

BYLAW No. 99-01

VILLAGE OF GIROUXVILLE LAND USE BYLAW

The Council of the Village of Girouxville hereby enacts the Girouxville Land Use Bylaw in accordance with the provisions of the Province of Alberta Municipal Government Act

Village of Girouxville Land Use Bylaw Districts Map

R Residential
MHR Mobile Home Residential
C Primary Commercial
I Industrial/Secondary Commercial

District Map No. 1

Section No. 10.3 of Bylaw No. 99-01

Adopted by Council this 15th day of June 1999, A.D.

S.E. 1/4 SEC. 16-78-22-5

S.W. 1/4 SEC. 15-78-22-5

S.E. 1/4 SEC. 15
-78-22-5

N.E. 1/4 SEC. 9-78-22-5

N.E. 1/4 SEC. 10
-78-22-5

N.W. 1/4 SEC. 9
-78-22-5

N.W. 1/4 SEC. 10-78-22-5

S.W. 1/4 SEC. 16
-78-22-5

LIBRARY R/W

OIL PIPELINE R/W

Rollink

LAGOON



Scale: 1:8000

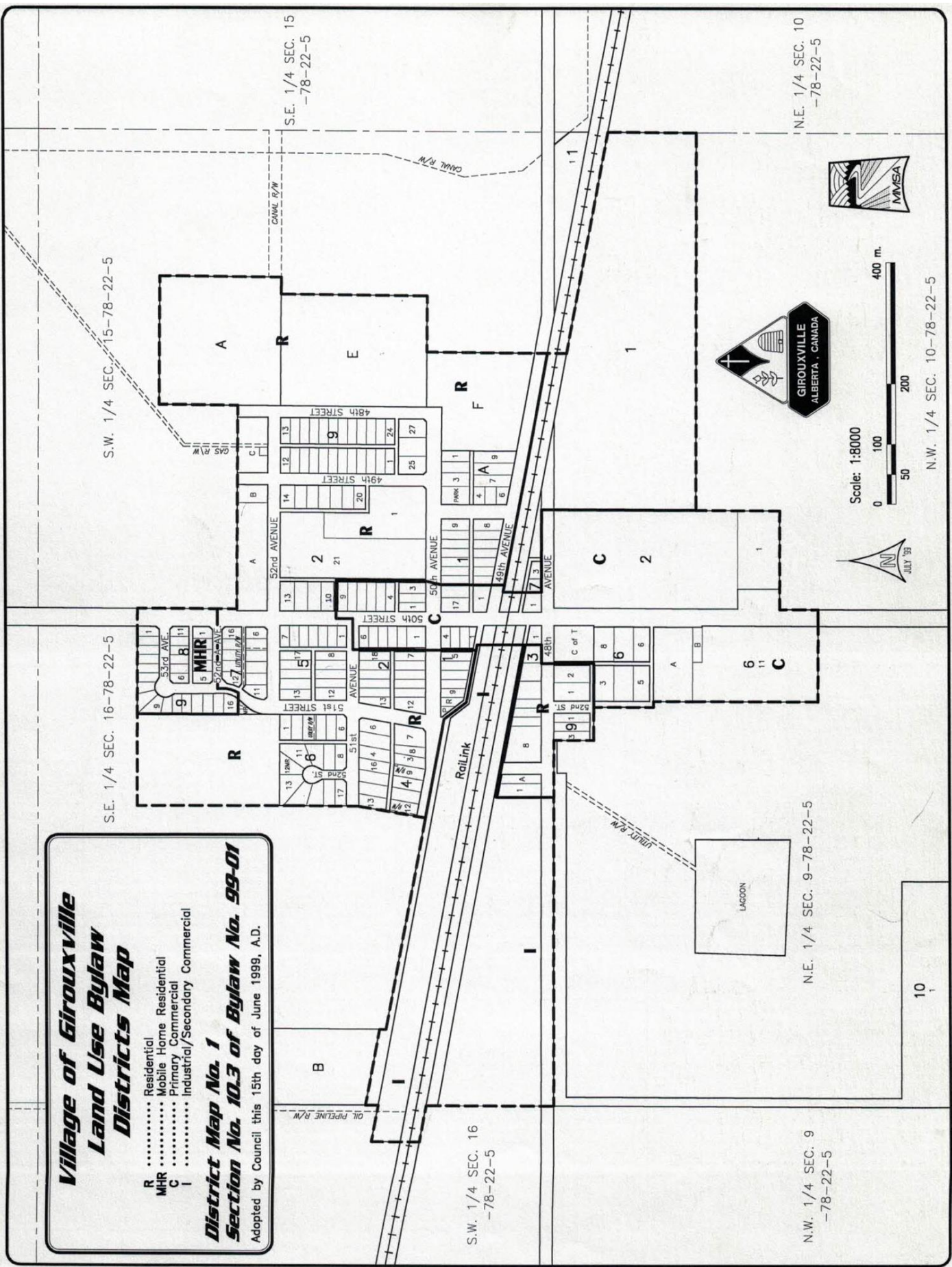


TABLE OF CONTENTS

SECTION 1 – GENERAL

1.1	Title	3
1.2	Purpose	3
1.3	Application of Bylaw	3
1.4	Need for a Development Permit	3

SECTION 2 – DEFINITIONS

2.1	Definitions	5
-----	-------------	---

SECTION 3 – METHOD OF APPLYING FOR A DEVELOPMENT PERMIT

3.1	Forms and Notices	19
3.2	Contents of a Development Permit Application	19
3.3	Incomplete Forms Rejected	20
3.4	Environmental Assessments	20

SECTION 4 – PROCESSING OF A DEVELOPMENT PERMIT APPLICATION

4.1	When a Decision Will Be Made	21
4.2	Notification of Development Permit Approval or Refusal	21
4.3	Effective Date of Permit Approval	21
4.4	Waiting Period for Re-application	21

SECTION 5 – DUTIES AND RESPONSIBILITIES OF ADMINISTRATIVE AGENCIES

5.1	Subdivision Authority	23
5.2	Development Authority	23
5.3	Development Authority's Decision-Making	23
5.4	Conditions Attached to an Approved Permit	24
5.5	Offences and Penalties	26
5.6	Applications for Subdivision	27

SECTION 6 – APPEALING A DECISION

6.1	The Subdivision and Development Appeal Board	29
6.2	Method of Appeal	29
6.3	Notification of Appeal	29
6.4	Decision of the Appeal Board	30

TABLE OF CONTENTS (continued)

SECTION 7 – AMENDING THE BYLAW

7.1	Method of Application	31
7.2	Plans and Information Required	31
7.3	Incomplete Forms Rejected	31
7.4	The Review Process for a Bylaw Amendment	32
7.5	Waiting Period for Re-Application	32

SECTION 8 – GENERAL REGULATIONS FOR ALL DISTRICTS

8.1	Conforming Uses Not Requiring a Development Permit	33
8.2	Non-Conforming	35
8.3	Objects Prohibited in Districts	36
8.4	Moved-In Buildings (Except Manufactured Homes)	36
8.5	Corner Site Restrictions	36
8.6	Parking Spaces Required	37
8.7	Parking Spaces – Design and Dimensions	39
8.8	Landscaping, Fencing and Screening	39
8.9	Dwelling Unit Permitted on a Lot	40

SECTION 9 – ADDITIONAL REGULATIONS FOR SPECIFIC LAND USES

9.1	Accessory Buildings and Uses	41
9.2	Apartment Dwellings	41
9.3	Curb Cuts	42
9.4	Duplex and Semi-Detached Dwellings	42
9.5	Dwelling Groups	43
9.6	Home-Based Businesses	43
9.7	Manufactured Homes	44
9.8	Public Uses and Utilities (In Residential Districts)	45
9.9	Satellite Dish Antennas	45
9.10	Senior Citizen Homes	46
9.11	Signs	46
9.12	Single Detached Dwellings (Except Manufactured Homes)	47

