

VILLAGE OF AMISK

LAND USE BY-LAW

BY-LAW #291

June, 1998

Note:

This document has been prepared for convenience only. The official By-law, and any amendments thereto, which are available from the office of the Village Administrator, should be consulted for all purposes of interpretation and application.

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BY-LAW #291

LAND USE BY-LAW

Pursuant to the Municipal Government Act, 1994, as amended, the Council of the Village of Amisk duly assembled, hereby enacts as follows:

PART ONE - GENERAL

1.1 Title

The title of this By-law shall be the Land Use By-law of the Village of Amisk.

1.2 Purpose

The purpose of this By-law 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 a method of making decisions on applications for development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given; and
- (5) to establish the number of dwelling units permitted on a lot.

1.3 Interpretation

In this By-law

- (1) "accessory building: means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same lot;
- (2) "accessory use" means a use customarily incidental and subordinate to the main use or building, which is located in the same lot with such main use or building;
- (3) "Act" means the Municipal Government Act, 1994, as amended;
- (4) "apartment" means a dwelling containing three (3) or more dwelling units, but

shall not mean row housing;

- (5) "building" includes anything constructed or placed on, in, over, or under land but does not include a road or a bridge forming part of a road;
- (6) "corner lot" means a lot with boundary lines on two separate roads or a single road that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road shall not include a lane;
- (7) "Council" means the Council of the Village of Amisk;
- (8) "day home" means a provincially licensed child care facility operated from a residence supplying supervision of a maximum of six (6) children under the age of eleven (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire regulations and health regulations;
- (9) "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 of any of them in, on, over or under land, 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;
- (10) "Development Authority" means the Development Authority established by the municipality's Development Authority By-law and appointed by Council;
- (11) "development permit" means a document authorizing a development issued pursuant to this By-law;
- (12) "discretionary use" means the use of land or a building provided for in this By-law for which a development permit may be issued upon an application having been made;
- (13) "duplex" means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other and which may or may not share a common access;
- (14) "dwelling" means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level.

This definition shall include one family dwellings, duplexes, row housing, and apartments, and manufactured homes;

- (15) "dwelling unit" means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit;
- (16) "family care facility" means a facility which provides resident service in a dwelling to six (6) 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 boarding homes for children, group homes and family homes;
- (17) "floor area" means the total area of all floors of all buildings, not including accessory buildings, located on any lot, excluding the area of basement floors, except that all dwelling units in apartment buildings shall be included in the calculation of floor area;
- (18) "floor area ratio" means the ratio or decimal resulting from dividing the gross floor area of all buildings by the total area of the lot on which the buildings are located;
- (19) "front line" means the boundary line of a lot lying adjacent to a road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the road shall be considered the front line;
- (20) "front yard" means a yard extending across the full width of a lot from the front line to the nearest wall of the main building situated on the lot. In the case of a curved front line, the front yard will also form a curve;
- (21) "gross leasable floor area" means that portion of the floor area leased to a tenant for his exclusive use and does not include any common areas such as an internal mall, stairs, washrooms, etc. to be used by the complex as a whole;
- (22) "ground floor area" means the total area of a lot including accessory buildings which is covered by any building or structure;
- (23) "group care facility" means a facility which provides resident services to seven (7) or more individuals of whom one or more may be 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, 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) "home occupation" means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building which does not change the character thereof or have any exterior evidence of such secondary use; and further, provided that:
- (a) a home occupation shall not normally include a beauty parlour, a barber shop, or a dance school,
 - (b) there shall be no exterior display or advertisement,
 - (c) there shall be not exterior storage of materials, commodities, or finished products,
 - (d) there shall be no mechanical equipment used except when ordinarily used for housekeeping purposes or hobbies,
 - (e) no commodity other than the principal product or service of the home occupation shall be sold on the premises,
 - (f) the use will not generate parking problems within the District, and
 - (g) nothing of an offensive or objectionable nature, as herein defined, shall be permitted and provided further that, subject to compliance with the regulations contained herein, the following uses are deemed to be customary home occupations:
 - (i) dressmaking and millinery, homecooking and preserving and similar domestic crafts,
 - (ii) the manufacture of novelties, souvenirs and handcrafts as an extension of a hobby,
 - (iii) small collectible (such as stamps, coins and cards) collecting and sales,
 - (iv) individual instruction to music students,
 - (v) the carrying out of minor repairs to domestic equipment normally used within dwellings,
 - (vi) the offices of business people or professionals, provided no clients or employees, other than residents of the dwelling, come to the premises, and
 - (vii) other activities deemed appropriate by the Development Authority.
- (26) "light industrial use" means manufacturing, fabricating processing, repairing, storing, wholesaling, and/or distribution of goods and materials in such a manner that all activities take place inside buildings and no noise, dust, glare, heat, or any other emission is evident outside the building;

- (27) "lot" means:
- (a) a quarter section, or
 - (b) a river or a settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office, or
 - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - (d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (28) "lot coverage" is a calculation of the ground floor area divided by the area of the lot.
- (29) "lot width" means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard;
- (30) "main building" means a building in which is conducted the main or principle use of the lot on which it is erected;
- (31) "manufactured home" means a dwelling that is 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 connections of utilities, ready for year round use as accommodation for a single household. This definition shall include a dwelling that would otherwise be considered to be a one family dwelling if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1, or if the depth of eaves were greater than 0.3 m. If the ratio is greater than 2.5:1 or if the depth of eaves is less than 0.3 m, the dwelling shall be considered to be a manufactured home unit;
- (32) "municipality" means the Village of Amisk;
- (33) "neighbourhood shopping centre" means a building or a group of buildings containing retail commercial operations of the convenience type, such as a grocery store, personal service shops, banks, etc.;
- (34) "non-conforming building" means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use By-law or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and

- (b) that on the date the land use By-law becomes effective does not, or when constructed will not, comply with the land use By-law;
- (35) "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 By-law affecting the land or building becomes effective, and
 - (b) that on the date the land use By-law becomes effective does not, or in the case of a building under construction will not, comply with the land use By-law;
- (36) "one family dwelling" means a dwelling consisting of one (1) dwelling unit;
- (37) "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, the owner of the land according to the municipality's assessment roll.
- (38) "permitted use" means the use of land or a building provided for in this By-law for which a development permit shall be issued upon an application having been made, provided that all of the regulations of this By-law are satisfied;
- (39) "public utility" means a public utility, as defined in the Act;
- (40) "rear line" means the boundary line of a lot lying opposite to the front line of the parcel and/or farthest from a road;
- (41) "rear yard" means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot to the rear line of the lot;
- (42) "rentable unit" means a separate unit on of a motel development used or intended to be used for the temporary dwelling accommodation of one or more persons;
- (43) "road" shall mean a "road" as defined in the Act, and, for the purposes of this By-law, shall include a highway;
- (44) "row housing" means a dwelling or dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";
- (45) "side line" means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines

adjacent to the road shall be considered a side line;

- (46) "side yard" means a yard extending from the nearest wall of the main building situated on a lot to the side line, and lying between the front and rear yards on the lot;
- (47) "Subdivision and Development Appeal Board" means the Subdivision and Development Appeal Board established by the Council by the Subdivision and Development Appeal Board By-law adopted pursuant to the Act;
- (48) "yard" means a part of a lot upon or over which no main building is to be erected;

and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law.

1.4 Establishment of Districts

- (1) For the purpose of this By-law, the Village of Amisk is divided into the following Districts:

R	-	Residential District
RMH1	-	Residential Manufactured Home Subdivision District
C1	-	Commercial District
C2	-	Commercial District
M	-	Industrial District
P	-	Community District
I	-	Institutional District
UR	-	Urban Reserve District

- (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 Districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary is shown as following a road, lane, or water course, it shall be deemed to follow the centre line thereof.

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

Rule 3. In circumstances not covered by Rule 1 or 2, the location of the boundary shall be determined:

- (a) where dimensions are set out on the Land Use District Map, by the dimensions so set, or

- (b) where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and 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 Council either on its 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 By-law and the degree of detail as to measurements and directions as the circumstances may require.
- (5) After the Council 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 By-law.
- (6) The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

1.5 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, which Schedule is hereby adopted to be part of this By-law, and which may be amended in the same manner as any other part of this By-law.

