
VILLAGE OF DONNELLY

LAND USE BYLAW

BYLAW NO. 10-01



Updated July 10, 2013

Updated By:



Mackenzie Municipal Services Agency

VILLAGE OF DONNELLY

LAND USE BYLAW

Bylaw No 10-01

With Amendments up to and including

July 10, 2013

The Council of the Village of Donnelly hereby enacts the Donnelly Land Use Bylaw in Accordance with Section 10.3 being the District Map and forming part of this Bylaw.

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VILLAGE OF DONNELLY

BYLAW NO. 10-01

A Bylaw to Adopt a Land Use Bylaw

WHEREAS The Municipal Council of the Village Of Donnelly, in the Province of Alberta, in Accordance with the Section 68(1) of the Planning Act, 1980, being Chapter P-9 of the Revised Statues of Alberta, adopted a Land Use Bylaw;

WHEREAS The Municipal Council deems it desirable to replace Land Use Bylaw No. 299 with a revised Bylaw

NOW THEREFORE The Municipal Council of the Village Of Donnelly in open meeting duly enacts as follows:

SECTION 1 – GENERAL

1.1 Title

This Bylaw May be Cited as the “Donnelly Land use Bylaw”.

1.2 Purpose

The Purpose of this Bylaw is to regulate the use and development of land and Building within the Municipality.

1.3 Application of Bylaw

The provisions of this Bylaw apply to all land and buildings within the corporate boundaries of the Municipality.

1.4 Need for a Development Permit

1.4.1 No person shall commence any development unless it is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required. Refer to Section 8.1 to determine where a development permit is not required.

1.4.2 Nothing in this Bylaw prevents the use of any lot, building or structure for any purpose not permitted by this Bylaw if such lot, building or structure was lawfully used for such purpose on the date of passing this bylaw provided it is used for that purpose on continuous, uninterrupted basis (see Section 8.2).

SECTION 2 – DEFINITIONS

2.1 In this Bylaw:

“**ACCESSORY**” when used to describe a use or building means a use or building which, in the opinion of the Development Officer, is incidental, subordinate and exclusively devoted to the principal use of building and located on the same site. (A private garage as defined in this Bylaw is considered an accessory use.)

“**ACT**” means the Planning Act, R.S.A., 1980 and amendments thereto.

“**AGRICULTURAL INDUSTRY**” means an industrial use related to agriculture involving the production, initial processing or storage of farm products. Without restricting the generality of the above it may include a grain elevator, seed cleaning plan, abattoir, pelletizing plant, bulk fertilizer, oil or gas sales and storage, auction market, livestock holding station or a use similar to those listed.

“**AMUSEMENT FACILITY**” means any facility where four or more of any combinations of mechanical games, electronic games and/or pool tables are kept for the purpose of furnishing entertainment to the public for a fee.

“**APARTMENT DWELLING**” means a building or dwelling unit designed and built to contain three or more separate dwelling units, each of which has one or more independent entrance either directly from outside the building or through a common vestibule. (This definition includes buildings referred to as triplexes, fourplexes, sixplexes and the like.)

“**APPROVING AUTHORITY**” means the Development Officer as appointed by the Council of the Village of Donnelly.

“**AUTO BODY AND PAINT SHOP**” means an establishment for the repair and/or painting of motor vehicle bodies but does not include facilities for the sale of gasoline or lubrication oil, or for the repair or maintenance of electrical parts.

“**AUTOMOBILE DEALERSHIP**” means the premises for the display and sale of new or used automobiles and light duty trucks less than 5000 kilograms G.V.W. (11,023 lbs.). This does not include recreation vehicles, boats, trailers, campers and the like.

“**BASEMENT**” means the area of a building where the floor level is 1 metre (3.3 ft.) or more below the finished grade and the total ceiling height exceeds 2 metres (6.5 ft.).

“**BUFFER**” means rows of trees, shrubs, or brimming to provide visual screening and separation between sites or Districts.

“**BUILDING**” includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

“BUILDING HEIGHT” means the vertical distance between grade and the highest point of a building that is not: a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a firewall, a parapet wall, a flagpole or similar device not structurally essential to the building.

“CARPORT” means a building, designed and used for the storage of not more than four private motor vehicles consisting of a roof supported on posts or columns and not enclosed on more than two sides whether separate from or attached to the principal building on a site.

“CAR WASHING ESTABLISHMENT” means a facility for the washing, cleaning or polishing of motor vehicles.

“CHILD CARE FACILITY” means the use of a building or portion thereof for the provision of care, maintenance and supervision of seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, nurseries, and after school or baby-sitting programs which meet this definition.

“COMMUNITY BUILDINGS AND USES” means a building or use which is owned or operated by a municipality or a non-profit organization to provide community related services (i.e. church, community centre, cemetery, park, playground, etc.).

“CONSTRUCT” means to build, reconstruct, or relocate, and without limiting the generality of the work, also includes:

- (a) any preliminary operation such as excavation, filling or draining;
- (b) altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- (c) any work which requires a Building Permit under any Building Bylaw of the municipality

“COUNCIL” means the Council of the Village Of Donnelly.

“DEVELOPMENT” means

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

“DEVELOPMENT APPEAL BOARD” means a development appeal board appointed pursuant to Section 33 of The Act or a Council where it is the development appeal board by virtue of Section 33, subsection (2) of the Act.

“DEVELOPMENT OFFICER” means the person appointed by a resolution of council to the office established by Section 5 of this Bylaw.

“DISCRETIONARY USE” means the use of land or a building which is listed in the column captioned “Discretionary Uses” in a table of uses for certain districts in this Bylaw, and for which, subject to the provisions of this Bylaw a development permit may be issued.

“DRINKING ESTABLISHMENT” means a facility licensed by the Alberta Liquor Control Board where alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto.

“DUPLEX” means a building containing two dwelling units, one above the other, each of which has an independent entrance either directly from outside the building or through a common vestibule.

“DWELLING UNIT” means two or more rooms used as, or designed to be used as a residence by one or more persons and containing cooking, eating, living, sleeping, and sanitary facilities and with an independent entrance either directly from outside a building or through a common hallway inside a building.

“FLOOR AREA” means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

“FOURPLEX” – see “Apartment Dwelling”

“GARAGE” means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles and includes a carport.

“GAS BAR” means a premise used or intended to be used for the sale of gasoline, lubrication oils and associated petroleum products and may include the sale of automotive parts.

“GRADE” (for determining the height of buildings) means the average level of finished ground adjoining a building at all exterior walls.

“GROCERY STORE” means the use for that portion of a building with a gross floor area of less than 260 square metres (2,800 sq. ft.), for the sale of foodstuffs and convenience goods.

“GROUND FLOOR AREA” means the square area occupied at grade by the outside perimeter of a building.

“HOME OCCUPATION” means a use of a portion of a building which is normally incidental and subordinate to the principal use of the building and meets the special requirements of this bylaw.

“**HOTEL**” means a building providing accommodation for the public containing guest rooms served by a common entrance as well as general kitchen and dining or other public rooms.

“**LANDSCAPING**” means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) “soft landscaping” consisting of vegetation such as trees, shrubs, hedges, grass and ground cover and/or
- (b) “hard landscaping” consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.

“**LOADING SPACE**” means a space for parking a commercial vehicle while being loaded or unloaded.

“**LOT**” means:

- (a) a quarter section,
- (b) a river lot or settlement lot shown on an official plan referred to in Section 32 of The Surveys Act that is filed or lodged in a land titles office.
- (c) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision or,
- (d) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

“**LOT, CORNER**” means a lot at the intersection of two abutting public roadways (other than a lane or public walkways).

“**LOT COVERAGE**” means that percentage of the area of any lot which is covered by all buildings on the lot, excluding balconies, canopies and the like.

“**LOT DEPTH**” means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.

“**LOT LINE**” means a legally defined limit of any lot.

“**LOT LINE, FRONT**” means the boundary dividing the lot from an abutting street. In the case of a corner lot, the owner of the site may select one of the street boundaries as the front.

“**LOT LINE, REAR**” means that lot line of a lot which is directly opposite to the front lot line.

“**LOT LINE, SIDE**” means any lot line other than a front or rear lot line.

“**LOT, THROUGH**” means any lot other than a corner lot having access on two abutting streets.

“LOT, WIDTH” means the distance between the side lot lines at a point midway between the fronts and rear of the lot and approximately parallel to the street line (see diagram No. 1 “Lot Definitions”).

“MOBILE HOME (SINGLE WIDE)” means a compact and transportable detached dwelling unit which can be transported after fabrication on a trailer, detached wheels or its own wheels, is designed to be towed in a single load and to be used with or without a permanent foundation as a dwelling when connected to utilities. This term mobile home as used here does not apply to multiple sectional mobile homes (double-wides) but does apply to swing out and expandable room section mobile homes.

“MOBILE HOME (DOUBLE WIDE)” means a mobile home composed of two sections, separately towable, but designed to be joined together into one integral unit at the site.

“MOBILE HOME PAD” means that portion on an individual mobile home park lot within a mobile home park which had been reserved for the placement of the mobile home, appurtenant structures or additions.

“MOBILE HOME PARK” means a lot under single ownership which is managed by a mobile home park operator and which has been designed for the placement of the mobile homes on mobile home pads.

“MOBILE HOME PARK LOT” means that lease able or rentable portion of land within a mobile home park which has been reserved for the placement of mobile home and allowable accessory uses.

“MOBILE HOME SUBDIVISION” means a mobile home development registered as a subdivision under freehold tenure.

“MOTEL” means a building or group of buildings designed for the accommodation of the public containing guest rooms, each of which has a separate entrance directly from outside the building.

“MOVED-IN DWELLING” means a single dwelling unit other than a mobile home previously constructed and occupied on a site that is to be relocated from that site.

“NON-CONFORMING BUILDING” means a building

- (a) that is lawfully constructed or lawfully under construction at the date the land use Bylaw or any amendment thereof affection the building or land on which the building is situated becomes effective, and
- (b) That on the date the land use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use Bylaw.

“NON-CONFORMING USE” means a lawful specific use

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

“OFFICIAL” means:

- (a) a municipal commissioner, manager, secretary, comptroller, engineer and any other official appointed by resolution or by Bylaw of the council, and
- (b) the holder of any position or office designated as such by council.