SECTION 10 – ESTABLISHMENT OF DISTRICTS

10.1	District Classification	49
10.2	District Symbols	49
10.3	District Map	49
10.4	Boundary Disputes	49

TABLE OF CONTENTS (continued)

SECTION 11 – DISTRICT RULES

11.1	Residential District (R)	51
11.2	Manufactured Home Residential District (MHR)	52
11.3	Primary Commercial District (C)	53
11.4	Industrial/Secondary Commercial District (I)	54

SECTION 12 – ADOPTION OF BYLAW NO 99-01

12.1	Repeal of Existing Bylaw	57
12.2	Effective Date	57

SCHEDULES

Schedule A – Land Use Bylaw and Development Appeal Forms
Schedule B – Amendments to Land Use Bylaw No. 99-01

VILLAGE OF GIROUXVILLE

BYLAW No. 99-01

A Bylaw to Adopt a Land Use Bylaw

- WHEREAS The Municipal Council of the Village of Girouxville, in the Province of Alberta, in accordance with the Municipal Government Act, 1995, being Chapter P-9 of the Revised Statutes of Alberta, adopted a Land Use Bylaw; and
- WHEREAS The Municipal Council deems it desirable to replace Land Use Bylaw #309 with a revised Bylaw:
- NOW THEREFORE The Municipal Council of the Village of Girouxville in open meeting duly assembled enacts as follows:

SECTION 1 – GENERAL

1.1 TITLE

This Bylaw may be cited as the “Girouxville Land Use Bylaw”.

1.2 PURPOSE

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Municipality.

1.3 APPLICATION OF BYLAW

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

1.4 NEED FOR A DEVELOPMENT PERMIT

- 1.4.1 No person shall commence any development unless it is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required. Refer to Section 8.1 to determine where a development permit is not required.
- 1.4.2 Nothing in this Bylaw prevents the use of any lot, building or structure for any purpose not permitted by this Bylaw if such lot, building or structure was lawfully used for such purpose on the date of passing this Bylaw provided it is used for that purpose on continuous, uninterrupted basis (see Section 8.2).

SECTION 2 – DEFINITIONS

2.1 In this Bylaw:

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

“ACT” means the Municipal Government Act, 1995, and amendments thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“COUNCIL” means the Council of the Village of Girouxville

“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 of any of them, or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in the intensity of use of the land or building.

“SUBDIVISION AND DEVELOPMENT APPEAL BOARD” means a subdivision and development appeal board appointed pursuant to the Municipal Government Act, 1995, or a council where it is the subdivision and development appeal board by virtue of the Act.

“DEVELOPMENT OFFICER” means the person appointed by a resolution of council to the office established by Development Authority Bylaw No. 312.

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

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

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

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

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

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

“FOUR-PLEX” – See “Apartment Dwelling”.

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

“GAS BAR” means premises used or intended to be used for the sale of gasoline, lubricating oils and associated petroleum products and may include the sale of automotive parts, a car wash, towing service or a grocery food store. Service stations associated with this use should be applied for together.

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

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

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

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

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

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

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

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

“LOT” means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“MANUFACTURED HOME SUBDIVISION” means a manufactured home development registered as a subdivision under freehold tenure.

“MODULAR DWELLING UNIT” means, for the purpose of the Bylaw, a dwelling that is constructed off-site and erected on another site such as a single detached dwelling or a duplex, but does not include a manufactured home.

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

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

“NON-CONFORMING BUILDING” means a building:

- (i) that is lawfully constructed or lawfully under construction at the date the land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and
- (ii) that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

“NON-CONFORMING USE” means a lawful specific use:

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

“OFFICIAL” means:

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

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

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

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

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

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

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

“PUBLIC USE” means community buildings/uses or, a building, structure or lot which is owned or leased by a department or agency of the federal, provincial or municipal government for purposes of public administration and services.

“PUBLIC UTILITY” means the right of way for:

- (a) telecommunications systems
- (b) waterworks systems
- (c) irrigation systems
- (d) systems for the distribution of gas, whether natural or artificial
- (e) systems for the distribution of artificial light or electric power
- (f) heating systems, and
- (g) sewage systems,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“SINGLE DETACHED DWELLING” means a building containing only one dwelling unit, but does not include a manufactured home.

“SITE” means a lot or group of lots used for or proposed to be used for the undertaking of a single development.

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

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

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

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

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

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

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

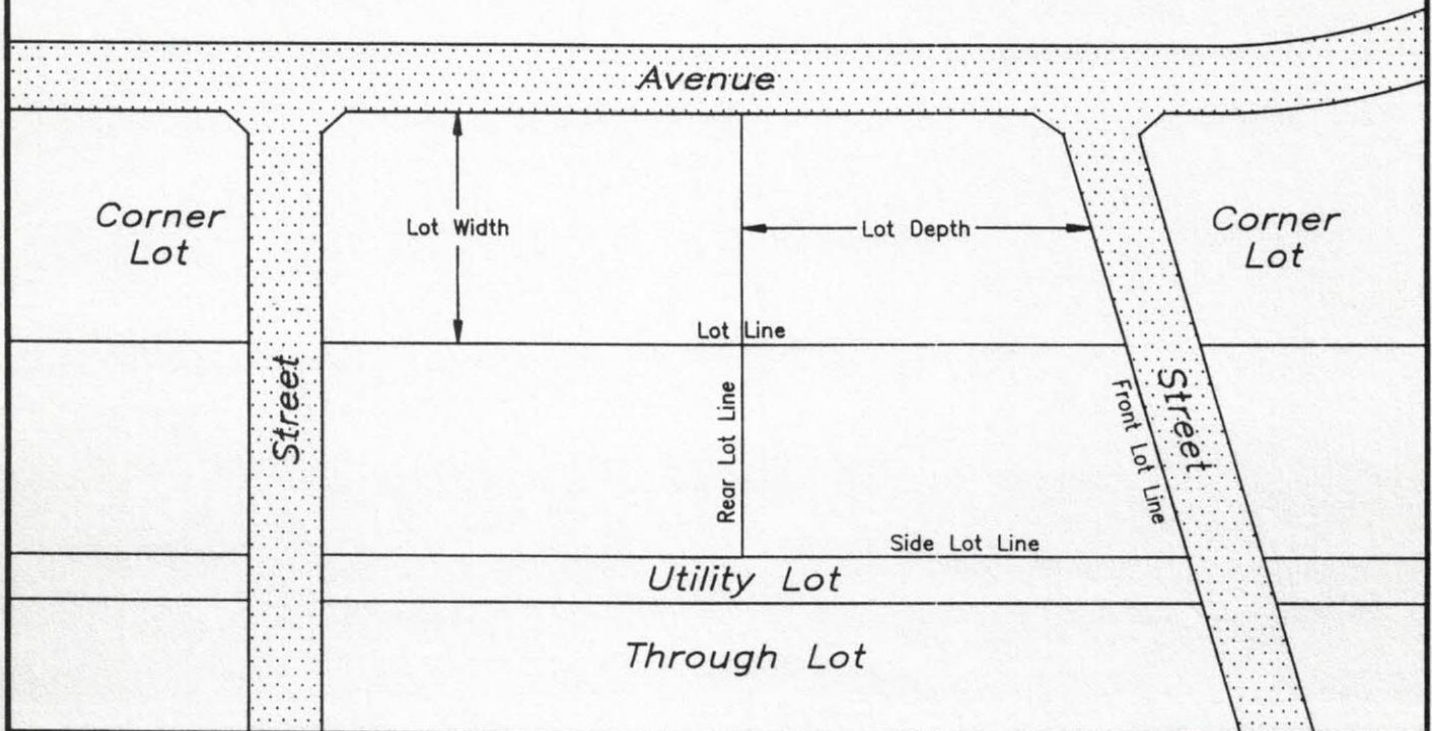
“YARD DEPTH, FRONT” means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure.

