

# VILLAGE OF CONSORT



## LAND USE BYLAW NO. A-858

*Consolidated to include amendments up to November 1, 2019*



**VILLAGE OF CONSORT  
BYLAW A-858**

**Whereas**, pursuant to the Municipal Government Act R.S.A. 2000 c.M-26 as amended or repealed and replaced from time to time, Council shall pass a bylaw, to be known as the "Village of Consort Land Use Bylaw".

**Now therefore**, the Council of the Village of Consort duly assembled enacts as follows:

1. This Bylaw shall be cited as the "Village of Consort Land Use Bylaw".
2. Council adopts as the Land Use Bylaw for those lands contained within its corporate boundaries, the "Village of Consort Land Use Bylaw" in its entirety.
3. Council adopts as the "Village of Consort Land Use Bylaw" this text and the accompanying Land Use District Map.

**Severability**

4. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

**Enactment**

5. This Bylaw shall take effect as of the date of final reading thereof.
6. Bylaw #A-855 and all amending bylaws are now hereby repealed.

READ A **FIRST TIME** this 16<sup>th</sup> day of December, 2019.

Public Hearing Held on this 20<sup>th</sup> day of January, 2020.

READ A **SECOND TIME** this 20<sup>th</sup> day of January, 2020.

READ A **THIRD TIME AND FINALLY PASSED** this 20<sup>th</sup> day of January, 2020.

Signed by the Chief Elected Official and Chief Administrative Officer this 20<sup>th</sup> day of January, 2020.

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Michael Beier, Mayor

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Barbara Kulyk, CAO



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## **PART I: PURPOSE & DEFINITIONS**

### **1.1 Purpose**

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Municipality to achieve the orderly and economic development of the Village of Consort.

### **1.2 Definitions**

In this Bylaw:

**“Abattoir”** means a building where animals are butchered;

**“Abut or Abutting”** means immediately contiguous to or physically touching, and when used with respect to a lot, means that the site physically touches upon another lot and shares a property line with it;

**“Accessory Building”** means a structure separate and subordinate to the principal building; and is located on the same parcel of land i.e. detached garage, shed, workshop in a residential land use district). All accessory buildings shall adhere to the requirements of Part VII of this bylaw;

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

**“Act”** means the Municipal Government Act R.S.A. 2000 c. M-26, as amended or repealed and replaced from time to time;

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

**“Agrochemical Production”**; means the manufacturing and storage of a variety of agricultural chemical products including, but not limited to, insecticides, herbicides, fertilizers, and fungicides;

**“Agrochemical Storage and Sales”**; means the storage and sales of bulk agricultural chemical products including, but not limited to, insecticides, herbicides, fertilizers, and fungicides;

**“Airport”** means a site used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and includes any building, installation or equipment in connection therewith for which an airport license has been issued by the Ministry of Transport;

**“Amenity Area”** means an on-site indoor developed space and/or outdoor landscaped area for the personal enjoyment and recreation of the occupants of a residential development;

**“Amusement Establishment, Indoor”** means an indoor facility within any building, room or area having table games or electronic games played by patrons for entertainment, typical uses include bingo halls, arcades, pool halls, casinos or similar games;

**“Amusement Establishment, Outdoor”** means a development providing facilities for entertainment and amusement activities, which primarily take place out-of-doors, where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks, and miniature golf establishments;

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

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

**“Automotive Dealership”** means a use:

- a) Where motor vehicles are sold or leased;
- b) May only store or display vehicles on portions of the parcel approved exclusively for storage or display; and
- c) That may have a building for administrative functions associated with the use;
- d) Which may include repair bays;

**“Auto Wrecker”** means a use;

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

**“Bed & Breakfast Establishment”** means accommodation facilities within an owner-occupied dwelling comprising up to four (4) guest rooms but no cooking facilities in guest rooms;

**“Boarding or Lodging House”** means a detached dwelling converted for gain of profit containing rooms for two or more persons where meals may or may not be served, not including a hotel, motel, restaurant, café, coffee shop, drive-in refreshment stand or other similar use;

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

**“Building Supply Depot”** means a facility for the purpose of supplying goods, materials, and/or services that support construction uses, whether processing, retail, wholesale, or in bulk. This use may require limited outdoor storage.

**“Bulk Fuel Sales Depot”** means a use where fuel for motor vehicles and/or propane is either sold with or without an attendant;

**“Campground”** means a use:

- a) Where spaces are provided for temporary (no longer than 2 weeks) accommodation of recreational vehicles or tents;
- b) That may include a building for the administration of the use;
- c) That may include laundry facilities for the occupants of the use; and
- d) That may include a dwelling unit for a manager;

**“Campsite”** means a specified area or site within a campground or other recreational area intended for occupancy by tents, tent trailers, holiday trailers, campers, motor homes and similar recreational vehicles on a limited short-term basis. This does not include sites or parcels for manufactured homes, cabins, motels, hotels, or boarding or



lodging houses. The area shall not be used for storage or accommodation for permanent residential use;

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

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

**“Cannabis Production Facility”** means a premise used for growing, producing, testing, destroying, storing or distribution of Cannabis authorized by a license issued by the federal Minister of Health. Distribution of Cannabis does not include a “Cannabis Retail Sales” use.

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

**“Carport”** means an accessory structure attached to a principal building, designed and used for the shelter and storage of vehicles which has no door through which the vehicle enters the structure;

**“Car Wash”** means a use where motor vehicles are washed and may contain one or more wash bays where each wash bay is capable of washing one motor vehicle and must provide at least two (2) vehicle stacking spaces for each wash bay entrance door;

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

**“Church”** – see “Worship Facility”;

**“Clinic”** means an establishment in which medical, dental or other professional healing treatment is given;

**“Community Centre”** means a building owned and operated by the Municipality or a community service group that provides social, recreational and other facilities for the general public, but not religious institutions;

**“Communications Tower”** means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals. Communication Towers are regulated by Industry Canada. However, municipal consultation is required and considerations respected;

**“Contractor’s Shop”** means a use:

- a) Where people with specific skills in the building or construction trades enter into contracts to do work off the premises;
- b) Where all the functions associated with the use are entirely within a building;
- c) Where products relevant to the trade may be made or partially assembled for installation off-site;
- d) Where an area, contained within the building, may be used for product display and sales associated with the use;
- e) That may have an area to keep supplies related to the trade;
- f) That may have the administrative functions associated with the use; and

- g) Where the outdoor storage of supplies, finished products, equipment, tractors, skid-steer, dump truck, mechanized lift buckets, cranes or other yard equipment is considered as a separate use defined as **storage yard**;

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

**"Council"** means the Council of the Village of Consort;

**"Curb Cutting"** means the cutting or lowering of a curb, sidewalk or boulevard, to provide a driveway for vehicular and/or pedestrian access to a site;

**"Daycare"** means a development licensed by the Province of Alberta to provide personal care and education for seven (7) or more children, but does not include overnight accommodation. Typical uses include nursery schools, kindergartens and play schools;

**"Dayhome"** means a home or private facility in which six (6) or fewer children or adults can be supervised during the day. These facilities are not licensed by the Province;

**"Deck"** means the paved, wooden or hard-surfaced area adjoining a house, more than 0.6 meter (23.4 inches) above grade at any point, used for private outdoor living;

**"Developer"** means an owner, agent or any person, firm or company required to obtain or having obtained a Development Permit;

**"Development"** means:

- a) An excavation or stockpile and the creation of either of them; or
- b) A building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them; or
- c) A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
- d) A change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

**"Development Authority"** means:

- a) A person or persons appointed as Development Officer by bylaw; or
- b) The Municipal Planning Commission of the Village of Consort; or
- c) In the case of Direct Control (DC), Village Council.

**"Development Commencement"** means the moment construction is started on site (i.e. Excavation) or the land use has begun for the purposes of the development permit application;

**"Development Completion"** means the moment the required building/development permit conditions and requirements have been met for the purposes of the development permit application and/or the final inspection reports have been received (as required for the project);

**"Development Officer"** means an official of the Village of Consort authorized to administer this Bylaw and to decide upon applications for development permits in accordance with the provisions of this Bylaw and the Act;

**"Development Permit"** means a document issued pursuant to this Land Use Bylaw authorizing a development;

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

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

**"Dwelling"** means any building or structure used exclusively for human habitation and which is supported on a permanent foundation as required by the Alberta Building Code and includes the following types:

- a) **"Apartment"** means a residential building designed and built to contain four or more dwelling units with shared services, facilities and outside entrances, where none of the dwelling units are rented or are available for rent or occupation for periods of less than thirty (30) days;
- b) **"Detached"** means a conventional built-on-site residential building, not including manufactured or modular homes that contain one dwelling unit;
- c) **"Duplex"** means a single residential building containing two dwelling units divided vertically, with each unit having a separate entrance. The units may be rental or fee-simple.
- d) **"Manufactured Home"** means a detached dwelling (that has a serial number) built in an enclosed off-site factory environment in one or more sections and intended to be occupied in a location other than where it was manufactured. Manufactured homes include homes that are completely self-contained single section dwelling units or are incomplete multi-section modules that are placed together and completed on-site. A manufactured home is transported to the building site on dollies (wheels) or a flat-bed truck and after placement, the dollies are removed from the site. Manufactured homes may be constructed to either the C.S.A. Z240 or C.S.A. A277 Standards. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions and the Alberta Building Code and shall meet the requirements of **Part VII** of this bylaw;
- e) **"Manufactured Home Single-wide"** means a manufactured home consisting of a single unit designed to be towed in a single load;
- f) **"Manufactured Home Double-wide"** means a manufactured home consisting of two sections separately towable, but designed to be joined together at the site to form one dwelling unit;
- g) **"Modular Home"** means a prefabricated or factory-built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular home represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more completed dwelling(s) for year-round occupancy. Modular homes shall be constructed to CSA A-277 Standard and are not to be considered as manufactured homes under this Bylaw. The structure will be congruent in appearance to existing single family homes;
- h) **"Moved On Building"** means a structure used at a previous location that has now been relocated to a new parcel for use as a dwelling;
- i) **"Park Model"** means a recreational vehicle conforming to CAN-CSA series Z241 that may be used as a permanent or semi-permanent dwelling. The minimum allowable size of a park model is 29.74 sq. meters (320 sq. ft.);
- j) **"Ready-to-Move (RTM)"** means a newly constructed single detached dwelling that is constructed in an off-site location in accordance with the Alberta Building code and moved to the site to be set on a permanent foundation to be similar in

function and appearance to a conventional built-on-site single-detached dwelling. This definition does not include modular or manufacture homes;

- k) **"Row-House"** means a development consisting of a building containing a row of three (3) or more dwellings joined in whole or in part at the side only with no dwelling being placed over another in whole or in part. Each dwelling shall have separate, individual and direct access to grade;
- l) **"Townhome"** means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall each unit having separate entrances from grade level. (For the purposes of this Bylaw, garden, linked, row, village houses, four-plex, five-plex, and six-plex units which meet these criteria are considered to be attached houses.);

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

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

**"Existing"** means existing as of the effective date of passage of this Bylaw;

**"Fabric Covered Building"** means a fabric-membrane pre-engineered building for temporary & permanent industrial, commercial & agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas & event centers. All fabric covered buildings shall require the appropriate building permits to ensure all aspects of the development are in accordance with the Alberta Safety Codes including appropriate foundation construction and building anchoring;

**"Family and Group Care Facility"** means a development that may include care or rehabilitation for physical or mental counseling or treatment. The development may provide for residential care including meals, sleeping accommodation and incidental care supplied by care-givers or staff wherein the maximum number of permitted residents plus staff may not exceed six (6) non-related individuals. The facility shall meet the requirements of applicable Provincial regulations for the use, but does not include a shelter;

**"Farm Machinery Sales and Service"** means a use where farm equipment and tools that are intended for use in farming operations are sold and repaired. This includes, but is not limited to combines, tractors, implements and motor attachments. The use does not include automobiles;

**"Fence"** means a vertical physical barrier constructed out of typical building material for the purpose of providing privacy or preventing unauthorized access or both;

**"Financial Institution"** means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker or related business, which may also include provision of drive-through access;

**"Fitness Center"** means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs, health and fitness clubs;

**"Front Lot Line"** means the boundary dividing the lot from an abutting street. In the

case of a corner lot, the boundary providing direct access to the street shall be deemed to be the front lot line;

**"Front Yard"** means a yard extending across the full width of a parcel from the front lot line of the parcel to the front foundation of the main building situated on the parcel;

**"Funeral Home"** means a development used for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of the human body for interment. This use does not include crematoriums;

**"Garage, Private"** means an accessory building designed and used for storage of motor vehicles;

**"Golf Course"** means the game playing area and ancillary buildings and uses related to the playing of the game of golf, including, for example, pro shop, club house, restaurant, licensed dining area, lounge, driving range and picnic area.

**"Government Services"** means Municipal, Provincial or Federal services provided directly to the public. This does not include protective and emergency services, utility services and public education services. Typical uses include the Village Office, Special Areas administrative office, and post office;

**"Grade Level"** means the elevation of the finished ground surface. Where grade level is varied on the site the average elevation of finished ground surface calculated at the corners of the development shall determine grade level;

**"Greenhouse"** means development for the raising, storage and sale of produce, bedding plants and related materials. Any aggregate sales must be minor and incidental to the primary use of the growing and sale of plants for commercial purposes. Greenhouse does not include a "Cannabis Production Facility";

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

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

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

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

- a) The highest point of the roof in the case of a building with a flat roof or a deck roof;
- b) The average level of a one-slope roof;
- c) The highest point in the case of a pitched, gambrel, mansard, or hipped roof;

**"Home Occupation"** means any occupation, trade, profession, or craft carried on by an occupant of a residential building or a use secondary to the residential use of the building, and which does not change the residential nature of the building nor the neighborhood or have any exterior evidence of such secondary use other than a small name plate, not exceeding 0.28 m<sup>2</sup> (3 sq. ft.) in area. A home occupation does not

include “Cannabis Retail Sales”, the outside storage of materials, goods or equipment, or the employment of more than one paid assistant other than the occupant and the occupant's family;

**Hotel** means a development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. The use may include accessory food and beverage service facilities, meeting rooms, personal service shops, and general retail shops.

**“Institutional and Public Use”** means land uses which serve a community’s social, health and cultural needs. Typical uses include a hospital, fire hall, museum, library, courthouse or other such facility. This use does not include schools or parks.

**“Kennel”** means any place where three or more dogs and/or 5 or more cats over the age of 90 days are cared for, maintained, boarded, bred or trained, whether or not the owner receives compensation for such activities;

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

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

**“Library”** See “Institutional and Public Use”;

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

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

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

**"Lot"** means:

- a) A quarter section;
- b) a river lot or settlement shown on an official plan referred to in the Surveys Act that is filed or lodged in the Land Titles Office; or
- c) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or
- d) A part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;

**“Lot Corner”** means a lot or site located at the intersection of two (2) public roadways, other urban lanes, or a lot or site located abutting a public roadway, other than a lane, which substantially changes direction at any point where it abuts the lot or site;

**“Lot Depth”** means the average horizontal distance between the front and rear lot lines;

**“Lot Line, Front”** See Front lot line;

**“Lot Line, Rear”** means either the property line of a lot, which is furthest from and opposite the front lot line, or where there is no such property line, the point of intersection of any property lines other than a front lot line, which is furthest from and opposite the front lot line;

**“Lot Line, Side”** means the property line other than front lot line or rear lot line;

**“Lot Width”** means the horizontal measurement between the side lot lines measured from the front boundary of the lot, or the mean horizontal measurement on irregular-shaped lots;

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

**"Manufactured Home Park"** means a parcel of land under one title which has been planned and divided into manufactured home sites and improved for placement of manufactured homes for permanent residential use;

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

**“Manufacturing”** means the processing of materials to make goods or wares by manual or mechanical means, especially on a large scale;

**“Motel”** means a development for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. It may include accessory food and beverage service facilities.

**"Municipality"** means the area of land contained within the boundaries of the Village of Consort's corporate limits, as delineated on the Land Use Map, being Schedule A of this Bylaw;

**"Municipal Planning Commission" or (MPC)** means the Consort Municipal Planning Commission established by Council pursuant to the Act;

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

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

**“Office”** means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include, but are not limited to, government offices, lawyer firms, accountants, travel agents, real estate firms, insurance agencies, planners and other consultants, dentists, clerical services and secretarial agencies. This excludes the servicing and repair of goods, the sale of goods to the customer on site, and the manufacture or handling of a product.

**"Parcel"** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office;

**“Park”** means a development specifically designed or reserved for the general public for active or passive recreational use and includes all natural and manmade landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purpose of public parkland, whether or not such recreational facilities are publicly operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, etc.

**“Parking Lot”** means a surface level area where cars or other vehicles may be left temporarily and where a fee may be charged for usage;

**“Party Wall”** means either a wall erected at, or upon a line separating two parcels of land, each of which, or is capable of being, a separate legal parcel, each of which is, or is capable of being, a separate legal parcel divided under the *Condominium Property Act*;

**“Patio”** means an uncovered horizontal structure with a surface height no greater than 0.6 meters (23.4 inches) above grade at any point and which is adjacent to a residential dwelling and intended for use as a private outdoor amenity space;

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

**“Personal Service Establishment”** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body. Or the cleaning and repair of personal effects including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops and other similar uses;

**“Post Office”** see “Government Services”;

**“Principal Building”** means a building in which is conducted the main or dominant use of the site on which it is erected;

**"Rear Yard"** means a yard extending across the full width of a parcel from the rear foundation of the main building situated on the parcel to the rear boundary of the parcel;

**“Recreational Vehicle”** means a tent trailer, holiday trailer, camper, motor home, and similar recreational vehicles.

**“Recreational Vehicle Storage”** means a facility for the indoor warehousing of recreational living units and vehicles

**“Recreation Facility or Uses”** means development of an indoor or outdoor facility or space, intended to serve the community at large. Typical uses include, but are not limited to, swimming pools, sports fields, hockey rinks, arenas, tennis courts or a multi-purpose facility. Recreation uses may also utilize undeveloped tracts of land which generally do not require building, facility or structures. Examples of such uses include, but are not limited to, cross country ski trails and walking or riding paths.

