Commercial District – C1, no structures greater than 1.2 m (4.0 ft.) in height shall be placed within a corner site. **Figure 8** shows the area of a corner site.

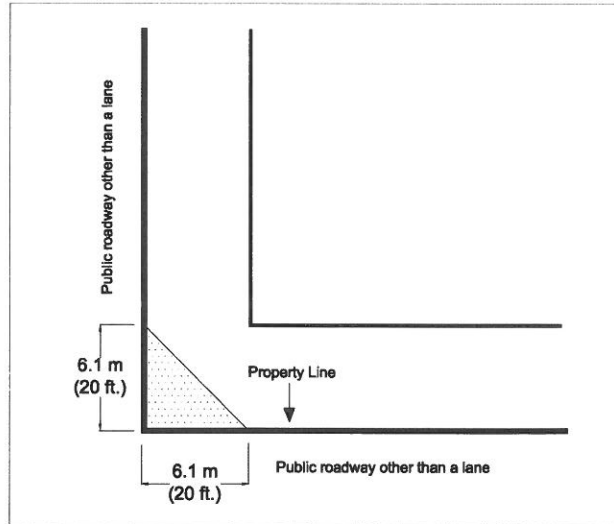


Figure 8: Corner Site Building Setback

- (2) Notwithstanding 1.14 (1) no fence shall be placed within the corner site of two lane right-of-ways.
- (3) No building shall be placed within a corner site in any district in such a manner that the line of sight at the intersection of the abutting roads, highways, or lanes would result in a traffic hazard.

1.15 Corner and Double Fronting Lots

- (1) Notwithstanding Sections 1.5 and 1.6 of this Schedule C, on corner lots in a Residential District, no fence, wall, tree, bush, building, structure or thing more than 1.2 m (4.0 ft.) in height shall be erected, placed or maintained within a corner site. (See **Figure 8a**)
- (4) Notwithstanding 1.15 (1) no fence shall be placed within the corner site of two lane right-of-ways. (See **Figure 8a**)