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

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

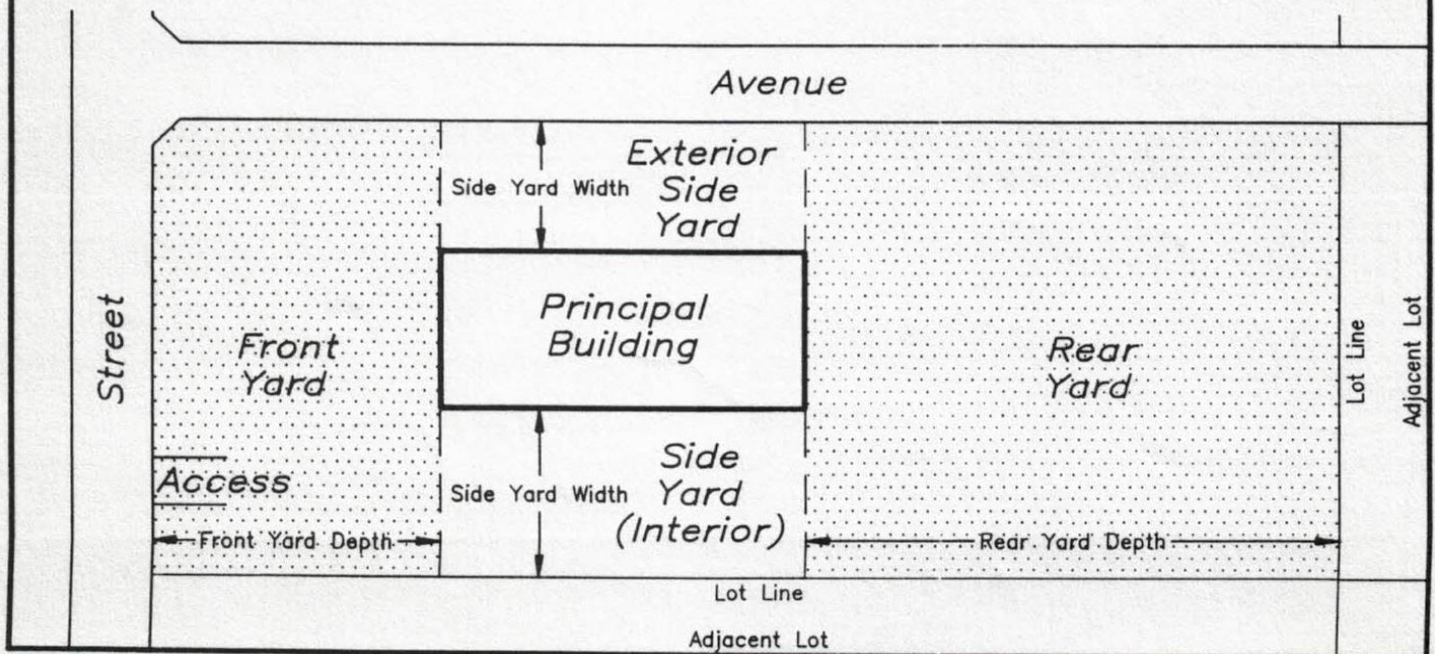
Explanation Notes

Lot Definitions



Explanation Notes

Yard Definitions



SECTION 3 – METHOD OF APPLYING FOR A DEVELOPMENT PERMIT

3.1 **FORMS AND NOTICES**

3.1.1 Forms and notices, contained in Schedule “A” of this Bylaw, may be used by the Village to administer the provisions of this Bylaw.

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

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

3.1.4 **FEES**

Council, by resolution, may authorize the establishment of fees that shall be submitted as part of a development permit application, an application to amend this bylaw or any other matters deemed necessary by Council in the administration of this Bylaw.

3.2 **CONTENTS OF A DEVELOPMENT PERMIT APPLICATION**

3.2.1 **INFORMATION REQUIRED FROM APPLICANT**

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

- (a) For all applicants in all Land Use Districts, a scaled plan indicating the location and dimensions of existing and proposed:
 - (i) property lines surrounding the site,
 - (ii) buildings and structures,
 - (iii) parking stalls, vehicle circulation areas, walkways and road access points,
 - (iv) landscaping, retaining walls, fences and other screening, and
 - (v) above ground utilities and direction of storm water drainage off the sight

(b) For applications for buildings with more than one dwelling, commercial uses, industrial use, public uses and any other uses as determined by the Development Authority, the following additional information may be required:

- (i) floor plans,
- (ii) building elevations,
- (iii) illustrated exterior finishing materials,
- (iv) existing and finished lot grades and street grades,
- (v) location of existing and proposed outdoor storage areas and garbage collection facilities,
- (vi) location and dimensions of proposed culverts and crossings,
- (vii) location of proposed water and sewer lines,
- (viii) location of existing underground gas, electrical or telephone lines,
- (ix) any other features required to be shown as determined by the Development Authority.

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

3.3 **INCOMPLETE FORMS REJECTED**

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

3.4 **ENVIRONMENTAL ASSESSMENTS**

Council and/or the Development Officer may require an applicant to prepare an environmental assessment for property subject to: a proposed amendment to this Bylaw; and application for subdivision; or a development permit application.

SECTION 4 – PROCESSING OF A DEVELOPMENT PERMIT APPLICATION

4.1 WHEN A DECISION WILL BE MADE

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

4.2 NOTIFICATION OF DEVELOPMENT PERMIT APPROVAL OR REFUSAL

- 4.2.1 When an application for a development permit is approved for a discretionary use, an official of the Municipality shall publish a notice in a local newspaper mapping the location and address of the property for which the application has been made and the development permit approved. Notification for a permitted use is limited to mailing a notice of decision to the applicant or his agent.
- 4.2.2 When an application for a development permit is refused, an official of the Municipality shall mail a notice of decision, in writing, to the applicant or his agent stating the reasons for refusal.

4.3 EFFECTIVE DATE OF PERMIT APPROVAL

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

4.4 WAITING PERIOD FOR RE-APPLICATION

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

SECTION 5 – DUTIES AND RESPONSIBILITIES OF ADMINISTRATIVE AGENCIES

5.1 SUBDIVISION AUTHORITY

- 5.1.1 The Subdivision Authority for the Village shall be established by separate bylaw, as adopted by Council under the provisions of the Act.

5.2 DEVELOPMENT AUTHORITY

- 5.2.1 The Development Authority for the Village shall be established by separate bylaw, as adopted by Council under the provisions of the Act, and shall be coordinated by the Development Officer for the Village as appointed by Council.

- 5.2.2 The Development Officer shall:

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

5.3 DEVELOPMENT AUTHORITY'S DECISION-MAKING

- 5.3.1 In making a decision, the Development Authority shall:

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

5.3.2 PERMITTED USES

In making a decision on an application for a use listed under the "Permitted Uses" column in a respective District, the Development Authority:

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

5.3.3 DISCRETIONARY USES

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

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

5.3.4 VARIANCE POWERS

The Development Authority may approve an application for a Development Permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Development Authority:

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

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

5.4 CONDITIONS ATTACHED TO AN APPROVED PERMIT

5.4.1 ENTERING INTO DEVELOPMENT AGREEMENT

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

-
- (a) to construct or pay for the construction of a public roadway required to give access to the development;
 - (b) to install or pay for the installation of utilities that are necessary to serve the development;
 - (c) to construct or pay for the construction of:
 - (i) off-street or other parking areas, and
 - (ii) loading and unloading areas;
 - (d) to pay an off-site levy or redevelopment levy imposed by bylaw.

5.4.2 ADDITIONAL CONDITIONS

In addition to entering an agreement as outlined in Section 5.4.1, the Development Authority shall refer to Sections 8, 9 and 11 in order to determine the need for further conditions to be attached where discretion is provided for.

