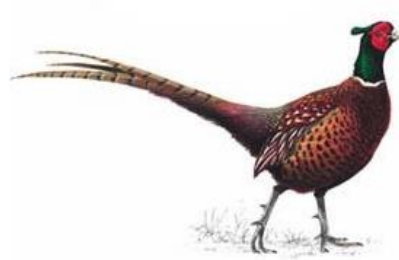


VILLAGE OF ROCKYFORD



LAND USE BYLAW NO. 2014-002

Consolidated to February 8th, 2023



BYLAW NO 2014 02
VILLAGE OF ROCKYFORD

BEING A BYLAW OF THE VILLAGE OF ROCKYFORD IN THE PROVINCE OF
ALBERTA TO REGULATE THE DEVELOPMENT AND USE OF LAND IN
THE VILLAGE OF ROCKYFORD

WHEREAS: pursuant to the provisions of Section 639(1) of the Municipal Government Act, as amended, the Council of the Village of Rockyford must by Bylaw in accordance with Section 692 of the Municipal Government Act, adopt a plan to be known as:

"THE VILLAGE OF ROCKYFORD LAND USE BYLAW"

AND WHEREAS: A Public Hearing was held on March 4, 2015, as required by Section 230 of the Municipal Government Act.

NOW THEREFORE: THE COUNCIL OF THE VILLAGE OF ROCKYFORD IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "The Village of Rockyford Land Use Bylaw".
2. Bylaw No. 03 04 being the "Village of Rockyford Land Use Bylaw" currently in effect is hereby repealed including all amendments thereto and replaced by Bylaw No. 2014 02.
3. Council adopts as the Land Use Bylaw for those lands contained within its civic boundaries, "The Village of Rockyford Land Use Bylaw"
4. Council adopts as "The Village of Rockyford Land Use Bylaw" this text and the accompanying Schedules.
5. This Bylaw takes effect on the date of third and final reading.

READ A FIRST TIME this 10th day of December, 2014


Deputy Mayor


Municipal Administrator

READ A SECOND TIME this 8 day of April, 2015

READ A THIRD TIME and finally passed this 8 day of April, 2015


Mayor


Municipal Administrator

OFFICE CONSOLIDATION

This document is a consolidation of Bylaw No. 2014-002 with one or more revising and amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

Bylaw No.	Affected Section	Description	Date
2018-002	2.3.3	Definitions for Cannabis uses and changes excluding cannabis uses from retail store and restaurant definitions	July 11, 2018
	8.10.3	Cannabis uses in Industrial General District	
2022-005	Appendix A	re-designating a portion of Plan 5728CC; Block 5 from Central Business District (CB) to Residential Single Unit Detached (R-1) & Public Service District (P-1)	July 13 th 2022
2023-001	8.9.3	Add "Dwelling Unit (accessory to industrial use)" to the List of Discretionary Uses in the I-R Industrial Restricted Use District	February 8, 2023

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APPENDIX A – LAND USE DISTRICT MAP

Part 1
Purpose & Definitions

1.1 Title

1.1.1 This Bylaw shall be referred to as the ***Village of Rockyford Land Use Bylaw.***

1.2 Purpose

1.2.1 This purpose of the Bylaw is to prohibit or regulate and control the uses and development of land and buildings within the Municipality to achieve fair, orderly and economic development of land as well as to:

(a) divide the Municipality into districts;

(b) prescribe and regulate for each district, the intent and purpose for which land or building may be used;

(c) establish a method of making decisions on applications for Development Permits including the issuing of Development Permits;

(d) establish a method of making decisions on applications for Subdivision Approval and the issuing of a decision;

(e) prescribe the procedure to notify owners of land likely to be affected by the issuance of a Development Permit or Subdivision decision.

1.3 Application

1.3.1 This Bylaw shall apply to the whole of the Village of Rockyford being all lands contained within its corporate boundaries

Part 2 Interpretation

2.1 Rules of Interpretation

- 2.1.1 Unless otherwise required by the context, words used in the present tense include the future tense; and the word person includes a corporation as well as an individual. The Alberta Interpretation Act shall be used in interpretation. Words have the same meaning whether they are capitalized or not.
- 2.1.2 The written regulations take precedence over any diagrams if there is a perceived conflict.
- 2.1.3 The Land Used District map takes precedence over any diagram in the district regulations if there is an apparent conflict.

2.2 District Boundaries

- (a) Where a boundary follows a public roadway, lane, railway, pipeline, power line, utility right-of-way, or easement, it follows the center line, unless otherwise clearly indicate on the Map;
- (b) Where a boundary is shown as approximately following the Municipal boundary, it follows the Municipal Boundary;
- (c) Where a boundary is shown as approximately following a property line, it follows the property line;
- (d) Where a boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line; in the event of change of the topographic line, it shall move with that line;
- (e) where a boundary is shown as being parallel to or as an extension of any of the features listed above, it shall be so; and
- (f) In circumstances not covered above, the boundary shall be determined by resolution of Council.

2.2.2 When any public roadway is closed, the roadway lands have the same district as the abutting land. When abutting lands are governed by different districts, the center of roadway is the district boundary unless the district boundary is shown clearly following the edge of the roadway. If the roadway is consolidated with an adjoining parcel, the parcel's district designation applies to affected portions of the roadway.

2.3 Definitions

- 2.3.1 Words and terms used in this Bylaw shall have the same meaning as given to them in the Municipal Government Act unless otherwise defined in this section.
- 2.3.2 When no definition is provided in the municipal government act, the Alberta Interpretation Act or this bylaw, Webster's New Collegiate Dictionary shall be used.

2.3.3 Definitions and sections that have been reproduced from the Municipal Government Act, M26.1, are in bold-face italics and have been added for the convenience of the user of the Bylaw.

“abut” or “abutting” means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches another lot, site, or development, and shares a property line or boundary line with it;

“accessory building” means a building or use which, in the opinion of the Development Officer is subordinate or incidental to the principal building or use located on the same site;

“accessory use” means the use which, in the opinion of the Development Officer is subordinate or incidental to the principal building or use located on the same site or the purpose and intent of the Land Use district in which the use is proposed;

“act” means the Municipal Government Act, Ch. M26.1, as amended;

“adjacent land” means land that is contiguous to the parcel of land proposed for development, subdivision or redesignation and includes land that would be contiguous if not for a highway, street, road, river, stream, Municipal Reserve or Environmental Reserves;

“agricultural equipment sales, service, storage and repair establishments” means a development where farm machinery is sold, serviced, repaired and stored for display. Not included in this category are such uses as seed cleaning establishments, grain elevators, or bulk fertilizer sales and distribution facilities;

“alternative health care services” means an establishment or facility that is engaged in the furnishing of natural health care services and products which are an alternative or complementary to health care provided by surgery, hospitalization and drug treatments and are provided on an outpatient basis. Included in this use category, but not limited to, are acupuncture, herbology, homeopathic, exercise, message, touch and mechanical therapy, counseling, and the sale of organic food and herb products;

“amenity area” means indoor or outdoor space, provided for the active or passive recreation and enjoyment of the occupants of a development, which may be for private or communal use and owned individually or in common;

“amusement centre” means a facility or establishment that provides amusement, entertainment or games through the use of any coin or token operated machine or device. The machine or device may be mechanical electrical or electronic;

“apartment” or “apartment building” means a single building comprised of three or more dwelling units with shared entrances where none of the dwelling units are rented for periods of less than 30 days;

“art, craft, and photography studios” means a development used for the purpose of small scale on-site production of goods by simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, custom jewelry manufacturing and artist and photography studios;

“arterial roadway or street” means a street intended to carry large volumes of all types of traffic moving at medium to high speeds, to serve the major traffic flows between principal areas of traffic generation and also connect to rural arterials and collectors. Arterial roadways or streets desirably have no direct access to development. Secondary road 840 is included in this category.

“attached housing” means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall with each unit having separate entrances from grade level. (For purposes of this Bylaw, Garden, Linked, Row and Townhouse units which meet these criteria are considered to be attached houses.

“automotive sales, service and repairs” means a development used for the retail sale or rental of new or used automobiles together with the servicing and mechanical repairs of automobiles and similar automotive vehicles. Included in this category are transmission shops, muffler shops, wheel alignment and brake shops, cosmetic polishing, rust proofing and undercoating shops, and such similar items as determined by the Development Authority. Not included in this category are car and truck washing establishments, auto wrecking and salvaging, auto scrap or “parts” yards, service stations or gas bars;

“auto wreckers and salvagers” means a development used for the purpose of dismantling and salvaging derelict, demolished, damaged, scrapped or junked vehicles for reusable parts. The development may include a towing operation, stock piling of salvaged parts and installation of recycled parts. Facilities for the sale of gasoline, diesel or propane fuels and lubricating oils are not permitted;

“awning” means a cloth like or lightweight shelter projecting from a building;

“bakery” means a retail establishment where breads, cakes, cookies, pastries and such similar items as determined by the Development Authority are baked and sold to the general public;

“balcony” means a projecting platform on a building, which is enclosed by a railing and is greater than 0.6m (2 ft.) above grade. Access shall be from the Building only, and there shall be no supports or stairway to the ground;

“bay” means a self-contained unit of part of a building or of the whole building or of the whole building which can be sold or leased for individual occupancy;

“bare land condominium” means land that is situated within a parcel and is a unit in a bare land condominium plan or a proposed bare land condominium plan. In this bylaw a bare land condominium unit is considered to be a site;

“basement” means that portion of a building or structure which is wholly or partially below grade and has no more than 1.8m of its clear height above grade and lies below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of this Bylaw.

“bed and breakfast” means a principal dwelling where sleeping accommodation with or without light meals is provided to members of the travelling public for remuneration. A bed and breakfast home shall not include more than three commercial accommodation units.

“billboard” means a sign directing attention to a business commodity, services or entertainment conducted, sold or offered elsewhere than upon the site where the sign is maintained. The advertisement copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement;

“buffer” means a row of trees, shrubs, earth berm, or fencing to provide visual screening and separation between sites and districts.

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

“building area” mean the greatest horizontal area of a building above grade within the outside surface of exterior walls, or within the outside surface of exterior walls and the centerline of fire walls.

“building height” means the vertical distance between the existing or proposed finished grade and the highest point of a building, excluding: a roof, stairway entrance, elevator shaft., a ventilating fan , a skylight, a steeple, a chimney, a smoke stack, a fire wall or parapet, a flagpole, or similar devices not structurally essential to the building.

“building permit” means a permit or document issued in writing by a designated Safety Code Officer within the building discipline pursuant to the Building Permit Bylaw authorizing the commencement of a use, occupancy, relocation, construction, or demolition of any building;

“building supply centre” means a commercial retail establishment where building materials, household accessories and other related goods are stored, offered or kept for sale and may include outside storage;

“building, temporary” means a building constructed or placed without any foundation below grade or any other structure determined by the Development Authority to be temporary as a condition to the issuance of a development permit;

“bulk fuel storage and distribution facilities” means a development for the purpose of storing natural gas and petroleum products for distribution to customers;

“bus maintenance and storage facilities” means a development for the overnight storage and parking of buses while not in service and for servicing and repair of buses;

“Bylaw” means the Village of Rockyford Land Use Bylaw;

“Bylaw Enforcement Officer” means an official of the Village of Rockyford charged with the responsibility of enforcing the provisions of any bylaw adopted by Council;

“Cafeteria” means a building where food and beverages are offered for sale on a self serve basis;

“Campground” means a recreational development for the purpose of providing short term or occasional accommodation for recreational vehicles or tents. A campground is not construed to mean a development for the purpose of accommodating long term (i.e.: longer than twenty-one (21) consecutive days) permanent occupancy. The duration does not apply to summer work crews utilizing the campground facilities;

“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.¹

“Cannabis Accessory” means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.²

¹ Bylaw 2018-002 - Amended July 11, 2018

² Bylaw 2018-002 - Amended July 11, 2018

“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.³

“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.⁴

“canopy” means a non-retractable solid projection extending from the wall of the building intended to be used as a protection against weather, other than normal architectural features such as lintels, sills, mounding, architraves and pediments, but includes the structure known as the theatre marquee.

“car and truck washing establishment” means a building or a facility for washing vehicles on a commercial basis;

“carport” means a roofed structure providing space for the parking of vehicles with not more than one enclosed side;

“certificate of compliance” means a written statement issued by the Designated Officer confirming that the bay, building, structure or use meets the requirements of this Land Use Bylaw in all respects or is treated as a legal non-conforming bay, building, structure or use;

“clinic” means a public or private medical, surgical, physiotherapeutic or other human health clinic regularly staffed by practicing physicians, dentists or other qualified medical practitioners;

“collector roadway or street” means a street or roadway that collects and distributed traffic from arterial roads and street to other collectors and local roads and streets to serve the community. Full access to adjacent properties is generally allowed on collectors;

“commercial floor area” means the gross floor area defined by the outside dimensions of the building for each floor;

“commercial school” means a place of instruction operated for profit but does not include public, separate, private schools, or charter schools;

“communication structure” means an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol most commonly refers to the following two types of Antenna Systems:

- 1. Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems;
- 2. Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

³ Bylaw 2018-002 - Amended July 11, 2018

⁴ Bylaw 2018-002 - Amended July 11, 2018

Communication structures are regulated by Industry Canada however municipal consultation is required. The General Regulations of this Bylaw shall detail the municipal requirements for the development of communications structures;

“community buildings and facilities” means buildings and facilities which are available for the use and enjoyment to the inhabitants of the municipality and the rural area for the purposes of assembly, culture and recreational activity;

“condominium” means a condominium plan registered in a Land Titles Office that complies with the requirement of the Alberta Condominium Property Act;

“corner” means the intersection of the side and front property lines

“corner lot” means a lot or site located at the intersection of two public roadways. Other than lanes, or a lot or site located abutting a public roadway, other than a lane, which substantially changes direction at any point where it abuts the lot or site;

“Council” means the Council of the Village of Rockyford;

“coverage of site” means the combined area of all buildings or structures on a site, including accessory buildings or structures, measured at 0.61m (2 ft.) above grade, including open or covered porches or verandas, covered terraces, and all other spaces within a building, excluding steps, eaves, Cornices, and similar projection, and unenclosed inner and outer courts which are less than 0.61m (2 ft.) above grade, where any building or structure projects beyond the coverage of the building or structure measured at 0.61m (2 ft.) above grade the coverage shall then include such projection;

“cultural facilities” means a development which is available to the public for the purpose of assembly, instruction, cultural or community activity and include such things as a library, a museum, an art gallery, and similar activities. Religious institutions are not included in this category;

“day care centre” means a use that provides care, development and supervision for 7 or more children under 13 years of age for less than 24 consecutive hours in each day that the facility is operating. Day Care Centre’s are required to conform to the policies and requirements of Alberta Children’s Services.

“day home” means a use:

- (a) that provides care, development and supervision for 6 or less children under 12 years of age, some or all of whom are children of person’s other than the person operating the facility;
- (b) that is located within the private residence of the person operating the facility in which care is provided;
- (c) that operates for less than 24 consecutive hours in each day that the facility is operating;
- (d) that is required to conform with the policies and requirements of Alberta Children’s Services and may work independently as a private babysitting facility or as an approved provider with a family day home agency.

“deck” means an open-sided roofless platform adjoining a building. A deck may have a railing but a portion of the perimeter is open and unobstructed in accordance with Alberta Safety Codes;

“density” means a measure of development intensity expressed as a ratio of either the number of dwelling units to lot area or number of people to lot area;

“designated Officer(s)” means those persons designated by bylaw under the Act and for purposes of this Bylaw, are the Development Officer, Subdivision Officer and Chief Administrative Officer of the Village of Rockyford;

“developed site” means, in the case of

- (a) residential districts or parcel, the parcel has a habitable dwelling constructed on it;
- (b) industrial, commercial and recreational districts or parcel, the lot has a principal building constructed on the parcel or the parcel is occupied by its prime use as specified in the development permit issued for the parcel;
- (c) agricultural parcel, the parcel is used for extensive or intensive agricultural purposes or the parcel is occupied by its prime use as specified in the development permit issued for the parcel;

“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 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 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, and/ or
- (b) a Municipal Planning Commission appointed by Bylaw;

“development agreement” means an agreement that is a contract between a developer and the municipality regarding the sharing of costs arising from the construction of certain items needed to service a development or subdivision, as a condition of development or subdivision approval in accordance with the Act;

“development impact assessment (DIA)” means a statement prepared by a professional with expertise in environmental conditions on the effect a development proposal and other major actions would significantly have on the environment;

“Development Officer” means the person designated by bylaw as a Development Officer pursuant to this Land Use Bylaw. The expression “Development Authority” has a corresponding meaning.

“development permit” means a document authorizing a development, issued by a Development Office pursuant to this Bylaw or any other legislation authorizing development within the Village of Rockyford and includes the plans and conditions of approval;

“discretionary” means in the context of this Bylaw, that the approving authority may or may not issue a permit, order or notice;

“discretionary use” means a use of land or of a building which is in the section captioned: Permitted and Discretionary Uses” within the applicable land use district for which a development permit may be issued, with or without conditions, by the approving authority;

“district” means an area of land designated in this Bylaw for which a specific set of land uses and rules have been established;

“drinking establishment” means an establishment licensed by the Alberta Liquor Control Board where alcoholic beverages are served for consumption on the site. This use class provides food and alcoholic beverages and may include beverage rooms, bars, saloons, beer halls, cocktail lounges, cabarets, night clubs, banquet halls and similar uses;

“dwelling, duplex” means a building containing two dwelling units, one above the other;

“dwelling group” means two or more buildings each containing one or more dwelling units, location on a site or a number of adjoining sites where all buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development;

“dwelling - manufactured home” means a detached dwelling built in an enclosed off-site factory environment in one or more sections and intended to be occupied in a location other than where it was manufactured. Manufactured homes include homes that are completely self-contained single section dwelling units or are incomplete multi-section modules that are placed together and completed on-site. A manufactured home is transported to the building site on dollies (wheels) or a flat bed truck and after placement; the dollies are removed from the site. Manufactured homes may be constructed to either the C.S.A. Z240 or C.S.A. A277 Standards;

“dwelling - modular home” 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 existing surrounding buildings and shall meet the requirements listed in General Regulation.