PART TWO - AGENCIES

2.1 Development Authority

- (1) For the purposes of this By-law, the Development Authority shall be the person or persons appointed to be the Development Authority pursuant to the municipality's Development Authority By-law.
- (2) The Development Authority shall perform such duties and responsibilities that are specified in Part Three and in the Schedules of this By-law.
- (3) The Development Authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this By-law and all amendments thereto; keep a register of all applications for development, including the decisions thereof and the reasons therefore.
- (4) For the purposes of Section 542 of the Act, the Development Authority is hereby declared to be the designated officer.

2.2 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board By-law shall perform such duties as are specified in Part Four of this By-law.

PART THREE - DEVELOPMENT PERMITS, RULES AND PROCEDURES

3.1 Control of Development

No development other than that designated in Section 3.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 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 building, provided that such works do not include structural alterations or major works of renovation that would require a building permit.
- (2) The completion of a building which was lawfully under construction at the date of the first publication of the notice required by 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 (12) months from the said date of the first publication of the notice.
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The erection, construction, or maintenance, improvement or alteration 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 1.0 m in height in front yards and less than 2.0 m in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means or enclosure.
- (5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this By-law.
- (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) An accessory building or structure in a Residential District with a gross floor area of under 10 m², unless the accessory building or structure does not satisfy the regulations indicated in Section 1.10 of Schedule B hereof.

- (8) Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the hard-surfacing of part of a lot in a Residential District for the purposes of providing vehicular access from a road to an attached or detached garage or carport.
- (9) The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (4) through (7) above, both inclusive.

3.3 Non-Conforming Buildings and Uses

- (1) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this By-law.
- (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, may not be enlarged or added to and no structural alterations may be made thereto or therein.
- (3) A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building,
 - (b) for the routine maintenance of the building, if the Development Authority considers it necessary, or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 3.4(9) of this By-law to approve a development permit notwithstanding any non-compliance with the regulations of this By-law.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this By-law.
- (6) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

3.4 Permission for Development

- (1) An application for a development permit shall be made to the Development Authority in writing, in the form required by the Development Authority, and

shall be accompanied by:

- (a) a site plan showing the legal description; the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site;
 - (b) a statement of the proposed uses; and
 - (c) a statement of ownership of the land and the interest of the applicant therein.
- (2) Each application for a development permit shall be accompanied by a fee as established by resolution of Council.
- (3) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this By-law before consideration of the development permit application shall commence. Such information may include floor plans, elevations and sections of any proposed buildings; grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a lot, information relating to the age and condition of the building and its compatibility with the District in which it is to be located.
- (4) The Development Authority shall receive, review, consider and decide on all applications for a development permit.
- (5) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (6) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
- (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 By-law, the Development Authority may or may not, at his sole discretion, accept the submission of another application for a permit on the same lot and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.

- (8) In the case where a proposed specific use of land or a building is not provided for in any District in the By-law, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District in Schedule B.
- (9) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this By-law, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - (b) the proposed development conforms with the use prescribed for that land or building in this By-law.
- (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 by the Development Authority within forty (40) days after receipt of the application by the Development Authority. The person claiming to be affected may appeal in writing as provided for in Part Four of this By-law as though he has received a refusal at the end of the forty (40) day period specified in this subsection.

3.5 Development Permits and Notices

- (1) A permit granted pursuant to this Part does not come into effect until fifteen (15) days after the date a decision or development permit is publicized as described in subsection (3). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made pursuant to Part Four of this By-law, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
- (3) When a permit has been issued, the Development Authority shall immediately:
 - (a) post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected; and/or

- (c) publish a notice of the decision 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 twelve (12) months from the date of the issue of the development permit, and carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.
- (5) A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART FOUR - APPEALS

4.1 Appeal Procedure

- (1) An appeal may be made to the Subdivision and Development Appeal Board (Board) where a Development Authority
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Section 5.1 of this By-law.
- (2) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this By-law were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Board.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Board, together with reasons and the development appeal fee as established by resolution of Council, within fourteen (14) days after
 - (a) the date the order, decision or permit issued by the Development Authority was publicized in accordance with Section 3.5(3); or
 - (b) the forty (40) day period referred to in subsection (1)(a) has expired.

4.2 Public Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
- (2) The Board shall give at least five (5) days notice in writing of the public hearing to:
 - (a) the appellant;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) those adjacent land owners who were notified under Section 3.5(3)(b) and any other person who, in the opinion of the Board, are affected by the order, decision or permit; and

- (d) such other persons as the Board specifies.
- (3) The Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the Development Authority under Section 5.1,
as the case may be.
- (4) At the public hearing referred to in subsection (1), the Board shall hear:
 - (a) the appellant or any other person acting on his behalf;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, 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 Board agrees to hear or a person acting on his behalf.

4.3 Decision

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

PART FIVE

ENFORCEMENT AND ADMINISTRATION

5.1 Contravention

(1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with

- (a) the Act or the regulations made thereunder, or
- (b) a development permit or subdivision approval, or
- (c) this By-law,

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

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
- (ii) demolish, remove or replace the development, and/or
- (iii) 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 Act, the regulations made thereunder, a development permit, subdivision approval or this By-law,

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 Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.

(3) A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the Act.

(4) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

(5) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for

the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this By-law.

(6) **Violation Tickets**

- (a) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this By-law.
- (b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the Village.
- (c) Persons contravening any provision of this By-law to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the By-law has occurred may be considered to be a separate offence.
- (d) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (e) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (f) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

5.2 Application to Amend By-law

- (1) A person may apply to have this By-law amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 5.3.
- (2) Council may at any time initiate an amendment to this By-law by directing the Development Authority to initiate an application therefore.

5.3 Form of Application

- (1) All applications for amendment to this By-law shall be made to the Council on the form provided by the municipality and shall be accompanied by:

- (a) an application fee as established by resolution of Council; and
 - (b) a recent title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, and
 - (c) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable.
- (2) If the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee be returned to the applicant.

5.4 Amending By-laws

All amendments to this By-law shall be made by Council by By-law and in conformity with the Act.

5.5 Schedules

Schedules A and B are part of this By-law.

5.6 Repealing Existing Controls

By-law No. 153, as amended, is hereby repealed.

5.7 Date of Commencement

This By-law comes into effect upon the date of it finally being passed.

READ A FIRST TIME IN COUNCIL THIS 21ST DAY OF MAY, A.D. 1998.

AND ADVERTISED THE 3RD day of JUNE, 1998 AND THE 10TH day of JUNE, 1998 IN THE PROVOST NEWS.

PUBLIC HEARING HELD THE 18TH day of JUNE, 1998.

READ A SECOND TIME IN COUNCIL THIS 18TH DAY OF JUNE, A.D. 1998.

READ A THIRD TIME IN COUNCIL THIS 18TH DAY OF JUNE, A.D. 1998.

"Mervin Anholt"

Mayor

"Joyce DeBord"

