

The Improvement District

Number 10

LAND USE ORDER

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HD
319
.A3
.Im7

Alberta
MUNICIPAL AFFAIRS
Improvement District
Administration Branch



MUNICIPAL AFFAIRS

Office of
the Minister

ALBERTA ENERGY/FORESTRY, LANDS & WILDLIFE
LIBRARY SERVICES

HELD IN ROCKY/CLEARWATER FOREST

THE IMPROVEMENT DISTRICT NO. 10

LAND USE ORDER

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The Improvement District No. 1
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1.1 Purpose

The purpose of this Order is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, amongst other things,

- (1) to divide the municipality into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish the office of one or more development officers;
- (4) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit.

1.2 Definitions

- (1) (a) "ACT" means The Planning Act, 1977, and
(b) "ADVISORY COUNCIL" means an advisory council appointed by the Minister pursuant to Section 15 of the Improvement Districts Act.
- (2) "AIRPORT" means
 - (a) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and
 - (b) includes any building, installation or equipment in connection therewith, operated by the Department of National Defence or for which an airport licence has been issued by the Ministry of Transport;
- (3) "ANCILLARY BUILDING" means a building which is separate and subordinate to the main building on the same parcel of land on which the main building is situated, the use of which ancillary building is incidental or subordinate
 - (a) to the use of the main building, or
 - (b) to the use of the parcel of land on which the ancillary building is situated, and, without restricting the generality of the foregoing, includes a private garage;
- (4) "ANCILLARY USE" means a use customarily incidental and subordinate to the main use of building and is located on the same parcel of land with such main use or building;
- (5) "APARTMENT" means a residential use consisting of at least three dwelling units with shared entrances and other essential facilities and services;
- (6) "BASEMENT" means that portion of a building between two floor levels which is partly underground but which has two feet of its height from finished floor to finished ceiling above the adjacent finished grade;

- (7) "BEE-KEEPING" means the use of a parcel for the commercial production of natural honey.
- (8) "BOARD OR LODGING HOUSE" means a building or portion thereof, other than a hotel, where meals are served for a remuneration or rooms rented to three or more persons, exclusive of the occupant and his immediate family but does not include a restaurant, cafe, coffee shop, drive-in refreshment stand or other similar building;
- (9) "BUILDING" includes any thing constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;
- (10) "CORNER LOT" means a lot having a frontage on two or more streets at their intersection or junction;
- (11) "COUNTRY RESIDENCE (agricultural use)" means a dwelling with or without ancillary buildings and uses and which is situated on a parcel used for minor agricultural pursuits or small holding purposes but does not include intensified agricultural uses, milk farms and like uses;
- (12) "COUNTRY RESIDENCE (non-agricultural use)" means a dwelling with or without ancillary buildings and uses which is situated on a parcel used solely for private residential purposes and ancillary uses within an otherwise rural area;
- (13) "DETACHED DWELLING" means a residential building containing only one dwelling unit;
- (14) "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;
- (15) "DEVELOPMENT APPEAL BOARD" means a development appeal board appointed pursuant to Section 33 of the Act.
- (16) "DEVELOPMENT OFFICER" means
 - a) a person appointed as a development officer pursuant to a land use order or the land use regulations, or
 - b) where a municipal planning commission is authorized to act as development officer, the municipal planning commission, or

- c) where a municipal planning commission is authorized to act as a development officer, in addition to a person appointed as a development officer, either or both of them;
- (17) "DEVELOPMENT PERMIT" means a document authorizing a development issued pursuant to a land use order or the land use regulations;
- (18) "DISCRETIONARY USE" means the use of land or a building provided for in a land use order for which a development permit may or may not be issued upon an application having been made;
- (19) "DUPLEX DWELLING" means a residential building used or intended to be used for two dwelling units, located side by side or one above the other;
- (20) "DWELLING" means any building containing one dwelling unit used for human habitation and which is supported on a permanent foundation and includes a modular home or a prefabricated home whether assembled off the side or not, but does not include a mobile home whether or not it is placed on a permanent foundation or is standing on wheels or is supported by blocks or jacks or other non permanent foundation;
- (21) "DWELLING UNIT" means a complete building or a self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit and containing sleeping, cooking, and separated or shared toilet facilities and intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;
- (22) "FAMILY CARE FACILITY" means a facility which provides resident service in a private residence to six or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, group homes and family homes;
- (23) "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;
- (24) "GROUP HOME" means a building or portion of a building used for the care of rehabilitation of children, adolescents or adults;
- (25) "FARMING" means the use of land or building for the raising or production of crops, plant nurseries, livestock or poultry but not restricting the generality of the foregoing does not include feedlots, intensive agriculture, and livestock sales yard;

- (26) "FARM BUILDING" means the residence and other improvements used in connection with the raising or production of crops, livestock or poultry and situated on land used in connection with such farming operations;
- (27) "FARM SUBSIDIARY OCCUPATION" means an occupation or business approved by the M.P.C. and carried out on the farm unit by the operator thereof as a use secondary and subordinate to the agricultural use and employing not more than two employees;
- (28) "FEEDLOT" means an enclosed area of land with or without ancillary buildings or structures including corrals and stock loading facilities which is used or intended for use for the purpose of feeding livestock in confinement for commercial purposes but does not include the raising of livestock as part of a farming operation;
- (29) "FLOOR AREA" means the total floor area of every room and passageway contained in a building but not including the floor area of basements, attached garages, sheds, open porches, patios, open decks or verandahs, or breezeways;
- (30) "FRONT LINE" means in the case of an interior lot that site line which abuts a street and in the case of a corner lot means the shorter of the two site lines which abut a street;
- (31) "FRONT YARD" means a yard extending across the full width of a parcel from the front line of the parcel to the front wall of the main building situated on the parcel;
- (32) "FUR FARM" means any land, building, or premises used for the keeping, breeding, or rearing of furbearing animals;
- (33) "GOLF COURSE" means the golf playing area and ancillary buildings and uses related to the playing of the game of golf and without restricting the generality of the foregoing includes pro shop, club house, restaurant, licenced dining area or lounge, driving range and picnic area;
- (34) "GREENHOUSE" means a building specially designed and used for the growing of vegetables, flowers and other plants for transplanting or for sale;
- (35) "HAMLET" means any area declared by an order of the Minister to be a Hamlet.
- (36) "HOLIDAY TRAILER (Recreation Vehicle)" means a transportable unit designed to be transported on its own wheels or by other means (including units mounted permanently or otherwise on trucks), designed or constructed or reconstructed or added to by means of accessories in such a manner as will permit its use for sleeping or living purposes for one or more persons and used exclusively by tourist(s) or transient(s) on a generally short term basis;

- (37) "HOLIDAY TRAILER (Recreation Vehicle) PARK" means any parcel of land on which three or more holiday trailers are harboured, without regard to whether a fee or charge is paid or made and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such holiday trailer park and complies with relevant Government Regulations;
- (38) "HOME OCCUPATION" means any occupation, trade, profession, or a craft approved by the M.P.C. carried on by an occupant of a residential building or its ancillary building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than that legally approved according to the Land Use Order. A home occupation does not include the keeping of a stock in trade unless otherwise approved by the M.P.C. nor the employment of paid assistants;
- (39) (a) "INTENSIVE AGRICULTURE" means the rearing of livestock in a confined area or building and without restricting the generality of the foregoing this definition includes:
- a) feedlots
 - b) hog operations
 - c) poultry or fowl operations
 - d) fur farms
 - e) confined sheep operation
- (40) "INTERIOR LOT" means any lot other than a corner lot
- (41) "KENNEL" means a premises in which four or more dogs and/or cats over six months in age are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale;
- (42) "LANE" means a public right-of-way not exceeding thirty feet in width which provides a secondary means of access to a parcel or parcels and which is registered in the Land Titles Office;
- (43) "LIVESTOCK SALES-YARDS" means any enclosed area of land, with or without ancillary buildings or structures, upon which livestock is collected for sale or distribution to market;
- (44) "LIVESTOCK" means cattle, horses, sheep, goats and swine and includes domestic fowl;
- (45) "LOT" means
- a) a quarter section, or
 - b) a river lot or settlement lot shown on an official plan referred to in Section 32 of The Surveys Act that is filed or lodged in a Land Titles Office, or
 - c) a part of a parcel where the boundaries of the part are separately described in a certificate of title by reference to a plan of subdivision;

- (46) "MAIN BUILDING" means a building in which is conducted the main or principle use of the site on which it is erected;
- (47) "MARKET GARDEN" means the growing of vegetables or fruit for commercial purposes;
- (48) "MINIMUM STANDARDS" means those minimum requirements relating to parcel area, floor area, yards, landscaping, design, character and appearance of buildings, etc., for the permitted uses of land or buildings or the discretionary uses of land or buildings, or both listed in the land use district regulation of this Order and where these are not specified are as determined by the M.P.C.
- (49) (a) "MOBILE HOME" means a transportable dwelling unit suitable for long term occupancy, designed to be transported on its own wheels or by other means and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports, and connection to utilities, ready for occupancy. For the purpose of this Order, two types of mobile homes may be distinguished;
- (b) "MOBILE HOME SINGLE-WIDE" means a mobile home consisting of a single unit designed to be towed in a single load.
- (c) "MOBILE HOME DOUBLE WIDE" means a mobile home consisting of two sections separately towable, but designed to be joined together at the site to form one dwelling unit.
- (50) "MOBILE HOME PARK" means any parcel on which three or more occupied mobile homes are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park and which complies with relevant Government Regulations governing mobile home or trailer parks except that the expression "mobile home park" shall not be deemed to include industrial and construction camps of a temporary nature;
- (51) "MODULAR UNIT" means a prefabricated or factory built tubular frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular unit 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 units for occupancy;
- (52) "MULTIPLE HOUSE" means residential buildings each of which contains three or more dwelling units'
- (53) "MUNICIPALITY" means the Improvement District No. 10
- (54) "MUNICIPAL PLANNING COMMISSION . . . M.P.C." means a municipal planning commission which may be established by a council pursuant to Section 28 of the Act;

- (55) "NON-CONFORMING BUILDING" means a building
- a) that is lawfully constructed or lawfully under construction at the date a land use order or any amendment thereof affecting the building or land on which the building is situated becomes effective, and
 - b) that the date the land use order or any amendment thereof becomes effective does not, or when constructed will not, comply with land use order;
- (56) "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 order or any amendment thereof affecting the land or building becomes effective, and
 - b) that on the date the land use order or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use order;
- (57) "PARCEL" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office.
- (58) "PERMITTED USE" means the use of land or a building provided for in a land use order for which a development permit shall be issued upon an application having been made;
- (59) "PLANNING ADVISOR" means the Red Deer Regional Planning Commission.
- (60) "PLANT NURSERIES AND LANDSCAPE GARDENING" means the growing of trees, shrubs and other plants for experimental purposes, transplanting or for sale;
- (61) "PRIVATE GARAGE" means an ancillary building or portion of a main building including a car port, used or intended to be used in conjunction with a dwelling principally for the private parking or storage of motor vehicles for personal transportation;
- (62) "PRIVATE STABLE" means an ancillary building for the accommodation of a horse or horses kept for the private use by the owner;
- (63) "PUBLIC ROADWAY" means any street, avenue, service roadway, residential collector roadway, lane, or rural road or secondary road as defined in the Public Highways Development Act but does not include a controlled highway;
- (64) "PUBLIC OR QUASI PUBLIC BUILDING" means a building which is owned or leased by a department or agency of the federal, provincial, or municipal government for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment or for a community activity;

- (65) "PUBLIC UTILITY BUILDING" means a building as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices and/or maintain or houses any equipment used in connection with the public utility;
- (66) "REAR YARD" means a rear yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;
- (67) "REGIONAL PLANNING COMMISSION" means the Red Deer Regional Planning Commission as constituted pursuant to the provisions of the Act;
- (68) "RECREATIONAL USE" means a recreational development conducted on a unified basis on a single site where the prime reason for location in rural areas is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto, and includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, and similar uses, and may include a refreshment stand incidental to the primary use;
- (69) "REGISTERED OWNER" means
- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
 - (b) in the case of any other land,
 - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or
 - (ii) in the absence of a person described in paragraph (i), the person registered under The Land Titles Act as the owner of the fee simple estate in the land;
- (70) "ROW HOUSING" means a residential use where a building or buildings on a lot are each used for at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";
- (71) "SECONDARY ROAD" means a road designated as such by Ministerial Order pursuant to the Public Highways Development Act and without restricting the generality of the foregoing includes:
- a) secondary roads described by plates published in the Alberta Gazette pursuant to Alberta Regulation 164/69 as 900 series and
 - b) secondary roads described by plates published in the Alberta Gazette pursuant to Alberta Regulation 164/69 as 500, 600, 700 and 800 series;

- (72) "SIDE YARD" means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side wall of the main building;
- (73) "YARD" means a part of a parcel upon or over which no main building is erected;
- (74) "SHORELINE" means the line or contour between the ordinary high water mark and the low water mark;
- and all other words and expressions have the meanings respectively assigned to them in the Act.

3. Establishment of Districts

(1) For the purpose of this Order the Improvement District No. 10 is divided into any of the following districts:

- Agricultural District 1 "A1"
- Agricultural District 2 "A2"
- Country Residence District "CR"
- Country Residence Agricultural District "CRA"
- Forestry District "FD"
- Recreational Facility District "RF"
- Institutional District "P" I
- Industrial District "I"
- Mobile Home Park District "MHP"
- Hamlet Residential District "HR"
- Hamlet Commercial District "HC"
- Public or Quasi-public District "PQP"
- Highway Development District "HDD"

(2) The boundaries of the districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto.

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

Rule 1. Where a boundary is shown as following a lane, or canal, it shall be deemed to follow the centre line thereof. For a public lane or street, the boundary follows the right-of-way.

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 out or
- b) where no dimensions are set out on the Land Use District with respect to such boundary, by measurement of and use of the scale shown on the Land Use of the scale shown on the Land Use District Map.

(4) Where the application of the above rules does not determine the exact location of the boundary of a district, the Municipality either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Order and with the degree of detail as to measurements and directions as the circumstances may require.

(5) After the Municipality has fixed a district boundary pursuant to the provisions of subsection (4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this order.

(6) The Advisory Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

(7) All public streets and lanes are excluded from any of the districts established under this order.

4. Establishment of Land Use District Regulations

Land Use District Regulations shall be as set forth in the Schedule of Land Use District Regulations, being Schedule B hereto, hereby adopted by reference to be part of this Order and may be amended in the same manner as any other part of this Order.

5. Establishment of Supplementary Regulations

Supplementary regulations shall be as set out in Part 6 hereto, hereby adopted by reference to be part of this Order, and may be amended in the same manner as any other part of this Order.

6. Establishment of Control of Advertisements Regulations

Control of advertisements Regulations shall be as set forth in the Schedule of Control of Advertisements Regulations, being Schedule C hereto, hereby adopted by reference to be part of this Order, and may be amended in the same manner as any other part of this Order.

PART TWO

AGENCIES

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7. Development Officer

- (1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by Ministerial Order.
- (2) The Development Officer shall perform such duties that are specified in PART THREE of this Order.
- (3) The Development Officer shall -
 - keep and maintain for the inspection of the public during all reasonable hours, a copy of this Order and all amendments thereto; keep a register of all applications for development, including the decisions thereon and the reasons therefore.
- (4) For the purposes of Section 43 of The Act, the Development Officer is hereby declared to be an authorized person of the Council.

8. Municipal Planning Commission

The Municipal Planning Commission established by Ministerial Order shall perform such duties as are specified in PART THREE of this order.

9. Development Appeal Board

The Development Appeal Board established by Ministerial Order shall perform such duties as are specified in PART FOUR of this Order.

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PART THREE

DEVELOPMENT PERMITS, RULES AND PROCEDURES

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10. Control of Development

- 1) No development other than that designated in Section 11 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

11. Development Not Requiring a Development Permit

The following development shall not require a development permit:

- 1) The carrying out of works of maintenance or repair to any buildings, provided that such works do not include structural alterations or major works of renovation.
- 2) The completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 135 (3) (d) of the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the first publication of the official notice.
- 3) The use of any such building as referred to in subsection (2) for the purpose for which construction was commenced.
- 4) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than three feet in height in front yards and less than six feet in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure.
- 5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this order.
- 6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- 7) a) The carrying out of construction, excavation or other operations requisite for the continued agricultural use of a parcel in excess of 10 acres which may be assessed as farmland and used for farming purposes as defined under PART ONE of this Order. Also a mobile home as a first residence, and intensive agricultural operations are uses that are deemed approved.

b) Notwithstanding subsection 7(a), when development under Subsection 7(a) is for the erection or placement of an additional farm dwelling or a mobile home on the parcel such development shall not be considered as a "deemed approved" development and an application for it must be approved and a development permit issued prior to such development being undertaken.

8) On parcels of land exceeding 10 acres, used for forestry purposes and lying further than one mile from an incorporated urban municipality, the carrying out of construction, excavation or other operations requisite for the continued use of that land for forestry purposes is deemed approved except that this shall not apply to any building or other structure to be erected within 134 feet of the property line of any surveyed road.

12. Non-Conforming Buildings and Uses

- 1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of the land use order then in effect.
- 2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- 3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- 4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - a) as may be necessary to make it a conforming building, or
 - b) as the development officer considers necessary for the routine maintenance of the building.
- 5) If a non-conforming building is damaged or destroyed to the extent of more than 75 per cent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the land use order.
- 6) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

13. Permission for Development

- 1) An application for a development permit shall be made to the Development Officer in writing in the form of Form A hereto and shall be accompanied by -
 - a) a site plan in duplicate showing the legal description and front, rear, and side yards, if any, and any provision for off-street loading and vehicle parking and access and egress to the site;
 - b) a floor plans and elevations and sections in duplicate;
 - c) a statement of uses;
 - d) a statement of ownership of land and interest of the applicant therein;
 - e) the estimated commencement and completion dates;
 - f) the estimated cost of the project or contract price;
 - g) the extent of existing treed areas shall be indicated on the site plan accompanying the application for development together with an indication of the trees proposed to be removed in the course of development.
- 2) Each application for a development permit shall be accompanied by a non-returnable fee of (\$10.00) ten dollars.
- 3) The Development Officer shall
 - a) receive, consider and decide on applications for a development permit for those uses listed in Schedule B which constitute permitted uses in a district and comply with the minimum standards for that district, and which have been assigned to him for consideration and decision; and
 - b) refer to the Municipal Planning Commission (acting as the Development Officer) for its consideration and decision applications for a development permit for those uses listed in Schedule B which constitute discretionary uses and which have been assigned to it for consideration and decision.
 - c) refer to the Municipal Planning Commission (acting as the Development Officer) at his discretion any application which in his opinion should be decided by the Commission.
 - d) the Development Officer shall refer all applications noted in Section 13 (3) (b) and (c) above at least five days prior to M.P.C. meetings to the Planning Advisor who may provide comments in writing or in person at the M.P.C. meeting.
- 4) In each district shown on the Land Use District map, development may only take place for the purposes respectively specified as permitted uses and discretionary uses (Schedule B) although Section 13 (8) also applies.

- 5) In each district shown on the Land Use District map, the standard of development shall be equal to or better than the minimum laid down in Schedule B.
- 6) Council may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities, or to pay for an off-site levy or redevelopment levy imposed by order. The Development Officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of Development on said land.
- 7) In the case where an application for a development permit has been refused pursuant to this PART or ultimately after appeal pursuant to PART FOUR of this Order, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the Development Officer for at least six months after the date of the previous refusal.
- 8) In the case where a proposed specific use of land or a building is not provided for in any district in the Order, the Municipal Planning Commission may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule B.
- 9) The Development Officer (or M.P.C.) may approve an application for a development permit notwithstanding that the proposed development does not comply with this Order if, in the opinion of the Development Officer, (or M.P.C.)
 - a) the proposed development would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
 - b) the proposed development does not conflict with the use prescribed for the land or building in the Order.
- 10) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made on it by the Development Officer or M.P.C. within 40 days after receipt of the application by the Development Officer and the person claiming to be affected may appeal in writing as provided for in PART FOUR of this Order as though he had received a refusal at the end of the period specified in this subsection.

14. Development Permits and Notices

- 1) A permit granted pursuant to this PART does not come into effect until 14 days after the date an order, decision or development permit is issued, and any development proceeded with by the applicant prior to expiry of this period is done solely at the risk of the applicant.
- 2) Where an appeal is made pursuant to PART FOUR of this Order, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- 3) When a permit has been granted for a discretionary use the Development Officer shall:
 - a) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - b) a notice in writing shall be immediately mailed to all registered owners of land who in the opinion of the Municipal Planning Commission may be affected; and/or
 - c) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- 4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Officer.
- 5) A decision of the Development Officer on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- 6) When the Development Officer refuses an application for a development permit, the decision shall contain reasons for the refusal.

15. Development Permits - Development Officer Rights

- 1) Notwithstanding anything contained herein to the contrary, the granting of a development permit shall
 - a) indicate only that the development to which the permit relates is authorized in accordance with the provisions of this Order and shall in no way relieve or excuse any person from complying with this or any other Order and regulations affecting such works,
 - b) be without prejudice to the Development Officer's rights to refuse any other permit or approval that may be required of it in respect of the development by this or any other Order or

- c) be subject to the right of the Development Officer to suspend or revoke the Development Permit in accordance with the provisions of this Order and The Planning Act.

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PART FOUR

APPEALS

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16. Appeal Procedure

1. Appeal may be made to the Development Appeal Board where a Development Officer
 - a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - b) issues a development permit subject to conditions;
 - c) issues an order under Section 19 of this Order.
2. An appeal may be made to the Development Appeal Board by any other person affected by an order, decision or development permit of a Development Officer.
3. An appeal shall be made by serving a written notice of appeal to the Secretary of the Development Appeal Board within 14 days after the date the order, decision or development permit was issued.

17. Public Hearing

1. Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
2. The Development Appeal Board shall give at least five days notice in writing of the public hearing to
 - a) the appellant,
 - b) the Development Officer from whose order, decision or development permit the appeal is made,
 - c) the Municipal Planning Commission of the municipality if it is not the Development Officer,
 - d) the applicant for the development permit when such individual is not the appellant,
 - e) those registered owners of land in the municipality who were notified under Section 14 (3) (b) and any other person who, in the opinion of the Development Appeal Board, are affected by the order, decision or permit, and
 - f) The Planning Advisor who may provide comments in writing or in person at the D.A.B. meeting.
3. The 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 Officer under Section 19, as the case may be.

4. At the public hearing referred to in subsection (1), the Board shall hear
 - a) the appellant or any person acting on his behalf,
 - b) the Development Officer from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person,
 - c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf, and
 - d) any other person who claims to be affected by the order, decision or permit and that the Development Appeal Board agrees to hear or a person acting on his behalf.

18. Decision

- 1) The Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.
- 2) A decision made under this part of the Land Use Order 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 146 of the Planning Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made
 - a) to a judge of the Appellate division and
 - b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

PART FIVE

ENFORCEMENT AND ADMINISTRATION

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19. Contravention

- 1) Where a Development Officer finds that a development or use of land or buildings is not in accordance with
 - a) The Planning Act or the regulations, or
 - b) a development permit or subdivision approval, or
 - c) the land use order.

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

- d) stop the development or use of the land or buildings in whole or in part as directed by the notice, or
 - e) demolish, remove or replace the development or
 - f) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Planning Act, the regulations, a development permit, subdivision approval or this order as the case may be.
- 2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Development Appeal Board under Section 83 of the Planning Act within the time specified, the Minister or a person appointed by him may, in accordance with Section 43 of the Planning Act, enter upon the land or building and take such action as is necessary to carry out the order. Where the Minister or a person appointed by him carries out an order, the Minister shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

20. Application to Amend Order

- 1) A person may apply to have this Order amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 21.
- 2) Council may at any time initiate an amendment to this Order by directing the Development Officer to initiate an application therefore.

21. Form of Application

- 1) All applications for amendment to the Land Use Order shall be made to the Minister in the form of Form G hereto and shall be accompanied by the following, namely:

- a) an application fee of \$10.00 for each application, but if the proposed amendment is adopted by the Minister, the Minister may determine that the whole or part of the application fee be returned to the applicant.
- b) A certificate of search of the land affected or other documents satisfactory to the Development Officer including the applicant's interest in the said land;
- c) All drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Officer and shall be fully dimensioned, accurately figured, explicit and complete.

22. Amending Order

- 1) All amendments to this Land Use Order shall be made by the Minister by order and in conformance with Sections 135 to 139 inclusive of the Planning Act.
- 2) At least five days prior to the public hearing pursuant to Section 135 (1) of the Act, the Minister shall refer a copy of the proposed amending order and Form G to the Planning Advisor who may provide comments with respect to the proposed order in writing or in person at the public hearing pursuant to Section 36 (1) of the Act.
- 3) Within five days of the passing of an amending order a copy of same shall be sent to the Planning Advisor.

23. Suspension of Existing Controls

- 1) Development Control Order No. 3 is hereby rescinded.

24. Date of Commencement

- 1) This Order comes into effect upon the date of its issue by the Minister of Municipal Affairs.
- 2) Schedules A and B are deemed to be part of this Order.

ORIGINAL SIGNED BY
HON. M. E. MOORE
Minister of Municipal Affairs

Dated at Edmonton, this 23rd day of APRIL 1979.

PART SIX

SUPPLEMENTARY REGULATIONS

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25. General Provisions

- a) Where the phrase "as required by the Municipal Planning Commission" appears in this Order or the Land Use District Regulations Schedule of this Order, the M.P.C., prior to giving its decision, shall take into consideration the Subdivision Regulation and the Planning Act and may refer the matter to the Planning Advisor.

Where Development of Land involves a subdivision of land, no Development permit will be issued until approval is granted for said subdivision.

b) Discretionary Uses

In considering an application for a discretionary use, the M.P.C. shall give due regard to the circumstances and merits of the application and to the purpose, scope and intent of a General Municipal Plan, Area Structure Plan, Area Redevelopment Plan or Regional Plan that is under preparation or is adopted and to the purpose of the land use order which is to develop an orderly and economical land use pattern in the Improvement District.

- c) An application for development permit in relation to the removal of top soil shall be referred to the Soil Conservation Officer for advice.
- d) Development adjacent to a body of water, lake, stream, river, must be approximately 100 feet from the land or shoreline of such water.
- e) On all known lands subject to flooding, the Developer shall sign a Restrictive Covenant which will be attached to the Permit.
- f) Development near established airports will require to follow Airport Vicinity Protection Areas or other established regulations.

26. Ancillary Building - Residential Land Use

- a) 1. No ancillary building or any portion thereof shall be erected or placed within the front yard of any parcel with the exception of farm dwellings where approved by the M.P.C.
2. An ancillary building shall be situated on an interior lot so that the exterior wall shall be at least three feet from the side and rear lines of the parcel.
3. An ancillary building on a corner lot shall be so situated that its side yard which abuts the street shall be not less than the side yard of the main building.