“dwelling, moved on” means a single detached dwelling that has previously been lived in, used as a residence or other purpose in a previous location that has now been relocated to a new parcel for use as a dwelling.

“dwelling, semi-detached” means building designed and built for and containing two side by side dwelling units separated by a fire wall;

“dwelling, single detached” means a building which is constricted in conformance with the Alberta Safety Code and contains only one dwelling, and except as otherwise allowed in this Bylaw, is used for no other purpose. The term includes prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into the structure and assembled on site;

“dwelling unit” means a set or a suite or rooms operated as a house keeping unit, used or intended to be used as a domicile for one family, containing cooking, eating, sleeping and sanitary facilities and having a separate entrance or controlled by the person occupying the unit;

“easement” means a right to use land generally for access to other property or as a right-of-way for a public utility;

“Environmental Impact Assessment (EIA)” means a statement prepared in accordance with the Alberta Environmental Protection legislation on the effect of development proposals and other major actions which significantly affect the environment;

“equipment rental establishment” means a development used for the rental of tools and equipment or similar items. This does not include the rental of motor vehicles;

“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;

“fabric covered building” means a pre-engineered building that is covered in a fabric membrane rather than conventional construction methods as follows:

- (a) Commercial/ Industrial Use – generally the principal building on the site used for temporary & permanent industrial, commercial, community service/ recreational & agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas & event centers.



- (b) Residential Use - means an **accessory building** designed by virtue of easy assembly and dismantling used for the storage of personal items such as vehicles, yard equipment and supplies on a residential parcel.



All fabric covered buildings shall meet the requirements of Part 7 and require the appropriate building permits to ensure all aspects of the development is in accordance with the Alberta Safety Codes including appropriate foundation construction and building anchoring.

“fence” means a vertical physical barrier constructed out of typical building material to prevent visual or unauthorized access or both;

“fertilizer storage and distribution facilities” means a development for the bulk storage, sale and distribution of chemicals used in horticulture;

“fire separation” means a construction assembly that acts as a barrier against the spread of fire, and may be required to have a fire resistance rating;

“fire wall” means a type of fire separation of non-combustible construction which subdivides a building or separates adjoining buildings to resist the spread of fire and which has a fire resistance rating;

“floor area” means a finished floor area intended for human occupancy;

“foundation” means the lower portion of a building, usually concrete or masonry, and includes the footings;

“fourplex” means a single building comprised of four dwelling units, each unit having a separate direct entrance from grade;

“fragmented land” means an area of land that is severed or separated from the lands held in title by a public roadway, railway, river or other permanent water body shown on a registered plan, township plan or appears as an exception on the Certificate of Title;

“funeral home” means an establishment for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations;

“garden centre” means a development for growing, storage and/or sale of garden, household and ornamental plants and trees, and may include the supplemental sale of fertilizers, garden chemicals, implements and associated products;

“garden suite” means a temporary moveable single detached dwelling which is the second dwelling unit on the lot. Garden suites are occupied by elderly relatives of the owner of the principal residence and the unit is removed when it is no long required by elderly relatives;

“gas bars” means premises used or intended to be used for the sale of gasoline, lubrication oils and associated automotive fluids only;

“grade” means the average elevation of the natural or finished level of the ground adjoining a building at all exterior walls;

“gradient” means the relationship of the vertical distance of a slope to its horizontal distance;

“group care facility” means a facility which provides resident services to seven or more individuals of whom one or more are related. These individuals are handicapped, aged or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities, and foster or boarding homes.

“group home” means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults;

“gross floor area” means the total floor area of each floor area of a building measured to the outside of surface of the exterior walls or, where the buildings are separated by fire walls, to the center line of the common wall;

“habitable floor area” means any finished floor area intended primarily for human occupancy and meets the Alberta Building Standards Act and the hallways, stairways and closets;

“highway” means a primary highway or a road or street, and those roads or streets designated as a 900 series secondary road;

“holiday trailer” or **“travel trailer”** means a transportable unit designed to be transported on its own wheels or by other means (including units permanently mounted or otherwise on trucks) designed or constructed or reconstructed in such a manner as will permit its use for temporary dwelling accommodation for travel and recreational purposes only, but does not include a mobile home;

“home occupation” means:

(a) a development consisting of the use of a dwelling as a professional or business office for gain or support which is limited to a desk and telephone operation. Typical uses would include contractors, accountants and catalogue sales where there is no warehousing of good and no client contact in the home; or

(b) a development consisting of the use of a dwelling for an occupation, trade or craft. for gain or support with a limited amount of client contact in the home and with limited inside storage on site. Typical uses include those listed in (a) dressmaking, hair dressing, domestic home craft.s, the manufacture of novelties, souvenirs, and handicraft.s as an extension of a hobby, and individual instruction to music students; or

(c) a development consisting of the use of a dwelling to accommodate small start-up businesses for a limited period of time, with, limited inside storage on site and no client contact in the home. Small business occupations are small in scale and compatible with a residential are. The intent of this use class is to slow new businesses to start which will ultimately relocate to non- residential districts;

“hotel” means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities; the building may also contain commercial or other uses and may or may not offer such additional services as part facilities, restaurant or dining room services, or public convention facilities;

“industrial service shops” means a building used for the assembly, fabrication or repairing of goods or products. Typical uses associated with this category include electrical, heating, metal, plumbing, welding, woodworking, cabinet making, upholstering, furniture repair, painting and similar uses;;

“institution or institutional use” means development of a public character including governmental, religious, charitable, educational, health and welfare activities having a close affinity to public service to the regional area and population intended to be served by the development;

“issue” means the date a development permit, subdivision application, or order is dated and signed by the designated officer in the course of regular duties;

“landscaped area” means an area designed, constructed and laid out so as to maintain, change or modify the natural features of a site so as to make it attractive and desirable by the use of grass, trees, shrubs, ornamental planting, fencing, and walks;

“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
- (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood.

“lane” means a public thoroughfare with a right-of-way width of not greater than 9m (30ft.) and not less than 6m (20ft.) which provides a secondary means of access to a site or sites;

“light manufacturing establishment” means a building or use of land engaged in the primary, secondary, or tertiary processing, assembly, and/ or packaging of products or items where no excessive smoke, fumes, noise, vibration, vapor, odor, fire or explosive hazards will be produced or emitted;

“liquor Store” means a use where alcoholic beverages are sold for consumption off the retail outlet premises that has been licensed by the Alberta Gaming and Liquor Commission;

“loading space” means a space for parking a commercial vehicle while being loaded or unloaded;

“local authority” means”

- (a) a municipal authority;
- (b) a district as defined in the Hospital Act;
- (c) the local board of health unit under the Public Health Act;
- (d) a regional services commission; and
- (e) the board of trustees of a district or division as defined in the School Act.

“local roadway or street” means a street or roadway that provides unrestricted direct access to and connects with collectors and other local roadways;

“lot” means that area contained within the boundaries of a lot as shown on Plan of Subdivision or described in a Certificate of Title.

“lot coverage” means that portion of lot area covered by the principal building, accessory buildings or other similar covered structures.

“lot frontage” means the shortest lot line which abuts a street, other than bridge, lane, or walkway and in the case of a lot which has two equal lot lines each of which abut a street, other than a bridge, lane or walkway, means the street to which the lot has been municipally addressed;

“lot line” means a legally defined limit of any lot. “boundary” or “boundary line” and property line have a corresponding meaning;

“lot width” means the distance between the side property lines of the lot and measured at right angles from the mid-point of the shortest side property line;

“mixed use development” means a development with at least two major uses or components, one of which must, for the purposes of this Bylaw, be residential. An example maybe a building in the downtown area having either a commercial retail or office component on the first floor and a residential component on the upper floor(s);

“motel” means a building or group of buildings on a site providing separate sleeping units complete with washing and sanitary facilities and with adjoining or conveniently located parking space designed or operated for the purpose of providing temporary accommodation for transient motorists;

Municipality means:

- (a) the Municipal Corporation of the Village of Rockyford; and
- (b) where the context requires, means the area of land contained within the boundaries of the Municipality’s corporate limits at the time of adoption of this Bylaw, or as included by any subsequent annexation;

“Municipal reserve parcel” means the land designated to be municipal reserve by a condition of subdivision approval granted pursuant to the Municipal Government Act, or land designated and registered in Land Titles as “Municipal Reserve”, “Park”, “Reserve”, or “Community Service Reserve” under former legislation;

“natural resource extractive industries” means industries engaged in the extraction of natural resources such as timber, clay, sand and gravel, limestone, shale, coal and other minerals including petroleum and natural gas which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form of the resource being treated;

“net floor area” means the gross floor area defined by the outside dimensions for each floor minus the horizontal floor area on each floor used for corridors, elevators, stairways, mechanical rooms, and workrooms;

“non-conforming building” means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated become effective; and
- (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.”

“non-conforming use” means a lawful specific use:

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

“nuisance” means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;

“occupancy” means the utilization of a building or land for the use for which it was approved;

“occupancy permit” means a permit issued under the Alberta Safety Codes Act for the right to occupy or use the bay, building or structure for the use intended.

“offices (administration, business, professional)” means a facility for the provision of professional, management, administrative, consulting and financial services, such as offices for clerical, Secretarial, employment, telephone answering and similar office support services, offices of lawyers or accountants, banks or other financial institutions, and offices for real estate and insurance firms. Medical clinics are not included in this category;

“parapet” means a low wall or railing to protect the edge of a roof;

“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 the Land Titles Offices.

“patio” means an uncovered open platform or area, without foundation and constructed at 0.3m (1ft.) in height or less from finished grade;

“permitted” means in the context of this Bylaw, the approving authority must issue a permit, order or notice;

“permitted use” means the use of land or of a building which is listed in the section captioned “Permitted and Discretionary Uses” within the applicable land use district for which a development permit shall be issued by the approving authority upon the development meeting all other requirements of this Bylaw. The approving authority may impose such conditions necessary to ensure compliance with the requirements of the Bylaw;

“personal service shop” means a development used to provide 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 building” means a building, which in the opinion of the Development Officer:

- (a) occupies the major or the central portion of a site, or
- (b) is the chief or the main one among the buildings on the site, or
- (c) constitutes by reason of its use the primary purpose for which the site is used;

“principal use” means the use of a site or of a building that in the opinion of the Development Authority, constitutes the primary purpose for which the site is used:

“private recreational facilities and events” means any development providing amusement, active or passive recreation and enjoyment for the residents, guests, or customers of the site on which the development is situated. Typical developments could include but not would be limited to athletic facilities, such as swimming pools, squash, tennis, and racquet ball courts, golf courses, concerts, orientation programs (scouts, subs) and similar recreational activities. Not included are tables or electronic games, or bowling alleys.

“private school” means a school, other than a school operated by a School Board under the School Act, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education;

“public or quasi-public installation and facilities” means installations and facilities owned or operated by or for the Municipality, the Provincial Government, the Federal Government or a corporation under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality;

“public recreation facilities and events” means any development providing amusement, active or passive recreation and enjoyment to citizens of a municipality and any such facility is owned and operated by Municipal, Provincial, or Federal Government. Not included are table or electronic games or bowling alleys;

“public roadway” means any street, avenue, service roadway, arterial, or collector roadway, local roadway shown as a road allowance on a township survey or registered in land titles, or secondary road as defined in the Public Highway Development Act but does not include a lane or controlled highway or expressway;

“public school” means a place of instruction offering courses of study. Included in this category are public and separate schools;

“public utility” means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- (a) Water or steam;
- (b) Sewage disposal;
- (c) Public transportation operated by or on behalf of the municipality;
- (d) Irrigation;
- (e) Drainage;
- (f) Fuel;
- (g) Electric power;
- (h) Heat;
- (i) Waste management;
- (j) Telecommunications;

And includes the thing that is provided for public consumption, benefit, convenience or use (MGA Part 17 Sec. 616 (v));

“public utility building” means the building in which the proprietor of a public utility:

- (a) maintains its office or offices, or
- (b) maintains or houses any equipment used in connection with the public utility;

“real property report” means a codified standard adopted by the Alberta Land Surveyors’ Association.

“recreational vehicle” means a portable structure designed and built to be carried on a vehicle, or an unit designed and built to be transported on its own wheels to provide temporary living accommodation

for travel and recreational purpose and includes, but not limited to such vehicles as a motor home, a camper, a holiday (travel) trailer and a tent trailer, but does not include a mobile home, **“holiday trailer”** or **“travel trailer”** have a corresponding meaning;

“restaurant” means a building where meals and beverages are offered for sale and served to customers. This definition does not include Cannabis Café;⁵

“retail store” means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail prices 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 store but does not include any retail outlet otherwise listed or defined in this Bylaw. This definition does not include Cannabis Retail Sales;⁶

“screening” means a fence, earth berm, or hedge used to visually separate areas of function, which in the opinion of the Development Officer, detract from the urban street or neighbouring land uses;

“secondary suite” means an accessory dwelling unit that is located as part of the same building as a single detached dwelling that is owner occupied and which meets the requirements of or regulations of this Bylaw and shall only be approved as one of the following:

- (a) Secondary Suite – Attached Above Grade: where the secondary suite is located above the first storey of a single detached dwelling;
- (b) Secondary Suite – Attached At Grade: Where the Secondary Suite is located at grade and is attached to the side or rear of a single detached dwelling;
- (c) Secondary Suite – Attached Below Grade: where the Secondary Suite is located below the first storey of a single detached dwelling;
- (d) Secondary Suite – Accessory building: where the Secondary Suite is a separate building or as a part of an accessory building and located on the same parcel as a single detached dwelling.

“senior citizen accommodation” means a dwelling unit or accommodation sponsored and administrated by any public agency or any nonprofit organization, either of which obtains its financial assistance from Federal donation or any combinations thereof. Senior citizen accommodation may include lounge, dining, healthcare and recreation facilities. Senior citizen homes, extended health care facilities for seniors, senior health care facilities have corresponding meanings;

“senior citizen” means a person whom is eligible to obtain senior citizen benefits, allowances and pensions as defined by Federal and Provincial legislation and policy. The age criteria is normally a person who is 65 years of age or older;

“service station” means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for sale of gasoline, lubricating oils, and minor accessories for motor vehicles;

“shopping centre” means a group of commercial establishments planned, developed, owned, and managed as a unit with off-street parking provided;

⁵ Bylaw 2018-002 - Amended July 11, 2018

⁶ Bylaw 2018-002 - Amended July 11, 2018

“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 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, awning” means a retractable, cloth-like, or light weight metal shelter, projecting from a building;

“sign, canopy” means any sign attached to, or constricted in or on canopy;

“sign, copy area” means the area of the smallest geometric figure which will enclose the actual copy of a sign;

“sign, digital” means any sign that is remotely changed on or off Site and has a message duration time established. Digital signs incorporate a technology or method allowing the Sign to change copy without having to physically or mechanically replace the sign face or its components.

“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, fascia” means a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached;

“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;

“sign, identification” means a sign which contains no advertising, but is limited to the name, address and number of a building, institution or the occupation of person, and is placed on the premises which it identifies;

“sign, portable” means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to: sign designed to be moved to wheels; signs converted to A or T- frames; sandwich boards; balloons or inflatable devices used as signs; and signs attached to or painted on vehicles parked and visible from a public roadway unless said vehicles are used in the normal day to day operation of that business;

“sign, projecting” means a sign other than a canopy or awning sign which projects from a structure or a building face or wall, and includes a canopy sign;

“sign, real estate” means a temporary sign identifying real estate that is “for sale”. “for lease”, “for rent”, or “sold”;

“sign, roof” means any sign erected upon, against or above a roof or a parapet of a building;

“sign, temporary” means a sign which is in place no longer than 21 consecutive days and no longer than 42 days in a year, unless a shorter period is specified in the Development permit or elsewhere in Part 9 of this bylaw;

“sign, wall” means any sign attached to a wall of a building in such a manner that its leading edge is 0.2m or less from the supporting wall. This shall include menu display boxes;

“sign, warning” means an on-premises sign providing a warning to the public, including such signs as “no trespassing” or “private”;

“sign, window” means and includes any sign, either painted on, attached to, or placed inside a window for the purpose of viewing from outside the premises;

“site” means an area of land, a lot, or parcel on which a development exists or for which an application for development permit or subdivision application is made;

“site area” means, for purposes of development or subdivision, the total horizontal area of a site contained within an existing or proposed boundary of a lot. A bare land condominium unit is considered to be a site for purposes of this Bylaw;

“site, corner” means a site when the front and a side property lines abut one or more street(s)

“site, reversed corner” means a corner site, the rear of which abuts the side of the site immediately to its rear, with or without a lane or an alley intervening;

“site, depth of” means the mean horizontal distance between the front and the rear boundaries of the site:

“site, interior” means a site which is bounded by one street;

“site, key” means an interior site lying immediately to the rear of a reversed corner site or corner site;

“site plan” means a plan drawn to scale showing the boundaries of the site, the location of all existing and proposed building upon that site, and the use or the intended use of the portions of the site on which no buildings are situated, and showing fencing, screening grassed areas, and the location and species of all existing and proposed shrubs and trees within the development;

“site, width of” means the average horizontal distance between the side boundaries of a site;

“slope” means the degree of deviation of a surface from the horizontal expressed in a percentage or degrees. A slope of fifteen percent means that for every 30m (100feet) of horizontal distance the surface rises 4.5m (15feet), or a ratio of 6.7 to 1 or 8.53 degrees;

“storage structure” means a structure that is defined separately from an accessory building and that complies with **Section 9.8.9** of this bylaw. A storage structure is used for the storage of goods or equipment and may be in the form of a shipping container, trailer or other unconventional structure.

“storage yard”

- (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.

“storey” means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it;

“storey, first” means the story with its floor closest to grade and having its ceiling more than 1.8m (6ft.) above grade;

“street” means a public thoroughfare including a bridge affording the principal means of access to abutting sites and includes the sidewalks and the land on each side of and contiguous to the prepared surface of the thoroughfare;

“street, local or residential” means an undivided roadway where all intersections are at grade, having direct access permitted from adjacent properties and designed to permit low speed travel within a neighbourhood;

“structure” means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground;

“subdivision” means the division of a parcel by an instrument and the word “subdivide” has corresponding meaning;

“temporary” means a period of time up to one (1) year unless otherwise approved by the development authority for specific use or project requirements.