“PARCEL” means the aggregate of the one or more lots described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

“PARKING SPACE” means a space within a building or a private or public parking area, exclusive of driveway, ramps and column for the parking of one vehicle.

“PERMITTED USE” means the use of land or of a building which is listed in the column captioned “Permitted Uses” in a table of uses for most districts appearing in this Bylaw and for which, subject to the provisions of the Bylaw, a development permit shall be issued.

“PREMISES” means an individual business operation on a site or in a building as a sole occupant or in shared occupancy with one or more other businesses.

“PRINCIPAL BUILDING OR USE” means the main purpose for which, in the opinion of the Approving Authority, a building or site is ordinarily used.

“PUBLIC ROADWAY” means any street, avenue, service roadway, residential collector roadway, walkway or rural road as defined in the Public Highways Development Act, intended to be used by the public generally, but does not include a numbered highway.

“PUBLIC USE” means a building, structure or lot used for public services by the Village of Donnelly, by any local board or agency of the Village of Donnelly, by any department, commission or agency of any other municipal corporation of Government of Alberta or Canada, by any railways company authorized under the Railway Act, or by any public utility.

“PUBLIC UTILITY” means the right of way for:

- (a) telecommunications systems;
- (b) waterworks systems;
- (c) irrigations systems;
- (d) systems for the distribution of gas, whether natural or artificial;

- (e) systems for the distribution of artificial light or electric power;
- (f) heating systems, and
- (g) sewage systems,

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

“RESTAURANT” means an establishment where food is prepared, served and generally intended to be consumed on the premises for sales to the public.

“RETAIL FOOD STORE” means the portion of a building with a gross floor area in excess of 260 square metres (2,800 sq. ft.), generally for the sale of foodstuffs for consumption off premises.

“RETAIL STORE” means the use of a building or portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment but does not include a grocery store or retail food store.

“ROW DWELLING” means one of three or more dwelling units which are constructed in a row and divided vertically and each of which has a separate outside rear and front entrance at grade. (See “Dwelling Group” definition).

“SALVAGE YARD” means a facility for the storage, processing or trans-shipment of derelict vehicles, machinery, scrap metal and similar materials for the purpose of wholesale or retail trade.

“SATELLITE DISH ANTENNA” means a parabolic dish-shaped antenna whose purpose is to receive signals from orbiting satellites.

“SCREENING” means a fence, brim or hedge used to visually separate areas or functions.

“SEMI-DETACHED DWELLING” mean two attached single dwelling units with a common wall.

“SERVICE STATION” means a facility for the service and repair of motor vehicles and for the sale of gasoline, lubrication oils, and accessories for motor vehicles and which may provide a towing service, and further may include a building or site or part of a site where petroleum products are delivered into containers, tanks, vessels or cylinders. Gas bar associated with this use should be applied for together.

“SHOPPING CENTRE” means a unified group of retail and personal service establishments on a site planned, developed and managed as a single unit or group of owners or tenants and characterized by the sharing of common parking areas and/or driveways.

“SIGHT TRIANGLE” means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 7.5 metres (25 ft.) from the point where they intersect.

“**SIGN**” means anything that serves to indicate the presence or the existence of something, including but not limited to, a lettered board, a structure, or a trademark displayed, erected or otherwise advertise, or to give direction.

“**SIGN, ADVERTISING**” means a sign which refers only to good or services produced, offered for sale or obtainable at the premises on which the sign is displayed

“**SIGN, DIRECTIONAL**” means a sign which contains no advertising, but is limited to the distance and direction to a place of business or other premises indicated on the sign.

“**SIGN, FREESTANDING**” means every sign supported independently of a building, wall or structure. It is supported by one or more columns, uprights, or braces in or upon grade and includes ground mounted signs, portable signs and the like.

“**SIGN, WALL**” means a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached and includes fascia signs and the like.

“**SINGLE DETACHED DWELLING UNIT**” means a building containing only one dwelling unit but does not include a mobile home.

“**SITE**” means a parcel, or group of parcels intended for a specific development.

“**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**” means a development appeal board appointed pursuant to Municipal Government the Act or a council where it is the development appeal board by virtue of the Act.

“**TEMPORARY**” means a use which occurs from the date of development permit approval for a length of time as specified in the permit approval by the Approving Authority.

“**TOWNHOUSE**” means three or more dwelling units located on a site or a number of adjoining sites where all buildings, recreational areas, vehicular areas, landscaping and all other features have been planned as an integrated development and where each dwelling unit has private open space at grade and separate principal entrance accessible directly from outside at ground level. This includes row dwellings but does not include apartment buildings or buildings referred to as triplexes, fourplexes, and the like.

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

“**YARD, EXTERIOR SIDE**” means a side yard immediately adjoining a street.

“**YARD, FRONT**” means a yard extending across the full width of a lot and situated between the side lot line and the nearest part of the principal building.

“**YARD, INTERIOR SIDE**” means a side yard other than an exterior side yard.

“**YARD, REAR**” means a yard extending across the full width of a lot and situated between the side lot line and the nearest part of the principal building.

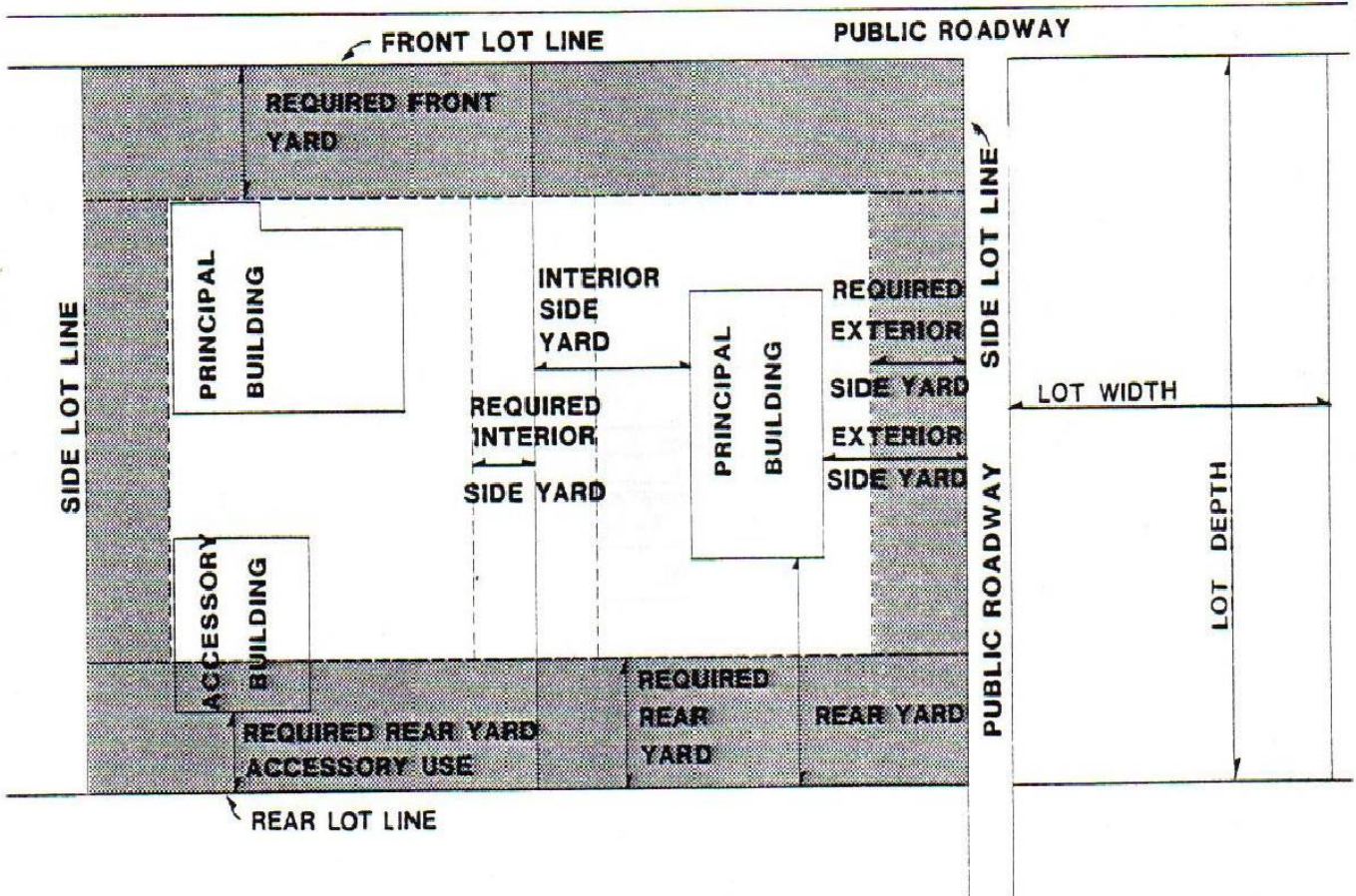
“YARD, SIDE” means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the principal building.

“YARD DEPTH, FRONT” means the least horizontal dimension between the front lot and the nearest part of any building or structure.

