



Village of Delia - Province of Alberta

By-Law #632-2018 – Delia Land Use Bylaw

Being a bylaw of the Village of Delia, Alberta to regulate the development and use of land within the Village.

WHEREAS pursuant to the provisions of Section 639 of the *Municipal Government Act*, as amended, the Council of the Village of Delia must, by Bylaw in accordance with Section 692 of the *Municipal Government Act*, adopt a plan to be known as “THE VILLAGE OF DELIA LAND USE BYLAW”;

WHEREAS a Public Hearing was held on August 30, 2018 as required by Section 230 of the *Municipal Government Act*;

NOW THEREFORE the Council of the Village of Delia, duly assembled, enacts as follows:

Short Title

1 The short title of this Bylaw shall be the “Delia Land Use Bylaw”.

Conditions

2 Council adopts as the “Delia Land Use Bylaw” for those lands contained within its civic boundaries.

3 Council adopts as the “Delia Land Use Bylaw” this text and the accompanying Schedules.

Repeal

4 Bylaw No. 588-12 being the “Village of Delia Land Use Bylaw” currently in effect is hereby repealed including all amendments (Bylaw 614-15) thereto and replaced.

In Force

5 This Bylaw takes effect on the date of the third and final reading.

READ A FIRST TIME THIS 12th DAY OF July, 2018.

Mayor David Sisley

Chief Administrative Officer
Mark Nikota

READ A SECOND TIME THIS 30th DAY OF August, 2018.

READ A THIRD TIME AND FINALLY PASSED THIS 30th DAY OF August, 2018.

Mayor David Sisley

Chief Administrative Officer
Mark Nikota

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Land Use Bylaw

Bylaw Amendment Activity

632-2018	30-Aug-2018	Land Use Bylaw – consolidation
660-2022	13-Sep-2022	C1 Emergency Shelter as Discretionary Use

Part I – Purposes and Definitions

1. Purpose - The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of the Village of Delia.

2. Definitions - In this Bylaw:

“Accessory Buildings and Uses” means a building separate and subordinate to the main building, the use of which is incidental to the main building and is located on the same parcel of land;

“Accessory use” means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building;

“Act” means the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time;

“Adjacent” means land that is contiguous to a parcel of land and includes land that would be contiguous if not for a highway, road, river, stream or railway;

“Amusement Enterprise” means a commercial establishment for public entertainment or recreation including, but not limited to, bowling alleys, theaters, and billiard parlors;

“Auto Body and Paint Shop” means a use where motor vehicle bodies are repaired or painted within a building;

“Automotive Repair & Service” means a use for the servicing and repair of motor vehicles within a building, excluding an auto body and paint shop, and includes such facilities as alignment shops, muffler shops, transmission repair shops, rust-proofing, brake shops and other similar uses;

“Automotive Vehicle Sales” means a use:

- a) where motor vehicles are sold or leased;
- b) may only store or display vehicles on portions of the parcel approved exclusively for storage or display; and
- c) that may have a building for administrative functions associated with the use;

“Auto Wrecker” means a use:

- a) where dilapidated vehicles are stored, dismantled or crushed;
- b) where motor vehicle parts may be sold;
- c) where motor vehicles in their complete and operable state are not displayed or sold;
- d) that may have equipment used for crushing, dismantling or moving motors
- e) that may have a building for administrative functions associated with the use;
- f) that does not involve the manufacture or assembly of any goods;

“Bed & Breakfast Establishment” means a private dwelling occupied by owner or operator offering hospitality to 8 or less registered guests at a time and providing a breakfast meal;

“Boarding or Lodging House” means a detached dwelling converted for gain or profit containing rooms for two or more persons where meals may or may not be served, not including the occupant and his or her immediate family, but does not include a hotel, motel, restaurant, café, coffee shop, drive-in refreshment stand or other similar use;

“Building” includes anything constructed or placed on, in, over, or under land, but does not include a primary highway or a public roadway;

“Building Material Sales” means a commercial venture which sells building materials and other items for construction and home improvement. This use may include a processing component;

“Bulk Fertilizer Distribution and Storage” means a facility for the on-site retention and selling of a chemical or natural substance, which is added to agricultural land to increase its productivity or capacity to support plant growth;

"Bulk Fuel Sales Depot" means a use where fuel for motor vehicles is sold either with or without an attendant;

“Cannabis” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis;

“Cannabis Accessory” means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time;

“Cannabis Café” means a development where the primary purpose of the facility is the sale of Cannabis to the public, for consumption within the premises and which is authorized by provincial and federal legislation;

“Cannabis Retail Sales” means a retail store licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend the premises;

"Carport" means a structure attached to a principal or accessory building, designed and used for the shelter and storage of vehicles which must have at least the side which abuts the side yard and one end unenclosed;

"Car Wash" means a facility for the washing, cleaning or polishing of motor vehicles on a commercial basis;

“Cemetery” means land that is set apart or land that is used for the burial of human remains. Typical uses are memorial parks and burial grounds;

"Clinic/Medical Facility" means an establishment in which medical, dental or other professional healing treatment is given to human beings;

“Community Recreation Facility” means a use where it is available to the public for sports and recreational activities conducted indoors and/or outdoors. Typical uses include indoor/outdoor swimming pools, hockey rinks, gymnasiums, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, bowling greens, riding stables and fitness;

"Corner Site" means a site at the intersection of two or more streets;

"Council" means the Council of the Village of Delia;

"Daytime Child Care Services" means development licensed by the Province of Alberta to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include daycare centers, day nurseries, kindergartens, nursery schools, and play schools;

"Development" means:

- a) an excavation or 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 land 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 land or building, or
- d) a change in the intensity of use of land of a building that results in or is likely to result in a change in the intensity of use of the land or building;

“Development Authority” means:

- a) a person (or persons) appointed as Development Officer by Bylaw,
- b) the Municipal Planning Commission appointed by Bylaw; authorized to administer this Bylaw and to decide upon applications for development permits in accordance with the provisions of this Bylaw and the Act;

"Development Permit" means a document authorizing a development issued pursuant to a land use bylaw;

"Discretionary Use" means a use of land or a building provided for in this land use bylaw for which a development permit may be issued upon an application having been made;

"District" means an area of land designated on the Land Use District Map as a land use district;

"Drinking Establishment" means an establishment licensed by the Alberta Gaming and Liquor Control Board, in which alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto. This term includes, but is not limited to bars, taverns, pubs and lounges;

"Dwelling" means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, but does not include manufactured homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;

"Dwelling Unit" means a complete building or self-contained portion of a building, containing a room or suite of rooms operated as a single housekeeping unit, intended to be used as a permanent or semi-permanent domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

"Dwelling - Duplex" means a structure on a single lot containing two dwelling units, each of which is totally separated from the other by a common party wall and having separate access to outside grade. This may also be known as a dwelling - semi-detached;

"Dwelling - Manufactured Home" means a transportable, single or multiple section single dwelling unit conforming to CAN/CSA Z240 MH Series certified standards at time of manufacture. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions;

“Dwelling – Moved-On” means a structure from a previous location that has now been relocated to a new parcel for use as a dwelling;

"Dwelling - Multiple Unit (Apartment)" means a residential building designed and built to contain three or more dwelling units with shared services, facilities and outside entrances;

"Dwelling – Multiple Unit (Attached)" means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall each unit having separate entrances from grade level. (For purpose of this Bylaw, Garden, Linked, Row, Townhouses, four-plex, five-plex, and six-plex units which meet this criteria are considered to be attached housing.);

“Dwelling - Modular” means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular home represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling unit(s) for year-round occupancy. Modular homes are not to be considered as manufactured homes under this Bylaw and will be congruent in appearance to conventional single detached dwellings;

“Dwelling – Secondary Suite” means a self-contained Dwelling Unit that is located within a primary Dwelling Unit, where both Dwelling Units are registered under the same land title;

"Dwelling - Single-Detached" means a building containing one dwelling unit only; but does not include semi-detached one family dwellings or Manufactured homes;

"Easement" means a right to use land generally for access to other property or as a right-of-way for a public utility;

“Emergency shelter” means a development operated by the government or another organization for the primary purpose of providing a temporary, emergency accommodation for persons requiring immediate shelter and assistance. This use may include, but not restricted to, accessory office functions and the provision of related programs and services. Typical uses include a women’s shelter and youth emergency shelter. This will not be a safe injection site. The possession, use, distribution, or dispensing of alcohol or illicit drugs is not permitted. [Bylaw 660-2022](#)

"Existing" means existing as of the date of adoption of this Bylaw;

"Extensive Agricultural" means systems of tillage and animal husbandry through which one may gain livelihood from large areas of land by the raising of crops or the rearing of livestock either separately or in conjunction with one another in unified operations and includes buildings and other structures incidental to the operation but does not include feedlots, intensified hog operations or poultry farms;

"Fence" means a vertical physical barrier constructed out of typical building material to prevent visual or unauthorized access or both;

"Financial Institution" means a bank, treasury branch, trust company, credit union or similar establishment;

“Flour and Feed mill” means a processing facility where grains or livestock feed is manufactured, processed, stored, distributed and sometimes sold. This use does not include a feed lot as defined under Provincial Legislation;

"Front Lot Line" means the boundary dividing the lot from the abutting street. In the case of a corner lot, the shorter boundary shall be deemed to be the front lot line;

"Funeral Home" means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held;

“Grain Elevator” means a building for elevating, storing, discharging, and sometimes processing grain. The use may also include facilities for moving the grain via a variety of transportation alternatives such as rail or trucks;

“Greenhouse” means a building designated and used for the growing of vegetables, flowers and other plants for commercial purposes, transplanting or for sale;

"Gross Floor Area" means the total area of all floors of a building, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area;

"Heavy Equipment Assembly, Sales and Service" means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities;

"Heavy Manufacturing" means the manufacture of products, the process of which generates fumes, gases, smoke, vapours, vibrations, noise or glare, or similar nuisances that may cause adverse effects on users of adjacent land;

"Height" means, when used with reference to a building or structure, the vertical distance between a horizontal plane through grade level and a horizontal plane through:

- a) the highest point of the roof in the case of a building with a flat roof or a deck roof;
- b) the average level of a one-slope roof;
- c) the highest point in the case of a pitched, gambrel, mansard, or hipped roof. Where a sloping grade exists (walkout basement, etc.) the average grade shall be used.