5.4.3 DEVELOPMENT PERMITS – PAYMENT OF TAXES

As a condition of development permit approval, the Development Officer may require the applicant to make the necessary arrangements to ensure that all property taxes are paid in full to the satisfaction of the Village at the time of development permit approval.

5.4.4 REFUSAL TO ENTER INTO A DEVELOPMENT AGREEMENT

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

5.4.5 LAPSE OF DEVELOPMENT PERMIT APPROVAL

A development permit lapses and is automatically void if the approved development is not commenced within 12 months from the date of issuing the development permit. The Development Officer may grant an extension to the development permit approval, in writing, for a specific length of time not exceeding one year.

5.5 **OFFENCES AND PENALTIES**

- 5.5.1 No person shall make use of land in a manner contrary to the provisions of the Act, this Bylaw or a development permit issued under this Bylaw.
- 5.5.2 Where the Development Officer finds a development which is not in accordance with the Act, this Bylaw or the terms and conditions of the development permit, the Development Officer may, in writing, order the registered owner or the person in possession of the land or the person responsible for the contravention or any or all of them:
- (a) stop the development or the use of land or buildings in whole or in part as directed by the notice; or
 - (b) demolish, remove or replace the development; or
 - (c) take wither such measures specified in the notice so that the development or use of the land or buildings is in accordance with the Act and its regulations, a development permit, subdivision approval or this Bylaw as the case may be, within the time specified by the notice.
- 5.5.3 If a person fails or refuses to comply with a stop order or an order of the Subdivision and Development Appeal Board or 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.
- 5.5.4 When Council or a person is appointed by it carries out an order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the taxroll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
- 5.5.5 For the purpose of entering and inspecting land or buildings as described in the Act, the Development Officer is hereby declared to be an authorized person.
- 5.5.6 Under the Act a person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence, and is liable upon summary conviction to a fine or imprisonment.
- 5.5.7 A Development Officer may suspend or revoke a development permit, if the permit or any conditions attached to the permit have not been complied with.

5.6 **APPLICATIONS FOR SUBDIVISION**

- 5.6.1 Notwithstanding any other part of the Bylaw, Council may approve and/or recommend to its Subdivision Authority a variance in the regulations contained in this Bylaw as they relate to an application for subdivision.
- 5.6.2 In regards to applications for subdivision, Council may approve and/or recommend a variance in the regulations after taking into account the following:
- (a) servicing;
 - (b) access;
 - (c) characteristics of the subject property;
 - (d) existing and future land uses; and
 - (e) any other matters deemed necessary by Council.

SECTION 6 – APPEALING A DECISION

6.1 THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 6.1.1 The Subdivision and Development Appeal Board, is hereby authorized to perform the duties as outlined in the Municipal Government Act, as amended from time to time.

6.2 METHOD OF APPEAL

- 6.2.1 The procedures for appealing a decision on an application for subdivision or a development permit are governed by the Municipal Government Act which should be consulted by anyone proposing to launch and appeal.

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

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

6.3 NOTIFICATION OF APPEAL

- 6.3.1 The Secretary to the Subdivision and Development Appeal Board shall ensure that notice of appeal is given to all persons required to be notified under the provisions of the Municipal Government Act.

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

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

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

6.4 **DECISION OF THE APPEAL BOARD**

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

SECTION 7 – AMENDING THE BYLAW

7.1 METHOD OF APPLICATION

- 7.1.1 All amendments to the Land Use Bylaw shall be made by the adoption of an amending bylaw following a public hearing.
- 7.1.2 Any owner of a site or his authorized agent or other persons having a legal or equitable interest in the site may, in accordance with section 8.2, apply in writing to the Development Officer to have the land use designation of the site amended.
- 7.1.3 The municipality may initiate amendments to this Bylaw which shall be advertised in accordance with Section 7.4.2.

7.2 PLANS AND INFORMATION REQUIRED

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

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

7.3 INCOMPLETE FORMS REJECTED

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

7.4 **THE REVIEW PROCESS FOR A BYLAW AMENDMENT**

- 7.4.1 Upon receipt of a complete application in accordance with Section 7.2, the Development Officer shall refer the application to Council for first reading.
- 7.4.2 The Development Officer shall forthwith cause to be published in 2 issues of the local newspaper, a notice of the application stating:
- (a) the legal description of the land;
 - (b) the purpose of the proposed amending bylaw;
 - (c) the one or more places where a copy of the proposed amending bylaw may be inspected by the public during reasonable hours;
 - (d) the one or more dates, places and times that Council will hold a public hearing on the proposed amending bylaw;
 - (e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
 - (f) an outline of the procedures by which the public hearing will be conducted.

7.5 **WAITING PERIOD FOR RE-APPLICATION**

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

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

SECTION 8 – GENERAL REGULATIONS FOR ALL DISTRICTS

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

8.1 **CONFORMING USES NOT REQUIRING A DEVELOPMENT PERMIT**

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

- | | | |
|---|-----|---|
| <i>minor accessory building</i> | (a) | the construction of an accessory building having an area of less building than 10 square metres (108 sq. ft.) in a Residential District; |
| <i>deemed minor development</i> | (b) | works of maintenance, repair or alterations, on a structure, both internal and external, if in the opinion of the Development Authority, such work: <ul style="list-style-type: none">(i) does not include structural alterations, and(ii) does not change the use or intensity of the use of the structure, and(iii) is performed in accordance with obligatory legislation or other government regulations; |
| <i>fences, enclosures</i> | (c) | the erection, construction or maintenance of gates, fences, walls or other means of enclosure less than 2 metres (6.5 ft.) in height provided that the erection of such fence, wall or gate does not contravene any other provision of this Bylaw; |
| <i>public use/ utility r.o.w.</i> | (d) | the construction and maintenance of that party of a public utility or public use placed in or upon a public thoroughfare or public utility easement: |
| <i>public use/ utility on village land by</i> | (e) | the use by the Municipality of land of which the Municipality is the legal or equitable owner for a purpose approved by a two-thirds majority vote of Council in connection with any public utility or public use carried out the Municipality. |
| <i>building completion</i> | (f) | the completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that: <ul style="list-style-type: none">(i) the building is completed in accordance with the terms of any permit granted by the Municipality, subject to the conditions of that permit, and |

	(ii)	the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date this Bylaw comes into full force and effect.
<i>temporary signs</i>	(g)	one temporary, on-site sign which does not exceed 1 square metre (11 sq. ft.) in area nor 1.5 metres (5 ft.) in height and is intended for: <ul style="list-style-type: none"> (i) advertising the sale or lease of a dwelling unit or property for which a development permit has been issued for the development on the said property, or (ii) identifying a construction or demolition project for which a development permit has been issued for such a project, or (iii) identifying a political campaign, or (iv) advertising a campaign or drive which has been approved by Council: such a sign may be posted for a maximum period of 14 days and shall be removed after the duration of this time period, or (v) commemorative plaques and cornerstones of a non-advertising nature;
<i>machinery</i>	(h)	the erection or installation of machinery need in connection with operations for which a Development Permit has been issued, for the period of those operations;
<i>government notices</i>	(i)	an official notice, sign, placard or bulletin required to be displayed pursuant to the provisions of Federal, Provincial or Municipal legislation;
<i>polling stations</i>	(j)	the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;
<i>walkways, driveways</i>	(k)	the construction, maintenance and repair of private walkways, private pathways, private driveways and similar works unless the work involves creation or expansion of a curb cut;
<i>earthmoving</i>	(l)	stripping or stockpiling of soil, installation of utilities and construction of roads in a subdivision area when a development agreement has been duly executed.

8.2 **NON-CONFORMING USES**

8.2.1 When:

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

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

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

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

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

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

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

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

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

8.3 **OBJECTS PROHIBITED IN DISTRICTS**

No person shall be allowed to keep or maintain:

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

8.4 **MOVED-IN BUILDINGS (Except Manufactured Homes)**

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

- (a) a performance bond and/or letter of credit of such amount to ensure completion of any renovations set out as a condition of approval of a development permit;
- (b) pictures of the moved-in building and an indication of the current location of the building in order to allow the Village to conduct a site inspection of the building; and
- (c) an engineer's certificate to confirm that the building is structurally sound.