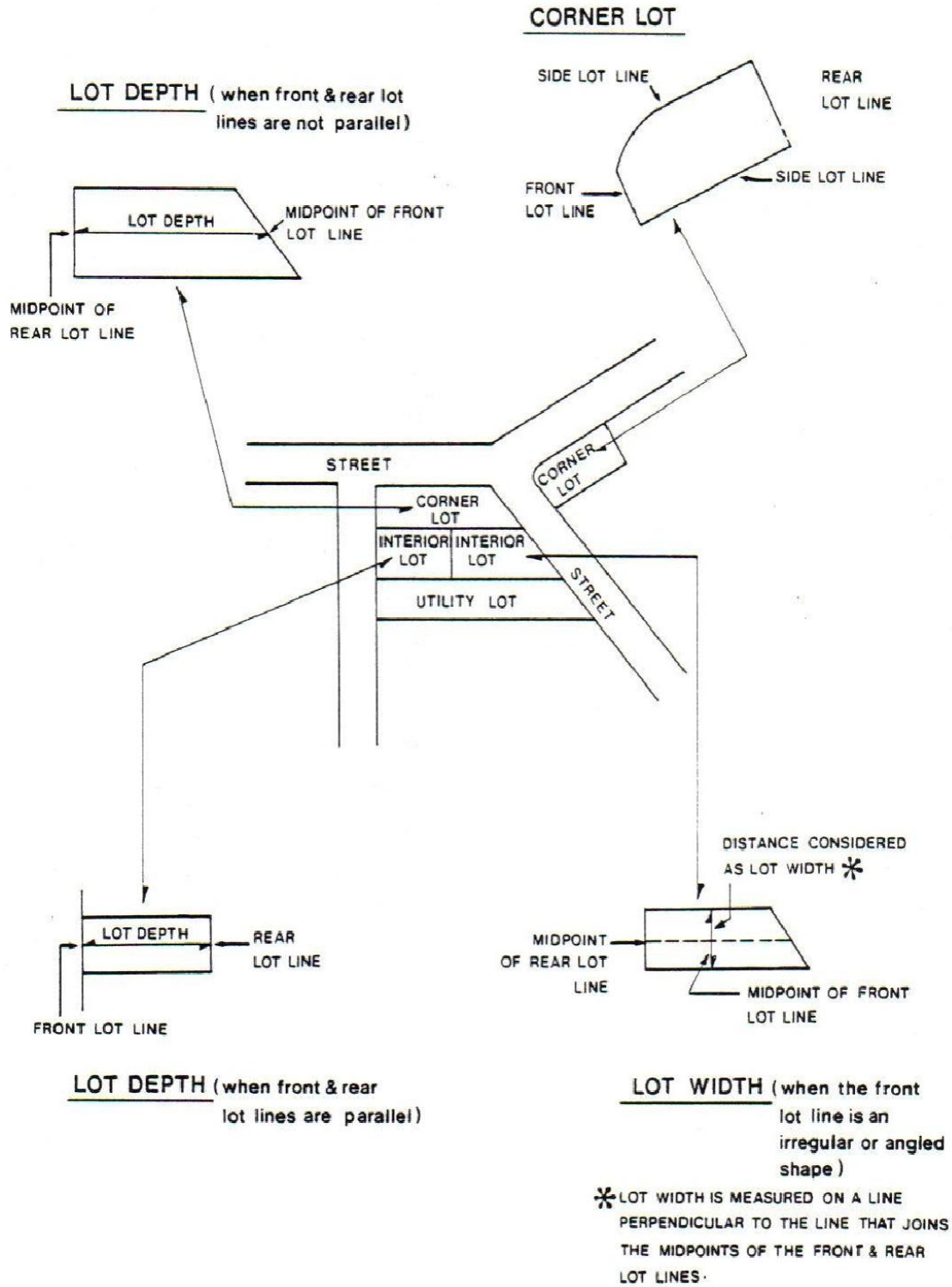
“YARD DEPTH, REAR” means the least horizontal dimension between the rear lot line or the lot and the nearest part of the principal building.

“YARD WIDTH, SIDE” means the least horizontal dimension between the side lot line or the lot and the nearest part of the principal building.

YARD DEFINITIONS



LOT DEFINITIONS



SECTION 3 – METHOD OF APPLYING FOR A DEVELOPMENT PERMIT

3.1 Forms and Notices

3.1.1 Where the Development Officer has determined that an application for a Development Permit is required, then an application for a development permit shall be made to the Development Officer in writing in the prescribed form (see Schedule A, Form A), and shall be signed by the landowner or his authorized agent.

3.1.2 The forms and notices authorized by Council pursuant to this Bylaw may be posted, issued, served or delivered (in the course of his or her duties) by an official of the Municipality.

3.1.3 FEES

For the purpose of administering the provisions of this Bylaw, Council, by resolution, may authorize the preparation, use, and fees of such forms or notices as in its discretion it may deem necessary. Such forms or notices, contained in Schedule “A”, are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized, and issued.

3.2 Contents of a Development Permit Application

3.2.1 INFORMATION REQUIRED FROM APPLICANT

The Development Officer should require any of the following information with the application:

- (a) For all applicants in all Land Use Districts, a scaled plan indicating the location and dimensions of existing and proposed;
 - (i) property lines surrounding the site,
 - (ii) buildings and structures
 - (iii) parking stalls, vehicle circulation areas, walkways and road access points,
 - (iv) landscaping, retaining walls, fences and other screening, and
 - (v) above ground utilities and direction of storm water drainage off the site.
- (b) For applications for buildings with more than one dwelling, commercial uses, industrial uses, public uses, and any other uses as determined by the Approving Authority, the following additional information may be required;
 - (i) floor plans,
 - (ii) building elevations,
 - (iii) illustrated exterior finishing materials,

- (iv) existing and finished lot grades and street grades,
- (v) location of existing and proposed outdoor storage areas and garbage collection facilities.
- (vi) location and dimensions of proposed culverts and crossing,
- (vii) location of proposed water and sewer lines
- (viii) location of existing underground gas, electrical or telephone lines,
- (ix) any other features required to be shown as determined by the Development Officer.

3.2.2 Upon approval of a development permit, the Approving Authority may attach approved building plans, site plans, and landscaping plans as a schedule to the development agreement.

3.3 Incomplete Forms Rejected

When, in the opinion of the Approving Authority, sufficient details of the proposed development have not been included with the application for the development permit, the Approving Authority may return the application to the applicant for further detail. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted to the satisfaction of the Approving Authority.

SECTION 4 – PROCESSING OF A DEVELOPMENT PERMIT APPLICATION

4.1 When a Decision will be Made

- 4.1.1 The Approving Authority shall consider and decide on application for development permits within **40 days of the receipt of the application in its complete and final form.**

4.2 Notification of Development Permit Approval or Refusal

- 4.2.1 When an application for a development permit is approved for a Discretionary Use, an official of the Municipality shall publish a notice in a local newspaper mapping the location and address of the property for which the application has been made and development permit approved. Notification for **Permitted Uses** is limited to mailing a notice of decision to the applicant or his agent and posting the decision at the municipal office for 14 days after the decision.
- 4.2.2 When an application for a development permit is refused, an official of the municipality shall mail a notice of decision, in writing, to the applicant or his agent stating the reasons for refusal.

4.3 Effective Date of Permit Approval

- 4.3.1 For the purpose of this Bylaw, notice of the decision of the Approving Authority is deemed to have been issued on the day when Notice of Decision for approval (with or without conditions) has been published in a newspaper or when notice of refusal has been received by the applicant through double-registered mail.
- 4.3.2 A development permit is automatically effective 14 days after its issuance unless an appeal is lodged with the Development Appeal Board.
- 4.3.3 When an appeal is made with respect to a development permit approved by the Approving Authority, the development permit approved by the Approving Authority, the development permit that has been issued shall not come into effect until the appeal has been determined, at which time the permit may be modified or nullified thereby.

4.4 Waiting Period for Re-Application

When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land for a similar use of the land shall not be accepted by the Development Officer for at least 6 month after the date of the refusal.

SECTION 5 – DUTIES AND RESPONSIBILITIES OF ADMINISTRATIVE AGENCIES

5.1 Development Officer as Approving Authority

5.1.1 The office of the Development Officer is hereby established and the Development Officer shall be appointed by a resolution of Council and is hereby considered to act as a “Approving Authority”

5.1.2 The Development Officer Shall:

- (a) keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments thereto and ensure that copies are available to the public at reasonable charge; and
- (b) keep a register of all applications for development, including the decisions thereon and the reasons therefore, for a minimum period of 7 years; and
- (c) receive, consider and act as the Approving Authority on applications for a development permit.

Bylaw 13-02

- (d) **refer to Council for its consideration and comments on any development permit applications or any such matters as Council directs.**

5.2 Approving Authority’s Decision Making

5.2.1 In making a decision, the Approving Authority shall:

- (a) approve an application unconditionally; or
- (b) approve an application subject to conditions; or
- (c) refuse an application.

Bylaw 13-02

- (d) **refer to Council for its consideration and comments on any development permit application or any such matters as Council directs.**

5.2.2 PERMITTED USES

In making a decision on an application for a used listed under the “Permitted Uses” column in a respective District, the Approving Authority:

- (a) shall issue a development permit upon the development permit application conforming with the Bylaw; or
- (b) may refuse a development permit application if the application does not conform to the Bylaw,

5.2.3 DISCRETIONARY USES

In making a decision on an application for a use listed under the “Discretionary Uses” column in a respective District, the Approving Authority:

- (a) may approve, either permanently or for a limited period of time, a development permit application which meets the requirements of this Bylaw, with or without conditions based on the merits of the application including any approved statutory plan or approved policy affecting the site;
- (b) may refuse a development permit application on its merits even though it meets the requirements of this Bylaw,

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- (c) **refer to Council for its consideration and comments on any development permit applications or any such matters as Council directs.**

5.2.4 VARIANCE POWERS

The Development or Subdivision Approving Authority may approve an application for a Development Permit or application for subdivision approval (as the case may be), notwithstanding that the proposed development or subdivision does not comply with this Bylaw if, in the opinion of the Approving Authority:

- (a) The proposed development or subdivision would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
- (b) The proposed development or subdivision conforms to the use prescribed for the land or building in the Land Use Bylaw.

- 5.2.5 The Approving Authority shall itemize in its approval records the type and extent of any variance granted to any development permit approval comment.

5.3 Conditions Attached to an Approved Permit

5.3.1 ENTERING INTO DEVELOPMENT AGREEMENT

The Approving Authority may require with respect to a development that, as a condition of issuing a development permit, the applicant enters into an agreement with the municipality to do all or any of the following.

- (a) to construct or pay for the construction of a public roadway required to give access to the development;
- (b) to install or pay for the installation of utilities that are necessary to serve the development;
- (c) to construct or pay for the construction of:
 - (i) off street or other parking areas, and

- (ii) loading and unloading areas;
- (d) To pay an off-site levy or redevelopment levy imposed by bylaw.

5.3.2 ADDITIONAL CONDITIONS

In addition to entering an agreement as outlined in Section 5.3.1, the Approving Authority shall refer to Sections 8, 9 and 11 in order to determine the need for further conditions to be attached where discretion is provided for.

5.3.3 REFUSAL TO ENTER INTO A DEVELOPMENT AGREEMENT

If a development agreement has not been signed by a developer for the supply of water, electrical power, sewage, and street access, or any of them including payment of the costs of installations or construction, the Approving Authority shall refuse to issue a development permit.