"Home Occupation" means any occupation, trade, profession, or craft carried on by an occupant of an residential building or a use secondary to the residential use of the building, and which does not change the residential nature of the building nor the neighborhood or have any exterior evidence of such secondary use other than a small name plate, not exceeding 0.18m² (2 sq. ft.) in area. A home occupation does not include the outside storage of materials, goods or equipment, nor the employment of more than one paid assistant other than the occupant and the occupant's family;

"Hotel or Motel" means a building providing sleeping accommodation which may also contain commercial uses and such additional uses as restaurants, dining rooms, room service, or public convention facilities;

"Landscaping" means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials;

"Lane" means a public thoroughfare which provides a secondary means of access to a site or sites;

"Library" means a place set apart to contain books, periodicals, and other material for reading, viewing, listening, study, or reference; or where books and other materials may be read or borrowed;

"Light Manufacturing" means the assembly or packaging of articles from previously prepared materials, but does not include uses which may be obnoxious by reason or emission of odors, dust, noise, smoke or vibrations;

"Loading Space" means a space for parking a commercial vehicle while being loaded or unloaded;

"Primary Building" means a building in which is conducted the main or principal use of the site on which it is erected;

"Manufactured Home Park" means a parcel of land under one title which has been planned, divided into manufactured home lots and improved for placement of manufactured homes for permanent residential use. Accessory facilities and uses within a manufactured home park may include, but not be limited to, an office, storage structure, common laundry facilities and a common social building;

"Manufactured Home Subdivision" means an area subdivided by registered plan, containing lots for Manufactured homes by free-hold or leasehold tenure;

"Municipality" means, where the context requires, the area of land contained within the boundaries of the Village of Delia's corporate limits, as delineated on the Land Use Map, being Part VIII of this Bylaw;

"Municipal Planning Commission" (MPC) means a Municipal Planning Commission which may be established by Council pursuant to the Municipal Government Act;

"Non-Conforming Building" means a building lawfully constructed or lawfully under construction at the date this Bylaw becomes effective, as required by the Act, and which does not or will not comply with the requirements of this Bylaw;

"Non-Conforming Use" means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date this Bylaw becomes effective, as required by the Act, and which does not or will not comply with the requirements of this Bylaw;

"Office" means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include, but are not limited to, the offices

of lawyers, accountants, travel agents, real estate and insurance firms, planners and other consultants, dentists, clerical services and secretarial agencies. This excludes the servicing and repair of goods, the sale of goods to the customer on site, and the manufacture or handling of a product;

"Parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

"Parks and Playgrounds" means a use:

- a) where open space is provided for the purposes of recreation;
- b) that may include playground equipment, benches, landscaping and related development;

"Permitted Use" means the use of land or of a building which is listed in the column captioned, "Permitted Uses" in the lists of Permitted and Discretionary Uses appearing in this Bylaw and for which, when it meets the applicable provisions of this Bylaw, a Development Permit shall be issued;

"Personal Service Shop" means a facility for providing a service on a commercial basis to individuals and includes, but is not limited to such uses as photography studios, dry cleaning establishments and barbershops;

"Principal Use" means the main purpose for which a building or lot is used;

"Private Club or Organization" means an athletic, social, recreational or service organization which is privately owned and operated;

"Property Line" means a legal boundary of the lot;

"Public and Quasi-public Building Facilities and Installations" includes any building which is used by the public for the purpose of assembly, instruction, culture, or for a communal activity, but does not include a school, church, or place of public entertainment for which an admission fee is customarily charged. In addition, it includes a building as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;

"Restaurant" means a development used for eating and drinking where food and beverages are offered for sale to the public, for consumption within the premises or off the site. This includes supplementary alcoholic beverage service licensed by the Alberta Gaming and Liquor Control Board. Typical uses include, but are not limited to, cafes and drive through fast food outlets;

"Retail Store" means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such as a store. This definition does not include Cannabis Retail Sales;

"School, Public or Separate School" means a place of instruction operated with public funds pursuant to the School Act of Alberta and any amendments;

"Screening" means a visual separation between sites, districts or land use activities provided by a fence, wall, berm, landscaping;

"Seniors Lodge" means a building to provide an appropriate living environment for older adults who do not need access to unscheduled personal or nursing care. Lodges are provided by lodge foundations and provide housing, meals, housekeeping, linen/ laundry, recreational programs and 24-hour safety and security services;

"Service Station" means a facility for the service and repair of motor vehicles and for the sale of gasoline, lubricating oils and accessories for motor vehicles and which may provide a towing service;

"Shopping Center" means a group of commercial establishments planned, developed, owned, and managed as a unit with off-street parking provided on the site;

"Sign" means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, a sign includes posters, notices, panels, boarding and banners;

- a) **"Area of Sign"** means the total surface area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area;
- b) **"Billboard"** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.
- c) **"Fascia Sign"** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building;
- d) **"Free-Standing Sign"** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;
- e) **"Projecting Sign"** means a sign which is attached to a building or structure so that part of the sign projects more than one foot from the face of the building or structure;
- f) **"Roof Sign"** means any sign placed on or over a roof;

"Site" means:

- a) a quarter section; or
- 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 the Land Titles Office; or
- 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;

"Storage Structure" means a structure that does not meet the definition of an accessory building and is used for the storage of goods or equipment. A storage structure may be in the form of a shipping container, trailer or other structure;

"Storage Yard" means a use:

- a) where goods, motor vehicles or equipment are stored when they are not being used and may include long term storage where a fee is paid;
- b) where the vehicles and equipment stored may also be serviced, cleaned or repaired;
- c) that may involve the storage of construction material such oil and gas pipeline materials;
- d) that does not involve the storage of any derelict vehicles or derelict equipment;
- e) that does not involve the production or sale of goods as part of the use; and
- f) that may have a building for the administrative functions associated with the use;

"Subdivision and Development Appeal Board" means a subdivision and development appeal board appointed pursuant to Section 627 of the Municipal Government Act;

"Temporary" means a limited period of time as decided by the development authority;

"Temporary Use" means a proposed land use or development where the intent is to operate the use or structure for a specified period of time, not to exceed one (1) year unless otherwise approved by the development authority in consideration of a land use that is temporary but has longer term requirements due to the specific use or project. Any temporary development permit application will state a date on which the development will cease. Temporary Uses shall be considered a discretionary use in all land use districts;

"Tiny Home" is a descriptor for the architectural and social movement that advocates living simply in small homes. Generally, a floor area of less than 46 m² (500 sq. ft.) is accepted to be a tiny home, (also known as a "small house"). A tiny home which is utilized as a permanent dwelling must conform to all requirements of the Alberta Building Code and the land use district requirements in which the structure is situated, including number of units on a parcel and hookups to utilities. For purposes of this Bylaw, a non-permanent structure, (not on a foundation), shall adhere to the land use district requirements associated with the placement of a recreational vehicle;

"Tradesman's Shop" means an establishment for the operation of a trade including but not limited to a painter, electrician, upholsterer, printer and appliance repairman, but does not include establishments which may be obnoxious by reason of emission of odours, dust, smoke noise or vibration;

"Truck and Freight Terminal" means a processing center for the movement of goods;

"Utilities" means any one or more of the following:

- a) systems for the distribution of gas, whether artificial or natural;
- b) facilities for the storage, transmission, treatment, distribution or supply of water;
- c) facilities for the collection, treatment, movement, or disposal of sanitary sewage;
- d) storm sewer drainage facilities;
- e) systems for electrical distribution and lighting;
- f) systems for telephone, cable TV and internet cable distribution (such as fiber optic lines);

"Veterinary Clinic" means a facility for the medical care and treatment of animals, and includes provision for the overnight accommodation. The use of the facility as a kennel shall be limited to short time boarding while the animals are awaiting treatment or are recovering from treatment and shall be incidental to the hospital use;

"Warehouse" means the use of a building and/or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or parts thereof, or any waste material. It includes moving companies, trucking terminals, inter-modal transfer areas, storage of recreational vehicles (indoor or outdoor, including boats and ATV's) and self-storage facilities;

"Worship Facility" means any facility used for the purpose of spiritual worship. Examples may include, but are not limited to churches, temples, mosques, and synagogues;

"Yard" means a part of a parcel upon or over which no main building is erected;

- a) **"Front Yard"** means a yard extending across the full width of a parcel from the front lot line of the parcel to the front foundation of the principal building situated on the parcel. In situations with an irregular front lot line, the point taken from an average distance of the arc shall meet the minimum front yard requirements.
- b) **"Side Yard"** means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side foundation of the main building;
- c) **"Rear Yard"** means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;

All other words and expressions have the meanings respectively assigned to them in the Municipal Government Act R.S.A. Ch. M.26 as amended.

Part II - Administrative Agencies

1. Development Authority

The Development Authority shall exercise development powers and perform duties on behalf of the municipality in accordance with Part 17 Division 5 of the Municipal Government Act and may include:

- a) Development Officer
 - i. The office of the Development Officer is hereby established, by resolution, to act on behalf of Council in those matters delegated by the Bylaw and in such matters as Council may instruct from time to time.
 - ii. The Development Officer must make available for inspection, during office hours, all applications and decisions for development permits, subject to any legislation in force restricting availability.
- b) Municipal Planning Commission
 - i. The Municipal Planning Commission, established by Bylaw in accordance with the Municipal Government Act, shall perform such duties as are specified in *Part III* of this Bylaw.
- c) Subdivision and Development Appeal Board
 - i. The Subdivision and Development Appeal Board, established by Bylaw in accordance with the Municipal Government Act, shall perform such duties as are specified in *Part IV* of this Bylaw.

2. Subdivision Authority

The Subdivision Authority, as established in accordance with the MGA, shall perform duties on behalf of the municipality in accordance with the Municipal Government Act, the Land Use Bylaw and all relevant village planning and policy documents.

3. Development Authority – Powers and Duties

- a) The Development Authority must administer this Bylaw and decide upon all development permit applications.
- b) The types of development permit applications a Development Authority may consider in accordance with Part III are a development permit for:
 - i. a permitted use that complies with all requirements of this Bylaw;
 - ii. a permitted use that does not comply with all requirements of this Bylaw;
 - iii. a discretionary use that complies with all requirements of this Bylaw;
 - iv. a discretionary use that does not comply with all requirements of this Bylaw.
- c) Unless otherwise referenced in Part III, the Development Authority must not approve a development permit for an addition or structural alteration to a non-conforming building.
- d) The Development Officer must collect fees according to the scale approved by resolution of Council.
- e) The Development Authority may refuse to accept a development permit application where:
 - i. the information required by Part III is not provided;
 - ii. the quality of the information provided is inadequate to properly evaluate the application;
 - or
 - iii. the fee for a development permit application has not been paid.

4. Subdivision Authority – Powers and Duties

The Subdivision Authority shall:

- a) keep and maintain for the inspection of the public copies of all decisions and ensure that copies of same are available to the public at a reasonable charge;
- b) keep a register of all applications for subdivision, including the decisions therein and the reasons therefore;
- c) receive all complete applications for subdivision including the required application fees and decide upon all applications in accordance with the Subdivision and Development Regulation and Land Use Bylaw with consideration of all comments received through circulation and the recommendations of the Municipal Planning Commission;
- d) On receipt of an application for subdivision, review to ensure sufficient information is provided to adequately evaluate the application in accordance with Part 1 of the Subdivision and Development Regulation;
- e) Excepting subdivision applications not requiring circulation under the Municipal Government Act to circulate applications for subdivision for comments to those authorities and agencies as prescribed within the Subdivision and Development Regulation and this Land Use Bylaw and all comments to be added to the subdivision report;
- f) Excepting subdivision applications not requiring circulation under the Municipal Government Act, to circulate applications for subdivision for comments to Starland County when the original parcel boundaries are adjacent to the municipal boundary or where an intermunicipal development plan requires or, at the discretion of the subdivision authority, where a subdivision application is not adjacent to the municipal boundary but has potential for land use impacts within Starland County;
- g) Excepting subdivision applications not requiring circulation under the Municipal Government Act, the Subdivision Authority may proceed with processing of the application after thirty (30) days from the date of referral to authorities, agencies or landowners whether or not comments have been received;
- h) Prepare a subdivision report including all relevant information to the application, recommendations and any comments received from circulated agencies and review with the Municipal Planning Commission for municipal recommendations;
- i) Prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the Subdivision and Development Regulation;
- j) Ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality;
- k) Endorse Land Titles instruments to effect the registration of the subdivision of land;
- l) Advise the Council, Municipal Planning Commission and Subdivision and Development Appeal Board on matters relating to the subdivision of land;
- m) Appear before the Subdivision and Development Appeal Board or Municipal Government Board where appeals are made on subdivision application decisions.

Part III - Development Permit Application

1. Control of Development

No development other than those designated in (2) below shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

2. Development Permit Not Required

It shall not be necessary to obtain a Development Permit prior to commencement of the following developments but the development shall otherwise comply with the provisions of this Bylaw.