Chief Administrative Officer

NE 35-41-8-4

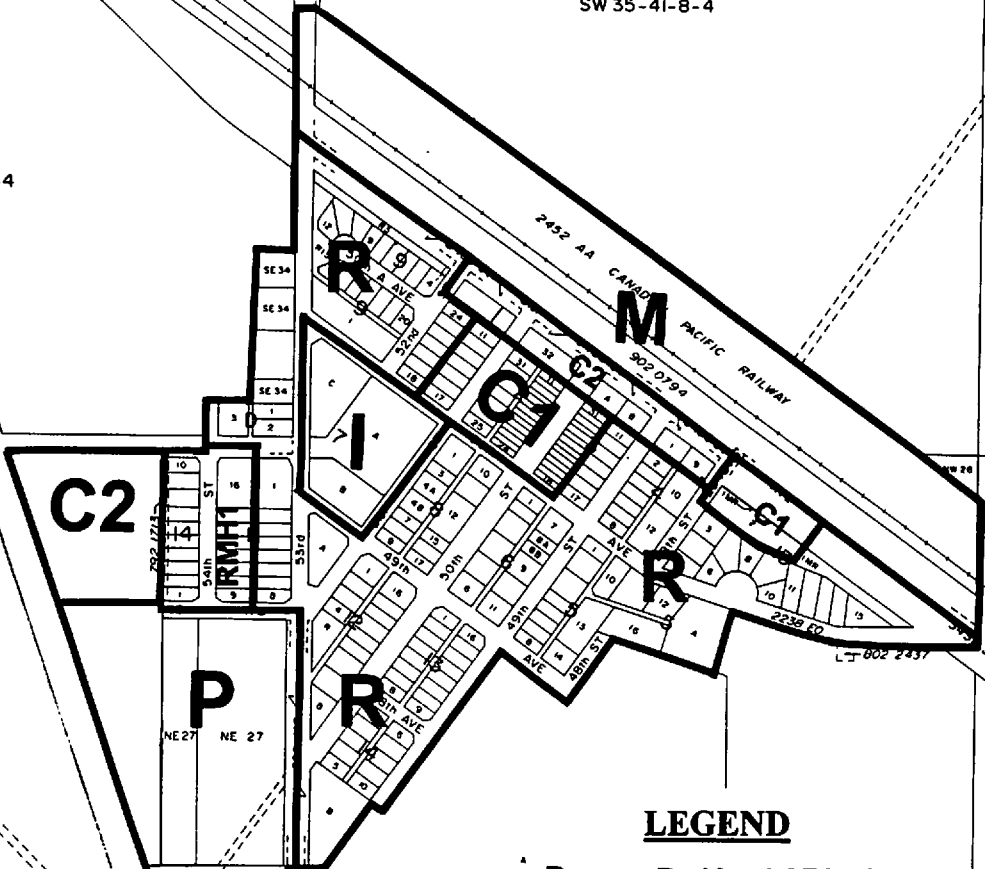
SE 34-41-8-4

VILLAGE OF AMISK LAND USE BYLAW - SCHEDULE A LAND USE DISTRICT MAP

SW 35-41-8-4

SE 35-41-8-4

SE 34-41-8-4



LEGEND

- R** - Residential District
- RMH1**- Residential Manufactured Home Subdivision District
- C1** - Commercial District
- C2** - Commercial District
- M** - Industrial District
- P** - Community District
- I** - Institutional District
- UR** - Urban Reserve District

NE 26-41-8-4

NE 26-41-8-4

SE 27-41-8-4

SW 26-41-8-4

SE 26-41-8-4

SCHEDULE B

SCHEDULE OF LAND USE DISTRICT REGULATIONS

PART ONE - GENERAL PROVISIONS

1.1 Plans of Subdivision

Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has been registered at the Land Titles Office.

1.2 Dwelling Units on a Lot

No permit shall be granted for the erection of more than one (1) dwelling unit on a single lot unless the dwelling units are located within a duplex, row housing or an apartment.

1.3 Existing Substandard Lots

With the approval of the Development Authority the minimum lot area may be less in the case of existing substandard lots.

1.4 Site Conditions

In all Districts, the outdoor storage of goods, machinery, vehicles, buildings materials, waste materials and other items is to be screened by fences, hedges or buildings, as required by the Development Authority.

1.5 Fences and Walls

- (1) Notwithstanding any regulation respecting required yard to the contrary in this By-law, a fence or hedge may be constructed along a boundary line of a lot.
- (2) No fence, wall or hedge in any Residential District shall be:
 - (a) higher than 2.0 m in side yards and rear yards; or
 - (b) higher than 1.0 m in front yards.

1.6 Access, Parking and Loading Spaces

- (1) In all Districts, vehicular entrances and exits into roads shall only be permitted at locations approved by the Development Authority.
- (2) In all Districts, off-street parking spaces shall be provided in accordance with the minimum requirements of each District.

- (3) Unless otherwise approved by the Development Authority, a parking space shall not be less than 3.0 m in width nor less than 6.0 m in length and shall be located on the same lot as the main building or use.
- (4) Off-street loading spaces shall be provided in accordance with the minimum requirements of each District.
- (5) Unless otherwise approved by the Development Authority, a loading space shall be located on the same lot as the main building or use.
- (6) If not otherwise provided for, the owner of land to be developed may, subject to the approval of the Development Authority:
 - (a) provide the required off-street parking on land other than that to be developed, or
 - (b) at his option and in lieu of providing off-street parking, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking spaces to be provided by the municipality elsewhere in the municipality. Any money so received by the municipality shall be used only for the development of municipal off-street parking facilities.

1.7 Protection from Exposure Hazards

- (1) The location of any liquefied petroleum gas (LPG) or anhydrous ammonia (AA) storage tank with a water capacity exceeding 9000 l shall be in accordance with the requirements of the Development Authority, but in no case be less than a minimum distance of 120 m from assembly, institutional, commercial or residential buildings.
- (2) LPG and AA containers with a water capacity of less than 9000 l shall be located in accordance with regulations under the Safety Codes Act.
- (3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- (4) Setbacks from pipelines and other utility corridors shall be as required by the Development Authority and appropriate Provincial Regulations and legislation.

1.8 Sour Gas Facilities

- (1) No development shall be permitted within 100 m of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy and Utilities Board.
- (2) No development shall be permitted within 500 m of a Level 2 sour gas facility as determined by the Alberta Energy and Utilities Board.

- (3) No development shall be permitted within 1.5 km of a Level 3 or a Level 4 sour gas facility as determined by the Alberta Energy and Utilities Board.

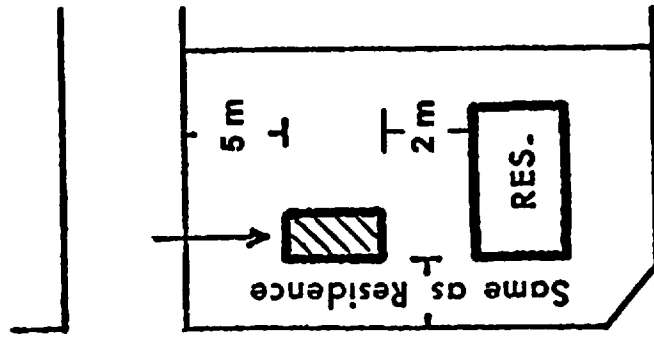
1.9 Projection into Yards

- (1) If fireplaces or balconies are developed as part of a dwelling, yard requirements shall be measured from the leading edge of the fireplace or balcony.
- (2) The following features may project into a required yard:
 - (a) steps, eaves, gutters, sills, patios, and decks, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - (b) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1 m; and
 - (c) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

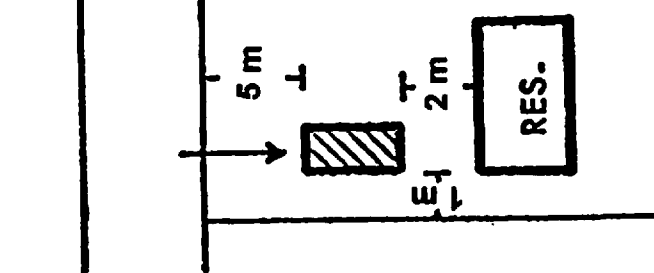
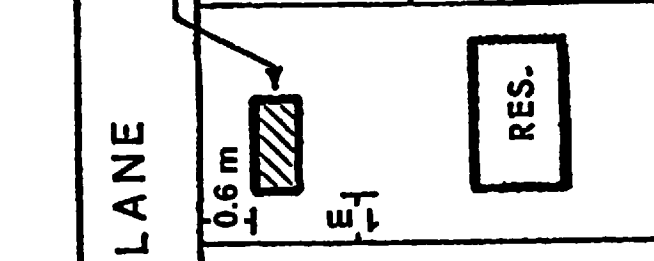
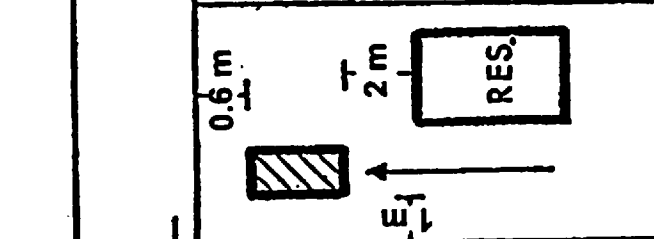
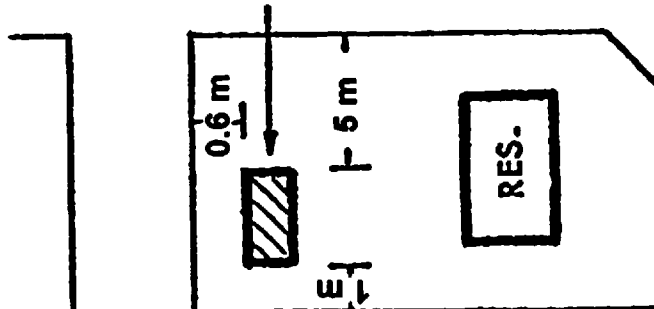
1.10 Accessory Buildings in Residential Districts

- (1) An accessory building shall not be used as a dwelling.
- (2) Accessory buildings other than fences shall be located such that the minimum distances shown on Figure "A" between the accessory buildings and main buildings, lot lines, and other buildings, structures, and uses are provided.
- (3) The siting of an accessory building on an irregularly-shaped lot shall be as approved by the Development Authority.
- (4) No accessory buildings, other than fences that otherwise comply with this By-law, shall be located in the front yard.
- (5) No accessory building, other than a fence, deck or patio, shall be located closer than 2.0 m to a main building.
- (6) The height of an accessory building shall not exceed 4.5 m nor one storey.
- (7) Where a structure is attached to the main building on a lot by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the main building and is not an accessory building.
- (8) The total area of all accessory buildings on a lot shall not exceed 12% of the area of the lot.