4. In addition to complying with the other subsections of this Section, a private garage shall be located so that the vehicle entrance doors shall be no closer than 18 feet to the property boundary upon which they open.
5. Notwithstanding Subsection two and in addition to complying with Subsection (1) and (3) of this Section, a boat house shall be located no closer than 25 feet from the rear boundary of the parcel upon which it is erected unless otherwise approved by the M.P.C.
6. An ancillary building shall be no more than twenty feet in height, except in Land Use Districts; C.R. and H.R.
7. An ancillary building erected on a site shall not be used as a dwelling.
8. Where a structure is attached to the main building on a site by a roof, it is part of the main building.

b) Ancillary Building - Commercial and Industrial Districts

1. An ancillary building may be used as a residence in a Commercial or Industrial district only if the M.P.C. has approved such a use because it is deemed necessary for the security or fire protection of the main building or use on the site.

27. Corner Sites

- 1) No person, on a corner site in any residential district shall erect, place or maintain within a triangle formed by the boundaries of the site common with the streets abutting them and a straight line connecting points on each of the said boundaries distant 20 feet from the point where they intersect, a wall, fence, shrub, tree, hedge or any other object over three (3) feet in height above the lowest street grade adjacent to the intersection.

28. Projection Over Yards

The portions of and attachments to a main building which may project over or on a minimum yard are:

- a) on a site in a residential district, a cornice, sill, a canopy or eaves which project for a distance not exceeding one-half of the minimum side yard required for the site.
- b) a chimney which projects two feet or less provided that in each case it is not less than three feet from the side boundary of the site.
- c) unenclosed steps with or without a landing and above the surface of the yard if they do not project more than eight feet over or on a minimum front or rear yard.

29. Moved in Buildings

- 1) Any building to be moved in or placed on a parcel within any district established by this Order, other than a farm building in a Agricultural District, or a one family dwelling in a Country Residential or Country Residence Agriculture District must be approved by the M.P.C. and prior to the M.P.C. considering a request to "move in" a building, the views in writing of the adjacent registered property owners within a minimum of 200 feet of said parcel shall be obtained.
- 2) Application to "move in" a building shall be made on Form A of this Order.
- 3) A Notice of Decision in respect of an application to "move in" a building shall be issued by the Development Officer in the form of Form C or D of this Order and permission may be subject to such conditions as the Municipal Planning Commission may specify.
- 4) Prior to moving in a building, a development permit shall be issued in the form of Form B of this Order.

30. Objects Prohibited or Restricted in Yards

- 1) No person shall allow a motor vehicle used for stock car races, a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain or be parked on a parcel in a residential district, or within 100 feet of a public roadway in an agricultural district unless it is suitably housed or screened to the satisfaction of the Development Officer.
- 2)
 - a) No windbreak, dugout, septic tank or cesspool within the "1" and "2" Agricultural Districts or "CRA" - Country Residence Agricultural District shall be located within 100 feet of the centre line of any public roadway other than a lane nor within 209 feet of the centre line of a secondary road designated as such under the Public Highways Development Act. The Development Officer may impose conditions requiring the retention of trees, or additional planting of tree or such a type as considered necessary, and their location.
 - b) One holiday trailer may be parked on a site in a residential district for living and sleeping accommodation by a bonafide tourist for a period not to exceed 30 days.
 - c) Not more than two holiday trailers shall be stored or parked on a parcel with the exception of agricultural districts where approved by the M.P.C.

31. Dwelling Units per Parcel

No person shall construct or locate or cause to be constructed or located more than one dwelling unit or mobile home on a lot unless,

- a) a second dwelling unit or mobile home is proposed to be constructed or located on a lot of 80 acres or more.
- b) the second or additional dwelling unit or mobile home is:
 - (i) to be occupied by a person who is employed full time for at least six months each year in an agricultural pursuit, or
 - (ii) is contained in a building designed for or divided into two or more dwellings units and is located in a district which permits such multiple family units, or
 - (iii) is a mobile unit forming part of a mobile home park for which a development permit has been issued, or
 - (iv) the additional dwelling or mobile home is of a temporary nature and is to be occupied by a person employed exclusively in an operation for which a bonafide need exists for domicile adjacent to the occupation which has a development permit where required and the mobile home or dwelling unit shall not be permitted for more than one year however approval may be renewed at the discretion of the municipality.
 - (v) where the M.P.C. approves the grouping of more than one dwelling unit or mobile home on a parcel in a commercial or industrial district.

32. NOTE: A second residence requires a development permit as stipulated elsewhere in this Order.

33. Main Buildings per lot

No person shall construct or cause to be constructed more than one main building per lot unless otherwise permitted by this Order. Notwithstanding the above, more than one main building may be placed on a lot for an airport if the use complies to those listed in Schedule B (Land Use District Regulations) for the relevant district of this Order. Also more than one main building may be permitted in the institutional, industrial or recreational facility district where approved by the M.P.C. and for the following discretionary uses in an Agricultural District where permitted under this order: 1) abbatoir, 2) tannery, 3) intensive agriculture operation, 4) livestock sales yard, 5) industrial plant, 6) farm subsidiary occupation, 7) hog buying station, 8) veterinary clinic, 9) church with or without one attached or separate manse, 10) kennel, 11) highway maintenance yard, 12) government weight scale, 13) heliport, 14) school with or without teacherages, 15) minor recreational facility, 16) agricultural supply depot, 17) agricultural machinery sales and service, 18) ranger cabin, ranger station, 19) tradesman's or handicraft business.

34. Height of Buildings

Subject to the provisions of Section 26 of Subsection 6, and unless otherwise specified in the Land Use District Regulations, the Municipal Planning Commission may regulate the height of any other building to be erected on a site for a development in which a permit is required.

35. Placement of Buildings

- 1) Building shall be erected or placed such that the exterior wall is parallel to the front line of the site or to the chord of the front line of the site unless otherwise approved by the M.P.C.
- 2) Unless otherwise provided by this Order all buildings erected or placed on a site shall meet the minimum yard requirements of the district in which the site lies with the exception of:
 - (i) where each half of a duplex house is to be contained in a separate parcel or title, no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit.
 - (ii) where the dwelling units of a row house building are to be contained in separate parcels or titles, no side yards shall be required on either side in the case of an internal dwelling unit and no side yard shall be required on the interior side of the dwelling unit.
 - (iii) where the end wall of a row house has no doors, windows, or other openings the side yards shall be as required by the Municipal Planning Commission.

36. Minimum Site Areas

In each district established by this order and any amendments thereto no building shall be erected, placed or moved in on a site which comprises an area less than that specified in the Land Use District Regulations Minimum Parcel Size for such district.

37. Secondary Roads - General Provisions

- a) On a parcel of land located at the intersection of a secondary road with a rural road, no development shall be permitted within the areas illustrated in Figure 1 Supplementary Regulations unless otherwise approved by the M.P.C.
- b) On a parcel of land located at the intersection of two secondary roads no development shall be permitted within the area illustrated in Figure 2 Supplementary Regulations unless otherwise approved by the M.P.C.
- c) On a parcel of land located in the inside of a road curve, no development shall be permitted within the areas illustrated in Figure 3 Supplementary Regulations.
- d) No development shall be located so that access or egress to a secondary road is within 500 feet of the beginning or end of a road curve of greater than two degrees curvature or within the distance from the intersection of two roads as illustrated in Figures 1, 2 and 3, Supplementary Regulations unless otherwise approved by the M.P.C.
- e) Access or egress to a secondary road shall not be permitted where it would be:
 - (i) less than 500 feet from an existing access or egress on the same side of the road.
 - (ii) less than 500 feet from a bridge.
 - (iii) less than 500 feet from an at-grade railway crossing.
 - (iv) at a point where the gradient of the road is in excess of 3 per cent when the existing surveyed road has been constructed to secondary road standards in the case of an existing surveyed road not constructed to secondary road standards access or egress will be permitted only if construction to secondary road standards is expected within two years and the grade will then be less than 3 per cent.
- f) The planting of trees adjacent to secondary roads shall be in accordance with the requirement illustrated in Figure 1, 2 and 3 Supplementary Regulations unless otherwise approved by M.P.C.
- g) The Development Officer or the M.P.C. may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.
- h) Undeveloped parcels legally created prior to the promulgation of this Order and which would not have building sites resulting from Section 38 are excluded from the conditions shown in Supplementary Regulations Figures 4, 5 and 6; however, development must meet provisions as required by the M.P.C.

38. Primary Highways - General Provisions

- a) On a parcel of land located at the intersection of two primary highways, no development shall be permitted within the areas illustrated in Figure 4 Supplementary Regulations unless otherwise approved by the M.P.C.
- b) On a parcel of land located at the intersection of a primary highway with a secondary road, no development shall be permitted within the areas illustrated in Figure 5 Supplementary Regulations unless otherwise approved by the M.P.C.
- c) On a parcel of land located at the intersection of a primary highway with a rural road, no development shall be permitted within the areas illustrated in Figure 5 Supplementary Regulation unless otherwise approved by the M.P.C.
- d) The planting of trees adjacent to primary highways shall be in accordance with the requirements illustrated in Figure 4, 5 and 6 Supplementary Regulations unless otherwise approved by the M.P.C.
- e) The Development Officer or the M.P.C. may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, 'waste' materials or other similar uses.
- f) Notwithstanding Highway Development Control Regulations (Alberta Regulation 163/70) which apply to primary highways, this order may establish a higher standard than Alberta Regulation 163/70 for development adjacent to primary highways and intersections.
- g) Undeveloped parcels legally created prior to the promulgation of this Order and which would not have building sites resulting from Section 37 are excluded from the conditions shown in Supplementary Regulations Figures 4, 5 and 6; however, development must meet provisions as required by the M.P.C.

Important Note Section 37 and 38 do not apply to Hamlet Districts.

39. Re-Classification of Land in any Agricultural District

No development permit may be issued for a proposed development on any parcel of land within any Agricultural District that would result in three or more contiguous parcels of land being used for country residential, country residential agricultural, recreational facility, institutional, industrial, hamlet residential, or hamlet commercial, use unless the Minister has first re-classified such parcels to country residential, country residential agricultural, recreational facility, institutional, industrial, or hamlet commercial districts, respectively. Further, in Highway Development Districts or Forestry Districts not more than one parcel of land being used for these purposes can be developed without first reclassifying the Land Use.