- 1) The carrying out of works of maintenance or repair to a building provided that such work:
 - a) does not include structural alterations;
 - b) does not change the use or intensity of the use of the structure.
- 2) The completion of a building which could be prohibited by this Bylaw, but was lawfully begun on or before the date of the first official notice of this Bylaw provided that the building:
 - a) is completed within 12 months of the notice; and
 - b) complies with any development permit issued for it.
- 3) The use of any such building as is referred to in subsection (2) for the purpose for which construction was commenced.
- 4) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting a road used by vehicular traffic) less than 0.91 meters (3 feet.) in height in front yards and less than 1.82 meters (6 feet) for side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means or enclosure.
- 5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit was issued under this Bylaw.
- 6) The maintenance or repair of public works, services or utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- 7) The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election, referendum or plebiscite.
- 8) Those signs outlined in Part VII as not requiring a development permit.
- 9) An official notice, sign, placard or bulletin required to be displayed pursuant to provisions of Federal, Provincial or Municipal Legislation.
- 10) The erection or construction or replacement of one (1) garden/tool shed per site, which does not exceed 10.5 m² (113 sq. ft.) in floor area and 2.5 m (8.2 ft.) in height.

3. Application for a Development Permit

- 1) Any owner of a parcel, an authorized agent, or other persons having legal or equitable interest in the parcel may make application for a development permit to the Development Officer using the approved form and shall be accompanied by information as may be required by the Development Authority to evaluate the application including, but not limited to:
 - a) a site plan in duplicate, drawn to scale, which shows the following:
 - i. legal description of the site with north arrow;
 - ii. area and dimensions of the land to be developed including the front, rear and side yards if any;
 - iii. area and external dimensions including the heights of all buildings and structures to be erected on the land;
 - iv. any provisions for off-street loading and vehicle parking, including all access and exit points to the site; and
 - v. the position and distances of any existing building, roads, water bodies, trees or other physical features on the land to be developed.
 - b) floor plans, elevations, grading and drainage plans and sections in duplicate and an indication of the exterior finishing materials and colour if required by the Development Authority;
 - c) pictures of the interior and exterior of an existing building that is proposed to be moved on to a parcel within the Village of Delia;
 - d) a statement of the proposed use or uses;
 - e) a statement of ownership of land and the interest of the applicant therein;
 - f) the estimated commencement and completion dates;
 - g) the estimated cost of the project or contract price;
 - h) the development permit fee as prescribed by Council;
 - i) a surveyor's certificate or real property report if required by the Development Officer;
 - j) written agreement of the registered land owner(s) of the property with regard to the proposed development, if required.
- 2) The Development Authority may require additional copies of the application plans or specifications as well as such additional information as deemed necessary to sufficiently evaluate the application.
- 3) The Development Authority shall issue a notice of "Complete" or "Incomplete" application, within 20 days of the submission in accordance with the requirements of the Act.

4. Deciding on Development Permit Applications

- 1) The Development Officer shall:
 - a) receive, consider and decide on an application for a development permit for those uses listed as a permitted use for the relevant land use district and comply with the minimum standards for that district;
 - b) refer, at his/her discretion, a permit application for an industrial development for comments to those authorities (provincial and regional) where interest or jurisdiction may be effected;
 - c) refer with his/her recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for those uses which constitute discretionary uses and which have been assigned to it for consideration and decision;
 - d) refer to the Municipal Planning Commission at his/her discretion any application which in his/her opinion should be decided by the Commission.
- 2) An application may be approved by the Development Officer where the proposed development does not comply with the required front yard, side yard, rear yard and/or floor area requirements of any district in this Bylaw if, in his/her opinion, the proposed development would not:
 - a) unduly interfere with the amenities of the neighborhood;
 - b) materially interfere with or affect the use, enjoyment or value of the neighboring properties.
 - c) and the amount of variance does not exceed 20% of the requirements in any district.

- 3) The Municipal Planning Commission shall:
 - a) decide on applications for a development permit for those *Discretionary Uses* in the relevant land use district (excepting applications for Home Occupations and fencing);
 - b) approve the application unconditionally or impose conditions considered appropriate, either permanently or for a limited period of time, or refuse the application.
 - c) When making a decision on a development permit application for a discretionary use the Municipal Planning Commission must take into account:
 - i. any plans and policies affecting the parcel;
 - ii. the purpose statements in the applicable land use district;
 - iii. the appropriateness of the location and parcel for the proposed development;
 - iv. the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
 - v. the merits of the proposed development;
 - vi. the servicing requirements;
 - vii. access and transportation requirements;
 - viii. vehicle and pedestrian circulation within the parcel;
 - ix. sound planning principles.
- 4) In the case where a proposed specific use of land or a building is not provided for in any land use district in the Bylaw, the Municipal Planning Commission may determine such a use is similar in character and purpose to another use of land or building that is included in the list of permitted and discretionary uses prescribed for that land use district.
- 5) The Municipal Planning Commission may require, as a condition of issuing a development permit, the applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities and/or to pay off-site levy or redevelopment levy imposed by Bylaw.
- 6) If a development permit application is refused, the Development Officer need not accept another application for the same or similar use on the same parcel for twelve (12) months after the refusal.
- 7) If a decision is not made on a development permit application within 40 days after its receipt by the Development Officer, the applicant may deem it to be refused at the end of the 40 day period, unless an applicant for a development permit enters into an agreement with the Development Officer to extend the 40 day time period.
- 8) The Development Officer or Municipal Planning Commission may issue a temporary Development Permit, for a period not exceeding one (1) year.
- 9) No permit shall be issued for any development on a site, the area or the width of which is less than the minimum prescribed for the district in which the site is located, except that a lot of separate record in the Land Titles Office which contains less than the minimum area or width may be used subject to the discretion of the Municipal Planning Commission if all other requirements of the Land Use Bylaw and amendments are thereto observed.

5. Development Permits & Notices

- 1) The development permit granted pursuant to this Bylaw does not come into effect until 44 21 days after the date an order, decision or development permit is communicated as described below. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 2) Where an appeal is made pursuant to Part IV of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.

- 3) When a permit has been granted, the Development Officer shall:
 - a) immediately post a notice of the decision conspicuously on the property for which the application has been made and/or;
 - b) a notice in writing shall be immediately mailed to all registered owners of land who in the opinion of the Development Officer may be affected and/or;
 - c) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property which the application has been made and the use approved.
- 4) If the Development authorized by a permit is not commenced within the 12 months from the date of its issue or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
- 5) A decision by the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- 6) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

1. Appeal Procedure

- 1) An appeal may be made to the Subdivision and Development Appeal Board where the Development Authority:
 - a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - b) issues a development permit subject to conditions;
 - c) issues an order under Part V of this Bylaw.
- 2) The person applying for a development permit or affected by the order, under subsection (1), or any other person complying with the appeal requirements as set out in the Act may appeal the decision or development permit of the Development Officer / Municipal Planning Commission to the Subdivision and Development Appeal Board.
- 3) An appeal shall be made by serving a written notice of appeal, stating the reasons for the appeal, including the applicable fee to the Secretary of the Subdivision and Development Appeal Board within 21 days after the date of the order, decision or permit issued by the Development Authority was either:
 - a) first published in a newspaper circulating in the area; or
 - b) posted on the site of the property which is the subject of the application; or
 - c) received by the applicant, whichever of these occur first.
- 4) For the purpose of subsection 3(c), the date of receipt of the decision is deemed to be five (5) days from the date the decision was mailed.

2. Public Hearing

- 1) Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
- 2) The Subdivision and Development Appeal Board shall give at least 5 days notice in writing of the public hearing to:
 - a) the appellant or any person acting on his/her behalf;
 - b) The Development Officer / Chairman of the Municipal Planning Commission from whose order, decision or development permit the appeal is made;
 - c) those registered owners of land in the municipality who were notified in accordance with the Act and this Bylaw and any other person who in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit;
 - d) Palliser Regional Municipal Services;
 - e) such other persons as the Subdivision and Development Appeal Board specifies.
- 3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal, as they become available, subject to the Act, including:
 - a) the application for the development permit, its refusal and the appeal there from; or
 - b) the order of the Development Authority under Part V of this Land Use Bylaw.

- 4) At the public hearing regarding an appeal, the Board shall hear from:
 - a) the appellant or any person acting on his/her behalf;
 - b) the Development Officer from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person;
 - c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his/her behalf; and
 - d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or person acting on his/her behalf.

3. Decision

- 1) The Subdivision and Development Appeal Board shall give a written decision together with reasons for the decision within 15 days of the conclusion of the hearing.
- 2) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Municipal Government Act. An application for leave to appeal to the Court of Appeal shall be made:
 - a) to a judge of the Court of Appeal; and
 - b) within 30 days after the issue of the order, decision, permit, or approval sought to be appealed.

Part V - Enforcement & Administration

1. Orders of Compliance

- 1) Where the Development Officer finds a development or use of land or buildings is not in accordance with:
 - a) Part 17 of the Act or the regulations under that part of the Act; or
 - b) a Development Permit or Subdivision Approval; or
 - c) this Land Use Bylaw; or
 - d) an order, decision, or permit of the Subdivision and Development Appeal Board or Municipal Government Board;

the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:

- a) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
 - b) demolish, remove or replace the development; or
 - c) take such other measures specified in the notice so that the development or use of the land or building is in accordance with Part 17 of the Municipal Government Act, the regulations under Part 17 of the Act, a development permit, subdivision approval or this Bylaw, as the case may be, within the time period set out in the notice.
- 2) A person who receives an Order of Compliance may appeal to the Subdivision and Development Appeal Board in accordance with Part IV of this Bylaw.

2. Enforcement

- 1) Where a person fails or refuses to comply with an order directed to them under this Bylaw, or an order of the Subdivision and Development Appeal Board issued in accordance with ~~of~~ the Act within the time specified, the Council or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 2) Where the Council or a person appointed by it carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
- 3) A person who contravenes or fails to comply with a development permit or a condition attached thereto is guilty of an offense and is liable on summary conviction to a fine as established by council.

3. Amendments to the Bylaw

- 1) Any person may apply to have this Bylaw amended.
- 2) The Council may initiate amendments by its own motion.
- 3) All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
 - a) the fee determined by the Council;
 - b) a statement of the applicant's interest in the land;
 - c) any drawings, plans or maps required by the Development Officer; and
 - d) any documents as required by the Development Officer.
- 4) All amendments of this Bylaw shall be made by bylaw in conformity with the Act and the regulations.

- 5) If an application for an amendment to this Bylaw has been refused by Council, then Council need not accept an application for an amendment for the same use on the same parcel for a period of twelve (12) months from the date of refusal.
- 6) Prior to third reading of the proposed by-law, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.

4. Existing Land Use Bylaw

- 1) Bylaw No. 588-2012 and amendments (614-2015) thereto are hereby repealed.

Part VI - Land Use Districts

1. Districts

- 1) For the purpose of this Bylaw, the municipality is divided into the following Districts:

R-1	Residential Single Detached District
R-2	Residential General District
SHR	Small Holdings Residential
MH	Manufactured Home District
C-1	Central Commercial District
C-2	Commercial District
I	Industrial District
CS	Community Service District
UR	Urban Reserve District

2. District Boundaries

- 1) The locations and boundaries of the land use districts are shown on the Land Use District Maps, which form part of this Bylaw.

- 2) The locations of boundaries shown on the Land Use District Maps shall be governed by the following rules:

Rule 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centerline thereof.

Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3. In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:

- a) using any dimensions given on the map; or
 - b) where no dimensions are given, measurement using the scale shown on the map.
- 3) Where the exact location of the boundary of a land use district cannot be determined using the rules in subsection (2), the Council, on its own motion or on a written request, shall fix the location:
 - a) in a manner consistent with the provisions of this Bylaw; and
 - b) with the appropriate degree of detail required.
 - 4) The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.
 - 5) The Council shall keep a list of its decisions fixing the locations of district boundaries.

3. R-1 Residential Single Detached District

1) Purpose

The purpose and intent of this district is to provide for low density residential development in the form of single detached dwellings.