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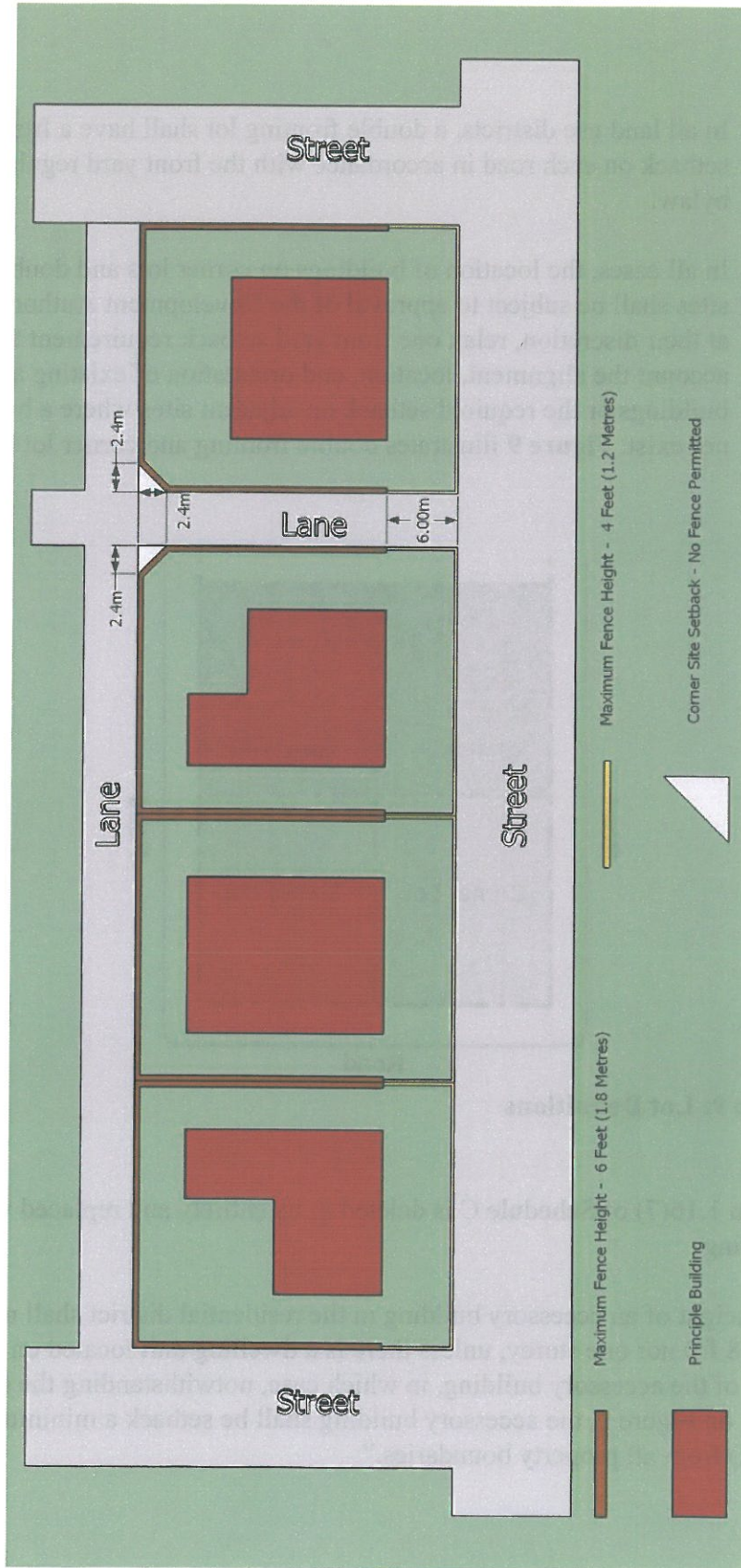


Figure 8a: Corner Site Building Setback

- (2) In all land use districts, a double fronting lot shall have a front yard setback on each road in accordance with the front yard regulations of this bylaw.
- (3) In all cases, the location of buildings on corner lots and double fronting sites shall be subject to approval of the Development Authority who may, at their discretion, relax one front yard setback requirement taking into account the alignment, location, and orientation of existing adjacent buildings or the required setback on adjacent sites where a building does not exist. **Figure 9** illustrates double fronting and corner lot types”

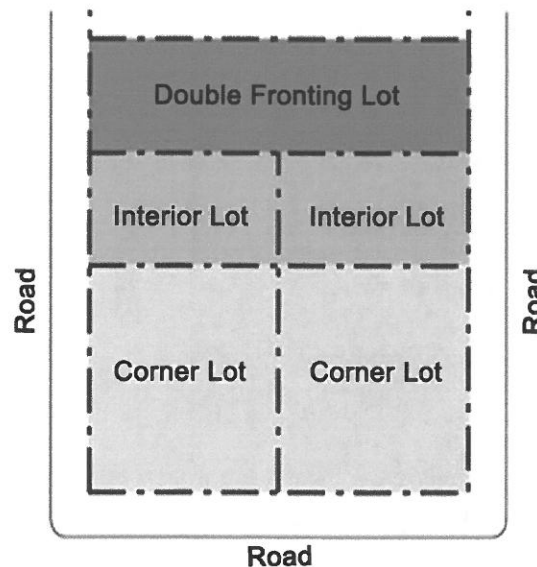


Figure 9: Lot Definitions

- (d) Section 1.16(7) of Schedule C is deleted in its entirety and replaced with the following:

“The height of an accessory building in the residential district shall not exceed 4.5 m (14.8 ft.) nor one storey, unless there is a dwelling unit located on the second storey of the accessory building, in which case, notwithstanding the distances shown on Figure 9, the accessory building shall be setback a minimum of 2.5 m (8.2 ft.) from all property boundaries.”