“temporary building” means a building other than a manufactured home, constructed without any foundation below grade or any other building determined by the Development Officer to be temporary as a condition to the issuance of the development permit;

“temporary use” means a proposed 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.

“use, change of” means the conversion of land or building, or portion thereof from one land use activity to another in accordance with a permitted or discretionary use as listed in each land use district;

“veterinary clinic” means a facility for the care of animals and may include outdoor pens, runs or enclosures at the discretion of the Development Authority, who shall have regard for the amenities of the adjoining properties and the neighbourhood in general;

“walkway” means a public right-of-way for pedestrian use on which no motor vehicles are allowed;

“warehouse” or **“warehousing”** means the use of a building for the storage of materials, products, goods or merchandise;

“works” means any fence, landscaping, landscape vegetation, sidewalks, pathways. Roads or other public or private utilities associated with and required for a development;

“worship facility” means any facility used for the purpose of spiritual worship. Examples may be, but are not limited to churches, temples, mosques, and synagogues

“yard” means any open space on site, occupied and unobstructed, and generally is the distance between the property or lot boundary to:

- (a) the foundation of the principal structure; or
- (b) exterior finishing materials of accessory buildings; or
- (c) the prescribed land use district yard setback distance;

“yard front” means the narrowest portion of the lot fronting onto a public road way and is determined by the majority of the lots with their narrowest widths fronting onto the road way;

“yard, rear” means the yard which extends between the rear boundary of a site and the rear yard setback as prescribed in the district;

“yard, side” means a yard which extends between the side boundary of a site and the side yard setback as prescribed in district.

Part 3 Administrative Agencies

3.1 Development Authority

The Development Authority shall exercise development powers and perform duties on behalf of the municipality in accordance with Part 17 Division 3 of the Municipal Government Act and may include:

3.1.1 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 may instruct from time to time; and
- (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; and
- (iii) must keep a register of all applications for development, including the decisions therein and the reasons therefore, and all orders, for a minimum of seven (7) years; and
- (iv) perform the duties as are specified in **4.4** of this bylaw.

3.1.2 Municipal Planning Commission

A Municipal Planning Commission may be established by Bylaw in accordance with the Municipal Government Act and shall perform such duties as are specified in **4.4** of this bylaw.

3.1.3 Subdivision and Development Appeal Board

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 5** of this bylaw, the Act and the Subdivision and Development Appeal Board Bylaw.

3.2 Subdivision Authority

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

3.3 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 4** 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 4**, 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 4** 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.

3.4 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 Wheatland 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 Wheatland 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 affect 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 4 Development

4.1 Development Permits Required

No development other than those designated in **(4.2)** below shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

4.2 Development Permits Not Required

4.2.1 A Development Permit is not required in respect of the following developments but such developments shall comply with the provisions of this Bylaw:

- (a) works of maintenance, repair or alternation, on a structure, both internal and external, if in the opinion the Development Officer, such work:
 - (i) does not include structural alterations; and
 - (ii) does not change the use or intensity of the use of the structure or parcel; and
 - (iii) is performed in accordance with obligatory legislation or other government regulations; and
 - (iv) does not exceed a specified value, including labour and materials directly attributable thereto which shall be determined by resolution of Council.
- (b) the completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that:
 - (i) the building is completed in accordance with the terms of any permit granted by the Municipality, subject to the conditions of that permit; and
 - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the date this Bylaw comes into full force and effect;
- (c) the use of any building referred to in **Section 4.2.1 (b)** for the purpose for which construction was commenced;
- (d) the erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of the constriction;
- (e) the construction and maintenance of that part of a **public utility** placed in or upon a public thoroughfare or public utility easement;
- (f) the use by the Municipality of land which the Municipality is the legal or equitable owner for a purpose approved by a simple majority vote of Council in connection with any **public utility** carried out by the Municipality;

- (g) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum or plebiscite:
- (h) one temporary, on- site freestanding or fascia sign which does not exceed 1m² in area nor 1m in height and is intended for:
 - (i) advertising the sale or lease of a dwelling unit, or property for which a Development Permit has been issued for the development on the said property; or
 - (ii) identifying a construction or demolition project for which a Development Permit has been issued for such a project or
 - (iii) identifying a political campaign: such a sign may be displayed for thirty (30) days prior to an election or referendum and must be removed within seven (7) days following the election, referendum or plebiscite; or
 - (iv) advertising a campaign or drive which has been approved by Council: such a sign may be posted for a maximum period of fourteen (14)days:
- (i) Municipal signs used to indicate street names and traffic control;
- (j) the construction, maintenance and repair of private walkways, private pathways, private driveways and similar works;
- (k) the construction or installation of public roadways, walkway, utilities or grading of the site or removal or stockpiling of soil when a development agreement has been signed as a condition of subdivision approval, or the undertaking of any or all of the aforementioned works that has been authorized by Council;
- (l) the construction of an accessory building having an area of less than 10m² (107ft.²) without a permanent foundation;
- (m) satellite dishes and other forms of communication structures for private use;
- (n) one on-site fascia sign which does not exceed 0.185m² (2ft.²) in area for any of the following buildings: single-detached, semi-detached or duplex dwelling, row house or townhouse and states no more than:
 - (i) the name and address of the building;
 - (ii) the name of the person(s) occupying the building,
- (o) the erection, construction or maintenance of gates, fences, walls or other means of enclosure of 2m (6.5ft.) or less in height, providing that the erection or construction does not contravene any other provision of this Bylaw;
- (p) the erection or construction of a **deck** or **patio** which is less than 0.6m (2ft.) above grade;
- (q) a **home occupation-minor** providing the use does not contravene any other provisions of this Bylaw.

4.3 Development Permit Application Requirements

4.3.1 An application for a Development Permit for new construction or an addition or change of use of an existing structure shall be made to the Development Officer using the prescribed form, signed by the owner or his agent and accompanied by:

- (a) two (2) copies of the application form and site plan, preferably drawn to scale, which show 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) floor plans, elevation and exterior finishing materials;
 - (iv) locations and distances of on-site existing or proposed water and sewer connections, septic tanks, disposal fields, water, wells, culverts and crossings;
 - (v) site drainage, finished lot grades, the grades of the roads, streets and sewers servicing the property;
 - (vi) the height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, trees, landscaping and other physical features;
 - (vii) information on the method to be used for the supply of potable water and disposal of wastes along with supporting documentation; and
 - (viii) existing and proposed access and egress to and from the site;
- (b) where applicable, the cutting down or removal of trees;
- (c) on applications for signs, a replica of the proposed sign drawn to scale;
- (d) the estimated commencement and completion dates;
- (e) a statement of ownership of the land and interest of the applicant therein;
- (f) the Development Permit fee as prescribed by Council.

4.3.2 In addition to the information required under **Section 4.3.1**, the following information on applications for:

- (a) multi-family, commercial, industrial, recreational and institutional uses:
 - (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; and
- (iv) location and approximate dimensions of all existing and proposed trees, shrubs, parks, playgrounds, etc;
- (v) a development impact assessment statement clearly describing how the potential impacts of the proposed development on adjacent lands will be dealt with and how the proposed facilities have been designed to minimize such disturbance;
- (vi) information describing any noxious, toxic, radioactive, flammable or explosive materials proposed to be kept or stored on site;
- (vii) a site grading and drainage plan complete with 24 hour storm water retention based upon the City of Calgary storm retention calculations and requirements;
- (viii) water conservation measures to be used in the development.

4.3.3 On sites suspected of historical contamination due to previous land uses, an Environmental Impact Assessment (EIA);

4.3.4 The Development Officer may require additional information or additional copies of the plan and specifications as is deemed necessary.

4.3.5 The application 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 Officer.

4.4 Deciding on Development Permit Applications

4.4.1 The Development Officer shall:

- (a) consider and decide on applications for a Development Permit in accordance with the Act, this Bylaw and amendments thereto within forty (40) days of the receipt of the application in its complete and final form or within such time as granted by the applicant;
- (b) receive, consider and approve all applications for a 'Permitted Use' with or without conditions, upon the application conforming in all respects to the provisions of this Bylaw;
- (c) receive, consider and decide on applications for a development permit for a 'Discretionary Use' or a relaxation/ variance to the Bylaw standards and may;
 - (i) refer the application to the Municipal Planning Commission; or
 - (ii) approve the application; or

- (iii) approve the application subject to conditions and restrictions considered appropriate or necessary; or
- (iv) refuse the application.
- (c) receive, consider and decide on requests for time extensions for development permits that the Development Officer has issued;
- (d) refer for comments to those authorities and agencies required by the Alberta Subdivision and Development Regulations and this Bylaw where interest or jurisdiction may be affected;
- (e) refer a permit application for an industrial development for comments to those authorities (provincial and regional) where interest or jurisdiction may be affected;
- (f) advise the applicant when a use is not listed as a 'Permitted' or 'Discretionary' Use in the land use district where the building or land is situated that the application cannot be approved;
- (g) make recommendations to Council for an amendment to this Bylaw;
- (h) refer with recommendations, to the Municipal Planning Commission (where a MPC has been adopted by Bylaw) for its consideration and decision, applications for a development permit for those uses which constitute discretionary uses or that require relaxation/ variance to the standards of this Bylaw;
- (i) sign and issue all Development Permit decisions.

4.4.2 The Municipal Planning Commission shall:

- (a) decide on applications for a development permit for Development Permit applications referred by the Development Officer;
- (b) approve the application unconditionally or impose conditions considered appropriate, either permanently or for a limited period of time, or refuse the application.

4.4.3 When making a decision on a development permit application for a **discretionary use** or **relaxation/ variance** to the Bylaw standards the Development Authority 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.
- 4.4.4 An application may be approved where the proposed development does not comply with the minimum or maximum Bylaw requirements of any district in this Bylaw if, in the opinion of the Development Authority, 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.
- 4.4.5 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 Development Authority 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.
- 4.4.6 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.
- 4.4.7 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.
- 4.4.8 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.
- 4.4.9 The Development Authority may issue a temporary Development Permit, for a period not exceeding one (1) year unless a longer term is required in consideration of a land use that is temporary but may require a longer time frame for a specific use or project requirements.
- 4.4.10 If an application has been referred to outside agencies or adjacent landowners the application may be dealt with after thirty (30) days from the date of referral whether or not comments have been received.
- 4.4.11 The Development Officer may affix a Certificate of Compliance to a Real Property Report if:
- (a) the principal building encroaches into any yard setback of not more than 305mm (1ft.); and/ or
 - (b) any accessory building encroaches into any yard by not more than 150mm (6 in.)
- 4.4.12 The Development Authority shall not issue a permit for a development that is to be serviced by private sewer and/ or water systems until the systems have been approved by the appropriate authorities.

4.5. Development Permits & Notices

- 4.5.1 A Development Permit issued pursuant to this Bylaw is not a Building Permit and, notwithstanding that plans and specification for buildings may have been submitted as part of an application for a Development Permit, work or construction shall neither commence nor proceed until a Building Permit has been issued pursuant to applicable bylaws and regulations.
- 4.5.2 When an application for a Development Permit is approved for:
- (a) a **permitted use** that complies in all respects to the provisions of this Bylaw without conditions, the Notice of Decision shall be sent by ordinary mail (or email) to the applicant;
 - (b) a **permitted use** that requires a **relaxation/ variance** of a Bylaw requirement or has been approved with conditions or the approval is for a **discretionary use**, the Notice of Decision shall be sent by ordinary mail (or email) to the applicant and all registered owners of land who in the opinion of the Development Officer may be affected by the decision.
- 4.5.3 In addition to Section 4.5.2 and at the discretion of the Development Authority, a Notice of Decision may be posted on the site or a Notice published in a local newspaper circulating in the municipality stating the legal description of the site of the development and identifying the use approved for the site.
- 4.5.4 When the Development Authority refuses an application for a development permit, the notice of decision shall be sent to the applicant by ordinary mail (or email) containing reasons for the refusal.
- 4.5.5 For purposes of this Bylaw, Notice of Decision of the Development Authority on an application for a Development Permit is deemed to have been given and to have been received in accordance with the **Alberta Interpretation Act**,
- 4.5.6 Excepting a development permit that has been approved without conditions for a **permitted use**, a development permit granted pursuant to this Bylaw does not come into effect until fourteen (14) days after the date an order, decision or development permit is given. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 4.5.2 Where an appeal is made pursuant to the Act and **Part 5** of this Bylaw, a development permit which has been approved shall not come into effect until the appeal has been determined whereby the decision of the Subdivision and Development Appeal Board shall replace the original decision.
- 4.5.4 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 and completed within 24 months, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.

PART 5 Appeals

5.1 Appeal Procedure

- 5.1.1 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, unless an extension to this time period has been provided;
 - (b) issues a development permit subject to conditions;
 - (c) issues an order under **Section 6** of this Bylaw.
- 5.1.2 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 Authority to the Subdivision and Development Appeal Board.
- 5.1.3 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 14 days after the date of the order, decision or permit issued by the Development Authority was communicated in accordance with the Alberta Interpretation Act:

5.2 Public Hearing

- 5.2.1 Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
- 5.2.2 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 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.
- 5.2.3 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 including:
- (a) the application for the development permit, its refusal and the appeal therefrom; or

(b) the order of the Development Authority under **Section 6**, as the case may be.

5.2.4 At the public hearing referred to in **subsection 5.2.1**, the Board shall hear:

- (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, 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 their 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 their behalf.

5.3 Decision

5.3.1 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.

5.3.2 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 Section 688 of 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 6

Conditions, Enforcement & Administration

6.1 Conditions of Approval

- 6.1.1 In their decision to approve an application for subdivision or development, the Subdivision or Development Approval Authority may apply any or all of the following conditions to ensure the application conform to this Bylaw, Act or other legislation:
- (a) conditions to ensure compliance with the Act, any applicable statutory plan and this bylaw;
 - (b) conditions requiring the applicant to enter into a service agreement or make satisfactory arrangements for the supply of gas, water, electric power, telephone, sewer service, vehicular, and pedestrian access any other utility service, or facility, including payment of installation or construction costs by the applicant;
 - (c) a condition that the applicant enter into an agreement with the Municipality for any of the following:
 - (i) to construct or pay for the construction or improvement of a public roadway required to give access to the development or subdivision;
 - (ii) to construct or pay for the construction of a pedestrian walkway system to serve the development; or a pedestrian walkway that will connect the pedestrian walkway system serving the development or subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent system that serves or is proposed to serve an adjacent development or subdivision, or both;
 - (iii) to specify the location, standard, and number of vehicular and pedestrian access locations to a site from public roadways;
 - (iv) to install or pay for the installation of utilities to municipal standards necessary to serve the development or subdivision;
 - (v) to construct or pay for the utilities, roadways, and improvements with an excess capacity;
 - (vi) to construct or pay for the construction of off-street or other parking facilities, and garbage, recycling, loading and unloading facilities; and
 - (vii) to pay an off-site levy or redevelopment levy, or both, imposed by a bylaw adopted pursuant to the Act.
 - (d) a condition requiring the applicant to repair or reinstate, or to pay for the repair or reinstatement, to original condition any roads, municipal signage, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed during construction of the development or subdivision.

- (e) a condition requiring security in the form of a letter of credit, performance bond, or cash deposit to carry out the terms of an agreement or any works associated with the installation and constriction of streets, utilities, and landscaping or replacement of same for the development of the lot and adjacent public roadways during and after its development. The amount of 125%, of the value of the work which is based upon an independent quotation of the value of the work covered by the agreement or such other amount as the Development Officer, Subdivision Approval Authority or Council may determine. The security is to be paid to the Municipality for its use in completing the terms of the agreement or works in the event of default by the applicant;
- (f) conditions requiring the applicant to provide a Letter of Credit in the amount of 50% of the estimated dollar amount required to complete any renovations as set out as a condition of approval of a development permit for the relocation of a building either on the same site or from another site;
- (g) conditions respecting the time within which a development or subdivision or any part of it is to be completed; and
- (h) conditions limiting the length of time that a development permit may continue in effect;
- (i) the phasing of development or subdivision;
- (j) the maximum density of dwelling units, persons or animals that may be allowed to occupy the site;
- (k) the placement of objects, buildings or structures, material or any other chattel, mechanism or device used in, for or the operation of the development.

6.1.2 The Municipality may register a caveat in respect of a development agreement under this Bylaw against the parcel that is subject of the development permit or subdivision application. The caveat may be discharged when the agreement has been complied with.

6.2 Compliance with Other Bylaws and Regulations

6.2.1 Compliance with the requirements of this Bylaw or the issuance of a Development Permit or an approval of a subdivision pursuant to the Bylaw does not afford relief from compliance with the Act or other Federal or Provincial Government legislation or other bylaws and regulations affecting the development or subdivision in question. It is the applicant's responsibility to ensure that all required permits, licenses and authorizations from affected authorities are in place prior to the commencement of the development.

6.3 Right Of Entry

6.3.1 Right of Entry procedures are governed by the Act and must be consulted for full details. The following extract from the Act is provided for information purposes only:

"541(1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action,

- (a) Enter such land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the enactment or bylaw,
- (b) request anything be produced to assist in the inspection, remedy, enforcement or action, and
- (c) make copies of anything related to the inspection remedy, enforcement or action.

(2) The designated officer must display or produce on request identification showing that the person is authorized to make the entry:

(3) In an emergency or in extraordinary circumstances the designated officer need not give reasonable notice or enter at a reasonable hour and may do the things in subsection(1)(a) and (c) without the consent of the owner or occupant.”

6.3.2 The Development Officer, Subdivision Officer, or such other designated person, is the “designated person” for the purposes of this section.

6.4 Bylaw Contravention

6.4.1 Orders and municipal actions to remedy contraventions are governed by the Act and must be consulted for full details. The following extract of **Section 645 and 646** of the Act are provided for information and continuity purposes.

“645(1) Notwithstanding section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval,

the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them to

- a. stop the development of use of the land or building in whole or part as directed by the notice.
- b. Demolish, remove or replace the development, or
- c. Carry out any other actions required by the notice so that the development or use of the land or building complies with the Part, the land use bylaw or regulations under this part, a development permit or a subdivision approval,

Within the time set out in the notice.