5.3.4 LAPSE OF PERMIT APPROVAL

A development permit lapses and is automatically void if the development authorized is not commenced within 12 months from the date of issuing the development permit, or within such longer periods not exceeding one 3 month period as may be approved in writing by the Approving Authority.

5.4 Offences And Penalties

5.4.1 The Development Officer may issue a stop order in accordance with Sections 81 and 82 of the Planning Act, 1980 as amended from time to time to any person who:

- (a) fails to apply for or comply with a development permit or the plans and conditions forming part thereof, or
- (b) makes use of land in a manner contrary to the provisions of this Bylaw.

5.4.2 A person who contravenes or fails to comply with any provisions of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$500.00 exclusive of costs, to imprisonment for a period not exceeding 30 days unless such fines and costs are sooner paid.

5.4.3 The Approving Authority may suspend or revoke a development permit which has not been complied with.

SECTION 6 – APPEALING A DECISION

6.1 The Development Appeal Board

The Development Appeal Board, being comprised of members of Council, is hereby authorized to perform the duties as outlined in Sections 33 through 37 inclusive and Sections 83 through 85 inclusive of the Planning Act, 1980, as amended from time to time.

6.2 Method of Appeal

6.2.1 The procedures for appealing a decision on a development permit are governed by the Sections 83 through 85 inclusive of the Planning Act, 1980 which should be consulted by anyone proposing to launch an appeal.

6.2.2 A decision of the Approving Authority on a application for subdivision or a development permit may be appealed by serving a written notice or appeal (see Form B in Schedule A of this document) on Secretary of the Development Appeal Board in the case of:

- (a) an approval within 14 days from the date the decision on the permit has been advertised in a local newspaper;
- (b) a refusal within 14 days of the date that the applicant is notified of the decision.

6.3 Notification of Appeal

6.3.1 The Secretary to the Development Appeal Board shall ensure that notice of appeal is given to all persons required to be notified under the provisions of Section 84(3) of the Planning Act, 1980.

6.3.2 When a notice has been served on the Secretary of the Development Appeal board with respect to a decision of the Approving Authority to approve an application for subdivision or development permit, the development permit shall not be released before:

- (a) the decision of the Approving Authority has been sustained by the Development Appeal Board, or
- (b) The Secretary to the Subdivision and Development Appeal Board has received written notification from the appellant that the appeal has been abandoned.

6.3.3 In the event that a development permit refused by the Approving Authority is, on appeal, approved by the Development Appeal Board, the subsequent approval of the application for subdivision or the development permit by the Approving Authority, as required in Section 6.4.2, shall not require further advertising.

6.4 Decision of the Appeal Board

- 6.4.1 If the decision of the Approving Authority to approve a development permit application is reversed by the Development Appeal Board, the development permit shall be null and void.
- 6.4.2 If the decision of the Approving Authority to refuse a development permit application is reversed by the Development Appeal Board, the Board shall forthwith direct the Development Officer to approve the development permit application in accordance with the decision of the Development Appeal Board.
- 6.4.3 If the decision of the Approving Authority to approve a development permit application is varied by the Development Appeal Board, the Board shall direct the Development Officer to forthwith approve the development permit application in accordance with the terms of the decision of the Development Appeal Board.

SECTION 7 – AMENDING THE BYLAW

7.1 Method of Application

- 7.1.1 All amendments to the Land Use Bylaw shall be made by the adoption of an amending bylaw following a public hearing.
- 7.1.2 Any owner of a site or his authorized agent or other persons having a legal or equitable interest in the site may, in accordance with Section 8.2, apply in writing to the Development Officer to have the land use designation of the site amended.
- 7.1.3 The municipality may initiate amendments to the Bylaw which shall be advertised in accordance with Section 7.4.3

7.2 Plans and Information Required

All applications for amendment to the Land Use Bylaw pursuant to Section 7.1.2 shall be made to the Development Officer on the prescribed application form (see Schedule “A”, form F) and may be accompanied by the following:

- (a) A copy of the certificate of title for the lands affected, copies of any caveats registered by the municipality or restricted covenants and any other documents satisfactory to the Development Officer verifying that the applicant (except where an authorized agent is used) has a legal interest in the land for at least the period of time necessary to process the application to a public hearing;
- (b) a statement of the reasons for the request to amend the Bylaw;
- (c) properly dimensioned and scaled vicinity maps indicating the site to be amended, its relationship to existing land uses within a 30 metre (99 ft.) radius of the boundaries of the site;
- (d) where the applicant is an agent acting for the owner, a letter from the owner must be provided verifying the agent’s authority to make the application.

7.3 Incomplete Forms Rejected

The Development Officer may refuse to accept an application to amend this Bylaw if the information required by Section 7.2 has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.

7.4 The Review Process For A Bylaw Amendment

- 7.4.1 Upon receipt of a complete application in accordance with Section 7.2, the Development Officer shall refer the application to Council for first reading.
- 7.4.2 The Development Officer shall forthwith cause to be published in 2 issues of the local newspaper, a notice of the application stating:

- (a) the legal description of the land,
- (b) the purpose of the proposed amending bylaw,
- (c) the one or more places where a copy of the proposed amending bylaw may be inspected by the public during reasonable hours,
- (d) the one or more dates, places and times that Council will hold a public hearing on the proposed amending bylaw,
- (e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing, and
- (f) an outline of the procedures by which the public hearing will be conducted.

7.5 Waiting Period for Re-Application

Where an application for amendment to this Bylaw has been refused by Council or withdrawn by the applicant after advertisement of the proposed amending bylaw, another application for amendment on the same site for the same or similar use of land shall not be made by the same or any other applicant until:

- (a) 6 months from the date of Council's decision, or
- (b) the date that the applicant's letter of withdrawal is received by the Development Officer.

SECTION 8 – GENERAL REGULATIONS FOR ALL DISTRICTS

IN ADDITION TO SECTIONS 9 AND 11, THE FOLLOWING REGULATIONS SHALL APPLY TO EVERY USE IN EVERY DISTRICT.

8.1 Conforming Uses Not Requiring a Development Permit

A DEVELOPMENT PERMIT IS NOT REQUIRED FOR THE FOLLOWING DEVELOPMENTS BUT THEY SHALL OTHERWISE COMPLY WITH THE PROVISIONS OF THIS BYLAW:

- (a) the construction of an accessory building having an area of less than 10 square metres (108 sq. ft.) in a Residential District;
- (b) works of maintenance, repair or alterations, on a structure, both internal and external, if in the opinion of the Approving Authority, such work:
 - (i) does not include structural alterations, and
 - (ii) does not change the use of intensity of the use of the structure, and
 - (iii) is performed in accordance with obligatory legislation or other government regulations;
- (c) the erection, construction, or the maintenance of gates, fences, walls, or other means of enclosure less than 2 metres (6.5 ft.) in height provided that the erection of such fence, wall or gate does not contravene any other provisions of this Bylaw;
- (d) the construction and maintenance of that part of a public utility or public use placed in or upon a public thoroughfare or public utility easement;
- (e) the use by the Municipality of land of which the Municipality is the legal or equitable owner for a purpose approved by a two-thirds majority vote of Council in connection with any public utility or public use carried out by the Municipality.
- (f) The completion of building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that:
 - (i) the building is completed in accordance with the terms of any permit granted by the Municipality, subject to the conditions of that permit, and
 - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date this Bylaw comes into full force and effect;

- (g) one temporary, on-site sign which does not exceed 1 square metre (11 sq. ft.) in area nor 1.5 metres (5 ft.) in height and is intended for:
 - (i) advertising the sale or lease of a dwelling unit, or property for which a development permit has been issued for the development on the said property; or
 - (ii) identifying a construction or demolition project for which a development permit has been issued for such a project;
 - (iii) identifying a political campaign; or
 - (iv) advertising a campaign or drive which has been approved by Council: such a sign may be posted for maximum period of 14 days and shall be removed after the duration of this time period; or
 - (v) commemorative plaques and cornerstones of a non-advertising nature;
- (h) the erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of those operations;
- (i) and official notice, sign, placard, or bulletin required to be displayed pursuant to the provisions of Federal, Provincial or Municipal legislation;
- (j) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;
- (k) the construction, maintenances, and repair of private walkways, private pathways, private driveways and similar works unless the work involves creation or expansion of a curb cut;
- (l) stripping or stockpiling of soil, installation of utilities and constructions of roads in subdivision area when a development agreement has been duly executed.

8.2 **Non-Conforming Uses**

8.2.1 When

- (a) on or before the day on which a land use bylaw or any bylaw for the amendment of it comes into force in a municipality, a development permit has been issued, and
- (b) the enactment of the bylaw would render the development in respect of which the permit was issued a non-conforming use or non-conforming building,

the development permit continues in effect notwithstanding the enactment of the bylaw referred to in clause (b)

8.2.2 A non-conforming use of land or a non-conforming use of a building may be continued but if that is discontinued for a period of 6 consecutive months or more, any future use of the land or building shall conform with the provisions of the land use bylaw then in effect.

8.2.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made to it or in it except as noted in Section 8.2.5.

8.2.4 A non-conforming use or part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected on the lot while the non-conforming use continues.

8.2.5 A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except

- (a) as may be necessary to make it a conforming building, or
- (b) as the development officer considers necessary for the routine maintenance of the building.

8.2.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the land use bylaw.

8.2.7 The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

8.3 Objects Prohibited in Districts

No person shall be allowed to keep or maintain:

- (a) a commercial vehicle with a Gross Vehicle Weight (G.V.W.) rating in excess of 5,000 kilograms (11,023 lbs.) to remain for longer than is reasonably necessary to load or unload the vehicle and/or
- (b) any excavation, building or storage of material upon a site during the construction stage of any development unless all safety requirements are complied with and the owner and developer of any such site assumes full responsibility for onsite safety measures in writing;
- (c) any excavation, equipment, or construction materials to remain on a site over a period longer than is reasonably necessary for completion of construction.