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- (e) Section 1.16(9) of Schedule C is deleted in its entirety and replaced with the following:

“The total area of all accessory buildings on a lot shall not exceed 15% of the area of the lot.”

- (f) Section 3.5(3)(a)(viii)(d) of Schedule C is deleted in its entirety.

- (g) Section 3.5(3)(b)(ii) of Schedule C is deleted in its entirety and replaced with the following:

	Type of Unit	Location	Area
a. Adjacent to a Lane	i. Up-down units	Interior lot	274.0 sq. m (2,950.0 sq. ft.) per dwelling unit
		Corner lot	350.0 sq. m (3,767.0 sq. ft.) per dwelling unit
	ii. Side by Side” or “Semi-detached” units:	Interior lot	325.0 sq. m (3,498.0 sq. ft.) per dwelling unit
		Corner lot	370.0 sq. m (3,983.0 sq. ft.) per dwelling unit
b. Not adjacent to a Lane	i. Up-down units	Interior lot	302.0 sq. m (3,245.0 sq. ft.) per dwelling unit
		Corner lot	385.0 sq. m (4,143.7 sq. ft.) per dwelling unit
	ii. Side by Side” or “Semi-detached” units:	Interior lot	357.5 sq. m (3,848 sq. ft.) per dwelling unit
		Corner lot	407.0 sq. m (4,381.3 sq. ft.) per dwelling unit

- (h) Section 3.6(3)(a)(i) of Schedule C is deleted in its entirety and replaced with the following:
- “(i) Minimum lot width – the same as for One Family Dwellings or Duplexes in the R2 District”
- (i) Section 3.6(3)(a)(ii) of Schedule C is deleted in its entirety and replaced with the following:
- “(ii) Minimum lot area – the same as for One Family Dwellings or Duplexes in the R2 District”
- (j) Section 3.7 (1) and (2) of Schedule C are deleted in their entirety and replaced with the following:
- “(1) Permitted Uses
- (a) Minor home occupations
 - (b) Public parks and playgrounds
 - (c) Buildings and uses accessory to permitted uses
- (2) Discretionary Uses
- (a) Apartments
 - (b) Basement suites (in single detached dwellings only)
 - (c) Boarding and lodging houses
 - (d) Child care facilities
 - (e) Day homes
 - (f) Duplexes
 - (g) Group homes
 - (h) Institutional uses
 - (i) Major home occupations
 - (j) Modular Homes
 - (k) Neighbourhood convenience stores
 - (l) One family dwelling
 - (m) Public or quasi-public services
 - (n) Public utilities required to serve the immediate area
 - (o) Relocated Buildings
 - (p) Row housing
 - (q) Buildings and uses accessory to discretionary uses
 - (r) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses”
- (k) Sections 3.17 (1) and (2) of Schedule C are deleted in their entirety and replaced with the following:



“1. Permitted Uses

- (a) Farming and cultivation of land, but not including the keeping of any livestock, as defined in the Agricultural Operation Practices Act.
- (b) Minor home occupations
- (c) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Any strictly temporary use or building which in the opinion of the Development Authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future
- (b) Major home occupations
- (c) Modular homes
- (d) One family dwellings on existing parcels only
- (e) Public or quasi-public services
- (f) Public utilities
- (g) Relocated Buildings
- (h) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (i) Buildings and uses accessory to discretionary uses”

(l) The following is added to Section 3.17 of Schedule C:

4. Applications for new development within that portion of SE 19-53-16-W4 which is situated south of 49th Avenue shall be required to provide a site plan which demonstrates that the location of the proposed development on the lot will not impede future subdivision or development of the lot.

READ a first time on October 16, 2012 .

READ a second time as amended on November 6, 2012 .

READ a third time on as amended on November 6, 2012 .

Nov 7 / 2012
Date


Mayor

Nov 7, 2012
Date


CAO