(2) A person who receives a notice referred to in subsection (1) may appeal to the subdivision and development appeal board in accordance with section 685(3);

646(1) If a person fails or refuses to comply with an order directed to him under section 645 or an order of a subdivision and development appeal board under section 684. The municipality may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

- (2) A municipality may register a caveat under the Land Titles Act in respect of an order referred to in section(1) against the certificate of title for the land that is the subject of the order.
- (3) If a municipality registers a caveat under subsection(2), the municipality must discharge the caveat when the order has been complied with.”

6.4.2 A person who receives an order referred to in this Bylaw may appeal to the Subdivision and Development Appeal Board.

6.4.3 Whenever it appears to the Development Officer that a Development Permit has been obtained by fraud or misrepresentation or has been issued in error, the Development Officer may suspend or cancel the Development Permit.

6.5 Offences and Penalties

6.5.1 The authority regarding offenses and penalties of this Bylaw are governed by **Part 13, Division 4 and 5** of the Act and should be consulted.

6.6 Forms, Notices and Fees

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

6.6.2 This forms, notices, and fee schedules authorized by Council pursuant to this Bylaw may be posted, issued, mailed, served or delivered in the course of the Development Officer's or Subdivision Officer's duties,

6.6.3 The following forms and notices used for the operation of this Bylaw are contained in **Appendix "A"** and are approved by the resolution of Council and are provided for information purposes only. The forms may be reproduced or photocopied for the purposes of submitting applications for development and subdivision, appeals, time extensions or amendments to this Bylaw, to the Municipality, its agencies, boards, and designated officers.

- Development Permit Application
- Subdivision Application
- Land Use Bylaw Amendment Application
- Stop Work Order
- Notice of Appeal to the Village of Rockyford Subdivision and Development Appeal Board
- Circulation Transmittal

6.7 Amendments to the Land Use Bylaw

6.7.1 Any person may apply to have this Bylaw amended.

6.7.2 The Council may initiate amendments by its own motion.

- 6.7.3 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 current certificate of title for the land affected
 - (c) a statement of the applicant's interest in the land;
 - (d) authorization for right of entry onto the land be designated officers;
 - (c) any drawings, plans or maps required by the Development Officer; and
 - (d) any additional documents such as a Development Impact Assessment (DIA) as deemed to be required by the Development Officer.
- 6.7.4 All amendments of this Bylaw shall be made Council by bylaw in conformity with the Act and the regulations.
- 6.7.5 Where an amendment proposes to change the land use designation of a parcel of land, Council shall, in accordance with the Act, provide written notice of the proposed changes to the owner of the affected land and to each owner of adjacent land as defined in the Act or any other landowner that Council deems affected.
- 6.7.6 The Council, in considering an application for an amendment to this Land Use Bylaw, shall refer a copy of the proposed amendment to:
- (a) Palliser Regional Municipal Services,
 - (b) Wheatland County, if the proposed amendment:
 - (i) affects land on a boundary with Wheatland County, or
 - (ii) may otherwise have an effect within Wheatland County, and
 - (c) such other persons or agencies as it considers necessary for comment.
- 6.7.7 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.
- 6.7.8 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.

Part 7 General Rules

7.1 Site Dimensions

- 7.1.1 No permit shall be issued for any development on a site, the area or 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 containing less than the required minimum area or width may be used subject to the discretion of the Development Office if all other requirements of this By-law and amendments hereto are observed.
- 7.1.2 Notwithstanding subsection 7.1.1, Municipal Reserve parcels and Public Utility parcels, when they are so identified on a registered plan of subdivision or an application for subdivision approval, will not be considered non-conforming when the area or width of site is less than the minimum prescribed for the district.

7.2 Special Setback Requirements

- 7.2.1 Sites other than corner sites which have frontage on two streets are recognized as having two front yards, and the development shall comply with the setbacks for the respective district.
- 7.2.2 Notwithstanding any yard setback provisions established in this Bylaw, yard setbacks in excess of the minimum requirements may be required in special circumstances when deemed necessary:
 - (a) by the provisions of the Alberta Safety Codes Act; or
 - (b) by the Development Authority in the course of deliberations of an application for development permit or subdivision application shall be guided by the provisions detailed in this Bylaw.
- 7.2.3 A sign which is separate from a building must be located so as to comply with the front yard setback requirements applicable to the principal building unless otherwise provided.
- 7.2.4 The minimum distance required for yards do not apply to:
 - (a) exterior finishing materials applied to principal buildings provided the material does not encroach more than 10cm into any yard;
 - (b) construction wholly beneath the surface of the ground;
 - (c) unenclosed decks or patios less than 0.6m (2ft.) in height from grade;
- 7.2.5 Projections may be allowed to encroach into a yard as follows:
 - (a) Front Yards:
 - (i) Eaves, balconies, bay windows, canopies, chimneys, unenclosed decks, fire escapes and porches may project a maximum of 0.6m (2ft.) over or onto a required front yard;

(ii) Unenclosed decks and patios may project a maximum of 2m (6.5ft.) into a front yard.

(b) Side Yards:

Eaves, balconies, bay window, canopies, chimneys unenclosed decks, fire escapes and porches may project a maximum of 0.6m (2ft.) over or onto a required side yard provided:

(i) one side yard is clear of projections or the side yard is 1.5m (5ft.); or

(ii) the feature is 2.5m (8.5ft.) above finished grade; or

(iii) the lot is not part of a laneless subdivision where no provision is made for garage or carport to the front or side of a dwelling unit or where vehicle access is not required to gain access to the rear yard.

7.2.6 In addition to those features listed in 7.2.3 and 7.2.4 a projection into any designated yard may be allowed for a building feature such as cantilevered bays and sun windows, dining room alcoves and similar elements provided the feature does not encroach more than 0.6m (2ft.) into any yard and the projecting façade does not exceed:

(a) 30% to a maximum of 3.5m (11.5ft.) in width, whichever is greater, of the exterior surface wall area exposed to the yard in which the feature is located for side and rear yards;

(b) 40% to a maximum of 4.5m (14.7ft.) in width, whichever is greater, of the exterior surface wall area exposed to the yard facing a street and in which the feature is located.

and such encroachment complies with the Alberta Safety Code Regulations.

7.2.7 Where the site is to be developed for semi- detached or attached housing complexes, the following exceptions apply:

(a) where each half of a semi- detached house is to be contained on a separate parcel or title, no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit by means of a fire separation;

(b) where the dwelling units of an attached housing building are to be contained on separate parcels or titles, no side yards shall be required on either side in the case of an internal dwelling unit. No side yard shall be required on the interior side of the end dwelling unit.

and such encroachment complies with the Alberta Safety Code Regulations.

7.2.8 Notwithstanding any other setback provisions of this Bylaw, all new residential buildings proposed for construction adjacent to:

(a) **Serviceberry Trail** shall be sited a minimum distance of 15m (50ft.) from the nearest limit of the highway right-of-way;

- (b) **Approach Road #133** shall be sited a minimum distance of 15m (50ft.) from the nearest limit of the highway right-of-way;
- (c) A pipeline capable of transporting petroleum products at pressures exceeding 689 ka (100 psi) shall be setback a minimum distance of 15m (50ft.) measured from the centerline of the pipeline, unless in special circumstances a greater distance is required by any of the following: the pipeline operator, Council, the Development Authority, Alberta Environment or the Alberta Energy Regulator.

7.2.9 Notwithstanding any other setback provisions of this Bylaw, a **bare land condominium** plan shall maintain setbacks from a public street or between buildings, and all other development regulations applicable to a subdivision or development within a bare land condominium shall apply.

7.2.10 Notwithstanding any other provision in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub or tree in or on that part of a corner site that lies within 7.5m (25ft.) of the street intersection in a corner site triangle unless the object, structure, fence, hedge, shrub or tree does not, in the opinion of the Development Authority, interfere with or obstruct the view of the driver of any vehicle using the street, and the maximum height allowed for same shall be 1m (3.3ft.).

7.3 Landscaping

7.3.1 A landscaping plan shall be submitted if required by the Development Officer, and said plan shall depict all existing trees and shrubs, and shall be in conformity with the following requirements:

- (a) All portions of a site not covered by structures, parking or vehicular circulation areas shall be landscaped. Front yards, where required, shall be landscaped;
- (b) Existing landscaping and natural vegetation retained on a site may be considered in fulfillment of the total landscaping requirements;
- (c) All landscaped areas shall be designed so as to facilitate effective surface drainage and energy conservation principles;
- (d) The landscaping standards established on an approved landscaping plan shall be the minimum standard to be maintained on a site;
- (e) Any trees or shrubs that die must be replaced during the next planting season on a continuing basis by the developer;
- (f) All plant materials shall be of a species capable of healthy growth in the Rockyford area and conform to the standards of the Canadian Nursery Trades Association;
- (g) Except for boulevards, trees shall be planted in the overall minimum ratio of one tree per 140m² (1500ft.²) of landscaped area provided;
- (h) Any area requiring landscaping or topographic reconstruction shall be landscaped and/ or reconstructed so that the finished surface contours do not cause direct surface drainage onto adjoining parcels;

- (i) Soft landscaping shall be provided as follows:
 - (i) Shrubs shall be a minimum height or spread of 61cm (24in.) at the time of planting;
 - (ii) The minimum size for coniferous trees shall be a height of 1.2m (4.0ft.);
 - (iii) The minimum size for deciduous trees shall be 5cm (2in.) caliper;
- (j) Where a development permit is to be granted and landscaping is part of the development, the Development Authority shall require the applicant to provide a letter of credit or cash in an amount to ensure completion of any landscaping.

7.3.2 Notwithstanding any other provision contained in this By-law, no person shall place or maintain any object, structure, fence, hedge, shrub, or tree in or on that part of corner site located within an Urban Reserve, Industrial, or Residential District which lies within a triangle formed by a straight line drawn between two points on the exterior boundaries of said site, 7.5m (24.6ft.) from the point where they intersect as indicated on the following diagram.

7.3.3 Except as hereinafter provided, a person shall not construct a fence in any district which is higher than:

- (a) 1m (3.3ft.) in the front yard; or
- (b) 2m (6.5ft.) in the side or rear yard,

7.3.4 Notwithstanding Section 7.7.3, the height of a fence in non-residential district shall be determined by the Development Authority.

7.3.5 Excepting the Urban reserve District; no fence shall be of barbed wire construction below a height of 2m (6.5ft.).

7.4 Fencing

7.4.1 Except as hereinafter provided, a person shall not construct a fence in any district which is higher than:

- (a) 1m (3.3ft.) in the front yard; or
- (b) 2m (6.5ft.) in the side or rear yard,

7.4.2 Notwithstanding Section 7.4.1, the height of a fence in non-residential land use districts shall be determined by the Development Authority.

7.4.3 Excepting the Urban reserve District; no fence shall be of barbed wire construction below a height of 2m (6.5ft.).

7.5 Screening, Outside Storage Areas, and Garbage Storage

7.5.1 Visual screening to a minimum height of 2.5m (6.5ft.) shall be provided by a fence or combination of fence and soft landscaping where a commercial or industrial site abuts a residential district; and

- (a) the site accommodates a use operating wholly or partially outside a building with anticipated nuisance affects that will affect adjacent properties; and/or
 - (b) the side or rear yard of the site is used for parking, access, loading or other servicing activity.
- 7.5.2 All mechanical equipment or apparatus on the roof of any office, apartment, commercial or industrial building shall be screened to the satisfaction of the Development Authority for visual and sound attenuation purposes;
- 7.5.3 All exterior work areas, storage areas and waste handling areas shall be screened and/or enclosed from view of adjacent sites, roadways, walkways, park areas and municipal or environmental reserve parcels in a manner compatible with the designated external materials of the principal building on the site to the satisfaction of the Development Authority;
- 7.5.4 Where wrecked or damaged vehicles are allowed to be stored or located on a site they shall be screened or enclosed to the satisfaction of the Development Authority;
- 7.5.5 Garbage and waste materials shall be stored in weatherproof and animal-proof containers in an easily accessible location for pickup.

7.6 Controlled Appearance

- 7.6.1 The design, use of materials, construction, character, location on the site and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any district must be acceptable to the Development Authority. Proposed developments shall be reviewed in consideration of various policies and objectives in the Village statutory plans and any studies adopted as guidelines regarding views, vistas, skyline profiles, streetscapes, and so forth. In addition, the Development Authority shall also have regard to the amenities and character of existing development in the district, as well as the effect on adjacent districts;
- 7.6.2 The exterior finishing materials of a proposed development shall be those shown on the approved plans. Once constructed, the façade of the building (or buildings) shall be maintained to the standard shown on the site plan as approved by the Development Authority;
- 7.6.3 All developments shall be designed to maximize the development potential of the site;
- 7.6.4 The Development Authority may allow a building to be occupied by a combination of one or more uses, and each use shall be considered as a separate entity and subject to the appropriate provisions of this Bylaw;
- 7.6.5 The entire site and all buildings shall be maintained in a neat and tidy manner including the trimming and upkeep of landscaped areas and the prompt removal of debris and unsightly objects in accordance with the Village unsightly bylaw requirements;
- 7.6.6 Where the site is part of a larger area, the whole of which may eventually be developed and for which no comprehensive plan has been prepared, the Development Authority may require the submission of a comprehensive plan for the whole area before

considering an application. The Development Authority may require the plan to be prepared by an architect, planner or engineer.

7.7 Height of Buildings

- 7.7.1 The base from which to measure the height of a building shall be average elevation of the finished ground level adjoining all exterior walls of a building.
- 7.7.2 The maximum height requirements for buildings or structures may be exceeded at the discretion of the Development Authority if the additional height is necessary to achieve a particular architectural theme or style and does not interfere with or affect the use, enjoyment, value or amenities of the neighbouring properties;
- 7.7.3 Height of building measurements exclude a ventilating fan, a skylight, a steeple, chimney, smoke-stack, exterior firewall, a parapet wall, flagpole, antenna or similar device not structurally essential to the building;
- 7.7.4 Communication structures may be exempt from the height of building requirements and provisions established in this Bylaw as they are regulated by Industry Canada. Communication Structure rules are considered in **Section _____**.

7.8 Accessory Buildings

- 7.8.1 All accessory buildings shall be located at least 1m (3.3ft.) from any principal building.
- 7.8.2 When a building used or proposed to be used as an accessory building is located or proposed to be located closer to a dwelling unit than 1m (3.3ft.) it shall be connected to that principal building by a structural element including for purposes of example but not limited to: common foundation, common roof, and common wall.
- 7.8.3 For the purpose of calculating yard setbacks and site coverage requirements, when an accessory building is to be attached to the principal building it shall be deemed to be part of the principal building.
- 7.8.4 An accessory building erected on a site in any residential district shall not be used as a dwelling.
- 7.8.5 No side yard is required for an accessory building in a residential district provided that:
 - (a) the wall of the structure nearest the property line is a fire rated wall in accordance with all Alberta Safety Codes requirements;
 - (b) the exterior finish of the wall does not require maintenance, and
 - (c) there will not be any eave or overhang and footing or foundation encroachment into the adjoining property;
 - (d) all roof drainage is directed by means of eaves troughs, drain spouts, or such other suitable means, onto the property where the accessory building is located.
- 7.8.6 On sites without lanes, a rear yard for an accessory building is not required provided that the provisions of 7.6.5 are adhered to.

7.8.7 When a site abuts a lane 6.1m (20ft.) or less in width, the Development Authority may require a rear yard setback for accessory building greater than the prescribed minimum.

7.9 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 screened from view as required by the Development Authority and/ or may require exterior finishing to be in general conformance with the principal building or surrounding development.
- (c) A storage structure shall not be permitted in residential areas or on parcels where the primary land use is residential.
- (d) A storage structure shall not be used as a sign.
- (e) Notwithstanding (c) above, a storage structure may be approved on a temporary basis during construction within any land use district to be used for storage of equipment and supplies and shall be located to be inconspicuous in accordance with this section.

7.10 Fabric Covered Buildings

7.10.1 **Fabric Covered Buildings – Residential** shall be considered a **temporary use** due to the rapid deterioration from sunlight, wind and other weather conditions of the fabric materials used for covering. Fabric Covered Buildings - Residential shall be considered in accordance with the following criteria:

- (a) Fabric Covered Buildings – Residential shall be evaluated with consideration for the neighbourhood characteristics and appearance as stated in **7.6 Controlled Appearance**;
- (b) Minimum 1.5 m (5 ft.) clearances to property lines and other structures including fences;
- (c) not to exceed 23.22 sq. m. (250 sq. ft.) in area;
- (d) shall be a minimum 3 m (10 ft.) from flammable material (i.e. burning barrels, fire pits or other open flame accessories) or vegetation;
- (e) shall be kept in good condition to the satisfaction of the development authority; and;
- (f) shall not cause or create a nuisance by way of noise, vibration, etc. and the privacy and enjoyment of adjacent properties shall be preserved and the amenities of the neighborhood maintained.

7.10.2 **Fabric Covered Buildings – Commercial/ Industrial** shall be considered as conventional industrial or commercial buildings in accordance with the applicable land use district requirements and shall be evaluated with regard to the neighbourhood characteristics and appearance as stated in **7.6 Controlled Appearance**.

7.11 Temporary Buildings

- 7.11.1 The Development Officer may conditionally approve a temporary building to be constructed or located in any land use district subject to the owner agreeing to remove such a building in accordance with the terms and conditions affixed by the Development Officer.
- 7.11.2 A temporary building shall not exceed one story in height and shall not have a basement or a cellar or any below grade foundation.
- 7.11.3 A temporary building shall be maintained at all times.
- 7.11.4 A temporary building shall not be serviced by Village water or sewage utility systems. Notwithstanding the foregoing when a temporary use is established in a building or on a site with existing municipal water or sewer services or both, those services may be used by the temporary use in accordance with the terms and conditions affixed by the Development Authority.
- 7.11.5 An application to extend the duration of a temporary permit shall be dealt with as a new application. There shall be no obligation to approve the application on the basis that the previous permit had been issued.