**“Renewable Energy System”** means a use:

- a) That produces electrical power to be principally used for the on-site consumption requirements by alternative means such as, but not limited to, active and passive



- solar collectors, photovoltaic solar panels, or geothermal energy but not including wind energy towers;
- b) May be connected or disconnected from the electrical grid in accordance with the requirements of the power line company;
  - c) May provide residual power to the grid but is not intended to produce power primarily for resale;
  - d) A Renewable Energy System shall be in accordance with **Part VII**;

**“Residential Security Operator”** means a dwelling unit which is accessory and incidental to the primary commercial or industrial use of the site to be used by an owner or employee of the business to administer maintenance and/or security for the site. No residential units shall be permitted on a site where there is no principal use.

**“Restaurant”** means a use:

- a) Where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
- b) That may be licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and
- c) That may contain a drive-through as a separate use;

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

**“Secondary Suite”** means an accessory dwelling unit that is located as part of the same building as a single detached dwelling that is owner occupied and which meets the requirements of this bylaw and any other applicable requirements or regulations and shall only be approved as one of the following:

- a) Secondary Suite – attached above grade: where the secondary suite is located above the first storey of a single detached dwelling;
- b) Secondary Suite – attached at grade: where the secondary suite is located at grade and is attached to the side or rear of a single detached dwelling; and
- c) Secondary Suite – attached below grade: where the secondary suite is located below the first storey of a single detached dwelling;

**“Self-Storage Facility”** means a use:

- a) Where goods are stored in a building;
- b) Where the building is made up of separate compartments and each compartment has separate access;
- c) That may be available to the general public for the storage of personal items;
- d) That may include the administrative functions associated with the use; and
- e) That may incorporate security or custodial quarters (Residential Security Operator) for the facility;

**"Senior Citizens Housing"** means any not-for-profit, multiple unit dwelling constructed in compliance with the Senior Citizens Housing Act;

**“Service Station”** means a development which provides for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories. This use may also provide for secondary retail in the form of a convenience store, restaurant and/or car wash, and for the washing, servicing and repair of vehicles within a building;

**"Setback"** means the distance that a development must be situated from a property line or any other features of a site specified by the Bylaw. A setback is not a yard;

**"Shopping Centre"** means a group of commercial establishments planned, developed, owned, and managed as a unit with all parking provided on the site;

**"Side Yard"** means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side boundary of the parcel and the side foundation of the main building;

**"Sign"** means a device or structure for providing direction or providing information or calling attention to such things as a development, business, product, service, location, object, event or person;

- a) **"A-Frame Sign"** means an A-shaped sign, which is set upon the ground and has no external supporting structure. Also known as a sandwich board;
- b) **"Animated Sign"** means a sign, which uses movement or change of lighting to depict action or create special effects or a pictorial scene but does not include a clock;
- c) **"Area of Sign"** means the total surface area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area;
- d) **"Auxiliary Sign"** means a sign of any type, which is attached to the face, copy, backing, lighting or supportive structure of any sign;
- e) **"Awning Sign"** means a sign made of canvas-like, non-rigid material affixed to a frame and attached to a building wall; may also be known as a canopy sign;
- f) **"Banner Sign"** means a sign that is constructed of non-rigid, lightweight, or flexible fabric material capable of being displayed without the use of a flag pole or attached to a structure or building or light pole and does not include national, provincial or municipal flags;
- g) **"Bench Sign"** means any sign which is placed or erected on an immobile seat;
- h) **"Billboard Sign"** 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, may include poster panels and painted bulletins, copy is pasted, glued, painted or otherwise fastened for its periodic replacement;
- i) **"Changeable Message Sign"** means any sign type that has a changeable message whether the message is changed electronically or by other means;
- j) **"Community Information Sign"** means any sign intended to display information related to community organizations, events or not-for-profit groups;
- k) **"Directional Sign"** means
  - i. a sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site, defines business area, group of businesses or shopping mall;
  - ii. a sign which directs and regulates traffic;
  - iii. a sign denoting any public or transportation facility;
  - iv. a sign located on the site which gives direction to a private premises or its vehicular use area;
- l) **"Fascia Sign"** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building and does not include a billboard or mural;

- m) **"Flashing Sign"** means a sign, which contains an intermittent or flashing light source but does not include an automatic changeable message sign;
- n) **"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, also known as a pylon sign;
- o) **"Illuminated Signs"** means any sign that uses internal or exposed illumination including, but not limited to, electric lamps, neon tubing, light emitting diodes and liquid crystal displays. Illuminated signs shall not employ the use of strobe lighting. All illuminated signs shall be considered as a **discretionary use**;
- p) **"Inflatable Sign"** means an inflated, three-dimensional device that is affixed or anchored to the ground or a structure;
- q) **"Mural"** means a sign that is painted or sculpted onto a building wall and is considered artistic rather than advertising and does not contain any product advertising;
- r) **"Portable Sign"** means **temporary** sign mounted on a stand of similar support and which together with the support can be relocated to another location on or off a site and may include copy that can be changed manually through the use of attachable characters. Such signs are typically operated by a business which leases these signs to other businesses;
- s) **"Projecting Sign"** means a sign which is attached to a building or structure so that part of the sign projects more than one foot from the face of the building or structure but does not include a canopy sign or awning sign;
- t) **"Roof Sign"** means any sign placed on or over a roof;
- u) **"Sandwich Board"** means a portable sign placed on the ground surface only within the frontage area of the business which is advertised;
- v) **"Wall Sign"** means a sign that:
  - i. Indicates, by name or symbol, the occupant, business or site upon which the sign is displayed; and
  - ii. Is painted directly onto an exterior wall of a building;

**"Single-Family Dwelling"** means a building containing one dwelling unit;

**"Site"** means a lot or parcel of land on which a development exists or occurs or for which an application for a development permit is made;

**"Site Coverage"** means the ratio of all principal and accessory buildings or structures (including enclosed or covered verandas, porches, decks) on a site to the total lot area. Such buildings and structures do not include steps, eaves, cornices or open decks;

**"Small Animal Care Center"** means a use:

- a) Where small animals are washed, groomed, trained or boarded;
- b) Where the animals must not be boarded overnight; and
- c) That may have the incidental sale of products relating to the services provided by the uses; and
- d) Must not have outside enclosures, pens or exercise areas;

**"Solar Energy Conversion System"** – (\*Private/Microgeneration) means a power plant consisting of active or passive solar panels and related facilities with a rated capacity of less than 1 megawatt, and which is intended to primarily provide electrical power for the on-site consumption requirements, either on or off-grid, and may provide residual power to the grid but is not intended to produce power primarily for resale;

\* A Private/Microgeneration system for solar energy does not prohibit the sale of excess capacity to the energy grid. However, the primary purpose of the system is to service the principle buildings and structures on the site."

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

**“Storage Yard”** means a use:

- a) Where goods, motor vehicles or equipment used in road construction, building construction, oilfield services and similar industries are stored outdoors;
- b) That may involve the storage of construction material such as oil and gas pipeline materials;
- c) That does not involve the production or sale of goods as part of the use;
- d) That may have a building for the administrative functions associated with the use;
- e) That does not include storage of derelict vehicles or an auto wrecker.

**"Structural Alterations"** means adjustments or changes made to load bearing walls within a structure;

**"Subdivision and Development Appeal Board"** means the Consort Subdivision and Development Appeal Board established by Council pursuant to the Act;

**"Temporary Development"** refers to a proposed development, where the intent is to operate the use or structure for a specified period of time, not to exceed one (1) year from the effective date of the permit issued in relation to the temporary development. Any temporary development permit will state a date on which the development will cease. Temporary Development shall be considered a discretionary use in all land use districts;

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

**“Transportation Terminal”** means a facility which conveys articles or goods. This usually includes an outdoor storage component for the vehicles, but does not include storage capacity for goods or materials.

**“Transfer Station and/or Recycling Facility”** means a use where recyclable materials are collected, sorted, stored and or processed and packaged for future reuse or appropriate disposal. Product may also be transported to other facilities for further preparation for reused or appropriate disposal. This use does not apply to auto wreckers;

**“Urban Agriculture”** means the practice of cultivating food within the Village boundaries. **Urban agriculture** in this community does NOT involve animal husbandry or aquaculture.

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

- a) Systems for the distribution of gas, whether artificial or natural;
- b) Facilities for the storage, transmission, treatment, distribution or supply of water;
- c) Facilities for the collection, treatment, movement, or disposal of sanitary sewage;
- d) Storm sewer drainage facilities;
- e) Systems for electrical distribution and lighting;
- f) Systems for telephone & cable television distribution;

**“Veterinary Service”** means development used for the care and treatment of small animals where the services primarily involve outpatient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept

within an enclosed building. This use class includes pet clinics, small animal veterinary clinics. This use class does not include animal hospitals or shelters;

**“Warehouse”** means a use:

- a) where goods are stored and packaged inside a building, including chemical storage and flammable materials;
- b) where goods are transported to and shipped from the use;
- c) where the building has loading docks and overhead doors;
- d) that does not accommodate any display or sales area; and
- e) that may have administrative functions associated with the use;

**“Wind Energy Conversion System” – \*Private/Microgeneration”** means a single wind turbine with rotors (blades) no larger than 1 metre in diameter and has a maximum tower height (measured from the ground to the centre of the rotor) of whatever the maximum height is per the zoning of the subject property. This unit has a nominal capacity, and is located on the applicant’s property;

\* A Private/Microgeneration system for wind energy does not prohibit the sale of excess capacity to the energy grid. However, the primary purpose of the system is to service the principle buildings and structures on the site.”

**“Work Camp”** means a residential complex used to house employees by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such a fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. A Work Camp may contain accessory uses such as temporary offices and storage areas;

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

**“Yard”** means a part of a parcel upon or over which no main building is erected.

**All other words and expressions have the meanings respectively assigned to them in the Municipal Government Act.**

## **PART II: ADMINISTRATIVE AGENCIES**

### **2.1 Development Authority – Agencies**

The Development Authority shall exercise development powers and perform duties on behalf of the municipality in accordance with **Section 642** of the *Municipal Government Act* and may include:

#### **1) Development Officer**

- a) The office of Development Officer is hereby established by Bylaw A-656, to act on behalf of Council and those matters shall include such duties as are specified in Bylaw A-656 and in **Part III** of this Bylaw.
- b) The Development Officer must make available for inspection, during office hours, all applications and decisions for development permits, subject to any legislation in force restricting availability.

#### **2) Municipal Planning Commission**

- a) The Municipal Planning Commission (MPC) established by Bylaw #A-656 shall perform such duties as are specified in Part III of this Bylaw.

#### **3) Subdivision and Development Appeal Board**

- a) The Subdivision and Development Appeal Board (SDAB) established by Bylaw #A-790 shall perform such duties as are specified in Part IV of this Bylaw.

### **2.2 Subdivision Authority**

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

### **2.3 Development Authority- Powers and Duties**

- 1) The Development Authority must administer this Bylaw and decide upon all development permit applications.
- 2) The types of development permit applications a development authority may consider in accordance with **Part III, Section 3.4** are a development permit for:
  - a) a permitted use that complies with all requirements of this Bylaw;
  - b) a permitted use that does not comply with all requirements of this Bylaw;
  - c) a discretionary use that complies with the requirements of this Bylaw;
  - d) a discretionary use that does not comply with all requirements of this Bylaw;
- 3) Unless otherwise referenced in **Part VII, Section 7.14**, the Development Authority must not approve a development permit for an addition or structural alteration to a non-conforming building.
- 4) The Development Officer must collect fees according to the schedule of fees approved by resolution of Council.
- 5) The Development Authority may refuse to accept a development permit application where:

- a) The information required by **Part III, Section 3.4** is not provided;
- b) The quality of the information provided is inadequate to properly evaluate the application;  
or
- c) The fee for a development permit application has not been paid.

## **2.4 Subdivision Authority- Powers and Duties**

The Subdivision Authority shall:

- 1) Keep and maintain for inspection of the public, copies of all decisions and ensure that copies of same are available to the public at a reasonable charge;
- 2) Keep a register of all applications for subdivision, including the decisions;
- 3) Receive all complete applications for subdivision, including the required application fees and decide upon all applications in accordance with the Subdivision and Development Regulation and Land Use Bylaw with consideration of all comments received through circulation and the recommendations of the Municipal Planning Commission;
- 4) On receipt of an application for subdivision, review to ensure sufficient information is provided in accordance with Part 1 of the Subdivision and Development Regulation;
- 5) Excepting subdivision applications not requiring circulation under the *Municipal Government Act* to circulate applications for subdivision for comments to those authorities and agencies as prescribed within the Subdivision and Development Regulation and this land Use Bylaw and all comments to be added to the subdivision report;
- 6) Excepting subdivision applications not requiring circulation under the *Municipal Government Act*, to circulate application for subdivision for comments to the Special Areas when the original parcel boundaries are adjacent to the municipal boundary or at the discretion of the subdivision authority, where a subdivision application is not adjacent to the municipal boundary but has potential for land use impacts within Special Areas;
- 7) Excepting subdivision applications not requiring circulation under the *Municipal Government Act*, the Subdivision Authority may proceed with processing of the application after thirty (30) days from the date of referral to authorities, agencies, or landowners whether or not comments have been received;
- 8) Prepare a subdivision report including all relevant information, recommendations and any comments received from circulated agencies for review with the Municipal Planning Commission for municipal recommendations;
- 9) Prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the Subdivision and Development Regulation;
- 10) Ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality;
- 11) Endorse Land Titles instruments to affect the registration of the subdivision of land;
- 12) Advise the Council, Municipal Planning Commission and Subdivision and Development Appeal Board on matters relating to the subdivision of land;
- 13) Appear before the Subdivision and Development Appeal Board or Municipal Government Board where appeals are made on subdivision application decisions.

## **2.5 Area Structure Plans (ASPs)**

At the discretion of the approving authority, an Area Structure Plan may be required if a proposed development, subdivision or Land Use Bylaw Amendment (rezoning) may impact future development.



## **PART III: DEVELOPMENT PERMIT APPLICATION**

### **3.1 Control of Development**

No development other than those designated in **Part III, Section 3.3** shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

### **3.2 Permit Fees**

All fees and charges under and pursuant to this Bylaw, and any amendments thereto, with respect to development and subdivision shall be as established by resolution of Council.

### **3.3 Development Permit Not Required**

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

- 1) The carrying out of works of maintenance or repair to a building provided that such works:
  - a) Do not include changes that would affect any of the regulations in this Land Use Bylaw (1.e. Building footprint, setbacks, height, etc.);
  - b) Do not change the use, or intensity of use, of the structure and;
  - c) Any structural alterations shall require the appropriate Safety Code permits.
- 2) The completion of a building which could be prohibited by this Bylaw, but was lawfully begun on or before the date of the first official notice (Sections 606 and 692 of the Act) of this Bylaw provided that the building:
  - a) Is completed within 12 months of the date of commencement; and
  - b) Complies with any development permit issued for it.
- 3) The use of any such building as is referred to in Subsection 3.3 (2) for the purpose for which construction was commenced.
- 4) The erection or construction or replacement of one (1) garden/tool shed per site, which does not exceed 9.29 m<sup>2</sup> (100 sq. ft.) in floor area and is not placed on a permanent foundation or connected to any utilities. Additional accessory buildings shall require a development permit application.
- 5) A temporary construction site building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit was issued under this Bylaw and which is removed from the site upon completion of construction/alteration.
- 6) The maintenance or repair of public works, services or utilities carried out by or on behalf of Federal, Provincial or Municipal public authorities on land which is publicly owned or controlled.
- 7) The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election, referendum or plebiscite.
- 8) The construction, maintenance and repair of private walkways, pathways, driveways, and similar works.

- 9) The construction of a patio, unenclosed deck or landing not higher than 0.6 meters (23.4 inches) above grade.
- 10) The placement of signs that:
  - a) Are for the purpose of identification, direction and warning, not exceeding 0.9 m<sup>2</sup> (10 ft.<sup>2</sup>) and limited to one sign per parcel;
  - b) Are temporary and are for the advertising sale or lease of property, not exceeding 0.55 m<sup>2</sup> (6 ft.<sup>2</sup>) in area and not more than 1.8 m (6 ft.) in height;
  - c) Relate to a person, partnership or company carrying on a profession, business or trade, not exceeding .28 m<sup>2</sup> (3 ft.<sup>2</sup>) and limited to one sign per parcel;
  - d) Relate to an institution of a religious, educational, cultural, recreational, or similar character or to an apartment block, club or similar institution, not exceeding 0.9 m<sup>2</sup> (10 ft.<sup>2</sup>) and limited to one sign per parcel;
  - e) Related to the function of Local Authorities and Utilities Boards; and
  - f) Relate to a Home Occupation and which do not exceed 0.28 m<sup>2</sup> (3 sq. ft.) and are fixed to the principal or accessory building.
- 11) An official notice, sign, placard or bulletin required to be displayed pursuant to provisions of Federal, Provincial or Municipal Legislation.