FIGURE 1

SUPPLEMENTARY REGULATIONS

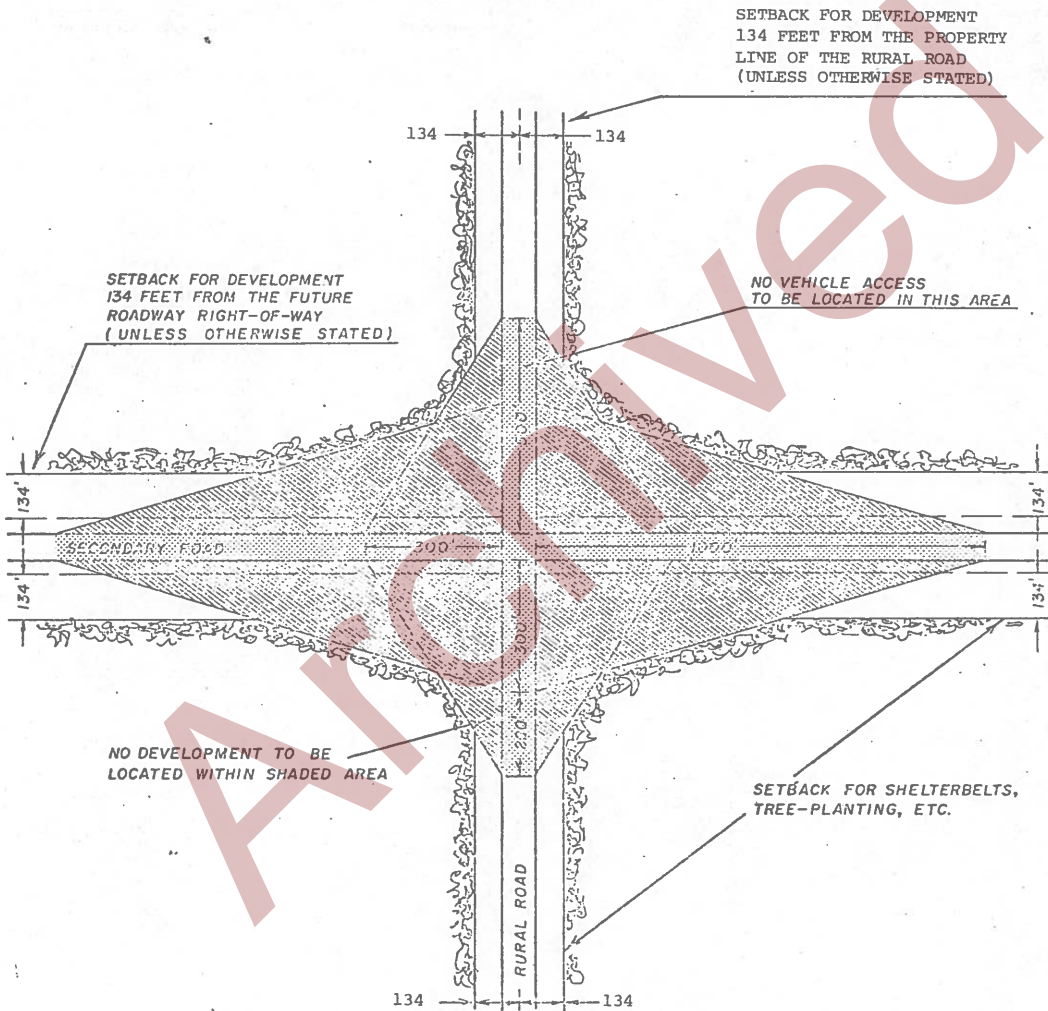


FIGURE 2

SUPPLEMENTARY REGULATIONS

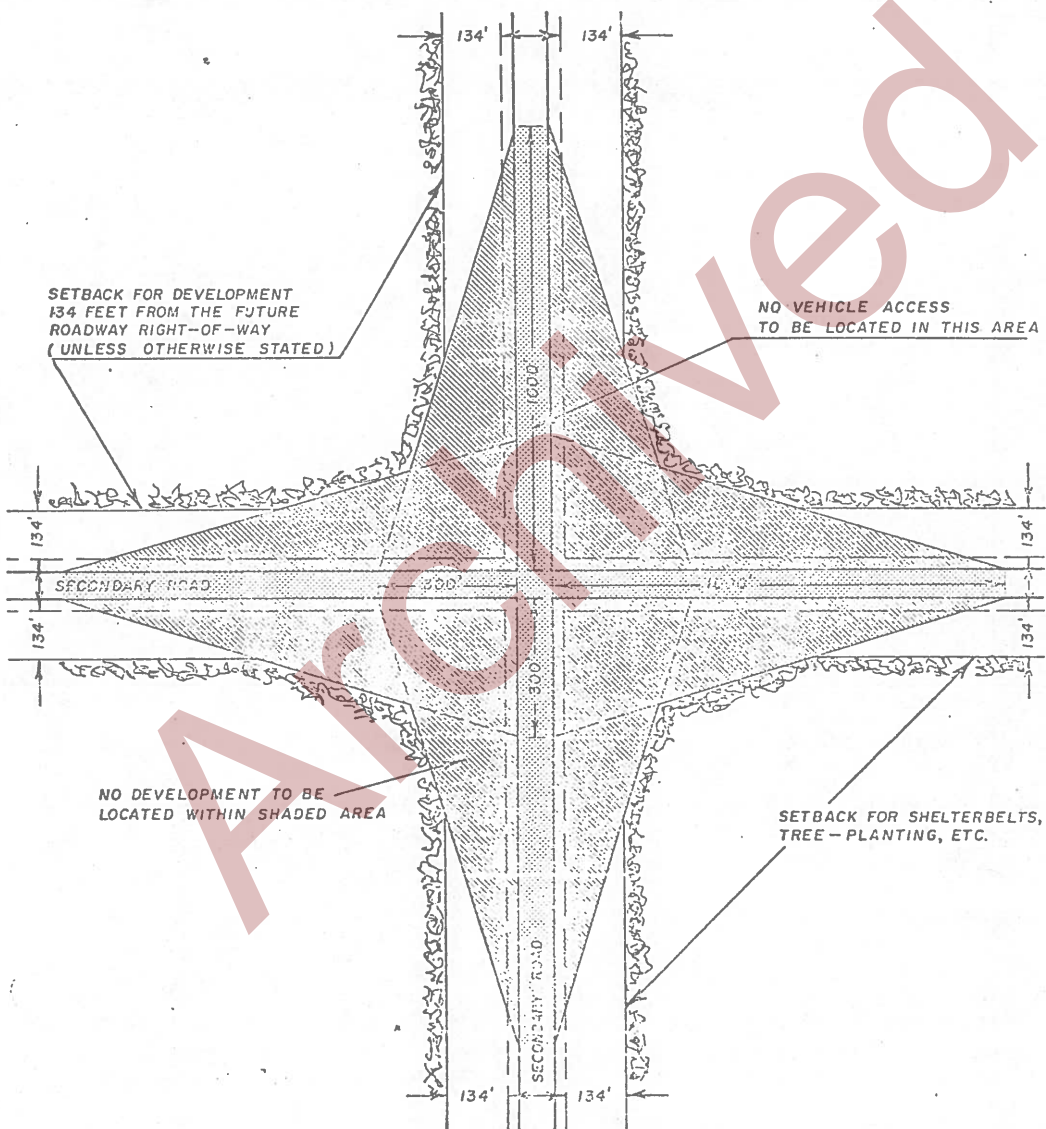


FIGURE 3

SUPPLEMENTARY REGULATIONS

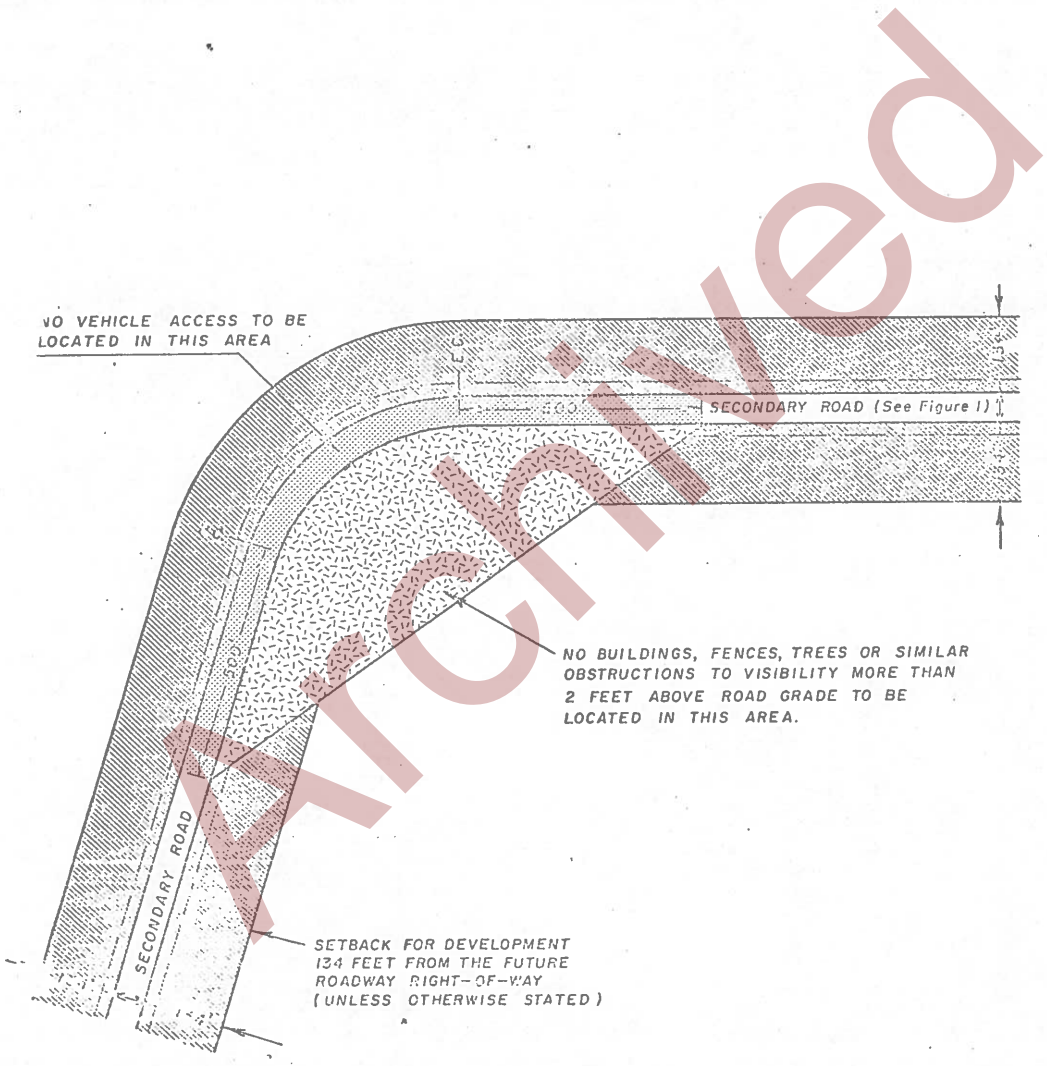


FIGURE 4

SUPPLEMENTARY REGULATIONS

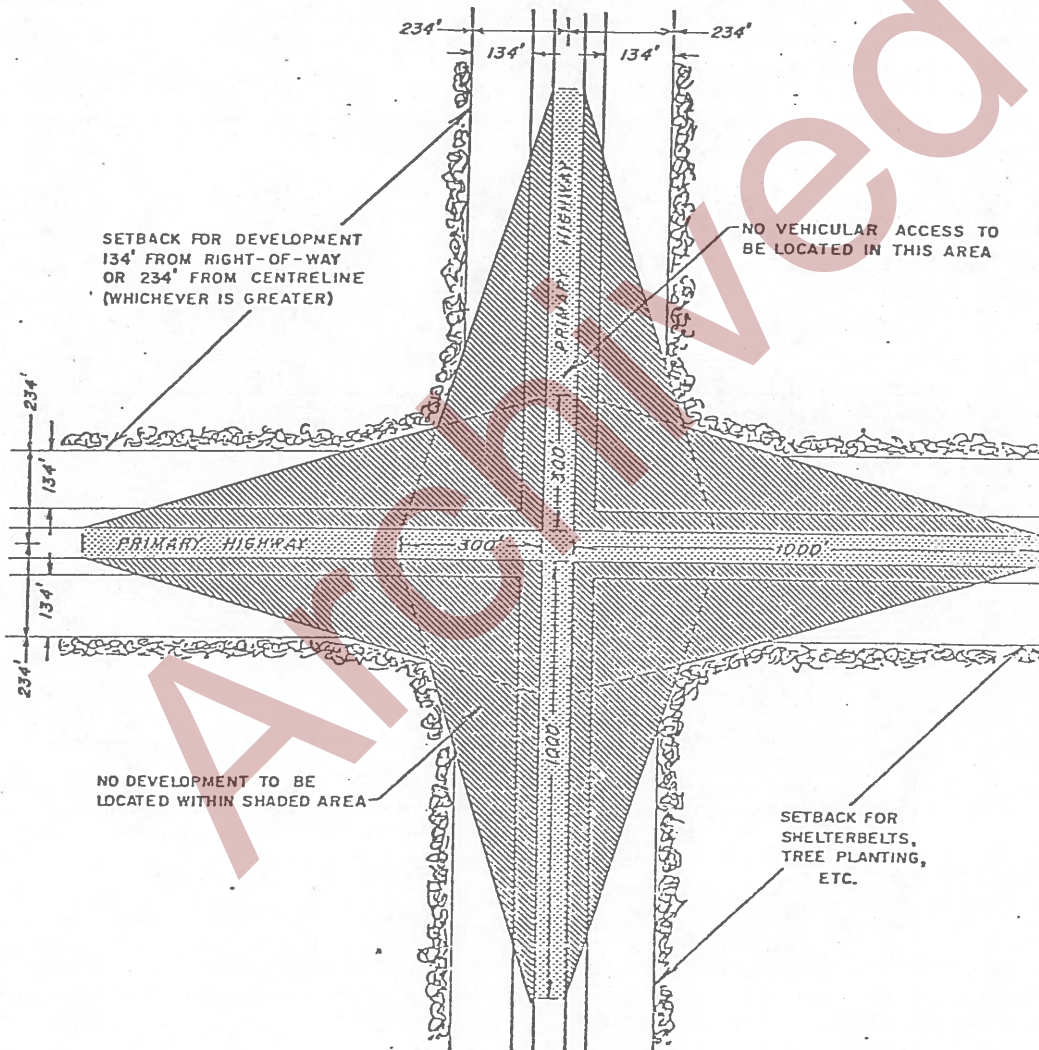


FIGURE 5
 SUPPLEMENTARY REGULATIONS

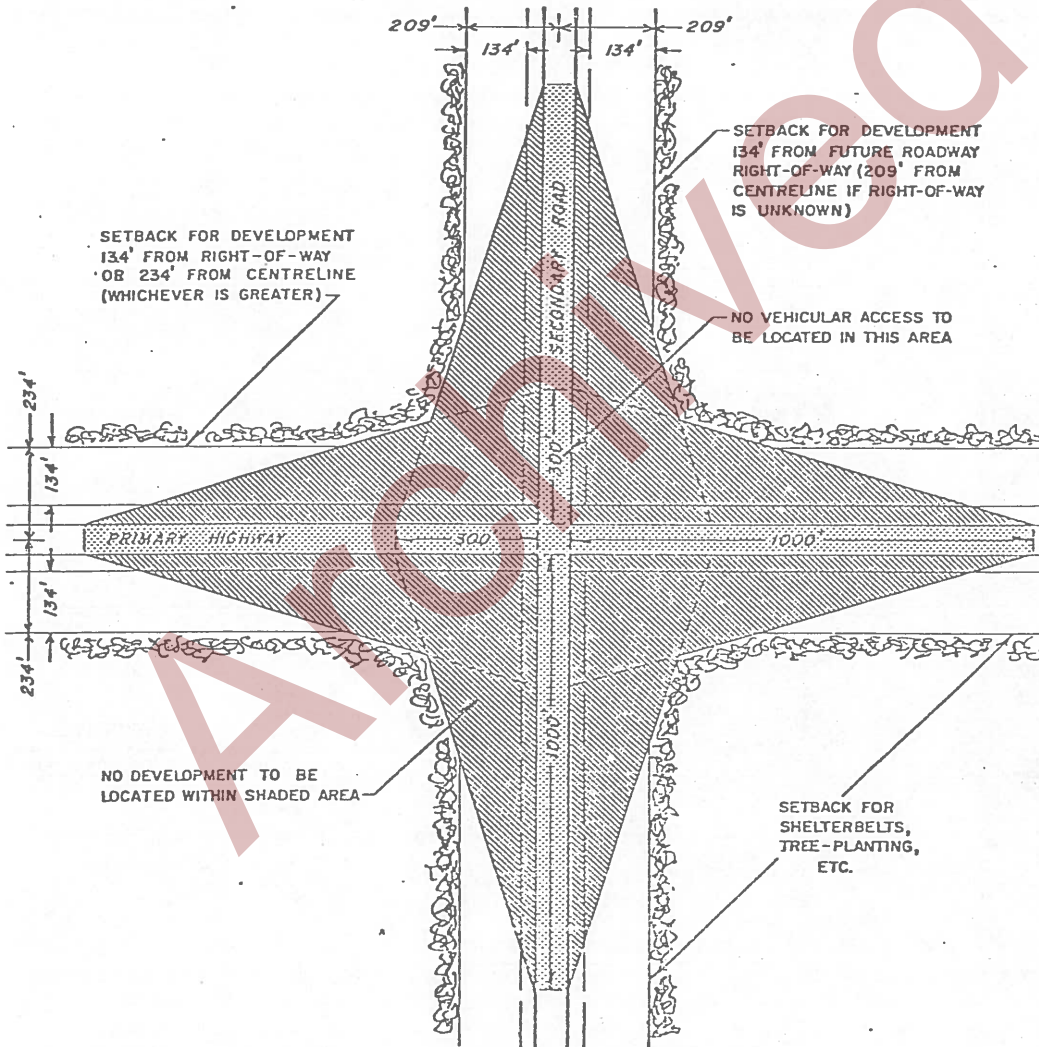
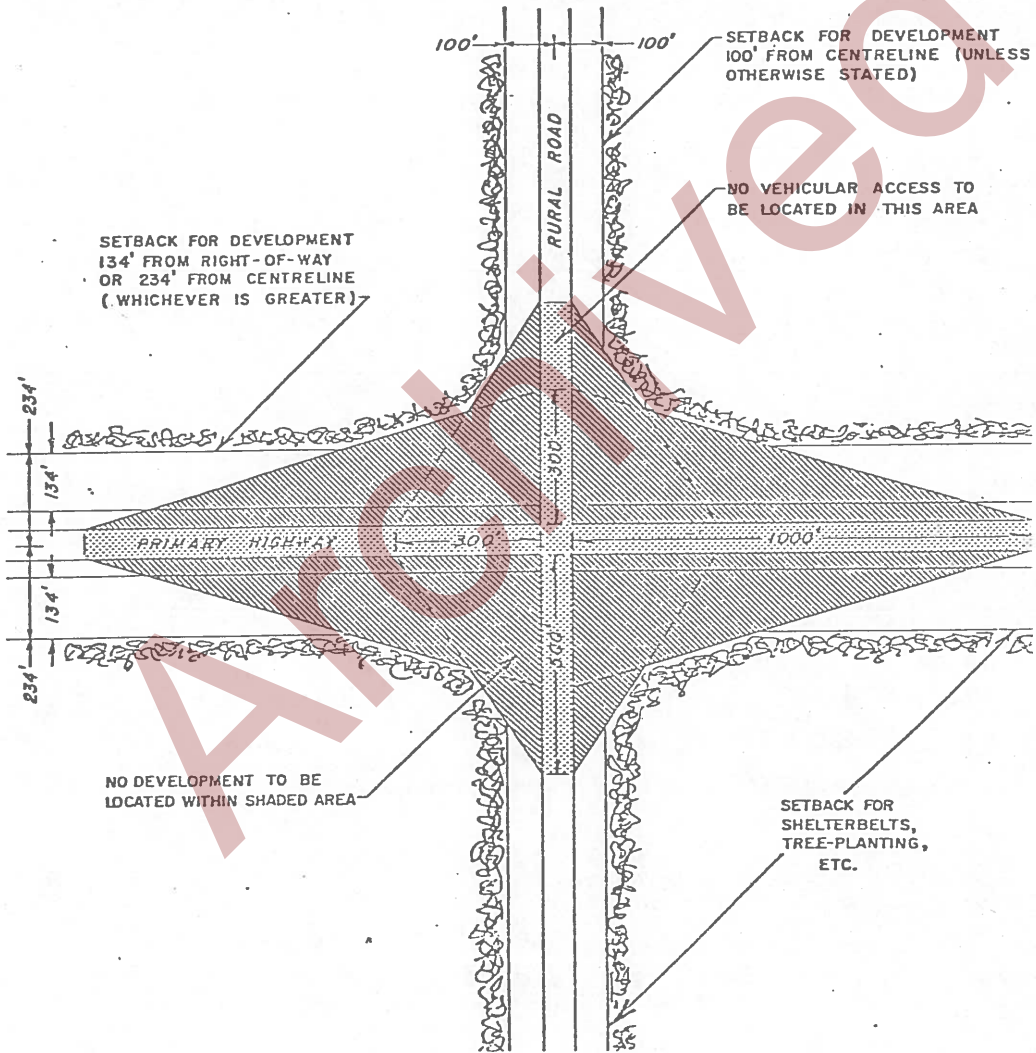


FIGURE 6

SUPPLEMENTARY REGULATIONS



PART SEVEN

SCHEDULES

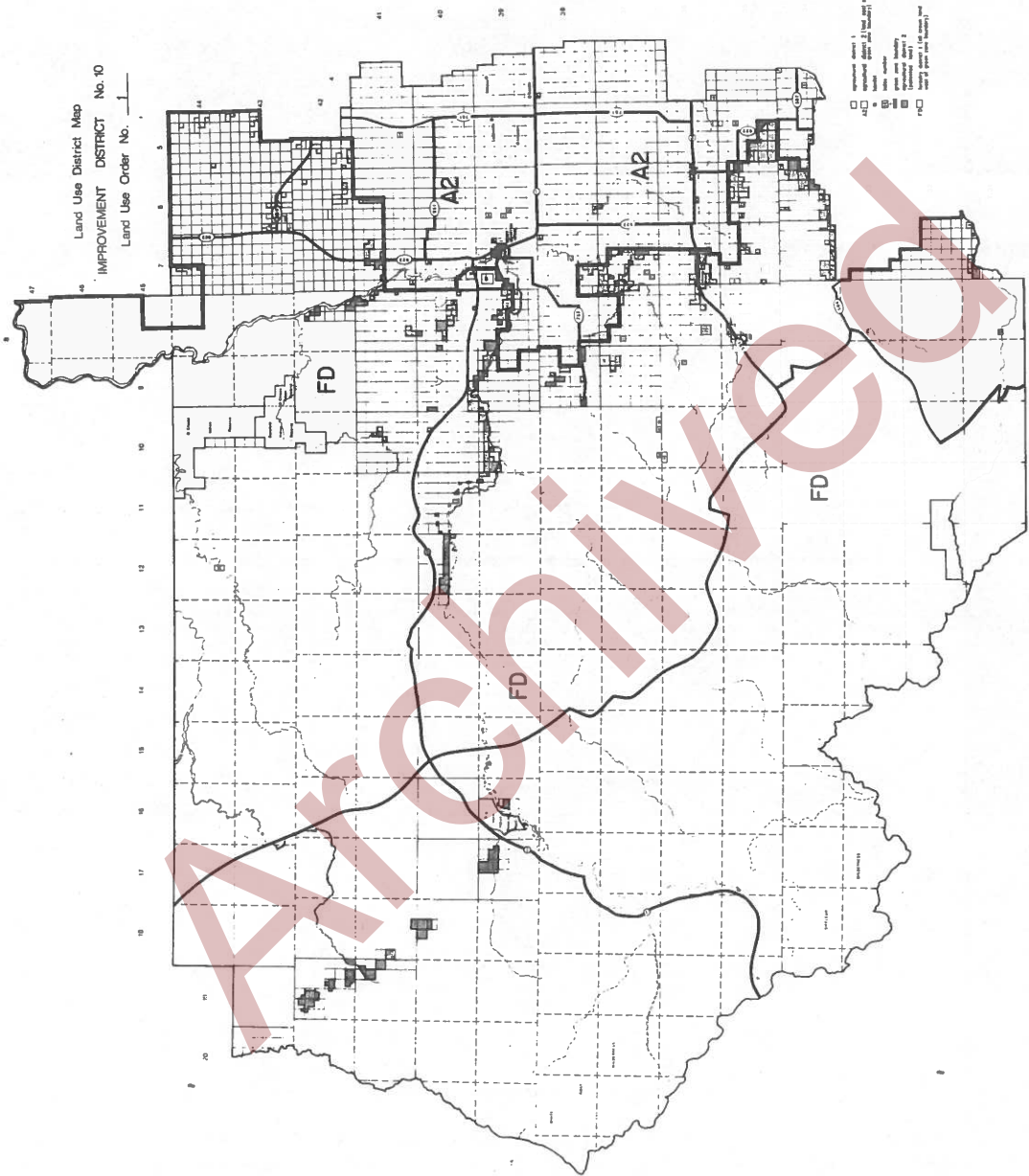
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7.0 SCHEDULE A

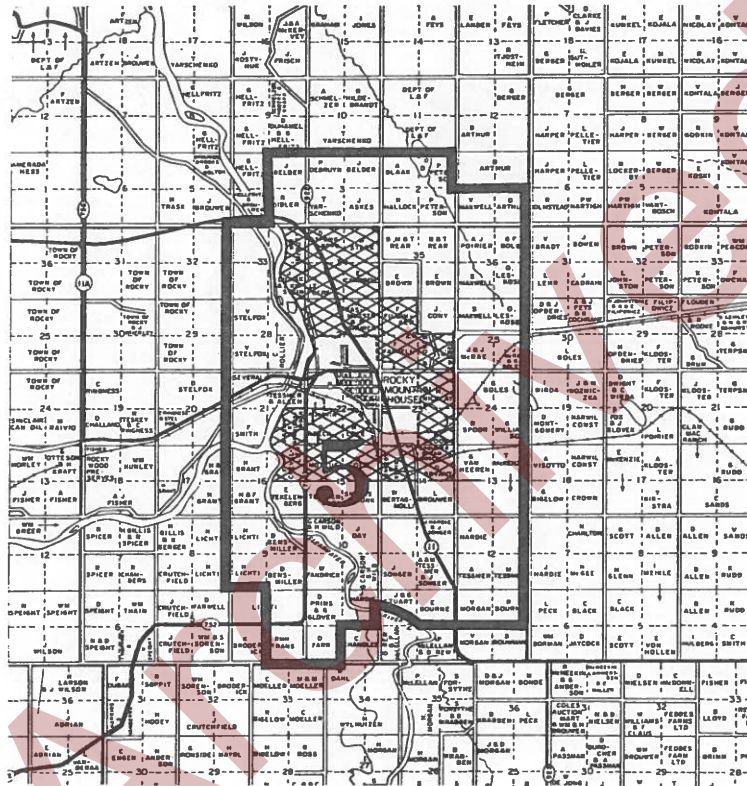
LAND USE DISTRICT MAP
AND
DETAILED MAPS

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Land Use District Map
IMPROVEMENT DISTRICT No. 10
Land Use Order No. 1



INDEX NO. 1
ORDER NO.



Agricultural District 1 "A1"

INDEX NO. 2

ORDER NO.

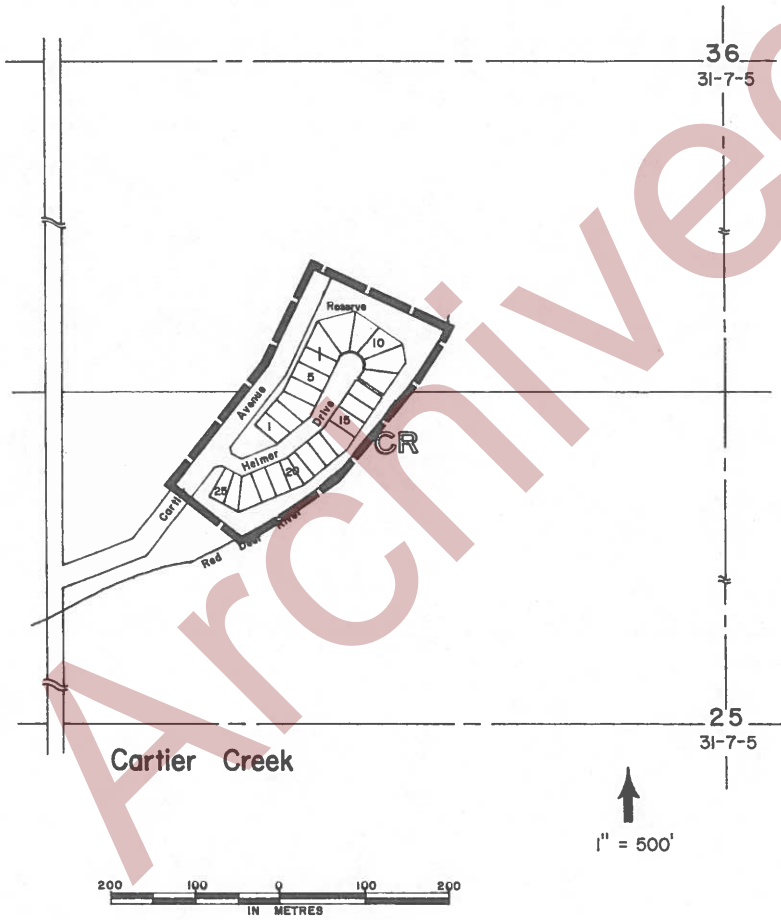


Agricultural District 1 "A1"

INDEX NO. 3

ORDER NO.

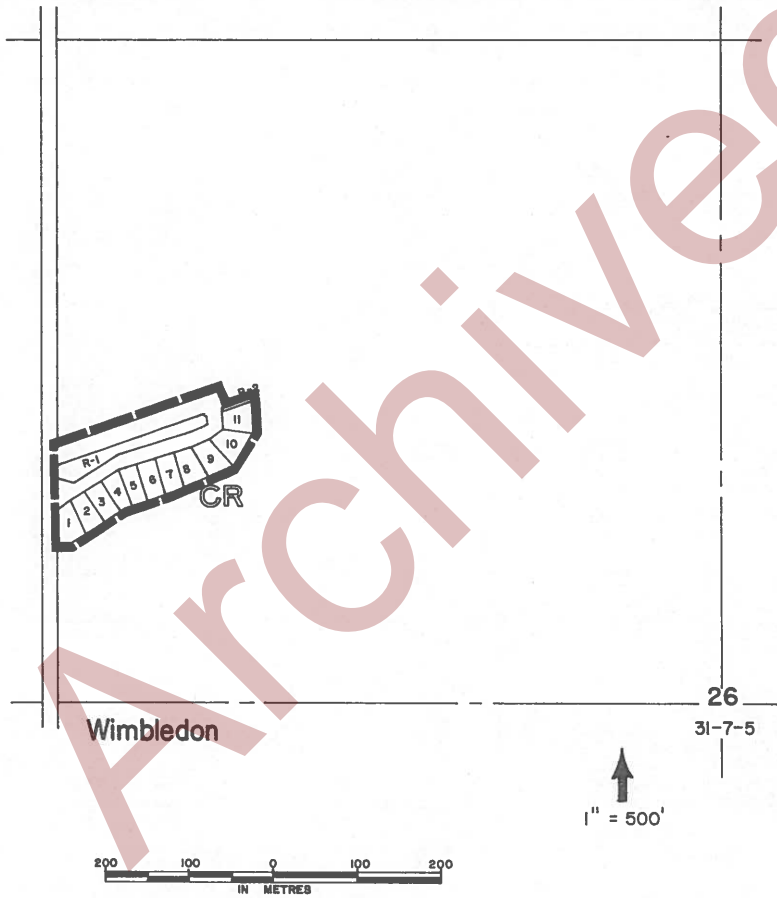
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INDEX NO. 4

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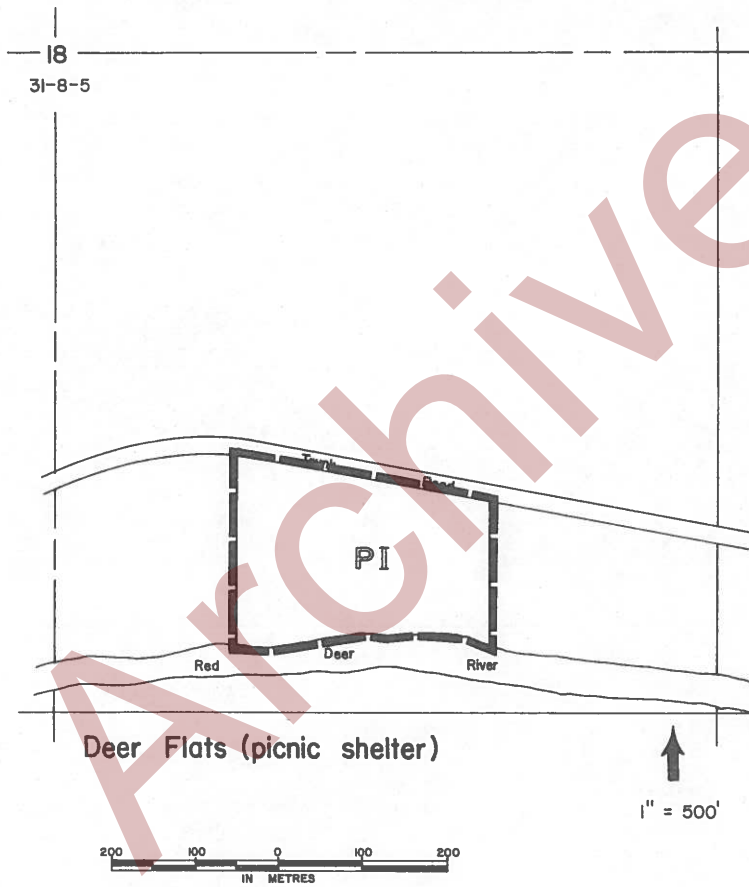
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INDEX NO. 5

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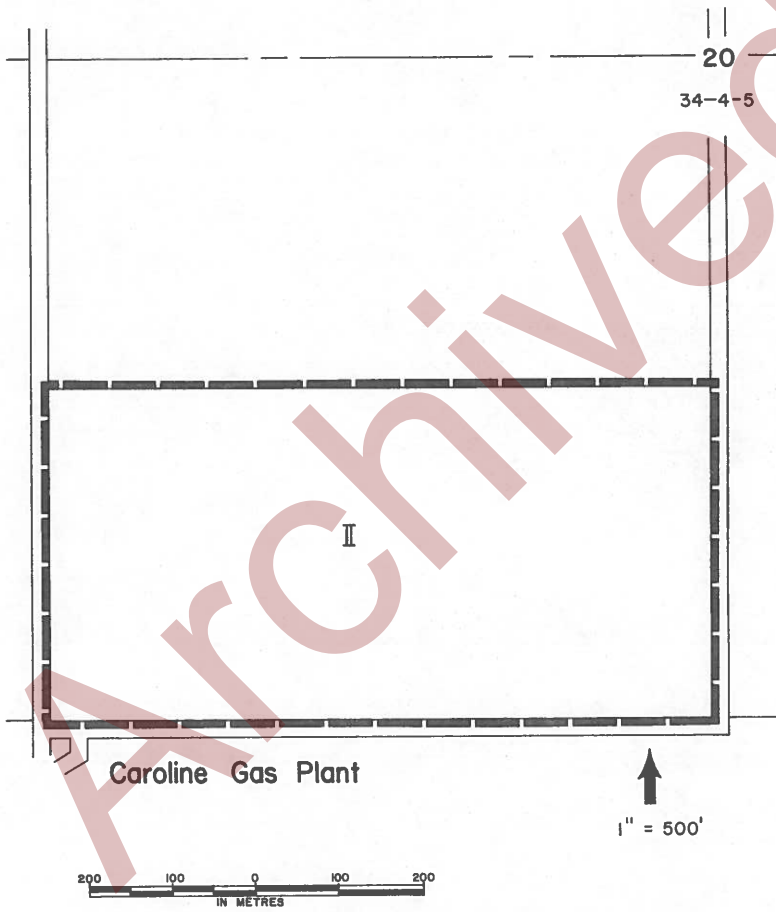
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INDEX NO. 6

ORDER NO.

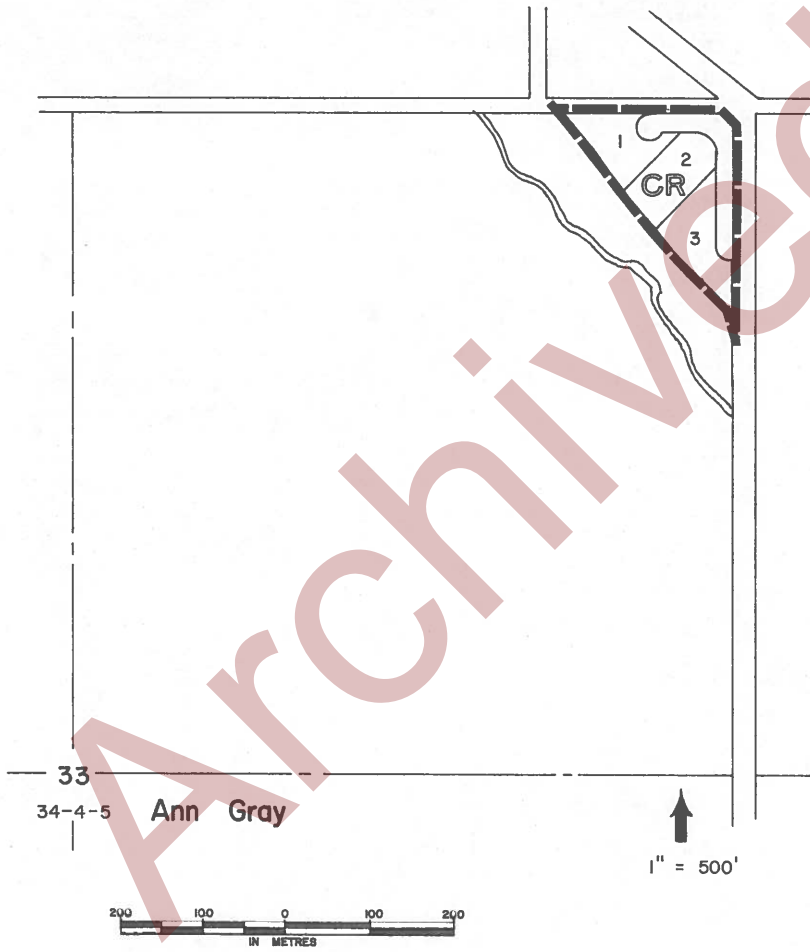
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Index No. 7

Order No.

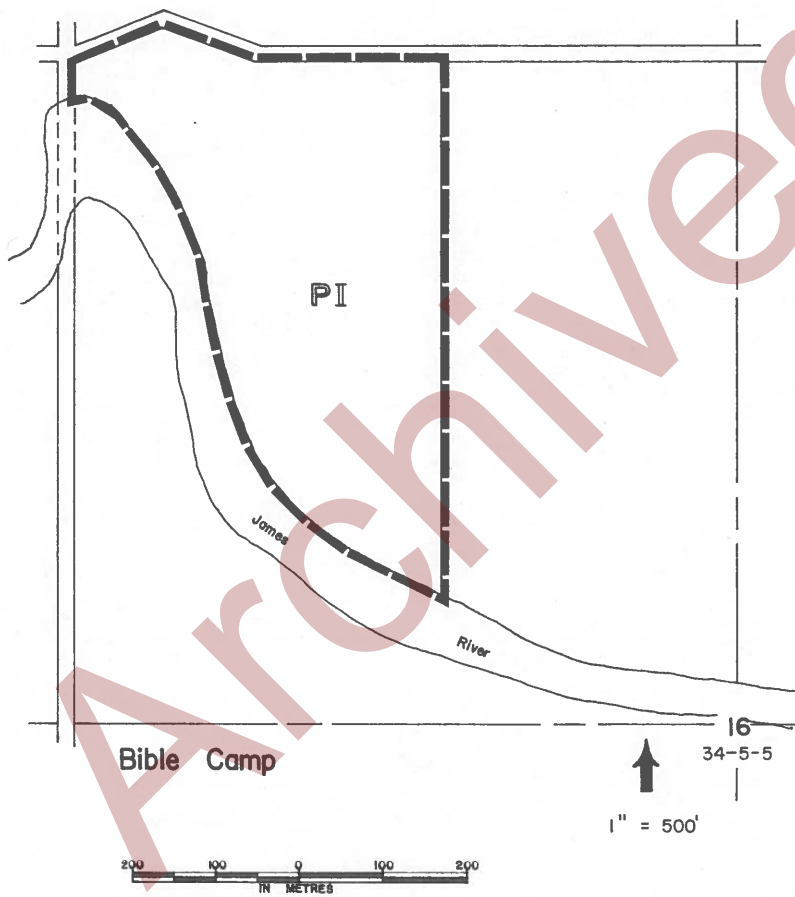
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INDEX NO. 8

ORDER NO.

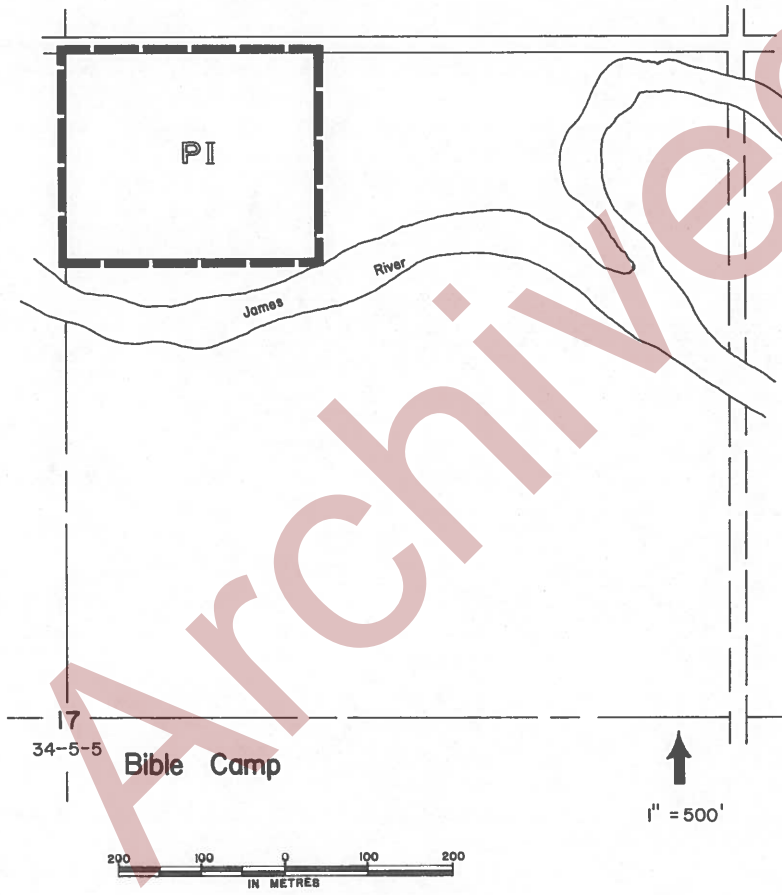
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INDEX NO. 9

ORDER NO.