7.12 Relocation of Buildings

- 7.12.1 All relocated buildings shall be inspected by an independent qualified safety codes officer or a structural engineer and a report submitted with the application detailing the structural integrity of the building and the features or elements that are required to be upgraded to meet the current Safety Code requirements.
- 7.12.2 Prior to any approval of a development permit for the relocation of a building to a site within the municipal boundaries, either from within or outside of the Village boundaries, the subject building shall be inspected by the Development Officer.
- 7.12.3 Where a development permit has been granted for the relocation of a building on the same site or from another site, the Development Authority may require the applicant to provide a Performance Bond or a letter of credit in the minimum amount of \$10,000.00 to ensure completion of any renovations set out as a condition of approval of the permit and repair or replacement of any damaged curb stops, valve boxes, manhole cover, catch-basins, culverts, pipelines, sidewalks, curbs and gutters, lanes, roads and any surface or underground improvement on or abutting the land which is affected by the construction or demolition activity. The deposit may be waived if, in the opinion of the Development Officer, there are no improvements abutting the property that could sustain damage during construction or improvements required to the relocated building.
- 7.12.4 All renovations to a relocated building are to be completed within one year of the issuance of the development permit.
- 7.12.5 Prior to approving a development permit for a moved in building, the Development Authority may obtain the views in writing of the adjacent registered property owners.

- 7.12.6 The Development Officer may request that an application to relocate a building or structure be accompanied by recent photographs of the building/structure, and wherever possible the Development Officer may inspect the building/structure. If the relocated building is not in compliance with the photographs provided the Village may require the building to be removed.
- 7.12.7 The design, external finish and architectural appearance of any relocated building/structure shall be similar to and complement the existing structures on the parcels adjacent to the parcel onto which the building/structure is to be located.
- 7.12.8 It is the owner's or agent's responsibility to ensure, prior to commencement of construction or demolition, there is no previous damage. If there is existing damage, it shall be reported to the Village, before the work commences.
- 7.12.9 Rough landscaping (spreading of topsoil) must be completed before the damage deposit is refunded.
- 7.12.10 The property owner or agent is responsible to have the necessary improvement cleared and visible for the initial and final inspection by the Village.
- 7.12.11 The property owner or agent shall apply to the Development Officer for the refund of the bond/ deposit.
- 7.12.12 When an application is made, the Village Public Works Department shall inspect the site for damage.
- 7.12.13 If no damage has occurred, the deposit shall be refunded in full.
- 7.12.14 If damage has occurred, the deposit shall be used to cover the cost and any outstanding amount shall be directed to the property owner.
- 7.12.15 The deposit cannot be transferred to another property.
- 7.12.16 When a relocation of a building is carried out, the person conducting the relocation shall, at their own expense, protect from displacement any wall, sidewalk or roadway liable to be affected by such relocation and shall sustain, protect and underpin the same so that they will remain in the same position and condition as before the relocation was commenced and ensure that adequate measures shall be taken by way of fencing and screening to ensure the general public safety.

7.13 Demolition or Removal of Buildings

- 7.13.1 Where a development permit has been granted for the demolition of a building, the Development Authority may require the applicant to provide a Letter of Credit in the amount of \$1000 to cover the cost of rehabilitating the site and \$5000 for any damage caused to the Village's street as a result of cartage of the demolition material or removal of the building.

- 7.13.2 Whenever a demolition or a removal of a building is carried out the person causing the same to be made, shall, at his own expense, protect from displacement any wall, sidewalk or roadway liable to be affected by such demolition and shall sustain, protect and underpin the same so that they will remain in the same condition as before the demolition or removal was commenced and ensure that adequate measures shall be taken by way of fencing and screening to ensure the general public's safety.
- 7.13.3 Whenever a development permit is issued for the demolition or removal of a building it shall be a condition of the permit that the site shall be properly cleaned, with all debris removed, and left. in a graded condition.

7.14 Dwelling Units Permitted on a Lot or Site

- 7.14.1 Where permitted in this Bylaw, the Approving Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel, lot or site if the second or additional dwelling unit:
- (a) is contained in a building that is designed for, or divided into, 2 or more dwelling units;
 - (b) is a building, as defined by the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under the Act;
 - (c) is a commercial use with residential units in the same structure; or
 - (d) is contained in a residential dwelling or attached garage and is an approved accessory suite.

7.15 Sign Control

- 7.15.1 In considering a development permit application for any sign, the Development Authority shall have due regard to the amenities of the district in which the sign is located and the design of the proposed sign.
- 7.15.2 Excepting traffic control signs and those temporary signs outlined in **Section 4.2**, all signs shall comply with the provisions set out for the district in which the sign is to be located.
- 7.15.3 Excepting traffic control signs and those temporary signs outlined in **Section 4.2**, the Development Authority shall limit the placement of signs adjacent to Serviceberry Creek Trail and Approach Road #133 to selected strategic location to be determined by the Development Authority on an application specific basis.
- 7.15.4 For any sign that will overhang a sidewalk or other Village property, the owner of the sign shall:
- (a) indemnify to 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 Development Authority naming the municipality as co-insured.

- 7.15.5 No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, or be located, or display a light intensity or colour where it may interfere with, or be confused with, any authorized traffic sign, signal, or device, and in so doing, create a traffic hazard.
- 7.15.6 Signs that display lights resembling the flashing lights usually associated with traffic signal or hazard warning device, police, fire, ambulance and other emergency vehicles, or railway crossing signals are prohibited.
- 7.15.7 **Digital Signs** shall be considered a discretionary use and considered with the regulations of the corresponding sign types in this Bylaw (i.e. freestanding or billboard sign, etc.) in accordance with the following additional regulations:
- (a) A Digital sign shall not be permitted in a location closer than a 30.0 m distance to any dwelling in a residential district in the facing direction of the Digital sign and notification shall be sent of a digital sign application to residential properties within a 100m radius of the proposed location of the sign placement;
 - (b) No permit shall be issued for and no person shall erect, install or maintain a Digital sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto;
 - (c) A Digital sign must have an adjustable brightness level and the level of brightness shall be set as to not negatively affect adjacent residential districts to the reasonable satisfaction of the Development Authority;
 - (d) Hours of operation and timing of changeable content shall be appropriate for the proposed location and the Development Authority may place conditions on a decision essential to maintain neighbourhood characteristics.
 - (e) For all Digital Sign Applications the Development Authority shall review the application in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; proximity to residential development; driver decision points; and traffic conflict points. The Development Officer may require application revisions to mitigate the impact of a proposed Sign, and may refuse a permit that adversely impacts the built environment.
- 7.15.8 Where the Development Officer finds a sign to be abandoned they may, by notice in writing or by registered mail, order the registered owner, the person in possession of the land or building or the person responsible for the abandoned sign to:
- (a) remove the sign within ten days after receipt of the notice and restore the immediate area around the sign to the satisfaction of the Development Officer, or
 - (b) take such measures as are specified in the notice to alter and refurbish the sign so that it correctly identifies the business or the products and services offered on the site where the sign is displayed.
- 7.15.9 Freestanding signs in any land use district shall not project within 0.6m (2ft.) of a property line.
- 7.15.10 Within a Residential District, one identification sign per site may be allowed as follows:

- (a) a free standing or fascia sign when used to identify an apartment building, Manufactured home park or non-commercial use and which does not:
 - (i) exceed 3m² (32ft.²) in area, or
 - (iii) exceed 3.5m (11.5ft.) in height.
- (b) a freestanding or fascia sign to identify a Bed and Breakfast or Home Occupation that does not exceed 0.5m² (6ft.²) in area or 1.5m (5ft.) in height.

7.15.11 Within an Industrial, Public Service, Recreation and/ or Urban Reserve District advertising, identification or directional signs may be allowed as follows:

- (a) free standing signs provided that:
 - (i) the maximum height shall not exceed 9m (29.5ft.);
 - (ii) the total sign area for each face shall not exceed 14m² (150ft.²);
- (b) fascia signs provided that the total copy area of a sign or signs shall not exceed 20% of the face of the building or bay to which the sign is attached;
- (c) projecting sign, canopy or awning provided that:
 - (i) the maximum area shall be 9m² (96.9ft.²);
 - (ii) a sign shall not rise more than 300mm (12in.) above a parapet;
 - (iii) the projection outwards from the building is no greater than 1.2m (3.9ft.);
 - (iv) a minimum of 2.5m (8.2ft.) shall be provided between the bottom of a sign and a sidewalk or walkway;
 - (v) a minimum of 4.5m (14.8ft.) shall be provided between the bottom of the sign and a lane, road, parking lot or loading area; and
 - (vi) the structural supports and anchors have been approved by a professional structural engineer.
- (d) roof signs provided that:
 - (i) a sign shall have no visible support structures;
 - (ii) the maximum area of a sign shall be 9m² (96.9ft.²).
- (e) Billboards
 - (i) the maximum dimensions shall not be greater than 3m (9.84ft.) by 12m (39.32ft.);
 - (ii) do not block natural light from the windows of any building behind it;
 - (iii) the lighting of the billboard does not adversely affect neighbouring residential sites and/ or traffic lights;

- (iv) is not located within any of the Municipalities boulevards or lands;
- (v) is separated from another billboard by at least 300m (984ft.) and does not obscure the view of the landscape.

7.15.12 Within Central Business District, advertising, identification or directional signs may be allowed as follows:

- (a) free standing signs provided that:
 - (i) the maximum height shall not exceed 9m (29.5ft.);
 - (ii) the total sign area for each face shall not exceed 14m² (150ft.²);
- (b) fascia signs provided that the total copy area of a sign or signs shall not exceed 20% of the face of the building or bay to which the sign is attached;
- (c) projecting sign, canopy or awning provided that:
 - (i) the maximum area shall be 9m² (96.9ft.²);
 - (ii) a sign shall not rise more than 300mm (12in.) above a parapet;
 - (iii) the projection outwards from the building is no greater than 1.2m (3.9ft.);
 - (iv) a minimum of 2.5m (8.2ft.) shall be provided between the bottom of a sign and a sidewalk or walkway;
 - (v) a minimum of 4.5m (14.8ft.) shall be provided between the bottom of the sign and a lane, road, parking lot or loading area; and
 - (vi) the structural supports and anchors have been approved by a professional structural engineer.
- (d) roof signs provided that:
 - (i) a sign shall have no visible support structures;
 - (ii) the maximum area of a sign shall be 9m² (96.9ft.²).

7.16 Land near Water or Subject to Flooding or Subsidence

7.16.1 Development on land that is subject to flooding or subsidence or is marshy or unstable shall be discouraged, but when such development is allowed, the developer shall hold the municipality harmless from any damage to or loss of the development caused by flooding, subsidence, or other cause.

7.17 Drainage

7.17.1 Any area requiring landscaping or topographic reconstruction shall be landscaped or reconstructed so that the finished surface contours do not direct surface drainage onto an adjoining site.

7.18 Home Occupations

Home occupations shall be limited to those uses that do not interfere with the rights of other residents to quiet enjoyment of a residential neighborhood. Home occupations shall be an incidental and subordinate use to the principal residential use of the site. Home occupations are divided into categories: major and minor, and are guided by the following provisions:

7.18.1 Minor Home Occupations

- (a) The Home Occupation shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling in which it is located;
- (b) The Home Occupation shall not employ any person who lives outside of the home;
- (c) Home Occupations shall not generate traffic uncharacteristic to the residential area;
- (d) The Home Occupation may not extend beyond the confines of the primary residential dwelling nor utilize accessory buildings. There shall be no outside storage of materials, goods or equipment on the site;
- (e) There shall be no form of advertising relating to the home occupation discernible from outside of the building or site;
- (f) One on-site parking stall shall be provided for each vehicle used by the occupation, in addition to the requirements for the dwelling.

7.18.2 Major Home Occupations

- (a) The Home Occupation shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling or accessory building in which it is located;
- (b) The Home Occupation may employ up to two (2) persons who live outside of the home;
- (c) Home Occupations should not generate traffic more than five (5) vehicle trips per day;
- (d) There shall be no visible outside storage of materials, goods or equipment on the site, but the utilization of accessory buildings may be acceptable in accordance with the conditions of approval;

- (e) Advertising related to the home occupation and discernible from outside of the building or site shall be limited to one non-illuminated sign that does not exceed 1,000cm² (155in²);
- (f) One on-site parking stall shall be provided for each employee and each vehicle used by the occupation, in addition to the requirements for the dwelling.

7.18.3 General Regulations Governing Home Occupations

- (a) There shall be no mechanical or electrical equipment used that creates visual, audible or electrical interference with radio or television reception;
- (b) Any vehicles parking on-street or off-street as a result of the home occupation shall not be a source of inconvenience to adjacent land owners or tenants or exceed 6,000kg (13,227lbs);
- (c) The home occupation shall not cause nuisance effects or materially interfere with or affect the use, enjoyment or value of neighbouring properties by way of excessive noise, smoke, steam, odor, dust, vibration or refuse matter that would not commonly be found in a residential neighbourhood;
- (d) If at any time any of the requirements for a home occupation have not been complied with, or the use is not in keeping with the terms of approval, the Development Officer may suspend or cancel the development permit for the home occupation, pursuant to the provision under the Act or request the applicant to submit a new application to the Development Authority for consideration;
- (e) The occupation shall be operated only as a secondary use to the residential use of the site. The permit shall only be valid for the period of time the site is occupied by the applicant;
- (f) A development permit for an occupation on a residential site does not exempt compliance with health regulations or any other permit requirements;
- (g) Any changes from the original approval must be provided in writing to the Development Officer for reconsideration.

7.19 Bed and Breakfast Accommodation

7.19.1 Bed and breakfast accommodation shall not interfere with the rights of other residents to quiet enjoyment of a residential neighborhood. Bed and breakfast accommodation shall be an incidental and subordinate use to the principal residential use and shall be restricted to the dwelling unit and shall not:

- (a) require any alterations to the principal building unless the alterations are approved by the Development Authority;
- (b) create a nuisance by way of noise, parking or traffic generation;

- (c) occupy more than thirty percent (30%) of the dwelling unit or provide for more than three (3) guest rooms in addition to the family of the owner, whichever is less;
- (d) except for one identification sign, display any form of advertising relating to the bed and breakfast operation on site;
- (e) sell meals or alcoholic beverages to non-overnight guests;
- (f) include a kitchen in any room rented.

7.19.2 In granting a development permit for a bed and breakfast, the Development Officer shall restrict the use to a specified time limit after which an application must be made to continue the use. In no case shall a development permit be issued for a period that exceeds two years, after which time a new application must be made to continue the use.

7.20 Utilities

- 7.20.1 Except for accessory buildings and temporary buildings, all residential, commercial, industrial, institutional and recreational buildings shall be serviced by the municipal sanitary and storm sewers and water supply;
- 7.20.2 Each unit of a semi-detached dwelling or attached housing complex shall be serviced individually and directly connected to the municipal sewer and water lines;
- 7.20.3 Notwithstanding the foregoing, alternate arrangements for utility servicing may be considered at Council's discretion, and Council, in considering the matter may require the advice of any Federal or Provincial agency, any private consulting firm and municipal staff;
- 7.20.4 All new buildings shall be constructed with water conservation devices (low-flow toilets, etc.).

7.21 Parking and Loading Facilities

- 7.21.1 Parking and loading spaces shall be calculated on the basis of gross floor area, and unless otherwise stated, and where fractional figure occurs shall be rounded to the next higher figure.
- 7.21.2 Net floor area is calculated on the basis of gross floor area less a 15% allowance for mechanical rooms, stair cases and hallways.
- 7.21.3 Parking and loading spaces shall be provided on site in accordance with the following table:

	<u>Minimum number of spaces</u>
Use of Building	Parking
Apartments	1.5 Spaces/dwelling unit

Arena	1 space/10 patrons
Arenas (Open Air)	1 space/9m ² (96.87 sq.ft.)
Banks	1 space/37m ² (400 sq.ft.)
Drinking Establishment	1 space/3 seats for patrons
Bed and Breakfast Accommodation	1 space/ sleeping unit
Billiard Halls, Pool Rooms	1 space/28m ² (301.39 sq.ft.)
Bowling Alleys	2.5 spaces/alley
Churches	1 space/12patrons
Clinics	1 space/37m ² (398.26 sq.ft.)
Community Buildings	1 space/9m ² (98.87 sq. ft.)
Curling Rinks	6 spaces/sheet of ice
Group Home	1 space/staff member
Child Care Facility	1 space/staff member
Secondary Suite	1 space/ suite located in the rear yard
Libraries	1 space/37m ² (398.26 sq. ft.)
Lumber Yards, Home Improvement Centres	1space/37m ² (398.26 sq. ft.) of retail store area plus 1/1,858m ² (20,000 sq. ft.) for warehouse area plus 1 loading bay per 1,858m ² (20,000sq. ft.), minimum of 1
Industrial Uses	1 space/56m ² (602.79 sq. ft.)
Motels, Hotels	1 space/guest unit
Commercial Use (not listed elsewhere)	1 space/37m ² (400 sq. ft.)
Offices: Administrative Business & Professional	1 space/37m ² (400 sq. ft.)
Private Clubs, Lodges, and Fraternal Orders	1 space/37m ² (398.26 sq. ft.)
Public assembly Halls	1 space/9m ² (96.87 sq. ft.)
Residential-one and two unit	2 spaces/dwelling unit
Residential-Multi-unit	1.5 spaces/dwelling unit
Retail Stores and Service/Repair	1 space/37m ² (400 sq. ft.) plus 1 loading bay

Schools-Elementary	1 space/classroom
-Junior High	2 spaces/classroom
-Senior High	4 spaces/classroom
Senior Citizens Home	1 space/2units
Warehouses	1 space/93m ² (1,001.04 sq. ft.) plus 1 loading bay/1,858m ² (20,000 sq. ft.) minimum of 1

7.21.4 Notwithstanding Section 7.19.3, the Development Authority may:

- (a) require the developer to provide the required off-street parking on land other than that to be developed provided that:
 - (i) the alternate parking site is within an acceptable distance to the Development Office of the site where the principal building is located or where the approved use is carried on and within the same district;
 - (ii) the alternate parking site is under the absolute control of the developer or his successor to the principal development for a term of years equal to the life of the approved principal development and that the said alternate parking site will be maintained and made available at all times in a like manner to an on-site parking space;
 - (iii) the absolute control is established to the satisfaction of the Council;
 - (iv) should the developer or a successor to the principal development seek the consent of the Village to discontinue the use of an approved alternate parking site, he shall provide a substitute parking site that conforms to the criteria required for an on-site parking space;
 - (v) when the developer or his successor is authorized by the Village to provide one or more alternative parking site, he shall enter into an agreement under seal with the Village detailing these and such other relevant things as the Village may require and the said agreement shall be in such form as may be registered and maintained on the title or titles to such lands in the Land Titles Office.