### **3.4 Application for a Development Permit**

- 1) Any owner of a parcel, an authorized agent, or other person having legal or equitable interest in the parcel may make an application for a development permit; such application shall be made to the Development Officer using the approved form and shall be accompanied by information as may be required by the Development Authority to evaluate the application including, but not limited to requirements included on the application form.
- 2) The Development Authority shall issue a notice of “Complete” or “Incomplete” application, within 20 days of the submission in accordance with the requirements of the Act.
- 3) Despite the Development Authority issuing an acknowledgement that an application is complete, during the course of the review, the Development Authority may request additional copies of the application or additional information considered necessary during the decision making process.
- 4) If an application is deemed to be incomplete, the applicant may submit the information identified by the Development Authority to complete the application within the time specified in the notice or as agreed to between the applicant and the Development Authority;
  - a) if the information is not submitted by the time specified in the notice or as agreed between the applicant and the Development Authority the application will be deemed refused.

### **3.5 Deciding on Development Permit Applications**

- 1) *The Development Officer shall:*
  - a) Receive, consider and decide on an application for a development permit for those uses listed as **Permitted** for the relevant land use district and that comply with the minimum standards for that district. If an application is for a permitted use and all other

requirements are complied with (ex. no variances requested), the application must be approved;

- b) Receive, consider and decide on an application for gates, fencing, retaining walls, or other means of enclosure, of any height;
- c) Refer, at his/her discretion, a permit application for an industrial development to those authorities (provincial and regional) whose interest or jurisdiction may be affected, for comments on the proposed development;
- d) Refer with recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for **Discretionary Uses** (excepting applications for Home Occupations and fencing) and those uses which have been assigned to it for consideration and decision; and
- e) Refer to the Municipal Planning Commission any application which in his opinion should be decided by the Commission;
- f) Refer with recommendations to the Municipal Planning Commission for its consideration and decision, applications for a development permit for **Permitted Uses** where the development standards of this Bylaw are varied or relaxed

2) The Municipal Planning Commission shall:

- a) Decide on applications for a development permit for those **Discretionary Uses** in the relevant land use district (excepting applications for Home Occupations and fencing);
- b) Approve the application unconditionally or impose conditions considered appropriate, either permanently or for a limited period of time, or refuse the application;
- c) When making a decision on a development permit application for a **Discretionary Use** the Municipal Planning Commission shall take into account but, not be limited to:
  - i. Any plans and policies affecting the parcel;
  - ii. The purpose statements in the applicable land use district;
  - iii. The appropriateness of the location and parcel for the proposed development;
  - iv. The compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
  - v. The merits of the proposed development;
  - vi. The servicing requirements;
  - vii. Access and pedestrian circulation within the parcel; and
  - viii. Sound planning principles.

3) An application may be approved where the proposed development does not comply with the specific requirements of any district in this Bylaw if, at the discretion of the Municipal Planning Commission, the proposed development is in accordance with all other bylaw requirements, and would not adversely impact other lots or uses.

4) In the case where a proposed specific use of land or a building is not provided for in any district in the Bylaw, the Municipal Planning Commission may determine that such a use is similar in character and purpose to a **permitted or discretionary use** prescribed for that district.

5) The Development Authority may, with respect to any use:

- a) Require the applicant to make satisfactory arrangements for the supply of utilities including, but not limited to natural gas, cable, water, electric power, sewer service, vehicular and pedestrian access, or any one or more of them including payment of the cost of installation or construction of any such utility or facility by the applicant;

- b) Require that an applicant enter into an agreement or interim agreement, which shall form a part of such development permit, to do any or all of the following:
    - i.* Construct, or pay for all the construction of, a public roadway required to give access to the development;
    - ii.* Construct, or pay for the construction of:
      - 1. A pedestrian walkway system to serve the development;
      - 2. Pedestrian walkways that will connect the pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
    - iii.* Install or pay for the installation of, utilities that are necessary to service the development;
    - iv.* Pay an off-site levy, redevelopment levy or both, imposed by Bylaw, unless otherwise stated in the Bylaw;
    - v.* Specify the location and number of vehicular and pedestrian access points to the development from public roadways;
    - vi.* Construct or pay for the construction of off-street or off-site parking facilities or loading or unloading facilities;
    - vii.* Repair, reinstate or pay for the repair or reinstatement to original condition of any street furniture, curbing, sidewalk, boulevard landscaping or tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
    - viii.* Install or construct or pay for the installation or construction of landscaping berming or fencing on the development or public roadways or public lands adjacent to the development; and
    - ix.* Re-establish or restore all survey monuments including Alberta Survey Control monuments which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
  - c) Require that the applicant provide security to ensure the applicant complies with this Bylaw, a development permit, or an agreement under this clause, but is not limited to an irrevocable letter or charge against the title to the site; and
  - d) Require the applicant to obtain or maintain insurance coverage naming the Village as additional insured under the terms and with carriers as required by the Development Authority including but not limited to comprehensive general liability coverage and automotive accident coverage.
- 6) The Development Authority may require that an agreement entered into under Subsection 3.5 (5) be registered by caveat against title to the land at the Land Titles Office.
  - 7) The agreement under Subsection 3.5 (5) may include provisions contemplated by the Act in respect of oversize improvements.
  - 8) In addition to Subsection 3.5 (5) the Development Officer may, with respect to a Permitted Use, impose such conditions as are required to ensure compliance with this Bylaw or the Act.
  - 9) Compliance with the provisions of this Bylaw shall not in any way relieve a person from the responsibility of complying with the provisions of any other Bylaw of the Village of Consort, any Federal or Provincial legislation or any encumbrance, instrument, covenant, or agreement affecting the development or subdivision.

- 10) In addition to subsection 3.5 (5) the Development Authority, with respect to a Discretionary Use, may impose such conditions as deemed appropriate, having regard to the regulations of this Bylaw and the provisions of any statutory plan including, but not limited to the following conditions:
- a) Limiting the hours of operation;
  - b) Limiting the number of patrons;
  - c) Establishing landscaping requirements;
  - d) Requiring noise attenuation;
  - e) Requiring special provisions be made for parking;
  - f) Regarding the location, character and appearance of a building;
  - g) Regarding the grading of a site or such other procedures as is necessary to protect the site from other developments or to protect other developments from the site;
  - h) Establishing the period of time during which a development may continue;
  - i) Ensuring the development is compatible with surrounding development.
- 11) If a development permit application is refused, the Development Authority need not accept another application for the same or similar use on the same parcel for six months from the date of the refusal or appeal decision, whichever is the latter.
- 12) If a decision is not made on a development permit application within 40 days after its receipt by the Development Authority, the applicant may deem it to be refused when a decision thereon is not made within forty (40) days after the receipt of the application in its complete and final form by the Development Officer. This clause shall not apply if an applicant for a development permit enters into an agreement with the Development Officer to extend the 40 day time period.
- 13) The Development authority may issue a permit for a **Temporary Development** for a period not exceeding one year unless a longer term is required in consideration of a specific use or project that is temporary but requires a longer time frame.

### **3.6 Application for Relaxation (Variance) of Bylaw Requirements**

- 1) Where a development permit application is for a permitted or discretionary use in a building or on a parcel and the proposed development does not conform to all applicable requirements and rules of the Bylaw, the Development Authority may, in accordance with the following standards:
  - a) Refuse to approve the development application, or
  - b) Approve the development permit application and grant a relaxation of the requirement or rule to which the proposed use does not conform.
- 2) The Development Officer, at his/her discretion, may relax the development standards within residential land use districts up to **10%** of the Land Use Bylaw requirements or defer a decision on a relaxation request to the Municipal Planning Commission;
- 3) The Municipal Planning Commission or Subdivision Authority at its discretion may relax the development standards in any land use district **up to 20%**;
- 4) Notwithstanding Subsection 3.6 (3) above, the Municipal Planning Commission or Subdivision Authority at its discretion, may relax the development standards **beyond 20%** in accordance with the **test for relaxation criteria** as follows:
  - a) The proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
  - b) The proposed development conforms with a use prescribed by this Bylaw for that land or building;
  - c) Conformance to the purpose and intent of the Land Use District;

- d) Whether granting the relaxation would make the proposed development incompatible with existing developments or uses;
  - e) Take into consideration the future land uses of the parcel and surrounding area as depicted in the Future Land Use Map as part of the Municipal Development Plan.
- 5) The Development Authority may, as a condition of approving a development permit that does not comply with all of the applicable requirements and rules of this Bylaw require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the Development Authority, conformance to a higher standard will off-set any impact of granting the relaxation.

### **3.7 Applications the Development Authority must Refuse**

- 1) The Development Authority **must refuse** a development permit application when the proposed development;
  - a) Is for a use that is not listed as either a permitted or discretionary use in the governing land use district and where the application is not for a similar use to those listed in the district;
  - b) Is for a use containing a restriction in its definition that is not met by the proposed use.

### **3.8 Development Permit Referrals & Notices**

#### **1) Development Permit Application Referrals:**

- a) Upon receipt of a complete application for development for a use listed as a **Discretionary Use** or that requires a **relaxation**, the Development Authority may at their discretion provide written notice to all adjacent landowners or a greater circulation area if potential for conflict is deemed to be probable;
- b) Refer at their discretion, a permit application for a development for comments to any officer, individual, group, department, agency, (provincial and regional) or adjacent municipality whose intent or jurisdiction may be affected;
- c) The notice shall indicate the location and nature of the development proposal, the time and date a decision will be rendered on the application, copies of relevant drawings, a contact and a final date to submit comments;
- d) After a minimum 14 days from the date of referral to any department/individual and/or to any other provincial, federal or external agency, the Development Officer may present the application to the Municipal Planning Commission whether or not comments or recommendations have been received;
- e) The Development Officer shall disclose to the Municipal Planning commission whether a circulation was performed in regards to a development application for a **Discretionary Use** or an application that requires a **relaxation** and the extent of the circulation area;
- f) In cases where the Development Officer has rendered a decision, this decision shall be circulated to the Municipal Planning Commission for information.

#### **2) Development Permit Notification of Decision:**

- a) A development permit granted pursuant to this Bylaw does not come into effect until it is determined that no notice of appeal has been served to the Subdivision and Development Appeal Board within the 21-day appeal period for a **discretionary use** or a permitted use where a **relaxation** of bylaw requirements has been applied. The appeal period is deemed to be an additional 5 days if the decision is mailed. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- b) Notwithstanding Subsection 3.8 (2) (a), a development permit granted pursuant to this Bylaw, for a **permitted use**, where the provisions of this Bylaw have not been relaxed or varied, comes into effect on the date that the decision is made.

- c) Where an **appeal** is made pursuant to this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined. The Subdivision and Development Appeal Board may approve or refuse the permit application in accordance with the **Municipal Government Act** (the Act).
- d) When a Development Permit has been granted, the following **notification procedures** shall be followed;
  - i. In the case of a permit issued for a **permitted use** where the provisions of this Bylaw have not been relaxed or varied, the Development Officer is not required to notify adjacent or affected land owners;
  - ii. In all other circumstances, a notice shall immediately be posted conspicuously on the property for which the Development Permit application has been made; and/or
  - iii. A notice, in writing, shall be immediately mailed to all adjacent landowners and to all registered owners of land whom, in the opinion of the Development Officer, may be affected; and/or
  - iv. A notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- e) A decision by the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant. The decision must specify the date the decision was made by the Development Authority and must be given to or sent to the applicant per the Act.
- f) When the Development Authority **refuses** an application for a development permit, the decision shall contain the reasons for the refusal.
- g) If after the issuance of a development permit it becomes known to the Development Authority that:
  - i. The application for a development permit contains a misrepresentation;
  - ii. Relevant facts which should have been disclosed at the time of consideration of the application for the development permit were not mentioned; or
  - iii. The development permit was issued in error; or
  - iv. The requirements or conditions of the development permit have not been complied with; or
  - v. The applicant requests, by way of written notice to the Development Authority, the cancellation of the development permit, provided that commencement of the use, development or construction has not occurred.

The development permit may be **suspended or cancelled** by notice in writing issued by the Development Authority to the applicant at the address given in the development permit application. Upon receipt of the written notice of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.

### **3.9 Development Permit Commencement and Completion**

- 1) If the development authorized by a permit is not **commenced** within 12 months from the date of its issue, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority. **Development completion** shall be determined by the completion date referenced on the Development Permit application or a completion date may be added as a development permit condition.

### **3.10 Developer's Responsibility**

- 1) A person to whom a Development Permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, gas, plumbing, electricity and highways, and all other permits required in connection with the proposed development.



## **PART IV: APPEALS**

### **4.1 Appeal Procedure**

- 1) An appeal may be made to the **Subdivision and Development Appeal Board** where the Development Officer, Municipal Planning Commission or Subdivision Approval Authority as the case may be:
  - a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application. If the applicant has entered into an agreement with the Development Officer or Municipal Planning Commission to extend the 40 day time period this clause comes into effect at the time the extension expires;
  - b) issues a development permit or subdivision approval subject to conditions;
  - c) issues an order under **Section 5.1** of this Bylaw;
  - d) cancels or suspends a development permit under **Section 3.8 (2) (g)** of this Bylaw; or
  - e) refuses or fails to approve a subdivision application within 21 or 60 days (whichever period is applicable) of receipt of the completed application, unless the applicant has entered into an agreement with the subdivision approval authority to extend the 21- or 60-day time period, as the case may be.
- 2) The person applying for a development permit or subdivision approval or any other person complying with the appeal requirements, as set out in the Act, may appeal the decision of the Development Officer, Municipal Planning Commission, or Subdivision Approval Authority to the Subdivision and Development Appeal Board.
- 3) Notwithstanding Subsections 4.1 (1) and (2), no appeals are allowed in respect of the issuance of a development permit for a Permitted Use listed in a Land Use District, unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- 4) An appeal shall be made by serving a written notice of appeal, stating the reasons for the appeal, to the Secretary of the Subdivision and Development Appeal Board within 21 days after the notice of the order, decision or permit issued by the Development Authority or Subdivision Approving Authority was either:
  - a) first published in a newspaper circulating in the area; or
  - b) posted on the property which is the subject of the application; or
  - c) received by the applicant, whichever of these occur first.
- 5) Each appeal made to the Subdivision and Development Appeal Board must be accompanied by a processing fee, the amount of which shall be set from time to time by resolution of Council.
- 6) For the purpose of Subsection 4.1 (4) (c), the date of receipt of the decision is deemed to be five (5) days from the date the decision is mailed.

### **4.2 Public Hearing**

- 1) Within 30 days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold a public hearing respecting the appeal.
- 2) The Subdivision and Development Appeal Board shall give at least 5 days' notice in writing of the public hearing to:
  - a) the Development Authority or Subdivision Approving Authority as the case may be, from whose order or decision the appeal is made;
  - b) those land owners adjacent to the affected land and all other registered owners of land in the municipality who were notified under **Section 3.8 (1)** and any other person who in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit;

- c) Palliser Regional Municipal Services;
  - d) such other persons as the Subdivision and Development Appeal Board specifies.
- 3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing, a copy of all relevant documents and materials respecting the appeal, as they become available, subject to Section 217 of the Act, including:
- a) the application for the development permit, its refusal and the appeal therefrom;  
or
  - b) the order of the Development Officer under **Section 5.1 (1)**, as the case may be.
- 4) At the public hearing referred to in Subsection 4.2 (1), the Board shall hear:
- a) the appellant or any person acting on his behalf;
  - b) the Development Officer / Chairman of the Municipal Planning Commission from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person;
  - c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
  - d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

#### **4.3 Subdivision Appeal**

- 1) The decision of the Subdivision Authority on an application for subdivision approval may be appealed by:
- a) the applicant for approval;
  - b) a Government department if the application was required to be referred to that department in accordance with the Subdivision and Development Regulation;
  - c) Council or the Municipal Planning Commission; or
  - d) A school authority with respect to school reserves.
- 2) An appeal shall be made by filing a notice of appeal within 14 days of receipt of the written decision of the Subdivision Authority with:
- a) The Municipal Government Board, when required in accordance with the Subdivision and Development Regulation; or
  - b) The Secretary of the Subdivision and Development Appeal Board.
- 3) For the purpose of Subsection 4.3 (2), the date of receipt of the decision is deemed to be five (5) days from the date that the decision is mailed.
- 4) The Subdivision and Development Appeal Board hearing and decision shall be in accordance with the Act.

#### **4.3 Decision**

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

## **PART V: ENFORCEMENT & ADMINISTRATION**

### **5.1 Orders of Compliance / Stop Order**

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

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

- a) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
  - b) demolish, remove or replace the development; or
  - c) take such other measures specified in the notice so that the development or use of the land or buildings is in accordance with **Part 17 of the Municipal Government Act**, the regulations, under Part 17, a development permit, subdivision approval or this Bylaw as the case may be, within the time period set out in the notice.
- 2) A person who receives an order referred to in Subsection 5.1 (1) may appeal to the Subdivision and Development Appeal Board in accordance with Part IV of this Bylaw.
- 3) A stop order must specify the date the order was made and must be given or sent to the “person(s)” who is the subject of the order per the Act.

### **5.2 Enforcement**

- 1) Where a person fails or refuses to comply with an order directed to him pursuant to this Bylaw, or an order of the **Subdivision and Development Appeal Board** pursuant to the **Act**, within the time specified, the Council or a person appointed by it may, in accordance with the **Municipal Government Act**, enter upon the land or building and take such action as is necessary to carry out the order.
- 2) Where the Council or a person appointed by it carries out an order pursuant to this Bylaw, the Council shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the parcel of land and the amount:
  - a) is deemed for all purposes to be a tax imposed under the Act from the date it was added to the tax roll; and
  - b) it forms a special lien against the parcel of land in favor of the Municipality from the date it was added to the tax roll.
- 3) A person who contravenes or fails to comply with a development permit or a condition attached thereto is guilty of an offense and is liable on summary conviction to a fine.

### **5.3 Amendments to the Bylaw**

- 1) Any person may apply to have this Bylaw amended.
- 2) The Council may initiate amendments by its own motion.