8.4 Moved In Buildings (Except Mobile Homes)

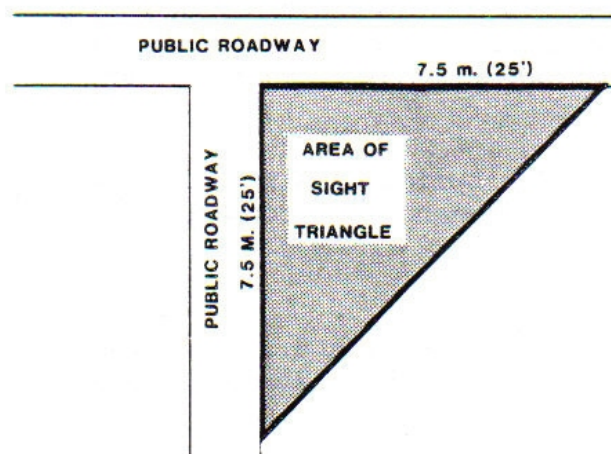
Where a development permit for a use has been granted for the relocation of a building, other than a mobile home, on the same site or from another site, the Approving Authority shall require the applicant to provide:

- (a) a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a development permit, and/or
- (b) an engineer's certificate to confirm that the building is structurally sound.

Renovations of the relocated building shall be completed within one year of the issuance of a development permit.

8.5 Corner site Restrictions

No object or vegetation higher than 1 metre (3.3 ft.) shall be allowed within a sight triangle on a corner lot.



8.6 Parking Spaces Required.

Off-street parking shall be provided in accordance with the following table:

<u>TYPE OF USE</u>	<u>MINIMUM PARKING REQUIREMENTS:</u>
<ul style="list-style-type: none"> • <u>Residential Uses In All Districts</u> 	
Apartment Dwelling, Dwelling Group	1.5 spaces/dwelling unit
Senior Citizen Homes	1 space/3 dwelling units
Other Residential Homes	1 space/dwelling unit
<ul style="list-style-type: none"> • <u>Commercial Uses</u> 	
Business, Administrative and Professional Offices	1 space/45 square metres (484 sq. ft.) of floor area
Restaurants, Drinking Establishments And Funeral Homes	1 space/4 seats
Motels and Hotels	1 space/guest unit plus 1 space/2 employees
All other Commercial Uses	1 space/35 sq. metres (377 sq. ft.) of enclosed floor area
<ul style="list-style-type: none"> • <u>Public Uses</u> 	
Community Buildings	1 space/3.5 seats or 1 space/3 square metres (32 sq. ft.) of floor area used by patrons, whichever is greater
Churches	1 space/8 seating spaces
Hospitals, Clinics or Nursing Homes	1 space/95 square metres (1,023 sq. ft.) of floor area
Schools	2 spaces/classroom
<ul style="list-style-type: none"> • <u>Industrial Uses and Public Utilities</u> 	
General	1 space/2 employees on a maximum working shift
<p>*NOTE: Where a hotel, restaurant, motel or drinking establishment are grouped in any combination on a site, the required number of parking spaces may be reduced, at the discretion of the Approving Authority, to 75% of the combined total of all specified uses.</p>	

8.7 **When Parking Spaces Are Required**

When a building is enlarged, altered or changed in use, in such a manner as to cause an intensification of the use of that building, provision shall be made for the additional parking spaces required under the parking provisions of this Bylaw. The required parking shall be based only on the number of additional parking spaces required because of the enlargement, change in use, or intensification of the use of the building.

8.8 **Landscaping, Fencing And Screening**

- 8.8.1 All landscaping standards shall be followed in accordance with this section and shall be specified as conditions of development permit approval by the Approving Authority.
- 8.8.2 All areas not used for vehicle circulation, storage or a structure shall be landscaped with a minimum of grass cover within 1 year of development permit approval.
- 8.8.3 All development permit application should be accompanied by a site plan as required in Section 3.2.1, indicating the type and location of proposed landscaping features.
- 8.8.4 Any area requiring landscaping or topographic reconstruction shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining site
- 8.8.5 In any Commercial or Industrial District, all outside storage areas abutting any Residential District shall be screened from the first storey view of any dwelling unit to the satisfaction of the Approving Authority.
- 8.8.6 In all Districts, the Approving Authority may require screening to be provided in the form of hard or soft landscaping in order to visually screen areas which detract from the surrounding neighbourhood. The Construction and materials of the screen shall be of a quality to the satisfaction of the Approving Authority.
- 8.8.7 Any lighting proposed to illuminate areas in any District shall be located and arranged to the satisfaction of the Approving Authority so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties.
- 8.8.8 Fences shall not be allowed in a front yard. Maximum fence height is stated in the requirements for each use.

SECTION 9 – ADDITIONAL REGULATIONS FOR SPECIFIC LAND USES

IN ADDITION TO SECTIONS 8 AND 11, THE REGULATIONS IN SECTION 9 SHALL APPLY.

9.1 Accessory Building And Uses

9.1.1 MINIMUMS:

- (a) Front yard No accessory building or use shall be located in the front yard of any principal building.
- (b) Rear Yard: 1 metre (3.3 ft.)
- (c) Interior and Exterior side yard: 1 metre (3.3 ft.)

9.1.2 MAXIMUMS:

- (a) Total Height above Grade:
 - (i) In Residential Districts: 5.5 square metres (18 ft.)
 - (ii) In all other Districts: as specified in District requirements.
- (b) Site coverage:
 - (i) In residential Districts: 55 square metres (750 sq. ft.)
 - (ii) In all Other Districts: As specified in District Regulations.
- (c) Fence Height:
 - (i) In residential, Commercial and Urban Reserve Districts: 2 metres (6.5 ft.)
 - (ii) In Industrial Districts: 3 metres (10 ft.)

9.1.3 For the sole purpose of calculating yard setbacks and site coverage requirements as provided in the Bylaw, when an accessory building is attached to the principal building on a site adjacent to a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building and not as an accessory building.

9.1.4 In the Commercial District, no accessory building or use shall be located in any yard other than a rear yard.

9.1.5 Any accessory building or use erected on a site in any Residential District shall not be used as a dwelling.

9.2 Apartment Dwellings

9.2.1 MINIMUMS:

- (a) Site Area: 745 square metres (8,019 sq. ft.)
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Rear Yard: 6 metres (20 ft.)
- (d) Side Yard: 4.5 metres (15 ft.)

9.2.2. MAXIMUMS:

- (a) Building Height: 13.5 metres (44.5 ft.)
- (b) Site Coverage (including all Accessory Buildings): 30 percent of site.
- (c) Density: 1 unit allowed for every 115 square metres (1,238 sq. ft.) of site area.
- (d) Fence height: 2 metres (6.5 ft.)

9.3 Curb Cuts

9.3.1 All curb cuts shall require a Development Permit.

9.3.2 When considering an application, the Approving Authority shall have regard to:

- (a) setbacks of the curb cut from road intersections and nearby curb cuts,
- (b) the number of existing access points in the vicinity,
- (c) the width and configuration of the curb cut applied for.

9.4 Duplex And Semi-Detached Dwellings

9.4.1 MINIMUMS:

- (a) Site Area:
 - (1) Duplex: 560 square metres (6, 028 sq. ft.)
 - (2) Semi-Detached: 325 square metres (3, 489 sq. ft.) per dwelling unit.
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Rear Yard: 4.5 metres (15 ft.)
- (d) Interior Side Yard: 1.5 metres (5 ft.)
- (e) Exterior Side Yard: 3 metres (10 ft.)

9.4.2 MAXIMUMS:

- (a) Building Height: 9 metres (30 ft.)
- (b) Site Coverage (including Accessory Buildings): 40 percent of site.

- (c) Fence Height: 2 metres (6.5 ft.)

9.5 Home Occupations

- 9.5.1 Home occupations shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. For approved Home-Occupations not complying with the conditions set out in this section, the Approving Authority may post a Stop Order on the development permit as provided for in Section 80 or 81 of the Planning Act, 1980.
- 9.5.2 Home occupations are limited to those uses which are approved by the Approving Authority.
- 9.5.3 Home occupations shall be an incidental and subordinate use to the principal residential use, shall be restricted to the dwelling unit and shall not:
 - (a) employ any person other than a resident of the dwelling unit;
 - (b) occupy an area greater than 30 square metres (323 sq. ft.);
 - (c) require alterations to the principal building unless the alterations are approved by the Approving Authority as part of a development permit application;
 - (d) in the opinion of the Approving Authority, create a nuisance by way of dust, noise, smell, smoke or traffic generation;
 - (e) have outside storage of materials, goods or equipment on the site;
 - (f) display any form of commercial advertising, wares or products discernible from the outside of the building.
 - (g) display more than one unlit sign on the premises larger than 2,790 square centimetres (430 sq. in.).

9.6 Mobile Homes (Single and Double Wide)

9.6.1 MINIMUMS:

- (a) Site Area: 510 square metres (5,490 sq. ft.)
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Interior Side yard: 1.5 metres (5 ft.)
- (d) Exterior Side yard: 3 metres (10 ft.)
- (e) Rear Yard: 4 metres (13 ft.)

9.6.2 MAXIMUMS:

- (a) Site Coverage (including Accessory Buildings): 40 percent of each mobile home lot.
- (b) Total height Above Grade: 5 metres (30 ft.)
- (c) Fence height: 2 metres (6.5 ft.)

- 9.6.3 Mobile home skirting, accessory structures, additions and porches shall be constructed in accordance with Alberta Building Code requirements. Final surface finish shall be one of paint, prepared siding or a lacquer such a varnish or urethane product.
- 9.6.4 Axle, wheels, running gear and towing tongue shall be removed before the owner places his Mobile Home on the lot and attach it to a permanent foundation conforming to the requirements of the Alberta Building Code.

9.7 Public Uses And Utilities (In Residential Districts)

9.7.1 MINIMUMS:

- (a) Front Yard: 7.5 metres (25 ft.)
- (b) Rear yard: 7.5 metres (25 ft.)
- (c) Interior Side Yard: 3 metres (10 ft.)
- (d) Exterior Side yard: 4.5 metres (15 ft.)
- (e) Site Width: 15 metres (50 ft.)

9.7.2 MAXIMUMS:

- (a) Total Height Above Grade: 9 metres (30 ft.)
- (b) Fence Height: 2 metres (6.5 ft.)
- (c) Site Coverage (including accessory uses): 40% of the site

9.8 Satellite Dish Antennas

9.8.1 MINIMUMS:

- (a) Front Yard and Exterior Side yard: No Satellite dish antenna shall be located in the front yard or exterior side yard of any principal building.
- (b) Rear Yard: 1 metre (3.3 ft.)
- (c) Interior Side yard: 1 metre (3.3 ft.)