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

8.5 **CORNER SITE RESTRICTIONS**

Except in a "C" District, no object or vegetation higher than 1 metre (3.3 ft.) shall be allowed with a sight triangle on a corner lot.

8.6 **PARKING SPACES REQUIRED**

8.6.1 WHEN PARKING SPACES ARE REQUIRED

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

8.6.2 WHERE PARKING SPACES ARE REQUIRED

Parking spaces shall be located on the same site as the building or the use in respect of which it is required and shall be designed, located and constructed 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 Authority in size, shape, location and construction.

8.6.3 NUMBER OF PARKING SPACES REQUIRED

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

<u>TYPE OF USE:</u>	<u>MINIMUM PARKING REQUIREMENTS:</u>
<u>Residential Uses in All Districts</u>	
Apartments Dwellings, Dwelling Groups	1.5 spaces/dwelling unit
Senior Citizen Homes	1 space/3 dwelling units
Other Residential Uses	1 space/dwelling unit
<u>Commercial Uses</u>	
Business, Administrative and Professional Offices	1 space/45 square metres (484 sq. ft.) of floor area

(continued on next page)

TYPE OF USE:

MINIMUM PARKING REQUIREMENTS:

Restaurants, Drinking Establishments
and Funeral Homes

1 space/4 seats

Motels and Hotels

1 space/guest unit plus 1 space/2 employees

All other Commercial Uses

1 space/35 sq. metres (377 sq. ft.) of enclosed
floor area

Public Uses

Community Buildings

1 space/3.5 seats or 1 space/3 square metres (32
sq. ft.) of floor area used by patrons, whichever is
greater

Churches

1 space/8 seating spaces

Hospitals, Clinics or Nursing Homes

1 space/95 square metres (1,023 sq. ft.) of floor
area

Schools

2 spaces/classroom

Industrial Uses

1 space/2 employees on a maximum working
shift

***NOTE:** Where a hotel, restaurant, motel or drinking establishment are grouped in any combination on a site, the required number of parking spaces may be reduced, at the discretion of the Development Authority, to 75% of the combined total of all specified uses.

8.7 **PARKING SPACES – DESIGN AND DIMENSIONS**

8.7.1 Off-street parking spaces should be designed and provided in accordance with the following minimum dimensions:

Width of Stall m (ft)	Angle of Parking degrees	Width of Aisle m (ft.)	Depth of Stall Perpendicular to Aisle m (ft.)
2.5 (8.0)	30	3.5 (11.5)	5.1 (16.5)
2.5 (8.0)	45	3.5 (11.5)	6.0 (19.5)
2.5 (8.0)	60	5.5 (18.0)	6.5 (21.5)
2.5 (8.0)	90	7.0 (23.0)	6.0 (19.5)

8.7.2 Each parking space for parallel parking on a street shall be a minimum of:

- (a) 18 square metres (194 sq. ft.) in area,
- (b) 2.5 metres (8 ft.) in width.

8.7.3 Any loading space shall be of a size necessary to accommodate the expected vehicles but shall not be less than the following minimum dimensions:

- (a) 28 square metres (301 sq. ft.) of area,
- (b) 3.5 metres (11.5 ft.) in width,
- (c) 4 metres (13 ft.) of overhead clearance.

8.7.4 Adequate curbs or concrete bumpers or fences shall be provided to the satisfaction of the Development Authority, if in its opinion, it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site, from contact with vehicles using such parking space or area.

8.7.5 Off-street parking shall be provided in the manner shown on the approved site plan with the entire area to be graded so as to ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Authority as a condition of development permit approval.

8.8 **LANDSCAPING, FENCING AND SCREENING**

8.8.1 All landscaping standards shall be followed in accordance with this section and shall be specified as conditions of development permit approval by the Development Authority.

-
- 8.8.2 All areas not used for vehicle circulation, storage or a structure shall be landscaped with a minimum of grass cover within 1 year of development permit approval.
- 8.8.3 All development permit applications shall be accompanied by a site plan as required in Section 3.2.1, indicating the type and location of proposed landscaping features.
- 8.8.4 Any area requiring landscaping or topographic reconstruction shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining site.
- 8.8.5 In any Commercial or Industrial District, all outside storage areas abutting any Residential District shall be screened from the first-storey view of any dwelling unit to the satisfaction of the Development Authority.
- 8.8.6 In all Districts, the Development Authority may require screening to be provided in the form of hard or soft landscaping in order to visually screen areas which detract from the surrounding neighbourhood. The construction and materials of the screen shall be of a quality to the satisfaction of the Development Authority.
- 8.8.7 Any lighting proposed to illuminate areas in any district shall be located and arranged to the satisfaction of the Development Authority so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties.
- 8.8.8 Fences shall not be allowed in a front yard. Maximum fence height stated in the requirements for each District.
- 8.9 **DWELLING UNIT PERMITTED ON A LOT**
- 8.9.1 One dwelling per lot may be allowed by the Village in accordance to the provisions of this Bylaw.
- 8.9.2 Notwithstanding the above, multi-unit residential buildings (apartments, duplexes, manufactured home park, etc.) may be allowed to be developed on a lot in accordance to the provisions of this Bylaw.
-

SECTION 9 – ADDITIONAL REGULATIONS FOR SPECIFIC LAND USES

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

9.1 ACCESSORY BUILDINGS AND USES

9.1.1 MINIMUMS

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

9.1.2 MAXIMUMS

- (a) Total Height above Grade:
 - (i) in Residential Districts: 5.5 metres (18 ft.)
 - (ii) in all Other Districts: as specified in District requirements.
- (b) Site coverage:
 - (i) In Residential Districts: 55 square metres (592 sq. ft.)
 - (ii) In all Other Districts: As specified in District Regulations.

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

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

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

9.2 APARTMENT DWELLINGS

9.2.1 MINIMUMS

- (a) Site Area: 745 square metres (8,019 sq. ft.)
- (b) Front Yard: 7.5 metres (25 ft.)

-
- (c) Rear Yard: 6 metres (20 ft.)
 - (d) Side Yard: 4.5 metres (15 ft.)

9.2.2 **MAXIMUMS**

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

9.3 **CURB CUTS**

9.3.1 All curb cuts shall require a Development Permit.

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

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

9.4 **DUPLEX AND SEMI-DETACHED DWELLINGS**

9.4.1 **MINIMUMS**

- (a) Site Area:
 - (i) Duplex: 560 square metres (6,028 sq. ft.)
 - (ii) Semi-Detached: 325 square metres (3,498 sq. ft.) per dwelling unit
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Rear Yard: 4.5 metres (15 ft.)
- (d) Interior Yard: 1.5 metres (5 ft.)
- (e) Exterior Yard: 3 meters (10 ft.)

9.4.2 **MAXIMUMS**

- (a) Building Height: 9 metres (30 ft.)
- (b) Site Coverage (including Accessory Buildings): 40 percent of site
- (c) Fence Height: 2 metres (6.5 ft.)

9.5 **DWELLING GROUPS**

9.5.1 **MINIMUMS**

- (a) Site Area: 150 square metres (1,615 sq. ft.) per unit for each internal unit and 186 square metres (2,000 sq. ft.) for each end unit.
- (b) Front Yard: 7.5 metres (25 ft.)
- (c) Rear Yard: 6 metres (20 ft.)
- (d) Side Yard: 3 metres (10 ft.)

9.5.2 **MAXIMUMS**

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

9.6 **HOME-BASES BUSINESSES**

- 9.6.1 Home-based businesses shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. For approved home-based businesses not complying with the conditions set out in Section 9.6, the Development Authority may post a Stop Order on the development permit as provided for in the Municipal Government Act.
- 9.6.2 Home-based businesses are limited to those uses which are approved by the Development Authority.