2) Permitted Uses

- Accessory Buildings
- Dwelling – Single-Detached
- Sign

3) Discretionary Uses

- Daytime Child Care Service
- Dwelling – Modular
- Dwelling – Moved On
- Home Occupation
- Public and Quasi-Public Buildings, Facilities and Installations
- Bed and Breakfast Establishments
- Parks and Playgrounds

4) Minimum Requirements

a) Site Area:

- i. 450 m² (4,844 sq. ft.) for single-detached dwellings;
- ii. Other uses at the discretion of the Municipal Planning Commission;

b) Lot Width:

- i. 12 m (40 ft.) for single-detached dwellings;
- ii. Other uses at the discretion of the Municipal Planning Commission.

c) Front Yard:

- i. 5.5 m (18 ft.) for single-detached dwellings;
- ii. Other uses at the discretion of the Municipal Planning Commission.

d) Side Yard:

- i. 1.5 m (5 ft.) for single-detached dwellings;
- ii. 3.0 m (10 ft.) abutting the flanking street on corner lots;
- iii. One 3.0 m (10 ft) side yard (excluding corner lots) to provide alternative access to the rear of the buildings in laneless subdivisions;
- iv. Accessory buildings shall be sited in accordance with Part VII, General Land Use Regulations pertaining to Accessory Buildings contained within this Bylaw; and
- v. Other uses at the discretion of the Municipal Planning Commission.

e) Rear Yard:

- i. 5.5 m (18 ft.) for single-detached dwellings;
- ii. Other uses at the discretion of the Municipal Planning Commission.

f) Gross Floor Area:

- i. 93 m² (1000 sq. ft.) for single-detached dwellings;
- ii. Other uses at the discretion of the Municipal Planning Commission.

5) Maximum Limits

a) Height

- i. 10.5 m (35 ft.) for principal buildings and shall not exceed two stories;
- ii. 4.5 m (15 ft.) for accessory buildings;

b) Site Coverage

- i. 35% of the site area for single-detached dwellings;
- ii. 15% of the site area for accessory buildings; and
- iii. Other uses at the discretion of the Municipal Planning Commission.

6) Parking

Parking shall be provided according to the following:

- a) single-detached dwellings - One (1) parking or garage space per dwelling unit;
- b) Other uses at the discretion of the Municipal Planning Commission.

7) Screening

- a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

4. R-2 Residential General District

1) Purpose

The purpose and intent of this district is to provide for residential neighborhoods in which a variety of housing types may be permitted.

2) Permitted Uses

- Accessory Buildings and Uses
- Dwelling - Single-Detached
- Sign

3) Discretionary Uses

- Boarding or Lodging House
- Daytime Child Care Service
- Dwelling – Duplex
- Dwelling – Manufactured home
- Dwelling – Modular
- Dwelling – Moved On
- Dwelling – Multiple Unit (Apartment)
- Dwelling- Multiple Unit (Attached)
- Home Occupation
- Public and Quasi-Public Buildings, Facilities and Installations
- Bed and Breakfast Establishment
- Parks and Playgrounds
- Worship Facility

4) Minimum Requirements

a) Site Area:

- i. 450 m² (4,844 sq. ft.) for single-detached dwellings, and manufactured homes;
- ii. 660 m² (7104 sq. ft.) for duplexes and semi-detached single-family dwellings;
- iii. 720 m² (7750 sq.ft.) for apartment buildings;
- iv. 180 m² (1930 sq. ft.) for attached housing interior units and 300 m² (3230 sq. ft.) for attached housing end units;
- v. With the approval of the Municipal Planning Commission, the site area may be less in the case of lots legally created prior to this Bylaw; and
- vi. Other uses at the discretion of the Municipal Planning Commission.

b) Lot Width:

- i. 15.24 m (50 ft.) for single-detached dwellings, and manufactured homes;
- ii. 18 m (60 ft.) for duplexes and semi-detached single-family dwellings;
- iii. 24 m (78 ft.) for apartment;
- iv. 6.1 m (20 ft.) for attached housing interior units and 10 m (32 ft.) for attached housing end units;
- v. Other uses at the discretion of the Municipal Planning Commission.

c) Front Yard:

- i. 7.5 m (24.6 ft.) for single-detached dwellings, manufactured homes, duplexes and semi-detached single-family dwellings, apartment buildings and attached housing;
- ii. Other uses at the discretion of the Municipal Planning Commission.

- d) Side Yard:
 - i. 1.23 m (4 ft.) for single-detached dwellings, manufactured homes, and duplexes and semi-detached single-family dwellings;
 - ii. 3.05 m (10 ft.) for attached housing end units;
 - iii. 3.05 m (10 ft.) abutting the flanking street on corner lots;
 - iv. One 3.05 m (10 ft.) side yard (excluding corner lots) to provide alternate access to the rear of the buildings in the laneless subdivision;
 - v. Accessory buildings shall be sited in accordance with Part VII, General Land Use Regulations pertaining to Accessory Buildings contained within of this Bylaw;
 - vi. Other uses at the discretion of the Municipal Planning Commission.
 - e) Rear Yard:
 - i. 7.5 m (24.6 ft.) for single-detached dwellings, manufactured homes, duplexes and semi-detached single-family dwellings, and attached housing;
 - ii. Other uses at the discretion of the Municipal Planning Commission.
 - f) Gross Floor Area:
 - i. 74.32 m² (800 sq. ft.) for single-detached dwellings;
 - ii. 65.03 m² (700 sq. ft.) for duplexes and semi-detached single-family dwellings;
 - iii. 55.7 m² (600 sq. ft.) for manufactured homes, and apartments (per unit);
 - iv. Other uses at the discretion of the Municipal Planning Commission.
- 5) Maximum Limits
- a) Height
 - i. 10.67 m (35 ft.) for principal buildings and shall not exceed three stories;
 - ii. 4.57 m (15 ft.) for accessory buildings;
 - b) Site Coverage
 - i. 35% of the site area for single-detached dwellings;
 - ii. 15% of the site area for accessory buildings; and
 - iii. Other uses at the discretion of the Municipal Planning Commission.
- 6) Parking
- Parking shall be provided according to the following:
- a) single-detached dwellings - One (1) parking or garage space per dwelling unit;
 - b) Worship facilities - One (1) parking space per 15 seats; and
 - c) Other uses at the discretion of the Municipal Planning Commission.
- 7) Screening
- a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

5. SHR Small Holdings Residential District

1) Purpose

The purpose and intent of this district is to accommodate low-density residential housing in a semi-rural setting within the village.

2) Permitted Uses

- Accessory Buildings and Uses
- Dwelling - Single-Detached
- Sign

3) Discretionary Uses

- Animal Units
- Dwelling – Manufactured homes
- Dwelling – Modular
- Dwelling – Moved On
- Home Occupation
- Parks and Playgrounds
- Public and Quasi-Public Buildings, Facilities and Installations
- Storage Structure

4) Minimum Requirements

a) Site Area:

- 464.5 m² (5000 sq. ft.) for single-detached dwellings and manufactured homes;
- Lots served by a private water and / or sewer system at the discretion of the Municipal Planning Commission to ensure compliance with the Plumbing Code and may require a PSDS site evaluation to ensure site suitability;
- With the approval of the Municipal Planning Commission, the site area may be less in the case of lots legally created prior to this Bylaw;
- Other uses at the discretion of the Municipal Planning Commission.

b) Lot Width:

- 15.2 m (50 ft.) for single-detached dwellings and manufactured homes;
- Lots served by a private water and / or sewer system at the discretion of the Municipal Planning Commission to ensure compliance with the Plumbing Code.
- Other uses at the discretion of the Municipal Planning Commission.

c) Front Yard:

- 7.5 m (24.6 ft.) for single-detached dwellings, manufactured homes;
- Other uses at the discretion of the Municipal Planning Commission.

d) Side Yard:

- 1.23 m (4 ft.) for single-detached dwellings, manufactured homes;
- 3.05 m (10 ft.) abutting the flanking street on corner lots;
- One 3.05 m (10 ft.) side yard (excluding corner lots) to provide alternate access to the rear of the buildings in the laneless subdivision;
- Accessory buildings shall be sited in accordance with Part VII, General Land Use Regulations pertaining to Accessory Buildings contained within this Bylaw; and
- Other uses at the discretion of the Municipal Planning Commission.

e) Rear Yard:

- 7.5 m (24.6 ft.) for single-detached dwellings, manufactured homes;
- Other uses at the discretion of the Municipal Planning Commission.

f) Gross Floor Area:

- 74.32 m² (800 sq. ft.) for single-detached dwellings;
- 55.7 m² (600 sq. ft.) for manufactured homes;
- Other uses at the discretion of the Municipal Planning Commission.

- 5) Maximum Limits
 - a) Height
 - i. 10.67 m (35 ft.) for principal buildings and shall not exceed three stories;
 - ii. 4.57 m (15 ft.) for accessory buildings;
 - b) Site Coverage
 - i. 35% of the site area for single-detached dwellings;
 - ii. 15% of the site area for accessory buildings;
 - iii. Other uses at the discretion of the Municipal Planning Commission.

- 6) Parking
Parking shall be provided according to the following:
 - a) single-detached dwelling - One (1) parking or garage space per dwelling unit;
 - b) Worship Facility - One (1) parking space per 15 seats; and
 - c) Other uses at the discretion of the Municipal Planning Commission.

- 7) Screening
 - a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6. MH Manufactured Home District

1) Purpose

The purpose and intent of this district is to permit the placement of manufactured homes suitable for residential purposes, with access to all community services and facilities.

2) Permitted Uses

- Accessory Buildings and Uses
- Dwelling – Manufactured Home
- Dwelling – Modular
- Sign

3) Discretionary Uses

- Bed and Breakfast Establishment
- Boarding or Lodging House
- Carport
- Daytime Child Care Service
- Dwelling – Single-Detached
- Dwelling – Moved On
- Home Occupation
- Manufactured Home Park

4) Minimum Requirements

a) Area of Site:

- i. 450 m² (4844 sq. ft.) for manufactured homes
- ii. 0.4 ha (1 acre) for manufactured homes parks;
- iii. With approval of the Municipal Planning Commission, the site area may be less in the case of lots legally created prior to this Bylaw;
- iv. Other uses at the discretion of the Municipal Planning Commission.

b) Width of Site:

- i. 15.2 m (50 ft.) for manufactured homes;
- ii. Lots served by a private water and/or sewer system at the discretion of the Municipal Planning Commission to ensure compliance with the Plumbing Code;
- iii. Other uses at the discretion of the Municipal Planning Commission.

c) Front Yard:

- i. 7.5 m (25 ft.);
- ii. 4.0 m (13.1 ft.) from the adjoining internal access road of a manufactured home park.

d) Side Yard:

- i. 1.5 m (5 ft.) for manufactured homes;
- ii. 3.0 m (9.8 ft.) abutting the flanking street on corner lots;
- iii. 3.0 m (9.8 ft.) separation between manufactured homes, including any porch or addition;
- iv. Accessory buildings shall be sited in accordance with Part VII, General Land Use Regulations pertaining to Accessory Buildings contained within this Bylaw; and
- v. Other uses at the discretion of the Municipal Planning Commission.

e) Rear Yard:

- i. 7.5 m (24.6 ft.);
- ii. Accessory buildings shall be sited in accordance with Part VII, General Land Use Regulations pertaining to Accessory Buildings contained within this Bylaw; and

f) Gross Floor Area:

- i. 55.7 m² (600 sq. ft.) for manufactured homes;
- ii. Other uses at the discretion of the Municipal Planning Commission.

5) Screening

- a) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.