7.21.5 A parking space shall be located on the same site or a site within a distance acceptable to the Development Officer of the building or the use for which it is required and shall be designed, located, and constructed to the Village's standards so that:

- (a) it is easily accessible to the vehicle intended to be accommodated there;
- (b) it is in conformity with the requirements as outlined in Section 7.5.12 and the stall width, angle, and depth, along with the aisle width, are indicated on the site plan; and
- (c) it is satisfactory to the Development Officer in size, shape, location, grading, and construction.

- 7.21.6 A loading space shall have an area of not less than 28m² (301.4sq. ft.), 3.5 (11.48ft.) in width, and 3.5m (11.48ft.) overhead clearance,
- 7.21.7 Any parking space or any loading space provided shall be developed and surfaced to Village standards.
- 7.21.8 When a building is enlarged altered, or a change in the use occurs in such a manner as to cause a more intensive use of that building, provision shall be made for the additional parking spaces required under the parking provisions of this By-law. The calculation shall base on the number of additional parking spaces required as a result of the enlargement, alterations, or change in the use of the building.
- 7.21.9 Adequate curbs or concrete bumpers or fences shall be provided to the satisfaction of the Development Officer.
- 7.21.10 The on-site parking shall be provided in the manner shown on the approved site plan, with the entire area to be graded and surfaced so as to ensure that drainage will be confined to the site, and disposed of in a manner satisfactory to the Development Officer.
- 7.21.11 Parking spaces shall not be less than 2.5m (8.20ft.) in width, 6m (19.69ft.) in length, and 15m² (161.46 sq. ft.) in area.
- 7.21.12 Parking spaces shall be designed and provided in accordance with the following table and diagram.

WIDTH OF STALL m (ft.)	ANGLE OF PARKING, DEG	WIDTH OF AISLE m (ft.)	DEPTH OF STALL PERPENDICULAR TO AISLE m (ft.)
2.5 (8.0)	30	3.5 (11.48)	5.1 (16.73)
2.5 (8.0)	45	3.5 (11.48)	6 (20.99)
2.5 (8.0)	60	5.5(18.04)	6.4 (20.99)

7.19.13 Parking spaces shall not be located in the front yard of a site in any residential district unless otherwise allowed by the Development Authority.

7.22 Non-Conforming Uses and Non-Conforming Buildings

7.22.1 The following subsections 7.17.2 to 7.17.7 inclusive are provided for in Section 643(1) of the Municipal Government Act. These subsections are provided for information purposes only.

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

- (a) *to make it a conforming building; or*
- (b) *as may be deemed necessary by the Development Officer for the routine maintenance of the building;*

(c) *in accordance with this Land Use Bylaw that provides minor variance powers to the development Officer.*

7.22.3 *If a non-conforming building is damaged or destroyed by fire or other causes to an extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in conformity with the provisions of this By-law.*

7.22.4 *A non-conforming use of land or 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 must conform to the provisions of this By-law.*

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

7.22.6 *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 be enlarged or added to and no structural alterations may be made thereto or therein.*

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

7.22.8 *When a building is a non-conforming building solely by reason of its encroachment into a required front, side, or rear yard, or inadequate parking, the Development Officer at their discretion may allow an extension of, or an addition to, the building, if such extension or such addition will not in itself constitute an encroachment into any required yard, and if such extension or addition complies with the provisions of this Bylaw.*

7.22.9 *A building that encroaches into a required front, side or rear yard by reason of conversion from imperial unit of measurement is considered to be a conforming building.*

7.22.10 *For purposes of administering the issuance of Certificate of Compliance, all buildings and structures existing prior to the adoption of the Bylaw that were built in accordance to prior development permit approvals shall be considered to be conforming uses and buildings.*

7.23 Subdivision of Land

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 Approval Authority, or upon appeal, the Subdivision and Development Appeal Board or the Municipal Government Board.

7.24 Manufactured Homes

7.24.1 **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.

7.24.2 **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.

7.24.3 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.

7.24.4 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.

7.24.5 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.

7.25 Communication Structures

7.25.1 Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including communication towers and antenna's. In making its decision regarding the communication structure and related facilities, Industry Canada considers the following:

- (a) the input provided by the Approving Authority;
- (b) compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
- (c) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
- (d) an environmental impact assessment may be required in order to comply with the ***Canadian Environmental Assessment Act***.

7.25.2 The participation of the Village in the consultation process does not transfer any Federal decision making authority, nor does it confer a right of veto in the location of the communication structure.

7.25.3 Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.

- (a) The tower base shall be setback from abutting parcels and roadways by a distance of 10 percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
- (b) Guy wire anchors shall be setback at least 28.0 m (91.9 ft.) from the property line.
- (c) Communication towers must have the least practical adverse visual effect on the environment. This may be mitigated through design features, landscaping and/or fencing.

- 7.25.4 Communication structures shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for siting communication structures.
- 7.25.5 All equipment shelters must meet Village setback distances to roads and property lines.
- 7.25.6 Appropriate access/ egress shall be provided to the satisfaction of the development authority.
- 7.25.7 All applicants requesting a new telecommunication structure shall be required to identify any other such structure within an 8.05 km (5 mi) radius of the proposed site location. Each request shall also provide documentary evidence that co-location of the existing structures within that 8.05 km (5 mi) radius is not a viable alternative to a second structure.
- 7.25.8 Where Transport Canada requires that a telecommunication tower be lighted, the following procedures shall be encouraged to minimize visual impacts:
- (a) the lighting of equipment structures and any other facilities on site shall be shielded from adjacent properties where possible without interfering with the requirements of Transport Canada;
 - (b) all lighting shall be a minimum number of low intensity white lights; and
 - (c) the strobe interval shall be the maximum allowable by Transport Canada, and the strobe lights shall only be used if absolutely necessary.
- 7.25.9 The Village of Rockyford may adopt policies specific to Communication Structure placement in accordance with best practices and guidance documents.

7.26 Renewable Energy Systems

- 7.26.1 Renewable energy systems such as, but not limited to, active and passive solar, photovoltaic solar panels, heat exchange systems and generators are encouraged as a method to reduce greenhouse gas emissions and to promote sustainability objectives within the Village. Alternative Energy Systems shall require a development permit to ensure there are no nuisance effects that extend beyond the site and shall have consideration for the following requirements:
- (a) Renewable energy systems shall meet the minimum requirements of the appropriate land use district including setbacks and height; and
 - (b) Renewable energy systems shall be considered a discretionary use in all land use districts.
 - (c) Renewable Energy Systems shall follow the minimum requirements for accessory buildings and uses in the appropriate Land Use District.

7.27 Small Wind Energy Systems

It is the purpose and intent to promote the safe, effective and efficient use of small wind energy systems (SWES) to reduce the on-site consumption of utility-supplied electricity while protecting public health and safety without significantly increasing the cost or decreasing the efficiency of a SWES. An SWES may be appropriately located on larger residential parcels, commercial/ industrial sites or for public facilities and

shall be considered an accessory structure and use in the land use districts where it is listed in accordance with the following requirements:

7.27.1 Maximum Tower Height:

- (a) Parcel size – 0.2 ha. (0.5 acres) – 0.4 ha. (1.0 acre)
25 m (80 ft.)
- (b) Parcel size greater than 0.4 ha. (1.0 acre)
No maximum

Tower height shall be in accordance with the manufacturer requirements and shall conform to the setback requirements below.

7.27.2 Setback Requirements:

- (a) Setbacks from property lines

The SWES tower base shall be no closer to the property line than the **total system height** of the SWES, and no part of the tower structure, including guy wire anchors, may extend closer than 3 m (10 ft.) to the property boundaries of the installation site. The Development Authority may waive the tower base setback requirements if the adjacent property owner grants an easement for the location of the SWES to be closer than these requirements.

- (b) Setbacks from Structures

- (i) Dwellings:

The SWES tower base shall be no closer to a dwelling unit on an **adjacent** property than the **total system height** of the SWES.

- (ii) Accessory buildings or structures

No requirements

The Development Authority may waive the tower base setback requirements if the affected adjacent property owner grants an easement registered on title for the location of the SWES to be closer than these requirements.

7.27.3 Sound

Sound levels from a SWES shall not negatively impact adjacent property owners. A satisfactory report from a sound engineering professional may be required to ensure noise levels are not above that of normal ambient background noise on adjacent properties. This determination shall be measured at the at the property line of the adjacent property.

7.27.4 Visual Impact

The nature of a SWES requires the installation of the turbine on a tall tower, 25-30 ft. above structures or trees to reach wind conditions and avoid turbulence. Visual Impact concerns shall

be considered where there is significant scenic or historical value associated and where there is a clear public benefit.

7.27.5 Consultation Requirements

Applicants for a SWES shall be responsible for circulating the proposal prior to application to adjacent property owners using the approved form. Any comments received from the circulation shall be included with the application.

7.27.6 Decommissioning

If the active production of electricity from a SWES is discontinued for two years or more the SWES shall be removed. Upon termination of the use, the entire facility shall be removed and the site shall be restored to pre-construction condition.

7.28 Work Camp

7.28.1 An application for a development permit for a work camp must provide the following information:

- (a) the location, type, and purpose of the camp;
- (b) adjacent land uses;
- (c) the method of supplying water, sewage and waste disposal to the camp. If a private sewage system is proposed, the proposed method of sewage disposal must comply with the current Alberta Private Sewage Systems Standard Practice and be to the satisfaction of the health authority;
- (d) the number of persons proposed to reside in the camp;
- (e) demonstrated approval from Alberta Environment if the camp is located on Crown land;
- (f) the start date of the development, date of occupancy, and removal date of the camp; and
- (g) reclamation measures once the work camp is no longer needed. (Post security with the municipality sufficient to remove and reclaim the site if the work camp remains on the site after the project is either completed or if work has stopped to the extent that the Development Authority no longer feels the work camp is relevant to the project, or to reclaim the site if required after the work camp has been removed from the site.)

7.28.2 A development permit for a work camp shall not be approved unless:

- (a) it is directly associated with a development/ business situated within the area;
- (b) it is deemed compatible with surrounding development and land uses by the development authority;
- (c) sufficient screening/ buffering/ separation is provided from surrounding land uses as determined by the Development Authority;
- (c) it shall be for a temporary period of time in accordance with the timelines of a work project as specified by the Development Authority;
- (d) all required access provisions are provided to the satisfaction of the Development Authority at the sole cost of the developer;
- (e) the developer provides undertakings and guarantees acceptable to the

Development Authority, that the work camp will be removed and the subject site returned to its original condition upon completion as it was before the work camp was developed.

7.29 Bare land Condominiums

- 7.29.1 An application for a Bare Land Condominium shall include a conceptual scheme or Area Structure Plan to be approved prior to a subdivision or development application;
- 7.29.2 A Bare Land Condominium shall be considered in accordance with all relevant general regulations and requirements in this bylaw and with the regulations of the applicable land use district such that each Bare Land Condominium Unit is to be treated in the same respect as a lot;
- 7.29.3 The Subdivision/ Development Authority may relax bylaw standards/ regulations including site coverage and yard/ setback requirements beyond the maximum relaxation requirements in this bylaw where the relaxations only affect internal bare land condominium boundaries and properties. No relaxations to Land Use District minimum and maximum requirements shall be permitted at the outer boundaries of a Bare Land Condominium project and/ or adjacent to properties not associated with the project; and
- 7.29.5 Where a Bare Land condominium is served by a private roadway such roadway must allow for safe and efficient movement of emergency vehicles to a standard acceptable to the Village Emergency Services Departments.

Part 8 Land Use Districts

8.1 Land Use Districts

8.1.1 For the purpose of this Bylaw, the land within the boundaries of the Municipality shall be divided into one or more of the Districts as established in Section 8.2.

8.1.2 Throughout this Bylaw, and amendments thereto, a District may be referred to either by its full name or its abbreviation as set out in Section 8.2.

8.2 Districts

Residential- Single Unit Detached District (R-1)

Residential- General District (R-G)

Residential- Manufactured Home District (R-MH)

Central Business District (CB)

Commercial – Restricted District (C-R)

Industrial – Restricted District (I-R)

Industrial – General District (I-G)

Urban Reserve District (UR)

Public Service and Recreational District (PSR)

Direct Control District (DC)

8.3 District Boundaries and Land Use District Map

(1) The boundaries of the districts listed above are as delineated on the Land Use District Map being **Appendix “A”** hereto.

(2) Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1: Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line 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) where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - (b) where dimensions are set out on the Land Use District with respect to such boundary, by measurement of land use of the scale shown on the Land Use District Map.
- (4) Where the exact location of the boundary of a land use district cannot be determined using the rules in subsection (1), 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.
- (5) The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.
- (6) The Council shall keep a list of its decisions fixing the locations of district boundaries.
- (7) The Council shall maintain a list of its decision with respect to boundaries or portions thereof fixed by it.

8.4. Residential Single Unit Detached District (R-1) Land Use Rules

8.4.1 Purpose and Intent

8.4.1.1 The purpose and intent of this District is to provide for low density single detached dwelling unit residential development with conventional construction methods and standards.

8.4.2 List of Permitted Uses

Accessory building

Day Home

Dwelling, Single Detached (excluding Manufactured Homes)

Public Parks and Playgrounds

8.4.3 List of Discretionary Uses

Accessory Use

Bed and Breakfast

Community Buildings and Facilities

Day Care Centre

Dwelling – Modular Home

Fabric Covered Building - Residential

Home Occupation, Major

Private Parks and Playgrounds

Public and Quasi- Public Buildings and Facilities

School

Sign

Worship Facility

8.4.4 General Requirements

8.4.4.1 In addition to the general land use provisions contained in Part 7, the following provisions as contained within this Section shall apply to every development in the District.

8.4.5 Minimum Requirements

8.4.5.1 Area of site:

- (a) Dwellings: 464m² (4,994 ft.²);

- (b) All other uses at the discretion of the Development Authority.

8.4.5.2 Width of Site:

- (a) Dwellings: 15m (49.2 ft.);
- (b) All other uses at the discretion of the Development Authority.

8.4.5.3 Front Yard:

- (a) Except as in (b) and (c) below: shall be a minimum of 4.5m (14.7ft.). Exceptions to this requirement may be considered by the Development Authority, who shall have consideration for development or potential development on adjacent sites and for the amenities of the area, if the irregular or unusual shape or size of the lot is such that compliance with the above requirement would make it impossible, impractical or undesirable from an amenity point of view, to place the principal building on the site and still have it comply with the front, side and rear yard setbacks of the Bylaw.
- (b) Any garage with access off a street, other than a garage the length of which is approximately parallel to the street, shall be set back 6m (19.69 ft.) from the property line.
- (c) Where a driveway or vehicular parking is to be provided in the front yard of a principal building, with no access to a garage or carport, the principal building shall be set back 6m (19.69 ft.) from the property line. Driveways or vehicular parking shall not be permitted in the front yard of any principal building if that building is less than 6m (19.69 ft.) from the property line.

8.4.5.4 Side Yard:

- (a) Principal Buildings:
 - (i) Street side of corner site: 3m (9.84ft.)
 - (ii) On a laneless site: if an attached garage or carport is not provided, one unobstructed side yard of 3m (9.8 ft.), the other side 1.5m (5 ft.);
 - (iii) All other sites: 1.5m (4.92ft.)
- (b) Accessory Buildings:
 - (i) Street side of corner site if the driveway is from the lane: 3m (9.8 ft.)
 - (ii) With access from a street: 6m (19.69 ft.);
 - (iii) All other sites: 0.6m (2 ft.).

8.4.5.5 Rear Yard:

- (a) Principal Buildings: 7m (23 ft.)
- (b) Accessory Building: 1m (3.28 ft.)

8.4.5.6 Habitable Floor Area:

- (a) Single Detached Dwelling (one storey): 83m² (893.43 ft.²);
- (b) Single Detached Dwelling (two storey): 74m² (796.55 ft.²) for the first storey with a combined area of 130m² (1399.35 ft.²).

8.4.6 Maximum Limits

8.4.6.1 Coverage of Site:

- (a) All buildings together, including accessory buildings: 50% of the area of the site.
- (b) All accessory buildings: 15% of the area of the site.

8.4.6.2 Height of Buildings:

- (a) Principal Building: 10m (33 ft.)
- (b) Accessory Building: 5m (16.4 ft.)

8.4.7 Other Requirements

- 8.4.7.1 The Development Office may specify such other requirements as deemed necessary or desirable having regard to the nature of a proposed development and the purpose of this District.

8.5 Residential- General District (R-G) Land Use Rules

8.5.1 Purpose and Intent

8.5.1.2 The purpose and intent of this District is to provide for residential neighbourhoods in which a variety of residential densities and building types may be permitted.

8.5.2 List of Permitted Uses

Accessory building

Day Home

Dwelling, Duplex

Dwelling – Modular Home

Dwelling, Semi-detached

Dwelling, Single Detached (excluding Manufactured Homes)

Public Parks and Play Grounds

School

Secondary Suite

8.5.3 List of Discretionary Uses

Accessory Use

Apartment

Attached Housing (all types)

Bed and Breakfast

Community Buildings and Facilities

Day Care Centre

Dwelling – Moved On

Dwelling Group

Fabric Covered Building - Residential

Garden Suite

Home Occupation, Major

Manufactured Home

Private Parks and Play Grounds

Public and Quasi- Public Buildings and Facilities

Senior Citizens Housing

Sign

Worship Facility

8.5.4 General Requirements

8.5.4.1 In addition to the General Land Use Provisions contained in Part 7, the following provisions as contained within this Section shall apply to every development in the District.