9.6.3 Home-based businesses shall be an incidental and subordinate use to the principal residential use, shall be restricted to the dwelling unit and shall not:

- (a) employ any person other than a resident of the dwelling unit;
- (b) occupy an area greater than 30 square metres (323 sq. ft.)
- (c) require alterations to the principal building unless the alterations are approved by the Development Authority as part of a development permit application;
- (d) in the opinion of the Development Authority, create a nuisance by way of dust, noise, smell, smoke or traffic generation;
- (e) have outside storage of materials, goods or equipment on the site;
- (f) display any form of commercial advertising, wares or products discernible from the outside of the building,
- (g) display any more than one unlit sign on the premises larger than 900 square centimetres (140 sq. in.)

9.7 **MANUFACTURED HOMES**

9.7.1 **MINIMUMS**

- (a) Site area: 510 square metres (5,490 sq. ft.)
- (b) Front Yard: 4 metres (14 ft.)
- (c) Interior Side Yard: 1.5 metres (5 ft.)
- (d) Exterior Side Yard: 3 metres (10 ft.)
- (e) Rear Yard: 4 metres (13 ft.)

9.7.2 **MAXIMUMS**

- (a) Site Coverage (including Accessory Buildings): 40 percent of each manufactured home lot.
- (b) Total Height Above Grade: 5 metres (16 ft.)
- (c) Fence Height: 2 metres (6.5 ft.)

9.7.3 Manufactured home skirting, accessory structures, additions and porches shall be of sound construction and appearance to the satisfaction of the Development Authority.

9.7.4 Axle, wheels, running gear and towing tongue shall be removed before the owner places his manufactured home on the lot and attaches it to a permanent foundation conforming to the requirements of the Alberta Building Code.

9.8 **PUBLIC USES AND UTILITIES (In Residential Districts)**

9.8.1 **MINIMUMS**

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

9.8.2 **MAXIMUMS**

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

9.9 **SATELLITE DISH ANTENNAS**

9.9.1 **MINIMUMS**

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

9.9.2 **MAXIMUMS**

(a) Total Height Above Grade:

- (i) in all Residential Districts: 5.5 metres (18 ft.)
- (ii) in all other Districts: as specified in requirements for principal uses.

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

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

9.9.4 Section 9.9.1 through 9.9.3 may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority, that compliance with these sections would prevent line of sight signal reception.

9.9.5 If a signal cannot be received in a location other than a front yard, the minimum front yard setback shall be 3 metres (10 ft.)

9.9.6 Where any part of a satellite dish antenna is more than 3 metres (10 ft.) above grade level it shall be screened and located to the satisfaction of the Development Authority.

9.10 **SENIOR CITIZEN HOMES**

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

9.11 **SIGNS**

9.11.1 **SIGNAGE REGULATIONS FOR ALL DISTRICTS**

- (a) No sign of an advertising, directional or information nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved by the Development Authority.
- (b) Maximums:
 - (i) Total Sign Area for Outdoor Signs in Commercial or Industrial Districts: 0.5 square metres per linear metre of lot frontage up to a maximum of 20 square metres (215 sq. ft.)

-
- (ii) Setback: 1 metre (3.3 ft.) from any property line.
 - (iii) Projection Above Main Wall or Parapet: 1.5 metres (5 ft.)
 - (c) No sign shall be illuminated unless the source of light is suitably shielded and does not interfere with vehicular traffic.
 - (d) The support structure for all signs shall be an integral part of the design and shall be affixed and designed in accordance with accepted engineering practices as outlined in the Alberta Building Code to support the wind load of the sign structure.
 - (e) An application for a sign shall not be approved if, in the opinion of the Development Authority, the sign would:
 - (i) unduly interfere with the amenities of the area, or
 - (ii) materially, interfere with or affect the use, enjoyment or value of neighbouring properties.

9.11.2 **SIGNAGE REGULATIONS FOR RESIDENTIAL DISTRICTS**

- (a) No sign shall be permitted in a Residential District other than a free standing or wall sign to identify:
 - (i) an apartment building
 - (ii) manufactured home park
 - (iii) residential subdivision
 - (iv) an approved home-based business, or
 - (v) other non-commercial use
- (b) Maximums:
 - (i) Total Area of Sign: 2 square metres (22 sq. ft.)
 - (ii) Setback: 1 metre (3.3 ft.) from any property line
 - (iii) Overall Height: 3.5 metres (11.5 ft.) from finished grade

9.12 **SINGLE DETACHED DWELLINGS (Except Manufactured Homes)**

9.12.1 **MINIMUMS:**

- (a) Site Area: 510 square metres (5490 sq. ft.)
 - (b) Front Yard: 7.5 metres (25 ft.)
-

-
- (c) Rear Yard: 4.5 metres (15 ft.)
 - (d) Interior Side Yard: 1.5 metres (5 ft.)
 - (e) Exterior Side Yard: 3 metres (10 ft.)
 - (f) Ground Floor Area: 93 square metres (1,000 sq. ft.)

9.12.2 MAXIMUMS

- (a) Building Height: 9 metres (30 ft.) or two storeys
- (b) Site Coverage (including accessory buildings): 40 percent of site
- (c) Fence Height: 2 metres (6.5 ft.)

SECTION 10 – ESTABLISHMENT OF DISTRICTS

10.1 DISTRICT CLASSIFICATION

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

DISTRICT SYMBOLS

RESIDENTIAL DISTRICTS

Restricted Residential District	R
Manufactured Home Residential District	MHR

PRIMARY COMMERCIAL DISTRICT	C
-----------------------------	---

INDUSTRIAL/SECONDARY COMMERCIAL DISTRICT	I
--	---

10.2 DISTRICT SYMBOLS

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

10.3 DISTRICT MAP

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

- (a) the title of “District Map”;
- (b) Section 10.3 of Bylaw No. 9901

10.4 BOUNDARY DISPUTES

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

SECTION 11 – DISTRICT RULES

11.1 RESIDENTIAL DISTRICT (R-1)

11.1.1 PURPOSE

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

(a) Permitted Uses

- accessory buildings and uses
- satellite dish antennas
- single detached dwellings

(b) Discretionary Uses

- apartment dwellings
- curb cuts
- double-wide manufactured homes
- duplex dwellings
- dwelling groups
- home-based businesses
- public uses
- public utilities
- semi-detached dwellings
- senior citizen homes
- signs
- single-wide manufactured homes

11.1.2 REGULATIONS

Refer to Section 9 for Regulations governing the following “R” uses:

- accessory buildings and uses (9.1)
- apartment dwellings (9.2)
- curb cuts (9.3)
- duplex and semi-detached dwellings (9.4)
- dwelling groups (9.5)
- home-based businesses (9.6)
- manufactured homes (9.7)
- public uses and utilities (in residential districts) (9.8)
- satellite dish antennas (9.9)
- senior citizen homes (9.10)

-
- signs (9.11)
 - single detached dwellings (except manufactured homes) (9.12)

11.1.3 ADDITIONAL REQUIREMENTS

With the exception of single-wide manufactured homes located in the “R” District prior to the adoption of this bylaw, no single-wide manufactured home shall be permitted in the “R” District.

11.2 MANUFACTURED HOME RESIDENTIAL DISTRICT (MHR)

11.2.1 PURPOSE

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

(a) Permitted Uses

- accessory buildings and uses
- double-wide manufactured homes
- satellite dish antennas
- single-wide manufactured homes

(b) Discretionary Uses

- curb cuts
- fences
- home-based businesses
- public uses
- public utilities
- signs

11.2.2 REGULATIONS

Refer to Section 9 for Regulations governing the following “MHR” uses:

- accessory buildings and uses (9.1)
 - curb cuts (9.3)
 - home-based businesses (9.6)
 - manufactured homes (9.7)
 - public uses and utilities (in residential districts) (9.8)
 - satellite dish antennas (9.9)
 - signs (9.11)
-

11.3 **PRIMARY COMMERCIAL DISTRICT (C)**

11.3.1 **PURPOSE**

The purpose of this District is to provide for office retail and service commercial developments generally intended to locate in the central business area of the municipality.