- 3) All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
  - a) the fee determined by resolution of Council;
  - b) a statement of the applicant's interest in the land;
  - c) any drawings, plans or maps required by the Development Officer; and
  - d) any documents as required by the Development Officer.
- 4) All amendments of this Bylaw shall be made by the Council by bylaw in conformity with the Act and the regulations.
- 5) Before second reading is given to any amending bylaw, it shall be referred to Palliser Regional Municipal Services for comment and such comments are to be read at the public hearing.
- 6) If an application for an amendment to this Bylaw has been refused by Council, then Council need not accept an application for an amendment for the same use on the same parcel for six months from the date of the refusal.

#### **5.4 Existing Land Use Bylaw**

- 1) Bylaw No. A-683 and amendments thereto are hereby repealed.

## **PART VI: LAND USE DISTRICTS**

### **6.1 Districts**

1) For the purpose of this Bylaw, the Village of Consort is divided into the following districts:

- R-1 - Low Density Residential District
- R-2 - Residential District
- M-H - Manufactured Home District
- C-1 - Retail Commercial District
- I-2 - Light Industrial District
- I - Industrial District
- P - Public and Community Service District
- UR - Urban Reserve District
- SHR - Small Holdings Residential

### **6.2 District Boundaries**

1) The locations and boundaries of the land use districts are shown on the **Land Use District Map**, which forms Part VII of this Bylaw.

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

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

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

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

- a) Using any dimensions given on the map; or
- b) Where no dimensions are given, measurements using the scale shown on the map.

3) Where the exact location of the boundary of a land use district cannot be determined using the rules in Subsection 6.2 (2), the Council, on its own motion or on a written request, shall fix the location:

- a) in a manner consistent with the provisions of this Bylaw; and
- b) with the appropriate degree of detail required.

4) The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.

5) The Council shall keep a list of its decisions fixing the locations of district boundaries.

6) In addition to the provisions for development as contained under each Land Use District, the **General Land Use Regulations** listed in Part VII of the Land Use Bylaw shall apply to every development.

7) If a use which is not defined or listed as a permitted or discretionary use within this Bylaw is applied for, at the discretion of the Development Authority, it may be determined to be similar in

nature to a defined or listed use and shall be treated in the same manner as that similar definition or use.

### 6.3 **R-1 – Low Density Residential District**

#### 1) **Purpose**

The purpose and intent of this district is to provide for single-family residential development.

#### 2) **Permitted Uses**

- Accessory Building or Use
- Park
- Detached Dwelling
- Solar Energy Conversion System

#### 3) **Discretionary Uses**

- Fabric Covered Building
- Bed & Breakfast Establishment
- Dayhome
- Home Occupation
- Manufactured Home (on lots where a Manufactured Home has previously been situated)
- Modular Home
- Other single-family dwellings not listed here
- Secondary Suite
- Worship Facility
- Other similar uses at the discretion of the Development Authority

#### 4) **Minimum Requirements**

- a) Site Area:
  - i. 464.5 m<sup>2</sup> (5,000 sq. ft.) for a single-family dwelling.
- b) Lot Width:
  - i. 15.24 m (50 ft.) for a single-family dwelling.
- c) Front Yard:
  - i. 7.6 m (25 ft.) for a single-family dwelling.
- d) Side Yard:
  - i. 1.2 m (4 ft.) for a single-family dwelling;
  - ii. 4.57 m (15 ft.) for a single-family dwelling abutting the flanking street on corner lots;
  - iii. One 3.0 m (10 ft.) side yard (excluding corner lots) to provide alternate access to the rear of the buildings in a laneless subdivision;
  - iv. Accessory buildings shall be sited in accordance with **Section 7.5** of the Land Use Regulations of this bylaw.
- e) Rear Yard:
  - i. 7.6 m (25 ft.) for principal buildings;
  - ii. Accessory buildings shall be sited in accordance with **Section 7.5** of the Land Use Regulations of this bylaw.
- f) Gross Floor Area:
  - i. 74.3 m<sup>2</sup> (800 sq. ft.)

## 5) Maximum Limits

- a) Height:
  - i. 10.67 m (35 ft.) for principal buildings;
  - ii. 4.57 m (15 ft.) for accessory buildings.
  
- b) Site Coverage:
  - i. 40% for single-family dwellings;
  - ii. 55% for single-family dwellings with an attached garage
  - iii. 15% for accessory buildings;
  - iv. Total site coverage including accessory buildings shall not exceed 55%.

## 6) Off-Street Parking

Off-Street Parking shall be provided according to the following:

- a) Single Family Dwelling:
  - i. Two (2) parking spaces per dwelling unit;
  
- b) Worship Facility:
  - i. One (1) parking space per 15 seats.

## 7) Screening

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

## 8) Design, Character & Appearance of Buildings

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



## 6.4 R-2 – Residential District

### 1) Purpose

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

### 2) Permitted Uses

- Accessory Building or Use
- Detached Dwelling
- Duplex
- Modular Home
- Park
- Ready to Move dwelling
- Solar Energy Conversion System

### 3) Discretionary Uses

- Apartment
- Bed & Breakfast Establishment
- Boarding or Lodging House
- Dayhome
- Fabric Covered Building
- Home Occupation
- Manufactured Home (on lots where a Manufactured Home has previously been situated)
- Modular Home
- Row House
- Secondary Suite
- Single family dwellings not listed here
- Town Home
- Worship Facility
- Other similar uses at the discretion of the Development Authority

### 4) Minimum Requirements

#### a) Site Area:

- i. 366 m<sup>2</sup> (3,940 sq. ft.) for a single-family dwelling;
- ii. 456 m<sup>2</sup> (4,909 sq. ft.) for a duplex;
- iii. 183.0 m<sup>2</sup> (1,970 sq. ft) for interior units and 228.0 m<sup>2</sup> (2,454 sq. ft.) for end units for attached housing;
- iv. 650 m<sup>2</sup> (7,000 sq. ft) for apartment buildings.

#### b) Lot Width:

- i. 12.2 m (40 ft.) for a single-family dwelling;
- ii. 15.2 m (50 ft.) for a duplex;
- iii. 7.6 m (25 ft.) for each unit in a duplex dwelling;
- iv. 6.1 m (20 ft.) for interior units and 7.6 m (25 ft.) for end units for attached housing;
- v. 18.3 m (60 ft.) for apartment buildings.

#### c) Front Yard:

- i. 5.0 m (16 ft.) for dwellings;
- ii. Other uses at the discretion of the Municipal Planning Commission.

- d) Side Yard:
  - i. 1.2 m (4 ft.) for dwellings;
  - ii. 2.1 m (7 ft.) for dwellings having the principal entrance provided from a side yard;
  - iii. 4.57 m (15 ft.) for dwellings abutting the flanking street on corner lots;
  - iv. Accessory buildings shall be sited in accordance with **Section 7.5** of the General Land Use Regulations of this bylaw.
- e) Rear Yard:
  - i. 7.6 m (25 ft.) for principal buildings;
  - ii. Accessory buildings shall be sited in accordance with **Section 7.5** of the Land Use Regulations of this bylaw.
- f) Gross Floor Area:
  - i. 79 m<sup>2</sup> (850 sq. ft.) for single-family dwellings;
  - ii. 75 m<sup>2</sup> (807 sq. ft.) for duplex and attached housing units.

## 5) Maximum Limits

- a) Height:
  - i. 10.67 m (35 ft.) for principal buildings;
  - ii. 4.57 m (15 ft.) for accessory buildings.
- b) Site Coverage:
  - i. 40% for single-family dwellings;
  - ii. 55% for single-family dwellings with an attached garage
  - iii. 15% for accessory buildings;
  - iv. Total site coverage including accessory buildings shall not exceed 55%.

## 6) Off-Street Parking

Off-Street Parking shall be provided according to the following:

- c) Dwellings:
  - i. Two (2) parking spaces per dwelling unit;
- d) Apartment Building and Townhome:
  - i. One (1) parking space per dwelling unit plus one (1) parking space per seven (7) dwelling units shall be assigned for guest parking;
- e) Worship Facility:
  - One (1) parking space per 15 seats;
- f) Dayhome:
  - i. One (1) parking space per staff member.

## 7) Landscaping & Screening

- a) A minimum of 10% of the site area for apartment buildings and attached housing shall be landscaped or developed in order that it can be utilized as an amenity area.
- b) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares, including lanes to the satisfaction of the Development Officer / Municipal Planning Commission.

- c) Attached housing and apartment complexes shall store garbage and waste material in a single weather and animal proof collective container, designed and located on the site to the satisfaction of the Development Officer / Municipal Planning Commission.

#### **8) Design, Character & Appearance of Buildings**

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

## 6.5 **M-H – Manufactured Home District**

### 1) **Purpose**

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

### 2) **Permitted Uses**

- Accessory Building or Use
- Manufactured Home
- Park

### 3) **Discretionary Uses**

- Bed and Breakfast Establishment
- Carport
- Dayhome
- Fabric Covered Building
- Home Occupation
- Secondary Suite
- Single-Family Dwelling not listed in permitted uses
- Other similar uses at the discretion of the Development Authority

### 4) **Minimum Requirements**

- a) Site Area:
  - i. 450 m<sup>2</sup> (4844 sq. ft.) for manufactured homes;
  - ii. With approval of the Municipal Planning Commission, the site area may be less in the case of lots legally created prior to this Bylaw.
- b) Width of Site:
  - i. 15.2 m (50 ft.) for manufactured homes.
- c) Front Yard:
  - i. 7.5 m (25 ft.).
- d) Side Yard:
  - i. 1.5 m (5 ft.) for manufactured homes;
  - ii. 3 m (10 ft.) abutting the flanking street on corner lots;
  - iii. 3 m (10 ft.) separation between manufactured homes, including any porch or addition;
  - iv. Accessory buildings shall be sited in accordance with **Section 7.5** of this Bylaw.
- e) Rear Yard:
  - i. 1.5 m (5 ft.);
  - ii. Accessory buildings shall be sited in accordance with **Section 7.5** of this Bylaw.
- f) Gross Floor Area:
  - i. 55.7 m<sup>2</sup> (600 sq. ft.) for manufactured homes.

## 5) Development Requirements

### a) Foundation:

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

### b) Skirting:

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

### c) Additions, Porches etc.:

All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units or of a quality equivalent thereto, so that design and construction will complement the manufactured home. Additions to a manufactured home shall have a foundation and skirting equivalent to that of the manufactured home. All manufactured homes shall be provided with steps and landings to all entrances within 45 days of their placement.

### d) Utilities:

Each manufactured home shall be connected to and be serviced by electrical power, natural gas, telephone, and the Village's sanitary sewer and water supply.

### e) Age:

All manufactured home units shall have Canadian Standards Association (CSA) Certificates. Manufactured Homes constructed more than ten (10) years before the date of application for a development permit shall not be allowed. The Municipal Planning Commission in the performance of its duties in discretionary approval of Development Permits may relax this condition where it is satisfied that the manufactured Home meets the standards of manufactured Homes constructed within the last (10) ten years.

## 6) Parking

- a) A minimum of two (2) car parking spaces shall be provided on each manufactured home lot.

## 7) Screening

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

## **6.6 C-1 – Retail Commercial District**

### **1) Purpose**

The purpose and intent of this district is to provide for pedestrian oriented and centralized commercial and retail development.

### **2) Permitted Uses**

- Office
- Financial Institution
- Institutional and Public Use
- Park
- Personal Service Establishment
- Restaurant
- Retail Store
- Solar Energy Conversion System
- Government Services

### **3) Discretionary Uses**

- Accessory Building
- Amusement Establishment, Indoor
- Cannabis Retail Sales
- Drinking Establishment
- Funeral Home
- Government Services
- Hotel
- Liquor Store
- Motel
- Parking Lot
- Residential Security Operator
- Other similar uses at the discretion of the Development Authority

### **4) Minimum Requirements**

- a) Site Area:
  - i. As required by the Development Officer / Municipal Planning Commission.
- b) Front Yard:
  - i. Based on the front yard provided by neighboring buildings and is to be determined for each application by the Development Officer / Municipal Planning Commission.
- c) Side Yard:
  - i. 1.5 m (5 ft.) adjacent to residential districts;
  - ii. No side yard is required where a rated firewall is provided, but if a side yard is provided it must be 1.2 m (4 ft.).
- d) Rear Yard:
  - i. 6.1 m (20 ft.) or as required by the Development Officer / Municipal Planning Commission.

### **5) Maximum Limits**

- a) Height:
  - i. 13.7 m (45 ft.) unless otherwise approved by the Development Officer / Municipal Planning Commission.

- b) Site Coverage:
  - i. 80%.

**6) Off-Street Parking**

Off-Street Parking shall be provided according to the following:

- a) Office:
  - i. One (1) parking space per 74.3 m<sup>2</sup> (800 sq. ft.) of gross floor area in the building.
- b) Retail store and Personal Service Establishment:
  - i. One (1) parking space per 74.3 m<sup>2</sup> (800 sq. ft.) of gross floor area in the building.
- c) Restaurant:
  - i. One (1) parking space per eight (8) seats.
- d) Hotels & Motels:
  - i. One (1) parking space per guest suite.
- e) Institutional and Public Use:
  - i. Two (2) parking space per 93 m<sup>2</sup> (1,000 sq. ft.) of gross floor area in the building.
- f) Other uses
  - i. at the discretion of the Development Officer / Municipal Planning Commission.

Notwithstanding **Section 7.9**, the Municipal Planning Commission, deem it advisable, may reduce or waive the parking space requirements for proposed development or redevelopment of a commercial site within the Retail Commercial District:

- a) where the configuration of the buildings to be developed and those adjacent buildings is such that the provision of required parking is not practical; or
- b) where the dimensions or site area are inadequate to reasonably accommodate the proposed development and required parking.

In which case the requirements of **Section 7.8** may be applied:

- a) Loading and unloading spaces shall be provided in conformance with the requirements of **Section 7.8**.

**7) Landscaping & Screening**

- a) Sites abutting a residential district shall be screened from view to the satisfaction of the Development Officer / Municipal Planning Commission;
- b) Outside storage areas of material and equipment shall be screened from adjacent sites and public thoroughfares;
- c) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares including lanes;
- d) The side and rear walls which are exposed to public view should be appropriately finished as required by the Development Officer or Municipal Planning Commission.

## **6.7 C-2 General Commercial**

### **1) Purpose**

The purpose and intent of this District is to provide for a range of more intensive commercial operations and some limited light industrial uses as appropriate on larger lots which are oriented toward serving vehicular traffic and have no off-site impacts.

### **2) Permitted Uses**

- Accessory Building or Use
- Automotive Dealership
- Car Wash
- Contractor's Shop
- Drinking Establishment
- Fabric Covered Building
- Financial Institution
- Funeral Home
- Government Services
- Hotel
- Institutional and Public Services
- Liquor Store
- Motel
- Office
- Personal Service Establishment
- Residential Security Operator
- Restaurant
- Retail Store
- Shopping Centre
- Storage Structure
- Self-Storage Facility
- Service Station
- Solar Energy Conversion System
- Tradesman Shop
- Veterinary Service

### **3) Discretionary Uses**

- Amusement Establishment, Outdoor
- Building Supply Depot
- Campground
- Cannabis Production Facility
- Cannabis Retail Sales
- Farm Machinery Sales and Services
- Greenhouse
- Kennel
- Light Manufacturing
- Recreational Vehicle Storage
- Storage Yard
- Transportation Terminal
- Warehouse
- Wind Energy Conversion System
- Work Camp
- Other similar uses at the discretion of the Development Authority



#### **4) Minimum Requirements**

- a) Site Area:
  - i. 557 m<sup>2</sup> (6,000 sq. ft.) or as required by the Development Officer / Municipal Planning Commission.
- b) Lot Width:
  - i. 15.2 m (50 ft.) or as required by the Development Officer / Municipal Planning Commission.
- c) Front Yard:
  - i. Based on the front yard provided by neighboring buildings and is to be determined for each application by the Development Officer / Municipal Planning Commission;
  - ii. 6.1 m (20 ft.) adjacent to a highway with a service road;
  - iii. 20 m (66 ft.) adjacent to a highway without a service road.
- d) Side Yard:
  - i. 1.5 m (5 ft.) adjacent to residential districts.
  - ii. No side yard where a rated firewall is provided, but if a side yard is provided it must be 1.2 m (4 ft.);
  - iii. 3 m (10 ft.) abutting the flanking street on corner lots;
  - iv. At least one 4.5m (15ft.) side yard to provide alternate access to the rear of the buildings in a lane-less subdivision;
- e) Rear Yard:
  - i. 6.1 m (20 ft.). However, the Municipal Planning Commission may modify the rear yard requirement if parking, loading and unloading facilities are in the rear yard.

#### **5) Maximum Limits**

- a) Height:
  - i. 13.7 m (45 ft.) for the principal building unless otherwise approved by the Municipal Planning Commission;
  - ii. 4.57 m (15 ft.) for accessory buildings.
- b) Site Coverage:
  - i. 80% for all uses unless otherwise approved by the Municipal Planning Commission.

#### **6) Off-Street Parking and Loading:**

Off-Street Parking requirements to be determined by the Development Officer / Municipal Planning Commission at their discretion (except for those uses specifically listed in Section 7.9), based on the evaluation of each individual application.

Loading and unloading spaces shall be provided in conformance with the requirements of **Section 7.8.**

#### **7) Landscaping & Screening**

- a) The boulevard where existing and a minimum of 10% of the site area must be landscaped in accordance with the plan approved by the Municipal Planning Commission.

- b) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season.
- c) Sites abutting a residential district shall be screened from the view to the satisfaction of the Municipal Planning Commission.
- d) If permitted, outside storage areas for material and equipment shall be screened from adjacent sites and public thoroughfares.
- e) Garbage and waste material must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares.
- f) All walls should be appropriately finished as required by the Development Officer or Municipal Planning Commission.

