

**VILLAGE
OF
BRETON**
LAND USE BYLAW 13-02



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Prepared by: West Central Planning Agency

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BYLAW 13-02
OF
VILLAGE OF BRETON

A BYLAW OF THE VILLAGE OF BRETON, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A LAND USE BY-LAW.

WHEREAS, under the Authority of and pursuant to the Municipal Government Act, being chapter M-26 of the revised Statutes of Alberta 2000, and the amendments thereto, the Council of the Village of Breton may regulate and control the use and development of land and buildings.

NOW THEREFORE, the Council of the Village of Breton, duly assembled, hereby enacts as follows:

1. That Schedule "I" identified as the Village of Breton Land Use Bylaw" outlines the purpose and specifics of the Bylaw; and
2. That Schedule "A" being the "Land Use Bylaw District Map" divides the municipality into appropriate district and;
3. That Schedule "B" identifies the required forms used to administer the development regulations; and
4. That Bylaw 99-07 and any amendments thereto are hereby repealed.

THIS Bylaw shall come into force and be effective upon the day third and final reading.

READ a first time 13th day of March, 2013.

Mayor

Acting Municipal Administrator

READ a second time 10th day of April, 2013.

READ a third time 10th day of April, 2013.

Deputy Mayor

Acting Municipal Administrator

SCHEDULE "I"

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PART I - GENERAL

SECTION 1 SHORT TITLE

This Bylaw may be cited as "The Village of Breton Land Use Bylaw"

SECTION 2 SCOPE

No development shall hereafter be carried out within the boundaries of the municipality except in conformity with the provisions of this Bylaw.

SECTION 3 PURPOSE

The purpose of this Bylaw is to, amongst other things:

- (1) divide the municipality into districts;
- (2) prescribe and regulate the uses(s) for each district;
- (3) establish the office of Development Authority;
- (4) establish a method of making decision on applications for development permits including the issuing of development permits; and
- (5) provide the manner in which notice of the issuance of a development permit is to be given.

SECTION 4 METRIC AND IMPERIAL MEASUREMENTS

Whenever dimensions are present or calculations are required, the metric dimensions, values or results shall be used. The imperial equivalents provided in parenthesis after each reference to metric units of measurements are approximate and intended for information only.

SECTION 5 RELATIONSHIP TO MUNICIPAL GOVERNMENT ACT

- (1) This Bylaw enacted under the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26. This Bylaw is intended to be read in conjunction with the Municipal Government Act, with amendments to the time of the reading. Reference should be made to the Act and its regulations with respect to definitions of terms, administrative matters, and the powers of agencies and officers referred to in this Bylaw, if these are not set out in this Bylaw.

- (2) The Municipal Government Act references contained in parenthesis in certain sections of the Bylaw are not enacted as part of this Bylaw and may be revised, as required, by the Development Authority without adoption by Council of an amending Bylaw.

SECTION 6 DEVELOPMENT AUTHORITY AND MUNICIPAL PLANNING COMMISSION

- (1) The office of the Development Authority is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- (2) The Development Authority shall perform such duties that are specified in this Land Use Bylaw, including among other things:
 - (a) keeping and maintaining for the inspection of the public during all regular hours, a copy of this Land Use Bylaw and all amendments thereto, and
 - (b) keeping a register of all applications for development including the decision thereon and the reasons therefore.
- (3) The Municipal Planning Commission established by Bylaw No. 96-10, and any amendments thereto, shall perform such duties as are specified in the Land Use Bylaw.

SECTION 7 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- (1) The Subdivision and Development Appeal Board shall be established by separate Bylaw.
- (2) The Subdivision and Development Appeal Board shall perform such duties as specified in the Municipal Government Act.

SECTION 8 ESTABLISHMENT OF FORMS AND FEE SCHEDULES

For the purpose of administering the provisions of the Land Use Bylaw, the Council shall, by resolution, authorize the preparation and use of such forms, fee schedules and notices as it may deem necessary.

SECTION 9 AMENDMENTS OF THE LAND USE BYLAW

- (1) The Council on its own initiative may give first reading to a bylaw to amend this Land Use Bylaw.
- (2) A person may make application to the Development Authority for amendment to this Land Use Bylaw. The application shall include:
 - (a) a statement of the specific amendment requested;

- (b) the purpose and reason for the application;
 - (c) if the application is for a change of district, the legal description of the lands, or a plan showing the location and dimensions of the lands;
 - (d) the applicant's interest in the lands;
 - (e) an applicant fee to be determined by the resolution of Council;
 - (f) the cost of advertising for the public hearing; and
 - (g) such other information as the Development Authority or Council deems necessary to access the motive of the application.
- (3) Upon receipt of an application for amendment to this Land Use Bylaw, the Development Authority shall determine when the application will be placed before Council and shall issue not less than ten (10) days notice to the applicant advising that he/she may appear before Council at that time, and speak on the application. An application for amendment shall be placed before the Council within sixty (60) days of its receipt by the Development Authority.
- (4) The Council, in considering an application for amendment to this Land Use Bylaw, may at its sole discretion:
- (a) refer to the application for further information; or
 - (b) pass first reading to a bylaw to amend this Land Use Bylaw, with or without modifications; or
 - (c) pass first reading of an alternate amendment to this Land Use Bylaw.
- (5) Following first reading to an amending bylaw, the Council shall:
- (a) establish the date, time and place for a public hearing on the proposed bylaw;
 - (b) outline the procedure to be followed by anyone wishing to be heard at the public hearing or;
 - (c) outline the procedure by which the public hearing will be conducted.
- (6) Following passages of the first reading to an amending bylaw, the Development Authority shall issue notices of the public hearing:

- (a) by publication in two issues of a newspaper circulating in the area, the publication date of the second issue not less than seven (7) days preceding the date of the hearing and;
 - (b) by mailing notice no less than ten (10) days preceding the date of the hearing to:
 - (i) the applicant, and
 - (ii) to the registered owners of the land, if not the applicant, and the owners of adjacent land if the proposed bylaw will result in a change of district designation.
- (7) The notice of public hearing shall provide the following information:
 - (a) the purpose of the proposed bylaw;
 - (b) the date, time and place of the public hearing;
 - (c) that the proposed bylaw and any public documents applicable to the proposed bylaw may be inspected at the Municipal Office at all reasonable times, subject to the provisions of the Municipal Government Act; and
 - (d) the procedure for the public hearing.
- (8) Prior to the public hearing, the Development Authority shall forward a copy of the proposed bylaw to:
 - (a) the M.D of Brazeau #77 if the proposed by-law:
 - (i) affects lands on the boundary with the M.D. of Brazeau #77, or
 - (ii) may have an effect upon the M.D. of Brazeau #77.
 - (b) Alberta Transportation if the proposed by-law:
 - (i) affects lands within proximity to a highway right of way;
 - (c) any other provincial authority deemed necessary by the Development Authority.
- (9) At the public hearing, the Council shall hear:
 - (a) any person or group of persons acting on their behalf who:
 - (i) has complied with the procedures outlined by the Council, and

- (ii) claims to be affected by the proposed bylaw and;
 - (b) any other person who wishes to make representation and whom the Council agrees to hear.
- (10) The Council after considering:
- (a) any representation made at the public hearing; and
 - (b) the Municipal Development Plan, and any Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan affecting the application, and the provisions of this Bylaw;
- may
- (c) make such amendments or changes as it considers necessary to the proposed bylaw, if any proceed to pass the proposed bylaw; or
 - (d) defeat the proposed bylaw.
- (11) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- (12) After third reading of the proposed bylaw, the Development Authority shall send a copy of it to:
- (a) the applicant;
 - (b) the registered owner of the land if different from the applicant.
 - (c) the M.D. of Brazeau #77, if it received a copy of the proposed bylaw pursuant to subsection (8).
 - (d) Alberta Transportation, if it received a copy of the proposed bylaw pursuant to subsection (8).

SECTION 10 SECTIONS FOUND TO BE INVALID

If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, all remaining provisions are to remain in full force and in effect.

PART II - THE ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

SECTION 11 LAND USE DISTRICTS

The municipality is hereby divided into the following districts.

Short Form	District Designation
R-1A	Residential - Single Family (Class A)
R-1B	Residential - Single Family (Class B)
R-2	Residential - Two Family
R-3	Residential – Higher Density
R-MHS	Residential - Mobile Home Subdivision
R-MHC	Residential - Mobile Home Court
C-1	Commercial - Central Business District (Retain and Service)
C-3	Commercial - Vehicle Oriented
CM-X	Commercial - Mixed Commercial/Industrial
M-1	Industrial - General Industrial
P-1	Parks and Recreation - General Recreation
S-P	Semi-public - Institutional
U-R	Urban Reserve - Holding District
DC	Direct Control District

SECTION 12 LAND USE DISTRICT BOUNDARIES

- (1) Land use districts specified under Section 11 are described in the short form on the LAND USE DISTRICT MAP.
- (2) The district boundaries are delineated on the LAND USE DISTRICT MAP (see Schedule A).

Where uncertainty arises as to the precise location of the boundary of any district the following rules shall apply:

- (a) Where district boundaries are shown to approximate the following, they shall be deemed to be:
 - (i) the parcel boundaries, or
 - (ii) the municipal boundaries, or
 - (iii) the centre line of railway right-of-way, or

- (iv) the centre line of road right-of-way.
 - (b) District boundaries not referenced specifically to items indicated in part (a) shall be determined on the basis of the scale of the map.
 - (c) Where land use districts have been established in accord with a proposed subdivision of land, the district shall be understood to conform to the certificate of title or the plan of survey when registered in a Land Titles Office. Prior to registration, the district boundary shall be determined on the basis of the scale of the map.
- (3) The district regulations of this Bylaw do not apply to roads, lanes or other public thoroughfares.

SECTION 13 R-1A - RESIDENTIAL - SINGLE FAMILY (CLASS A)

(1) General Purpose of District

This district is intended to accommodate Single Detached Dwellings and Detached Dwellings of modular type construction.

(2) Permitted Uses

Single Detached Dwellings
Accessory Buildings
Public Park

Discretionary Uses

Secondary Suites
Home Occupation
Utility Buildings not containing offices
Place of Worship
Show Home
Group care facility
Public Use
Dare Care Facility
New Modular Homes, but excluding
Manufactured and Mobile Homes.
Any use that is similar, in opinion of the
Development Authority, to the permitted or
discretionary uses listed.

(3) Parcel Coverage

Coverage of all buildings shall not exceed 40% of the total parcel area.

(4) Minimum Floor Area (not including attached garage)

Shall be no less than 79.0 m² (850.4 ft²). at grade

(5) Minimum Parcel Depth

Shall be no less than 34.0 m (111.5 ft).

(6) Minimum Parcel Width

(a) In the case of roadway and lane systems:

15.0 m (49.2 ft) for internal parcels.

17.0 m (55.8 ft) for corner or double fronting parcels.

(b) In the case of laneless systems:

18.0 m (59.1 ft) for internal parcels.
20.0 m (65.6 ft) for corner or double fronting parcels.

(7) Minimum Parcel Area

This will be the product of the minimum parcel depth and the minimum parcel width.

(8) Minimum Front Yard Setback

Shall be at the discretion of the Development Authority who shall have concern for development or potential development on adjacent parcels and for the amenities of the area, but, in no case shall be permitted a setback of less than 7.0 m (23 ft). Nor shall there be permitted a setback of more than 14.0 m (45.9 ft).

(9) Minimum Side Yard Setback

- (a) Side yard setbacks to the principal building shall total at least 20% of the parcel width with a minimum parcel yard setback of 1.5 m (4.9 ft) for buildings of less than two stories, and 2.3 m (7.5 ft) for buildings of two stories or more.
- (b) Notwithstanding the above, where a parcel has vehicular access from the front only, one side yard setback must be a minimum of at least 3.2 m (10.5 ft) to accommodate a driveway for vehicular passage to the rear of the property except where an attached garage or carport is provided.