7. C-1 Central Commercial District

1) Purpose

The purpose and intent of this district is to provide for centralized commercial and retail development and cultural and civic use. [Bylaw 660-2022](#)

2) Permitted Uses

- Financial Institution
- Funeral Home
- Sign
- Office
- Post Office
- Personal Service Shop
- Retail Store
- Restaurant

3) Discretionary Uses

- Accessory Buildings and Uses
- Amusement Enterprise
- Autobody Paint Shop
- Automobile Repair and Service
- Automotive Sales
- Cannabis Café
- Cannabis Retail Sales
- Car Wash
- Clinic / Medical Facility
- Coin Laundries and Cleaners
- Daytime Child Care Service
- Dwelling Units as a secondary use to the commercial use of the building
- Emergency Shelter [Bylaw 660-2022](#)
- Hotel or Motel
- Library
- Parks and Playgrounds
- Service Station
- Storage Structure
- Public and Quasi-Public Buildings, Facilities and Installations
- Private Club or Organization
- Tradesman's shop
- Veterinary Clinic
- Warehouse
- Worship Facility

4) Minimum Requirements

- a) Site Area:
 - i. 135 m² (1453 sq. ft.).
- b) Lot Width:
 - i. 10 m (33 ft.).
- c) Front Yard:
 - i. Based on the front yard provided by neighboring buildings and is to be determined for each application by the Development Officer / Municipal Planning Commission.
- d) Side Yard:
 - i. 1.52 m (5 ft.) adjacent to residential districts;
 - ii. No side yard is required where a fire-wall is provided but if a side yard is provided, it must be 1.23 m (4 ft.).
- e) Rear Yard:

- i. 7.62m (25 ft.) or as required by the Development Officer / Municipal Planning Commission.
- 5) Maximum Limits
 - a) Site Coverage:
 - i. 80%
 - b) Height:
 - i. 13.72 m (45 ft.) unless otherwise approved by the Development Officer / Municipal Planning Commission.
- 6) Parking
 - a) Parking should be provided according to the following:
 - i. Professional, financial & administrative offices - One (1) parking space per (800 sq. ft.) of gross floor area in the building.
 - ii. Retail shops, repair and service shops - One (1) parking space per (800 sq. ft.) of gross floor area in the building.
 - iii. Clinics - Two (2) parking spaces per 93 m² (1,000 sq. ft.) of gross floor area in the building.
 - iv. Restaurants - One (1) parking space per eight (8) seats.
 - v. Hotels & Motels - One (1) parking space per guest suite.
 - vi. Funeral Homes - One (1) parking space per 3 seats.
 - vii. Libraries - One (1) parking space per 74 m² (800 sq. ft.) of gross floor area in the building.
 - viii. Other uses at the discretion of the Development Authority.
 - b) Notwithstanding subsection 6(a) should the Municipal Planning Commission deem it advisable it may reduce or waive the parking space requirements for proposed development or redevelopment of a commercial site within the Central Business Land Use District:
 - i. where the configuration of the buildings to be developed and those adjacent buildings is such that the provision of required parking is not practical; or
 - ii. where the dimensions or site area is inadequate to reasonably accommodate the proposed development and required parking.
- 7) Landscaping and Screening
 - a) Sites abutting a residential district shall be screened from view to the satisfaction of the Development Authority;
 - b) Outside storage areas of material and equipment shall be screened from adjacent sites and public thoroughfares; and
 - c) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.

8. C – 2 General Commercial District

1) Purpose

The purpose and intent of this district is to provide for a range of commercial uses.

2) Permitted Uses

- Accessory Buildings and Uses
- Financial Institution
- Sign
- Tourist Information Centre

3) Discretionary Uses

- Accessory Building
- Automotive Repair and Service
- Automotive Sales
- Autobody Paint Shop
- Auto Wrecker
- Building Material Sales
- Bulk Fuel Sales Depot
- Cannabis Café
- Cannabis Retail Sales
- Car Wash
- Clinic / Medical Facility
- Dwelling Unit as a secondary use to the commercial use of the building
- Funeral Home
- Heavy Equipment Assembly, Sales and Service
- Hotel or Motel
- Public and Quasi-Public Buildings, Facilities and Installations
- Restaurant
- Retail Store
- Service Station
- Storage Structure
- Tradesman's Shop
- Veterinary Clinic
- Warehouse

4) Minimum Requirements

a) Site Area:

- i. 135 m² (1,453 sq. ft.).

b) Lot Width:

- i. 15.24 m (50 ft.).

c) Front Yard:

- i. Based on the front yard provided by neighbouring buildings and is to be determined for each application by the Development Officer / Municipal Planning Commission.

d) Side Yard:

- i. 1.52 m (5 ft.) adjacent to residential districts;
- ii. No side yard is required where a firewall is provided but if a side yard is provided, it must be 1.23 m (4 ft.).

e) Rear Yard:

- i. 6.1 m (20 ft.) or as required by the Development Officer / Municipal Planning Commission.

- 5) Maximum Limits
 - a) Site Coverage:
 - i. 80%
 - b) Height:
 - i. 10.67 m (35 ft.) unless otherwise approved by the Development Officer / Municipal Planning Commission
 - c) Front Yard:
 - i. 7.6 m (25 ft)
 - ii. Shall be landscaped to the satisfaction of the Development Officer

- 6) Parking
 - a) Parking shall be provided according to the following:
 - i. Professional, financial & administrative offices - One (1) parking space per 74 m² (800 sq. ft.) of gross floor area.
 - ii. Retail stores, equipment repair and workshops - One (1) parking space per 93 m² (1,000 sq. ft.) of gross floor area.
 - iii. Restaurants - One (1) parking space per eight (8) seats.
 - iv. Hotel & motels - One (1) parking space per guest suite.
 - v. All other uses - One (1) parking space per 93 m² (1,000 sq. ft.) of gross floor area or at the discretion of the Municipal Planning Commission

- 7) Landscaping & Screening
 - a) The boulevard and a minimum of 10% of the site area must be landscaped in accordance with the plan approved by the Development Officer / Municipal Planning Commission;
 - b) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season;
 - c) Sites abutting a residential district shall be screened from view to the satisfaction of the Development Officer / Municipal Planning Commission;
 - d) Outside storage area of material and equipment should be screened from adjacent sites and public thoroughfares; and
 - e) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.

9. I Industrial District

1) Purpose

The purpose and intent of this district is to provide for a range of manufacturing, warehousing and other industrial land uses.

2) Permitted Uses

- Accessory Buildings and Uses
- Sign

3) Discretionary Uses

- Automotive Vehicle Sales
- Automotive Repairs and Services
- Automotive Body and Paint Shop
- Building Material Sales
- Bulk Fertilizer Distribution and Storage
- Bulk Fuel Sales Depot
- Cannabis Café
- Cannabis Retail Sales
- Dwelling Unit as a secondary use to the principal use of the building/ site
- Flour and Feed Mill .
- Grain Elevator
- Heavy Equipment Assembly, Sales, Service and Rental
- Light Manufacturing
- Propane Gas Distribution
- Office
- Storage Structure
- Storage Yard
- Tradesman's Shop
- Truck and Freight Terminal .
- Veterinary Clinic
- Warehouse

4) Minimum Requirements

- a) Area of Site:
As required by the Development Officer / Municipal Planning Commission.
- b) Width of Site:
As required by the Development Officer / Municipal Planning Commission.
- c) Front Yard:
 - i. 6.1 m (20 ft.)
- d) Side Yard:
 - i. 5.03 m (16.5 ft.)
 - ii. Or as required by the Development Officer / Municipal Planning Commission.
- e) Rear Yard:
 - i. 5.03 m (16.5 ft.)
 - ii. None where a rear yard abuts a railway right-of-way
 - iii. Or, as required by the Development Officer / Municipal Planning Commission.

5) Maximum Limits

- a) As required by the Development Officer / Municipal Planning Commission.

6) Special Requirements

- a) The operation of all uses shall comply with the environmental and public health performance standards of the Provincial Government. If the Development Authority determines that a proposed use may conflict with those standards, he shall refer the application to the appropriate Provincial Department for clarification prior to issuing a Development Permit;
- b) The Municipal Planning Commission may prescribe screening and landscaping for uses which involve storage of goods, machinery, vehicles, building materials, waste materials, and other items.

7) Parking

Off-street parking shall be provided according to the following:

- a) All uses - One (1) parking space per 92.9 m² (1,000 sq. ft.) of gross floor area plus one (1) loading space per 1,858 m² (20,000 sq. ft.) gross floor area.

10. CS Community Service District

1) Purpose

The purpose and intent of this district is to provide recreational, educational and community uses.

2) Permitted Uses

- None

3) Discretionary Uses

- Accessory Buildings and Uses
- Campground
- Cemeteries
- Clinic
- Community recreation facilities
- Hospitals
- Municipal buildings and facilities
- Parks and playgrounds
- Sign
- Public and quasi-public buildings, installations and facilities
- School
- Seniors lodge
- Storage structure

4) Minimum Requirements

- a) Front Yard:
 - i. 7.6 m (25 ft.)
- b) Side Yard:
 - i. 3.1 m (10 ft.)
- c) Rear Yard:
 - i. 7.62 m (25 ft.)

5) Development Requirements

The Development Authority shall evaluate each development permit for this district on its merit and establish suitable development requirements for each individual application.

6) Parking

Parking (on site) shall be provided according to the following:

- a) Public places of assembly including sports arenas, ball parks and other recreational or amusement places - One (1) parking space per 10 seat-in spaces.
- b) Hospitals - One (1) parking space per 93 m² (1,000 sq. ft.) of gross floor area.
- c) Libraries and Clinics - Two (2) parking spaces per 93 m² (1,000 sq. ft.) of gross floor area.
- d) Schools - Elementary & Junior High - One (1) parking space per classroom. Senior High - Four (4) parking spaces per classroom.

7) Screening

Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares including lanes.

11. UR Urban Reserve District

1) Purpose

The purpose and intent of this district is to reserve lands outside of the developed area of the Village intended for future development.

2) Permitted Uses

- Accessory Buildings and Uses
- Agriculture, but not including feedlots, hog barns poultry farms and fur farms
- Greenhouses
- Horticultural nurseries
- Market gardens
- Parks
- Sign

3) Discretionary Uses

- Animal Units
- Dwelling - Single-Detached -on existing parcels only
- Public and quasi-public buildings, installations and facilities
- Storage Structure
- Storage yard

4) Development Requirements

The Development Officer / Municipal Planning Commission shall evaluate each development permit for this district on its merit and establish suitable development requirements for each individual application.

5) Regulations

- a) The design, siting, site coverage, yards, height of buildings, external finish and landscaping generally of all buildings and structures shall be to the satisfaction of the Development Authority who in determining a development permit application shall take into account:
 - i. the general purpose of the district; and
 - ii. the existing uses and prospective uses of land in the vicinity.
- b) The Municipal Planning Commission may require an area structure plan before a subdivision decision is determined.
- c) The Development Authority shall be satisfied prior to the granting of a development permit that the proposed use will not prejudice the orderly development of the area including the future establishment of residential, commercial, industrial, recreational, and service facilities on a neighborhood and community basis.

Part VII - General Land Use Regulations

1. Accessory Building & Uses

- 1) A structure which is attached to the principle building by a roof, a floor or a foundation is not an accessory building, it is to be considered part of the principal building.
- 2) An accessory building shall not be used as a dwelling.
- 3) An accessory building or use shall be located at least 1m (3.3 feet) from any principal building.
- 4) The total combined floor area of an accessory building shall not exceed 15% of the site area.
- 5) Side and rear yard requirements for an accessory building shall not be less than 1m (3.3 ft.) except on corner lots, the distance between an accessory building and the street flanking the lot shall not be less than the side yard requirement for the principal building in that particular land use district.
- 6) No accessory building or use shall be located in the front yard of a residential district.
- 7) The height of an accessory building shall not exceed 4.5 m (15 ft.).