**8) Special Requirements**

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

## **6.8 I – Industrial District**

### **9) Purpose**

The purpose and intent of this district is to provide for a range of manufacturing, warehousing and other industrial land uses, which may have minor off-site impacts relative to noise, smells or sound.

### **10) Permitted Uses**

- Accessory Building or Use
- Automotive Dealership
- Automotive Repair and Service
- Building Supply Depot
- Car Wash
- Contractor's Shop
- Farm Machinery Sales and Services
- Manufacturing (Light or Heavy)
- Solar Energy Conversion System
- Tradesman Shop
- Transportation Terminal
- Veterinary Service

### **11) Discretionary Uses**

- Abattoir
- Agrochemical Production
- Agrochemical Storage and Sales
- Autobody and Paint Shop
- Auto Wrecker
- Cannabis Production Facility
- Cannabis Retail Sales
- Bulk Fuels Sales Depot
- Fabric Covered Building
- Heavy Equipment Assembly, Sales and Service
- Kennel
- Office
- Recreational Vehicle Storage
- Residential Security Operator
- Retail Store
- Self-Storage Facility
- Service Station
- Storage Structure
- Storage Yard
- Tradesman Shop
- Transfer Station and/or Recycling Facility
- Transportation Terminal
- Warehouse
- Wind Energy Conversion System
- Work Camp
- Other similar uses at the discretion of the Development Authority

### **12) Minimum Requirements**

- a) Site Area:
  - i. 557.4 m<sup>2</sup> (6,000 sq. ft.).

- b) Lot Width:
  - i. 18.3 m (60 ft.).
- c) Front Yard:
  - i. 6.1 m (20 ft.).
- d) Side Yard:
  - i. 1.5 m (5 ft.);
  - ii. 3 m (10 ft.) abutting the flanking street on a corner lot;
  - iii. At least one 4.5 m (15 ft.) side yard to provide alternate access to the rear of the buildings in a lane-less subdivision.
- e) Rear Yard:
  - i. 6.1 m (20 ft.), however, the Municipal Planning Commission may modify the rear yard requirement if parking, loading and unloading facilities are in the rear yard.

**13) Maximum Limits**

- a) Height:
  - i. 13.7 m (45 ft.) unless otherwise approved by the Municipal Planning Commission.
- b) Site Coverage:
  - i. 60%.

**14) Landscaping and Screening**

- a) The boulevard, where existing, and a minimum of 5% of the site area should be landscaped in accordance with the plan approved by the Municipal Planning Commission;
- b) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season;
- c) Sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission;
- d) Outside storage areas of material and equipment should be screened from adjacent sites and public thoroughfares; and
- e) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares excluding lanes.

**15) Off-Street Parking**

Off-Street Parking requirements to be determined by the Development Officer / Municipal Planning Commission at their discretion (except for those uses specifically listed in Section 7.9), based on the evaluation of each individual application.

Loading and unloading spaces shall be provided in conformance with the requirements of **Section 7.8.**

**16) Special Requirements**

- a) The operation of all uses shall comply with the environmental and public health performance standards of the Provincial Government. If the Development Officer / Municipal Planning Commission believes a proposed use may conflict with these standards, he shall refer the application to the appropriate Provincial Department for clarification prior to issuing a Development Permit;

- b) The Municipal Planning Commission may prescribe screening and landscaping for uses which involve storage of goods, machinery, vehicles, building materials, waste materials, and other items.

## **6.9 P – Public and Community Service District**

### **1) Purpose**

The purpose and intent of this district is to provide for recreational, educational and community uses. Limited residential development for housing of seniors may be incorporated into a comprehensive neighborhood design.

### **2) Permitted Uses**

- Accessory Building or Use
- Community Centre
- Daycare
- Institutional and Public Use
- Library
- Museum
- Park
- School
- Solar Energy Conversion System
- Worship Facility

### **3) Discretionary Uses**

- Amusement Establishment, Outdoor
- Campground
- Cemetery
- Fabric Covered Building
- Family and Group Care Facility
- Golf Course
- Office
- Recreation Facility or Uses
- Restaurant
- Senior Citizens Housing
- Wind Energy Conversion System
- Other similar uses at the discretion of the Development Authority

### **4) Minimum Requirements**

- a) Front Yard:
  - i. 6.1 m (20 ft.)
- b) Side Yard:
  - i. 1.5 m (5 ft.);
  - ii. 5 m (16 ft.) abutting the flanking street on a corner lot;
- c) Rear Yard:
  - i. 7.6 m (35 ft.), however, the Municipal Planning Commission may modify the rear yard requirement if parking, loading and unloading facilities are in the rear yard.

### **5) Maximum Limits**

- a) Height:
  - i. 10.67 metres (35 feet) unless otherwise approved by the Municipal Planning Commission.

### **6) Landscaping and Screening**

- a) The boulevard, where existing, and a minimum of 5% of the site area should be landscaped in accordance with the plan approved by the Municipal Planning Commission;
- b) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season;
- c) Sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission;
- d) Outside storage areas of material and equipment should be screened from adjacent sites and public thoroughfares; and
- e) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares excluding lanes.

**7) Special Requirements**

- a) The operation of all uses shall comply with the environmental and public health performance standards of the Provincial Government. If the Development Officer / Municipal Planning Commission believes a proposed use may conflict with these standards, he shall refer the application to the appropriate Provincial Department for clarification prior to issuing a Development Permit;

**8) Off-Street Parking and Loading**

- a) Recreational or Facility or Uses:
  - i. One space per 4 seating public places of assembly including sports arenas, ball parks and others.
- b) Hospitals:
  - i. One (1) parking space per 93 m<sup>2</sup> (1,000 sq. ft.) of gross floor area.
- c) Schools- Elementary / Junior High:
  - i. One (1) parking space per classrooms
- d) Schools- Senior High:
  - i. Four (4) parking spaces per classroom;
- e) Worship Facility
  - i. One (1) parking space per 15 seats;

Loading and unloading spaces shall be provided in conformance with the requirements of **Section 7.8.**

## **6.10 UR – Urban Reserve District**

### **1) Purpose**

The purpose and intent of this district is to reserve lands outside of the developed area of the Village which are intended for future, more intense development which will require the extension of utility services.

### **2) Permitted Uses**

- Park
- Accessory Building or Use
- Solar Energy Conversion System

### **3) Discretionary Uses**

- Single-Family Dwelling
- Greenhouse
- Urban Agriculture
- Utilities
- Work Camp
- Other similar uses at the discretion of the Development Authority

### **4) Minimum Requirements**

- a) Lot Width:
  - i. 15.24 m (50 ft.) for a single-family dwelling.
- b) Front Yard:
  - i. 7.6 m (25 ft.) for a single-family dwelling.
- c) Side Yard:
  - i. 1.2 m (4 ft.) for a single-family dwelling;
  - ii. 4.57 m (15 ft.) for a single-family dwelling abutting the flanking street on corner lots;
  - iii. One 3.0 m (10 ft.) side yard (excluding corner lots) to provide alternate access to the rear of the buildings in a laneless subdivision;
  - iv. Accessory buildings shall be sited in accordance with the Land Use Regulations contained in this bylaw.
- d) Rear Yard:
  - i. 7.6 m (25 ft.) for principal buildings;
  - ii. Accessory buildings shall be sited in accordance with the Land Use Regulations contained in this bylaw.

### **5) Maximum Limits**

- a) Height:
  - i. 10.67 m (35 ft.) for principal buildings;
  - ii. 4.57 m (15 ft.) for accessory buildings.

### **6) Special Considerations**

- a) The design, siting, site coverage, yards, height of buildings, external finish and landscaping generally of all buildings and structures shall be to the satisfaction of the Development Authority who, in determining a development permit application shall take into account:
  - i. the general purpose of the district; and
  - ii. the existing uses and prospective uses of land in the vicinity.



- b) There shall be no negative off-site impacts due to the pursuit of agricultural endeavors i.e. smells or noise.
- c) The Development Authority may require approval of an Area Structure Plan before approval of a subdivision.
- d) The Development Authority shall be satisfied prior to the granting of a development permit that the proposed use will not prejudice the orderly development of the area including the future establishment of residential, commercial, industrial, recreational, and service facilities on a neighborhood and community basis.
- e) There shall be no subdivision of "UR" – Urban Reserve parcels of land prior to an amendment to the Land Use District Map (rezoning).
- f) Council may require the adoption of an Area Structure Plan prior to considering an amendment to the Land Use District Map (rezoning).

## **6.11 SHR – Small Holdings Residential District**

### **1) Purpose**

The purpose and intent of this district is to provide areas for larger lot residential development free from incompatible uses on land of lower agricultural value and where full water and sanitary servicing for future development is not likely feasible in accordance with infrastructure servicing studies.

### **2) Permitted Uses**

- Accessory Building or Use
- Single-Family Dwelling
- Solar Energy Conversion System

### **3) Discretionary Uses**

- Bed & Breakfast Establishment
- Dayhome
- Fabric Covered Building
- Greenhouse
- Home Occupation
- Park
- Secondary Suite
- Urban Agriculture
- Wind Energy Conversion System
- Other similar uses at the discretion of the Development Authority

### **4) Minimum Requirements**

#### **a) Site Area**

- i. 0.2 ha (0.5 acres) for all uses;
- ii. Lots serviced by a private water and / or sewer system at the discretion of the Development Authority to ensure compliance with the Alberta Safety Codes and the Private Sewage Disposal System Standard of Practice;
- iii. With the approval of the Development Authority, the site area may be less in the case of lots legally created prior to adoption of this Bylaw and shall meet the requirements of applicable Provincial regulations.

#### **b) Lot Width:**

- i. 30 m (98.4 ft.);
- ii. Lots served by a private water and / or sewer system at the discretion of the Development Authority to ensure compliance with the Alberta Safety Codes and the Private Sewage Disposal System Standard of Practice.

#### **c) Front Yard:**

- i. 9.14 m (30 ft) from an internal subdivision road;
- ii. As required by Alberta Transportation in the case of provincial highways.

#### **d) Side Yard:**

- i. 7.5 m (25 ft.).

#### **e) Rear Yard:**

- i. 7.5 m (25 ft.).

#### **f) Gross Floor Area:**

- i. 85 m<sup>2</sup> (914.6 sq. ft.) for single-family dwelling.

## **5) Maximum Limits**

- a) Height:
  - i. 10.67 m (35 ft.) for principal buildings and shall not exceed 2.5 storeys above grade level;
  - ii. 9.144 m (30 ft.) for accessory buildings.
- b) Site Coverage:
  - i. 20% of the site area for dwellings;
  - ii. 5% of the site area for accessory buildings.
- c) Site Area:
  - i. 1.21 ha (3.0 acres) unless a larger parcel is necessary to accommodate site development constraints such as private sewage disposal system requirements or topography at the discretion of the Development Authority.

## **6) Off-Street Parking**

Off-Street Parking shall be provided according to the following:

- a) Single Family Dwelling:
  - i. Two (2) parking spaces per dwelling unit.

## **7) Objects Prohibited or Restricted in Yards**

- a) No person shall allow a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain or be parked on a parcel unless it is suitably housed or screened to the satisfaction of the Development Officer.
- b) A maximum of two Recreational Vehicles may be stored or parked on a parcel;
- c) Industrial and Commercial equipment including vehicles shall not be stored on a parcel within this land use district unless otherwise permitted in this Bylaw;
- d) No animals other than household pets shall be kept unless otherwise permitted in this bylaw.

## **8) Roadway Standards**

- a) All "SHR" Small Holding Residential lots shall be served by either a paved or graveled all-weather road, engineered and designed to a standard required by the Village of Consort.

## **9) Utilities**

- a) All "SHR" Small Holding Residential lots shall be connected to the municipal water and sewer services of the Village of Consort if feasible, unless otherwise approved by the Development Authority.

## **PART VII: GENERAL LAND USE REGULATIONS**

### **7.1 Subdivision of Land**

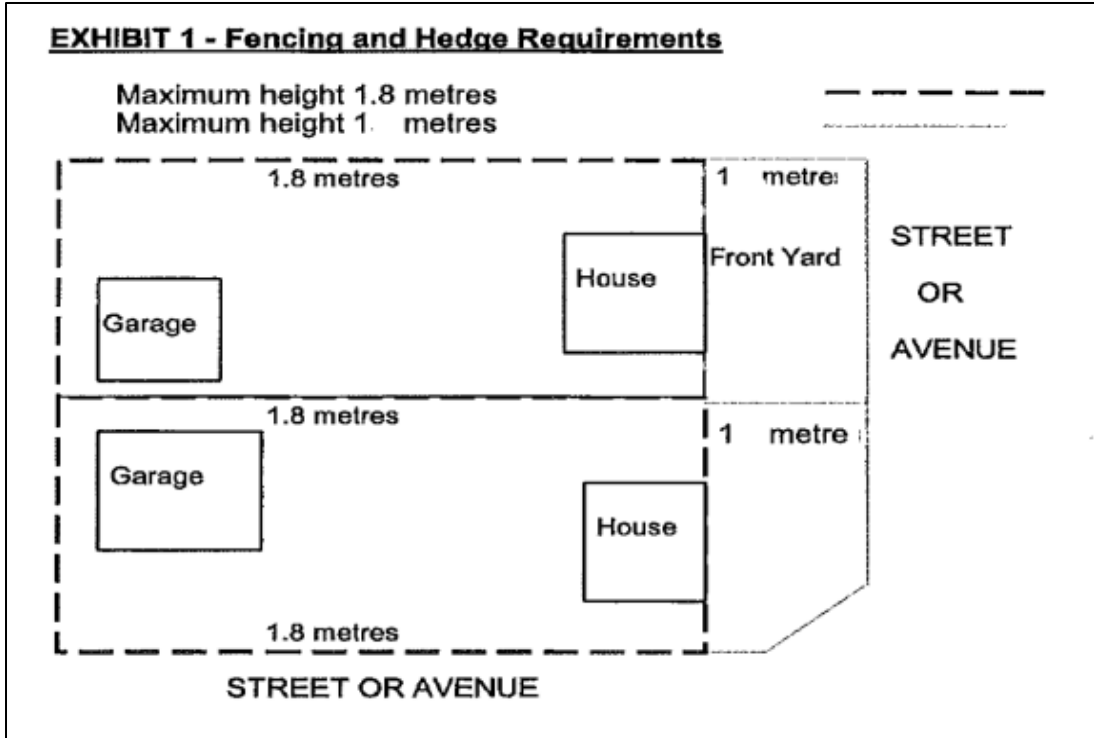
- 1) A development requiring subdivision of land shall not be issued a development permit until such time as the has been registered at Land Titles

### **7.2 Non-Conforming Building and Uses**

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

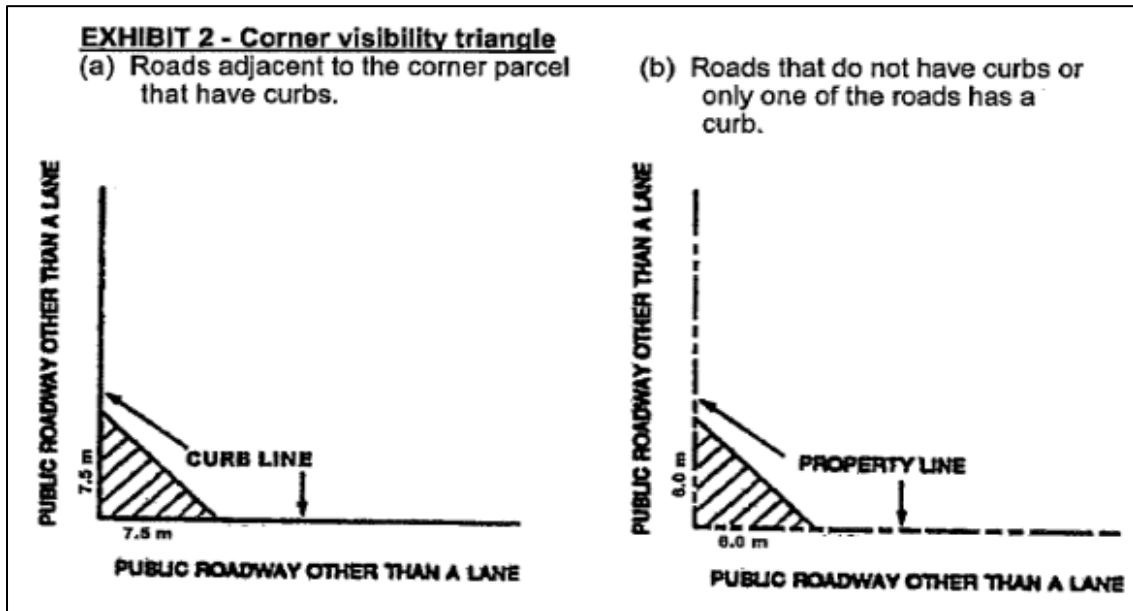
### **7.3 Fencing and Hedges**

- 1) In a residential district, a fence or hedge located within the required rear or side yard of a lot, shall not exceed 1.8 m (6 feet) in height (see Exhibit 1 below).
- 2) In a residential district, a fence or hedge located within the required front yard of a lot, shall not exceed 1.0 m (3.2 feet) in height (see Exhibit 1 below).
- 3) In all districts, hedges and trees shall be planted and trimmed to ensure public safety and/or good visibility for traffic and pedestrian purposes within the **corner visibility setback**.
- 4) Swimming pools shall be fenced to a minimum height of 1.8 m (6 feet) and a maximum height of 2.5 m (8 ft.) or as required by Provincial or Federal regulations.
- 5) Materials to construct fences may be wood, brick, stone, concrete, or metal and shall be aesthetically acceptable and in general conformity with adjacent properties.
- 6) Industrial and commercial developments shall be fenced to the satisfaction of the Development Authority.