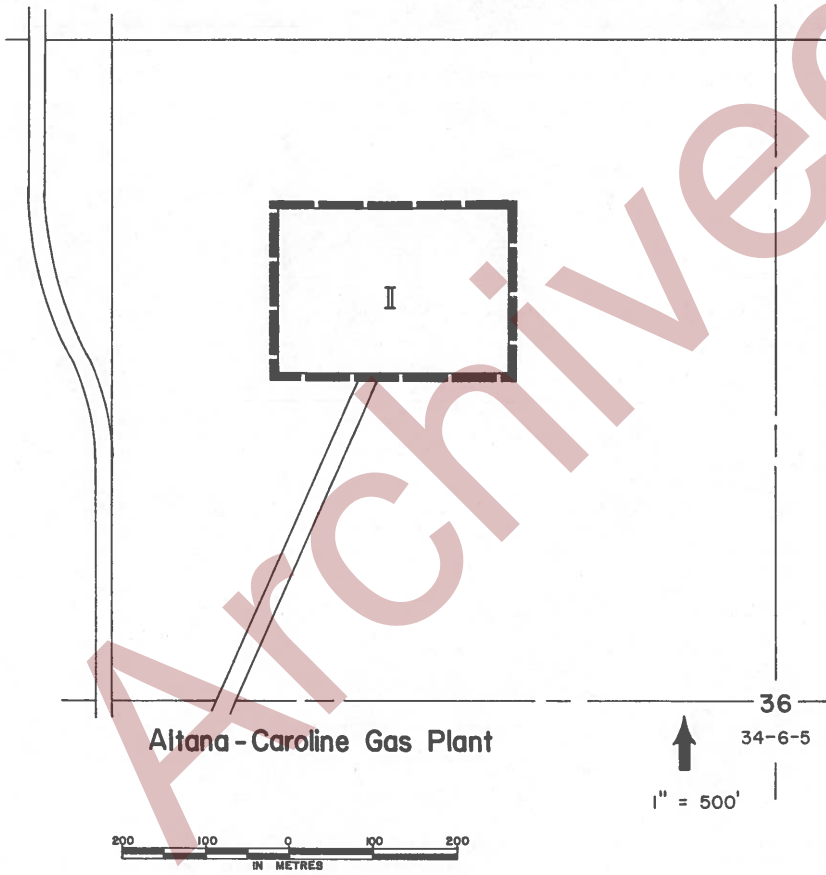
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INDEX NO. 10

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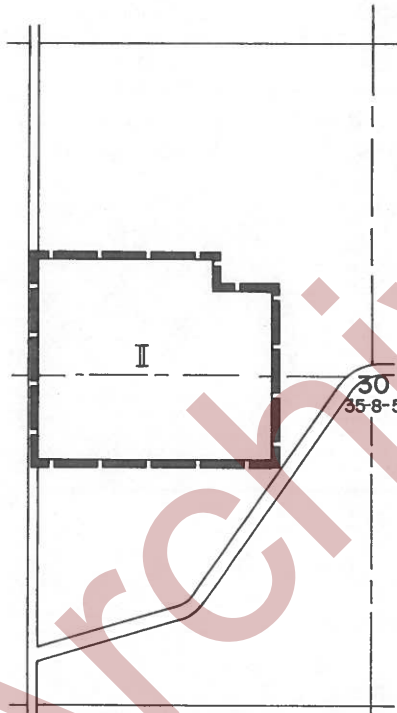
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INDEX NO. 11

ORDER NO.

LEGAL DESCRIPTION: W 1/2 30,35-8-5



Amoco-Ricinus Gas Plant

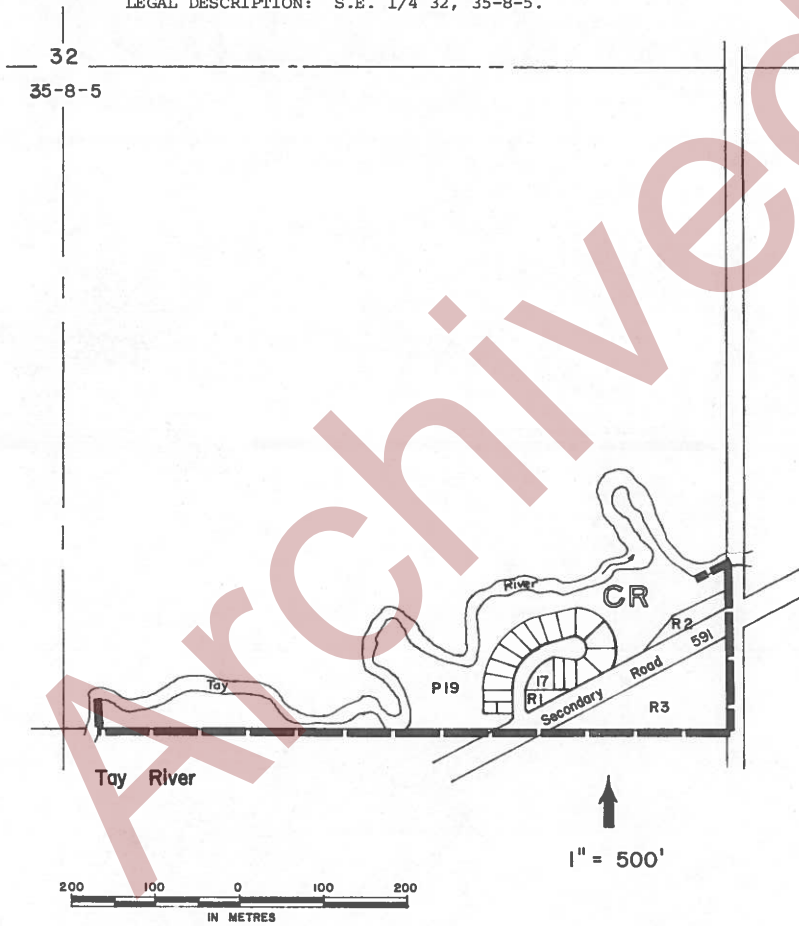


↑
1" = 1000'

INDEX NO. 12

ORDER NO.

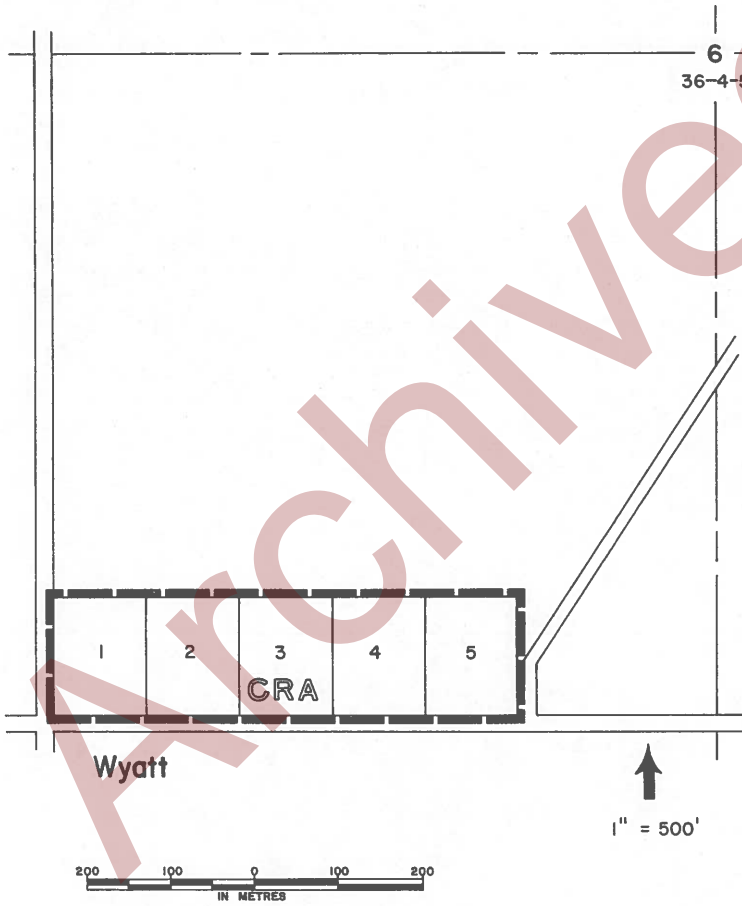
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INDEX NO. 13

ORDER NO.

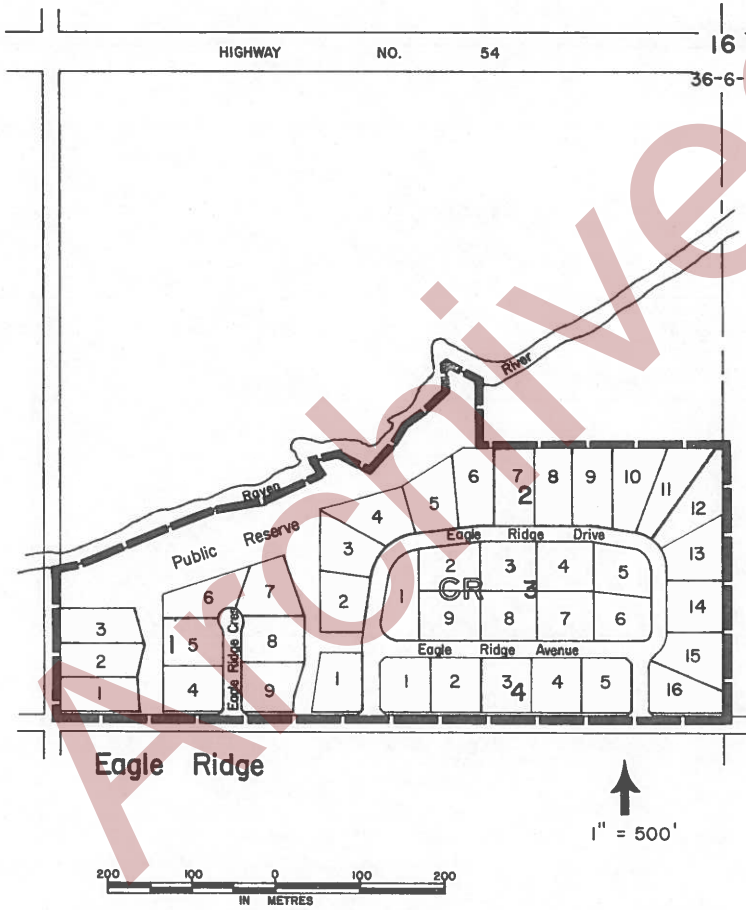
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INDEX NO. 14

ORDER NO.

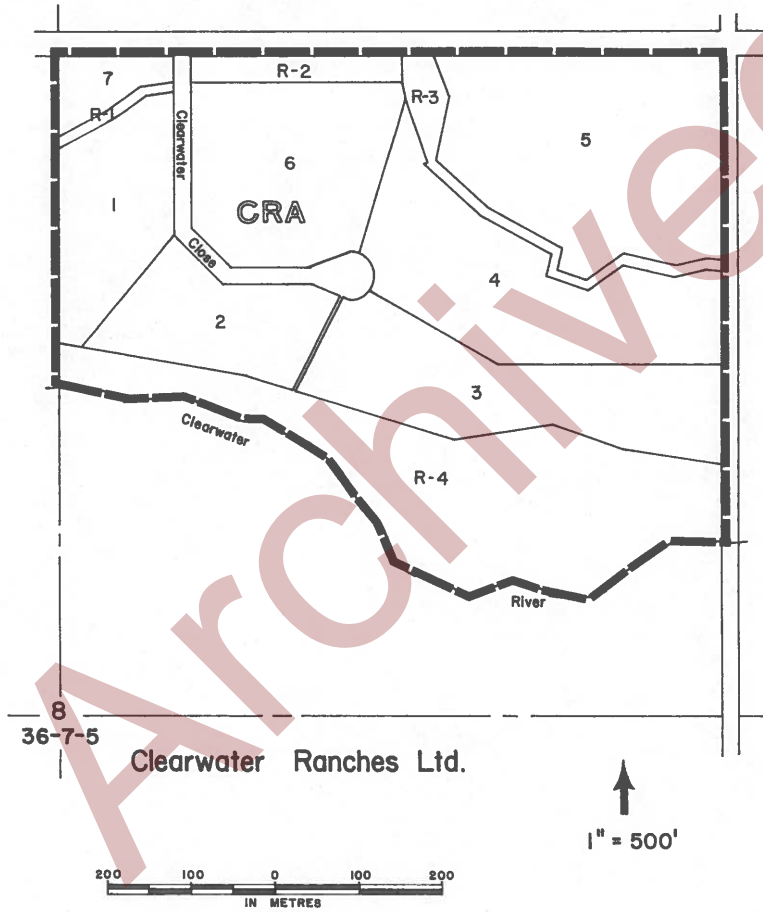
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INDEX NO. 15

ORDER NO.

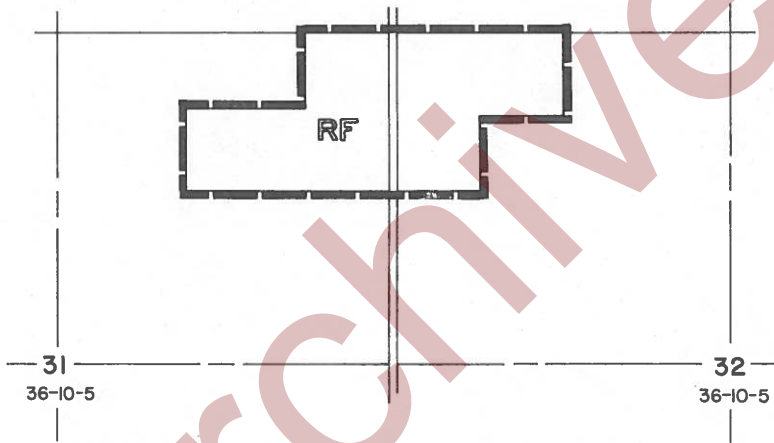
LEGAL DESCRIPTION: NE 1/4 8, 36-7-5



INDEX NO. 16

ORDER NO.

LEGAL DESCRIPTION: NE 1/4 31 & NW 1/4 32, 36-10-5



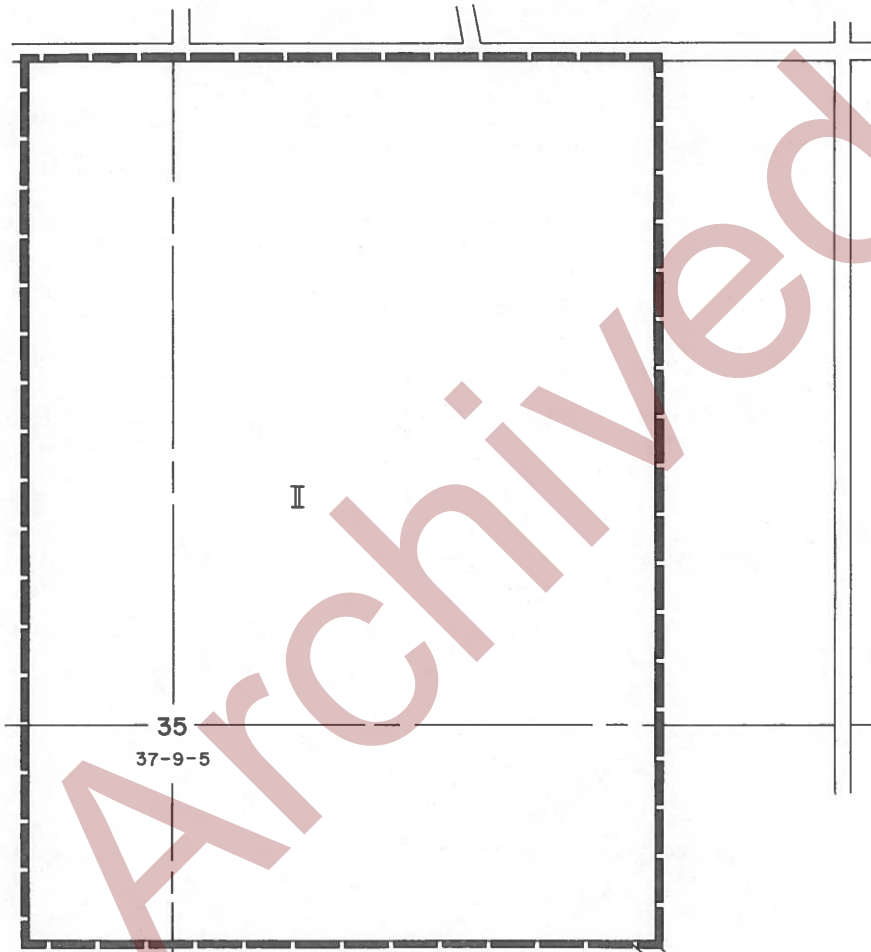
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1" = 1000'



INDEX NO. 17

ORDER NO.

LEGAL DESCRIPTION: SECTION 35, 37-9-5



Strachan Gas Plant

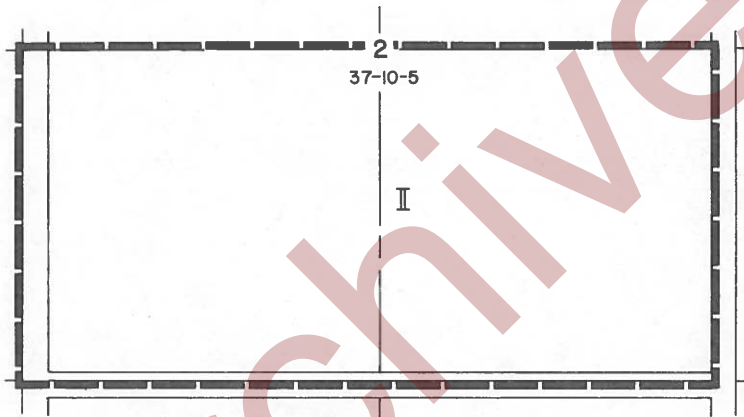
↑
1" = 500'



INDEX NO. 18

ORDER NO.

LEGAL DESCRIPTION: S 1/2 2, 37-10-5



Ram River Gas Plant



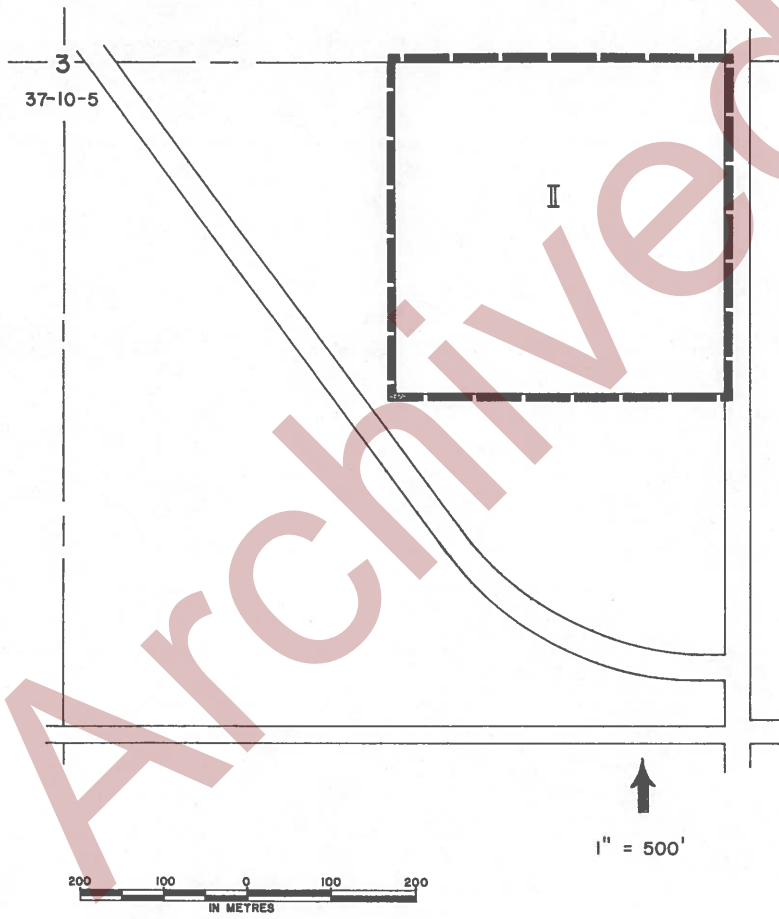
1" = 1000'



INDEX NO. 19

ORDER NO.

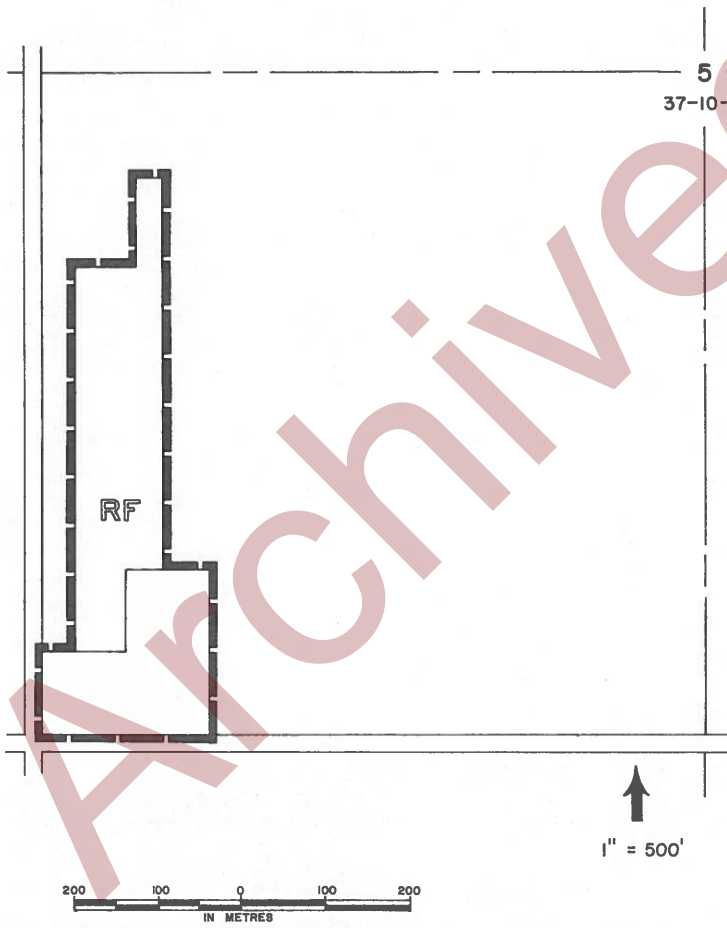
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INDEX NO. 20

ORDER NO.

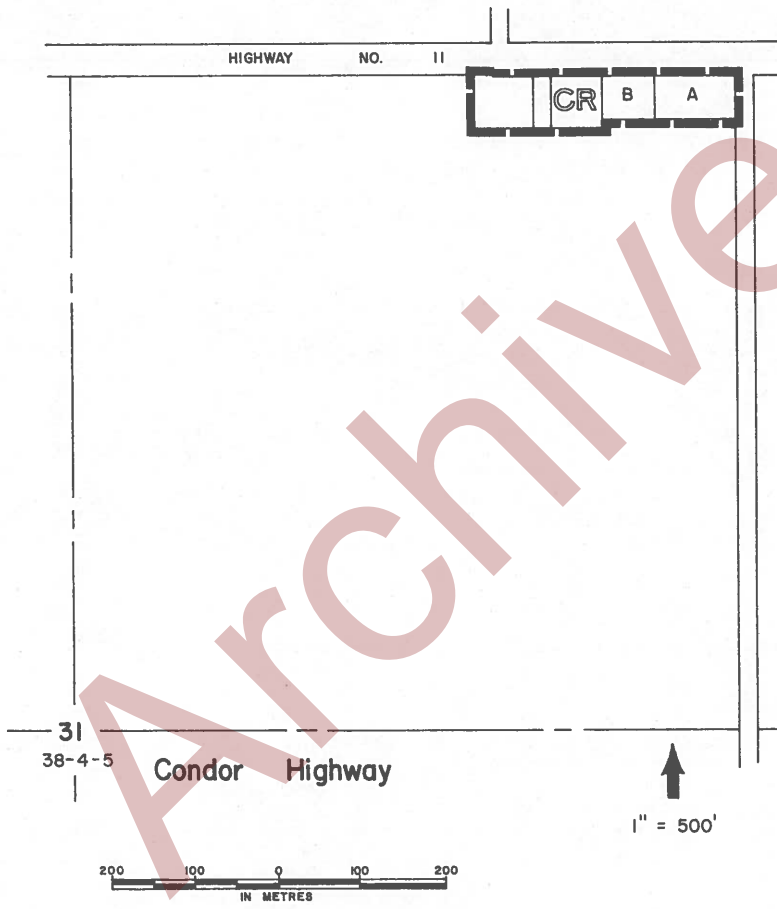
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INDEX NO. 21

ORDER NO.

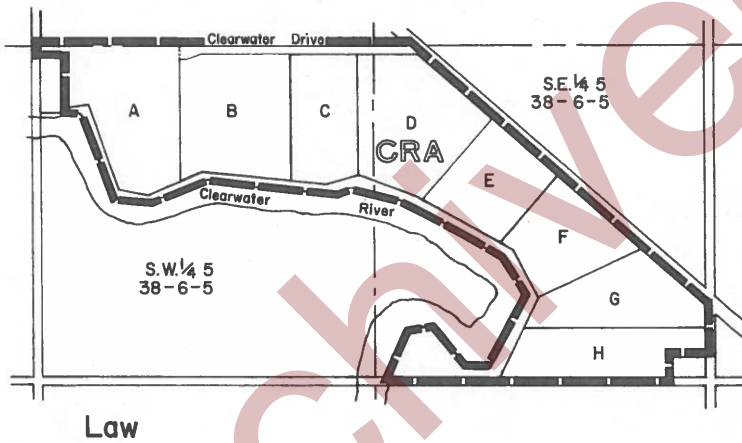
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INDEX NO. 22

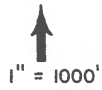
ORDER NO.

LEGAL DESCRIPTION: S 1/2 5, 38-6-5



Law

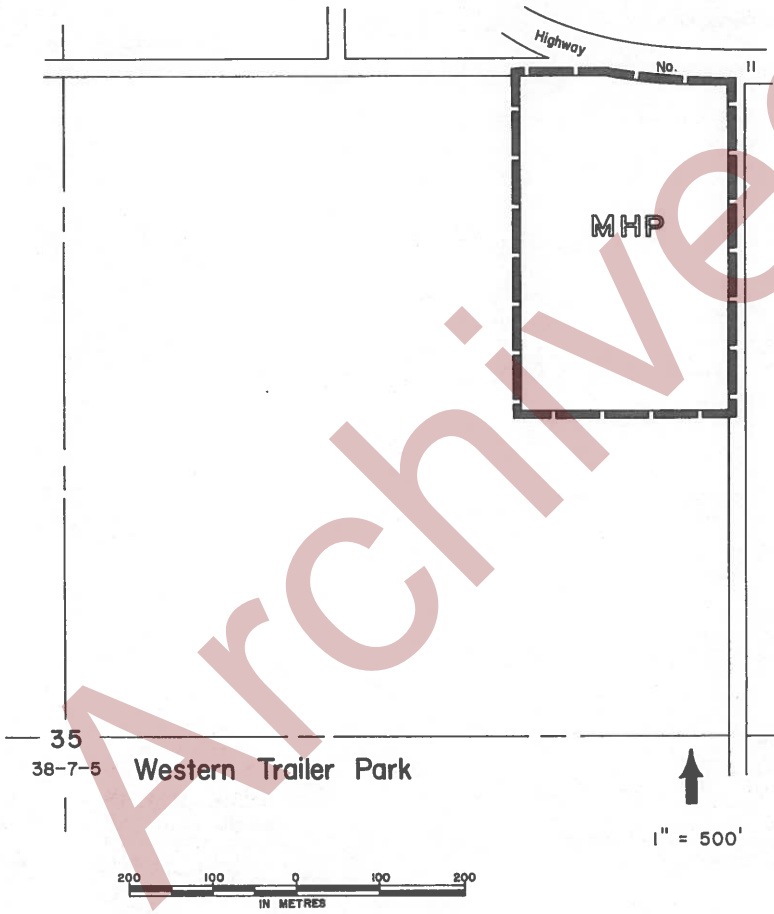
Archived



INDEX NO. 23

ORDER NO.