2. Animal Units

- a) The application of animal units may be applied as a condition of a development permit;
- b) All development permits issued for Animal Units shall be revocable at any time by the Development Authority, if in its opinion, the use is or has become detrimental to the amenities of the neighborhood.
- c) One animal unit is permitted for every 0.81 ha. (2.0 acres) of land contained within a parcel. The maximum number of animal units permitted shall be calculated in accordance with the total amount of acres in the parcel and the total number of animals and shall not exceed 4 animal units on any given parcel.
- d) In the 'SHR' – Small Holdings Residential District, animal units are considered a discretionary use in accordance with the following schedule:

<u>Type of Animal</u>	<u>No. of Animals equivalent to one animal unit</u>
Horse	1.0
Donkey	1.0
Sheep	2.0
Rams or ewes plus lambs	2.0
Goat	2.0

3. Building Demolition

The demolition of a building shall require a development permit. Such a permit application shall require a statement indicating:

- 1) How the demolition will be carried out so as to minimize dust, noise, or other nuisance
- 2) How the parcel will be reclaimed.

4. Fencing

- 1) In a residential district, a fence or hedge located within a rear or side yard of a lot, shall not exceed 1.83 m (6 feet) in height.
- 2) In a residential district, a fence or hedge located within the front yard of a lot, shall not exceed 0.9 m (3 feet) in height.
- 3) In a residential district, a fence or hedge located within a corner lot shall not exceed 0.9 m (3 feet) in height from the building facing the streets.
- 4) Swimming pools shall be fenced with a minimum height in consideration of applicable Provincial health and safety requirements.
- 5) Materials used to construct fences can be weed, brick, stone, concrete or metal. Barbed wire and livestock style electric fences are not permitted in residential areas without the prior approval of the Development Officer.

5. Home Occupations

- 1) All development permits issued for home occupations shall be revocable at any time by the Municipal Planning Commission, if in its opinion, the use is or has become detrimental to the amenities of the neighborhood.
- 2) The Municipal Planning Commission may issue a temporary permit for a home occupation.
- 3) Where the applicant for the home occupation is not the registered owner of the dwelling unit proposed to be used for a home occupation, the applicant shall provide to the Municipal Planning Commission written authorization from the registered owner(s).
- 4) A development permit issued for a home occupation shall remain valid unless:
 - a) the applicant fails to purchase a valid business license as set out in the Village's current business bylaw;
 - b) the Municipal Planning Commission revokes the development permit as set out in subsection (1).
- 5) A home occupation shall not include any use or operation which will cause or create a nuisance by way of dust, noise, smell, smoke or traffic generation.

6. Daytime Child Care Services

- 1) The Municipal Planning Commission shall, in deciding whether to approve or refuse a Daytime Child Care Service, consider among other matters, potential traffic generation, proximity to park or other open or recreation areas, isolation of the proposed site from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.
- 2) The maximum number of children for which care may be provided in a Daytime Child Care Service is established by the Alberta Family Day Home Standards Manual, which should be consulted if an application for a child care service is applied for.

7. Dwelling Units on a Parcel

- 1) No person shall construct or locate or cause to construct more than one (1) dwelling unit on a parcel or lot, unless:
 - a) the second or additional dwelling(s) is contained in a building designed for or divided into two or more dwelling units;
 - b) the Municipal Planning Commission may issue a permit for a second dwelling on a parcel, if it believes that the proposal would not:
 - i. unduly interfere with the amenities of the neighbourhood;
 - ii. materially interfere with or affect the use, enjoyment or value of neighboring properties; and
 - iii. the proposed development complies with the standards and provisions of the Alberta Uniform Building Code.

8. General Requirements for Manufactured Homes

- a) Foundation:

A permanent foundation shall be provided on the stand of each manufactured home lot capable of supporting the maximum anticipated load of the manufactured home at all seasons without settlement or other movement.
- b) Skirting:

The undercarriage of each manufactured home shall be completely screened from view by the foundation or by skirting within 30 days of placement of the manufactured home.

- c) Additions, Porches etc.:
All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units or of a quality equivalent thereto, so that design and construction will complement the manufactured home. Additions to a manufactured home shall have a foundation and skirting equivalent to that of the manufactured home. All manufactured homes shall be provided with steps and landings to all entrances within 30 days of their placement.
- d) Utilities:
Each manufactured home shall be connected to and be serviced by electrical power, natural gas, telephone, and the Village's sanitary sewer and water supply.
- e) Age:
All manufactured home units shall have Canadian Standards Association (CSA) Certificates. Manufactured homes constructed more than eight (8) years before the date of application for a development permit shall not be allowed. The Municipal Planning Commission in the performance of its duties in discretionary approval of Development Permits may relax this condition where it is satisfied that the manufactured home meets the standards of manufactured Homes constructed within the last (8) eight years.

Manufactured Home Parks shall be evaluated according to the following requirements:

- a) Roadways
 - i. All roads in a manufactured home park shall be paved and constructed to the Municipality's specifications;
 - ii. Internal pedestrian walkways shall have a minimum width of 1 m (3.3 ft.) and be surfaced to the satisfaction of the Development Officer / Municipal Planning Commission.
- b) Parking
 - i. No on-street parking shall be permitted in manufactured home parks;
 - ii. A minimum of one (1) car parking stall shall be provided for each manufactured home;
 - iii. Visitor parking shall be one (1) off-street parking stall for every three (3) manufactured homes. Visitor parking shall be dispersed throughout the park and clearly identified.
- c) Appearance
 - i. A 6.1 m (20 ft.) buffer strip shall be provided around the boundary of the park. This buffer shall be landscaped and fenced;
 - ii. Each application shall be accompanied by a landscaping and site development plan;
 - iii. All utility lines shall be placed underground in a manufactured home park;
 - iv. A minimum of 5% of the gross site area of a manufactured home park shall be reserved for recreational use.
- d) Permitted Signs
 - i. One park identification sign at each entrance to the park. Maximum sign area is 3.0 m² (32 sq.ft.) and maximum height of sign is 1.8 m (6 ft.);
 - ii. Directional signs within the park.
- e) Storage
 - i. A screened storage compound shall be provided for trucks, campers, travel trailers, snowmobiles, boats, etc., at a location and in a manner satisfactory to the Development Officer / Municipal Planning Commission.
- f) Future Subdivision
 - i. The Development Officer/Municipal Planning Commission should give consideration to the sizing of lots and internal streets in order that the future subdivision of the manufactured home park to provide titled lots is a viable option.

9. Non-Conforming Buildings and Uses

- 1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six (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.
- 2) 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 thereto or therein.
- 3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part of any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- 4) 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.
- 5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- 6) 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.

10. Objects Prohibited or Restricted in Yards

No person shall keep or permit in any part of a yard in any residential district:

- 1) Any dismantled or wrecked vehicle for more than 30 successive days;
- 2) Any object or chattel which, in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the district;
- 3) Any excavation, storage of material required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

11. Off-Street Loading & Unloading for Commercial & Industrial Development

Any new industrial and commercial development or a substantial expansion of an existing development shall provide and maintain off-street loading and unloading spaces according to the following requirements:

- 1) The space shall not be less than 2.5 m (8 feet) wide and shall provide no less than 3.6 m (12 feet) overhead clearance;
- 2) The space shall be hard surfaced if the access is from a street or lane which is hard surfaced;
- 3) Access to the space shall be such that no backing and turning movements of vehicles causes interference with traffic on the adjoining or abutting streets or lanes;

- 4) Off-street loading and unloading spaces should be provided in accordance with the following:

<u>Use of Building or Site</u>	<u>Total Gross Floor Area</u>	<u>Spaces Required</u>
a) Retail, industry, warehousing or similar use	Less than 464.5 m ² (5,000 sq. ft.)	1
	464.5 m ² (5,000 sq. ft.) to 2322.5 m ² (25,000 sq. ft.)	2
	Each additional 2322.5 m ² (25,000 sq. ft.) or fraction thereof	1 additional
b) Office Building, hospitals, public school or similar use	Up to 2782 m ² (30,000 sq. ft.)	1
	Each additional 2782 m ² (30,000 sq. ft.) or fraction thereof	1 additional

5) The above standards can be modified at the discretion of the Development Officer / Municipal Planning Commission.

12. Parking

- 1) The number of off-street parking spaces for any development shall be according to requirements set out for the land use district in which the space is located.
- 2) For a multiple use site, parking requirements shall be based on the calculation of parking required for each individual use.
- 3) Parking spaces for multi-unit dwellings shall not be less than 14.8 m² (160 sq. ft.) in area and not be less than 2.4 m (8 ft.) wide.
- 4) Parking spaces for an apartment building shall not be located in the front yard.
- 5) parking space shall be located on the same site as the building or the use in respect of which it is required and shall be designated, located, and constructed to the Village's standards so that:
 - a) it is reasonably accessible to the vehicle intended to be accommodated there;
 - b) It can be properly maintained; and
 - c) It is satisfactory to the Development Officer in size, shape, location and construction.

13. Physical Environment

- 1) The Development Authority may consider the environmental impact of any proposed development. The Development Authority may refer the proposal to a relevant provincial department for comments on the nature of the environmental concern. Where a development is considered to have a significant environmental impact, the Development Authority may request the developer to have an environmental evaluation prepared and submitted by an appropriate professional, or undertake its own environmental evaluation regarding the proposed development. All costs associated with an environmental evaluation are the responsibility of the developer.

14. Projection Over Yards

- 1) Front Yards:
 - a) Eaves, balconies, bay windows, shade projections, chimneys, un-enclosed decks, may project a maximum of 0.6 m (2 ft.) over or onto a required front yard;
 - b) Unenclosed steps may project a maximum of 1.8 m (6 ft.) over or onto a required front yard.

- 2) Side Yards:
 - a) Eaves, shade projections, chimneys, may project a distance not exceeding one half of the minimum side yard requirement for the lot;
 - b) Unenclosed steps and landings shall be at grade to a side entrance and may project onto the entire required side yard. Unenclosed steps and landings above grade shall be at the discretion of the Municipal Planning Commission;
 - c) Residential buildings with a side entrance requiring a side yard relaxation and/or having projections as described above shall maintain one side yard with no relaxation or projection except for eaves.
- 3) Rear Yards:
 - a) Eaves, balconies, bay windows, shade projections, chimneys, un-enclosed decks and steps may project a maximum of 1.5 m (4.9 ft.) over or onto a required rear yard.

15. Relocation of Buildings

- 1) Where a development permit has been granted for the relocation of a building on the same site or from another site, the Municipal Planning Commission may require the applicant to provide a Performance Bond or letter or credit up to the amount of the estimated cost of the on-site renovations and finishing required to ensure completion of any renovations set out as a condition of approval of a permit. In addition, the Municipal Planning Commission shall require the applicant to provide proof of insurance during and after the relocation of the building.
- 2) All renovations to a relocated building are to be completed within one (1) year of the issuance of the Development Permit.
- 3) Application for a relocated building shall be accompanied by recent photographs to the satisfaction of the Development Authority. Also, the views (in writing) of the adjacent registered property owners within a minimum of 60 m (196.85 feet) of a said parcel must be obtained.

16. Signs

- 1) No signs or advertising structures of a commercial, direction 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 and a development permit has been issued.
- 2) No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- 3) No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 4) No signs or advertisement shall resemble or conflict with a traffic sign.
- 5) All signs, with the exception of temporary signs, allowed under a Temporary Development Permit, shall be attached to a permanent foundation capable of supporting the sign.
- 6) All signs shall be designed and manufactured to a professional standard of quality equivalent thereto.
- 7) All signs shall be kept in a safe, clean, tidy and legible condition and may, at the discretion of the M.P.C., be required to be renovated or removed. Signs advertising businesses no longer in operation shall be removed.
- 8) No signs or advertising structures other than those specified under subsection 7(9), shall be permitted in a residential district.
- 9) No signs or advertising of any kind shall be permitted adjacent to a highway unless the prior approval of Alberta Transportation & Utilities has been obtained.
- 10) The following separation distances between signs shall be applied:
 - a) 9.14 m (30 ft.) adjacent to a municipal road;
 - b) 100 m (325 ft.) adjacent to a primary highway or as required by Alberta Transportation & Utilities.