**7.4 Corner Visibility Setback**

- 1) Unless otherwise approved, no fence, wall, tree, hedge or other structure, object, or plant exceeding 0.92m (3 ft.) in height above the established grade of the curb shall be permitted in a corner visibility triangle as indicated in Exhibit 2 below.



### **7.5 Accessory Building & Uses**

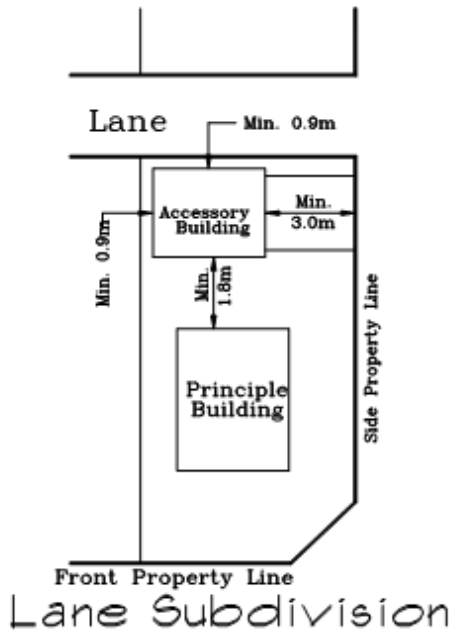
- 1) A structure which is attached to the principle building by a roof, a floor or a foundation is not an accessory building, and is to be considered part of the principal building.
- 2) An accessory building shall not be used as a dwelling.
- 3) The total combined floor area of an accessory building(s) shall not exceed 15% of the site area.
- 4) On corner lots, the distance between an accessory building and the street flanking the lot shall not be less than the side yard requirement for the principal building in that particular land use district.
- 5) No accessory building, satellite receiving dish, communication tower, or use shall be located in the front yard or the required side yard abutting a street in a residential district.
- 6) The siting of an accessory building shall be in accordance with Exhibit 3 below.

### **7.6 Fabric Covered Building**

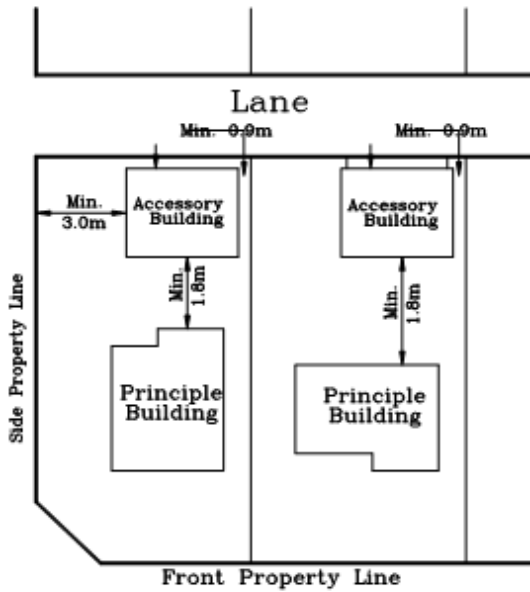
Fabric Covered Buildings shall be considered a discretionary use and accessory to the principal use of the site in a residential land use district and shall adhere to the following requirements:

- 1) Not to exceed 20.44 sq. meters (220 sq. ft.) in area;
- 2) Shall be a minimum 3 meters (10 ft.) from flammable materials (i.e. burning barrels, fire pits or other open flame accessories) or vegetation;
- 3) All development permit application approvals shall be temporary with a maximum time limit of one year. Extensions may be provided beyond one year as a subsequent application dependent on condition of the structure at the time of inspection and any complaint correspondence received;
- 4) A building permit may be required (proper anchoring, etc.) and shall be determined in accordance with the Safety Codes Act;
- 5) Shall be kept in good condition to the satisfaction of the development authority; and
- 6) Shall not cause or create a nuisance by way of noise, vibration, etc. and the privacy and enjoyment of adjacent properties shall be preserved and the amenities of the neighbourhood maintained.
- 7) The siting of a Fabric Covered Building shall be in accordance with Exhibit 3 below.

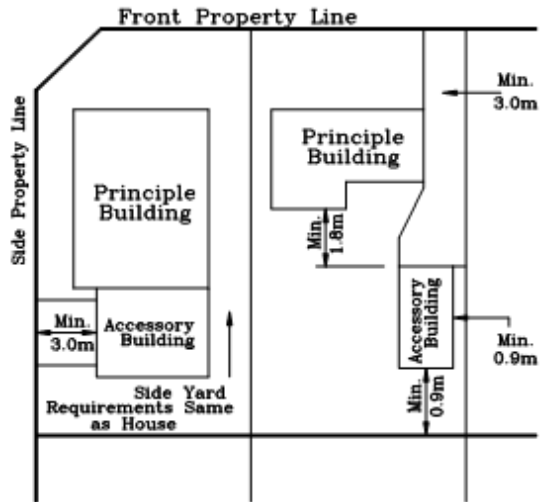
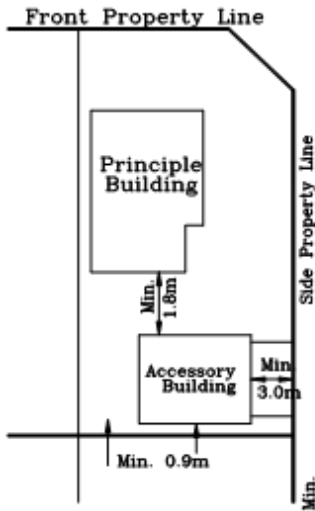
**EXHIBIT 3 - Siting of Accessory Buildings**



Street or Avenue



**Laneless Subdivision**



**7.7 Vehicle Entrances and Exits**

- 1) Vehicle entrances and exits shall be located at least 6 m (20 ft.) from an intersection of two or more roads (including highways).
- 2) The design and location of entrances and exits for vehicles shall be approved by the Development Authority.
- 3) Unless shown on an approved development or site plan, installation of a driveway shall require a development permit.
- 4) The Development Authority may require that entrances and exits for vehicles be separate, one-directional, and/or adequately signed.
- 5) Where a curb exists, installation of a driveway may require the removal of the curb for the width of the driveway.

**7.8 Off Street Loading & Unloading for Non-Residential Development**

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

- 1) The space shall not be less than 2.5 m (8 feet) wide and shall provide no less than 3.6 m (12 feet) overhead clearance.
- 2) The space shall be hard surfaced if the access is from a street or lane that is hard surfaced.
- 3) Access to the space shall be such that no backing and turning movements of vehicles cause interference with traffic on the adjoining or abutting streets or lanes.
- 4) Off-street loading and unloading spaces should be provided in accordance with the following:

<b><u>Use of Building or Site Floor Area</u></b>	<b><u>Total Gross</u></b>	<b><u>Spaces Required</u></b>
1) Retail, Industry warehousing or similar use	Less than 464.5 m <sup>2</sup> (5,000 sq. ft.)	One (1)
	464.5 m <sup>2</sup> (5,000 sq. ft.) to 2322.5 m <sup>2</sup> (25,000 sq. ft.)	Two (2)
	Each Additional 2,322.5 m <sup>2</sup> (25,000 sq. ft.) or additional fraction thereof	One (2)
2) Office Building, hospitals, public school or similar use	Up to 2,782 m <sup>2</sup> (30,000 sq. ft.)	One (1)
	Each additional 2787 m <sup>2</sup> (30,000 sq. ft.) or additional fraction thereof	One (1)

- 5) The above standards in Subsection 7.8 (4) may be modified at the discretion of the Development Officer / Municipal Planning Commission.



## 7.9 Off-Street Parking

- 1) The number of off-street parking spaces for any development shall be according to the following:

One or Two Unit Dwellings	Two (2) parking spaces per dwelling unit.
Apartments and Attached Housing	One (1) parking space per dwelling unit, plus (1) one parking space per seven (7) dwelling units for guest parking
Bed and Breakfast Establishment	Two (2) parking spaces per dwelling unit plus one (1) space for each room available for rent
Dayhome	One (1) parking space per staff member
Family and Group Care Facility	One (1) parking space per staff member and one (1) visitor parking space
Place of Worship	One (1) parking space per 15 seats
Office	One (1) parking space per 74.3 sq. meters (800 sq. ft.) of gross floor area of the building
Retail and Personal Service Establishment	One (1) parking spaces per 74.3 sq. meters (800 sq. ft.) gross floor area of the building
Restaurant	One (1) parking space per four (4) seats
Hotels and Motels	One (1) parking space per guest suite
Hospital	One (1) parking space per 93 sq. meters (1,000 sq. ft.) of gross floor area of the building
Institutional and Public Use	Four (4) parking spaces per 93 sq. meters (1,000 sq. ft.) of gross floor area of the building
Elementary & Junior High Schools	One (1) parking space per classroom
Senior High School	Four (4) parking spaces per classroom
Other Uses	At the discretion of the Development Authority

- 2) Off-street parking spaces for any development shall be according to the following:
- 3) Parking spaces for an apartment building shall not be located in the front yard.
- 4) Parking shall be on the same site as the development and located and constructed to the Village's standards so that:
- it is reasonably accessible to the vehicle intended to be accommodated there;
  - it can be properly maintained; and
  - it is satisfactory to the Municipal Planning Commission in size - being no less than 14 m<sup>2</sup> (160 sq. ft.) and no less than 2.4 m (8 ft.) in width, shape, location and construction.
- 5) For multiple use sites, parking requirements shall be based on the combined parking required for each individual use.
- 6) Notwithstanding Subsection 7.9 (1), should the Municipal Planning Commission deem it advisable, it may increase or decrease the parking space requirements for a proposed development or redevelopment. The Municipal Planning Commission may consider the configuration of the parcel to be developed and adjacent parcels.
- 7) The Development Authority may:
- Accept a payment in lieu of the number of on-site parking spaces not provided. The payment shall be based on the amount of money Council considers reasonable in return

for the equivalent parking space to be provided by the municipality elsewhere in the District in which the development is proposed;

- b) The developer may be required to ensure off-street parking on land other than that to be developed provided that:
  - i. the alternative parking site is within 152 m (500 feet) of the site where the principal building is located or where the approved use is carried on,
  - ii. the person wishing to use an alternate parking site must have absolute control of it for a length of time equal to the life of the approved use of the building or site, and will use that site for no other purpose than to provide alternate parking,
  - iii. should the alternate parking site cease to be available, another parking site must be provided meeting the above criteria or the approved use of the building on the site must be discontinued,
  - iv. the person wishing to use an alternate site shall agree with the Municipality in writing under seal and protected by registration of a caveat under the Land Titles Act, that the site on which the alternate parking site is located shall be used for such purposes as long as it is required by this part.
- 8) When a building is enlarged, altered, or a change in the use occurs, provision shall be made for the additional parking spaces required under the parking provisions of this Bylaw.
- 9) Any parking space or loading space provided shall be developed and surfaced to the satisfaction of the Development Officer or Municipal Planning Commission.
- 10) Adequate curbs or fences shall be provided to the satisfaction of the Development Officer or Municipal Planning Commission. In so doing, one should consider adjacent fences, walls, boulevards, landscaped areas or buildings.'
- 11) The development of new parking lots, or the expansion of existing parking lots, require a development permit unless it was included in a development permit for an associated development.

#### **7.10 Objects Prohibited or Restricted in Yards**

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

- 1) Any dismantled or wrecked vehicle for more than 14 successive days.
- 2) Any object or chattel which, in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the district.
- 3) Any excavation, storage of material required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- 4) Any recreational vehicle parked on a lot within a residential district may be used for living and sleeping accommodation only by bonafide tourists and/or family members of the land owner(s) of that lot for a maximum period of (30) thirty days per annum.

#### **7.11 Site Development**

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

### **7.12 Home Occupation**

- 1) All development permits issued for Home Occupations shall be revocable at any time by the Municipal Planning Commission, if in its opinion, the use is or has become detrimental to the amenities of the neighborhood.
- 2) Home Occupations shall be Temporary Developments and shall be subject to the standards set out herein.
- 3) Where the applicant for the Home Occupation is not the registered owner of the dwelling unit proposed to be used for a Home Occupation, the applicant shall provide to the Municipal Planning Commission written authorization from the registered owner(s).
- 4) One name plate not exceeding 0.28 m<sup>2</sup> (3 sq. ft.) may be posted on a building to advertise a Home Occupation.
- 5) A Home Occupation shall not include any use or operation which will cause or create a nuisance by way of noise, dust, smoke or excessive traffic. No industrial/commercial equipment or a motor vehicle associated with a Home Occupation having a G.V.W. rating of 7300 Kilograms (16,000 lbs.) or more, may be stored/parked on a residential Home Occupation site.
- 6) There shall be no outside storage of materials, commodities or finished products.
- 7) No more than 25% of the gross floor area of the principal building shall be used for the Home Occupation. An ancillary building may be used if permitted by the Development Authority if, in their opinion this would not be detrimental to the neighborhood.

### **7.13 Industrial Development**

- 1) An application for the establishment of industries shall be considered by the Development Authority who may request advisory comments from any utility or service agency who may be affected by any proposed development.
- 2) Each application for industrial development shall be accompanied by the following information:
  - Location map
  - Type of industry
  - Size of buildings
  - Estimated number of employees
  - Estimated water demand and anticipated source
  - Type of effluent and method of treatment
  - Transportation routes to be used (rail and road)
  - Any accessory works required (pipeline, railway spurs, etc.)
  - An itemized listing of the type and quantity of materials/chemicals to be stored on the subject property for safety and emergency response considerations

and/or any other such information as may be reasonably required by the Development Authority.

### **7.14 Utilities**

- 1) A development shall not be permitted if the development is not served by the public sewer and water system or a provincially approved private system.
- 2) A development shall not be permitted until satisfactory arrangements have been made by the developer for the supply of water, electric power, sewerage and street access to the development including payments of costs of installing or constructing any such utility or facility by the developer.

### **7.15 Drainage**

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

### **7.16 Bed and Breakfast Establishments**

- 1) Bed and Breakfast Establishments shall conform to the following and to any standards as the Alberta Building Code may have:
  - a) No cooking facilities allowed in guest rooms;
  - b) Minimum room size of 7 m<sup>2</sup> (75 sq. ft.) per single occupant and 4.65 m<sup>2</sup> (50 sq. ft.) per person for multiple occupancy;
  - c) Each room shall have a window;
  - d) Bathroom facilities as required by the Health Authority;
  - e) Smoke alarms shall be installed on each level of the building;
  - f) Portable fire extinguishers shall be provided in each level of the building.
- 2) Off street parking shall be provided per Section 7.9.
- 3) Access to a public lane or street shall be to the satisfaction of the Development Officer.
- 4) Signage is restricted to one sign per site, attached to the building with a maximum size of 0.28 m<sup>2</sup> (3 sq. ft.). Appearance of the sign shall be of a professional quality to the satisfaction of the Development Officer.
- 5) All development permits issued for Bed and Breakfast Establishments shall be revocable at any time, if in the opinion of the Development Officer / Municipal Planning Commission, the use is or has become detrimental to the amenities of the neighborhood.
- 6) Bed and Breakfast establishments shall have a maximum of four (4) guest rooms.

### **7.17 Motels/Hotels**

A person applying to develop a site as a Motel or Hotel where permitted under this bylaw, shall comply with the following provisions:

- 1) For the purposes of this subsection, a rentable unit means a separate unit on a motel site used or intended to be used for the dwelling accommodation of one or more persons;

2) Site Requirements for Motels/Hotels:

<b>Unit Type/ Minimum Site Area</b>	<b>Yards</b>	<b>Parking</b>
One Storey 140m (1500 sq. ft.)	Side: 3 m (10 ft.) Rear: 3 m (10 ft.) Front: 7.6 m (25ft.)	One per guest suite
Two Storey 93 m (1000 sq. ft.)	Side: 3 m (10 ft.) Rear: 3 m (10 ft.) Front: 7.6m (25ft)	One per guest suite

**7.18 Service Stations**

Service stations, where permitted by this Bylaw, shall comply with the following standards:

- 1) Minimum requirements:
  - a) No part of a service station building or any pump island shall be within 6.1 m (20 ft.) of side or rear property lines;
  - b) Front yard of no less than 12.2 m (40 ft.) with no pumping island closer than 6.1 m (20 ft.) to the front property line;
  - c) The minimum site area shall be 743.2 m<sup>2</sup> (8,000 sq. ft.).
- 2) The boundaries of a service station site, other than those fronting streets, shall be fenced at the discretion of the Development Authority.

**7.19 Car Wash**

- 1) Site Area:  
The minimum site area shall be 557 m<sup>2</sup> (6,000 sq. ft.) and shall contain stacking space for a minimum of three (3) vehicles prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations including car washes, minimum site area shall be 1,115 m<sup>2</sup> (12,000 sq. ft.).
- 2) Site and Building Requirements:
  - a) The site and all improvements thereon shall be maintained in a clean and tidy condition, free from rubbish and debris;
  - b) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority;
  - c) All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority; and
  - d) All sump drainage systems shall be provided in accordance with the appropriate regulations and all sump materials shall be disposed of in the appropriate manner.

**7.20 Signs**

- 1) **General**  
The General requirements below shall apply to all signs in the Village of Consort and all signs sections of the Land Use Bylaw as follows:
  - a) No signs or advertising structures of a commercial, direction or information nature shall be erected on land or affixed to any exterior surface of any building or structure unless an

application for this purpose has been approved and a development permit has been issued, excepting those outlined in **Part III Section 3.3** of this Bylaw.