(10) Minimum Rear Yard Setback

A rear yard setback shall be provided of not less than 8.0 m (26.2 ft).

(11) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 43 Home Occupations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 14 R-1B - RESIDENTIAL - SINGLE FAMILY (CLASS B)

(1) General Purpose of District

This district is intended to accommodate both conventional Single Detached Dwellings and Mobile Homes.

(2) Permitted Uses

Single Detached Dwellings
Accessory Buildings
Public Park

Discretionary Uses

Secondary Suites
Duplex
Home Occupation
Utility Buildings not containing offices
Place of Worship
Show Home
Group Care Facility
Public Use
Dare care facility
Mobile Home
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Parcel Coverage

Coverage of all buildings shall not exceed 40% of the total parcel area.

(4) Minimum Floor Area (not including attached garage)

Shall be no less than 79.0 m² (850.4 ft²) for Single Detached Dwellings and 78.04 m² (840.0 ft²) for Mobile Homes. at grade

(5) Minimum Parcel Depth

Shall be no less than 34.0 m (111.5 ft).

(6) Minimum Parcel Width

(a) In the case of roadway and lane systems:

15.0 m (49.2 ft) for internal parcels.

17.0 m (55.8 ft) for corner or double fronting parcels.

- (b) In the case of laneless systems:

18.0 m (59.1 ft) for internal parcels.

20.0 m (65.6 ft) for corner or double fronting parcels.

(7) Minimum Parcel Area

This will be the product of the minimum parcel depth and the minimum parcel width.

(8) Minimum Front Yard Setback

Shall be at the discretion of the Development Authority who shall have concern for development or potential development on adjacent parcels and for the amenities of the area, but, in no case shall be permitted a setback of less than 7.0 m (23 ft). Nor shall there be permitted a setback of more than 14.0 m (45.9 ft).

(9) Minimum Side Yard Setback

- (a) Side yard setbacks to the principal building shall total at least 20% of the parcel width with a minimum parcel yard setback of 1.5 m (4.9 ft) for buildings of less than two stories, and 2.3 m (7.5 ft) for buildings of two stories or more.

- (b) Notwithstanding the above, where a parcel has vehicular access from the front only, one side yard setback must be a minimum of at least 3.2 m (10.5 ft) to accommodate a driveway for vehicular passage to the rear of the property except where an attached garage or carport is provided.

(10) Minimum Rear Yard Setback

A rear yard setback shall be provided of not less than 8.0 m (26.2 ft).

(11) Mobile Home in the R-1B District

- (a) A mobile home shall be considered a Single Detached Dwelling in the R-1B district and shall be assessed as such.
- (b) No mobile home shall exceed 5.0 m (16.4 ft) in height above grade.
- (c) A plan showing adjacent properties and the location of existing mobile homes, additions and accessory buildings on those properties, shall be submitted with a new application.

(12) Mobile Homes Development Regulations, Appearances, Foundations and Skirting

See Section 17 12(b)

(13) Development Regulations for Side-by-Side Duplex Housing

Notwithstanding the regulation of this district, side-by-side duplex housing may be developed in accordance with the regulations of the R-2 district only.

(14) Other Controls

Section 38 Building Regulations

Section 39 Yard Regulations

Section 40 Mobile (Manufactured) Homes

Section 41 Off-Street Parking and Loading Regulations

Section 42 Sign Regulations

Section 43 Home Occupations

Section 45 Objectionable Items in Yards

Section 46 Pollution Control

Section 47 Fences and Screening

SECTION 15 R-2 - RESIDENTIAL - TWO FAMILY

(1) General Purpose of District

This district is generally intended to accommodate Two-Family Dwellings. The district will, in the majority of cases, be applied in areas suitable for either new development, or redevelopment. The district will allow economic conversion of existing Single Detached Dwellings to a mix of one and Two-Family Dwellings.

(2) Permitted Uses

Duplex
Single Detached Dwellings
Accessory Buildings
One Secondary Suite for each Single Detached Dwelling
Public park

Discretionary Uses

Home Occupation
Utility Buildings not containing offices
Place of Worship
Show Home
Group Care Facility
Family Care Facility
Public Use
Apartment (Multi-Family Dwelling)
Triplex
Fourplex
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Parcel Coverage

Coverage of all buildings shall not exceed 40% of total parcel area.

(4) Minimum Floor Area (not including attached garage) at grade

- (a) One storey or bi-level Single Detached Dwelling unit - 79.0 m² (850.0 ft²).
- (b) One and one-half storey or split level Single Detached Dwelling unit - 92.9 m² (1,000 ft²).
- (c) Two storey Single Detached Dwelling unit - 112.0 m² (1,205.6 ft²).
- (d) Duplex unit - 79.0 m² (850.0 ft²).

(5) Minimum Parcel Depth

Shall be no less than 34.0 m (111.5 ft).

(6) Maximum Height of Buildings

The maximum height of buildings shall not exceed 10.0 m (32.8 ft) nor two and a half storeys.

(7) Minimum Parcel Width

(a) No new parcels for a Single Detached Dwelling shall be created which has a width less than:

(i) In the case of roadway and lane systems:

15.0 m (49.2 ft) for internal parcels.

17.0 m (55.8 ft) for corner or double fronting parcels.

(ii) In the case of laneless systems:

18.0 m (59.1 ft) for internal parcels.

20.0 m (65.6 ft) for corner or double fronting parcels.

(b) No parcel for a side-by-side duplex dwelling shall be created with a width less than:

(i) 11.0 m (36.1 ft) per unit for internal parcels (where permitted); and

(ii) 13.0 m (42.7 ft) per unit for corner lots.

(c) No parcel for a vertical duplex dwelling shall be created by subdivision with a width less than:

(i) 9.0 m (29.5 ft) per unit for internal lots (where permitted); and

(ii) 11.0 m (36.1 ft) per unit for corner lots.

(8) Minimum Parcel Area

This will be the product of the minimum parcel depth and the minimum parcel width.