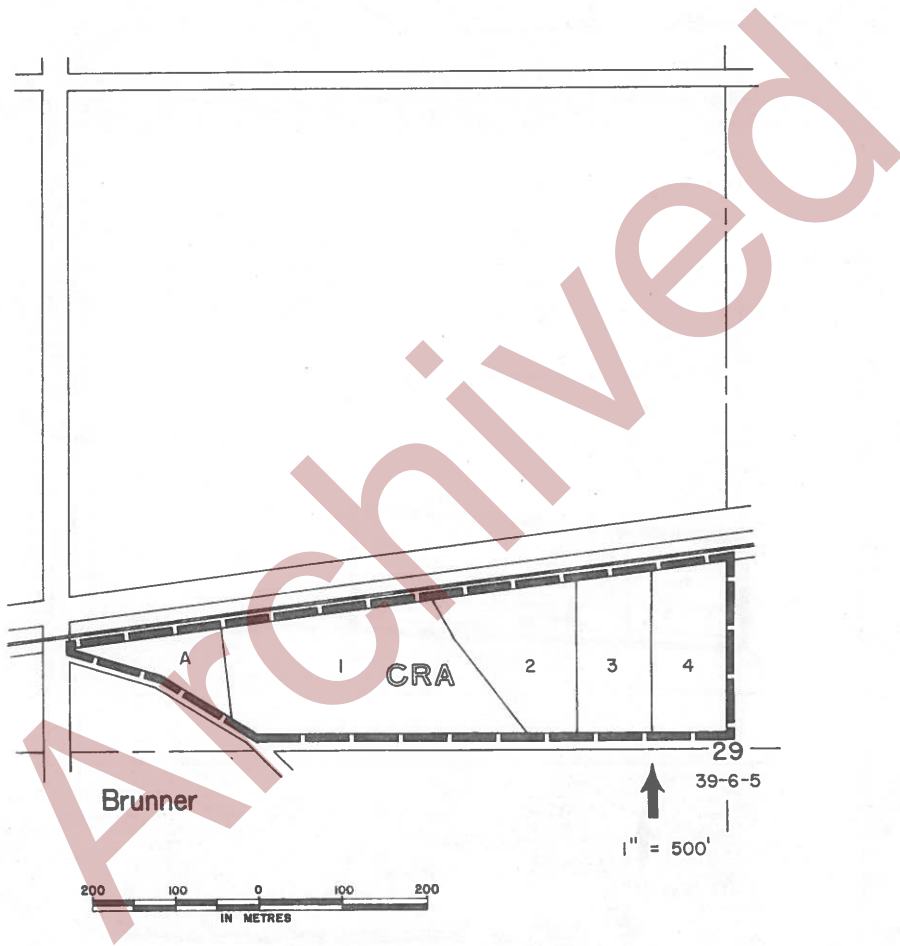
LEGAL DESCRIPTION: NE 1/4 35, 38-7-5



INDEX NO. 24

ORDER NO.

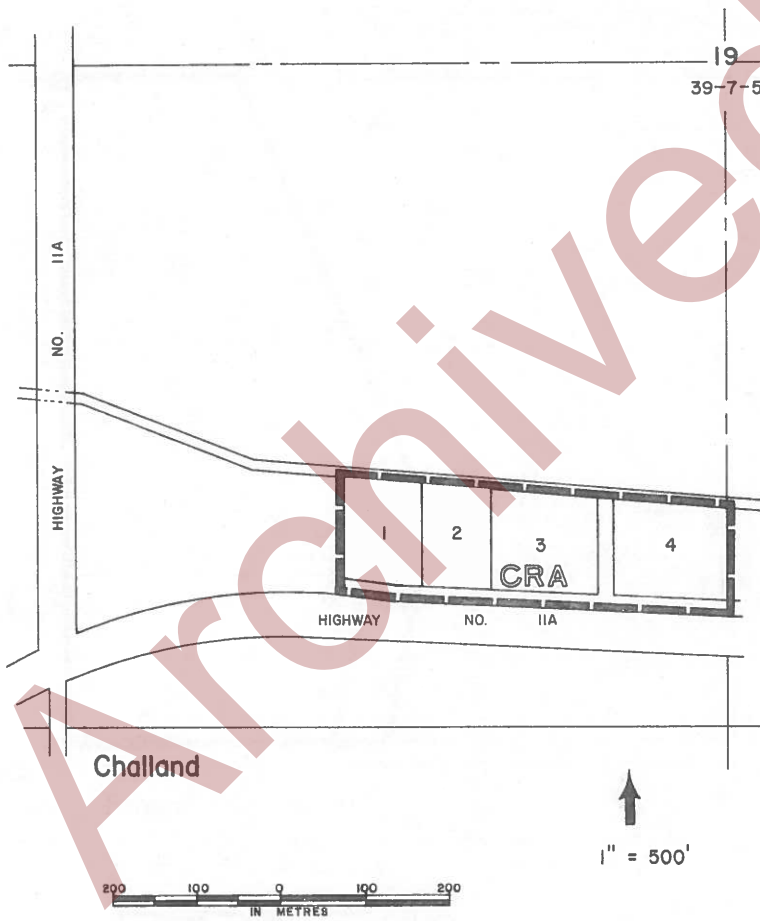
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INDEX NO. 25

ORDER NO.

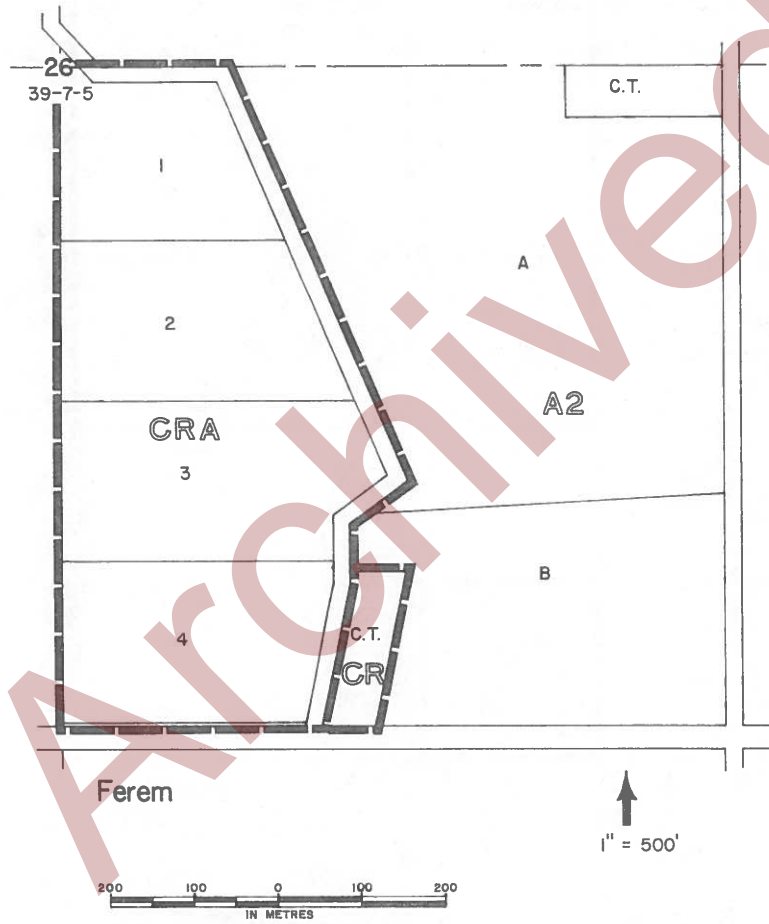
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INDEX NO. 26

ORDER NO.

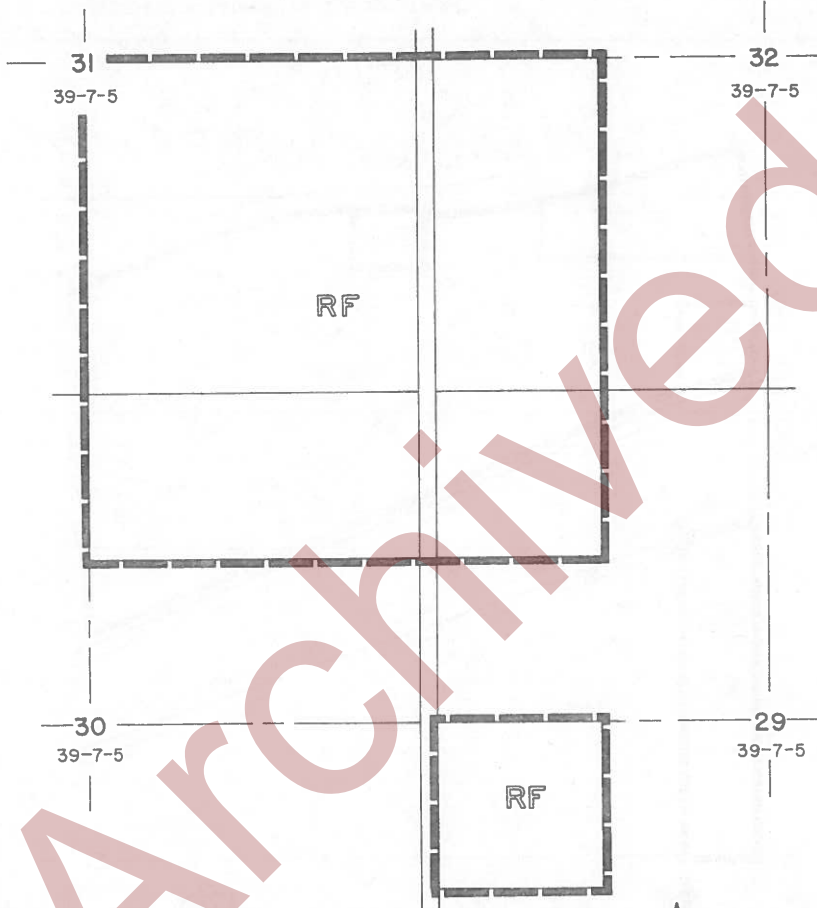
LEGAL DESCRIPTION: SE 1/4 26, 39-7-5



INDEX NO. 27

ORDER NO.

LEGAL DESCRIPTION: NW 1/4 29, NE 1/4 30, SE 1/4 31 & SW 1/4 32, 39-7-5



Pine Hills



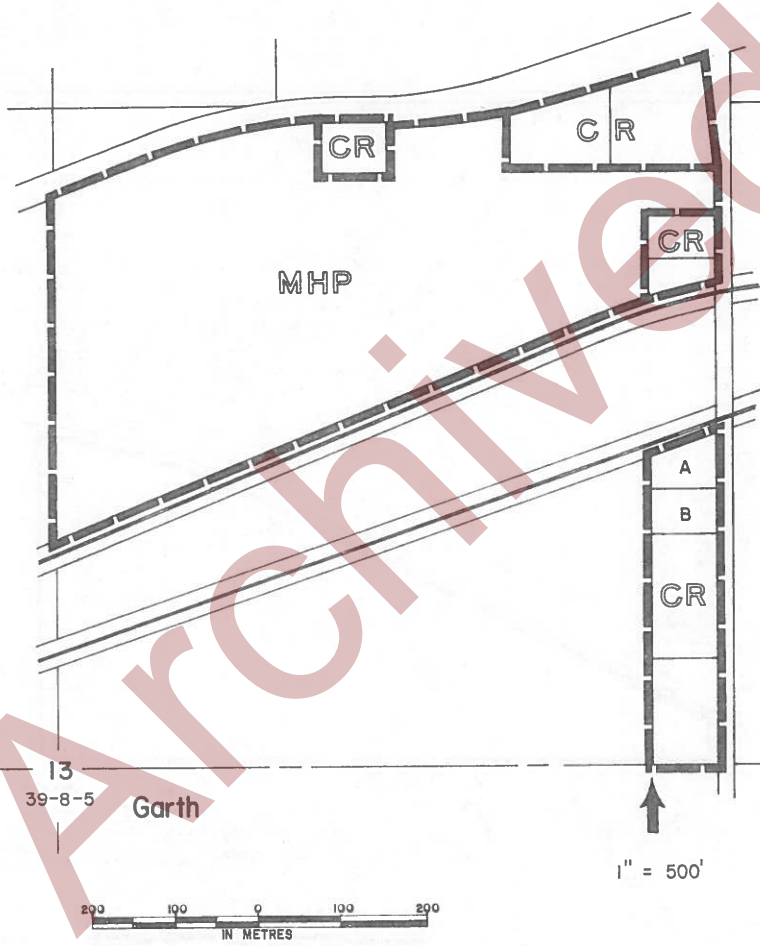
1" = 1000'



INDEX NO. 28

ORDER NO.

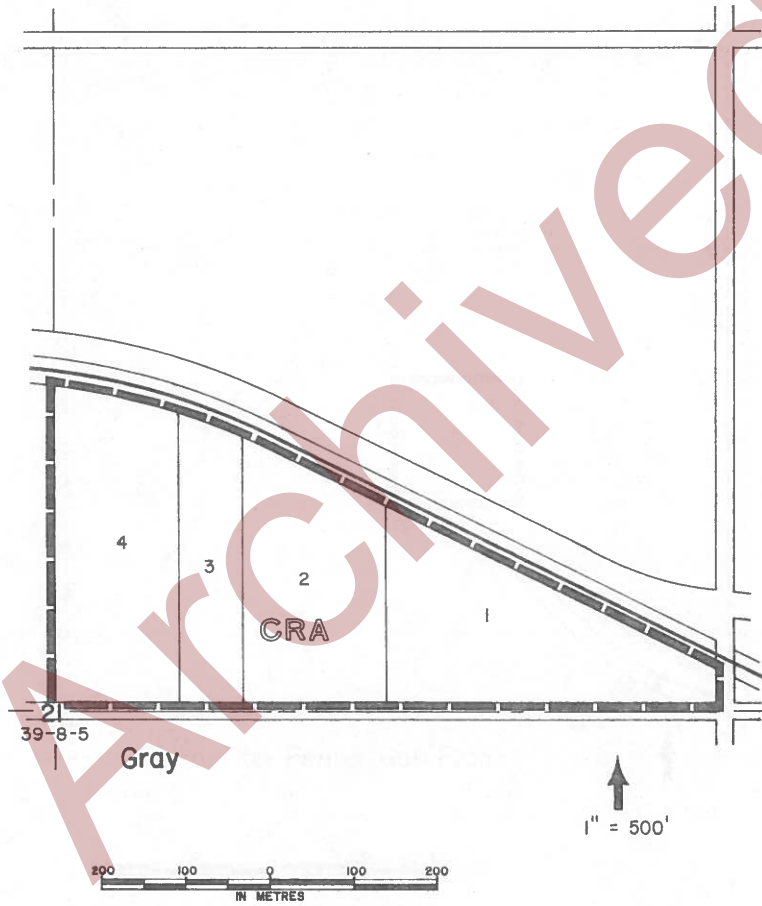
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INDEX NO. 29

ORDER NO.

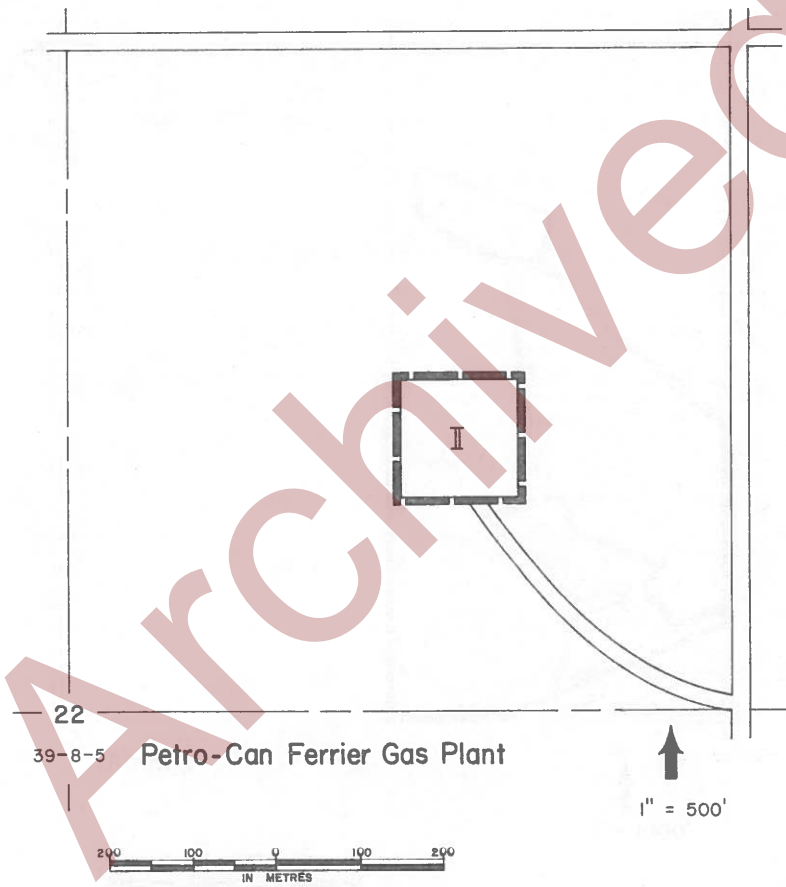
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INDEX NO. 30

ORDER NO.

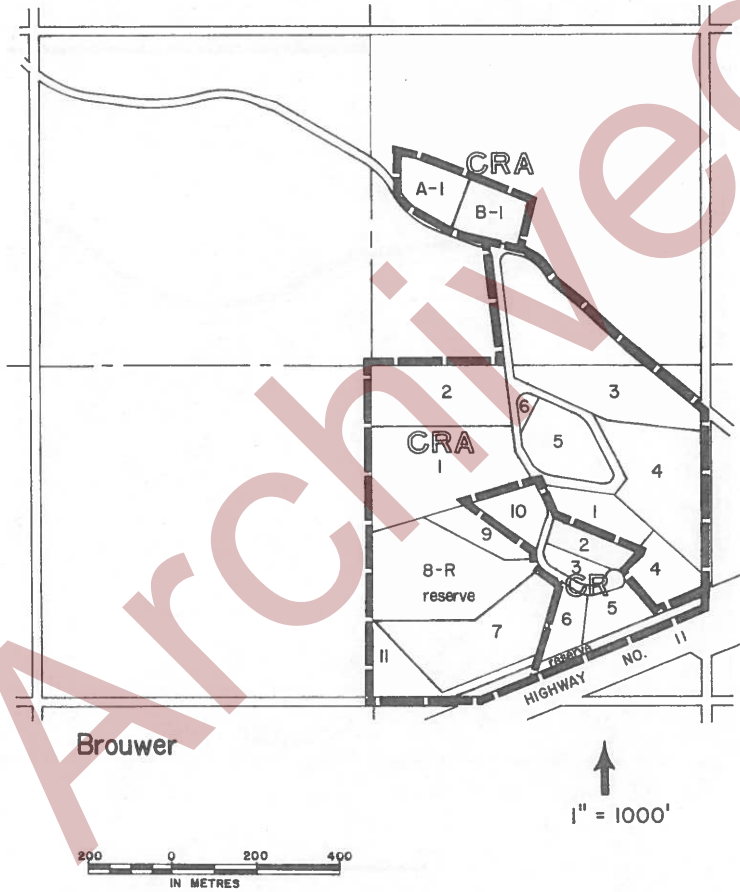
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INDEX NO. 31

ORDER NO.

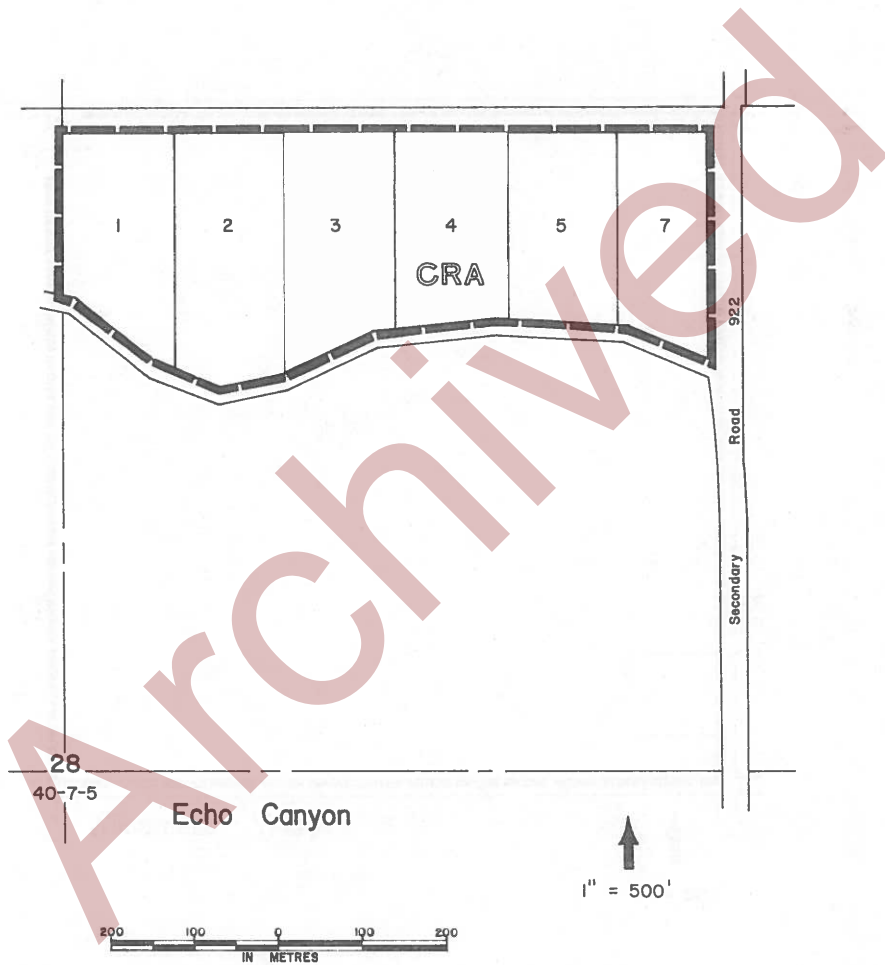
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INDEX NO. 32

ORDER NO.

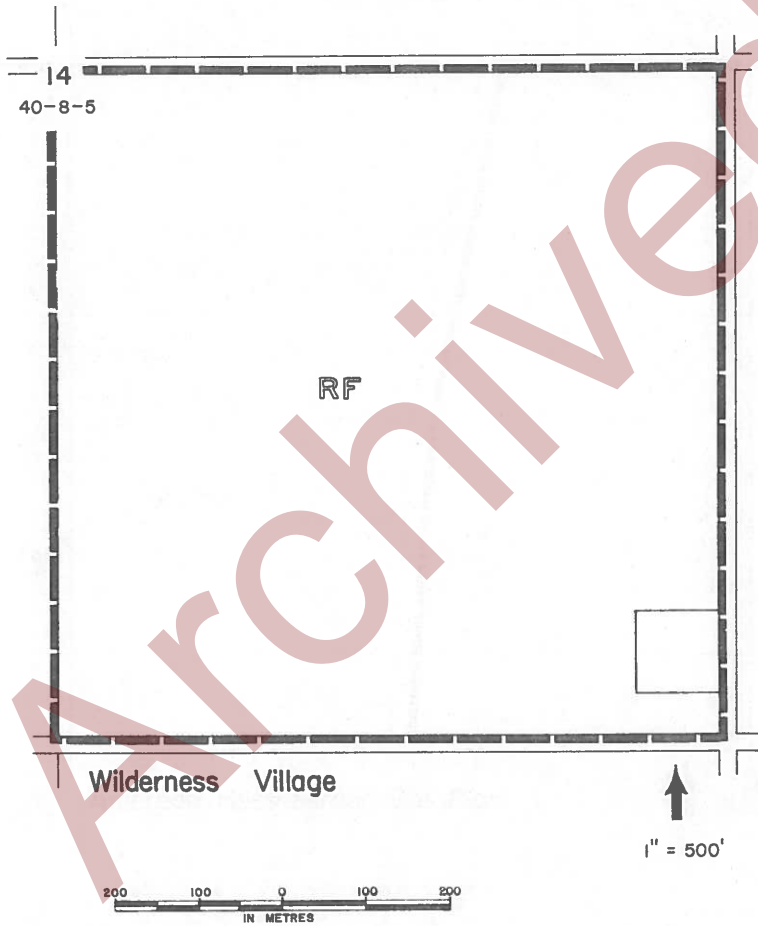
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INDEX NO. 33

ORDER NO.

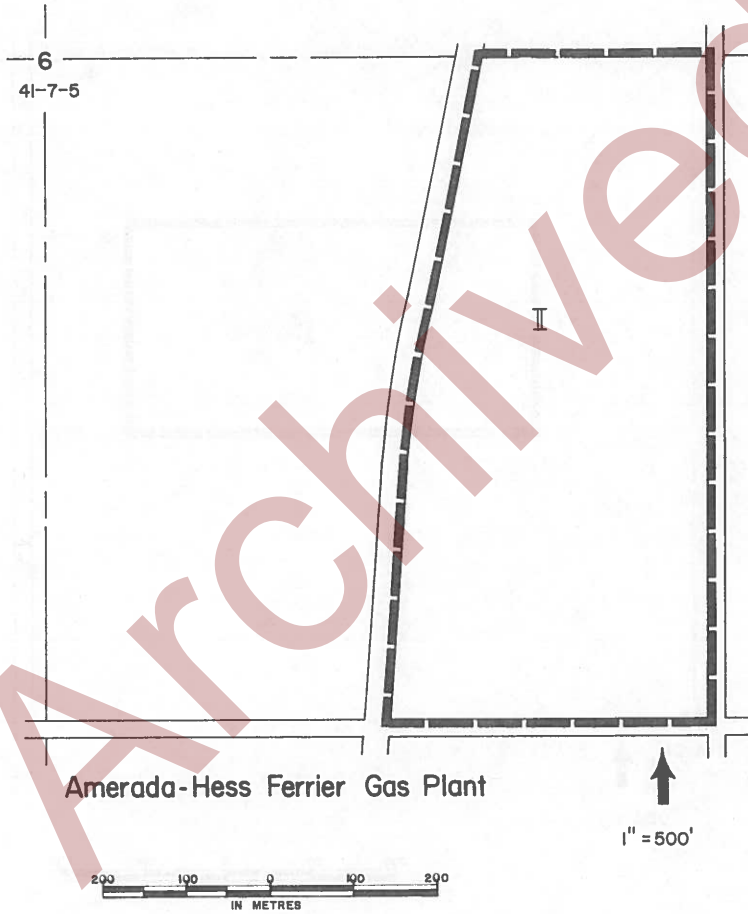
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INDEX NO. 34

ORDER NO.