- b) No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
  - c) No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
  - d) No signs or advertisement shall resemble or conflict with a traffic sign.
  - e) All signs, with the exception of temporary signs, allowed under a Temporary Development Permit, shall be attached to a permanent foundation capable of supporting the sign.
  - f) All signs shall be designed and manufactured to a professional standard of quality equivalent thereto.
  - g) All signs shall be kept in a safe, clean, tidy and legible condition and may, at the discretion of the Municipal Planning Commission, be required to be renovated or removed. Signs advertising businesses no longer in operation shall be removed.
  - h) No signs or advertising structures other than those specified under **Part III Section 3.3**, shall be permitted in a residential district.
  - i) No signs or advertising of any kind shall be permitted adjacent to a highway unless the prior approval of Alberta Infrastructure has been obtained.
  - j) The following separation distances between signs shall be applied:
    - i. 9.14 m (30 ft.) adjacent to a municipal road;
    - ii. 100 m (328 ft.) adjacent to a primary highway or as required by Alberta Infrastructure.
- 2) **Projecting signs** may be permitted provided that:
- a) a minimum height clearance of 2.7 m (9 ft.) be provided from any sidewalk below;
  - b) the signs shall not project above the roof by more than 1 m (3.2 ft.);
  - c) the sign does not project within 0.6 m (2 ft.) of the curb;
  - d) the sign does not project more than 2 m (6.4 ft.) from the face of the building;
  - e) the sign does not exceed 9.3 m<sup>2</sup> (100 ft.<sup>2</sup>) in area.
- 3) **Free standing signs** (directional, advertising or identification) may be permitted provided that:
- a) the sign does not exceed 9 m (30 ft.) in overall height;
  - b) the maximum total sign area allowable is 13.9 m<sup>2</sup> (150 ft.<sup>2</sup>);
  - c) the sign shall be a minimum of 6.1 m (20 ft.) from a curb or 1.5 (5 ft.) from the property line.
- 4) **Roof signs** shall not exceed 9.3 m<sup>2</sup> (100 ft.<sup>2</sup>) and no portion of the sign shall extend beyond the periphery of the roof on which it is located.
- 5) **Fascia** signs may be permitted provided that:
- a) the total sign area does not exceed a ratio of 20% of the face building to which the sign is attached;
  - b) it shall not project above the roof or marquee by more than 1 m (3.2 ft.).
- 6) **Awnings** containing advertising shall be treated as projecting signs. However, at the discretion of the Development Authority the minimum height clearance from the sidewalk may be relaxed.

7) **Portable signs:**

a) **Portable Sign Permit Application Process:**

- i. A sign permit must be obtained before a portable sign is placed at a location. To obtain a permit a complete application, together with the required fee, must be submitted to the Village.
- ii. The Development Authority shall, in the case of a development permit for a portable sign, specify the length of time that permit remains in effect in accordance with the time limitations for such signs.
- iii. Application for a permit for the use of a portable sign shall be submitted by the owner of the sign, the advertiser or the owner of the property upon which the sign is proposed to be placed, and there shall be signed consent from the owner of the sign and the owner or tenant of the property.
- iv. The following information shall be submitted on the appropriate application form for a portable sign development:
  1. The municipal address and legal description of the land or building where the sign is to be located;
  2. A plan showing the exact location of where the sign is to be located on the property;
  3. The applicant's name, address and telephone number;
  4. An indication of whether the site where the sign is to be located is a single business occupancy or multiple business occupancy development;
  5. The nature of the sign content to determine the length of time for the portable sign approval;
  6. The length of time the sign is to be displayed at the location address;
  7. The signature of the tenant, owner or his agent of the property where the sign is to be located authorizing the placement of the sign;
  8. The signature of the owner of the sign with the owners name, address and telephone number; and
  9. The size, height and nature of the sign.

b) **Regulations:**

One (1) portable sign may be permitted per site provided that:

- i. The sign is a minimum linear distance of 9m (30 ft.) from an intersection of public road rights-of-way and does not affect site lines or other safety considerations from entrance/egress to any site;
- ii. The sign shall not be placed upon a site so as to conflict with parking, loading or walkway areas as required by this Bylaw or as approved under the development permit unless otherwise approved by the Municipal Planning Commission;
- iii. The furthest limit of the sign is a minimum of 3 m (10 ft.) from the curb/sidewalk or 1.5 m (5 ft.) from the property line, whichever is the greater distance unless otherwise approved by the Municipal Planning Commission and the sign shall be located on private property;
- iv. Maximum sign area shall not exceed 10 m<sup>2</sup> (107.6 sq. ft.);
- v. Maximum height shall not exceed 2.5 m (8.2 ft.);
- vi. The sign is not located in the sight triangle formed on a corner site by the two street property lines and a straight line which intersects them 5 m (16.4 ft.) from the corner where they meet;
- vii. The sign does not have any flashing lights or arrows;
- viii. The lighting of a mobile sign does not adversely affect residential sites and/or traffic lights;
- ix. The site does not contain residential land uses;

- x. A Portable sign must be stabilized and anchored in a way that ensures they will not be unintentionally moved, blown over or dislocated. All methods and materials used to stabilize and anchor a portable sign must:
  - 1. Be easily removable;
  - 2. Not cause tripping hazards;
  - 3. Be inconspicuous
- xi. There is a minimum 30 m (100 ft.) separation from any other Portable sign and all portable signs are located with consistent spacing requirements along the same street;
- xii. Portable signs may be erected or displayed for any business for a maximum of **60 consecutive days** in accordance with the requirements of this section. The expiration of the sign permit shall be considered with regard to the event or thing that is being advertised. Portable signs are intended to advertise or promote events of a temporary nature and are not intended to be permanently located on any site. A business frontage shall remain free of portable signs for a minimum of **60 consecutive days** before a further permit approval for such business may be issued.
- xiii. Where there are multiple businesses located on the same property (i.e. strip mall developments, etc.), the site shall be considered the frontage of each business and a portable sign may be allowed for each business in accordance with the requirements of this section;
- xiv. A valid development permit has been obtained for signs to be in place for more than 7 consecutive days.

c) **Portable Sign Enforcement Process:**

- i. Where a portable sign contravenes the regulations of this Bylaw or the terms of the permit issued, the owner, or person responsible for the placement of the sign shall remove or relocate or repair the sign such that it complies with this Bylaw within one day of receiving written or verbal notification from the Village;
- ii. Any person who fails to comply with a notice given by the Development Authority shall permit the Village to immediately remove the portable sign;
- iii. Failure to comply with a notice of contravention may result in the Development Authority refusing to issue a sign permit on the same site for a period of three (3) months.

**8) Sandwich Board (A-Board) Signs**

A-Board signs may be permitted provided that:

- a) In a commercial district, one (1) A-Board sign may be located immediately outside of a business premises provide that:
  - i. The A-Board sign does not disrupt pedestrian traffic on the sidewalk;
  - ii. The area of the A-Board sign does not exceed 2.4 sq. meter (8 sq. ft.) in size with the height twice the width (maximum two (2) sides); and
  - iii. The A-Board sign is removed on a nightly basis;
- b) A-Board signs proposed to be located on public property or right-of-way contrary to the regulations above shall not be permitted unless otherwise approved by the municipality;
- c) A-Board signs shall not have a flashing device, animator or flashing beacon attached to, or operating in connection with it; and
- d) The A-Board sign is located so that it will not cause conflict with any parking, loading or walkway facilities or be considered a traffic hazard.



## 9) Community Information Signs

Community Information signs may be permitted in appropriate locations provided that:

- a) Limited locations are permitted to allow for maximum exposure to Village residents and visitors;
- b) Sign content to be limited to community organizations, events, not-for-profit groups with a maximum of 20% of the sign copy area allowed to be dedicated to a for-profit sponsoring agency for a **permanent** community information sign;
- c) Community information signs that are to be a permanent use shall be developed as a permanent sign with professional standards such as **freestanding sign** with their higher level of aesthetics for community appearance and shall not include **portable signs** unless otherwise permitted in this bylaw;
- d) The content and media displayed on any community information sign shall be determined by the Development Authority

## 10) Billboards

Billboards may be permitted in Commercial, Industrial and Urban Reserve land use district as determined by the Municipal Planning Commission provided that;

- a) Minimum dimensions shall be 3 m (10 ft.) by 6.1 m (20 ft.), unless otherwise approved by the Municipal Planning Commission;
- b) Shape: width shall be twice the height;
- c) All signs shall be located 20 feet (6 m) from the highway right-of-way to the nearest part of the sign or as required by Alberta Transportation;
- d) No part of a sign shall be located any farther than 60 feet (18.25 m ) from the highway right-of-way to the farthest part of the sign;
- e) Minimum vertical clearance beneath a billboard; 10 feet (3 m) unless on the side of a building where the distance shall be at the discretion of the Municipal Planning Commission;
- f) Minimum radial distance between signs on the same side of the highway where the posted speed in 80 km/hr or greater shall be 500 feet (152 m);
- g) Maximum area of the billboard shall not exceed 65 sq. meters;
- h) Maximum height of the billboard shall not exceed 8 m above the average finished elevation of the site upon which it is situated or at the discretion of the Development Authority;
- i) The billboard does not block natural light from a window of a building behind it;
- j) The lighting of the billboard does not adversely affect residential sites and/or traffic lights;
- k) The location of billboards shall be according to the setback requirement for free-standing signs in the C and I Districts;
- l) Double-sided billboards may be permitted by the Municipal Planning Commission if the billboard is of a professional quality and it meets all other requirements of this bylaw;
- m) Notwithstanding all of the factors expressed in this section, the Development Officer may recommend to the Municipal Planning Commission that a permit not be granted for a billboard if it is considered that the construction of a billboard would not be conducive to the amenity of an area;
- n) All development permits for a billboard shall be reviewed by the Municipal Planning Commission;
- o) Notwithstanding the provisions in this section, a Billboard sign may be allowed on the side of a building, if in the opinion of the Municipal Planning Commission it does not interfere with the character of the surrounding area;

- p) Where a billboard is approved on the side of a building the size shall be such that it does not interfere with the character of the surrounding area and shall be at the discretion of the Municipal Planning Commission.

### **11) Illuminated Signs**

Illuminated signs shall be considered a discretionary use and considered with the regulations of the corresponding sign types in this Bylaw (i.e. freestanding or billboard sign etc.) in accordance with the following additional regulations:

- a) An illuminated sign shall not be permitted in a location closer than a 30 m distance to any dwelling in a residential district in the facing direction of the illuminated sign and notification shall be sent of an illuminated sign application to residential properties within a 100m radius of the proposed location of the sign placement;
- b) An illuminated sign shall not be permitted in a location that may, in the opinion of the Development Authority, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the Village;
- c) No permit shall be issued for and no person shall erect, install or maintain an illuminated sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto;
- d) An illuminated sign must have an adjustable brightness level and the level of brightness shall be set as to not negatively affect residential properties to the reasonable satisfaction of the Development Authority;
- e) Hours of operation and timing of changeable content shall be appropriate for the proposed location and the Development Authority may place conditions on a decision essential to maintain neighbourhood characteristics.

### **7.21 Relocation of Buildings**

- 1) Where a development permit has been granted for the relocation of a building on the same site or from another site, the Municipal Planning Commission may require the applicant to provide a letter of credit up to the amount of \$10,000.00 (\$1,000.00 where the building to be relocated is accessory to a dwelling) to ensure completion of any renovations set out as a condition of approval of a permit.
- 2) All renovations to a relocated building are to be completed within one year of the issuance of the Development Permit.
- 3) All applications to relocate a building or structure shall be accompanied by a recent photograph of the structure and, where possible, the structures shall be inspected by the Development Authority.
- 4) The design, external finish and architectural appearance of any relocated structure shall be similar to complement the existing structures located on the parcels adjacent to the parcel on which it is to be located.

### **7.22 Projection into Yards**

- 1) Front Yards:
  - a) Eaves, balconies, bay windows, shade projections, chimneys, un-enclosed decks, may project a maximum of 0.6 m (2 ft.) over or onto a required front yard;
  - b) Un-enclosed steps may project a maximum of 1.8 m (6 ft.) over or onto a required front yard.
- 2) Side Yards:
  - a) Eaves, shade projections, chimneys, may project a distance not exceeding one half of the minimum side yard requirement for the lot;

- b) Un-enclosed steps and landings shall be at grade to a side entrance and may project onto the entire required side yard. Un-enclosed steps and landings above grade shall be at the discretion of the Municipal Planning Commission;
  - c) Residential buildings with a side entrance requiring a side yard relaxation and/or having projections as described above shall maintain one side yard with no relaxation or projection except for eaves.
- 3) Rear Yards
- a) Eaves, balconies, bay windows, shade projections, chimneys, un-enclosed decks and steps may project a maximum of 1.5 m (4.9 ft.) over or onto a required rear yard.

### **7.23 Child Care Services (Dayhome and Daycare)**

- 1) The Municipal Planning Commission shall, in deciding whether to approve or refuse a **Dayhome**, consider among other matters, potential traffic generation, proximity to parks or other open or recreation areas, isolation of the proposed site from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.
- 2) The number of children within a **Dayhome**, established as a secondary use within a dwelling shall not exceed six (6).
- 3) All **Daycares** shall be licensed and approved by the relevant provincial agency.

### **7.24 Resource Conservation**

The Development Authority may encourage the incorporation of cost-effective measures which use water and energy resources wisely and will reduce their consumption in new developments and renovations.

### **7.25 Lot Grading, Elevation and Grade Plans**

- 1) The Development Authority may, at their discretion, control the elevation (height of foundation and finished grades above street and land grades) for all new development and subdivisions.
- 2) At the discretion of the Development Authority overall grade plans shall be prepared as part of a development which can be in the form of an agreement and completed at the cost of the developer.
- 3) Lot grading is the reshaping or sloping of the land in such a way that surface drainage from rainstorms, snow melt or groundwater is directed away from the buildings and is controlled in a manner that eliminates any negative impact on adjacent properties.
- 4) No person shall permit roof drainage or foundation drainage from a building to be discharged:
  - a. Directly onto a previous ground surface within one meter of a building that contains a level below the finished ground surface;
  - b. To a location where soil erosion would occur;
  - c. To a location, or in such a way, as to cause or have potential to cause a nuisance, hazard or damage; or
  - d. To the sanitary sewer system except for homes and development that were connected to a sanitary sewer prior to the adoption of this bylaw;
- 5) No person shall alter the surface elevations or surface grades of any land such that it may cause or have potential to cause a nuisance, hazard or damage;

- 6) Where retaining walls are necessary or proposed in any development, such walls shall be developed with professional quality and shall not negatively affect adjacent parcels due to site elevations or drainage.

#### **7.26 Manufactured Homes**

- 1) All manufactured homes shall be C.S.A. approved.
- 2) Manufactured homes shall have a foundation capable of supporting the maximum anticipated load of the manufactured home during all seasons. The foundation shall comply with the Alberta Building Code.
- 3) All manufactured homes shall have a minimum width of 4.2 m (14 ft.).
- 4) Manufactured homes constructed more than ten (10) years prior to the date of the development permit application may not be permitted.
- 5) The under carriage of each manufactured home shall be completely screened from view by the foundation or skirting within 30 days of placement of the manufactured home.
- 6) All accessory structures such as steps, patio, porches, additions, skirting and storage facilities shall be factory pre-fabricated units or of an equivalent quality, so that the design and construction will complement the home. Additions to a manufactured home shall have a foundation equivalent to that of the manufactured home.
- 7) All manufactured homes shall be provided with steps and landing to all entrances within 45 days of their placement on the site.

#### **7.27 Physical Environment**

The Development Authority may consider the environmental impact of any proposed development. The Development Officer may refer the proposal to a relevant government department for comment if there is an environmental concern. Where a proposal is considered to have a significant environmental impact, the Development Authority / Municipal Planning Commission may request the developer to have an environmental evaluation prepared and submitted or undertake its own environmental evaluation regarding the proposed development, all at the cost of the developer.

#### **7.28 Dwelling Units on a Parcel**

- 1) No person shall construct or locate more than one dwelling on a lot unless:
  - a) the second or additional dwelling is contained in a building designed for or divided into two or more dwellings.
- 2) The Municipal Planning Commission may issue a development permit for a second or additional dwelling unit(s) on a parcel provided the proposed development would not:
  - a) unduly interfere with the amenities of the neighborhood;
  - b) materially interfere with or affect the use, enjoyment or value of the neighboring properties; and
  - c) the proposed development conforms to the use prescribed for that land or building in this Bylaw.

#### **7.29 Autobody Shops**

- 1) The Municipal Planning Commission may impose any or all of the following conditions onto a development permit issued for an autobody shop:
  - a) all vehicle access doors to the building shall be located at the rear of the building;

- b) any areas of the site used for vehicle or materials or waste storage shall be fenced to a height of eight (8) feet (2.44 m) and the fence shall be a solid fence of either metal or wood, so that the vehicles or materials are not visible through the fence;
- c) customer vehicle parking and the vehicles awaiting repair may be permitted, provided the vehicles are not parked for a period of greater than eight (8) hours;
- d) any vehicles left for repair shall be stored within the fenced area and not be visible from streets or lanes;
- e) sandblasting of vehicles shall not be permitted outside the building.

### **7.30 Landscaping and Screening**

- 1) Non-residential developments abutting a residential district shall be screened from view to the satisfaction of the Development Authority
- 2) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares, including lanes to the Development Authority's satisfaction.
- 3) Attached housing and apartment complexes shall store garbage and waste material in a single weather and animal proof collective container, designed and located on the site to the satisfaction of the Development Authority.
- 4) If permitted, outside storage areas of commercial and industrial materials and equipment shall be screened from adjacent sites and public thoroughfares.
- 5) A boulevard (where existing) and a minimum of 10% of the site area must be landscaped in accordance with a plan approved by the Municipal Planning commission.
- 6) A minimum of 15% of the site area for attached housing and apartment complexes shall be landscaped or developed in order that it can be utilized as an amenity area.
- 7) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season.