(9) Minimum Front Yard Setback

Shall be at the discretion of the Development Authority who shall have concern for development or potential development on adjacent parcels and for the amenities of the area, but, in no case shall be permitted a setback of less than 7.0 m (23 ft). Nor shall there be permitted a setback of more than 14.0 m (45.9ft).

(10) Minimum Side Yard Setback

- (a) Side yard setbacks to the principal building shall total at least 20% of the parcel width with a minimum side yard of 1.5 m (4.9 ft) for buildings of less than two stories, and 2.3 m (7.5 ft) for buildings of two stories or more.
- (b) Notwithstanding the above, where a parcel has vehicular access from the front only, one side yard setback must be a minimum of at least 3.2 m (10.5 ft) to accommodate a driveway for vehicular passage to the rear of the property except where an attached garage or carport is provided.

(11) Minimum Rear Yard Setback

A rear yard setback shall be provided of not less than 8.0 m (26.2 ft).

(12) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 43 Home Occupations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 16 R-3 – RESIDENTIAL HIGHER DENSITY

(1) Purpose

The purpose of the R3 district is to provide land for higher density housing, including apartments. The district may also be used for lower density housing.

(2) Permitted Uses

Duplex, Triplex, and Fourplex Dwellings
Row (town) Houses
Condominiums
Stacked Town Houses
Apartment Buildings
Public parks and Recreation Areas
Utility Installations
Buildings and uses accessory to the above.

Discretionary Uses

New Single Detached Dwellings
New Modular Homes, but excluding
Manufactured and Mobile homes
Secondary Suites in Detached Dwellings
and Duplexes
Place of Worship
Day Care Facilities
Group Care Facilities
Home Occupations
Bed and Breakfast establishments
Buildings and uses accessory to the above.

(3) Uses Not Allowed

The following uses are not allowed:

Manufactures and mobile homes
The use of a motor home, travel trailer, or recreational vehicles as a dwelling.

(4) Lot Size Requirements

All lots shall have a size sufficient to accommodate the buildings plus the yards, setbacks site coverage maximum, parking and landscaping required by this bylaw.
A lot which is not served by a land shall be at least 15.24 m wide.

(5) Site Coverage

Buildings shall cover no than 65% of the area of a residential lot.

(6) Yards and Setbacks, Apartment Buildings

The required yards and setbacks for apartment buildings shall be determined by the Development Authority, who shall consult the Fire Chief before making a decision.

(7) Yards and Setbacks, Other Main Buildings

- (a) Front Yard: All main buildings shall be set back at least 5.5 m (18 ft) from the front property line;
- (b) Rear Yard: All main buildings shall be set back at least 6.0 m (19.7 ft) from the front property line;
- (c) Side Yard: All main buildings shall be set back at least:
 - (i) 3.0 m (9.8 ft) on one side of the lot where there is no road or lane access to the rear yard, and;
 - (ii) 1.5 m (4.92 ft) in all other cases.
- (d) Despite the foregoing, a duplex, row house or fourplex may be built straddling the property line.

The siting of accessory buildings is set out in Section 38 of this bylaw.

The setbacks required by this section or by Section 38 may be increased if necessary to give emergency vehicle access: see subsection (9) below.

(8) Distances Between Buildings

All buildings shall be separated by at least the distance required by the Alberta Building Code.

(9) Emergency Vehicle Access

- (a) Along the sides of an apartment building exceeding two storeys above grade, emergency vehicle access must conform to the side and rear yard setbacks as per the Alberta Building Code requirements. There shall be a firm, level “fire access area”, accessible from the road by emergency response equipment. The requirement may increase the setbacks required by preceding subsections.
- (b) No buildings, vehicles, or other obstructions shall be placed or allowed in a fire access area.

(10) Height of Buildings

- (a) No main building shall have a height exceeding 10.0 m (32.8 ft).
- (b) No accessory building shall have a wall height exceeding 3.0 m (9.8 ft).

(11) Internal Road Systems

A multiple unit housing development, whether a single lot or condominium, shall be laid out so that:

- (a) The internal circulation road shall have a travel surface which, in the opinion of the Development Authority, is able to accommodate emergency vehicles, and;
- (b) The individual housing units are at least 5.0 m (16.4 ft) from the travel surfaces of the internal circulation roads, or such greater distance as may be necessary so that vehicles parked on a lot in front of the dwellings do not overhang the travel surface.

(12) Subdivision Design

Lots for Single Detached Houses, Duplexes, Fourplexes, and Row Houses shall be served by a rear lane.

(13) Other Controls

The requirements of Part V of the bylaw concerning.

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 43 Home Occupations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening
apply in this district

SECTION 17 R-MHS - RESIDENTIAL - Mobile Home Subdivision

(1) General Purpose of District

This district is generally intended to provide for mobile home development on mobile home subdivisions parcels. This district shall be applied in those areas where there will be no negative impact on existing land uses. Mobile home subdivisions shall also be accessible to the type of community services and facilities normally available in residential areas.

(2) Permitted Uses

Mobile Home
Accessory Buildings
Public Park

Discretionary Uses

Home occupation
Utility building not containing offices
Place of Worship
Show Home
Day Care Facility
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Minimum Floor Area

Shall be no less than 78.0 m² (840.0 ft²). at grade

(4) Parcel Coverage

Total coverage of all buildings shall not exceed 40% of the parcel area.

(5) Minimum Parcel Width

In the case of roadway and lane systems:

- (a) 15.0 m (49.2 ft) for internal parcels; and
17.0 m (55.8 ft) for corner or double fronting parcels.

- (b) In the case of laneless systems:

18.0 m (59.1 ft) for internal parcels.
20.0 m (65.6 ft) for corner or double fronting parcels.

(6) Minimum Parcel Depth

Shall be no less than 34.0 m (111.5 ft).

(7) Minimum Parcel Area

This will be the product of the minimum parcel depth and the minimum parcel width.

(8) Minimum Front Yard Setback

Shall be no less than 6.4 m (21.0 ft).