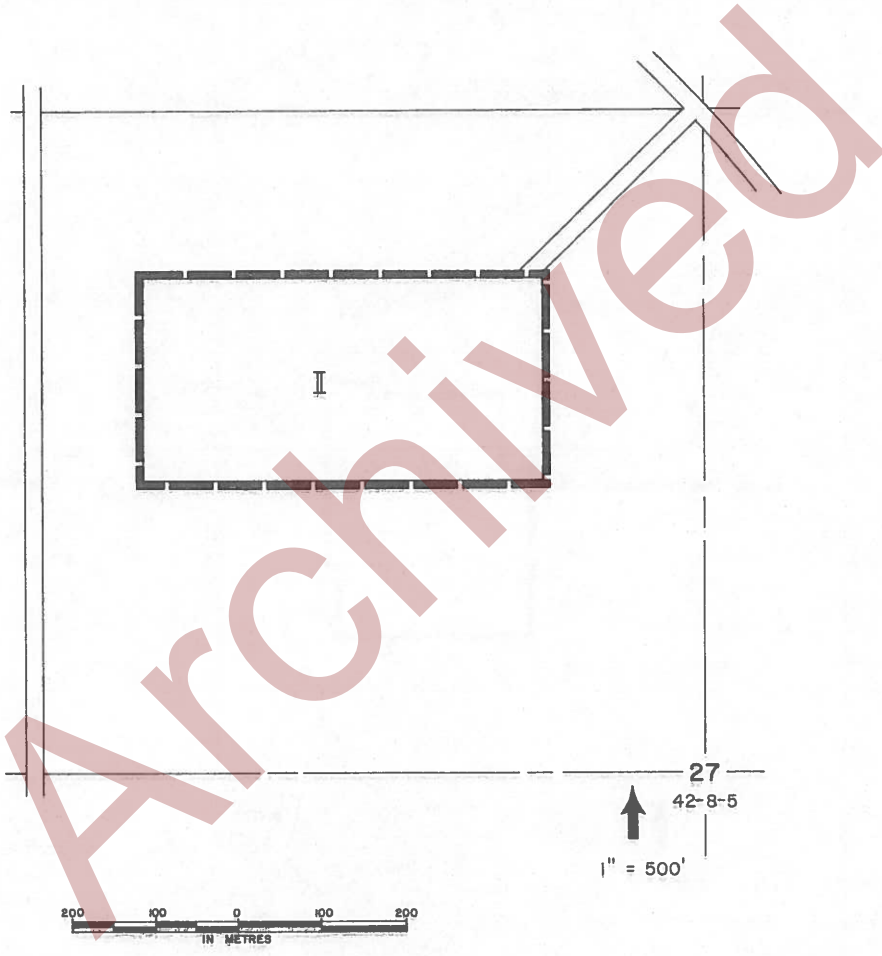
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INDEX NO. 35

ORDER NO.

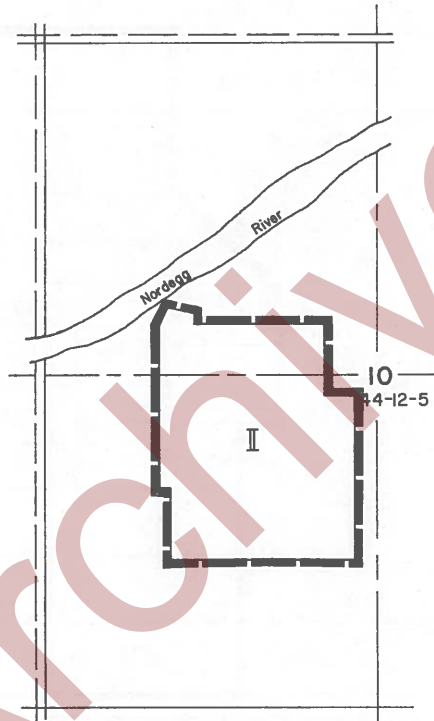
LEGAL DESCRIPTION: NW 1/4 27, 42-8-5



INDEX NO. 36

ORDER NO.

LEGAL DESCRIPTION: W 1/2 10, 44-12-5



Nordegg River
Gas Plant



1" = 1000'

INDEX NO. 37

ORDER NO.

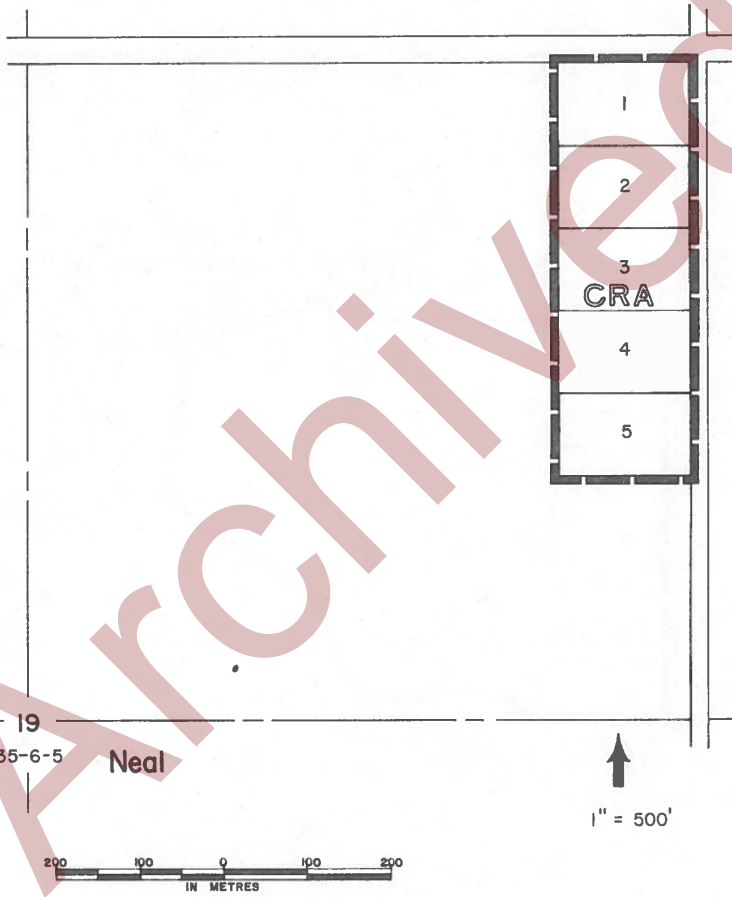
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INDEX NO. 38

ORDER NO.

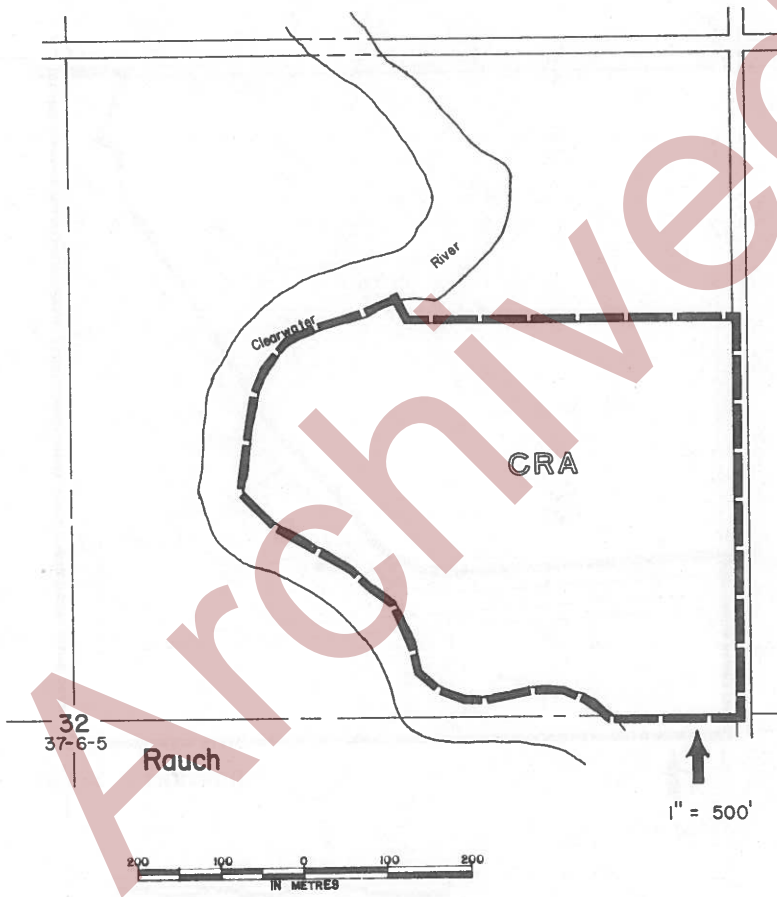
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INDEX NO. 39

ORDER NO. 1

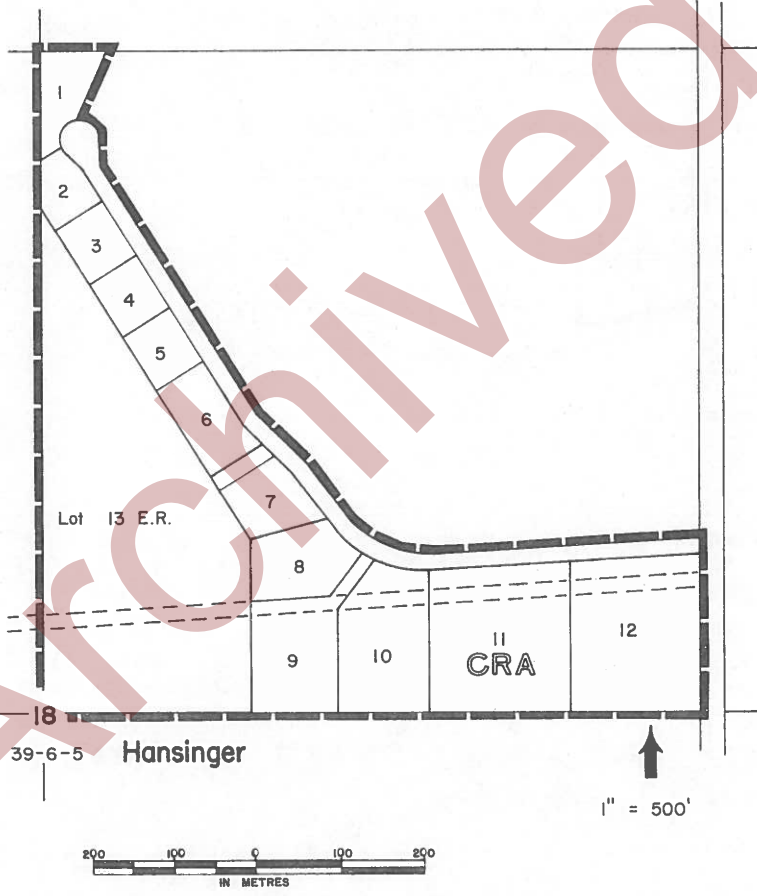
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Index No. 40

Order No.

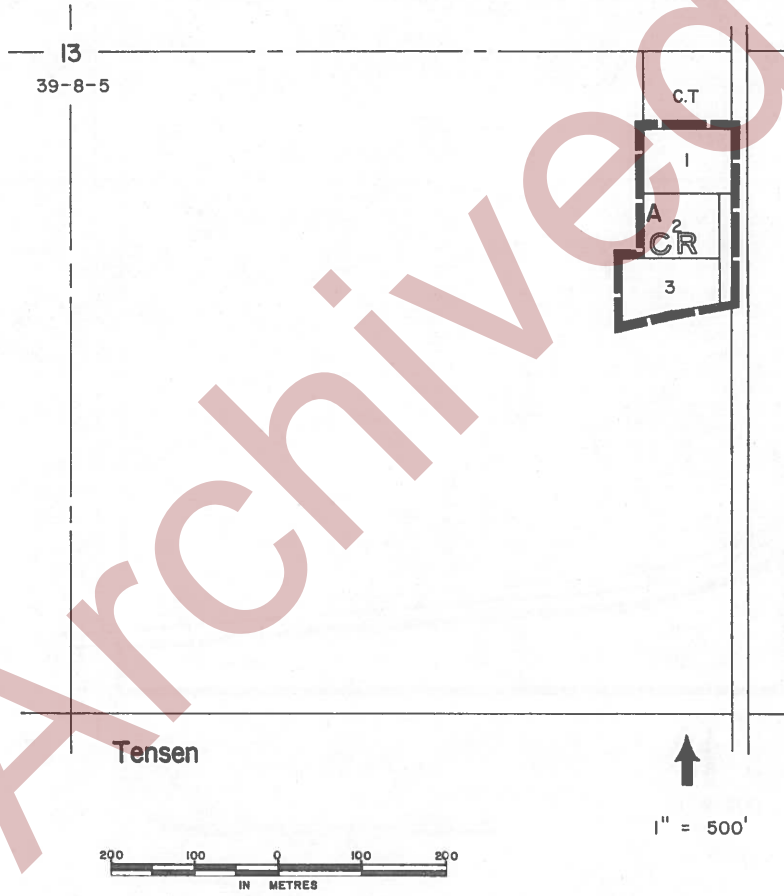
Legal Description: NE 1/4 18,39-6-5



INDEX NO. 41

ORDER NO.

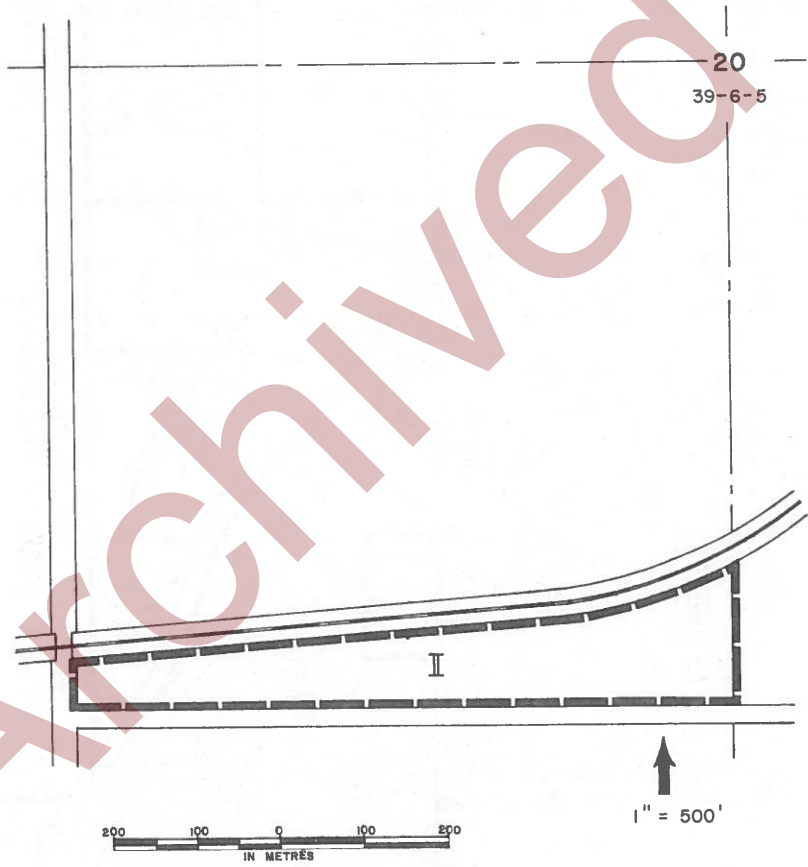
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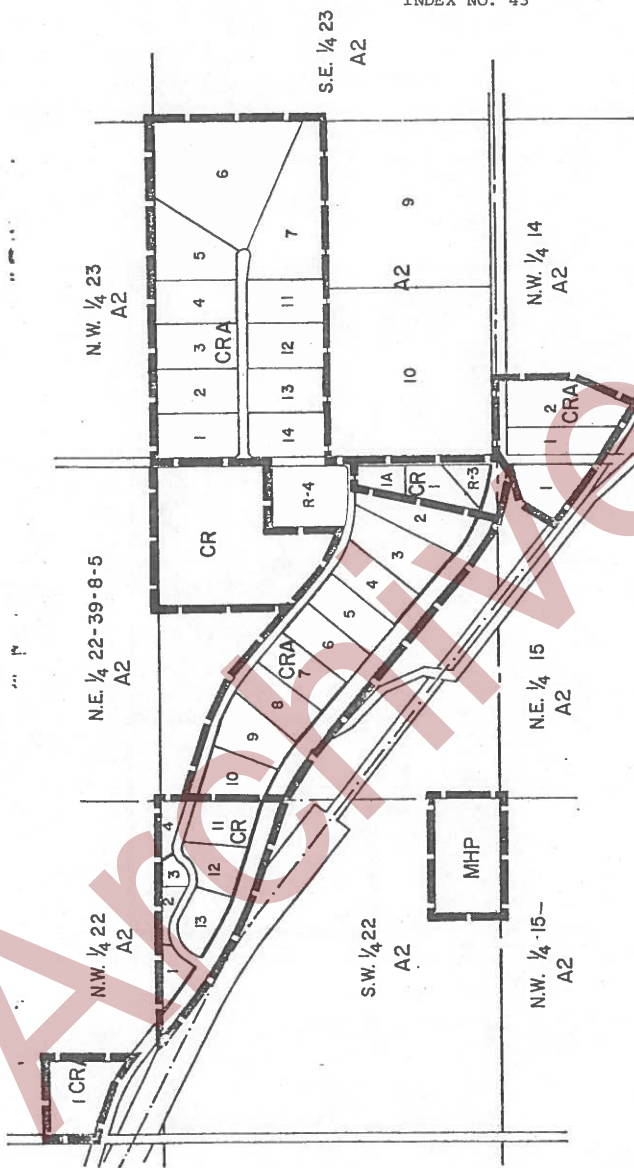
INDEX No. 42

ORDER No.

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INDEX NO. 43

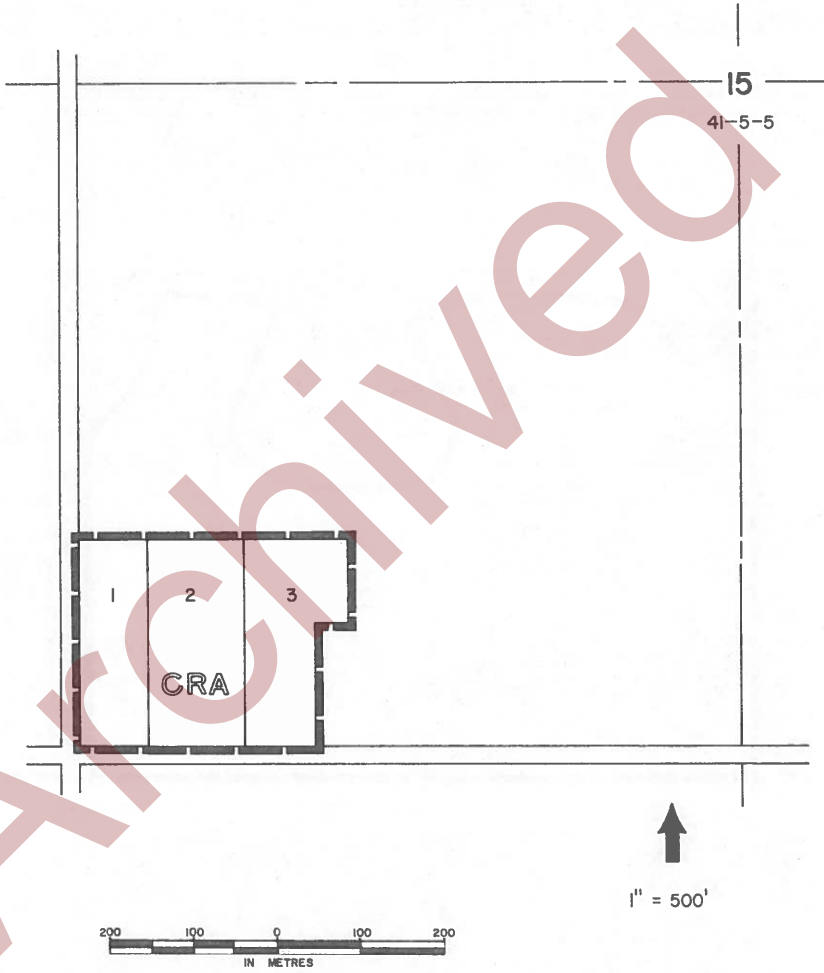


FERRIER

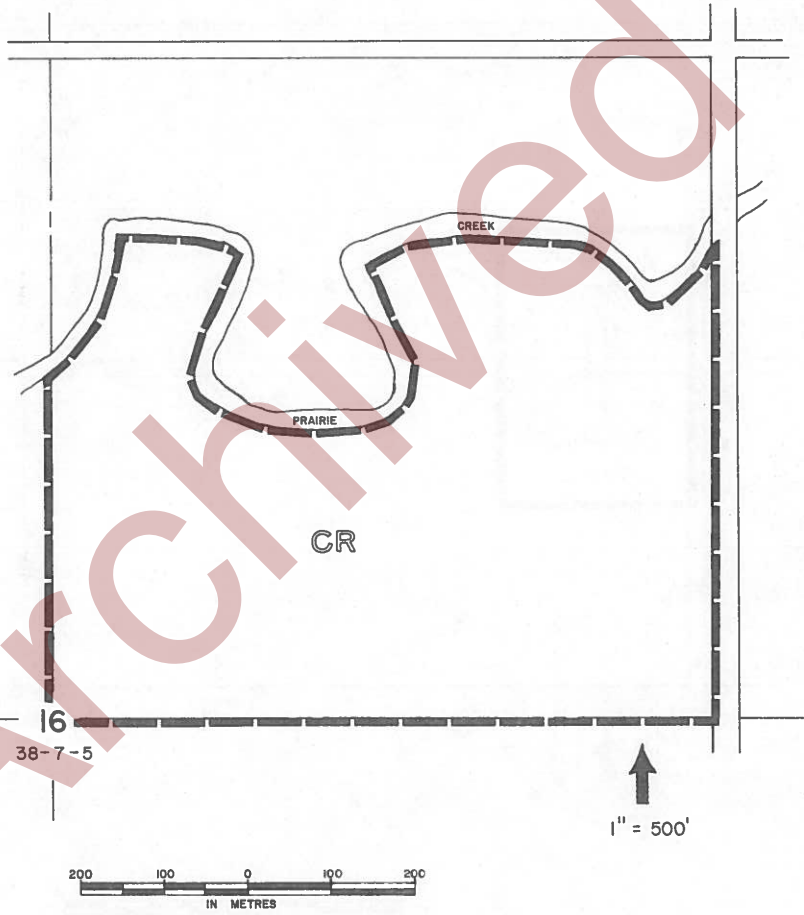


Scale: 1 inch = 1000 feet

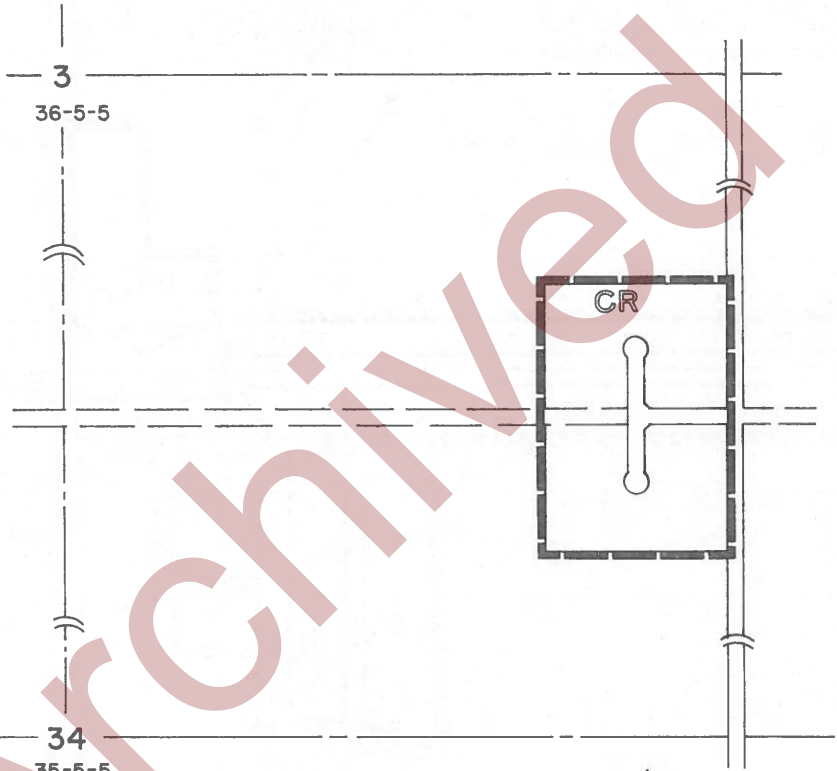
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ORDER NO.
LEGAL DESCRIPTION: SW $\frac{1}{4}$ 15-41-5-5



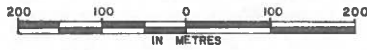
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ORDER NO.
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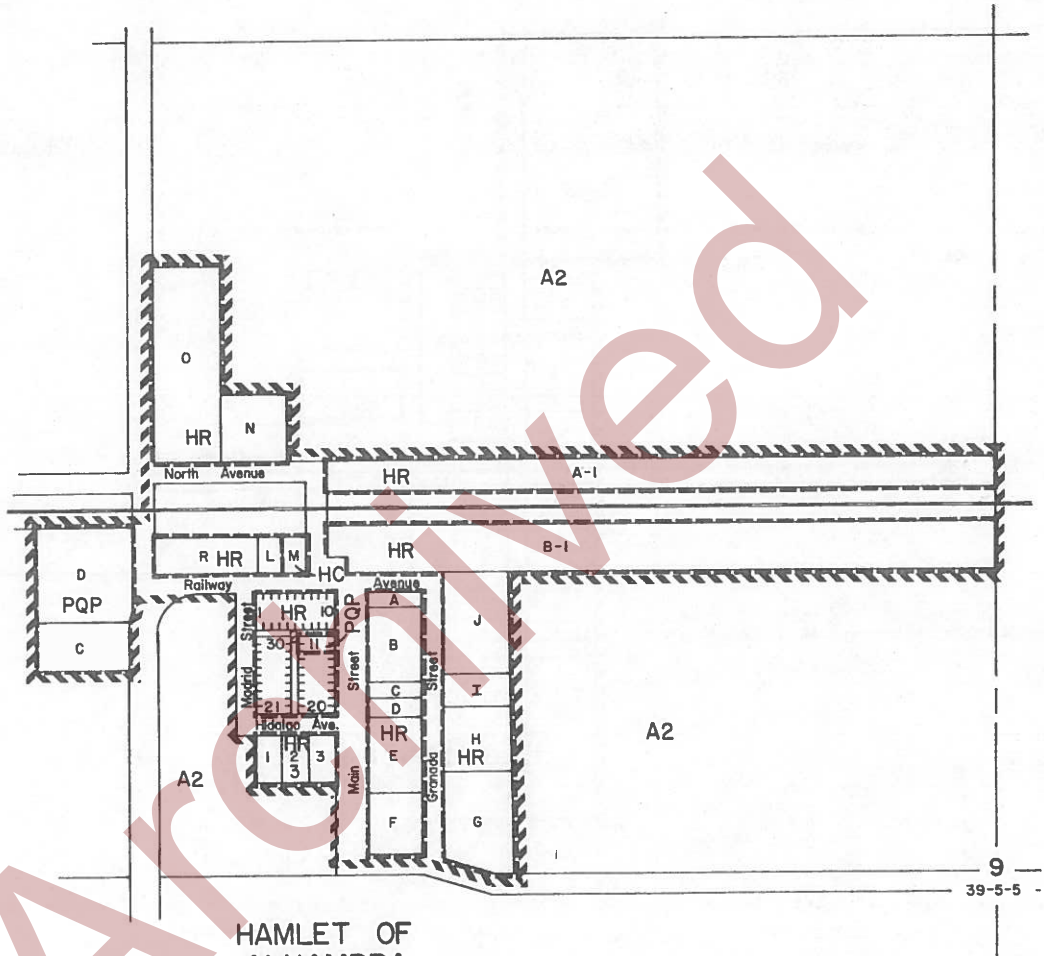