- 11) Projecting signs may be permitted provided that:
 - a) a minimum height clearance of 2.74 m (9 ft.) be provided from any sidewalk below;
 - b) the signs shall not project above the roof by more than 0.91 m (3 ft.);
 - c) the sign does not project within 0.61 m (2 ft.) of the curb;
 - d) the sign does not project more than 2 m (6.5 ft.) from the face of the building;
 - e) the sign does not exceed 9.29 m² (100 ft.²) in area.
- 12) Free standing signs (directional, advertising or identification) may be permitted provided that:
 - a) the sign does not exceed 9.14 m (30 ft.) in overall height;
 - b) the maximum total sign area allowable is 13.94 m² (150 ft.²);
 - c) the sign shall be a minimum of 6.1 m (20 ft.) from a curb or 1.52 m (5 ft.) from the property line.
- 13) Roof signs shall not exceed 9.29 m² (100 ft.²) and no portion of the sign shall extend beyond the periphery of the roof on which it is located.
- 14) Fascia signs may be permitted provided that:
 - a) the total sign area does not exceed a ratio of 20% of the face building to which the sign is attached;
 - b) it shall not project above the roof or marquee by more than .91 m (3 ft.).
- 15) Solid awnings containing advertising shall be treated as projecting signs. However, at the discretion of the Development Authority the minimum height clearance from the sidewalk may be relaxed.
- 16) Portable signs may be permitted provided that:
 - a) Maximum sign area shall not exceed 10.03 m² (108 sq.ft.);
 - b) Maximum height shall not exceed 2.44 m (8 ft.);
 - c) The sign is not located in the sight triangle formed on a corner site by the two street property lines and a straight line which intersects them 5.02 m (16.5 ft.) from the corner where they meet;
 - d) The lighting of a mobile sign does not adversely affect residential sites and/or traffic lights; and
 - e) A valid development permit has been obtained for signs to be in place for more than 7 consecutive days.
- 17) For any sign which will overhang a sidewalk or other town property, the owner of the sign shall:
 - a) Indemnify and hold harmless the Municipality for any claim related to the construction and maintenance of the sign;
 - b) Furnish a public liability insurance policy of such an amount satisfactory to the Council naming the Municipality as co-insured.
- 18) Small signs displayed for the discretion of convenience of the public, including signs which identify rest rooms, freight, entrance, parking entrance or exit, or the like, not exceeding 0.5 m² (5 sq. ft.) in area.

17. Site Development

The design, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs and any reconstruction shall be to the satisfactions of the Development Officer / Municipal Planning Commission in order that these shall be general conformity in such matters with adjacent buildings.

Removal of Topsoil

No person shall commence or continue the removal of topsoil without first obtaining a development permit. Upon occupancy of the development, a minimum topsoil coverage of six inches shall be provided, and the affected area shall be landscaped to the satisfaction of the Development Officer.

Drainage

- 1) At the discretion of the Development Authority, the applicant shall be required to grade a parcel in such a manner that all surface water will drain from the building site to the back lane and/or front street.
- 2) The Development Authority at its discretion may establish parcel and building elevation as a development condition if it is felt that drainage will affect neighbouring parcels.
- 3) The Development Authority at its discretion may require the applicant to submit a storm drainage plan, indicating how drainage will be managed on the site.
- 4) The Development Authority at its discretion may require the applicant to install a catch basin or similar drainage system on site if it is felt that drainage will otherwise affect neighbouring parcels.

18. Storage Structures

- a) A storage structure shall meet the setback requirements for an accessory building in the appropriate district;
- b) A storage structure shall be for cold storage only and shall not be connected to utilities;
- c) A storage structure shall be screened from view as required by the Municipal Planning Commission and/ or may require exterior finishing to be in general conformance with the principal building or surrounding development;
- d) A storage structure shall not be permitted in residential areas or on parcels where the primary land use is residential;
- e) A storage structure shall not be used as a sign;
- f) A storage structure may be approved on a temporary basis during construction within any land use district.

19. Subdivision of Land

- 1) A development requiring subdivision of land shall not be issued a development permit until such time as subdivision approval has been received from the Subdivision Approving Authority or upon appeal, the Municipal Government Board or the Subdivision and Development Appeal Board.

20. Utilities

- 1) A development shall not be permitted if the development is not served by the public sewer and water system or a provincially approved private system deemed acceptable by the MPC.
- 2) A development shall not be permitted until satisfactory arrangements have been made by the developer for the supply of water, electric power, sewerage and street access to the development including payments of costs of installing or constructing any such utility or facility by the developer.
- 3) A development in a Commercial / Industrial District may be required to install a trap drain system.

Part IX – Forms

The following forms are attached for information purposes and ease of access but do not form part of this Bylaw.

Form A	Application for a Development Permit
Form B	Application for a Development Permit (Home Occupation)
Form C	Stop Order / Order of Compliance
Form D	Land Use / Statutory Plan Amendment Application
Form E	Application for Subdivision or Development Appeal
Form F	Notice of Subdivision and Development Appeal Board Hearing
Form G	Notice of Decision on Application for a Development Permit
Form H	Notice of Decision of the Subdivision and Development Appeal Board
Form I	Time Extension Agreement for Development Permit
Form J	Application for a Demolition Permit



FOR ADMINISTRATIVE USE ONLY	
Application #	_____
Tax Roll #	_____
Date Received	_____
Application Fee	_____

**FORM A
APPLICATION FOR A DEVELOPMENT PERMIT**

I / We hereby make application for a development permit under the provisions of the Land Use Bylaw in accordance with the plans and supporting information submitted herewith which form part of this application.

APPLICANT INFORMATION:

NAME: _____ PHONE NO: _____
 ADDRESS: _____

REGISTERED OWNER OF LAND (if different from applicant):

NAME: _____ PHONE NO: _____
 ADDRESS: _____

LOCATION OF PROPOSED DEVELOPMENT:

CIVIC ADDRESS: _____
 LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan No. _____
 All / Part of the _____ 1/4 Section _____ Twp. _____ Range _____ West of 4th Meridian.

EXISTING USE OF PROPERTY: _____ LAND USE DISTRICT: _____

DETAILS OF DEVELOPMENT:

Proposed Use: _____

Property Line Setbacks: Front: _____ Rear: _____ Side: _____ Side: _____

Height: _____ Floor Area: _____ Site Coverage: _____ %

Off-Street Parking Provided: _____

Estimated Commencement: _____ Completion: _____

Interest Of Applicant If Not Owner Of Property: _____

Site Plan Attached: Yes No

Signature Of Applicant: _____ Date: _____

Signature Of Registered Owner: _____ Date: _____

NOTE: THIS IS NOT A BUILDING PERMIT (such permit must be obtained separately).
 The applicant is not excused from complying with the requirements of any federal, provincial or other municipal legislation, or the conditions of any easement, covenant, building scheme or agreement affecting the building or land.

IMPORTANT: SEE REVERSE SIDE

IMPORTANT NOTES:

1. A Development Permit issued pursuant to the Land Use Bylaw for a discretionary use or where a relaxation to the Land Use Bylaw requirements was approved shall not be valid until the lapse of fourteen (21) days after the notice of decision to grant a permit has been advertised in accordance with the Land use Bylaw requirements.
2. A Development Permit issued pursuant to the Land Use Bylaw is not a Building Permit and work or construction shall neither commence nor proceed until a Building Permit has been issued pursuant to all applicable bylaws and regulations.
3. If the development authorized by a Development permit is not commenced within twelve (12) months from the date of its issue, and completed within twenty-four (24) months of the date of its issue, the permit is deemed to be void unless an extension to this period shall first have been granted by the Development Authority.
4. When an appeal is made pursuant to the Land Use Bylaw a Development Permit which has been granted shall not be valid. The decision of the Subdivision and Development Appeal Board shall replace the previous decision.
5. Every application for a Development Permit shall be made by submitting to the Development Officer the prescribed form completed in duplicate, signed by the owner or his agent, and accompanied by the following:
 - a) if required by the Development Officer, building plans in duplicate, showing:
 - i) floor plans;
 - ii) elevations;
 - iii) exterior finishing materials.
 - b) site plans, in duplicate, showing:
 - i) the legal description and municipal address;
 - ii) dimensions of the site;
 - iii) if required by the Development Officer, utilities, site drainage, finished lot grades, the grades of the street and the location of proposed sewer and water lines of all proposed and existing buildings and structures including retaining walls, trees, landscaping and other features;
 - iv) a surveyor's certificate if required by the Development Officer.
 - c) an application for multiple family, commercial, industrial, recreational and institutional uses shall show:
 - i) loading and parking provisions;
 - ii) access locations to and from the site;
 - iii) garbage and storage areas and the fencing and screening proposed for same;
 - iv) location and approximate dimensions of existing and proposed culverts and crossings.
 - d) such other information as the Development Officer may require or as required in the Land Use Bylaw requirements.
 - e) Development Permit Fee as determined by Council.

APPEAL PROCEDURE:

6. An appeal of a decision of the Development Authority may be made by an affected person by serving written notice of appeal to the Secretary of the Development Appeal Board of the Village of Delia within twenty one (21) days after the notice of decision is given pursuant to the Land Use Bylaw notice requirements (as per Section 1 above).



FOR ADMINISTRATIVE USE ONLY	
Application #	_____
Tax Roll #	_____
Date Received	_____
Application Fee	<u>NO CHARGE</u>

**FORM B
APPLICATION FOR A DEVELOPMENT PERMIT
(HOME OCCUPATION)**

I / We hereby make application for a development permit under the provisions of the Land Use Bylaw in accordance with the plans and supporting information submitted herewith which form part of this application.

APPLICANT INFORMATION:

NAME: _____ PHONE NO: _____
ADDRESS: _____

REGISTERED OWNER OF LAND (if different from applicant):

NAME: _____ PHONE NO: _____
ADDRESS: _____

LOCATION OF PROPOSED HOME OCCUPATION:

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Reg. Plan No. _____

All / Part of the _____ 1/4 Section _____ Twp. _____ Range _____ West of 4th Meridian.

EXISTING USE OF PROPERTY: _____ LAND USE DISTRICT: _____

DETAILS OF HOME OCCUPATION:

Details of Business: _____

Details Of Equipment And Materials Used In Business: _____

Details Regarding Storage Of Equipment/ Materials: _____

Number Of Employees: _____ Signage: _____

The business is performed: On-site Off-site

Is the property used for office and administrative work only? Yes No

What part of the dwelling/ property is to be used for the business? _____ sq. ft.

_____ %
 Office Accessory Building Rear Yard

Vehicle used in the Business: _____

Additional Information: _____

Signature Of Applicant: _____ Date: _____

Signature Of Registered Owner: _____ Date: _____



**FORM C
STOP ORDER/ ORDER OF COMPLIANCE**

ORDER NO. _____

YOU ARE HEREBY NOTIFIED IN RESPECT OF THE DEVELOPMENT INVOLVING:

LOCATION OF DEVELOPMENT:

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Reg. Plan No.

All / Part of the _____ 1/4 Section _____ Twp. _____ Range _____ West of 4th Meridian.

THAT THIS DEVELOPMENT IS NOT IN ACCORDANCE WITH:

The ***Municipal Government Act***, in respect to

The ***Land Use Bylaw***, in respect to

Development Permit No. _____, in respect to

THEREFORE, pursuant to the Land Use Bylaw and the ***Municipal Government Act***, you are hereby ordered to:

- Stop the Development
- Demolish/ remove/ replace the development
- Take the following measures

This order shall be complied with by _____.