(9) Minimum Side Yard Setback

The minimum side yard setback shall be no less than 3.0 m (9.8 ft) to the adjacent lot line from either one of the long sides containing the main entrance door, and 1.5 m (4.9 ft) on the other side yard.

(10) Shall be no less than 3.2 m (10.5 ft) from the mobile home and no less than 1.6 m (5.2 ft) from an accessory building.

(11) Development Requirements

- (a) A development permit is needed prior to the establishment of a mobile home and the applicant is subject to all requirements of this Bylaw. Securely attached as per Safety Codes Act.
- (b) Each mobile home shall have C.S.A. (Canadian Standards Association) certification or the equivalent. Proof of this shall be submitted with the application.
- (c) The Development authority may require that current photographs showing all sides of the mobile home be submitted with the application.
- (d) The Development Authority may require that a plan showing adjacent properties and the locations of any existing mobile homes, additions, and accessory buildings on those properties be submitted with the application.
- (e) The Development authority may refuse an application if in their opinion the mobile home will not be of a suitable quality, and if the site plan does not indicate acceptable open space provisions, taking into account adjacent mobile homes.
- (f) The Mobile Home Subdivision shall be designed to accommodate mobile home units of different sizes, including expandable and double wide units.

(12) Mobile Home Stand and Skirting

- (a) Each mobile home must be securely attached to a permanent foundation.
- (b) The undercarriage of each mobile home shall be suitably enclosed from view by skirting, or such other means satisfactory to the Development Authority within 30 days of placement of the mobile home. Axles, wheels and trailer hitches shall be removed where they are not part of the frame. Where a hitch cannot be removed, it shall be skirted or covered from view.

(13) Foundations

A permanent foundation shall be provided on the stand of each mobile home subdivision lot, and foundation or basement shall not exceed 0.6 m (2 ft) above the finished grade.

(14) Accessory Structures

All accessory structures or additions to a mobile home shall have a permanent foundation, structure equivalent to or better than that of the mobile home and shall be provided with steps and landings to all entrances within 30 days of their development. Accessory structures and additions shall be finished to a suitable level of quality.

(15) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 40 Mobile (Manufactured) Homes
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 43 Home Occupations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 18 R-MHC - RESIDENTIAL - MOBILE HOME COURT

(1) General Purpose of District

This district is generally intended to provide for mobile home courts. This district shall be applied in those areas which could be acceptably classified single family or multiple family, where there will be no negative impact on existing land uses and where there is access to the type of community services and facilities normally in residential areas.

(2) Permitted Uses

Mobile Home Court
Mobile Home
Mobile Home Court Common Storage Area
Mobile Home Court Common Laundry Area
Accessory Buildings
Public Park

Discretionary Uses

Home Occupation
Utility Building not containing offices
Social Center for Mobile Home Court
Recreational Vehicles
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Development Requirements

(a) Prior to the granting of a development permit for a mobile home court, the developer shall enter into an agreement with the Village specifying the respective obligations to be assumed by him/her and the Village regarding:

(i) The establishment, operation and maintenance of service during the life the court.

1. storm sewers, ditches
2. sanitary sewers
3. water, power, gas
4. roadways, sidewalks, walkways, curbs
5. landfill
6. snow clearance
7. garbage collection
8. fire fighting equipment
9. parks, playgrounds and buffers
10. any service deemed necessary by the Village

(ii) The standards of construction for same.

(iii) Manner in which costs of the same are to be met or recovered.

(iv) Periods of time for the completion of construction or installation.

- (v) Such other matters as may be deemed necessary by the Council.
 - (b) Each application for a mobile home court shall be accompanied by a landscaping and site development plan which shall be to the satisfaction of the Development Authority. In addition, the applicant shall at the discretion of the Development Authority and upon approval of the permit, deliver a bond of an amount specified by the Development Authority to ensure completion of landscaping. Lawns or other forms of landscaping shall be provided and maintained on all lot areas not covered by structures, paved areas, parking or storage areas, within 60 days of arrival of a unit. When seeding or sodding is considered not possible because of the season, all mobile home unit sites shall be graded and free of weeds.
 - (c) A permit is needed prior to the establishment of a mobile home and the applicant is subject to all requirements of this Bylaw.
 - (d) The Development authority may refuse an application if in his opinion the mobile home will not be suitable quality, and if the site plan does not indicate acceptable open spaces provisions, taking adjacent mobile homes into account.
- (4) Mobile Home Development Regulations
- (a) Each mobile home shall have C.S.A (Canadian Standards Association) certification or the equivalent. Proof of this shall be submitted with the application.
 - (b) All accessory structures to a mobile home shall have a foundation, structure and appearance equivalent to or better than that of the mobile home and shall be provided with steps and landings to all entrances within 30 days of their development.
 - (c) The under carriage of each mobile home shall be suitably enclosed from view by skirting, or such other means of satisfactory to the Development Authority within 30 days of placement of the mobile home. Axles, wheels and trailer hitches shall be removed where they are not part of the frame. Where a hitch cannot be removed, it shall be skirted or covered from view.
 - (d) Adequate common storage areas, separate from the mobile home unit site, shall be provided for the storage of seasonal recreational equipment and other equipment not capable of storage on the mobile home unit site. Such storage areas shall be enclosed or screened by trees, landscape features or fences, or a combination thereof.
 - (e) Utilities shall be underground and roads shall be paved to the municipal standards and width of the municipality.

- (f) The mobile home and all community facilities in a mobile home park shall be connected by a safe, convenient, hard-surfaced pedestrian walkway which shall be at least 1.0 m (3.3 ft) in width.

(5) Unit Site Coverage

Coverage of a mobile home (exclusive of carport) shall not exceed 35% of the mobile home unit site upon which it is located. The total unit site coverage shall not exceed 40%.

(6) Minimum Floor Dwelling Area

Shall be no less than 55.7 m² (600.0 ft²).

(7) Minimum Court and Unit Site Areas

- (a) Minimum court area shall be 2.0 hectares (4.9 acres).
- (b) Minimum area of each unit shall be 375 m² (4036.6 ft²) and the boundaries of each site shall be clearly marked by permanent markers.