INDEX NO 46
ORDER NO.
LEGAL DESCRIPTION: SE¼ 3-36-5-5
NE¼ 34-35-5-5



1" = 500'



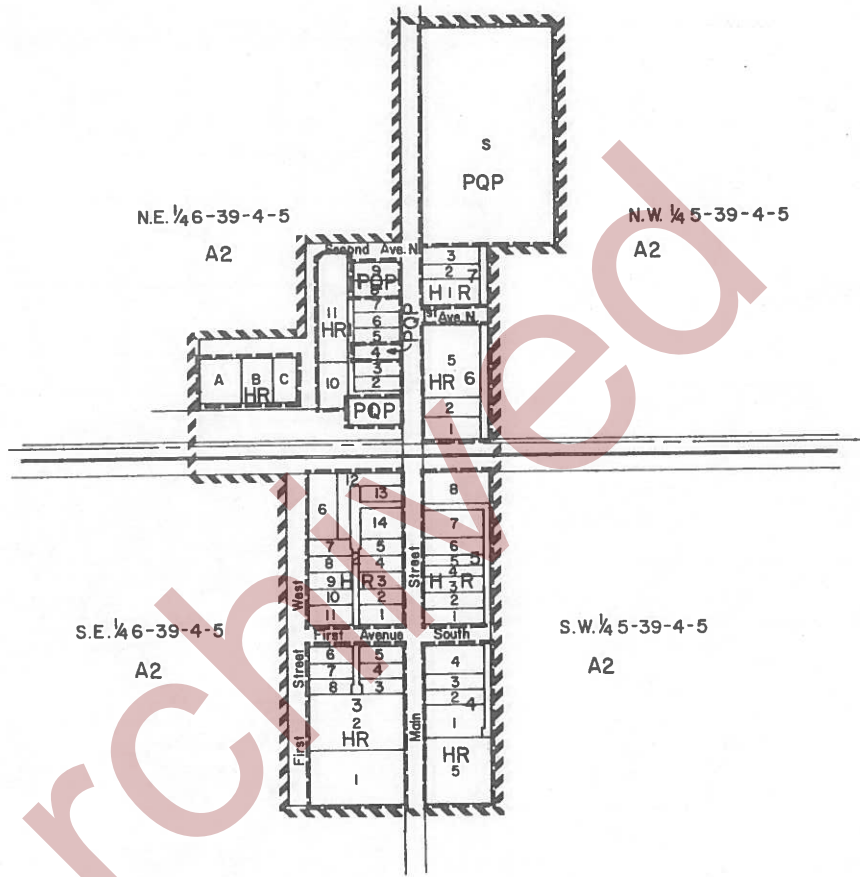


**HAMLET OF
ALHAMBRA**

- HR - Hamlet Residential District
- HC - Hamlet Commercial District
- PQP - Public or Quasi-Public District
- A2 - Agricultural District 2



Scale: 1 inch = 400 feet



HAMLET OF
CONDOR

HR - Hamlet Residential District
 PQP - Public or Quasi-Public District
 A2 - Agricultural District 2



Scale : 1 inch = 400 feet

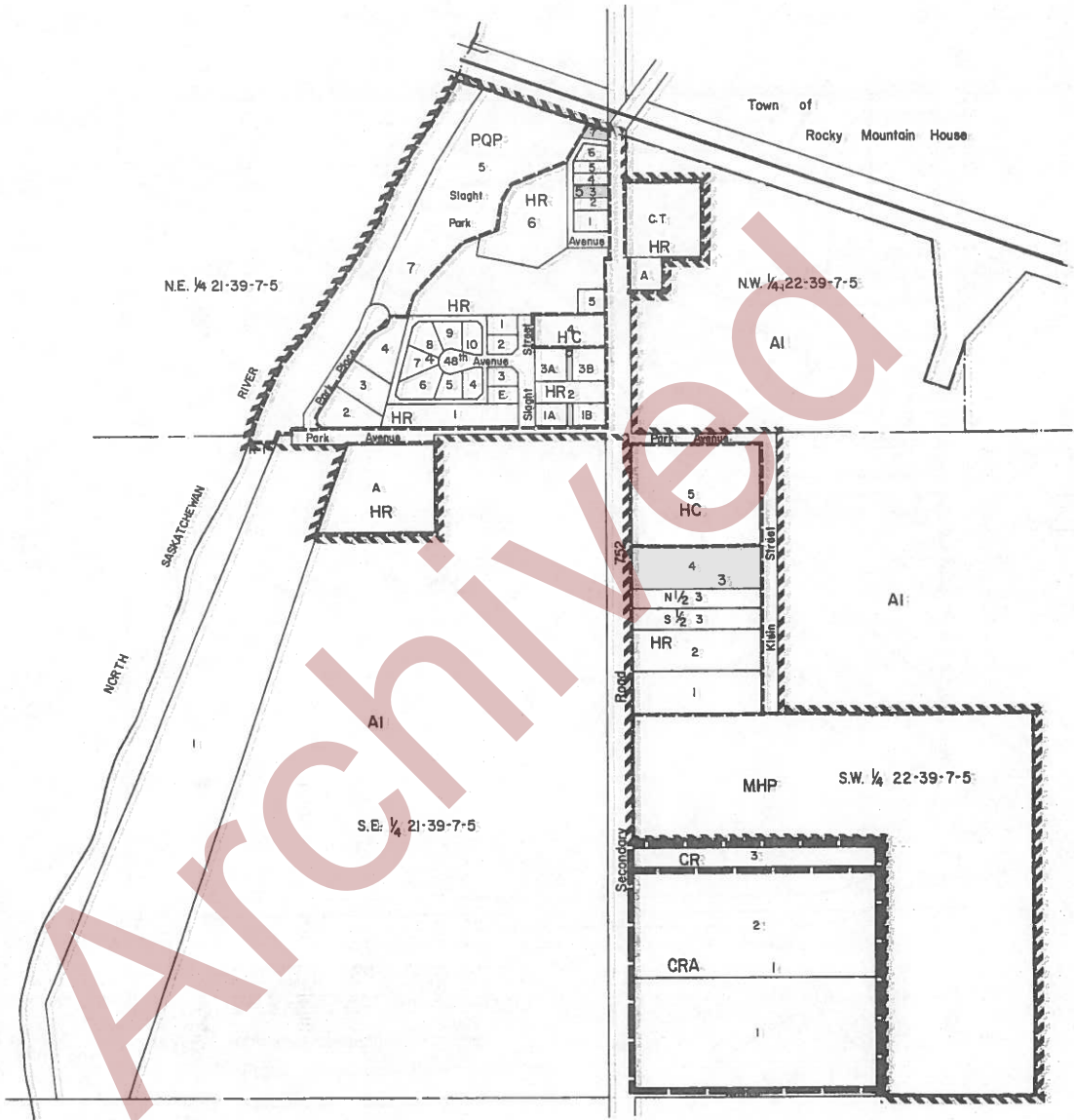


**HAMLET OF
LESLIEVILLE**

- HR - Hamlet Residential District
- HC - Hamlet Commercial District
- PQP - Public or Quasi-Public District
- MHP - Mobile Home Park
- A2 - Agricultural District 2



Scale : 1 inch = 400 feet

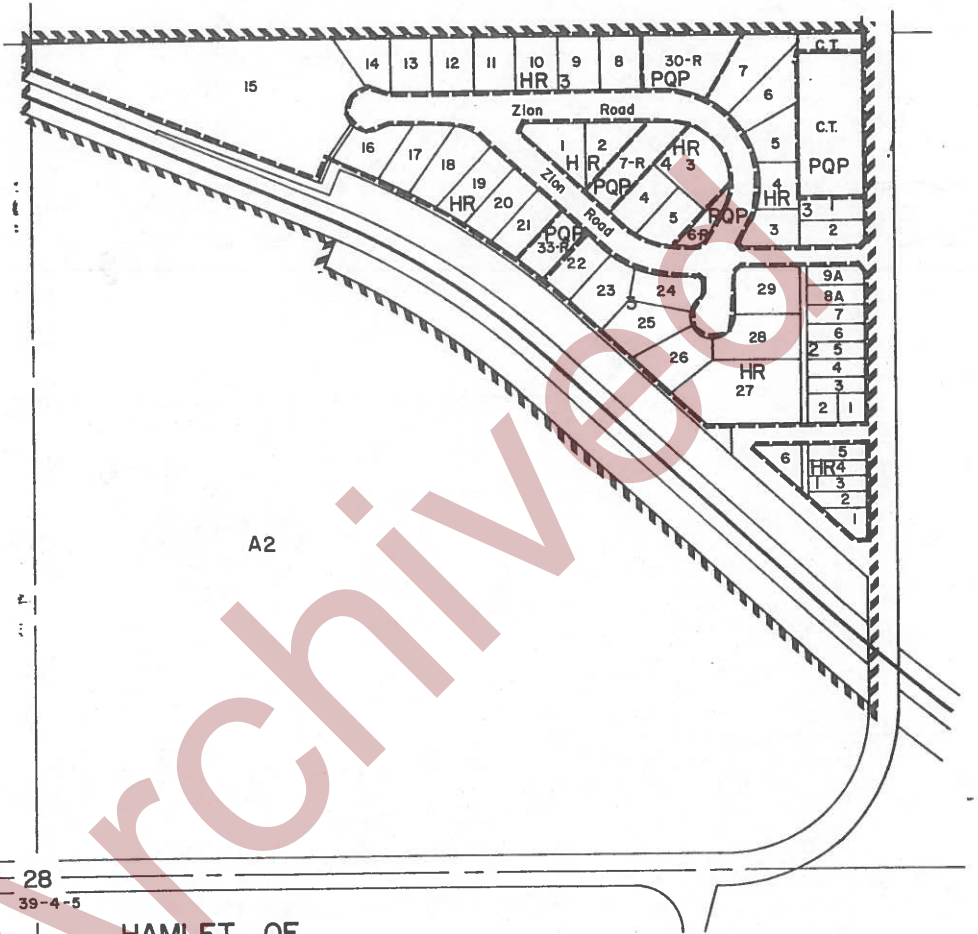


HAMLET OF OLD TOWN

- HR - Hamlet Residential District
- HC - Hamlet Commercial District
- PQP - Public or Quasi - Public District
- AI - Agricultural District



Scale: 1 inch = 400 feet



28
39-4-5

**HAMLET OF
WITHROW**

- HR- Hamlet Residential District
- PQP- Public or Quasi-Public District
- A2- Agricultural District 2



Scale : 1 inch = 400 feet

7.1 SCHEDULE B

LAND USE DISTRICT REGULATIONS

Archived

In accordance with PART THREE of this Order the Development Officer is hereby authorized to decide applications for development permits for permitted uses in this schedule where minimum standards are specified, and the Municipal Planning Commission is hereby authorized to decide application for development permits for discretionary uses, and permitted uses for which the minimum standards are at the discretion of the M.P.C.

Archived

7.2

AGRICULTURAL DISTRICT

THE GENERAL PURPOSE OF THIS DISTRICT IS TO LIMIT DEVELOPMENT AROUND URBAN CENTERS

PERMITTED USES

- (1) Ancillary Buildings
- (2) Beekeeping
- (3) Farming and farm building and first farm residence including mobile home as a first farm residence
- (4) Second dwelling or mobile home on a lot of .80 acres or more
- (5) and other dwellings where permitted under this Order
- (6) Greenhouse, nursery, gardens
- (7) Market gardening
- (8) One family dwelling or mobile home

DISCRETIONARY USES

- (1) Landfill sites and cemetery on sites more than 500 feet from any Primary Highway and more than 1,000 feet from any other districts or urban municipalities
- (2) Gravel pits, sand pits with a maximum of 60 acres
- (3) The stripping of the topsoil of the land as determined by the
- (4) Hereby designated as a public roadway not designated as a Primary Highway under the Public Highways Development Act
- (5) Veterinary clinics
- (6) Public utility buildings as required by the Public Utility Act
- (7) Sewage lagoons, sewage treatment plants
- (8) Radio, television and other communication tower with a building not exceeding a total floor area of 800 square feet
- (9) Church with or without one attached or separate manse
- (10) Farm subsidiary occupation
- (11) Kennel
- (12) Community centre
- (13) Soil farm
- (14) Intensive agriculture
- (15) Home occupation

MINIMUM LOT AREA

For Permitted uses:

All of the land contained in the parcel on which development is to be located as recorded on the Certificate of Title as registered in the relevant Land Registration Office unless otherwise approved by the M.P.C. or other authority.

For Discretionary Uses: As required by the M.P.C., except for one family dwelling and mobile home which have a minimum parcel area of one acre.

D. MINIMUM DEPTH OF FRONT YARD

- (a) No part of any building or structure shall be located within 134 feet of the centre line of any public roadway not designated Secondary Road or Primary Highway under the Public Highways Development Act unless otherwise required by the M.P.C.
- (b) A set-back of 134 feet from the future roadway right-of-way shall be provided on any road designated as a Secondary Road under the Public Highways Development Act. If the future right-of-way is not known, a set-back of 234 feet from the centre line of the Secondary Road shall be required.
(NOTE: Where Secondary Road, also apply Section 37)
- (c) A set-back of 234 feet from the centre line of a Primary Highway or 134 feet from the right-of-way whichever is greater is required for roads designated as Primary Highways under the Public Highways Development Act.
(NOTE: Where Primary Highway, also apply Section 28)

*NOTE:

Parcels which cannot comply with the foregoing and legally created prior to the promulgation of this Order shall meet set-back requirements as determined by the Municipal Planning Commission for a

- a) public roadway not designated a Secondary Road or Primary Highway under the Public Highways Development Act.
- b) a Secondary Road under the Public Highways Development Act.
- c) and shall meet set-back requirements as determined by the Municipal Planning Commission and Alberta Transportation for a Primary Highway under the Public Highways Development Act.

E. MINIMUM WIDTH OF SIDE YARD

The minimum width of side yard shall be 50 feet unless a corner parcel where the minimum side yard shall be the same as the front yard unless otherwise required by the Municipal Planning Commission

F. MINIMUM WIDTH OF REAR YARD

The minimum width of rear yard shall be 50 feet unless otherwise approved by the M.P.C.

G. LANDSCAPING

In addition to other provisions of this Order, landfill sites, gravel pit, sand pit, sewage lagoon, and sewage treatment plant may be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature as required by the M.P.C.

7.3

AGRICULTURAL DISTRICT 2 "A2"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO PERMIT ACTIVITIES ASSOCIATED WITH PRIMARY PRODUCTION AND TO PRESERVE VALUABLE AGRICULTURAL LAND

A. PERMITTED USES

- (1) Farming and farm building and first farm residence including mobile home as first farm residence.
- (2) Second dwelling or mobile home on a lot of 80 acres or more and other dwellings where permitted under this Order.
- (3) Private stable.
- (4) Market gardening
- (5) Greenhouse, nursery gardens
- (6) Beekeeping
- (7) Intensive agriculture
- (8) Ancillary buildings
- (9) Ancillary uses

B. DISCRETIONARY USES

- (1) Abattoir
- (2) Tannery
- (3) Home occupation
- (4) Golf course
- (5) Cafe
- (6) Livestock sales yard
- (7) Mobile home on a lot of less than 80 acres
- (8) One family dwelling on a lot of less than 80 acres
- (9) Community centre (hall)
- (10) Industrial Plant (including gas plant) with maximum total floor area of 9,100 square feet
- (11) Farm subsidiary occupation
- (12) Landfill site and cemetery on sites more than 500 feet from any Primary Highway and more than 1000 feet from any other district or urban municipality
- (13) Gravel pit, sand pit with a maximum of 160 acres
- (14) Sod farm
- (15) The stripping of top soil
- (16) Hog buying station
- (17) Veterinary clinic
- (18) Public utility building as required to serve this district.
- (19) Sewage lagoons, sewage treatment plant
- (20) Radio, television and other communication or lookout tower with building with a maximum total floor area of 800 square feet
- (21) Church with or without one attached or separate manse
- (22) Kennel
- (23) Highway maintenance yard
- (24) Government weight scale
- (25) Airport, heliport (public or private)
- (26) School with or without teacherages

- (27) Minor recreational facility with maximum building size of 800 square feet
- (28) Bulk oil supplies
- (29) Agricultural supply depot (fertilizer storage)
- (30) Contractor's business
- (31) Auto wrecker
- (32) Pipe and equipment storage yards
- (33) Agricultural machinery sales and service
- (34) Gasoline service station
- (35) Post office
- (36) Retail store or minor commercial facility with maximum floor area of 1,000 square feet
- (37) Game farm
- (38) Ranger cabin, ranger station
- (39) Tradesman's or handicraft business with a maximum building size of 1,000 square feet

C. MINIMUM LOT AREA

One Hundred and sixty acres or all of the land contained in the parcel on which development is to be located as recorded on the Certificate of Title as registered in the relevant Land Registration Office unless otherwise approved by the M.P.C.

For Discretionary Uses:

As required by the M.P.C. except for one family dwelling and mobile home which have a minimum parcel area of one acre.

D. MINIMUM DEPTH OF FRONT YARD

(a) No part of any building or structure shall be located within 134 feet of the property line of any public roadway not designated Secondary Road or Primary Highway under the Public Highway Development Act unless otherwise required by the M.P.C.

(b) A set-back of 134 feet from the future road right-of-way shall be provided on any road designated as a Secondary Road under the Public Highways Development Act. If the future right-of-way is not known a set-back of 234 feet from the centre line of the Secondary Road shall be required.

(NOTE: Where Secondary Road, also apply Section 37).

(c) A set-back of 234 feet from the centre line of a Primary Highway or 134 feet from the right-of-way whichever the greater is required for roads designated as Primary Highways under the Public Highways Development Act.

(NOTE: Where Primary Highway, also apply Section 37).

NOTE:

Parcels which cannot comply with the foregoing and legally created prior to the promulgation of this Order shall meet set-back requirements as determined by the Municipal Planning Commission for a

- (a) public roadway not designated a Secondary Road or Primary Highway under The Public Highways Development Act;
- (b) Secondary Road under The Public Highways Development Act;
- (c) and shall meet set-back requirements as determined by the Municipal Planning Commission and Alberta Transportation for a Primary Highway under The Public Highways Development Act.

7.4 COUNTRY RESIDENCE DISTRICT "CR"

THE PURPOSE OF THIS DISTRICT IS TO REGULATE THE DEVELOPMENT OF COUNTRY RESIDENCES, THERE SHALL BE NO AGRICULTURAL PURSUITS IN THIS DISTRICT

A. PERMITTED USES

- (1) One family dwelling
- (2) Ancillary buildings

B. DISCRETIONARY USES

- (1) Park
- (2) Playground and other outdoor recreational uses to serve this district
- (3) Public building or use and public utility buildings or uses required to serve this district
- (4) Local convenience store with or without dwelling accommodation attached

C. MINIMUM LOT AREA

For permitted uses:

- (a) for lots that are not served by a sewage collection system or by a water distribution system, 1 acre minimum with a minimum lot width of 100 feet
- (b) for lots served by a water distribution system but not a sewage collection system, 1 acre minimum with a minimum lot width of 100 feet.
- (c) for lots served by a sewage collection system but not a water distribution system, 31,000 square feet with a minimum lot width of 100 feet.
- (d) for lots served by a sewage collection system and a water distribution system, 31,000 square feet with a minimum lot width of 100 feet.

FOR DISCRETIONARY USES:

As required by the M.P.C.

NOTE: Lots not complying with the foregoing and legally created prior to the promulgation of this Order are subject to the lot area as required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA

One family dwelling: as required by the M.P.C.

E. MINIMUM DEPTH OF FRONT YARD

25 feet unless otherwise required by the M.P.C.

F. MINIMUM WIDTH OF SIDE YARD

15% of width of site. In the case of a corner site the width of the side yard adjoining the side street shall not be less than 50 feet unless otherwise required by the M.P.C.

G. MINIMUM DEPTH OF REAR YARD

25 feet unless otherwise required by the M.P.C.

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

Buildings shall be of new construction or moved in unless otherwise required by the M.P.C.

Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the M.P.C. The finish and appearance of buildings should compliment other structures and natural site features.

I. MAXIMUM BUILDING HEIGHT

Two storeys or 30 feet, or as otherwise approved by the M.P.C.

Ancillary buildings not greater than 16 feet.

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7.5 COUNTRY RESIDENCE AGRICULTURAL DISTRICT "CRA"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO REGULATE THE DEVELOPMENT OF COUNTY RESIDENCES WITH LIMITED AGRICULTURAL PURSUITS

A PERMITTED USES

- (1) One family dwelling
- (2) Ancillary buildings
- (3) Ancillary uses
- (4) Vegetable and fruit garden
- (5) Greenhouses, nursery garden
- (6) Keeping of poultry and livestock for own use
- (7) Beekeeping and the selling of honey

B. DISCRETIONARY USES

- (1) Park
- (2) Playground and other recreational uses to serve this district
- (3) Public Building or uses and public utility buildings or uses required to serve this district.

C. MINIMUM LOT AREA

For Permitted Uses: 4 acres
For Discretionary Uses: 4 acre minimum and as required by the M.P.C.
For public utility buildings or use, as required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA

One family dwelling: as required by the M.P.C.

E. MINIMUM DEPTH OF FRONT YARD

50 feet unless otherwise required by the M.P.C.

F. MINIMUM WIDTH OF SIDE YARD

50 feet unless otherwise required by the M.P.C.

G. MINIMUM DEPTH OF REAR YARD

50 feet unless otherwise required by the M.P.C.

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

Buildings shall be either of new construction or moved in unless otherwise required by the M.P.C. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Development Officer and/or M.P.C. The finish and appearance of buildings should compliment other structures and natural site features.

I. MAXIMUM BUILDING HEIGHT

Two storeys or 30 feet or as otherwise approved by the M.P.C.
Ancillary Building: not greater than 20 feet pursuant to Section 26 a) 6. of this order.

7.6 FORESTRY DISTRICT 1 "FD"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO REGULATE LAND USE WITHIN THE GREEN AREA OF THE IMPROVEMENT DISTRICT

A. PERMITTED USES

- (1) Sawmill, Plainer Mill
- (2) Cattle Grazing
- (3) Trapping
- (4) Ancillary Building

B. DISCRETIONARY USES

- (1) Natural Resources - extraction industries
- (2) Gravel pit, sandpit
- (3) The stripping of top soil
- (4) Radio, television and other communication towers with building with maximum total floor area of 800 square feet.
- (5) Recreational and related uses

C. MINIMUM LOT AREA

For Permitted Uses: as required by the M.P.C.

For Discretionary Uses: as required by the M.P.C.

D. MINIMUM FRONT AND SIDE YARDS

Provisions for front and side yards as required by the Development Office and the M.P.C.

E. LANDSCAPING

In addition to other provisions of this Order, landfill sites, gravel pits, sandpits, natural resources development may be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature as approved by the M.P.C.

7.7 HAMLET COMMERCIAL DISTRICT "HC"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT COMMERCIAL DEVELOPMENT WITHIN ESTABLISHED HAMLETS

A. PERMITTED USES

- (1) Bus Depot
- (2) Telephone office
- (3) Post Office
- (4) Retail shop
- (5) Pool hall
- (6) Cold storage facility
- (7) Motel, hotel, licensed premises
- (8) Gasoline service station
- (9) Restaurant

B. DISCRETIONARY USES

- (1) Retail store
- (2) Dwelling unit in conjunction with a permitted or discretionary uses provided it is incorporated in the same building and the total floor area of the dwelling shall be less than the floor area used for other purposes.
- (3) Public and quasi-public buildings and uses
- (4) Professional offices
- (5) Tradesman's shop
- (6) Automobile sales
- (7) Bulk oil sales in connection with gasoline service station
- (8) Public utility buildings and uses required to serve this district
- (9) Laundromat
- (10) Other appropriate uses as required by the M.P.C.

C. MINIMUM LOT AREA

As required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA

As required by the M.P.C.

E. MINIMUM DEPTH OF FRONT YARD

25 feet unless otherwise required by the M.P.C., unless adjoining a Primary Highway in which case the minimum depth of the front yard shall be as required by the M.P.C. and Alberta Transportation.

F. MINIMUM WIDTH OF SIDE YARD

Minimum of 5 feet or nil feet at the option of the applicant provided that where there is a building on the adjacent property abutting the side property line there shall be no side yard on that side. If corner parcel which abuts a Primary Highway, then side yard adjacent to the Primary Highway shall be as required by the M.P.C. and Alberta Transportation.

G. MINIMUM DEPTH OF REAR YARD

10 feet unless otherwise required by the M.P.C.

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

New construction only

Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Municipal Planning Commission.

I. OFF-STREET PARKING

As required by the M.P.C.

Archived

7.8 HAMLET RESIDENTIAL DISTRICT "HR"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT RESIDENCES WITHIN ESTABLISHED HAMLETS

A. PERMITTED USES

- (1) One family dwelling
- (2) Ancillary building
- (3) Ancillary use

B. DISCRETIONARY USES

- (1) Church
- (2) Manse
- (3) Public and quasi-public building and use and public utility building required to serve this district
- (4) Park
- (5) Playground and other outdoor recreational uses to serve this district
- (6) Boarding house
- (7) Multiple housing
- (8) Mobile Home
- (9) Duplex
- (10) Home occupation

C. MINIMUM LOT AREA

For Permitted Uses:

- (a) for lots that are not served by a sewage collection system or by a water distribution system, an area of at least 20,000 square feet with a width of at least 100 feet.
- (b) for lots served by a water distribution system but not a sewage collection system, an area of at least 15,000 square feet and a width of at least 100 feet
- (c) for lots served by sewage collection system but not a water distribution system, an area of at least 10,000 square feet and a width of at least 100 feet
- (d) for lots served by a water distribution system and a sewage collection system, an area of at least 2,500 square feet and a length of at least 100 feet.

For Discretionary Uses:

As required by the Municipal Planning Commission

NOTE:

Lots not complying with the foregoing and legally created after the promulgation of Alberta Regulation 215/67 as amended are not subject to the foregoing but are subject to the following:

- (1) For Permitted Uses:
 - a) Parcels not intended to be served by a public sewage system and a public waterworks system shall have;
 - i. a width of not less than 100 feet, and
 - ii. an area of not less than 20,000 square feet

- b) Parcels which are served or intended to be served by a public sewage system but not by a piped waterworks system, shall have;
 - i. a width of not less than 75 feet, and
 - ii. an area of not less than 10,000 square feet.
 - c) Parcels which are served or intended to be served by a piped waterworks system but not a piped sewage system, shall have;
 - i. a width of not less than 100 feet, and
 - ii. an area of not less than 15,000 square feet.
 - d) Parcels which are served or are intended to be served with a piped sewage system and a piped waterworks system;
 - i. the design of which incorporates a "roadway and lane" or a "walkway and service roadway system" shall have an area of not less than 2,500 square feet, but must not have a length of less than 100 feet.
 - ii. the design of which incorporates a "roadway and right-of-way system" shall have an area of not less than 4,500 square feet, but must not have a length of less than 100 feet.
- (2) Discretionary Uses:
As required by the Municipal Planning Commission.