9.8.2 MAXIMUMS:

- (a) Total Height Above Grade:
 - (i) In all residential Districts: 5.5 metres (18 ft.)
 - (ii) In all other Districts: As specified in requirements for principal uses.

9.8.3 A satellite dish antenna should not be located on a rooftop except for :

- (a) apartment buildings 3 stories or greater in height, and
- (b) buildings in Commercial and Industrial districts.

- 9.8.4 Section 9.8.1 through 9.8.3 may be waived where the applicant can demonstrate, to the satisfaction of the Approving Authority, that compliance with these sections would prevent lines of sight signal reception.
- 9.8.5 If a signal cannot be received in a location other than a front yard, the minimum front yard setback shall be 3 metres (10 ft.).
- 9.8.6 Where any part of a satellite dish antenna is more than 3 metres (10 ft.) above grade level it shall be screened and located to the satisfaction of the Approving Authority.

9.9 Senior Citizen Homes

Senior citizen homes shall be governed by the requirements expressed by the dwelling type it most closely conforms to in the opinion of the Approving Authority; i.e. Apartment Dwelling, townhouses, Duplexes, Semi-detached or Single Detached dwelling units.

9.10 Signs

9.10.1 SIGNAGE REGULATIONS FOR ALL DISTRICTS

- (a) No sign of advertising, directional or information nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved by the Approving Authority.
- (b) Maximums:
- (i) Total sign area for Outdoor or Freestanding Signs in Commercial, Urban Reserve or Industrial Districts: 0.5 square metres per linear metre of lot frontage up to a maximum of 30 square metres (323 sq. ft.).
 - (ii) Setback: 1 metre (3.3 ft.) from any property line.
 - (iii) Projection above main wall or parapet: 1.5 metres (5 ft.)
- (c) No sign shall be illuminated unless the source of light is suitably shielded and does not interfere with vehicle traffic.
- (d) The support structure for all signs shall be an integral part of the design and shall be affixed and designed in accordance with accepted engineering practice as outlined in the Alberta Building Code to support the wind load of the sign structure.

9.10.2 SIGNAGE REGULATIONS FOR RESIDENTIAL DISTRICTS

- (a) No sign shall be permitted in a Residential District other than a free standing or wall sign to identify a residential complex or an approved home occupation.
- (b) Maximums:
- (i) Total Area of Sign: 2 square metres (22 sq. ft.)
 - (ii) Setback: 1 metre (3.3 ft.) from any property line.

- (iii) Overall height: 3.5 metres (11.5 ft.) from finished grade.

9.11 Single Detached Dwellings (Except Mobile Homes)

9.11.1 MINIMUMS:

- (a) Site Area: 510 square metres (5490 sq. ft.)
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Rear Yard: 4.5 metres (15 ft.)
- (d) Interior Side Yard: 1.5 metres (5 ft.)
- (e) Exterior Side Yard: 3 metres (10 ft.)
- (f) Ground Floor Area: 74 square metres (800 sq. ft.)

9.11.2 MAXIMUMS:

- (a) Building Height: 9 metres (30 ft.) of storage
- (b) Site Coverage (including accessory buildings): 40% of site
- (c) Fence height: 2 metres (6.5 ft.)

9.12 Townhouses

9.12.1 MINIMUMS:

- (a) Area Per Dwelling Unit (including yard space):
 - (i) each internal unit; 150 square metres (1,615 sq. ft.)
 - (ii) each end unit; 225 square metres (2,422 sq.ft.)
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Rear Yard: 6 metres (20 ft.)
- (d) Side Yard: 3 metres (10 ft.)

9.12.2 MAXIMUMS:

- (a) Site Coverage for entire development (including Accessory Buildings): 40% of site area.
- (b) Density: 1 unit allowed for every 220 square metres (2,368 sq. ft.) of site area.
- (c) Building Height: 10.5 metres (34.5 ft.)
- (d) Fence Height: 2 metres (6.5 ft.)

SECTION 10 – ESTABLISHMENT OF DISTRICTS

10.1 District Classification

For the purpose of this Bylaw, all lands within the Municipality are divided into districts and are classified as follows:

DISTRICTS

SYMBOLS

- RESIDENTIAL DISTRICTS
 - Restricted Residential District..... R-1
 - General Residential District..... R-2
 - Mobile Home Residential District..... MHR
- COMMERCIAL DISTRICTC
- HIGHWAY COMMERCIAL DISTRICT..... HC
- INDUSTRIAL DISTRICT..... I
- URBAN RESERVE DISTRICT..... UR

10.2 District Symbols

Throughout this Bylaw and amendments thereto, a District may be referred to either by its full name or by its abbreviation as set out in Section 10.1 above.

10.3 District Map

The District Map, as may be amended or replaced by bylaw from time to time, is that map attached to and forming part of this Bylaw and among other things bears the following identification:

- (a) the title of “District Map”;
- (b) Section 10.3 of Bylaw No. 10-01

10.4 Boundary Disputes

- 10.4.1 In the event that a dispute arises over the precise location of a boundary of any district as shown on the District Map, the Council may request planning advice and shall decide thereon.

SECTION 11 – DISTRICT RULES

11.1 Restricted Residential District (R-1)

11.1.1 PURPOSE

The purpose of this District is to provide for low density residential development in the form of larger single-detached dwellings but not mobile homes.

Refer to Section 9 for
Regulations governing
the following uses:

(a) Permitted Uses

- accessory buildings and uses (9.1)
- satellite dish antennas..... (9.8)
- single detached dwelling except
mobile homes..... (9.11)

(b) Discretionary Uses

- bed and breakfast establishment..... (9.3)
- curb cuts..... (9.3)
- home based business..... (9.5)
- public uses..... (9.7)
- public utilities..... (9.7)
- signs..... (9.10)

11.1.2 REGULATIONS

Refer to Section 8 for General Regulations governing all uses.

11.2 General Residential District (R-2)

11.2.1 PURPOSE

The purpose of this district is to provide for low density residential development in the form of single detached dwellings with provisions for duplex and semi-detached dwellings, townhouses, apartments, single-wide mobile homes and double-wide mobile homes.

Refer to Section 9 for Regulations governing the following uses:

(a) Permitted Uses

- accessory building and uses..... (9.1)
- satellite dish antennas..... (9.8)
- single detached dwelling
except mobile homes..... (9.11)

(b) Discretionary Uses

- apartment dwellings..... (9.2)
- bed and breakfast establishment..... (9.3)
- curb cuts..... (9.3)
- double-wide mobile homes..... (9.6)
- duplex dwellings..... (9.4)
- home based business..... (9.5)
- public uses..... (9.7)
- public utilities..... (9.7)
- semi-detached dwellings..... (9.9)
- signs..... (9.10)
- single-wide mobile homes..... (9.6)
- townhouses..... (9.12)

11.2.2 REGULATIONS

Refer to Section 8 for General Regulations governing all uses.

11.3 Mobile Home Residential District (MHR)

11.3.1 PURPOSE

The purpose of this District is to provide for lots within a mobile home residential neighbourhood in which mobile homes are accommodated on an individual site basis with individual service connections.

Refer to Section 9 for Regulations governing the following uses;

(a) Permitted Uses

- accessory building and uses..... (9.1)
- double-wide mobile homes..... (9.6)
- satellite dish antennas..... (9.8)
- single-wide mobile homes..... (9.6)

(b) Discretionary Uses

- curb cuts..... (9.3)
- home based business..... (9.5)
- public uses..... (9.7)
- public utilities..... (9.7)
- signs..... (9.10)
- single detached dwellings..... (9.11)

11.3.2 REGULATIONS

Refer to Section 8 for General Regulations governing all uses.

11.4 Commercial District (C)

11.4.1 PURPOSE

The purpose of this District is to provide for office, retail and service commercial developments in the municipality.

(a) Permitted Uses

- business, administrative and professional offices
- commercial, technical schools
- grocery stores
- liquor stores
- personal service businesses
- printing shops
- restaurants
- retail stores not specified as a discretionary use
- satellite dish antennas

(b) Discretionary Uses

- accessory buildings and uses
- amusement facilities
- curb cuts
- drinking establishments
- dwelling units only when accessory and attached to commercial uses
- funeral homes
- gas bars
- home based businesses
- hotels
- liquor stores
- motels
- public uses
- public utilities
- residential development
- retail food stores
- service stations
- signs

11.4.2 REGULATIONS GOVERNING SPECIFIED USES

(a) Refer to Section 8 for General Regulations governing following C uses.

(b) Refer to Section 9 for regulations governing the following C uses;

- | | <u>See Section</u> |
|--------------------------------------|--------------------|
| - accessory buildings and uses | (9.1) |
| - curb cuts..... | (9.3) |
| - home based businesses..... | (9.5) |
| - public uses and utilities..... | (9.7) |
| - satellite dish antennas..... | (9.8) |
| - signs..... | (9.10) |

11.4.3 REGULATIONS GOVERNING ALL OTHER C USES NOT STATED IN SECTION 11.4.2

- (a) Minimums:
- (i) Site Area:
 - On lots fronting onto a service road adjacent to Highway #49: 1,125 square metres (12,110 sq. ft.)
 - All other Commercial lots: 675 square metres (7, 266 sq. ft.)
 - (ii) Site Width: 4.5 metres (15 ft.)
 - (iii) Front Yard:
 - Where fronting onto a service road adjacent to Highway #49; 7.5 metres (25 ft.)
 - In all other cases, no front yard is required, but no development shall encroach upon the corner site restriction.
 - (iv) Rear Yard: 4.5 metres (15 ft.)
 - (v) Interior Side Yard:
 - side adjacent to a Residential District – 3 metres (10 ft.);
 - all other cases – 1.5 metres (5 ft.) but where a firewall is provided, no sideyard is required
 - (vi) Exterior Side Yard: none required but no development shall encroach on the corner site restriction.
- (b) Maximums:
- (i) Building Height: 15 metres (50 ft.)
 - (ii) Fence Height: 2 metres (6.5 ft.)
 - (iii) Site Coverage (including accessory buildings): 80% of site.