(8) Setbacks

- (a) In a mobile home court, the mobile home unit site shall be located at least 7.6 m (24.9 ft) from the boundary of the court abutting a public street or highway and at least 4.6 m (15.1 ft) from the remaining boundaries of the court. These setbacks shall be treated as amenity strips and shall be suitably landscaped and protected from any sort of development which will compromise their intended use.
- (b) The distance from any side, end, addition, to a mobile home shall in no instance be less than 1.2 m (3.9 ft) to the adjacent lot line.
- (c) Every mobile home shall be set back at least 3.0 m (9.8 ft) from the adjoining internal access road or common parking area.

(9) Parking

There shall be at least one car parking stall provided on each mobile home unit site and provision shall be made for visiting parking at the ratio of one space to every two mobile home unit sites. The visitor parking shall be dispersed throughout the court to be conveniently located for all parts of the mobile home court.

(10) Amenity Area

At least 5% of the gross site area of the mobile home park shall be devoted to outdoor communal amenity space and recreational uses, to be provided in a convenient and accessible location.

(11) Signs Permitted

An identification sign to a maximum height of 2.0 m (6.6 ft) above grade and to a maximum area of 3.0 m² (32.3 ft²) may be located at the principal entrance to the court. Directional signs within the mobile home court shall be integrated in design and appearance at a scale in harmony with the immediate surroundings and shall be to the satisfaction of the Development Authority.

(12) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 19 C-1 COMMERCIAL - Central Business District (Retail and Service)

(1) General Purpose of District

This district is generally intended to provide sites for development of retail and service outlets which offer a variety of goods and services not provided for in other commercial land use districts. C-1 districts shall be primarily located in the central business district areas.

(2) Permitted Uses

Professional, Financial and office and
business support Services
Retail Store
Hotel
Eating and Drinking Establishments
not including drive-in restaurant
Medical or Dental Clinic
Bakery
Personal Service Shop
Commercial School
Convenience Store

Discretionary Uses

Indoor amusement establishment
Service Station
Motel and Motor Hotel
Private Club and Lodge
Drive-in Restaurant
Parking Facility
Multi-family Dwellings
Public Use
Butcher Shop
Tradesman
Manufacturing, processing, packing
or assembly of goods and materials
Any use that is similar, in opinion of
the Development Authority, to the
permitted or discretionary uses
listed.

(3) Parcel Coverage

Coverage of all buildings may be 90%, provided that adequate provisions are made for parking, loading and garbage facilities and activities.

(4) Minimum Parcel Width

Shall not be less than 15.0 m (49.2 ft).

(5) Minimum Parcel Depth

Shall be not less than 30.0 m (98.4 ft).

(6) Minimum Parcel Area

Shall not be less than 150 m² (1615 ft²).

(7) Minimum Front Yard Setback

0 to 1.5 m (4.9 ft) at the discretion of the Development Authority.

(8) Minimum Side Yard Setback

None required unless abutting a residential district. Side yard setbacks adjacent to a residential district; 2.5 m (8.2 ft) or one half the height of the building to a maximum of 6.0 m (19.7 ft) whichever is greater.

(9) Minimum Rear Yard Setback

None required except where loading, parking and waste disposal requirements justify the setback (at the discretion of the Development Authority).

(10) Maximum Height

Shall not exceed 12.0 m (39.4 ft) nor the maximum height for a district adjacent to the site upon which the building is to be located.

(11) Access

Each parcel shall have access to a lane at one side or the rear.

(12) Landscaping

Shall be at the discretion of the Development Authority.

(13) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 20 C-3 COMMERCIAL - Vehicle Oriented

(1) General Purpose of District

This district is generally intended to provide sites for development of business areas intended to serve vehicle traffic. C-3 classification shall be reserved for those sites adjacent to arterials roadways, primary highways and secondary highways in order to minimize the intrusion of vehicles into residential areas and to promote the orderly flow of vehicle traffic utilizing these sites.

(2) Permitted Uses

Automobile and Vehicle Sales
Hotel
Motel and Motor Hotel
Private Club and Lounge
Drive-in Business
Eating and Drinking Establishment
Accessory building
Car Wash
Service Station
Building Supply Store
Farm Equipment Sales & Service

Discretionary Uses

Veterinary clinic or hospital, animal grooming business, pet shop and kennel
Amusement Establishment
Auctioneering Establishment
Retail and Warehouse Store
Temporary Storage
Public Use
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Parcel Coverage

The maximum parcel coverage of all buildings shall not exceed 50% of the parcel area.

(4) Maximum Height

The maximum height of buildings shall not exceed 12.0 m (39.4 ft).

(4) Minimum Parcel Width

All lots shall have a size sufficient to accommodate the buildings plus the yards, setbacks site coverage maximum, parking and landscaping required by this bylaw.

(5) Minimum Front Yard Setback

The front yard shall be a minimum of 7.6 m (24.9 ft). There shall be no parking, loading, storage or any other similar use permitted within 3.0 m (9.8 ft) of the front yard property line.

(6) Minimum Side Yard Setback

Minimum side yards shall be 10% of the width of the lot or 4.0 m (13.1 ft) whichever is the lesser.

(7) Minimum Rear Yard Setback

The minimum rear yard shall be 6.0 m (19.7 ft) except in a parcel abutting a residential district in which the rear yard shall be a minimum of 7.5 m (24.6 ft).

(9) Access to Highway

The number and design of any access provided to the highway from a development or service road shall be to the satisfaction of Alberta Transportation and the Development Authority.

(10) Landscaping and Screening

Shall be at the discretion of the Development Authority.

(11) Other Controls

Section 38 Building Regulations

Section 39 Yard Regulations

Section 41 Off-Street Parking and Loading Regulations

Section 42 Sign Regulations

Section 44 Veterinary Clinics, Kennels, Animals Hospitals

Section 45 Objectionable Items in Yards

Section 46 Pollution Control

Section 47 Fences and Screening

SECTION 21 C-MX COMMERCIAL/INDUSTRIAL MIXED DISTRICT

(1) General Purpose of District

This district is generally intended to provide sites for development of commercial and light industrial businesses which may create vehicle and/or industrial traffic. The allowable businesses shall be those which have an industrial aspect or service, require storage areas, and larger vehicles but have a commercial clientele (plus similar support businesses). Lots should be large enough to carry parking areas.