NOTE:

Lots that were legally created after Alberta Regulation 215/67 prior to amendment are not subject to the foregoing but are subject to the following:

For Permitted Uses:

Internal parcel -- 10,000 square feet
Corner parcel -- 12,500 square feet unless in either case a larger area is required by a relevant government agency

For Discretionary Uses:

As required by the Municipal Planning Commission

D. MINIMUM TOTAL FLOOR AREA (sq. ft)

	With Basement	without Basement	with/without Basement
One Storey dwelling (detached)	480	600	
Two Storey dwelling (detached)	800	900	
Split Level dwelling (detached)	800	900	
Others	as required by M.P.C.		
Mobile Homes			700

E. MINIMUM DEPTH OF FRONT YARD

25 feet unless otherwise required by the M.P.C.

F. MINIMUM WIDTH OF SIDE YARD

Side yards shall be 10% of the width of the site providing that no side yard may be less than 5 feet and no side yard need exceed 10 feet. In the case of a corner site the width of side yard adjoining the side street shall not be less than 10 feet unless otherwise required by the M.P.C.

G. MINIMUM DEPTH OF REAR YARD

8 feet unless otherwise required by the M.P.C.

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

Buildings may be either of new construction or moved in. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Municipal Planning Commission.

Mobile Homes:

All mobile homes to be factory built with walls of pre-finished baked enamel aluminum siding or equivalent, as required by the Municipal Planning Commission.

If basement - solid footings and concrete or wood block foundation wall or skirting so that the appearance, design and construction will compliment the mobile home. The undercarriage of the mobile home shall be screened from view.

All ancillary structures such as patios, porches, additions, etc., shall be factory pre-fabricated units, or of a quality equivalent thereto, so that appearance, design and construction will compliment the mobile home.

I. OFF-STREET PARKING

Church - 1 space per 3 seating spaces

Any discretionary use not included in the foregoing may require off-street parking as required by the M.P.C.

J. MAXIMUM BUILDING HEIGHT

Two storeys or 30 feet, or as approved by the M.P.C.

Ancillary buildings not greater than 16 feet.

7.9

INDUSTRIAL DISTRICT "I"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT MAJOR INDUSTRIAL PLANTS WITHIN THE IMPROVEMENT DISTRICT

A. PERMITTED USES

- (1) Farming and farm buildings
- (2) Warehouse
- (3) Contractors or builders' yards
- (4) Oilfield and gasfield servicing
- (5) Lumber yard
- (6) Bulk oil storage
- (7) Redimix concrete
- (8) Fertilizer storage
- (9) Asphaltic hot mix manufacture
- (10) Welding shop
- (11) Manufacturing and/or assembly plant including gas plants of less than 9,100 sq. ft.
- (12) Industrial laboratories
- (13) Trucking or freight terminal
- (14) Food freezer or locker plant excluding slaughtering and eviscerating
- (15) Machine shop
- (16) Equipment rentals
- (17) Grain milling, cleaning and drying
- (18) Sheet metal products manufacture

B. DISCRETIONARY USES

- (1) Manufacturing and/or assembly plant including gas plant of more than 9,100 square feet total floor area
- (2) Packaging, bottling, boxing plant
- (3) Salvage yard and/or auto wrecking
- (4) Concrete products manufacture
- (5) Gravel pit, sand pit
- (6) Rock or gravel processing
- (7) Railroad yards for storage, maintenance, and repair of rolling stock
- (8) Brick, tile or terra cotta manufacture
- (9) Plastic products manufacture
- (10) Public utility building or uses required to serve this district
- (11) Sewage lagoon and sewage treatment plant
- (12) Abattoir
- (13) Tannery
- (14) Metal manufacture
- (15) Plastic, chemical manufacture
- (16) Electricity production
- (17) Petroleum refinery
- (18) Paper manufacture
- (19) Other industrial structures, activities and uses appropriate for this district.

C. MINIMUM LOT SIZE

2 acres unless otherwise required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA

500 square feet or as required by the M.P.C.

E. MINIMUM DEPTH OF FRONT YARD

(a) No part of any building or structure shall be located within 134 feet of the centre line of any public roadway not designated Secondary Road or Primary Highways under the Public Highway Development Act unless otherwise required by the M.P.C.

(b) A set-back of 134 feet from the future roadway right-of-way shall be provided on any road designated as a Secondary Road under the Public Highways Development Act. If the future right-of-way is not known a set-back of 234 feet from the centre line of the Secondary Road shall be required.

(NOTE: Where Secondary Road, also apply Section 37)

(c) A set-back of 234 feet from the centre line of a Primary Highway or 134 feet from the right-of-way, whichever the greater, is required for roads designated as Primary Highways under the Public Highways Development Act.

(NOTE: Where Primary Highway, also apply Section 38)

(d) Where a service road adjacent to a Primary Highway is involved, the minimum depth of the front yard shall be as determined by the M.P.C. and Alberta Transportation.

NOTE:

Parcels which cannot comply with the foregoing and legally created prior to promulgation of this Order shall meet set-back requirements as determined by the Municipal Planning Commission for a

(a) public roadway not designated a Secondary Road or Primary Highway.

(b) a Secondary Road under the Public Highways Development Act

(c) and shall meet set-back requirements as determined by the Municipal Planning Commission and Alberta Transportation for a Primary Highway under the Public Highways Development Act.

F. MINIMUM WIDTH OF SIDE YARD

10% of width of site provided no side yard need exceed 20 feet. In the case of a corner site the width of side yard adjoining the side street shall be as required by the M.P.C.

G. MINIMUM DEPTH OF REAR YARD

25 feet unless otherwise required by the M.P.C.

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

New construction only

Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Municipal Planning Commission.

I. OFF-STREET PARKING

As required by M.P.C.

J. LANDSCAPING

In addition to other provisions of this Order, contractors or builders yards, oilfield and gasfield servicing, lumber yard, bulk oil storage, redimix concrete, fertilizer storage, asphaltic hot mix manufacture, salvage yard and/or auto wrecking, gravel pit, sand pit, gravel processing, railroad yards, brick, tile or terra cotta manufacture, and sewage lagoon and sewage treatment plant and any discretionary use not hereby listed may be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature as required by the M.P.C.

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7.10 INSTITUTIONAL DISTRICT "P1"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT DEVELOPMENT OF USES OF EITHER A PUBLIC OR PRIVATE NATURE WHICH IS TO PROVIDE SERVICES TO THE COMMUNITY

A. PERMITTED USES

- (1) Public and private school and college
- (2) Church with or without one attached or separate manse

B. DISCRETIONARY USES

- (1) Public and quasi-public building in character with the uses allowed in this District.
- (2) Institutional camp
- (3) Picnic ground
- (4) Dwelling accommodation if ancillary to the principal use of the building or site
- (5) Other ancillary uses
- (6) Farming and farm buildings
- (7) Public or private open space
- (8) Hospital

C. MINIMUM LOT AREA

As required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA

As required by the Municipal Planning Commission

E. MINIMUM DEPTH OF FRONT YARD

- (a) No part of any building or structure shall be located within 134 feet of the centre line of any public roadway not designated a Secondary Road or Primary Highway under the Public Highways Development Act unless otherwise required by the M.P.C.
- (b) A set-back of 134 feet from the future roadway right-of-way shall be provided on any road designated as a Secondary Road under the Public Highways Development Act. If the future right-of-way is not known a set-back of 209 feet from the centre line of the Secondary Road shall be required.

(NOTE: Where Secondary Road, also apply Section 37)

- (c) A set-back of 234 feet from the centre line of a Primary Highway or 134 feet from the right-of-way, whichever the greater, is required for roads designated as Primary Highways under the Public Highways Development Act.

(NOTE: Where Primary Highway, also apply Section 38)

NOTE:

Parcels which cannot comply with the foregoing and legally created prior to the promulgation of this Order shall meet set-back requirements as determined by the Municipal Planning Commission for a

- (a) public roadway not designated a Secondary Road or Primary Highway under the Public Highways Development Act;

- (b) a Secondary Road under the Public Highway Development Act;
- (c) and shall meet set-back requirements as determined by the Municipal Planning Commission and Alberta Transportation for a Primary Highway under the Public Highways Development Act.

F. MINIMUM WIDTH OF SIDE YARD

Side-yards shall be 10% of the width of the site, providing that no side-yard may be less than 5 feet and no side yard need exceed 10 feet. In the case of a corner site the width of the side yard adjoining the side street shall not be less than 10 feet unless otherwise required by the M.P.C.

G. MINIMUM DEPTH OF REAR YARD

35 feet unless otherwise required by the M.P.C.

H. REMOVAL OF VEGETATION

The removal of trees and/or shrubs without a development permit is prohibited

I. MAXIMUM ALLOWABLE DENSITY

- (a) 7 persons per acre of building site will be allowed where there is no sewage collection system or water distribution system.
- (b) 11 persons per acre of building site will be allowed where there is no sewage collection system but a water distribution system is provided.
- (c) 14 persons per acre of building site will be allowed where there is a sewage collection system but no water distribution system.
- (d) Where both a sewage collection system and water distribution system, the density shall be at the direction of the M.P.C.

J. OFF-STREET PARKING

Public and private school and college -- 1 space per 1,000 square feet of total floor area.

Otherwise as required by the M.P.C.

Any discretionary use not included in the foregoing may have an off-street parking requirement as required by the Municipal Planning Commission.

7.11 RECREATIONAL FACILITY DISTRICT "RF"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT DEVELOPMENT CONTAINING MAJOR OR INTENSIVE RECREATIONAL BUILDINGS AND USES

A. PERMITTED USES

- (1) Commercial and public campground
- (2) Holiday trailer park
- (3) Golf course
- (4) Tennis court
- (5) Park
- (6) Playground
- (7) Cross-country skiing facility
- (8) Park site, picnic grounds

B. DISCRETIONARY USES

- (1) Driving range
- (2) Swimming pool
- (3) Outdoor skating rink
- (4) Commercial riding stable
- (5) Marina and/or boat rental facility
- (6) Ski resort
- (7) Arena
- (8) Curling rink
- (9) Skeet and trap facility
- (10) Rifle range
- (11) Exhibition and/or rodeo grounds
- (12) Snow vehicle area
- (13) Flying club
- (14) Arts and crafts centre
- (15) Public utility building
- (16) Licensed premises
- (17) Other recreational structures, activities and uses appropriate for this district

C. MINIMUM LOT AREA

As required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA

Minimum: 500 square feet or as required by the M.P.C.

For public utility building: as determined by the M.P.C. but not to exceed 800 square feet.

E. MAXIMUM TOTAL FLOOR AREA

For public utility building: as required by the M.P.C. but not to exceed 800 square feet.

F. MINIMUM DEPTH OF FRONT YARD

- (a) No part of any building or structure shall be located within 134 feet of the property line of any public roadway not designated

a Secondary Road or Primary Highway under the Public Highways Development Act unless otherwise required by the M.P.C.

- (b) A set-back of 134 feet from the future roadway right-of-way shall be provided on any road designated as a Secondary Road under the Public Highways Development Act. If the future right-of-way is not known, a set-back of 209 feet from the centre line of the Secondary Road shall be required.

(NOTE: Where Secondary Road, also apply Section 37)

- (c) A set-back of 234 feet from the centre line of a Primary Highway or 134 feet from the right-of-way, whichever the greater, is required for roads designated as Primary Highways under the Public Highways Development Act.

(NOTE: Where Primary Highway, also apply Section 38)

NOTE: Parcels which cannot comply with the foregoing and legally created prior to the promulgation of this Order shall meet set-back requirements as determined by the M.P.C. for a

- (a) public roadway not designated a Secondary Road or Primary Highway under the Public Highways Development Act;
- (b) a Secondary Road under the Public Highways Development Act;
- (c) and shall meet set-back requirements as determined by the Municipal Planning Commission and Alberta Transportation for a Primary Highway under the Public Highways Development Act

G. MAXIMUM BUILDING HEIGHT

Two storeys or 30 feet or as otherwise required by the M.P.C.

H. MINIMUM WIDTH OF SIDE YARD

Side yards shall be 10% of the width of the site, providing that no side yard may be less than 5 feet and no side yard need exceed 10 feet. In the case of a corner site the width of the side yard adjoining the side street shall be not less than 10 feet unless otherwise required by the M.P.C.

I. MINIMUM DEPTH OF REAR YARD

25 feet unless otherwise approved by the M.P.C.

J. REMOVAL OF VEGETATION

The removal of trees and/or shrubs without a development permit is prohibited.

K. DENSITY

- Commercial campground stalls shall be a minimum size of 1,500 square feet.
- Resort cabins shall have an individual site area of 1,200 square feet.

l. OFF-STREET PARKING

Arena - 1 space per 3.5 seating spaces.

Exhibition, rodeo grounds - parking as required by the M.P.C.

Any discretionary use not included in the foregoing, may have an off-street parking requirement as required by the M.P.C.

M. LANDSCAPING

In addition to other provisions of this Order, commercial and public campground, holiday trailer park, skeet and trap facility, rifle range, and exhibition and/or rodeo grounds and any discretionary use not hereby listed may be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature as required by the M.P.C.

Archived

7.13

MOBILE HOME PARK DISTRICT "MHP"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT DEVELOPMENT ONLY WHERE THERE ARE COMMON WATER AND SEWER FACILITIES IN PLACE

A. PERMITTED USES

- (1) Mobile home park
- (2) Park
- (3) Playground
- (4) Mobile home park office
- (5) Ancillary building
- (6) Common laundry facility
- (7) Common outdoor storage facility
- (8) Common indoor storage facility
- (9) Public utility building or use required to serve this district

B. DISCRETIONARY USES

- (1) Convenience store with a maximum size of 800 square feet
- (2) Social centre for mobile home park
- (3) Individual storage facility

C. DENSITY

The maximum density shall be 6 mobile home units per acre

D. SIZE OF MOBILE HOME PARK

The minimum site area for a mobile home park shall be 5 acres.

E. HOME LOT AREA

- a) i. lots designated for single wide mobile homes shall have a minimum area of 6,500 square feet and a minimum means width of 67.5 feet and a minimum depth of 100 feet
- ii. lots designated for double wide mobile homes shall have a minimum area of 7,250 square feet and a minimum mean width of 72.5 feet and a minimum depth of 100 feet

F. SITE COVERAGE

The mobile home and ancillary buildings shall not cover more than 35% of a mobile home lot.

G. YARD REQUIREMENTS

a) Mobile Home Park

- i. no building or structure other than a fence in a mobile home park shall be located within 25 feet from the right-of-way of any public roadway adjacent to the mobile home park,
- ii. no building or structure in a mobile home park shall be located within 15 feet from a property line of the mobile home park where there is no frontage on a public roadway right-of-way.

b) Mobile Home Lot

- i. Minimum Front Yard - 12 feet from an internal roadway or parking area
- ii. Minimum Side Yard
- Standard Placement
No mobile home shall be located within 15 feet of one another and no portion of a mobile home or ancillary building shall be placed closer than 5 feet from a side lot line.
- iii. Minimum Rear Yard - 5 feet
- iv. Mobile homes including attached structures shall be at least 50 feet from any mobile home, including any attached structures or permanent park structures located directly on the opposite side of a park street.

H. STORAGE

- (a) Storage area for vehicles, recreation vehicles, water craft, and other items that cannot be stored on a mobile home lot shall be provided at 200 square feet of storage area per mobile home lot.
- (b) A storage area shall be enclosed or screened by trees, landscape features or fences or a combination thereof.
- (c) No vehicle over 10,000 pounds shall be parked on a mobile home lot or mobile home park street for longer than is reasonably required to load or unload such vehicle.
- (d) No vehicle greater than 30 feet in length may be parked on a mobile home lot.
- (e) Not more than one recreation vehicle or trailer may be parked on a mobile home lot.

I. OFF-STREET PARKING

- (1) Two parking stalls shall be provided for each mobile home lot.
- (2) In addition, one stall for every five mobile home lots shall be provided in the mobile home park for common guest parking.
- (3) Each parking stall shall be a minimum of 10 feet in width and a minimum of 20 feet in depth.

J. OPEN SPACE

A minimum of 10% of the gross park area shall be set aside for common open space recreation area and no portion of any mobile home lot shall be included in this open space.

K. UTILITIES

All utility lines shall be placed underground or as stipulated in a development agreement.

L. APPEARANCE

- (1) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will compliment the mobile home.
- (2) The undercarriage of each mobile home shall be screened from view by skirting or such other means satisfactory to the Development Officer.
- (3) Outdoor lighting shall be integrated in design and appearance.
- (4) All areas of a mobile home park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other developed facilities shall be grassed and landscaped by the developer.

M. FENCES

The perimeter of a mobile home park must be fenced.

N. LANDSCAPING

In addition to other provisions of this Order, the mobile home park shall be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature as required by the M.P.C.

O. REMOVAL OF VEGETATION

The removal of trees and/or shrubs without a development permit is prohibited.

No developed portion of any existing mobile home park, developed prior to the promulgation of this Order will be subject to the above provisions however, if the park is re-developed it will have to meet these standards. If the park is enlarged, only the addition will have to meet these standards.

7.14 PUBLIC OR QUASI-PUBLIC DISTRICT "PQP"

THE PURPOSE OF THIS DISTRICT IS TO PERMIT THE USE OF LAND, MAINLY OF A PUBLIC NATURE IN ESTABLISHED HAMLETS

A. PERMITTED USES

- (1) Post Office
- (2) Fire Hall
- (3) Church
- (4) School
- (5) Community club or organization

B. DISCRETIONARY USES:

- (1) Curling rink
- (2) Public utility building or use to serve this District
- (3) Other public or quasi-public uses

C. MINIMUM LOT AREA:

As required by the M.P.C.

D. MINIMUM TOTAL FLOOR AREA:

As required by the M.P.C.

E. MINIMUM DEPTH OF FRONT YARD:

25 feet unless otherwise required by the M.P.C.

F. MINIMUM WIDTH OF SIDE YARD:

Side yards shall be 10% of the width of the site providing that no side yard may be less than 5 feet and no side yard need exceed 10 feet. In the case of a corner site the width of side yard adjoining the side street shall not be less than 10 feet unless otherwise required by the M.P.C.

G. MINIMUM DEPTH OF REAR YARD:

25 feet unless otherwise required by the M.P.C.

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS:

Buildings may be either of new construction or moved in. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Development Officer and/or Municipal Planning Commission.

I. OFF-STREET PARKING

As required by the Development Officer and/or the Municipal Planning Commission.

1. No signs or advertising structures of a commercial, direction or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.
2. No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
3. No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.

Notwithstanding the generality of Section 1 nor the provisions of Sections 2 and 3 of this Schedule, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a Development Permit provided that no such signs shall be illuminated.

- a) signs for the purpose of identification, direction and warning not exceeding four square feet and limited to one sign per parcel.
 - b) signs relating to a person, partnership or company carrying on a profession, business or trade, not exceeding four square feet and limited to one sign per parcel.
 - c) signs relating to an institution of a religious, educational, cultural, recreational or similar character or to a residential motel, apartment block, club or similar institution, not exceeding twelve square feet and limited to one sign per parcel.
 - d) advertisements in relation to the function of Local Authorities, Utilities Boards or other public or quasi-public bodies.
5. No sign or advertisement shall resemble or conflict with a traffic sign.
 6. All advertisements shall be kept in a safe, clean and tidy condition, and may by resolution of Minister be required to be renovated or removed.
 7. No signs or advertising structures other than those specified under Section 4 of this Schedule, shall be permitted in hamlet residential, country residential, country residence agricultural, and seasonal residence districts.
 8. No signs or advertising structures of any kind shall be permitted adjacent to a highway unless the prior approval of Alberta Transportation has been obtained.

APPLICATION FOR DEVELOPMENT

IMPROVEMENT DISTRICT NO. _____

I/WE hereby make application under the provisions of the Land use Order for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant: _____ Telephone: _____

Address: _____

Address of property to be developed: _____

Lot: _____ ; Block _____ Registered Plan or: _____

Certificate of Title: _____

Registered Owner _____ Telephone: _____

Address: _____

Existing Use: _____

Land Use District _____

Principle Use: _____

Lot Type: Interior _____ Corner _____ Through _____

Lot Width _____ Lot Length _____ Lot Area _____

Front Yard _____ Side Yards _____ Rear Yard _____

Floor Area _____ Percentage of lot occupied _____

Off-Street Parking: Size of space _____ Number of spaces: _____

Off-Street Loading: Size of space _____ Number of spaces: _____

Accessory Use: _____

Percentage of lot occupied _____ Height of accessory building _____

Set back from side lot line _____ Set back from rear lot line _____

Estimated cost of the project or contract price: _____

Estimated commencement date: _____

Estimated completion date: _____

Floor plans showing elevation of sections attached _____

Plot plan attached _____

Date of Application _____

Signature of Applicant _____

DEVELOPMENT PERMIT

IMPROVEMENT DISTRICT NO. _____

Development involving _____

(as further described on Application No. _____) has been:

APPROVED, subject to the following conditions

You are hereby authorized to proceed with the development specified, provided that any stated conditions are complied with; that development is in accordance with any approved plans and applications; and, that a Building Permit is obtained if construction is involved. SHOULD AN APPEAL BE MADE AGAINST THIS DECISION, TO THE DEVELOPMENT APPEAL BOARD, THIS DEVELOPMENT PERMIT SHALL BE NULL AND VOID.

Date of Decision _____

Date of Issue of Development Permit _____

SIGNATURE OF DEVELOPMENT OFFICER

NOTE:

1. The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until FOURTEEN (14) days after the date the order, decision or development permit is issued
2. The Land Use Order provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within FOURTEEN (14) days after notice of the decision is given.
3. A permit issued in accordance with the notice of decision is valid for a period of twelve months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.

NOTICE OF REFUSAL

IMPROVEMENT DISTRICT NO. _____

You are hereby notified that your application for a Development Permit with regard to the following:

Has been REFUSED for the following reasons:

You are further notified that you may appeal this decision to the Development Appeal Board in accordance with the provisions of section 16 of the Land Use Order. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Secretary of the Development Appeal Board not later than fourteen (14) days following the date of issue of this notice. The notice of appeal shall contain a statement of the grounds of appeal.

Date of Decision: _____

Date of Notice of Decision: _____

SIGNATURE OF DEVELOPMENT OFFICER

NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

IMPROVEMENT DISTRICT NO. _____

This is to notify you with respect to a decision of the Development Officer whereby a development permit has been issued authorizing the following development.

Address of Property: _____

Lot: _____ Block: _____ Registered Plan: _____
or Certificate of Title: _____

Date of Decision: _____

The Land Use Order provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within fourteen (14) days after notice of the decision is given.

DATE OF DECISION _____

DATE OF NOTICE OF DECISION _____

SIGNATURE OF DEVELOPMENT OFFICER _____



FORM E

Application No. _____

NOTICE OF APPEAL HEARING

IMPROVEMENT DISTRICT NO. _____

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

The decision APPROVED/APPROVED WITH CONDITIONS/REFUSED a Development Permit for the following reasons/with the following conditions:

PLACE OF HEARING _____

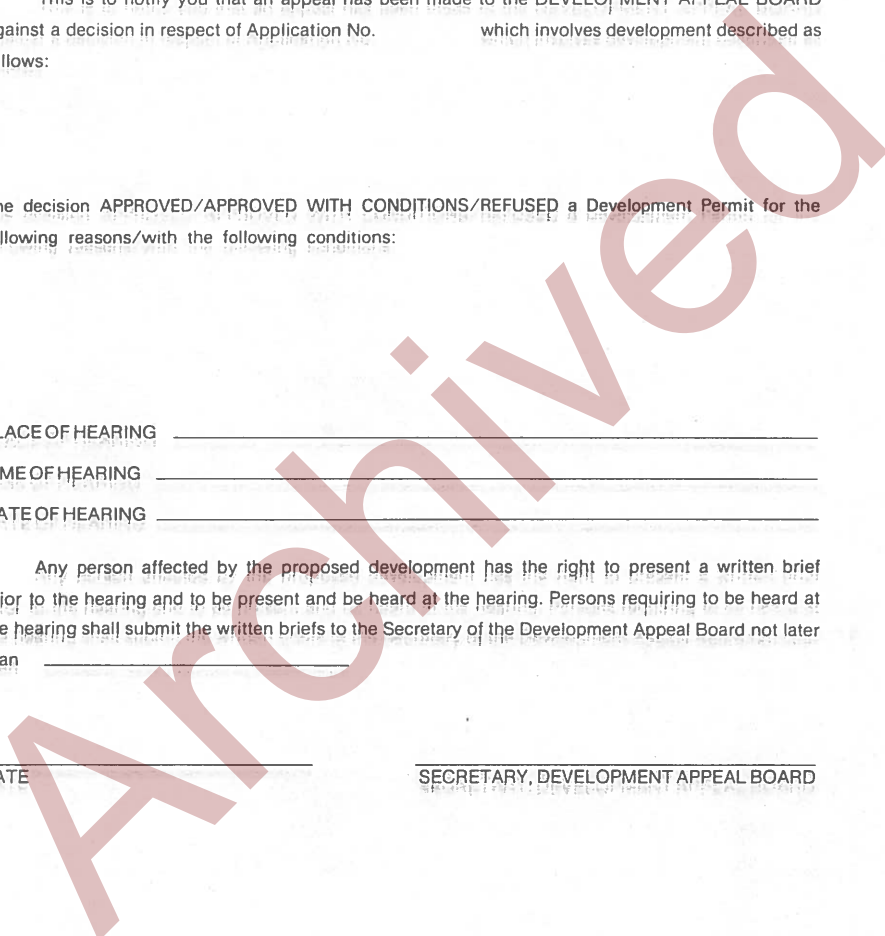
TIME OF HEARING _____

DATE OF HEARING _____

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

DATE _____

SECRETARY, DEVELOPMENT APPEAL BOARD



DECISION OF THE DEVELOPMENT APPEAL BOARD

IMPROVEMENT DISTRICT NO. _____

This is to notify you that an appeal against the APPROVAL/APPROVAL WITH CONDITIONS/REFUSAL of a Development Permit with regard to the following:

was considered by the DEVELOPMENT APPEAL BOARD ON _____

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

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon or question of jurisdiction or law pursuant to section 146 of The Planning Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

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

DATE _____

CHAIRMAN, DEVELOPMENT APPEAL BOARD

APPLICATION FOR AMENDMENT TO THE LAND USE ORDER

IMPROVEMENT DISTRICT NO. _____

I/We hereby make application to amend the Land Use Order

Applicant: Name _____

Address _____ Telephone _____

Owner of Land: Name _____

Address _____ Telephone _____

Land Description: Lot _____ Block _____ Reg. Plan _____

Certificate of Title _____

Amendment Proposed

FROM _____ TO _____

Reasons in support of Application for Amendment

I/We enclose \$ _____ being the application fee.

DATE

SIGNATURE OF APPLICANT

Archived