### **7.31 Renewable Energy Systems**

Renewable energy systems such as, but not limited to, active and passive solar, photovoltaic solar panels, heat exchange systems and generators are encouraged as a method to reduce greenhouse gas emissions and to promote sustainability objectives within the Village. Alternative Energy Systems shall require a development permit to ensure that there are no nuisance effects that extend beyond the site; the building is capable of supporting the structure and shall have consideration for the following requirements:

- 1) Renewable energy systems shall meet the minimum requirements for accessory buildings and uses in the applicable land use district including setbacks and height;

### **7.32 Storage Structures**

- 1) A Storage structure shall meet the setback requirements for an accessory building in the appropriate district;
- 2) A storage structure shall be for cold storage only and shall not be connected to utilities;

- 3) A storage structure shall be screened from view as required by the Municipal Planning Commission and/or may require exterior finishing to be in general conformance with the principal building or surrounding development;
- 4) A storage structure shall not be permitted in residential areas or on parcels where the primary land is residential;
- 5) A storage structure shall not be used as a sign;
- 6) A storage structure may be permitted on a temporary basis during construction within any land use district.

### **7.33 Communication Tower**

- 1) All communication towers require a development permit;
- 2) All communication tower permit applications shall include a site plan drawn to an appropriate scale identifying site boundaries; tower elevations; guy wire anchor locations; existing and proposed structures, vehicular parking and access; existing vegetation to be retained, removed or replaced, and the uses and structures on the parcel and abutting parcels;
- 3) The height of the tower structure is limited to the maximum height limit of the respective district, but antennas may be situated above that;
- 4) Unless demonstrated impractical, communication towers shall be mounted on existing structures, including buildings or towers, or within transportation and utility corridors;
- 5) A communication tower and antenna shall only be located in a rear yard, or a side yard that does not abut a street;
- 6) On a corner parcel, a communication tower shall be situated so that no part of it is closer to the street than the main building;
- 7) A communication tower base shall be setback from abutting parcels and roadways as required by the Development Authority;
- 8) The appearance of a communication tower, including but not limited to landscaping and fencing, shall be to the satisfaction of the Municipal Planning Commission;
- 9) The Development Authority may require the applicant for a communication tower, as they may have a potential to have an adverse effect on the surrounding community, to undertake community consultation prior to an application being made. The applicant is required to submit a summary of their community consultation with the application outlining neighbour's concerns and how these concerns will be addressed or why they cannot be addressed;
- 10) Industry Canada has the authority under the *Radiocommunications Act* to issue authorizations for the location of radio communication installations, and to approve all masts, towers and other antenna-supporting structures. Industry Canada considers the following when making decisions regarding communications installations: input from local land use authorities; compliance with NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety; Health CANADA's guidelines respecting limits of exposure to radio frequency fields, and any requirements outlined under the Federal *Environmental Assessment Act*.

### **7.34 Work Camps**

- 1) A **temporary development permit** for a work camp may be issued for up to one (1) year, at which time an application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.
- 2) An application for a development permit for a work camp must provide the following information:
  - a) The location, type and purpose of the camp;
  - b) Adjacent land uses;
  - c) The method of supplying water, sewer and waste disposal must comply with the current Alberta Private Sewage Systems Standard Practice and to the satisfaction of the health and development authorities;
  - d) The number of persons proposed to reside in the camp;
  - e) The start date of the development, date of occupancy, and removal date of the camp; and
  - f) Reclamation measures once the work camp is no longer needed. The applicant may be required to post security with the municipality, sufficient to remove and reclaim the site.
- 3) No development permit for a work camp shall be approved unless:
  - a) It is directly associated with a development situated within the area;
  - b) It is for a temporary period of time as specified by the Development Authority;
  - c) All required access provisions are provided to the satisfaction of the Development Authority at the sole cost of the developer;
  - d) The developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed and the subject site returned to its original condition before the work camp was developed upon completion; and
  - e) It is an accessory development to an approved industrial or commercial development for construction employees and located within close proximity of the site of that industrial or commercial development.

### **7.35 Building Demolition**

A Development Permit application to demolish a building shall not be approved without a statement or plan which indicates:

- 1) How the operation will be carried out so as to create a minimum of dust or other nuisance;
- 2) Verification that ATCO Gas for gas services, ATCO Electric for power services, the Village office for water and sewer services, Telus for telephone services have all been notified and applications made to disconnect these above mentioned, services;
- 3) That a call has been placed to Alberta One Call requesting line locates for all of the above-mentioned services;
- 4) Verification that all debris from the demolition process shall be properly excavated and hauled away to the proper landfill site as required under all waste management regulations;
- 5) **UNDER NO CIRCUMSTANCES SHALL THE DEBRIS FROM A DEMOLITION SITE BE ALLOWED TO BE BURIED WITHIN THE VILLAGE OF CONSORT JURISDICTION;**
- 6) **How the site will be rendered safe after demolition has been completed (ex. filling of any excavation/holes;**
- 7) **All foundations must be removed from the site of any demolition.**

### **7.36 Moved on Building**

All proposals to move a structure exceeding 100 sq. ft., whether for residential or another use, shall require the approval of the Development Authority, through the review of a Development Permit Application. The application submission must include:

- 1) Photos of the existing structure;
- 2) Building dimension information, including height;
- 3) A site plan with appropriate dimensions indicated for setback requirements; and
- 4) Any other information deemed appropriate by the Development Authority.

### **7.37 Cannabis Retail Sales**

- 1) Cannabis Retail Sales shall comply with all provincial requirements.
- 2) The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 3) Must not have any part of an exterior wall that is located within 300 meters of:
  - a) An approved hospital as defined in the *Hospitals Act* or a boundary of the parcel of land on which the facility is located; or
  - b) A building containing a school as defined in the *Schools Act* or a boundary of a parcel of land on which the building is located; or
  - c) A boundary of a parcel of land that is designated as a school reserve or Municipal and school reserve under the *Municipal Government Act*, or
  - d) A public pool or playground or parcel of land on which one is located; or
  - e) A public recreation facility, (ie. Consort Sportex) or parcel of land on which one is located.
- 4) Despite section 3 b), no separation is required between Cannabis Retail Sales and a home education program.

### **7.38 Cannabis Production Facility**

- 1) As a condition of development and prior to the operation of the facility, the owner must provide a copy of the current license for all activities associated with cannabis production as issued by the Health Canada.
- 2) The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 3) The development must be done in such a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, garbage containers and waste material.
- 4) The development shall not include an outdoor area for the storage of goods, materials or supplies.
- 5) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 6) The Development Authority may require as a condition of a development permit, a waste management plan completed by a qualified professional, which includes but not limited to, details on:
  - a) the quantity and characteristics of liquid and waste material discharged by the facility;



- b) the method and location of collection and disposal of liquid and waste material discharged by the facility; and
- c) the incineration of waste products and airborne emissions, including smell.

### **7.39 Direct Control Districts**

At the discretion of Council, Direct Control Districts may be established per Section 641 of the Municipal Government Act.

## **PART VII: LAND USE DISTRICTS (ZONING) MAP**

Please contact the Village of Consort office or Palliser Regional Municipal Services for an up-to-date copy of the Land Use Districts Map.

### **Village of Consort**

Phone: 1(403) 577-3623

Address: 4901 50 Ave  
Consort, AB  
T0C-1B0

### **Palliser Regional Municipal Services**

Phone: 1-877-854-3371

Email: [info@palliserservices.ca](mailto:info@palliserservices.ca)

Address: 115 Palliser Tr  
Hanna, AB  
T0J-1P0

**FORMS:**

(All Forms are included below for information purposes but do not form part of this Bylaw)

FORM A - DEVELOPMENT PERMIT APPLICATION

FORM B - STOP ORDER / ORDER OF COMPLIANCE

FORM C - APPLICATION FOR LAND USE BYLAW AMENDMENT

FORM D - NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

FORM E - NOTICE OF DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

FORM "A"



VILLAGE OF CONSORT  
DEVELOPMENT PERMIT APPLICATION

TAX ROLL # \_\_\_\_\_  
DATE RECEIVED \_\_\_\_\_

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

APPLICANT: \_\_\_\_\_ PHONE : \_\_\_\_\_ ( Res.) \_\_\_\_\_ (Bus.)  
ADDRESS: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_  
REGISTERED OWNER (if different from applicant) \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_

MUNICIPAL ADDRESS OF PROPERTY TO BE DEVELOPED: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_

QTR/L.S.D.: \_\_\_\_\_ SEC.: \_\_\_\_\_ TWP.: \_\_\_\_\_ RNG. \_\_\_\_\_ MER.: \_\_\_\_\_ C. OF .T: \_\_\_\_\_

DESCRIBE EXISTING USE OF LAND: \_\_\_\_\_

DESCRIBE PROPOSED USE OF LAND: \_\_\_\_\_

LAND USE DISTRICT: \_\_\_\_\_

PRINCIPAL BUILDING – DESCRIPTION OF CONSTRUCTION: \_\_\_\_\_

LOT WIDTH: \_\_\_\_\_ LOT LENGTH: \_\_\_\_\_ FRONT YARD SETBACK: \_\_\_\_\_ SIDE YARD

SETBACK: \_\_\_\_\_ REAR YARD SETBACK: \_\_\_\_\_

DIMENSIONS OF PRIMARY STRUCTURE: \_\_\_\_\_ PERCENT OF LOT OCCUPIED: \_\_\_\_\_

ACCESSORY BUILDING – DESCRIPTION OF CONSTRUCTION: \_\_\_\_\_

DIMENSIONS OF ACCESSORY BUILDING: \_\_\_\_\_ HEIGHT OF ACCESSORY BUILDING: \_\_\_\_\_

FRONT YARD SETBACK: \_\_\_\_\_ SIDE YARD SETBACK: \_\_\_\_\_ REAR YARD SETBACK: \_\_\_\_\_

ESTIMATED PROJECT COST OR CONTRACT COST: \$ \_\_\_\_\_

ESTIMATED START DATE: \_\_\_\_\_ ESTIMATED COMPLETION DATE: \_\_\_\_\_

I/we hereby give my consent to allow all authorized persons the right to enter the above land and/or buildings, with respect to this application only, and I/we hereby declare that the above information is, to the best of my/our knowledge, factual and correct.

\_\_\_\_\_  
Signature of Applicant

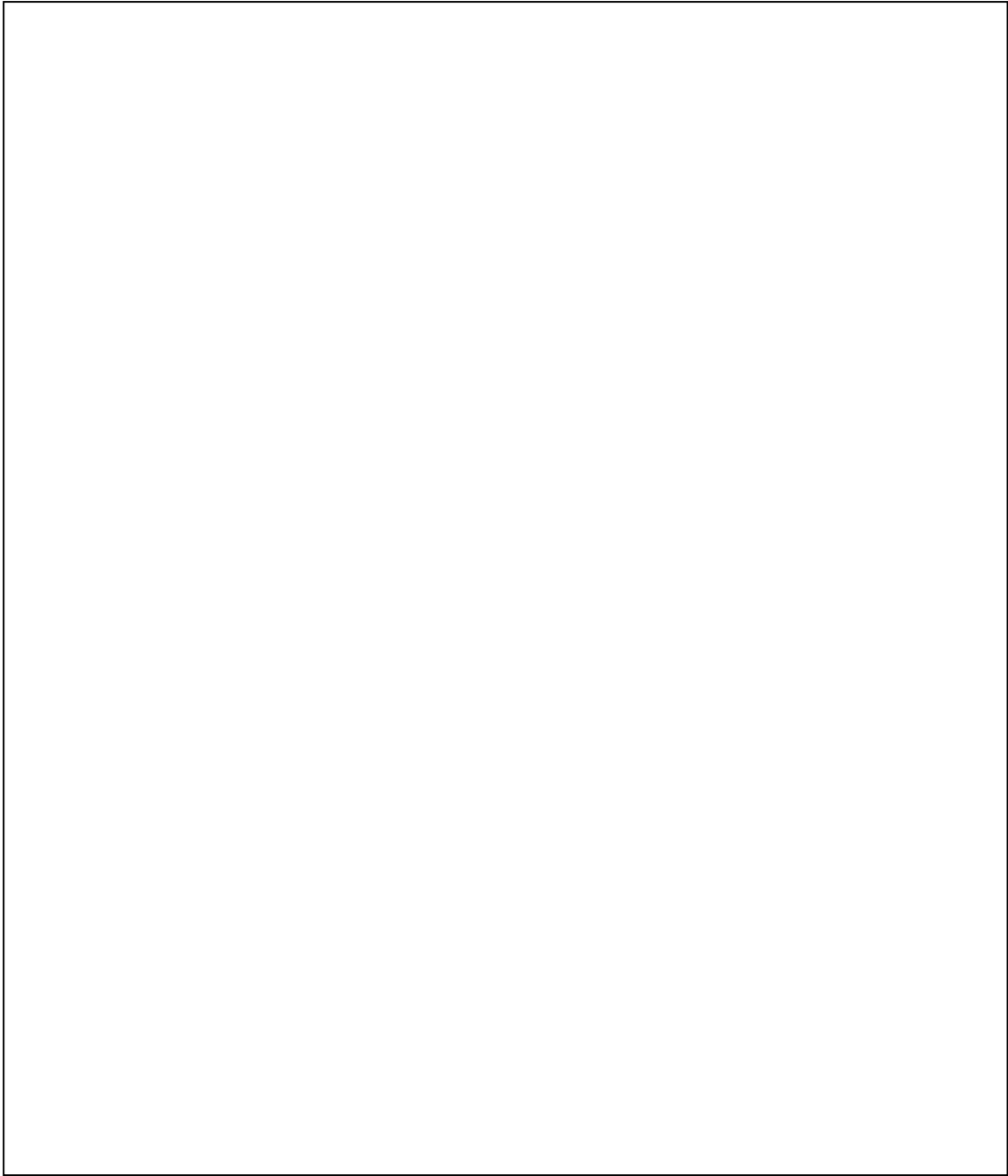
\_\_\_\_\_  
Date of Application

**This is not an application for a building permit.**

This form shall be accompanied by:

- 1. A detailed and scaled site plan showing the legal land description and the front, rear and side yards, if any, and any provision for off-street loading and vehicle parking, and entry and exit to and from the parcel; (Provide sketch on reverse or attach separate page)
- 2. Floor plans, elevations and sections and such other plans and information requested by the Development Authority

Rear Property Line



Front Property Line

Indicate placement and approximate measurements of development, relative to property lines.



Village of Consort

FORM "B"

STOP ORDER/ ORDER OF COMPLIANCE

ORDER NO. \_\_\_\_\_

YOU ARE HEREBY NOTIFIED IN RESPECT OF THE DEVELOPMENT INVOLVING:

\_\_\_\_\_  
\_\_\_\_\_

**LOCATION OF DEVELOPMENT:**

CIVIC ADDRESS: \_\_\_\_\_

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

All / Part of the \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Twp. \_\_\_\_\_ Range \_\_\_\_\_ West of 4<sup>th</sup> Meridian.

**THAT THIS DEVELOPMENT IS NOT IN ACCORDANCE WITH:**

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Development Permit No. \_\_\_\_\_, in respect to:

\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

THIS ORDER SHALL BE COMPLIED WITH BY \_\_\_\_\_

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

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

DATE OF ISSUE OF ORDER: \_\_\_\_\_

SIGNATURE OF THE DEVELOPMENT OFFICER: \_\_\_\_\_



**VILLAGE OF CONSORT  
APPLICATION FOR AMENDMENT  
TO LAND USE BYLAW #A-858**

TAX ROLL # _____
DATE RECEIVED _____

I/we hereby make application to amend the Land Use Bylaw #A-796.

**APPLICANT:**

**NAME:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ (Res.) \_\_\_\_\_ (Bus.)

**ADDRESS:** \_\_\_\_\_ **POSTAL CODE:** \_\_\_\_\_

**OWNER OF LAND:**

**NAME:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ (Res.) \_\_\_\_\_ (Bus.)

**ADDRESS:** \_\_\_\_\_ **POSTAL CODE:** \_\_\_\_\_

**LEGAL DESCRIPTION:**

**LOT:** \_\_\_\_\_ **BLOCK:** \_\_\_\_\_ **PLAN:** \_\_\_\_\_

**QTR. /L.S.D.:** \_\_\_\_\_ **SEC:** \_\_\_\_\_ **TWP.** \_\_\_\_\_ **RG.** \_\_\_\_\_ **M.:** \_\_\_\_\_

**CERTIFICATE OF TITLE:** \_\_\_\_\_

**AMENDMENT PROPOSED:**

**FROM:** \_\_\_\_\_

**TO:** \_\_\_\_\_

**REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_



**VILLAGE OF CONSORT  
NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING**

Application/Subdivision No. \_\_\_\_\_

This is to notify you that an appeal has been made to the Subdivision and Development Appeal Board against a decision in respect of Application/Subdivision No. \_\_\_\_\_ which involves a development/subdivision described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**APPROVE**

**APPROVE (with Conditions)**

**REFUSE**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**PLACE OF HEARING:** \_\_\_\_\_

**TIME OF HEARING:** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

Any person affected by the proposed development/subdivision has the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons submitting the written briefs to the Secretary of the Subdivision and Development Appeal Board at the Village Office, should do so no later than 4:00 PM on \_\_\_\_\_





**VILLAGE OF CONSORT  
NOTICE OF DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

Application/Subdivision No. \_\_\_\_\_

This is to notify you that an appeal against the

**APPROVAL**

**APPROVAL WITH CONDITIONS**

**REFUSAL**

Of a development permit/subdivision application with regard to the following:

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Was considered by the Subdivision and Development Appeal Board on \_\_\_\_\_,  
20\_\_\_\_, and the decision of the Subdivision and Development Appeal Board with regard to the appeal  
is as follows:

**FINDINGS OF FACT:**

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**DECISION:**

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**REASONS:**

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**DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_  
**Of Secretary of Subdivision and Development Appeal Board**

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

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