8.5.5 Minimum Requirements

8.5.5.1 Area of Site:

- (a) Apartments and Dwelling Groups: minimum lot area of 929m² (10,000sq. ft.)
- (b) Attached Housing:
 - (i) 204m² (2196 ft.²) for each internal dwelling unit;
 - (ii) except as in (iii) below, 255m² (2745 ft.²) for each end dwelling unit;
 - (iii) 306m² (3294 ft.²) for each unit with a side yard abutting street.
- (c) Semi-detached Dwelling:
 - (i) Except as in (ii) below, 279m² (3003.21 ft.²) for each dwelling unit;
 - (ii) 326m² (3509.03 ft.²) for each dwelling unit with a side yard abutting a street.
- (d) Single Unit and Duplex Dwellings (all types): 464m² (4,994 ft.²);
- (e) All other uses at the discretion of the Development Authority.

8.5.5.2 Width of Site:

- (a) Apartments and Dwelling Groups: 22m (73 ft.)
- (b) Attached Housing:
 - (i) 6m (19.69 ft.) for each internal dwelling unit;
 - (ii) Except as in (iii) below; 7.5m (24.60 ft.) for each end dwelling unit;
 - (iii) 9m (29.53 ft.) for each end dwelling unit with a side yard abutting a street.
- (c) Single Detached Dwelling: 12m (39.37 ft.);

- (d) All other uses at the discretion of the Development Authority.

8.5.5.3 Front Yard:

- (a) Except as in (b) and (c) below: shall be a minimum of 4.5m (14.7ft.). Exceptions to this requirement may be considered by the Development Authority, who shall have consideration for development or potential development on adjacent sites and for the amenities of the area, if the irregular or unusual shape or size of the lot is such that compliance with the above requirement would make it impossible, impractical or undesirable from an amenity point of view, to place the principal building on the site and still have it comply with the front, side and rear yard setbacks of the Bylaw.
- (b) Any garage with access off a street, other than a garage the length of which is approximately parallel to the street, shall be set back 6m (19.69 ft.) from the property line.
- (c) Where a driveway or vehicular parking is to be provided in the front yard of a principal building, with no access to a garage or carport, the principal building shall be set back 6m (19.69 ft.) from the property line. Driveways or vehicular parking shall not be permitted in the front yard of any principal building if that building is less than 6m (19.69 ft.) from the property line.

8.5.5.4 Side Yards:

- (a) Principal Building:
 - (i) Street side of corner site: 3m (9.84ft.)
 - (ii) On a laneless site: if an attached garage or carport is not provided, one unobstructed side yard of 3m (9.8 ft.), the other side 1.5m (5 ft.);
 - (iii) All other sites: 1.5m (4.92ft.)
- (b) Accessory Building:
 - (i) Street side of corner site if the driveway is from the lane: 3m (9.8 ft.)
 - (ii) With access from a street: 6m (19.69 ft.);
 - (iii) All other sites: 0.6m (2 ft.).

8.5.5.5 Rear Yard:

- (a) Principal Building: 7m (23 ft.)
- (b) Accessory Building: 1m (3.28 ft.).

8.5.5.6 Habitable Floor Area per Unit:

- (a) 74m² (796 ft.²) per unit for Attached Housing and Dwelling Groups;
- (b) Apartment: 37m² (398.26 ft.²);

- (c) Single or Semi Detached, Duplex, Modular Dwelling (one storey): 83m² (893.43 ft.²);
- (d) Single, Semi or Modular Detached Dwelling (two storey): 74m² (796.55 ft.²) for the first storey with a combined area of 130m² (1399.35 ft.²).
- (e) Manufactured Homes: 66m² (715 ft.²).

8.5.6 Maximum Limits

8.5.6.1 Coverage of Site:

- (a) All buildings together, including accessory buildings: 50% of the area of the site.
- (b) All accessory buildings: 15% of the area of the site.

8.5.6.2 Height of Buildings:

- (a) Principal Buildings: 10m (33 ft.)
- (b) Accessory Buildings: 5m (16.40ft.)

8.5.7 Dwelling Group Requirements

8.5.7.1 Notwithstanding the minimum and maximum requirements of a District, where two or more buildings each containing two or more dwelling units, are clustered in a dwelling group, the following shall apply.

8.5.7.2 Setbacks:

- (a) All buildings in a dwelling group shall be setback a minimum of:
 - (i) 6m (19.69 ft.) from any public roadway excluding lanes;
 - (ii) 3m (9.84 ft.) from any other property line delineating the edge of the dwelling group;
 - (iii) 3m (9.84 ft.) from any other building in the dwelling group.
- (b) Notwithstanding (a) above, building elevations with living room or bedroom windows shall be separated a distance of:
 - (i) 15m (49.2ft.) from any other principal building in the dwelling group;
 - (ii) 3m (9.8ft.) from any internal roadway or walkway intended for common use in the dwelling group;
 - (iii) A required separation space may be provided wholly or partly within a required setback.

8.5.7.3 Vehicle – Pedestrian Facilities

- (a) All private roads shall be constructed and surfaced to the municipality's specifications and have a minimum carriageway of 7m (23ft.);

- (b) Dead-end roads or cul-de-sacs shall have a turning circle at the dead-end with a radius of at least 8.5m (27.9ft.);
- (c) On-street parking is prohibited on private roadways unless the carriageway width includes a designated parking area;
- (d) Internal pedestrian walkways, where provided, shall have a hard surfaced minimum width of 1m (3.3ft.) and shall be constructed to the satisfaction of the municipality.

8.5.7.4 General:

- (a) All dwelling units shall be within 30m (98.4ft.) of a garbage facility;
- (b) The arrangement of the buildings in a dwelling group is subject to the approval of the Development Authority.

8.5.7.5 Townhouse Developments:

- (a) Front Yard:

A townhouse building that fronts onto a public street (row house) shall not have a front yard less than the deepest front yard of the principal building on any adjoining site or 9m (29.5ft.) whichever is the lesser;

- (b) Garbage Storage:

Garbage and waste material shall be stored in weather and animal proof containers in accordance with a waste bylaw and shall be screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

- (c) Compatibility

Where townhouse units front onto a public street, they shall be compatible in terms of mass and character with existing residential buildings on neighbouring sites.

8.5.8 Recreational and Landscaping Requirements for Multi-Unit Housing

8.5.8.1 When the development of multi-unit dwelling complex or a dwelling group is proposed, the developer shall provide on the site, areas for recreational and landscaping purposes, in addition to those areas needed for buildings, driveways, walkways, and parking spaces.

8.5.8.2 The area of a site required for recreational and landscaping purposes will vary according to the number, type and size of the dwelling units to be constructed thereon. Those areas comprised of balconies and recreational facilities within the development including patios, swimming pools and any communal lounges for the free use of the tenants may be used in the calculation of total requirements for recreational landscaping areas.

8.5.8.3 The minimum recreational and landscaping area required for a multi-unit housing or apartment complex shall be equal to 30% of the site area.

8.5.8.4 The location on the site of recreational and landscaped areas is subject to the approval of the Development Authority.

8.6 Residential Manufactured Home District (R-MH) Land Use Rules

8.6.1 Purpose and Intent

8.6.1.1 The purpose and intent of this District is to provide for manufactured home residential development and associated uses where manufactured homes are accommodated on an individual site basis and individual service connections or in rental parks. This district is intended exclusively for manufactured and modular homes and is not to be interspersed with conventional housing nor used to site manufactured homes in conventional housing area.

8.6.2 List of Permitted Uses

Accessory building

Day Home

Dwelling - Manufactured Home

Dwelling – Modular Home

Public Parks and Play Grounds

8.6.3 List of Discretionary Uses

Accessory Use

Community Buildings and Facilities

Day Care Centre

Fabric Covered Building - Residential

Home Occupation, Major

Private Parks and Play Grounds or Recreation facilities

Public and Quasi- Public Buildings and Facilities

Sign

Worship Facility

8.6.4 General Requirements

8.6.4.1 In addition to the general land use provisions contained in Section 7, the following provisions as contained within this Section shall apply to every development in this District.

8.6.5 Minimum Requirements

Where manufactured homes are placed on individual sites the following shall apply:

8.6.5.1 Area of Site:

(a) Dwellings:

<u>Unit width</u>	<u>Minimum site area</u>
Up to 22 ft.	371m ² (3,993.5ft. ²)
over 22 ft.	464m ² (4,994.6ft. ²)

(b) All other uses at the discretion of the Development Authority.

8.6.5.2 Width of Site:

(a) Dwellings:

<u>Unit width</u>	<u>Minimum site area</u>
Up to 22 ft.	12m (39.4ft.)
over 22 ft.	15m (49.2ft.)

(b) All other uses at the discretion of the Development Authority.

8.6.5.3 Front Yard:

- (a) Except as in (b) and (c) below: shall be a minimum of 4.5m (14.7ft.). Exceptions to this requirement may be considered by the Development Authority, who shall have consideration for development or potential development on adjacent sites and for the amenities of the area, if the irregular or unusual shape or size of the lot is such that compliance with the above requirement would make it impossible, impractical or undesirable from an amenity point of view, to place the principal building on the site and still have it comply with the front, side and rear yard setbacks of the Bylaw.
- (b) Any garage with access off a street, other than a garage the length of which is approximately parallel to the street, shall be set back 6m (19.69 ft.) from the property line.
- (c) Where a driveway or vehicular parking is to be provided in the front yard of a principal building, with no access to a garage or carport, the principal building shall be set back 6m (19.69 ft.) from the property line. Driveways or vehicular parking shall not be permitted in the front yard of any principal building if that building is less than 6m (19.69 ft.) from the property line.

8.6.5.5 Side Yards:

(a) Principal Buildings:

- (i) Street side of corner site: 3m (9.84ft.)
- (ii) On a laneless site: if an attached garage or carport is not provided, one unobstructed side yard of 3m (9.8 ft.), the other side 1.5m (5 ft.);

- (iii) All other sites: 1.5m (4.92ft.)
- (b) Accessory Buildings:
 - (i) Street side of corner site if the driveway is from the lane: 3m (9.8 ft.)
 - (ii) With access from a street: 6m (19.69 ft.);
 - (iii) All other sites: 0.6m (2 ft.).

8.6.5.6 Rear Yard:

- (a) Principal Buildings: 4.5m (14.7 ft.)
- (b) Accessory Building: 1m (3.28 ft.).

8.6.5.7 Habitable Floor Area per Unit:

- (a) Manufactured Homes: 66m² (715 ft.²).

8.6.6 Maximum Limits

8.6.6.1 Coverage of Site:

- (a) All buildings together, including accessory buildings: 50% of the area of the site.
- (b) All accessory buildings: 15% of the area of the site.

8.6.6.2 Height of Buildings:

- (a) Principal Buildings: 6m (19.7 ft.)
- (b) Accessory Buildings: 5m (16.40ft.)

8.6.7 Special Requirements

8.6.7.1 Manufactured Home requirements in Part 7 shall apply to all Manufactured home applications.

8.6.7.2 Manufactured Home Park Requirements:

- (a) Park Size
 - (i) Minimum Site Area: 0.8 ha (2 acre).
 - (ii) Maximum Site Area: 12 ha (30 acres).
- (b) Density:
 - (i) Shall not exceed 20 units per hectare.
- (c) Maximum Park Coverage:
 - (i) 40% for manufactured homes and additions.
 - (ii) 15% for accessory buildings.
 - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (d) Park 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 ft.) and be surfaced to the satisfaction of the Development Authority.
 - (iii) Each manufactured home shall abut a park roadway and have an access to the park roadway at least 4.3 m (14 ft.)
- (e) Parking
- (i) No on-street parking shall be permitted.
 - (ii) A minimum of two car parking stalls shall be provided for each manufactured home.
 - (iii) Visitor parking shall be one off-street parking stall for every three (3) manufactured homes. Visitor parking shall be dispersed throughout the park and clearly identified.
- (e) Appearance
- (i) A 6 m (20 ft.) buffer shall be provided around the boundary of the park. This buffer shall be landscaped and fenced.
 - (iii) A minimum of 10% of the total area of a manufactured home park shall be set aside for an amenity area and/or recreational use.
 - (iv) All areas of a manufactured home park not developed or occupied by community roads, walkways, driveways, buildings or other facilities shall be landscaped to the satisfaction of the Development Authority.
 - (v) Each manufactured home, attached structure, and accessory building shall be located entirely within the boundaries of its plot.
 - (vi) A manufactured home park shall include outdoor lightning.
- (f) Utilities
- (i) All utility lines shall be placed underground in a manufactured home park.
 - (ii) Each manufactured home shall be connected to and serviced by the municipal sanitary sewer, water supply and electric power systems and serviced with natural gas.
- (g) Permitted Signs
- (i) One park identification sign at each entrance to the park. Maximum sign area is 2.9 m² (32 sq.ft.) and maximum height of sign is 1.8 m (6 ft.).
 - (ii) Directional signs within the park.
- (h) Storage
- (i) A screened storage compound shall be provided for trucks, campers, travel trailers, boats etc., at a location and in a manner satisfactory to the Development Authority.
- (i) Future Subdivision
- (i) The Development Authority 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.

8.7 Central Business District (CB) Land Use Rules

8.7.1 Purpose and Intent

8.7.1.1 The purpose and intent of this District is to provide for centralized commercial development serving the Village and the surrounding rural areas.

8.7.2 List of Permitted Uses

Arts, Crafts and photography studios

Bakery

Butcher shop

Car Wash

Community Buildings and Facilities

Clinic

Home Occupation

Offices (Administrative, Business, and Professional)

Liquor Store

Personal Service

Post Office

Public Park

Restaurant

Retail Store

8.7.3 List of Discretionary Uses

Accessory Building

Accessory Use

Automobile Sales, Service and Repair Establishment

Amusement Centre

Apartment

Communication Structure

Day Care facility

Drinking Establishment
Dwelling – Accessory to a commercial use
Dwelling – Multiple Unit
Existing Uses: may be allowed to expand and/ or rebuild
Fabric Covered Building – Commercial/ Industrial
Funeral Home
Gas Bar
Hotel
Liquor Store
Mixed Use Development
Motel
Private Clubs, Lodges, and Fraternal Orders
Public and Quasi-Public Buildings, Installations and Facilities
Repair and Service Shop
Restaurant
Service Station
Shopping Centre
Sign
Storage Structure – accessory to a commercial use
Veterinary Clinic
Workshop, accessory to retail stores

8.7.4 General Requirements

8.7.4.1 In addition to the general land use provisions contained in Section 7, the following provisions as contained within this Section shall apply to every development in this District.

8.7.5 Minimum Requirements

8.7.5.1 Area of Site:

- (a) Motels: 1,858m² (20,000ft.²);
- (b) Hotels: 1115m² (12,001.76 ft.²)

- (c) Gas Bars and Service Stations: 929m² (10,000ft.²)
- (d) Existing Residential Developments: Follow the appropriate residential district land use rules
- (e) All other Uses at the discretion of the Development Authority.

8.7.5.2 Width of Site:

- (a) Motels and Hotels: 30m (98.48 ft.)
- (b) Gas Bars and Service Stations: 30m (98.48 ft.)
- (c) Existing Residential Developments: Follow the appropriate residential district land use rules
- (d) All other Uses at the discretion of the Development Authority.

8.7.5.3 Front Yard:

- (a) Existing Residential Developments: Follow the appropriate residential district land use rules
- (b) All other uses: none required

8.7.5.4 Side Yard:

- (a) Existing Residential Developments: Follow the appropriate residential district land use rules
- (b) All other uses: none required where a fire rated wall is provided in accordance with the safety codes requirements. If a firewall is not provided a minimum setback of 1.2m (3.9ft.) is required.

8.7.5.5 Rear Yard:

- (a) Existing Residential Developments: Follow the appropriate residential district land use rules
- (b) All other uses: none required where a fire rated wall is provided in accordance with the safety codes requirements. If a firewall is not provided a minimum setback of 1.2m (3.9ft.) is required.

8.7.5.6 Habitable Floor Area per Unit:

- (a) Existing Residential Developments: Follow the appropriate residential district land use rules;
- (b) Apartments and Dwelling Accommodation (accessory to the principal use): 37m² (400ft.²).

8.7.6 Maximum Limits

8.7.6.1 Height of Buildings:

- (a) Principal Commercial Buildings: 10m (32.8 ft.);
- (b) Existing Residential Developments: Follow the appropriate residential district land use rules;
- (c) Accessory buildings: 5m (16.4ft.).

8.7.6.2 Coverage of Site: at the discretion of the approving authority.

8.7.7 Special Requirements

8.7.7.1 Screening:

- (a) All sites abutting a residential district shall be screened from the view of residential sites to the satisfaction of the Development Authority;
- (b) All apparatus on the roof shall be screened to the satisfaction of the Development Authority.

8.7.7.2 Landscaping:

- (a) If a landscaped area is provided, it must be in accordance with the plan approved by the Development Authority;
- (b) Any trees or shrubs that die must be replaced during the next planting season.

8.7.7.3 Dwelling accommodation:

- (a) Dwelling accommodation in a mixed use development shall not be located on the on the street front of a commercial building. It shall be accessory to the principal commercial use of the building;
- (b) In a mixed use development, one parking space shall be required for the residential component;
- (c) Apartment and dwelling accommodation shall have separate access from the commercial component.

8.8 Commercial Restricted District (C-R) Land Use Rules

8.8.1 Purpose and Intent

8.8.1.1 The purpose and intent of this District is to provide for a limited range of commercial uses that serve the community and region located on major roadways (highway commercial development).

8.8.2 List of Permitted Uses

Accessory buildings

Public parks

8.8.3 List of Discretionary Uses

Accessory Use

Agricultural Equipment Sales, Service, Storage and Repair Establishments

Auto body and paint shops

Automobile Sales, Service, Storage and Repair Establishments

Auction Facility

Bus storage and maintenance facility

Car Wash

Communication Structure

Drinking Establishment

Fabric Covered Building – Commercial/ Industrial

Hotel/ Motel

Liquor Store

Office

Parking Lot

Public and Quasi-Public buildings, Installations and Facilities

Restaurant

Retail Store

Service Station

Shopping Centre

Sign

Storage Structure – accessory to a commercial use

Storage Yard

Trucking Terminal

Veterinary Clinic

Warehousing

8.8.4 General Requirements

8.8.4.1 In addition to the General Land Use provisions as contained in Part 7, the following provisions as contained within this section shall apply to every development in this District.

