

**TOWN OF SUNDRE**

**BYLAW NO. 824**

**A BYLAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA  
TO AMEND LAND USE BYLAW NO. 705**

**WHEREAS**, the Municipal Government Act, R.S.A. 2000, and subsequent amendments thereto, authorizes a Municipal Council to amend Land Use By-Laws;

**AND WHEREAS**, the purpose of the amendment is to provide regulations for the landscaping of all lands where new buildings are being constructed, new subdivisions are being created and the general beautification of the Town of Sundre.

**NOW THEREFORE**, the Council of the Town of Sundre duly assembled enacts as follows:

1. To amend section 1.3 by deleting the definition “**screen**” in it’s entirety.
2. To amend section 1.3 by replacing the following definitions:

“**landscaped area**” means that portion of the site which is required to be landscaped pursuant to the bylaw and a Development Permit, and shall not include areas occupied by storage, parking lots, driveways or garbage containers other than decorative containers for the use of the public and approved by the Development Authority.

“**soft landscaping**” means to use soft or natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover.

“**hard landscaping**” means the use of non-vegetative materials such as brick, stone, concrete, tile and wood and excluding monolithic concrete and asphalt such as driveways, sidewalks and patios

3. To amend section 1.3 by adding the following definitions:

“**boulevard**” means the landscape strip between the street curb and sidewalk. Boulevard width varies from street to street. Boulevard width can be anywhere from 3 feet wide to 15 feet wide. Larger shade trees should be planted in a boulevard width of at least 8 feet. but should be planted in a boulevard of at least 10-12 feet wide. A tree lawn width of less than 4 feet wide is usually not sufficient to support a tree without damage to sidewalk and curb.

“**landscaping**” means the modification and enhancement of a site or development through the use of either hard or soft landscaping techniques.

“**screening**” means the total or partial concealment of a building, structure or activity by a fence, wall, berm or soft landscaping.

“**street tree**” means a tree that is usually located in a boulevard.

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4. To amend Schedule "B" by replacing Section 6(6) in it's entirety with the following:

**6(6) Environmental Conservation and Development**

In the course of any development within the Town of Sundre, the following must, unless otherwise specified in Schedule "C" or permitted by the Town of Sundre, be adhered to;

- a) the retention, in their natural state, of
- (i) Swamps, gullies and drainage courses that handle normal, natural run-off
  - (ii) unstable land
  - (iii) land with a natural gradient of 15% or greater, and
  - (iv) a strip of land not less than 15.0m (49.2 ft.) in width along any river, Stream or creek, such distance to be measured from the top of bank
- b) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads.
5. To amend Schedule "B" by adding hereto the following section:

**9. Landscaping**

**9(1)** Any area requiring landscaping or topographic reconstruction shall be landscaped and/or reconstructed so that the finished surface contours do not direct surface drainage onto an adjoining site.

**9(2)** Landscaping Plan Required

An application for a Development Permit for a proposed commercial, industrial, institutional or condominium residential development shall be accompanied by a detailed landscaping plan that shows:

- a) the location with dimensions of all existing and proposed landscaping including trees, shrubs and grass,
  - b) any existing trees on the property, which trees will remain and which trees are proposed to be removed,
  - c) the number, size and species of all proposed trees and shrubs,
- 9(3)** Landscaped areas shall conform with the following requirements and standards:

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- a) All areas of a site not covered by buildings, outside storage, parking or vehicular maneuvering areas or similar structures shall be landscaped;
- b) where a private outdoor amenity space is provided within a minimum landscaped area, it shall be considered as satisfying both requirements;
- c) existing soft landscaping retained on the site **may** be considered in fulfillment of the total landscaping requirement;
- d) 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.

**9(4) General Landscaping Requirements**

Unless otherwise specified in Schedule C, the following standard of landscaping or equivalent landscaping provisions may be required for all areas of a parcel not covered by buildings, driveways, parking or vehicular maneuvering areas, storage and display areas.

- a) the retention of trees which exist prior to development to the extent possible, especially mature coniferous trees. No live trees shall be removed prior to either a submitted landscape plan being approved or permission being granted by the Development Authority by way of a Development Permit. Such applications shall list the reasons for tree removal. Any such trees which are retained following development may be considered in assessing fulfillment of the landscaping requirements provided that construction activity has not, in the opinion of the Development Authority, impacted on the ability of existing trees to survive 5 years beyond the date the development was completed,
- b) the planting of additional trees and shrubs to provide:
  - i) a minimum overall density of one tree per 35 m<sup>2</sup> (376.7 ft<sup>2</sup>) of the required landscaped area, except that the ratio shall be one tree per 70 m<sup>2</sup> (753.5 ft<sup>2</sup>) for institutional developments,
  - ii) a mixture of tree sizes at the time of planting shall be equivalent to a minimum of 50% large trees,
  - iii) a minimum overall density of one shrub per 15 m<sup>2</sup> (161.5 ft<sup>2</sup>) of the required landscape area,
  - iv) a minimum of 33% coniferous trees and shrubs,
  - v) a minimum height of 1.52m (5.0 ft) for small trees and 2.44m (8 ft) for large trees.