Figure "A" - Siting of Accessory Buildings



ROAD



LANE

ROAD

1.11 Service Stations (Including Gas Bars)

- (1) Service stations or gas bars shall be developed in such a manner that:
 - (a) no entrance or exit thereto for motor vehicles shall be located within 200.0 ft. of an entrance to or exit from a firehall, public or private school, playground, library, church, hospital, children's or senior citizen's home, or other similar public or quasi-public institutions;
 - (b) no part of any building or any pump or other accessory building, structure, or use shall be located within 6.0 m of a side or rear line;
 - (c) there shall be a front yard of not less than 12.0 m, provided, however, gasoline pumps may be located as little as 6.0 m from the front line; and
 - (d) all fuel storage tanks shall be set back from adjacent buildings in accordance with Provincial regulations and legislation.

(2) Lot Area and Coverage

- (a) The minimum lot area shall be based on the ratio of 2 m² of vacant space for each 0.3 m² on which buildings are erected.
- (b) In the case of a service station designed and built as part of a neighbourhood shopping centre, the ratio of building space to parking space shall be as required by the Development Authority.

(3) Lighting

Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the lot only and not on any adjoining lots.

(4) Use and Maintenance of Lot and Building

The owner, tenant, operator or person in charge of a service station or gas bar shall, at all times:

- (a) be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available in any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which constitutes a nuisance or annoyance to residences or businesses in the immediate vicinity of the service station or gas bar by reason of dust, noise, gases, odour, smoke or vibration;
- (b) be responsible for the proper, safe and orderly operation thereof of motor vehicles using said service station or gas bar, or being repaired or serviced

thereat, and without restricting the generality of the foregoing shall see:

- (i) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station or gas bar, and
- (ii) that operators of motor vehicles enter and leave the service station or gas bar only at the entrances and exits provided for such purposes and not elsewhere; and
- (c) maintain on the boundaries of the lot, where required by the Development Authority, an appropriate fence not less than 1.0 m in height.

1.12 Motels

- (1) Minimum Lot Area per Rentable Unit
 - (a) One Storey - 140 m²
 - (b) Two Storeys - 93 m²
- (2) Minimum Floor Area per Rentable Unit - 26 m²
- (3) Minimum required yards:
 - (a) Front - 7.5 m
 - (b) Side - 3.0 m
 - (c) Rear - 7.5 m
- (4) Space Between Buildings

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.6 m of clear and unoccupied space shall be provided between each rentable unit and any other building on the lot.

- (5) Driveways

Each rentable unit shall face onto or about a driveway not less than 6.0 m in width, and shall have unobstructed access thereto.

- (5) Entrances and Exits

Not more than one (1) entrance and one (1) exit for vehicles to a road, each of a minimum width of 7.5 m, shall be permitted, provided however, that one (1) combined motor vehicle entrance and exit may be permitted, not less than 9.0 m in width.

(6) **Maintenance of Lot and Buildings and Business**

The owner, tenant, operator or person in charge of a motel shall at all times:

- (i) maintain the lot and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
- (ii) maintain garbage facilities to the satisfaction of the Development Authority;
- (iii) maintain an appropriate fence, where required by the Development Authority, not less than 1.0 m in height, around the boundaries of the lot; and
- (iv) shall landscape and keep the lot landscaped to the satisfaction of the Development Authority.

1.13 Neighbourhood Shopping Centres (including Corner Stores)

- (1) Neighbourhood shopping centres shall be located only on major roads.
- (2) The total floor area of any store shall not exceed 190 m² of which not more than 130 m² shall be retail area excluding storage.
- (3) The minimum lot area shall be 140 m².
- (4) Minimum required yards:
 - (a) Front - 12.0 m
 - (b) Side - nil, except 3.0 m on corner lots on side adjacent to road
 - (c) Rear - 3.0 m
- (5) Design, access and egress, siting, exterior finish, and landscaping shall be to the satisfaction of the Development Authority.
- (6) Freestanding signs shall not exceed the height of the building.
- (7) A neighbourhood shopping centre shall contain no more than 3 commercial establishments.
- (8) A dwelling unit with direct ground access may be allowed with each commercial establishment in a neighbourhood shopping centre.

1.14 Multiple Dwelling Developments

- (1) Before any application for development of row housing or an apartment can be considered, the applicant must submit to the Development Authority, in addition to those requirements of Section 3.4(1) of this By-law:

- (a) design plans and working drawings, including elevations; and
 - (b) site plans showing the proposed:
 - (i) location and position of structures on the lot, including any "For Rent" or identification signs,
 - (ii) location and number of parking spaces, exits, entries, and drives from roads or lanes,
 - (iii) location of an access to garbage storage areas, and the fencing and landscaping of these facilities, and
 - (iv) landscape plan of the entire site which shall also show intended surfacing for drives and parking areas.
- (2) The aforementioned plans will append the application. If the development permit is approved, the plans shall be deemed conditions of approval. The Development Authority may require that security be provided to ensure that the conditions are satisfied.
- (3) The relationship of buildings to each other and to the landscape, in particular such matters as architectural appearance, the provision of light, air, privacy, and landscaping, shall be shown upon the site plans, and said relationships shall be to the satisfaction of the Development Authority.

PART TWO - SIGNS

2.1 DEFINITIONS

(1) In this Part:

- (a) "sign" means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, signs includes posters, notices, panels, boardings, and banners;
- (b) "area of a sign" means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle or other geometric shape enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of surface area;
- (c) "billboard" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
- (d) "business frontage" means:
 - (i) any side of a lot or building which abuts a road, or
 - (ii) in the case of individual business or tenants within a building, any business which has separate access to a road;
- (e) "fascia sign" means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m from the building;
- (f) "free-standing sign" means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;
- (g) "free-standing portable sign" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually;
- (h) "marquee or canopy" means a projection outward from the face of a building, primarily designed to provide protection from climatic elements;

- (i) "marquee or canopy sign" means a sign attached to a marquee or canopy;
- (j) "merchandising aids" means devices used for the display of merchandise and related advertising material;
- (k) "point-of-sale advertising" means advertising which relates to the name of the occupier or firm, the nature of the business conducted and/or the goods produced, and/or the main products and services sold or obtainable at the premises on which the advertising is displayed;
- (l) "projecting sign" means a sign which is attached to a building or structure so that part of the sign projects more than 0.3 m from the face of the building or structure;
- (m) "roof" means the top enclosure, above or within the vertical walls of a building;
- (n) "roof sign" means any sign placed on or over a roof;
- (o) "sky sign" means a roof sign comprising individual letters or symbols on an open framework.