Failure or refusal to comply with this Order may result in the Council of the Village of Delia or a person or persons appointed by it, entering upon the land or building and taking such action as is necessary to carry out the Order. In such circumstances, the Council shall cause the costs incurred to be placed on the tax roll, as an additional tax against the property concerned.

You may appeal this Order to the Subdivision and Development Appeal Board in accordance with the provisions of the Land Use Bylaw. Such an appeal shall be made in writing and shall be delivered personally or mailed so as to reach the secretary of the Subdivision and Development Appeal Board at the Town Office within 14 days following the date of issue of this notice.

DATE OF ISSUE OF ORDER: _____

SIGNATURE : _____
(Development Control Officer)

FOR OFFICE USE ONLY				
Date received:		File Number		
Date accepted as complete:		Receipt Number:	Fee Paid:	

OWNER AND APPLICANT INFORMATION

Name of Registered Owner : _____	
Phone: Home /Cell: _____	Address: _____
Work / Fax: _____	City: _____ Province _____
Email Address: _____	Postal Code _____
Name of Agent Authorized to Act On Behalf of Registered Owner : _____	
Phone: Home /Cell: _____	Address: _____
Work / Fax: _____	City: _____ Province _____
Email Address: _____	Postal Code _____

LEGAL LAND DESCRIPTION

Qtr / LSD	Sec.	Twp.	Rge.	Meridian	Lot:			
				W 4 th M	Block:		Plan:	
MUNICIPALITY								

LAND USE

Existing Use of Land	<input type="checkbox"/> Agriculture Other:	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Recreational
Proposed Use of Land	<input type="checkbox"/> Agriculture Other:	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Recreational

TO THE COUNCIL AND PALLISER REGIONAL MUNICIPAL SERVICES, PLEASE ACCEPT THIS APPLICATION TO:

Amend from _____ to _____

<p>SIZE OF THE EXISTING PARCEL (S) _____</p> <p>PROPOSAL: _____</p> <p>_____</p> <p>_____</p> <p>I / WE SUBMIT THE FOLLOWING IN SUPPORT OF MY/OUR APPLICATION: _____</p> <p>_____</p> <p>_____</p> <p align="right">(Attach any additional information.)</p>

I / We certify that the information given on this form and attachments hereto are full and complete and are to the best of my/our knowledge a true statement of the facts concerning this application, and I / we are the registered owner(s).

REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF

I _____ hereby certify that I am the registered owner, or
(Print Full Name) I am the agent authorized to act on behalf of the registered owner
and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of
the facts relating to this application for subdivision.

Address _____ (Signed) _____

Phone No. _____ Date _____

RIGHT OF ENTRY

I hereby authorize representatives of Palliser Regional Municipal Services and referral agencies to enter my land for the purpose of conducting a site inspection with respect to my subdivision application.

This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Registered Owner's Signature

Further information may be provided by the Applicant on the reverse of this form.

PURPOSE OF THE PROPOSED AMENDMENT (Attach a detailed sketch if related to a specific parcel of land)

In the space below please provide a detailed summary of the purpose of your amendment application. Then attach a detailed sketch that **must show the location, dimensions, and boundaries of the proposed amendment** in relation to the existing title. The sketch should also **show all buildings, structures and other improvements on the land**, and indicate if they are to remain or to be demolished; the location of any existing sewage disposal systems on the land, the location of any wells, and the location of other features such as shelter belts, railways, creeks or other waterbodies, low land, other significant natural features, and any rights of way.

THE FOLLOWING SHOULD ACCOMPANY THIS APPLICATION

1. A photocopy of the title for the property.
 2. A non-refundable **application fee** made **payable to Palliser Regional Municipal Services**
-

THIS SECTION FOR OFFICIAL USE:

DECISION: Circulated (date) _____

Public Hearing (date) _____

1st Reading of Bylaw No. _____ **(date)** _____

2nd Reading of Bylaw No. _____ **(date)** _____

The reasons for this decision are stated in the attached memorandum

Signed: _____ **Date:** _____
(Authorized Officer of Approving Authority)



FOR ADMINISTRATIVE USE ONLY	
Application #	_____
Tax Roll #	_____
Date Received	_____
Application Fee	_____

FORM E
APPLICATION FOR SUBDIVISION OR DEVELOPMENT APPEAL

APPLICANT INFORMATION:

NAME: _____ PHONE NO: _____

ADDRESS: _____

I/We hereby appeal the decision, order or permit issued by the Subdivision/ Development Authority with regard to:

APPLICATION NO. _____

Proposed Subdivision/ Development: _____

Reasons for Appeal: _____

Signature _____

Date _____



FORM F
NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

DEVELOPMENT PERMIT/ SUBDIVISION APPLICATION NO. _____

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

The decision of the Development Officer/Subdivision Authority was to:

- APPROVE**
- APPROVE (with conditions)**
- REFUSE**

the development permit/subdivision application, with the following conditions/for the following reasons:

A Public Hearing of the Subdivision and Development Appeal Board has been scheduled, at which point the Board will hear arguments both for and against the above noted appeal.

PLACE OF HEARING: _____

TIME OF HEARING: _____

DATE OF HEARING: _____

Any person affected by the proposed development/subdivision has the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons submitting the written briefs to the Secretary of the Subdivision and Development Appeal Board shall do so not later than _____.



FORM G
(For Office Use)

NOTICE OF DECISION ON APPLICATION FOR A DEVELOPMENT PERMIT

APPLICATION NO.: _____

APPLICANT INFORMATION:

NAME: _____

PHONE NO.: _____

ADDRESS: _____

LOCATION OF PROPOSED DEVELOPMENT:

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan No. _____

All / Part of the _____ 1/4 Section _____ Twp. _____ Range _____ West of 4th Meridian.

The Development as specified in Application No. _____ has been:

APPROVED

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

Applicant to obtain Building Permit & Inspections from Palliser Regional Municipal Services

Municipal setback to be maintained as follows:
_____ Feet from the boundary of the municipal road
_____ Feet from the front boundaries
_____ Feet from the side lot boundaries
_____ Feet from the rear boundaries

Application to obtain Approved Plumbing and/or Sewage Disposal Permit from Palliser Regional Municipal Services

Application to obtain Approved Electrical Permit & Inspection from Palliser Regional Municipal Services

Application to obtain Approved Gas or Propane hook-up Permit & Inspection from Palliser Regional Municipal Services

Other: _____

REFUSED FOR THE FOLLOWING REASON(S):

Date of Decision

Development Officer

Notice of Decision issued on the _____ day of _____, _____.

NOTE:

A Development Permit issued pursuant to the Land Use Bylaw for a discretionary use or where a relaxation to the Land Use Bylaw requirements was approved shall not be valid until the lapse of fourteen (14) days after the notice of decision to grant a permit has been advertised in accordance with the Land use Bylaw requirements. If an appeal is lodged pursuant to the Municipal Government Act, a permit does not take effect until the Subdivision and Development Appeal Board has determined the appeal.

APPEAL PROCEDURE:

An appeal of a decision of the Development Authority may be made by an affected person by serving written notice of appeal to the Secretary of the Development Appeal Board of the Village of Delia Subdivision and Development Appeal Board within fourteen (14) days after the notice of decision is given pursuant to the Land Use Bylaw notice requirements.



FORM H
NOTICE OF DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

APPLICATION/SUBDIVISION NO.: _____

This is to notify you that an appeal against the

- APPROVAL**
- APPROVAL WITH CONDITIONS**
- REFUSAL**

of a development permit/subdivision application 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:

FINDINGS OF FACT:

DECISION:

REASONS:

Date

Signature of Secretary of Subdivision
and Development Appeal Board

NOTE: A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons and is subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the Municipal Government Act. An application for leave to appeal the Appellate Division of the Supreme Court of Alberta shall be made:

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



FORM I
TIME EXTENSION AGREEMENT FOR DEVELOPMENT PERMIT

Memorandum of AGREEMENT made in duplicate this _____ day of _____, 20____.

BETWEEN:

The Village of Delia
(hereinafter referred to as "the Village")

OF THE FIRST PART

-- and --

(hereinafter referred to as "the Developer")

OF THE SECOND PART

WHEREAS, the Developer wishes to develop those lands shown on the Application for a Development Permit Number _____, and dated _____ day of _____, 20____.

AND WHEREAS, the developer wishes to extend the time period for processing the development application beyond the normal 40 day period.

AND WHEREAS, the Village has received Form A and agrees to extend the time period for processing the development application as stipulated in the Municipal Government Act.

NOW THEREFORE THIS AGREEMENT WITNESSES AND THE PARTIES AGREE AS FOLLOWS:

The time period to process the development permit application is extended up to and including the _____ day of _____, 20____.

IN WITNESS WHEREOF, the Developer and the Village have caused to be hereto affixed their respective Corporate Seals or signatures, the day and year first written above.

Village of Delia

Development Officer

Applicant for Development Permit



FOR ADMINISTRATIVE USE ONLY	
Application #	_____
Tax Roll #	_____
Date Received	_____
Application Fee	_____

**FORM J
APPLICATION FOR DEMOLITION PERMIT**

Date of Application: _____

1. REGISTERED LANDOWNER INFORMATION

Name(s): _____ (Please Print)
 Address: _____ Postal Code: _____
 Telephone: (Res.): _____ Work: _____ Cell: _____

APPLICANT OR PERSON AUTHORIZED TO ACT ON BEHALF OF THE REGISTERED OWNER

(If different than Registered Owner):
 Name: _____ (Please Print)
 Address: _____ Postal Code: _____
 Telephone: (Res.) _____ Work: _____ Cell: _____

I hereby certify that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for development approval.

 Signature of Registered Owner(s) (Required) Signature of Person acting on Behalf of Registered Owner(s)

2. LEGAL LAND DESCRIPTION

Plan: _____ Block _____ Lot _____
 Civic Address of Proposed Demolition: _____
 Existing Use: _____ Land Use District (Zoning): _____
 Parcel Type (Check one) Interior Lot Corner Lot Parcel Area: _____

3. GENERAL DETAILS

a) Description of structure(s) to be demolished _____
 b) Demolition materials removed to: Transfer Station Other (Please specify) _____
 c) Estimated Cost of Project or Contract Price _____
 d) Estimated Commencement Date: _____ Completion on or before: _____
 f) Contractor Name & Address: _____ Postal Code: _____

4. ALBERTA BUILDING CODE GENERAL REQUIREMENTS FOR DEMOLITION:

- Article 8.2.2.9: Services shall be shut off and gas and fuel lines shall be capped in a building being demolished.
- Article 8.2.3.4: Portable fire extinguishers shall be installed and maintained in conformance with the requirements of NFPA 10 'Standard for Portable Fire Extinguishers'. The minimum rating for this site is a 2A: 10-B:C on the truck.
- Article 8.2.72: Waste material shall be removed as quickly as possible from the site by means of an appropriate container.
- Article 8.1.2.2: Where a building is undergoing demotion, precautions shall be taken to ensure that no person is exposed to undue risk. If basement is not in -filled excavation must be protected with a six foot chain link enclosure

I agree to carry out this demolition work in conformance to all Village of Delia By-Laws and the Alberta Building Code. Permission to do this work shall not relieve owners or agents from full responsibility for carrying out the work in strict accordance with the Village of Delia By-Laws, the Alberta Building Code and other conditions of this permit.

Authorized Signature: _____

- Please see reverse -

PLEASE NOTE: It is the responsibility of the APPLICANT/CONTRACTOR to ensure that all meters and services connected have been removed before demolition begins. Failure to do so could result in penalties being levied as per the Village of Delia Land Use Bylaw.

A final inspection must be completed upon completion of the demolition. Please contact Palliser Regional Municipal Services to arrange for an inspection.