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- c) Allowable trees and shrubs shall **not** include those species or gender that create seeds of the cottony type such as cottonwoods and some species of Poplar. Suckering trees and shrubs shall not be allowed unless approved by the Town of Sundre.
- d) a sufficient depth of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded, cultivated as a garden in residential districts or left with its natural grass cover,
- e) a maximum of 15% of the required landscaped area being hard landscaped in residential and commercial districts and a maximum of 30% of the required landscaped area being hard landscaped in industrial districts,
- f) in addition to all other landscaping requirements, all Boulevards adjoining the site shall be landscaped,
- g) where a tree is planted in a boulevard or in proximity to overhead utility lines, it shall be of a species that will not exceed a maximum height of 6.0 metres (19.68 ft.) in height and shall not have a root spread that will cause damage to curbs, gutters and sidewalks nor shall it be allowed to have branches that will interfere with vehicular or pedestrian traffic on the street or the sidewalk.
- h) new residential subdivisions may be required within the Development Agreement to plant one medium height street tree in the boulevard in front of each and every residential lot and on certain Municipal Reserve lots,
- i) completion of the landscaping by the end of the first full growing season following completion of construction or the commencement of the use, whichever first occurs,

**9(5) Parking Areas**

- a) where off-street parking for 25 or more vehicles is required and is being provided at grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells,
- b) the landscaping treatment shall be in the form of landscaped islands, particularly at the termini of long rows of parking; tree lines separating facing rows of parking stalls, or some other form or combination of landscaping treatments,
- c) the location, extent and type of plantings and other landscaping treatments shall be to the satisfaction of the Development Authority.

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**9(6)** Landscaping Completion

- a) Landscaping is to be completed in accordance with the provisions of this Bylaw and the approved landscaping plan by the end of the first full growing season following completion of construction or the commencement of the use, whichever first occurs, and
- b) an inspection of the site by the Development Authority must demonstrate that the landscaping has been well maintained and is in a healthy condition two growing seasons after completion of the landscaping. This inspection will be performed at the discretion of the Development Authority within four weeks from the date of receiving a written request for the applicant to perform said inspection.

**9(7)** Screening Between Residential and Non-Residential Districts

Where a development is proposed that is not residential and which abuts an existing residential site, adequate screening or buffering shall be provided on the site of the development to the satisfaction of the Development Authority.

- 6. By adding hereto the following requirements to each Land Use District Regulations in Schedule "C":

(a) **Low Density Residential District (R-1)**

Landscaping – The boulevard and 30% of the site.

Minimum overall density of trees - one tree per 100 m<sup>2</sup> (1076.4 ft<sup>2</sup>) of the required landscaped area.

Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – None.

(b) **General Residential District (R-2)**

Landscaping - The Boulevard and 30% of the site except for apartment buildings and condominiums which require the Boulevard and 20% of the site.

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Minimum overall density of trees - one tree per 100 m<sup>2</sup> (1076.4 ft<sup>2</sup>) of the required landscaped area except for apartment buildings and condominiums.

Minimum overall density of shrubs – None except for apartment buildings and condominiums.

Mixture of tree sizes – None except for apartment buildings and condominiums.

Ratio of coniferous trees to deciduous trees – None except for apartment buildings and condominiums.

(c) **Mobile Home District (R-3)**

Landscaping - The Boulevard and 30% of the site except for existing Mobile Home Parks.

Minimum overall density of trees - one tree per 100 m<sup>2</sup> (1076.4 ft<sup>2</sup>) of the required landscaped area except for existing Mobile Home Parks.  
Minimum overall density of shrubs – None except for existing Mobile Home Parks.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – None.

(d) **Estate Residential District (R-4)**

Landscaping - The Boulevard and 40% of the site.

Minimum overall density of trees - one tree per 50 m<sup>2</sup> (538.2 ft<sup>2</sup>) of the required landscaped area.

Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – 1 to 1.

(e) **Serviced Estate Residential District (R-4A)**

Landscaping - The Boulevard and 40% of the site.

Minimum overall density of trees - one tree per 50 m<sup>2</sup> (538.2 ft<sup>2</sup>) of the required landscaped area.

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Minimum overall density of shrubs – None.

Mixture of tree sizes – None.

Ratio of coniferous trees to deciduous trees – 1 to 1.

(f) **Central Commercial District (C-1)**

Landscaping – At the discretion of the Development Authority.

(g) **Highway Commercial District (C-2)**

Landscaping - The Boulevard and 12% of the site. At the discretion of the Development Authority, the landscape area may be reduced to 10% provided that hard landscape elements and decorative lamps are utilized to create a high quality landscape environment.

(h) **Light Industrial District (I-1)**

Landscaping - The Boulevard and 10% of the site.

(i) **Floodplain Industrial District (I-2)**

Landscaping - The Boulevard and 10% of the site.

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Read a first time in Council this 21<sup>st</sup> day of February, 2006.

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Mayor

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Chief Administrative Officer

Read a second and third time in Council this 3<sup>rd</sup> day of April, 2006

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Mayor

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Chief Administrative Officer