2.2 EXEMPTIONS FROM THIS PART

- (1) The following shall be exempted from the provisions of this Part of the By-law:
 - (a) signs displayed on enclosed land where they are not readily visible to the public,
 - (b) signs displayed within a building,
 - (c) signs displayed in or on an operational vehicle,
 - (d) signs displayed on door plates, door boards, or kick plates.
- (2) A development permit shall not be required to clean, repair or repaint any sign.
- (3) The following specified signs are also exempted from this Part of the By-law, provided that the permission hereby granted in respect of any such signs specified below shall be subject to any conditions or limitations specified in the case of the particular signs, and be subject to all other orders, By-laws and regulations affecting such signs:
 - (a) statutory and official notices and functional advertisements of local authorities and public transport authorities;
 - (b) traffic and directional signs authorized by Council;
 - (c) notices of identification in respect of the land or buildings on which they are displayed, and professional business and trade name plates relating to

the occupants of the land or buildings on which they are displayed provided that;

- (i) each notice or name plate shall not exceed 0.2 m² in area, and
 - (ii) there shall be a limit of one (1) notice for each occupant of each firm or company represented within the building, at one entrance on each different road;
- (d) notices relating to the sale, lease or rental of the buildings, or land to which they are attached, provided that:
- (i) the notices shall not be illuminated,
 - (ii) each notice shall not exceed 0.5 m² in area, and
 - (iii) there shall be a limit of one (1) notice for each side of the land or buildings on a different road;
- (e) posters relating specifically to a pending election, provided that such posters shall be removed within fourteen (14) days after the election;
- (f) notices of land or buildings used for religious, educational, cultural, recreational, medical or similar public or quasi-public purposes, provided that:
- (i) each notice shall not exceed 1.1 m² in area, and
 - (ii) there shall be a limit of one (1) notice for each side of the land or buildings on a different road;
- (g) signs of building contractors relating to constructional work in progress on the land on which such signs are erected, provided that:
- (i) such signs shall be removed within fourteen (14) days of occupancy, and
 - (ii) such signs shall be limited in size to a maximum of 3 m², and in number to one (1) sign for each boundary of the subject site which fronts onto a road;
- (h) temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
- (i) the signs shall not be illuminated and shall be constructed of paper, canvas, cardboard or other light materials or painted on glass and intended to be displayed for a short period of time only, and

- (ii) such signs shall not be erected more than seven (7) days before the commencement of the sale to which they refer, and shall be removed within eight (8) days of the completion of the said sale;
- (i) free-standing portable signs, provided that:
 - (i) any sign shall be placed wholly within the property lines,
 - (ii) the overall height shall not be greater than 1.5 m above ground level, and
 - (iii) the maximum area of the sign shall not exceed 1.1 m²;
- (j) signs on merchandising aids, provided that:
 - (i) any device shall be placed wholly within the property lines,
 - (ii) the overall height of any sign shall not be greater than 2.0 m above ground level, and
 - (iii) the maximum area of any sign shall not exceed 1.1 m².
- (k) work required to clean, repair, or repaint any sign.

2.3 DETAILS OF APPLICATION

- (1) Application for a development permit shall be made to the Development Authority. The application shall be:
 - (a) made out on the form provided by the Development Authority, and
 - (b) supported by two (2) copies of drawings drawn to scale. Where a building is involved, the scale shall not be smaller than 1:200. In the case of a plot plan the scale shall not be smaller than 1:400.
- (2) The drawings shall indicate:
 - (a) the location of the sign by elevational drawing or plot plan;
 - (b) the overall dimensions of the sign;
 - (c) the size of the letters or letter;
 - (d) the amount of projection from the face of the building;
 - (e) the amount of any projection over municipal property;

- (f) the height of the sign above the road or sidewalk, or the height above the average ground level at the face of the building;
 - (g) the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction;
 - (h) the least distance that the sign will be erected from an intersection of roads, and the least distance from any device for the control of traffic at such an intersection.
- (3) No person shall erect or place a sign differing from or larger than the sign for which a development permit has been issued. If the applicant desires to deviate in any way from the terms of the approved development permit, he shall notify the Development Authority and submit revised drawings and, if indicated by the Development Authority, make application for approval of another development permit.

2.4 GENERAL PROVISIONS

- (1) All proposed signs, with the exception of the exemptions as provided for in Section 2.2 of this Part, shall be authorized by the Development Authority prior to any building permit being issued.
- (2) (a) With the exception of the special provisions relating to billboards, all signs shall contain "point-of-sale advertising" only.
- (b) No sign shall be permitted which is attached to a fence, pole, tree, or any object on a road or in a publicly-owned place.
- (c) No sign shall be permitted which is attached to or standing on the ground on a road or in a publicly-owned place.
- (d) No sign shall be erected so as to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device.
- (3) All signs must be maintained in a satisfactory manner or notice will be served to perform the necessary repairs or remove the sign(s) within thirty (30) days.

2.5 FASCIA SIGNS

- (1) Except as provided for in Section 2.2 of this Part, fascia signs shall only be allowed in the C1, C2, and M Districts. All fascia signs shall be erected so that:
- (a) no part of the sign projects more than 0.5 m above the top of the vertical face of the wall to which it is attached,

- (b) all fascia signs on a wall do not exceed in area the equivalent of 25% of the superficial area of the wall comprising the business frontage, and
 - (c) they are located on a business frontage.
- (2) Fascia signs on a side or gable wall which is not a business frontage shall be considered by the Development Authority according to the merits of the individual application.
 - (3) On commercial and industrial buildings which are non-conforming uses in Residential Districts, fascia signs shall be considered by the Development Authority according to the merits of the individual application.

2.6 MARQUEE AND CANOPY SIGNS

- (1) Marquee and canopy signs shall be considered in accordance with the same criteria as fascia signs, provided that:
 - (a) they are attached to the edge of the marquee or canopy nearest the front line;
 - (b) no additional supporting wires or stays are attached to the canopy or wall; and
 - (c) no portion of the sign projects below the bottom edge, or more than 0.5 m above the top edge, of the marquee or canopy.
- (2) A sign not exceeding 0.3 m by 1.2 m in outside dimensions may be suspended below a marquee or canopy provided no part of the sign shall be closer than 2.4 m to the ground or sidewalk.

2.7 ROOF SIGNS

- (1) Roof signs shall be considered in accordance with the same criteria as fascia signs, provided that:
 - (a) the sign is attached to the front edge of the roof;
 - (b) no additional supporting wires or stays are attached to the roof; and
 - (c) no portion of the sign projects more than 0.5 m above the roof.

2.8 PROJECTING SIGNS

- (1) Except as provided for in Section 2.2 of this Part, projecting signs shall only be allowed in the C1, C2, and M Districts. All projecting signs shall be erected so that:

- (a) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 3.0 m above the ground or sidewalk;
 - (b) no part of the sign shall project more than 0.5 m above the top of the vertical face of the wall to which it is attached; and
 - (c) the space between the sign and supporting structure shall not be more than 0.6 m.
- (2) There shall be only one projecting sign for each business frontage, provided that if a business frontage shall exceed 15 m, a further projecting sign shall be permitted for each additional 15 m of business frontage or portion thereof.
- (3) The permitted area of the sign shall be related to the amount of projection from the face of the building, as follows:

amount of projection	2 m	1.5 m	1.2 m	1 m or less
maximum area of sign	3.2 m ²	4.5 m ²	5.6 m ²	7 m ²

- (4) Support shall not be provided by an "A" frame.

2.9 FREE-STANDING SIGNS

- (1) Except as provided for in Section 2.2 of this Part, free-standing signs shall only be allowed in the C1, C2, and M Districts. All free-standing signs shall be erected so that:
- (a) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 3 m nor more than 9 m above the ground or sidewalk;
 - (b) no part of the sign shall project beyond the property line; and
 - (c) the area of the sign shall not exceed the ratio of 1 m² for each linear metre of business frontage to a maximum of 8.4 m², with the area of the sign being computed exclusive of the pylon or support provided that it is free of advertising.
- (2) There shall not be more than one (1) free-standing sign for each business frontage.
- (3) The portion used for support be painted and/or finished to the satisfaction of the Development Authority.

2.10 BILLBOARDS

- (1) Except as provided for in Section 2.2 of this Part, billboards shall only be allowed in the C1, C2, and M Districts. All billboards shall be erected so that:
 - (a) the structure does not exceed 3.6 m in height and 10.0 m in length;
 - (b) the vertical posts supporting the structure do not project above the upper edge of the boardings;
 - (c) any additional bracing is contained within the front and rear faces of the vertical posts;
 - (d) the rear of any billboard which is plainly visible from a public thoroughfare is covered with wooden slats or a trellis fixed against the rear edge of the vertical posts and painted; and
 - (e) no part of the structure projects over public property or placed on a road or highway right-of-way.
- (2) No billboard shall be erected less than 150 m from any existing billboard.
- (3) The structure shall at all times be maintained in a manner satisfactory to the Development Authority.
- (4) All billboards shall be limited to:
 - (a) local advertising or advertising for facilities or establishments located within 48 km of the sign;
 - (b) indirect lighting, which excludes flashing or animated lighting; and
 - (c) one (1) sign for each licensed business development.
- (5) Development permits for billboards shall be issued for only a one year period. Renewal of the permits shall be required each year prior to the thirty-first day of January accompanied by a fee as established by resolution of Council for renewal.
 - (a) A permit for a renewal of a development permit shall not be issued for a billboard which is not, in the opinion of the Development Authority, maintained in a satisfactory manner.
 - (b) Billboards for which renewal permits are refused or not applied for, and billboards which are installed without a permit, shall be removed.