(2) Permitted Uses

Automobile and Vehicle Sales
Motel and Motor Hotel
Veterinary Clinics or hospital, animal grooming business, pet shop and kennel
Accessory Building
Car Wash
Service Station
Building Supply Store
Farm Equipment Sales & Service
Tradesman
Greenhouse and Plant Nursery

Discretionary Uses

Eating and Drinking Establishment
Amusement Establishment
Retail and Wholesale Store
Public Use
Temporary Storage
Auctioneering Establishment
General Industrial Use
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Parcel Coverage

The maximum coverage of all buildings shall not exceed 50% of the parcel area.

(4) Minimum Parcel Area

The maximum height of buildings shall not exceed 12.0 m (39.4 ft).

(5) Minimum Front Yard Setback

The front yard shall be a minimum of 7.6 m (24.9 ft). There shall be no parking, loading, storage or any other similar use permitted within 3.0 m (9.8 ft) of the front yard property line.

(6) Minimum Side Yard Setback

Minimum side yards shall be 10% of the width of the lot or 4.0 m (13.1 ft), whichever is the lesser.

(7) Minimum Rear Yard Setback

The minimum rear yard shall be 6.0 m (19.7 ft) except in a parcel abutting a residential district in which the rear yard shall be a minimum of 7.5 m (24.6 ft).

(9) Access to Highway

The number and design of any access provided to the highway from a development or service road shall be to the satisfaction of Alberta Transportation and the Development Authority.

(10) Landscaping and Screening

Shall be at the discretion of the Development Authority.

(11) Other Controls

Section 38 Building Regulations

Section 39 Yard Regulations

Section 41 Off-Street Parking and Loading Regulations

Section 42 Sign Regulations

Section 44 Veterinary Clinics, Kennels, Animals Hospitals

Section 45 Objectionable Items in Yards

Section 46 Pollution Control

Section 47 Fences and Screening

SECTION 22 M-1 - GENERAL INDUSTRIAL

(1) General Purpose of District

This district is generally intended to establish an area of light industrial uses where site regulations require a high standard of site design, open space and landscaping. Storage areas must either be enclosed on all sides or must be entirely out of the view of the general public. This district will accommodate uses which do not cause any external, objectionable, or dangerous conditions beyond any building on the site. The district must be served by adequate industrial roads.

(2) Permitted Uses

Manufacturing processing, packaging or assembly of goods or materials
Warehousing, storage, receiving or distributing facility
Equipment Rental Sales
Service Station
Accessory Building
Car Wash
Minor Retail

Discretionary Uses

Drive-in Business
Greenhouse and Plant Nursery
Amusement Establishment
Minor eating and drinking establishment
Veterinary clinic or hospital, animal grooming business, pet shop and kennel
Grain Elevator
Auctioneering Establishment
Professional, financial and office and business support service
Public Use
Temporary Storage
General Industrial Use
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Parcel Coverage

Coverage of all buildings shall not exceed 60% of the parcel area.

(4) Minimum Parcel Area

The minimum parcel area shall be 0.065 hectare (6996 ft²).

(5) Minimum Front Yard Setback

The minimum front yard setback shall be 6.0 m (19.7 ft) except where a greater distance is deemed necessary by the Development Authority. No area for parking, loading or storage, or any other like purpose shall be permitted within the required front yard.

(6) Minimum Side Yard Setback

A side yard shall be provided on each side of the building of not less than 6.0 m (19.7 ft) on one side and not less than 1.5 m (4.9 ft) on the other side.

(7) Minimum Rear Yard Setback

The minimum rear yard shall be 5.0 m (16.4 ft).

(8) Property Lines on Corner Parcels

No person, on a corner parcel shall erect, place or maintain a building, wall, fence, shrub, tree, hedge or any other such object over in height above the lowest street grade to the intersection within the sight triangle formed by the abutting street a line drawn between two points each 15.0 m (49.2 ft) from the point where the property line intersects. In special circumstances the property line setback shall be at the discretion of the Development Authority.

(9) Maximum Building Height

The height of buildings shall not exceed 12.2 m (40.0 ft), excluding grain elevators.

(10) Easements and Right-of-way

- (a) No building or structure shall be sited closer than 15.0 m (49.2 ft) to the centre of a pipeline or the centre line of the pipeline right-of-way.
- (b) No building or structure shall be located closer than 5.0 m (16.4 ft) to a railway right of way.
- (c) No building or structure shall be sited closer than 7.5 m (24.6 ft) from the centre line of a utility within an easement or closer than 3.0 m (9.8 ft) from the boundary of any easement or right of way containing the utility whichever is lesser.

(11) Sanitary Facilities and Water Supply

All sanitary, water and sewage facilities must be approved by Alberta Environment the Alberta Health Services and the Village of Breton.

(12) Accessways

To the satisfaction of the Development Authority, each separate use or lot shall have no more than two accessways or approach roads to any street or roadway and shall be laid

out having regard to the community of traffic flow, the safety of vehicles, and avoidance of dangerous intersections.

(13) Storage

- (a) Outdoor storage shall be permitted only when accessory to a permitted principal use.

(14) Appearance

- (a) All buildings shall be of a design which will be to the satisfaction of the Development Authority.
- (b) All yards shall be landscaped with trees, shrubs and planted ground cover in accordance with the plans approved by the Development Authority. The entire site and all buildings shall be maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(15) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 44 Veterinary Clinics, Kennels, Animals Hospitals
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 23 P-1 - PARKS AND RECREATION - GENERAL RECREATION

(1) General Purpose of District

This district is generally intended to establish an area for the development of public parks to meet the active or passive recreational and leisure pursuits at the local, neighbourhood, municipal and district level.