11.5 **Industrial District (I)**

11.5.1 **PURPOSE**

The purpose of this District is to provide primarily for operations involving storing, manufacturing, processing, transporting, servicing and repairing of goods or products.

(a) Permitted Uses:

- accessory buildings and uses
- agricultural industries except auction marts or livestock holding areas
- indoor storage of machinery, equipment, goods or products (excepting flammable or combustible materials)
- industrial and construction equipment sales and service
- satellite dish antennas
- warehouses or wholesaling uses

(b) Discretionary Uses:

- auction marts
- curb cuts
- manufacturing, processing, testing, repairing or cleaning of goods or products
- offices attached to the principal use
- outdoor storage of machinery, equipment, goods or products
- public uses
- public utilities
- salvage yards
- signs
- storage of flammable or combustible materials
- truck terminals

11.5.2 **REGULATION GOVERNING SPECIFIED USES**

(a) Refer to Section 8 for Regulations governing the all uses.

(b) Refer to Section 9 for Regulations governing the following I uses:

- | | <u>See Section</u> |
|------------------------------------|--------------------|
| - accessory building and uses..... | (9.1) |
| - curb cuts..... | (9.3) |
| - public uses and utilities..... | (9.7) |
| - satellite dish antennas..... | (9.8) |
| - signs..... | (9.10) |

11.5.3 REGULATIONS GOVERNING ALL OTHER USES NOT STATED IN SECTION 11.5.2

(a) Minimums:

- (i) Site Area: 0.2 hectares (0.5 acres)
- (ii) Site Width: 30 metres (99 ft.)
- (iii) Front Yard: 7.5 metres (25 ft.)
- (iv) Side Yard: 3 metres (10 ft.), but where a firewall is provided, no side yard is required.
- (v) Rear Yard: 7.5 metres (25 ft.) but where a firewall is provided, no rear yard is required

(b) Maximums:

- (i) Height of Buildings: 30 metres (99 ft.)
- (ii) Fence Height: 3 metres (10 ft.)
- (iii) Site Coverage (including accessory building): 80% of the site

(c) Environmental Standards

All uses within this District shall conform to the following standards as identified by the Approving Authority:

- (i) Obvious toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public.
- (ii) No industrial operation shall be carried out which would result in the projection of glare, heat or excessive noise onto adjacent properties.
- (iii) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (iv) A permit for any private individual sewage system must be obtained from the Provincial Plumbing Inspector as a condition of development permit approval.
- (v) A statement on the anticipated total number of employees must be submitted prior to the Approving Authority issuing a development permit for unserviced sites. Sufficient evidence that the necessary water supply will be available shall be indicated to the satisfaction of the Approving Authority.

(d) Offices:

Any office development shall be included only as accessory to another I use and shall be part of the principal use on the site.

11.6 Urban Reserve (UR)

11.6.1 PURPOSE

The purpose of this District is to provide for the continuation of existing rural pursuits and to minimize intensification of existing land uses until urban subdivision and development is pre-planned in the framework of an approved Area Structure Plan.

(a) Permitted Uses:

- accessory buildings and uses
- farm buildings (barns, storage sheds, farm shops and granaries)
- general agricultural uses except livestock operations
- market gardening
- satellite dish antennas
- a single dwelling unit except a single or double-wide mobile home

(b) Discretionary Uses:

- curb cuts
- a double wide mobile home
- home occupations
- natural resource extraction
- public uses
- public utilities
- a single wide mobile home
- signs

11.6.2 REGULATIONS GOVERNING SPECIFIED USES

(a) Refer to Section 8 for General Regulations governing all uses.

(b) Refer to Section 9 for Regulations governing the following UR uses:

- | | <u>See Section</u> |
|---|--------------------|
| - accessory building and uses..... | (9.1) |
| - curb cuts..... | (9.3) |
| - home based business..... | (9.5) |
| - mobile homes..... | (9.6) |
| - satellite dish antennas..... | (9.8) |
| - signs..... | (9.10) |
| - single detached dwelling unit
(except mobile homes)..... | (9.11) |

11.6.3 REGULATIONS GOVERNING ALL OTHER UR USES NOT STATED IN SECTION 11.6.2

(a) Minimums:

- (i) Front Yard: 7.5 metres (25 ft.)
- (ii) Side Yard: 3 metres (10 ft.)
- (iii) Rear Yard: 4.5 metres (15 ft.)
- (iv) Lot Area: 20 acres

(b) Maximums:

- (i) Building Height: 9 metres (30 ft.)
- (ii) Site Coverage (including Accessory and Farm Buildings): 40% of site
- (iii) Fence Height: 2 metres (6.5 ft.)

11.7 **Highway Commercial (HC)**

11.7.1 **PURPOSE**

The purpose of this District is to provide for the development of commercial uses along highways to serve the traveling public and for commercial developments requiring larger tracts of land.

No person shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- drive in restaurant
- hotel
- motel
- public use
- restaurant
- gas bar
- manufactured home dealership
- retail store
- service station

(b) Discretionary Uses

- automobile dealership
- bed and breakfast establishment
- car washing establishment
- convenience store
- farm machinery dealership
- bulk fuel station
- lumber yard
- truck stop
- veterinary clinic
- warehouse and distribution sales

11.7.2 **SITE PROVISIONS**

The following regulation shall apply to every development in this district

(i) Site Area:

At the discretion of the development officer and/or the municipal planning commission.

(ii) Site Width:

45.7 metres (150 feet) (minimum)

150 metres (500 feet) (maximum)

(iii) Site Depth:

60 metres (200 feet) (minimum)

180 metres (600 feet) (maximum)

(iv) Setbacks and Building Height:

Front Yard Depth (minimum): 9 metres (30 feet)

Side Yard Width (minimum): 3 metres (10 feet)

Rear Yard Depth (minimum): 6 metres (20 feet)

Building Height (maximum): 10.7 metres (35 feet)

(v) Accessory Buildings:

- No accessory building shall be located in any yard other than the interior side yard or rear yard
- No accessory building shall be located closer than .9 metre (3 feet) from any side lot line or rear lot line

11.7.3 ADDITIONAL REQUIREMENTS

- In making a decision on a development permit application within the Highway Commercial District, the Development Officer shall have regard to the Donnelly Corner Area Structure Plan. Further, the Development Officer may request comments from Alberta Infrastructure and Transportation prior to determination of a development permit application.

11.7.4 SCREENING AND FENCING

- All sites abutting a residential district shall be screened from view of the residential district to the satisfaction of the Development Officer.
- All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer.
- Outside storage areas shall be fenced and screened from adjacent sites and public thoroughfares to the satisfaction of the Development Officer.

11.7.5 LANDSCAPING

- The Development Officer shall require that perimeter and frontage landscaping be provided within all developments within this land use district. As a general guideline, the Development Officer shall require that 1.5 metres (5 feet) from the side yard lot line, and 3 metres (10 feet) from the front and rear yard lot line be properly landscaped and maintained. All developments shall also be required to landscape that portion of right of way parallel to the lot frontage to the satisfaction of the Development Officer.

11.7.6 DONNELLY CORNER AREA STRUCTURE PLAN

- In making a decision on the location of a proposed development, the Development Officer shall have regard to the policy, direction and intent of the Donnelly Corner Area Structure Plan.
- The Development Officer may decide on other such requirements as are necessary having regard to the proposed development and intent of this district.
- As a condition of an approval for a development within the Highway Commercial District, the applicant shall be required to obtain the necessary permit approval from Alberta Transportation together with any other municipal, provincial or federal permits or licenses.

SECTION 12 – ADOPTION OF BYLAW NO. 10-01

12.1 Repeal of Existing Bylaw

The existing Land Use Bylaw of the Village of Donnelly, being Bylaw No. 299, as Amended, is hereby repealed.

12.2 Effective Date

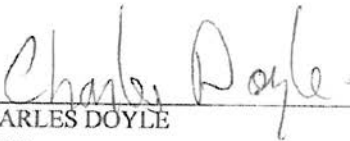
This Bylaw being Bylaw No. 10-01 hereby comes into effect upon the date of its third reading.

READ A FIRST TIME THE 1ST DAY OF FEBRUARY , 2010.

READ A SECOND TIME THE 1ST DAY OF FEBRUARY , 2010.

PRESENTED A THIRD TIME THE 1ST DAY OF FEBRUARY , 2010.

READ A THIRD TIME and finally passes, THE 1ST DAY OF FEBRUARY , 2010.


CHARLES DOYLE
Mayor


LILLIANE BESSETTE
Chief Administrative Officer

SCHEDULE “A”

LAND USE BYLAW

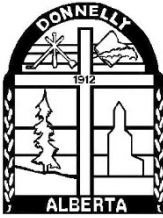
FORMS

LAND USE BYLAW FORMS

Schedule A contains sample forms used in implementing the Land Use Bylaw and Subdivision and Development Appeal Board Bylaw. The titles and uses of Forms are:

FORM	TITLE	COMMENTS
A	Development Permit Application	<ul style="list-style-type: none">- used in evaluating and deciding upon developments- conditions of approval are outlined on application
B	Development Appeal Application Form	<ul style="list-style-type: none">- form completed by appellant and received within 14 days of Development Officer decision- can be appealed by developer or any one else claiming to be affected by the proposal
C	Notice of Development Appeal Hearing	<ul style="list-style-type: none">- notice sent by Secretary of Development Appeal Hearing Appeal Board (in this case, the Municipal Secretary) and received at least 5 days prior to hearing- copies sent to appellant, developer, Development Officer and all landowners that the <u>Board</u> considers affected- the D.A.B. should therefore decide who is sent Form C
D	Notice of Development Appeal Decision	<ul style="list-style-type: none">- sent to all parties mentioned in Form C
E	Application for Amendment to the Land Use Bylaw	<ul style="list-style-type: none">- applicant must have landowner's approval in writing in order to apply

Village Of Donnelly



DEVELOPMENT PERMIT APPLICATION

DATE RECEIVED: _____
APPLICATION #: _____
DATE OF DECISION: _____
APPLICANT NAME: _____

BEFORE YOU START

- Contact the Village Of Donnelly Development Officer (925-3835) for a copy of the Land Use Bylaw.
- You are encouraged to refer to the Land Use Bylaw as a guide to the regulations that the Development Officer must enforce. A copy is always available for your inspection at the Village office during business hours.
- This application form requires you to provide certain information in order in that the Development Officer can make an informed decision. Failure to do so will result in processing delays. If you require assistance with the application, see the Development Officer for help.
- Before you submit your application, ensure that the Development Officer has checked off Item 10 of this form.
- This form must be completed in full by the registered owner of the property subject to this application or an authorized person acting on the owners behalf.
- Please use metric measurement when providing written or mapped information.
- Please print or type information wherever possible.
- Submit your completed development application together with the application fee of \$25.00 to:

DEVELOPMENT OFFICER
VILLAGE OF DONNELLY
BOX 200, DONNELLY AB T0H 1G0
TELEPHONE: 925-3835

OWNERSHIP AND PROPERTY LOCATION

ITEM

1 Applicant's name: _____

Telephone: _____

2 Address: _____

3 Landowner or Authorized Agent?

4 Legal Description of Land to be Developed: _____

5 Landowner Declaration:

I hereby authorize development in accordance with the plans and supporting information as submitted herewith and which form part of this application. Further, I declare that the information provided in this application is, to the best of my knowledge, a true statement of the facts. I enclose the application fee of \$25.00.