The owner shall be mailed, to his last known address, a notice allowing him thirty (30) days from date of notice to remove the billboard. If the

owner fails to comply with the notice to remove the billboard, the municipality will remove and destroy the billboard.

2.11 ILLUMINATED ROOF AND SKY SIGNS

- (1) Except as provided for in Section 2.2 of this Part, illuminated roof and sky signs shall only be allowed in the C1 and C2 Districts. All illuminated roof and sky signs shall be erected so that:
 - (a) the sign is attached to a flat roof on a building more than 10.7 m high;
 - (b) the Development Authority is satisfied that the purpose of the sign cannot be achieved by another type of sign; and
 - (c) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 1.2 m or more than 4.5 m above the level of the roof.
- (2) All illuminated roof and sky signs must refer to the principal use of the building on which they are erected.

2.12 VARIANCES

Where there are exceptional circumstances or conditions applicable to a particular property to the extent that practical difficulties or results inconsistent with the general purposes of these regulations may result from their strict and literal interpretation and enforcement, variances shall be considered by the Development Authority in accordance with the merits of the individual application.

2.13 EXISTING SIGNS

This Part of the By-law shall not be applied to signs legally in existence at the date of the adoption of this By-law.

PART THREE - LAND USE DISTRICTS

3.1 RESIDENTIAL DISTRICT - R

The General Purpose of this District is to permit development of a variety of low to medium density dwellings and accessory uses.

1. Permitted Uses

- (a) One family dwellings
- (b) Day homes
- (c) Public parks
- (d) Accessory buildings and uses

2. Discretionary Uses

- (a) Apartments
- (b) Churches
- (c) Duplexes
- (d) Family care facilities
- (e) Group care facilities
- (f) Home occupations
- (g) Manufactured homes
- (h) Public or quasi-public buildings and uses required to serve the immediate area
- (i) Public utilities required to serve the immediate area
- (j) Row housing
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

3. Regulations

(a) Relating to One Family Dwellings

- (i) Minimum lot area - 560 m²
- (ii) Minimum front yard - 7.5 m
- (iii) Minimum rear yard - 7.5 m
- (iv) Minimum side yard - the lesser of 10% of lot width; or, at the discretion of the Development Authority, 1.5 m on all lots exceeding 15.0 m in width
 - Corner lots - 4.5 m abutting road
 - In laneless subdivisions where no attached garage is provided, one (1) side yard shall be a minimum of 3.0 m
- (v) Minimum floor area - 75 m²

(b) Relating to Duplexes

(i) Minimum lot area:

- a. "Up and down" units - 570 m², provided the combined floor area does not exceed 190 m²
- b. "Side by side" or "Semi detached" units - 670 m², or 740 m² if on a corner lot

(ii) Minimum yards - same as for one family dwellings

(iii) Minimum floor area - 55 m² per dwelling unit

(c) Relating to Row Housing

(i) Maximum density - 40 dwelling units per hectare

(ii) Minimum yards - same as for one family dwellings, except that no side yard shall be less than 3.0 m where side yards are provided, and side yards adjacent to roads on corner lots shall be a minimum of 4.5 m.

(d) Relating to Apartments

(i) Minimum floor area

- a. Bachelor dwelling unit - 32 m²
- b. One Bedroom dwelling unit - 46 m²
- c. Two Bedrooms dwelling unit - 55 m²
- d. Three or more Bedrooms dwelling unit - 65 m²

(ii) Minimum lot area - 800 m² or three (3) times the total floor area of the building, whichever is more

(iii) Maximum building height - 13.5 m or 3 storeys, whichever is shorter

(iv) Maximum lot coverage - 30%

(v) Maximum floor area ratio - 0.6

(vi) Minimum yards

- a. Front- 9.0 m
- b. Rear - 9.0 m
- c. Side - 40% of the building height, or 15% of the lot width, whichever is greater

(e) Relating to Manufactured Homes

(i) All manufactured homes shall be constructed by a licensed manufacturer

of manufactured homes and shall have Canadian Standards Association certification.

- (ii) All accessory structures, such as patios, porches, additions and skirtings shall be factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home.
 - (iii) Minimum floor area - 55 m², excluding any porch
 - (iv) All manufactured homes shall be placed on permanent foundations and footings.
- (f) Relating to All Other Uses - as required by the Development Authority
- (g) Minimum number of off-street parking spaces
- (i) Dwellings - one (1) space per dwelling unit
 - (ii) Other uses - as required by the Development Authority
- (g) With the approval of the Development Authority, the minimum lot area may be less in the case of existing substandard lots.
- (h) Attached garages and carports shall be considered as part of the main building and are not accessory buildings.
- (i) All development permits for home occupations shall be revocable at any time by the Development Authority if, in his sole opinion, the use is or has become detrimental to the amenities of the neighbourhood.
- (j) No accessory building, use or parking space shall be located in the front yard of a residential use without the specific approval of the Development Authority, which approval shall be given only for lots with topographical difficulties.
- (k) Accessory buildings shall be sited on a lot in accordance with the provisions of this By-law.
- (l) For all other provisions and requirements, see Sections 1 and 2 of this Schedule B.

3.3 RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT - RMH1

The General Purpose of this District is to permit development of manufactured home subdivisions, in which each manufactured home is located on a separately registered lot.

1. Permitted Uses

- (a) Manufactured homes
- (b) Day homes
- (c) Public parks
- (d) Accessory buildings and uses

2. Discretionary Uses

- (a) Home occupations
- (b) Public or quasi-public buildings and uses required to serve the immediate area
- (c) Public utilities required to serve the immediate area
- (d) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

3. Regulations

(a) Maximum Height of Buildings

- (i) Manufactured homes - 4.5 m
- (ii) Accessory buildings - 4.5 m
- (iii) All other uses - as allowed by the Development Authority

(b) Minimum Floor Area

- (i) Manufactured homes - 46 m², excluding any porch
- (ii) All other uses - as required by the Development Authority

(c) Minimum Lot Area

- (i) Manufactured homes - 460 m²
- (ii) All other uses - as required by the Development Authority

(d) Minimum Lot Width

- (i) Manufactured homes - 15.0 m
- (ii) All other uses - as required by the Development Authority

- (e) **Minimum Required Yards**
 - (i) Front - 4.5 m, or as required by the Development Authority
 - (ii) Side - 3.0 m
 - (iii) Rear - 6.0 m, except 4.5 m on corner lots
- (f) **Maximum Lot Coverage**
 - (i) Manufactured homes - 23%
 - (ii) Accessory buildings - 12%
 - (iii) All other uses - as allowed by the Development Authority
- (g) **Minimum number of off-street parking spaces**
 - (i) Dwellings - one (1) space per dwelling unit
 - (ii) Other uses - as required by the Development Authority
- (h) **With the approval of the Development Authority, the minimum lot area and lot width may be less in the case of existing substandard lots.**
- (i) **Attached garages and carports shall be considered as part of the main building and are not accessory buildings.**
- (j) **Accessory buildings shall be sited on a lot in accordance with the provisions of this By-law.**
- (k) **No accessory building, use or parking space shall be located in the front yard of a manufactured home.**
- (l) **All development permits for home occupations shall be revocable at any time by the Development Authority if, in his sole opinion, the use is or has become detrimental to the amenities of the neighbourhood.**
- (m) **Porches and additions to a manufactured home shall be considered as part of the main building, and the external finish of a porch or addition shall match the existing finish on the manufactured home.**
- (n) **The floor area of porches and additions shall be proportionate to the floor area of the manufactured home, and this relationship shall be determined by the Development Authority.**
- (o) **A manufactured home shall be skirted from the floor level to the ground level and the skirting shall match the existing external finish of the manufactured home.**
- (p) **All manufactured homes shall have Canadian Standards Association certification.**
- (q) **For all other provisions and requirements, see Sections 1 and 2 of this Schedule B.**

3.3 COMMERCIAL DISTRICT - C1

The General Purpose of this District is to permit commercial development appropriate for the central business district of the municipality and involving fairly high density development. The regulations do not permit obnoxious uses or those involving excessive outside storage.