(a) Permitted Uses

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

(b) Discretionary Uses

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

11.3.2 **REGULATIONS**

Refer to Section 9 for Regulations governing the following “C” uses:

- accessory building and uses (9.1)
- curb cuts (9.3)

-
- home-based businesses (9.6)
 - public uses and utilities (in residential districts) (9.8)
 - satellite dish antennas (9.9)
 - signs (9.11)

FOR ALL OTHER “C” USES,

(a) Minimums:

- (i) Site Area: 140 square metres (1,507 sq. ft.)
- (ii) Site Width: 4.5 metres (15 ft.)
- (iii) Front Yard: none required
- (iv) Rear Yard: 4.5 metres (15 ft.)
- (v) Interior Side Yard:
 - side adjacent to a Residential District – 3 metres (10 ft.)
 - all other cases – 1.5 metres (5 ft.) but where a firewall is provided, no side yard is required
- (vi) Exterior Side Yard: none required

(b) Maximums:

- (i) Building Height: 15 metres (50 ft.)
- (ii) Fence Height: 2 metres (6.5 ft.)
- (iii) Site Coverage (including accessory buildings): 80 percent of site

- (c) Residential development may be allowed to be developed in the Primary Commercial District subject to the approval of the Development Officer and where the residential development is compatible with surrounding land uses.

11.4 **INDUSTRIAL/SECONDARY COMMERCIAL DISTRICT**

11.4.1 **PURPOSE**

The purpose of this District is to provide primarily for operations involving storing, manufacturing, processing, transporting, servicing and repairing of goods or products. The District also provides for retailing and wholesaling of goods and services normally considered as Secondary Commercial.

(a) Permitted Uses:

- accessory buildings and uses
 - agricultural industries
 - building supply sales
 - gas bars
-

-
- indoor storage of machinery, equipment, goods or products (excepting flammable or combustible materials)
 - industrial and construction equipment sales and service
 - manufactured home sales and service
 - motor vehicle sales, storage, and repair services
 - retail nursery and garden supplies
 - satellite dish antennas
 - service stations
 - warehouses or wholesaling uses

(b) Discretionary Uses:

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

11.4.2 REGULATIONS

Refer to Section 9 for Regulations governing the following “I” uses:

- accessory building and uses (9.1)
- curb cuts (9.3)
- public uses and utilities (in residential districts) (9.8)
- satellite dish antennas (9.9)
- signs (9.11)

FOR ALL OTHER “I” USES,

(a) Minimums:

- (i) Site Area: 0.2 hectares (0.5 acres)
- (ii) Site Width: 30 metres (99 ft.)
- (iii) Front Yard: 7.5 metres (25 ft.)

-
- (iv) Side Yard: 3 metres (10 ft.), but where a firewall is provided, no side yard is required
 - (v) Rear Yard: 7.5 metres (25 ft.), but where a firewall is provided, no rear yard is required

(b) Maximums:

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

(c) Environmental Standards:

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

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

(d) Offices:

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

SECTION 12 – ADOPTION OF BYLAW No. 99-01

12.1 **REPEAL OF EXISTING BYLAW**

The existing Land Use Bylaw of the Village of Girouxville, being Bylaw No. 309, as amended, is hereby repealed.

12.2 **EFFECTIVE DATE**

This Bylaw being Bylaw No. 99-01 hereby comes into effect upon the date of its third reading.

READ A FIRST TIME the 15th day of June, 1999

READ A SECOND TIME the 15th day of June, 1999

READ A THIRD TIME and finally passed the 15th day of June, 1999

X

CARMEN EWING
Mayor

X

ESTELLE GIRARD
Municipal Administrator



SCHEDULE “A”

Land Use Bylaw & Development Appeal Forms

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

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



VILLAGE OF GIROUXVILLE

DEVELOPMENT PERMIT INFORMATION

BEFORE YOU START

- Contact the Village of Girouxville Development Officer (323-4270) for a copy of the Land Use Bylaw (#99-01).
- You are encouraged to refer to the Land Use Bylaw as a guide to the Regulations that the Development Officer must enforce. A copy is always available for your inspection at the Village office during business hours.
- This application form requires you to provide certain information in order that the Development Officer can make an informed decision. Failure to do so will result in processing delays. If you require assistance with the application, see the Development Officer for help.
- Before you submit your application, ensure that the Development Officer has checked off Item 10 of this form.
- This form must be completed in full by the registered owner of the property subject to this application or an authorized person acting on the owner's behalf.
- Please use metric measurement when providing written or mapped information.
- Please print or type information wherever possible.
- Submit your completed development application together with an application fee of \$10.00 to:

DEVELOPMENT OFFICER
VILLAGE OF GIROUXVILLE
BOX 276
GIROUXVILLE, ALBERTA
T0H 1S0
TELEPHONE: 780-323-4270



VILLAGE OF GIROUXVILLE

DEVELOPMENT PERMIT APPLICATION

Form A

Application No. _____

Date Accepted As Complete

OWNERSHIP AND PROPERTY LOCATION

ITEM

1. Applicant's Name: _____

Telephone: _____

2. Address: _____

3. ☐ Landowner or ☐ Authorized Agent

4. Legal Description of Land to be Developed: _____

5. Landowner Declaration:

I hereby authorize development in accordance with the plans and supporting information as submitted herewith and which form part of this application. Further, I declare that the information provided in this application is, to the best of my knowledge, a true statement of the facts. I enclose \$10.00 being the application fee.