Signature of Registered Owner

Date

LAND USE INFORMATION

6 Proposed Land Use _____

7 Existing Land Use(s) _____

8 Current Zoning in the Land Use Bylaw District Map

9 Value of Proposed Development

10 Proposed additional uses (check as many as apply)

- signs
 - accessory structures or uses
 - home based businesses
 - curb cuts
 - satellite dish antennas
 - dwelling units
 - public uses or utilities
 - commercial or industrial structures or uses
 - other (specify)_____
-
-

SITE INFORMATION

11	<p style="text-align: center;">TO BE COMPLETED BY DEVELOPMENT OFFICER</p> <p>NOTE: Please provide the Development Officer with additional information (please attach to the application) if checked below:</p> <ul style="list-style-type: none"><input type="checkbox"/> floor plans<input type="checkbox"/> building elevations<input type="checkbox"/> existing and finished lot grades<input type="checkbox"/> street grades<input type="checkbox"/> illustration of exterior finishing materials<input type="checkbox"/> location of proposed water and sewer lines<input type="checkbox"/> location and dimensions of proposed culverts and crossings<input type="checkbox"/> location of existing underground gas, electrical or telephone lines<input type="checkbox"/> location of outdoor storage areas and garbage collection facilities<input type="checkbox"/> other (specify)_____ <hr/> <hr/>
----	--

12 IN THE SPACE ON THE FOLLOWING PAGE (OR ATTACH A SEPARATE SHEET), PLEASE PROVIDE A SCALED METRIC PLAN INDICATING THE LOCATION AND DIMENSIONS OF EXISTING AND PROPOSED

- Property lines surrounding the site,
- Buildings and structures,
- Parking stalls, circulation areas, walkways, and road accesses,
- Landscaping, retaining walls, fences and other screening, and
- Above ground utilities and direction of stormwater drainage off the site.

13 If you are proposing a structure or building, please indicate;

(a) The following minimum setback from the property line:

- Front Yard _____
- Rear Yard _____
- Side Yard - one side _____
- other side _____
- Maximum Height Above Finished Grade _____

(b) The following area measurements:

- Square area (in square metres) of the lot _____
- Percentage of the lot to be occupied by buildings _____ %
- Number of parking spaces provided _____
- Average dimensions of each parking space
 - length _____
 - width _____

NOTICE OF DECISION

- The attached application # _____ as applied for by _____
Has been: (Name of applicant)

[] REFUSED for the following reasons:

OR

[] APPROVED subject to the following conditions (use separate sheet if necessary):

- You are hereby authorized to proceed with the development specified after 14 days of the issuance of this permit, provided that; any stated conditions are complied with; development is in accordance with any approved plan and application; and, a Building Permit is obtained if construction is involved. Should an appeal be made against this decision to the Subdivision and Development Appeal Board, the development permit shall be null and void.

Signature of Development Officer

Date of Decision

Print Name

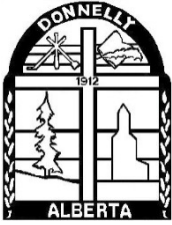
APPEAL PROCEDURE

(a) The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Secretary of the Subdivision and Development Appeal Board **WITHIN 14 DAYS AFTER NOTICE OF THE DECISION IS GIVEN.**

(b) The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until 14 days after the date the order, decision or development permit is issued.

(c) See the Development Officer for a Development Appeal application form.

Village Of Donnelly



DEVELOPMENT PERMIT APPLICATION FORM

OFFICE USE ONLY

Date Received: _____

Development Appeal No. _____

Development Permit No. _____

Date of Appeal Hearing: _____

I hereby give notice of appeal to the decision of the Development Officer dated _____ on Development permit application number _____ for the following reasons (attach a separate sheet if necessary):

Name(s) of Applicant for Appeal: _____

Address: _____

Telephone: _____

I hereby declare that all information provided by me is to the best of my knowledge, true and correct in all respects.

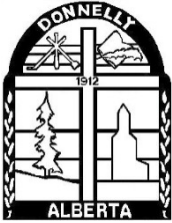
Date

Appellant
(If this appeal is being made by a Company, the President or other authorized officer should sign Here)

Mail or deliver to:

Subdivision and Development Appeal Board
Village Office
P.O. Box 200
Donnelly, Alberta T0H 1G0
Telephone : 925-3835

Village Of Donnelly



NOTICE OF DEVELOPMENT APPEAL HEARING

Development Appeal Application No. _____

This is to notify you that an appeal has been made to the DEVELOPMENT APPEAL BOARD against a decision in respect of Development Permit No. _____ which involves development described as follows:

The Development Officer APPROVED
 APPROVED with the following conditions
 REFUSED for the following reasons

a development permit:

DATE OF HEARING: _____

TIME OF HEARING: _____

PLACE OF HEARING: _____

Any person affected by the proposed development has the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board not later than the following date: _____

Date

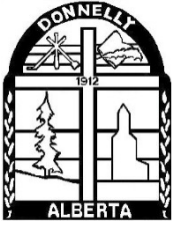
Signature Development Appeal Board

For Further information, Contact:

Print Name

Subdivision and Development Appeal Board
Village Of Donnelly
P.O. Box 200
Donnelly, Alberta
T0H 1G0
Telephone: 925-3835

Village Of Donnelly



NOTICE OF DEVELOPMENT APPEAL DECISION

Development Appeal Application No. _____

This is to notify you that an appeal against the [] APPROVAL
[] APPROVAL WITH CONDITIONS
[] REFUSAL
of a development permit with regard to the following:

Was considered by the SUBDIVISION AND DEVELOPMENT APPEAL BOARD
ON _____ and the decision of the SUBDIVISION AND DEVELOPMENT
APPEAL BOARD with regard to the appeal is as follows for the following reasons:

DATE

Signature Development Appeal Board

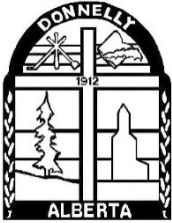
Print Name

NOTE:

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question or jurisdiction or law pursuant to the Municipal Government Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made

- (a) to a judge of the Appellate Division, and
- (b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

Village Of Donnelly



APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

Bylaw Amendment No. _____
Date Accepted as Complete _____

BEFORE YOU START

- Contact the Village Of Donnelly Development Officer (925-3835) for a copy of the Land Use Bylaw No. 10-01. You are encouraged to refer to the Land Use Bylaw as a guide to the Regulations that the Development Officer must enforce. A copy is always available for your inspection at the Village office during business hours.
- Refer to Section 7 of the Land Use Bylaw to understand the process involved in amending the Land Use Bylaw.
- This application form requires you to provide certain information in order that the Development Officer can make an informed decision. Failure to do so will result in processing delays. If you require assistance with the application, see the Development Officer for help.
- This form must be complete in full by the registered owner of the property subject to this application or an authorized person acting on the owners behalf.
- Before you submit your application, ensure that the Development Officer has checked off Item 10 of this form
- Please Print or type information wherever possible.
- Submit your completed application, together with the application fee of \$25.00 to:

Development Officer
Village Of Donnelly
P.O. Box 200
Donnelly, Alberta
T0H 1G0
Telephone: 925-3835

OTHER INFORMATION REQUIRED

9 TO BE COMPLETED BY DEVELOPMENT OFFICER

Please attach copies of the following information to this application form if indicated below by the Development Officer:

- a copy of the certificates of the title for the property affected
- a copy of any caveats or restrictive covenants registered against the title by the Village of Donnelly
- where the applicant is the agent for the registered owner, a letter verifying the agents authority to make the application as applied for in this form

DECISION OF COUNCIL

10 The application for amendment to the Land Use Bylaw being Bylaw Amendment # _____ has been duly heard in public forum by the Council of the Village of Donnelly in accordance with Municipal Government Act and has been

- Rejected,
or
- Approved as applied for,
or
- Approved, with changes as follows:

Signature of Mayor

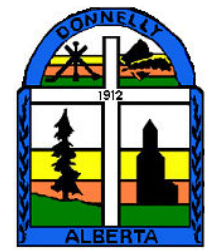
Date of Decision

SCHEDULE “B”

**AMENDMENTS
TO THE
LAND USE BYLAW**

SCHEDULE “C”

DISTRICT MAP



Village of Donnelly Land Use Bylaw 10-01

- Restricted Residential (R-1)
- General Residential (R-2)
- Mobile Home Residential (MHR)
- Commercial (C)
- Highway Commercial (H-C)
- Industrial (I)
- Urban Reserve (U-R)
- Areas outlined in green are designated Municipal Reserve / Community Park Space

Map 1: Land Use Bylaw Districts

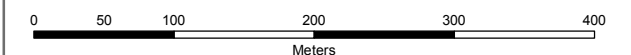
Adopted by Council February 1, 2010

Original Signed By: *Charles Doyle*
MAYOR - Charles Doyle

Original Signed By: *Lilliane Bessette*
CHIEF ADMINISTRATIVE OFFICER - Lilliane Bessette

Amendments

Bylaw No.	Date	Bylaw No.	Date
Bylaw No. 13-02	June 10, 2013		



Adoption Date: February 1, 2010
 Last Updated: July 10, 2013