1. Permitted Uses

- (a) Banks
- (b) Barber shops, beauty parlours
- (c) Clinics
- (d) Coin laundries
- (e) Dry cleaners
- (f) Grocery stores
- (g) Household appliance sales
- (h) Offices
- (i) Public parks
- (j) Restaurants
- (k) Retail stores
- (l) Shoe repair shops
- (m) Tailor shops
- (n) If the floor space area use is not greater than 370 m², the manufacture or treatment of products essential to the retail business conducted on the premises, for example:
 - a bakery
 - a dyeing or cleaning plant or establishment
 - the manufacture of candy, confectionary, ice cream or jam
- (o) Buildings and uses accessory to permitted uses

2. Discretionary Uses

- (a) Bowling alleys
- (b) Dance halls
- (c) Hotels
- (d) Motels
- (e) Neighbourhood shopping centres
- (f) One family dwellings
- (g) Parking lots
- (h) Public or quasi-public buildings and uses
- (i) Public utilities
- (j) Service stations and gas bars
- (k) Theatres
- (l) Dwelling units in a building used for any of the above mentioned permitted or discretionary uses
- (m) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (n) Buildings and uses accessory to discretionary uses

3. Regulations

- (a) Minimum lot area - 140 m²
- (b) Minimum lot width - 5.0 m
- (c) Minimum yards
 - (i) Front - None, except where the Development Authority may deem it necessary to conform with existing development
 - (ii) Side - None, if the subject lot is bordered on both sides by land classified C1. If the subject lot is bordered by a Residential District on a side, the minimum side yard on that side shall be 1.5 m.
 - (iii) Rear - 6.0 m, or as required by the Development Authority
- (d) Maximum site coverage

80%, provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority
- (e) Minimum Floor Area - as required by the Development Authority
- (f) Maximum Height of Buildings - 13.5 m
- (g) Minimum Number of Off-Street Parking Spaces
 - (a) Retail stores and persona service shops - one (1) space for each 55 m² of gross floor area
 - (b) Banks and offices - one (1) space for each 65 m² of gross floor area
 - (c) Beverage rooms, restaurants, and theatres - one (1) space for each 10 seats
 - (d) Hotels and motels - one (1) space for each rentable unit or guest room, plus any requirements for restaurants and other facilities
 - (e) Neighbourhood shopping centres - one (1) space for each 46 m² of gross leasable floor area
 - (f) Others - as required by the Development Authority
- (h) Minimum Number of Off-Street Loading Spaces - as required by the Development Authority
- (i) The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including accessory buildings, structures and signs, and any reconstruction shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matter with adjacent buildings.

- (j) Where groups of commercial uses are to be built on a single lot or grouping of lots, regulations shall be determined by the Development Authority, who shall deal with the overall scheme for the site, taking into account buildings, access, parking and specific commercial uses.
- (k) Regulations for One family dwellings
The regulations for one family dwellings shall be as indicated in the Residential (R) District.
- (l) No use shall be established that may, in the opinion of the Development Authority, become obnoxious by way of odour, noise, or dust.
- (m) For all other provisions and requirements, see Sections 1 and 2 of this Schedule B.

3.4 COMMERCIAL DISTRICT - C2

The General Purpose of this District is to permit commercial development of a secondary nature.

1. Permitted Uses

- (a) Automobile, recreational vehicle, and light truck sales and service
- (b) Farm and industrial machinery sales and service
- (c) Garages
- (d) Lumber yards
- (e) Plumbing shops
- (f) Sheet metal shops
- (g) Warehouses
- (h) All uses listed as permitted uses in the C1 District
- (i) Buildings and uses accessory to permitted uses

2. Discretionary Uses

- (a) Clubs
- (b) Drive-in businesses
- (c) Funeral parlours
- (d) Hotels
- (e) Laundries
- (f) Motels
- (g) All uses listed as discretionary uses in the C1 District
- (h) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (i) Buildings and uses accessory to discretionary uses

3. Regulations

- (a) Minimum lot area - 140 m²
- (b) Minimum lot width - 5.0 m
- (c) Minimum yards
 - (i) Front - None, except where the Development Authority may deem it necessary to conform with existing development
 - (ii) Side - None, if the subject lot is bordered on both sides by land classified C1 or C2. If the subject lot is bordered by a Residential District on a side, the minimum side yard on that side shall be 1.5 m.
 - (iii) Rear - 6.0 m, or as required by the Development Authority
- (d) Maximum site coverage

80%, provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority

- (e) **Minimum Floor Area - as required by the Development Authority**
- (f) **Maximum Height of Buildings - 13.5 m**
- (g) **Minimum Number of Off-Street Parking Spaces - as required by the Development Authority**
- (h) **Minimum Number of Off-Street Loading Spaces - as required by the Development Authority**
- (i) **The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including accessory buildings, structures and signs, and any reconstruction shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matter with adjacent buildings.**
- (j) **Regulations for One family dwellings**

The regulations for one family dwellings shall be as indicated in the Residential (R) District.
- (k) **No use shall be established that may, in the opinion of the Development Authority, become obnoxious by way of odour, noise, or dust.**
- (l) **For all other provisions and requirements, see Sections 1 and 2 of this Schedule B.**

3.5 INDUSTRIAL DISTRICT - M

The General Purpose of this District is to provide opportunities for light industrial and manufacturing uses, with heavier industry allowed in approved locations at the discretion of the Development Authority. Uses and operations with this District shall not cause or permit any external objectionable or dangerous conditions apparent beyond any building housing processes wherein such effects may be produced, including but not limiting the generalities thereof, the following objectionable features, namely: noise, vibration, smoke, dust and other kinds of particulate matter, odour, toxic and noxious matter, radiation hazards, fire and explosive hazards, humidity and glare.

1. Permitted Uses

- (a) Light industrial uses
- (b) Servicing establishments
- (c) Warehousing; storage, and distribution of raw materials, processed or manufactured goods
- (d) All uses listed as permitted or discretionary uses in the C1 and C2 Districts
- (e) Buildings and uses accessory to permitted uses

2. Discretionary Uses

- (a) Industrial uses that may be obnoxious by reason of emission of odours, dust, smoke, gas noise or vibration
- (b) Municipal uses that are not restrictive and are compatible with an industrial area
- (c) Recreational uses that are not restrictive and are compatible with an industrial area
- (d) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (e) Buildings and uses accessory to discretionary uses

3. Regulations

- (a) Minimum lot area - as required by the Development Authority
- (b) Minimum yards
 - (i) Front - 9.0 m
 - (ii) Side - as required by the Development Authority
 - (iii) Rear - 9.0 m
- (c) Maximum lot coverage - 60%
- (d) Maximum building height - 10.7 m

3.6 COMMUNITY DISTRICT - P

The General Purpose of this District is to permit the use of land for service, mainly of a public nature, which have a primary orientation toward the community.

1. Permitted Uses

- (a) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses
- (b) Accessory buildings and uses

2. Discretionary Uses

- (a) Cemeteries
- (b) Federal, provincial and municipal buildings and uses
- (c) Public utilities
- (d) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

3. Regulations

- (a) Maximum Height of Buildings - 10.7 m, unless otherwise approved by the Development Authority
- (b) Minimum Required Yards
 - (i) Front - 9.0 m, or as required by the Development Authority
 - (ii) Side - 4.5 m, or as required by the Development Authority
 - (iii) Rear - 7.5 m, or as required by the Development Authority
- (c) All other regulations shall be as required by the Development Authority

3.7 INSTITUTIONAL DISTRICT - I

The General Purpose of this District is to permit development of uses of either a public or private nature which provide services to the community.

1. Permitted Uses

- (a) Churches
- (b) Community Halls
- (c) Hospitals and Nursing Homes
- (d) Schools
- (e) Senior citizens homes and similar buildings
- (f) Accessory buildings and uses

2. Discretionary Uses

- (a) Cemeteries
- (b) Clubs or lodges
- (c) Day cares
- (d) Public or quasi-public buildings and uses
- (e) Public utilities
- (f) Recreational uses
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

3. Regulations

- (a) Maximum Height of Buildings - 10.7 m, unless otherwise approved by the Development Authority
- (b) Minimum Required Yards
 - (i) Front - 9.0 m, or as required by the Development Authority
 - (ii) Side - 4.5 m, or as required by the Development Authority
 - (iii) Rear - 7.5 m, or as required by the Development Authority
- (c) All other regulations shall be as required by the Development Authority

3.8 URBAN RESERVE DISTRICT - UR

The General Purpose of this District is to reserve those lands on the periphery of the municipality which, by their relationship to existing land uses, the main road system, and the established utility systems, will in time become suitable for general urban uses.