8.8.5 Minimum Requirements

8.8.5.1 Area of Site: At the discretion of the Approving Authority.

8.8.5.2 Width of Site: At the discretion of the Approving Authority.

8.8.5.3 Front Yard: At the discretion of the Approving Authority.

8.8.5.4 Side Yard:

- (a) Street side of corner site or adjacent to a residential district: 3m (9.84ft.);
- (b) Where a fire rated wall is provided, no side yard is required;
- (c) In a laneless subdivision, one unobstructed side yard shall be a minimum of 6m (19.69 ft.) in width excluding corner sites with alternate rear access.

8.8.5.5 Rear Yard: At the discretion of the Approving Authority.

8.8.6 Maximum Limits

8.8.6.1 Coverage of site: At the discretion of the Approving Authority.

8.8.6.2 Height of Buildings:

- (a) Principal buildings: 10m (32.8ft.);
- (b) Accessory buildings: 5m (16.4ft.).

8.9 Industrial Restricted Use District (I-R) Land Use Rules

8.9.1 Purpose and Intent

8.9.1.1 The purpose and intent of this District is to provide for a limited range of industrial uses which may be accompanied by retail sales, business and professional offices, warehousing and secondary service uses. Limited outside storage may be permitted at the discretion of the approving authority.

8.9.2 List of Permitted Uses

Car and Truck Wash

Drinking Establishment

Parking Lot

Public and Quasi-Public buildings, Installations and Facilities

Restaurant

Retail Store

Service Station

Storage Structure – accessory to a commercial use

Storage Yard

Veterinary Clinic

Warehousing

8.9.3 List of Discretionary Uses

Accessory Building

Accessory Use

Agricultural Equipment Sales, Service, Storage and Repair Establishments

Auction Facility

Auto body and paint shops

Automotive Sales, Service, Storage and Repair Establishments

Building Supply Centre

Bus storage and maintenance facility

Communication Structure

Dwelling Unit (accessory to industrial use)
Existing residential dwellings
Fabric Covered Building – Commercial/ Industrial
Funeral Home
Industrial Service Shop
Restaurant
Sign
Service Station
Storage Structures
Storage Yard
Truck Terminal

8.9.4 General Requirements

8.9.4.1 In addition of the general land use provisions contained in **Part 7**, the following provisions as contained within this Section shall apply to every development in this District.

8.9.5 Minimum Requirements

8.8.5.1 Area of Site:

- (a) At the discretion of the Approving Authority.

8.9.5.2 Width of Site:

- (a) At the discretion of the Approving Authority.

8.9.5.3 Front Yard: 6m (19.69ft.)

8.9.5.4 Side Yard:

- (a) Except as hereinafter provided, a minimum of 1.5m (4.92ft.);
- (b) Where a fire resistant wall is provided, no side yard is required;
- (c) In a laneless subdivision, one unobstructed side yard shall be a minimum of 6m (19.69ft.) excluding flankage sites with alternative rear access; and
- (d) Where abutting a residential district: 6m (19.69ft.)

8.9.5.5 Rear Yard:

- (a) Where a firewall is provided, no rear yard is required; if a firewall is not provided a minimum setback of 1.2m (3.ft.) shall be required;

- (b) Where parking and/ or loading facilities are provided at the rear of a building, all buildings shall be set back a distance that ensures no encroachment onto or blockage of a municipal street, lane, sidewalk or other right-of-way occurs due to vehicular parking or the loading/ unloading or storage of trucks, trailers, containers or other such equipment.

8.9.6 Maximum Limits

8.9.6.1 Height of Buildings: 10m (32.8ft.) unless otherwise approved for a specific use that requires a greater height at the discretion of the Development Authority.

8.9.7 Special Requirements

8.9.7.1 Landscaping:

- (a) The boulevard and a minimum of 5% of the site area must be landscaped in accordance with the plan approved by the Development Officer.
- (b) Any trees or shrubs which die must be replaced during the next planting season.

8.9.7.2 Screening:

- (a) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (b) All apparatus on the roof shall be screened to the satisfaction of the Development Authority.

8.9.7.3 Industrial uses which emit airborne pollutants and/or noxious odors or which have fire or explosive risks shall be required to meet minimum separation distances from residential areas and also from other industrial developments in accordance with the requirements of Provincial legislation and/ or best practices.

8.9.7.4 The application shall supply relevant information describing any noxious, dangerous, or offensive feature of the proposed development in relation to:

- (a) airborne pollutants or odors;
- (b) release of any toxic, radioactive, or environmentally hazardous materials;
- (c) flammable or explosive materials, and describing their intensity and area of impact.

8.9.7.5 Applications for development, along with the information required in **subsection 8.9.7.4** which must be referred to Alberta Environment and Health District for their comments and recommendations prior to the decision being made thereon including those which:

- (a) involve processing, assembly, and/or packaging which may produce excessive smoke, fumes noise, vibration, dust, and/or odors, or
- (b) involve the use of highly flammable chemical materials.

8.9.7.6 An application for approval of a use employing highly flammable chemical materials must be accompanied by the plan approved by the Fire Department.

8.9.7.7 Outside Storage:

- (a) All exterior work areas, storage areas, and waste handling areas shall be enclosed from view from roadways and park reserves to the satisfaction of the Development Authority;
- (b) Storage will not project above the height of the screening material;
- (c) Fencing shall not be of a barbed wire construction below a height of 2m (6.59ft.);
- (d) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.

8.9.7.8 Location of Bulk Storage Facilities for Liquefied Petroleum Gases shall be setback in accordance with the Alberta Safety Codes and Fire Code.

8.10 Industrial General District (I-G) Land Use Rules

8.10.1 Purpose and Intent

8.10.1.1 The purpose and intent of this District is to provide for a wide range of industrial uses of a manufacturing or distributing nature where assembling, processing, and/or storing of raw materials, sub-assemblies or finished products may be required. In addition retail sales, business and professional offices secondary to and part of the principal use of a site may also be included at the discretion of the approving authority which may be accompanied by retail sales, business and professional offices, warehousing and secondary service uses. Limited outside storage may be permitted at the discretion of the approving authority.

8.10.2 List of Permitted Uses

Communication Structure

Garden Centre

Industrial Service Shop

Equipment Rental Establishment

Car and Truck Wash

Light manufacturing establishments involved in the primary, secondary or tertiary processing, assembly, and/or packaging of products or items where no excessive smoke, fumes, noise, vibrations, vapors, odors, fire or explosive hazards will be produced

Office

Parking Lot

Public and Quasi-Public buildings, Installations and Facilities

Public Park

Restaurant

Retail Store

Service Station

Sign

Storage Structures

Storage Yard

Veterinary Clinic

Warehousing

8.10.3 List of Discretionary Uses

Accessory Building

Accessory Use

Agricultural Equipment Sales, Service, Storage and Repair Establishments

Auction Facility

Auto Wrecking and Salvaging Establishments

Auto body and paint shops

Automotive Sales, Service, Storage and Repair Establishments

Building Supply Centre

Bulk Fuel Storage and Distribution Facilities

Bus storage and maintenance facility

Cannabis Retail Sales (in the Industrial Zone on Railway Avenue Only)⁷

Cannabis Café (in the Industrial Zone on Railway Avenue Only) ⁸

Communication Structure

Dairy Processing Establishment

Existing residential dwellings

Fabric Covered Building – Commercial/ Industrial

Fertilizer Storage and Distribution Facilities

Flour and Feed Mills

Food Processing Plants

Industrial equipment assembly, sales, storage, rental and repair establishments

Lumber Yard

Public and Quasi-public buildings, installations and facilities

Recycling depots

Seed Cleaning plants

Truck Terminal

⁷ Bylaw 2018-002 - Amended July 11, 2018

⁸ Bylaw 2018-002 - Amended July 11, 2018

8.10.4 General Requirements

8.9.4.1 In addition of the general land use provisions contained in **Part 7**, the following provisions as contained within this Section shall apply to every development in this District.

8.10.5 Minimum Requirements

8.10.5.1 Area of Site:

- (a) At the discretion of the Approving Authority.

8.10.5.2 Width of Site:

- (a) At the discretion of the Approving Authority.

8.10.5.3 Front Yard: 6m (19.69ft.)

8.10.5.4 Side Yard:

- (a) Except as hereinafter provided, a minimum of 1.5m (4.92ft.);
- (b) Where a fire resistant wall is provided, no side yard is required;
- (c) In a laneless subdivision, one unobstructed side yard shall be a minimum of 6m (19.69ft.) excluding flankage sites with alternative rear access; and
- (d) Where abutting a residential district: 6m (19.69ft.);
- (e) When a site abuts a street: 3m (9.8 ft.).

8.10.5.5 Rear Yard:

- (a) Where a firewall is provided, no rear yard is required; if a firewall is not provided a minimum setback of 1.2m (3.9ft.) shall be required;
- (b) Where parking and/ or loading facilities are provided at the rear of a building, all buildings shall be set back a distance that ensures no encroachment onto or blockage of a municipal street, lane, sidewalk or other right-of-way occurs due to vehicular parking or the loading/ unloading or storage of trucks, trailers, containers or other such equipment.

8.10.6 Maximum Limits

8.10.6.1 Height of Buildings: 10m (32.8ft.) unless otherwise approved for a specific use that requires a greater height at the discretion of the Development Authority.

8.10.7 Special Requirements

8.10.7.1 Landscaping:

- (a) The boulevard and a minimum of 5% of the site area must be landscaped in accordance with the plan approved by the Development Officer.

- (b) Any trees or shrubs which die must be replaced during the next planting season.

8.10.7.2 Screening:

- (a) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (b) All apparatus on the roof shall be screened to the satisfaction of the Development Authority.

8.9.7.3 Industrial uses which emit airborne pollutants and/or noxious odors or which have fire or explosive risks shall be required to meet minimum separation distances from residential areas and also from other industrial developments in accordance with the requirements of Provincial legislation and/ or best practices.

8.10.7.4 The application shall supply relevant information describing any noxious, dangerous, or offensive feature of the proposed development in relation to:

- (a) airborne pollutants or odors;
- (b) release of any toxic, radioactive, or environmentally hazardous materials;
- (c) flammable or explosive materials, and describing their intensity and area of impact.

8.10.7.5 Applications for development, along with the information required in **subsection 8.10.7.4** which must be referred to Alberta Environment and Health District for their comments and recommendations prior to the decision being made thereon including those which:

- (a) involve processing, assembly, and/or packaging which may produce excessive smoke, fumes noise, vibration, dust, and/or odors, or
- (b) involve the use of highly flammable chemical materials.

8.10.7.6 An application for approval of a use employing highly flammable chemical materials must be accompanied by the plan approved by the Fire Department.

8.10.7.7 Outside Storage:

- (a) All exterior work areas, storage areas, and waste handling areas shall be enclosed from view from roadways and park reserves to the satisfaction of the Development Authority;
- (b) Storage will not project above the height of the screening material;
- (c) Fencing shall not be of a barbed wire construction below a height of 2m (6.59ft.);
- (d) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.

8.10.7.8 Location of Bulk Storage Facilities for Liquefied Petroleum Gases shall be setback in accordance with the Alberta Safety Codes and Fire Code.

8.11 Urban Reserve District (UR) Land Use Rules

8.11.1 Purpose and Intent

8.9.1.1 The purpose and intent of this District is to reserve lands on the periphery of the developed area of the Village for future growth and development and shall provide for the continuation of existing low intensity agricultural/ rural pursuits.

8.11.2 List of Permitted Uses

Public Parks and Playgrounds

8.11.3 List of Discretionary Uses

Accessory Building

Accessory Use

Cemetery

Dwelling Single Detached, Modular or Manufactured Home Accessory to an Agricultural Operation

Extensive Agricultural Uses

Fabric Covered Building – Commercial/ Industrial

Fabric Covered Building – Residential

A limited expansion to an existing building or use having regard for location to adjacent lands and proposed future urban development, land use patterns and future development time frame

Public and Quasi-Public Installations and Facilities

Signs (directional, identification)

Storage Structure

8.11.4 General Requirements

8.11.4.1 In addition to the general land use provisions contained in Part 7, the following provisions as contained within this Section shall apply to every development in this District.

8.11.5 Minimum Requirements

8.11.5.1 Area of Site:

- (a) At the discretion of the Approving Authority.

8.11.5.2 Width of Site:

- (a) At the discretion of the Approving Authority.

8.11.5.3 All Yard Setbacks:

- (a) At the discretion of the Approving Authority.

8.11.5.4 Habitable Floor Area:

- (a) Principal Dwelling: Shall comply with the requirements for R-1 land use rules of this Bylaw.

8.11.6 Maximum Limits

- 8.11.6.1 Height of Buildings: 9m (29.52ft.)

8.12 Public Service District (P-1) Land Use Rules

8.12.1 Purpose and Intent

8.12.1 The purpose and intent of this District is to provide for public and privately owned cultural, educational, institutional, and recreational uses and conservation of significant areas.

8.12.2 List of Permitted Uses

Natural Areas

Public Parks and Playgrounds

Picnic Areas

Schools

Sports Fields

Tennis Courts

8.12.3 List of Discretionary Uses

Accessory Building

Accessory Use

Arena

Cemetery

Community Buildings and Facilities

Campground

Fabric Covered Building – Commercial/ Industrial

Golf Course

Nurseries and Greenhouses

Public Swimming Pool

Sign

Storage Structure

Tourist Information Centre

8.12.4 General Requirements

8.12.4.1 The general land use provisions contained in Part 7 shall apply to every development in this district.

8.12.5 Minimum Requirements

- 8.12.5.1 Area of Site: At the discretion of the Development Authority
- 8.12.5.2 Width of Site: At the discretion of the Development Authority
- 8.12.5.3 All yard Setbacks: At the discretion of the Development and Subdivision Approval Authority.

8.12.6 Maximum Limits

- 8.12.6.1 Coverage of Site: At the discretion of the development Authority.
- 8.12.6.2 Height of Buildings
 - (a) Principal buildings: 12m (32.2ft.)
 - (b) Accessory Buildings: 5m (16.4ft.)

8.13 Direct Control District (DC) Land Use Rules

8.13.1 Purpose and Intent

8.13.1 Pursuant to Section 641 of the Act, Council may choose to exercise particular control over certain uses or development of lands or buildings within the Village due to their special nature or unusual circumstances. Thus, the purpose and intent of this district is to allow Council the opportunity to address and provide for developments that, due to their unique characteristics, historical significance, innovative ideas or unusual site constraints, require specific regulations unavailable in the other land use districts of this Bylaw.

8.13.2 List of Uses

All proposed uses and development applications shall be evaluated on their merits by Council and appropriate development standards shall be developed. All Direct Control (DC) districts shall be sequentially numbered and recorded under Section 8.13.4.

8.13.3 General Requirements

8.13.3.1 Each application for a use or development shall be evaluated with respect to its compliance with the objectives and policies of any statutory plan in effect for the development area.

8.13.3.2 There is no appeal to the Subdivision and Development Appeal Board from a decision for an application in the Direct Control (DC) district.

8.13.4 Site Specific Conditions

8.13.4.1 Any site specific conditions listed apply to development on that specific site only:

FORMS

NOTE: These forms do not form part of the Land Use Bylaw and are provided for ease of reference only. Please contact the Village office for the current forms adopted by resolution of Council.

FORM A	APPLICATION FOR A DEVELOPMENT PERMIT
FORM B	APPLICATION FOR A DEVELOPMENT PERMIT (HOME OCCUPATION)
FORM C	APPLICATION FOR SUBDIVISION
FORM D	LAND USE BYLAW/ STATUTORY PLAN AMENDMENT APPLICATION FORM
FORM E	STOP ORDER / ORDER OF COMPLIANCE
FORM F	APPLICATION FOR SUBDIVISION OR DEVELOPMENT APPEAL
FORM G	NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING
FORM H	NOTICE OF DECISION ON APPLICATION FOR A DEVELOPMENT PERMIT
FORM I	NOTICE OF DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FORM J	TIME EXTENSION AGREEMENT FOR DEVELOPMENT PERMIT
FORM K	CIRCULATION TRANSMITTAL

Village of Rockyford

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 _____ 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 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: _____

OTHER SUPPORTING MATERIAL ATTACHED: _____

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 (14) 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 unit, 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 Rockyford within fourteen (14) days after the notice of decision is given pursuant to the Land Use Bylaw notice requirements (as per Section 1 above).

Village of Rockyford

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:

Village of Rockyford

FORM C

APPLICATION FOR SUBDIVISION

PLEASE CONTACT PALLISER REGIONAL MUNICIPAL SERVICES FOR THE
APPROPRIATE FORM AT 403-854-3371 OR ONLINE AT www.palliserservices.ca

**Land Use Bylaw/ Statutory Plan Amendment
Application Form**

PLEASE CONTACT PALLISER REGIONAL MUNICIPAL SERVICES FOR THE
APPROPRIATE FORM AT 403-854-3371 OR ONLINE AT www.palliserservices.ca

Village of Rockyford

FORM E

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 Rockyford 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 Village Office within 14 days following the date of issue of this notice.

DATE OF ISSUE OF ORDER: _____

SIGNATURE OF THE DEVELOPMENT OFFICER: _____

FOR ADMINISTRATIVE USE ONLY

Application # _____

Tax Roll # _____

FORM F

Village of Rockyford

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: _____

Fee Submitted: _____

Signature _____

Date _____

Village of Rockyford

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 _____.

Village of Rockyford

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 _____ Reg. 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 Rockyford Subdivision and Development Appeal Board within fourteen (14) days after the notice of decision is given pursuant to the Land Use Bylaw notice requirements.

Village of Rockyford

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.

Village of Rockyford

DEVELOPMENT PERMIT – TIME EXTENSION AGREEMENT

Village of Rockyford

CIRCULATION TRANSMITTAL

APPENDIX A



Legend

- Village Boundary
- Legal Parcels
- CB - Central Business District
- CR - Commercial Restricted District
- IG - Industrial General District
- IR - Industrial Restricted District
- P-1 - Public Service District
- R-1 - Residential Single Unit Detached District
- RG - Residential General District
- UR - Urban Reserve District

**Village of Rockyford
Land-Use Bylaw**

Bylaw # 2014-002
Consolidated to: July 13 2022