Signature of Registered Owner

Date

LAND USE INFORMATION

6. Proposed Land Use: _____

7. Existing Land Use(s): _____

8. Current Zoning District in the Land Use Bylaw (refer to District Map, Section 10.3 of Bylaw #99-01) _____

9. Proposed additional uses (check as many as apply)

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

SITE INFORMATION

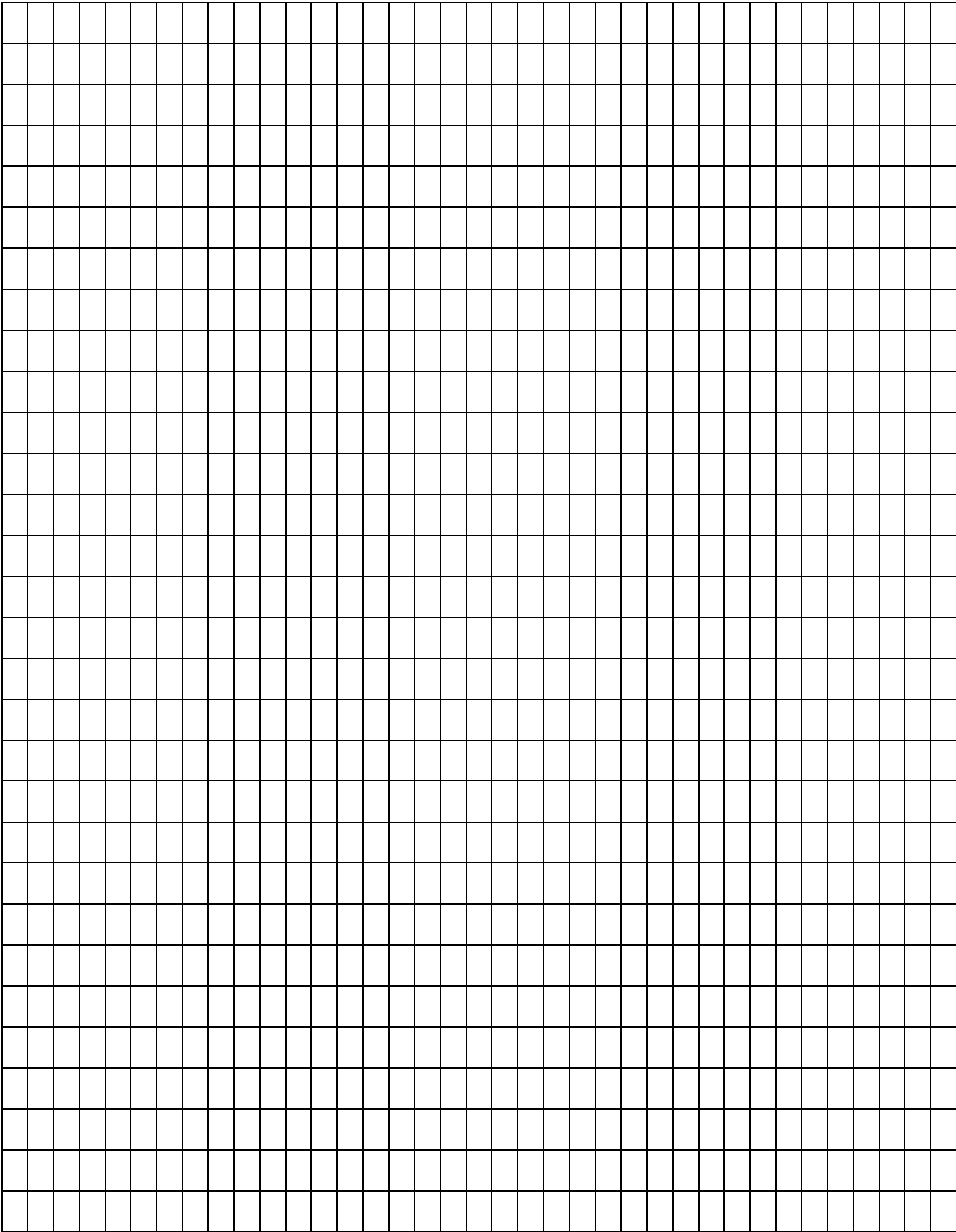
10. TO BE COMPLETED BY DEVELOPMENT OFFICER

Please provide the Development Officer with additional information (please attach to the application) if checked off below:

- ☐ floor plans
- ☐ building elevations
- ☐ existing and finished lot grades
- ☐ street grades
- ☐ illustration of exterior finishing materials
- ☐ location of proposed water and sewer lines
- ☐ location and dimensions of proposed culverts and crossings
- ☐ location of existing underground gas, electrical or telephone lines
- ☐ location of outdoor storage areas and garage collection facilities
- ☐ other (specify)

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

- property lines surrounding the site,
- buildings and structures
- parking stalls, circulation areas, walkways, and road accesses,
- landscaping, retaining walls, fences and other screening, and
- above ground utilities and direction of stormwater drainage off the site.



Scale: 1cm = 2.5m

12. If you are proposing a structure or building, please indicate:

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

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

(b) The following area measurements:

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

NOTICE OF DECISION

- The attached application # _____ as applied for by _____
has been: (NAME OF APPLICANT)

[] REFUSED for the following reasons:

OR

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

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

Signature of Development Officer

Date of Decision

APPEAL PROCEDURE

- (a) The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Secretary of the Subdivision and Development Appeal Board WITHIN 14 DAYS AFTER NOTICE OF THE DECISION IS GIVEN.
- (b) The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until 14 days after the date the order, decision or development permit is issued.
- (c) See the Development Officer for a Development Appeal application form.



VILLAGE OF GIROUXVILLE

Form B

DEVELOPMENT APPEAL APPLICATION FORM

OFFICE USE ONLY

Date Received: _____

Development Appeal No. _____

Development Permit No. _____

Date of Appeal Hearing: _____

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

Name(s) of Applicant for Appeal: _____

Address: _____

Telephone: _____

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

Date

Appellant

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

Mail or deliver to:

The Secretary

Subdivision and Development Appeal Board

Village Office

Girouxville, Alberta

T0H 1S0

Telephone: 323-4270



VILLAGE OF GIROUXVILLE

Form C

NOTICE OF DEVELOPMENT APPEAL HEARING

Development Appeal

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 No. _____ which involves development described as follows:

The Development Officer

☐ APPROVED

☐ APPROVED WITH CONDITIONS

☐ REFUSED FOR THE FOLLOWING REASONS:

a development permit:

DATE OF HEARING: _____

TIME OF HEARING: _____

PLACE OF HEARING: _____

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

Date

Signature of Secretary
Subdivision and Development Appeal Board

For further information, contact:

The Secretary

Subdivision and Development Appeal Board

Village Office

Girouxville, Alberta

T0H 1S0

Telephone: 323-4270



VILLAGE OF GIROUXVILLE

Form D

NOTICE OF DEVELOPMENT APPEAL DECISION

Development Appeal

Application No. _____

This is to notify you that an appeal against the

☐ APPROVAL

☐ APPROVED WITH CONDITIONS

☐ REFUSAL

of a development permit with regard to the following:

was considered by the SUBDIVISION AND DEVELOPMENT APPEAL BOARD on

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

Date

Signature of Secretary

Subdivision and Development Appeal Board

NOTE:

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

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



VILLAGE OF GIROUXVILLE

Form E

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

Bylaw Amendment No.

Date Accepted As Complete

BEFORE YOU START

- Contact the Village of Girouxville Development Officer (323-4270) for a copy of the Land Use Bylaw #9901. You are encouraged to refer to the Land Use Bylaw as a guide to the Regulations that the Development Officer must enforce. A copy is always available for your inspection at the Village office during business hours.
- Refer to Section 8 of the Land Use Bylaw to understand the process involved in amending the Land Use Bylaw.
- This application form requires you to provide certain information in order that the Development Officer can make an informed decision. Failure to do so will result in processing delays. If you require assistance with the application, see the Development Officer for help.
- This form must be completed in full by the registered owner of the property subject to this application or an authorized person acting on the owner's behalf.
- Before you submit your application, ensure that the Development Officer has checked off Item 10 of this form.
- Please print or type information wherever possible.
- Submit your completed application, together with an application fee of \$25.00 to:

Development Officer
Village of Girouxville
Girouxville, Alberta
T0H 1S0
Telephone: 323-4270

I hereby make application to amend the Land Use Bylaw #99-01.

ITEM

1. ☐ Name of Landowner
 or
☐ Authorized Agent
 (*check one*)

2. Address and Telephone:

3. If this application requests a rezoning, address of property proposed to be rezoned:

4. Legal Description of Property to be rezoned:

5. Landowner Declaration:

I hereby authorize this application for Bylaw amendment with the information as submitted herewith and which form part of this application. Further I declare that the information provided in this application is, to the best of my knowledge, a true statement of the facts.

I enclose \$25.00 being the application fee.

Signature of Registered Landowner

Date _____

AMENDMENT INFORMATION

6. If the application requests a rezoning, what is the

- current zoning _____
- proposed zoning _____

7. If the application requests a change to the text of the Land Use bylaw, please itemize:

8. Please state your reasons in support of this application for amendment (attach a separate sheet if necessary):

9. In the space below (or attach a separate sheet), provide a scaled plan view of the property to be amended and land uses surrounding the subject property within a 30 metre (99 ft.) radius of the boundaries of the site.

OTHER INFORMATION REQUIRED

TO BE COMPLETED BY DEVELOPMENT OFFICER

10. *Please attach copies of the following information to this application form if indicated below by the Development Officer:*
- ☐ *a copy of the certificates of title for the property affected*
 - ☐ *a copy of any caveats or restrictive covenants registered against the title by the Village of Girouxville*
 - ☐ *where the applicant is the agent for the registered owner, a letter verifying the agents authority to make the application as applied for in this form*

DECISION OF COUNCIL

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

☐ Rejected,

- or -

☐ Approved as applied for,

- or -

☐ Approved, with changes as follows:

Signature of Mayor

Date of Decision