1. Permitted Uses

- (a) Public parks
- (b) Farming and cultivation of land, but not including such agricultural uses as feed lots, hog barns, poultry farms and fur farms
- (c) Market gardening
- (d) Horticultural nurseries and greenhouses
- (e) Accessory buildings and uses

2. Discretionary Uses

- (a) Any strictly temporary use or building which in the opinion of the Development Authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future
- (b) Home occupations
- (c) One family dwellings on existing parcels only
- (d) Public or quasi-public buildings and uses
- (e) Public utilities
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

3. Regulations

- (a) No subdivision or development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish a plan showing the subdivision design, the proposed land use classification, public reserve dedications and utilities policies.
- (b) Maximum Height of Buildings - 10.7 m, unless otherwise approved by the Development Authority
- (c) Minimum Required Yards
 - (i) Front - 9.0 m, or as required by the Development Authority
 - (ii) Side - 4.5 m, or as required by the Development Authority
 - (iii) Rear - 7.5 m, or as required by the Development Authority
- (d) Minimum Floor Area
 - (i) One family dwellings - same as in the Residential (R) District
 - (ii) Other uses - as required by the Development Authority

- (e) Water supply and sewage disposal shall be provided in compliance with the requirements of Provincial legislation and regulations.
- (f) For all other provisions and requirements, see Sections 1 and 2 of this Schedule B.

FORMS

**THESE FORMS
ARE NOT PART OF**

BY-LAW # 291

BUT ARE INCLUDED HERE FOR INFORMATION

VILLAGE OF AMISK LAND USE BY-LAW

APPLICATION FOR DEVELOPMENT (Regular Form)

I hereby make application under the provisions of the Land Use By-law for a Development Permit in accordance with the plans and supporting information submitted herewith and which forms part of this application.

Applicant: _____ Telephone: _____

Address: _____

Owner of Land: _____

Address: _____

Interest of Applicant if not Owner of land: _____

Address of property to be developed: _____

Lot (parcel): _____ Block: _____ Registered Plan No.: _____

Existing use of land or buildings on the property: _____

Proposed Main Use: _____

Proposed Accessory Use: _____

Land Use District: _____ Lot type: Interior _____ Corner _____

Lot width: _____ Lot length: _____ Lot area: _____

Proposed Yards: Front: _____ Rear: _____ Side: _____

Proposed Floor Area: _____

Height of Main Building: _____ Height of Accessory Building(s): _____

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

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

Estimated commencement date: _____ Estimated completion date: _____

Other supporting material attached: _____

Signature of Applicant: _____ Date: _____

NOTICE OF DECISION - OFFICIAL USE ONLY

The above application has been APPROVED _____ REFUSED _____

Conditions of Approval (if any)

Reasons for Refusal

Date of Decision: _____, 19 ____

Date of Issue of this Notice and Permit: _____, 19 ____

Signed: _____
Development Authority

IMPORTANT: Read Note on Other Side

DEVELOPMENT PERMIT APPROVED

You are hereby authorized to proceed with the development specified provided that any conditions of approval are complied with, that the development is in accordance with the approved plans and applications, and that a Building Permit is obtained if construction is involved that requires a Building Permit. **Should an appeal be made against this decision to the Subdivision and Development Appeal Board, this Development Permit shall be null and void until and unless its issuance is confirmed by the Subdivision and Development Appeal Board.**

NOTE:

1. This Development Permit in accordance does not become effective until 15 days after the date notification of the decision on the Development Permit is publicized.
2. The Land Use By-law provides that any person claiming to be affected by a decision of the Development Authority on a Development Permit may appeal the decision to the Subdivision and Development Appeal Board by serving written notice of appeal to the Secretary of the Subdivision and Development Appeal Board, together with reasons and the appropriate fee as established by Council within 14 days after the decision of the Development Authority on a Development Permit is publicized.
3. If the development authorized by this Development Permit is not commenced within 12 months from the date of issue of the Permit and carried out with reasonable diligence, this permit shall be null and void.

NOTICE OF REFUSAL

You are further notified that you may appeal this decision to the Subdivision and Development Appeal Board in accordance with the provisions of Part Four of the Land Use Bylaw of the Village of Amisk. Such an appeal shall be made in writing, shall include reasons for the appeal and the necessary fee as established by Council, and shall be delivered either personally or by mail so as to reach the Secretary of the Subdivision and Development Appeal Board not later than fourteen (14) days following the date of this notice. The notice of appeal shall contain a statement of the grounds of appeal.

DEVELOPMENT PERMIT

Development involving Application No. _____ has been:

_____ APPROVED

_____ APPROVED, Subject to the following conditions,

You are hereby authorized to proceed with the development specified, provided that:

- a) any stated conditions are complied with;
- b) development is in accordance with any approved plans and applications; and
- c) all applicable permits are obtained.

Should an appeal be made against this decision to the Subdivision and Development Appeal Board, the development permit does not come into effect until the appeal has been determined and the permit may be modified or nullified.

Date of Decision _____ Date of Issue of Development Permit _____

Development Authority _____

NOTE:

- 1. This Development Permit does not become effective until 15 days after the date of issue.
- 2. The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Authority may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal, together with reasons and the appeal fee as established by Council, to the Secretary of that Board within 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 12 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.

Re: Application No. _____

NOTICE OF REFUSAL

You are hereby notified that your application for a development permit has been **REFUSED** for the following reasons:

You may appeal this decision to the Subdivision and Development Appeal Board in accordance with Part Four of the Land Use Bylaw. The appeal is to be made in writing to the Secretary of that Board, together with reasons and the appeal fee as established by Council, within fourteen (14) days after the date of issue of this notice.

Date of Decision _____

Date of Notice of the Decision _____

Development Authority

Re: Application No: _____

NOTICE OF DECISION OF THE DEVELOPMENT AUTHORITY

This is to notify you of a decision of the Development Authority 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 Bylaw provides that any person claiming to be affected by a decision of the Development Authority may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal, together with reasons and the appeal fee as established by Council, to the Secretary of that Board within 14 days after notice of the decision is given.

Re. Development Permit Application No: _____

NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the Subdivision and Development Appeal Board against a decision on Development Permit Application No. _____

concerning: _____

The decision was to _____ the development permit.

Place of Hearing: _____

Time of Hearing: _____

Date of Hearing: _____

Any person affected by the decision of the Development Authority may appear at the Subdivision and Development Appeal Board hearing and make representations to the Board. Anyone wishing to make a written presentation at the Hearing is requested to submit any written brief to the Secretary of the Board before _____.

Date

Secretary,
Subdivision and Development
Appeal Board

Re: Development Permit Application No: _____
Development Permit No: _____

NOTICE OF APPEAL DECISION

This is to notify you that an appeal against a decision with respect to Application No. _____/Development Permit No. _____ was considered by the Subdivision and Development Appeal Board on _____, 19____ and the decision of the Board is as follows and for the following reasons.

Date

Secretary,
Subdivision and Development
Appeal Board

Note:

A decision of the Subdivision and Development Appeal Board is final and binding and subject only to an appeal upon a question of jurisdiction or law pursuant to the Municipal Government Act, 1994, as amended. An application for leave to appeal may be made to a judge of the Court of Appeal within 30 days after the issue of the decision by the Subdivision and Development Appeal Board.

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

I/We hereby make application to amend the Land use Bylaw.

Applicant: Name: _____ Telephone: _____

Address: _____

Owner of Land: Name: _____ Telephone: _____

Address: _____

Land Description: Lot: _____ Block: _____ Registered Plan No: _____

Certificate of Title: _____

Amendment Proposed

FROM _____ TO _____

Reasons in support of Application for Amendment

DATE _____ SIGNED _____

STOP ORDER

Please be advised that you, as the registered owner, person in possession, or the person responsible, are immediately required, by virtue of this Order as per Section 545 of the Municipal Government Act, 1994, as amended, to stop

_____ the development or construction of _____

_____ the use of land being

on the parcel of land know as _____

and to _____ demolish _____

_____ remove _____

by _____ to make same comply with the Village

of Edgerton Land Use Bylaw and the Municipal Government Act, as amended.

You may appeal this Order to the Subdivision and Development Appeal Board within 14 days of the date of this Order. If you should fail to comply with this Order, the Village may take legal action under the Municipal Government Act. The maximum fine for contravening a bylaw under the Municipal Government Act is \$10,000.

Date: _____

DEVELOPMENT AUTHORITY