(2) Permitted Uses

Active and passive recreational facility,
building and park
Accessory Building
Public Utility Building

Discretionary Uses

Eating and Drinking Establishment
School
Public Use
Any use that is similar, in opinion of the
Development Authority, to the permitted
or discretionary uses listed.

(3) Development Regulations

All site regulations shall be at the discretion of the Development Authority. The design, siting, landscaping, screening, and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting areas.

(4) Parking

The provision for parking and loading shall be at the discretion of the Development Authority.

(5) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 41 Off-Street Parking and Loading Regulations
Section 42 Sign Regulations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 24 SP -SEMI-PUBLIC - INSTITUTIONAL

(1) General Purpose of District

This district is generally intended to establish an area for the development of public and/or privately owned institutions or community services.

(2) Permitted Uses

Government Services
Library
School
Place of Worship
Accessory Building
Senior Citizens Building
Hospital
Park

Discretionary Uses

Professional Services
Day Care Facility
Group Care Facility
Private Club and Lodge
Fire Hall
Cemetery
Those use discretionary or permitted in the P-1 district
Mobile home utilized for public service purposes
Any use that is similar, in opinion of the Development Authority, to the permitted or discretionary uses listed.

(3) Development Regulations

All site regulations shall be at the discretion of the Development Authority. The design, siting, landscaping, screening, and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting areas.

(4) Parking and Loading

Notwithstanding Section 41, the provisions for parking and loading shall be at the discretion of the Development Authority.

(5) Other Controls

Section 38 Building Regulations
Section 39 Yard Regulations
Section 42 Sign Regulations
Section 45 Objectionable Items in Yards
Section 46 Pollution Control
Section 47 Fences and Screening

SECTION 25 U-R - URBAN RESERVE - HOLDING DISTRICT

(1) General Purpose of District

The district is generally intended to reserve those areas of the municipality which are rural in character or land use for urban development, until such time as a subdivision plan has been accepted in principle or approved for other specific uses not permitted in this district. The reclassification of land within this district to other land uses district will normally occur subsequent to the acceptance of an Area Structure Plan where one is required by Council, and subsequent to the approval of subdivision proposed.

(2) Permitted Uses

Farming and cultivation of land but
Not including such agricultural
pursuits as feed lots, and fur farms
and intensive livestock.
Single Detached Dwelling

Discretionary Uses

Home Occupation
Natural Resources development
Small animal breeding and boarding
establishment
Public park
Greenhouse and Plant Nursery
Any strictly temporary use or building
which in the opinion of the
Development Authority will not prejudice
the possibility of conveniently and
economically replotting or developing the
area in the future.
Any use that is similar, in opinion of the
Development Authority, to the permitted
or discretionary uses listed.

(3) Development Regulations

- (a) The minimum parcel area shall be 8.0 hectares (19.77 acres).
- (b) The maximum building height shall be 10.0 m (32.8 ft), except in the case of the buildings or structures accessory to a farm operation other than dwellings.
- (c) Minimum side yard, rear yard, and front yard shall be at the discretion of the Development Authority.
- (d) Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.
- (e) The Development authority may specify the length of time a use is permitted in this District having regard to the servicing, and future residential development of the subject land.

(4) Parking and Loading

Notwithstanding Section 41, the provisions for parking and loading shall be at the discretion of the Development Authority.

(5) Other Controls

Section 38 Building Regulations

Section 39 Yard Regulations

Section 42 Sign Regulations

Section 43 Home Occupations

Section 45 Objectionable Items in Yards

Section 46 Pollution Control

Section 47 Fences and Screening

SECTION 26 DC – DIRECT CONTROL DISTRICT

(1) Purpose

The purpose of the Direct Control District is to allow council to control the use and development of land and buildings in that district in any manner it considers necessary, using the powers conferred by Section 641 of the Act.

(2) The functions delegated to the Development Authority or Municipal Planning Commission in Sections 30 to 34 of the bylaw shall be undertaken by Council in the Direct Control District.

(3) Notices

An application for a development permit in the Direct Control District shall be advertised in the same manner as an application for a discretionary use in any other district, and before making a decision, council shall hear the comments and objections of affected people.

(4) Appeals

A decision of Council in the regard to a development permit application in the Direct Control District is not appealable except on a matter of law or jurisdiction under Section 688 of the Act.

PART III - DEVELOPMENT PERMITS AND CONTRAVENTION

SECTION 27 PURPOSE OF DEVELOPMENT PERMITS

Development permits are required to ensure that all development is achieved in an orderly manner and in keeping with the municipality's overall development strategy.

SECTION 28 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

All development undertaken in the municipality requires an approved development permit prior to commencement, except;

- (a) the carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
- (b) the completion of any development which has lawfully commenced before the passage of this Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that the development is completed within the time limit or within twelve (12) months of the effective date of the Bylaw, whichever is earlier;
- (c) the use of such development as is referred to in subsection (b) for the purpose for which development was commenced;
- (d) the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 m (3.28 ft) in height in front yards and less than 2.0 m (6.56 ft) in other yards, and maintenance or improvements of any gates, fences or walls or other means of enclosure;
- (e) the erection or placement of a temporary building, the sole purpose of which is incidental to the erection of a building for which development permit has been granted, provided the temporary building is removed within thirty (30) days of the substantial completion or as determined by the Development Authority;
- (f) the completion, alteration, maintenance or repair of a street, lane or utility undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land;
- (g) any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of the Land Use Bylaw;
- (h) a garden or tool shed in the rear yard of a residential parcel, such building is not to exceed 9.3 m² (100.1 ft²) in floor area and 2.5 m (8.2 ft) in height;

- (i) development specified in the Municipal Government Act (Section 618), which includes:
 - (i) a highway or road,
 - (ii) a well or battery within the meaning of the *Oil and Gas Conservation Act*,
 - (iii) a pipeline or an installation on structure incidental to the operation of a pipeline or;
 - (iv) any other thing specified by the Lieutenant Governor in Council by regulation;
- (j) signs posted or exhibited in a building;
- (k) signs posted or exhibited in or on a operating motor vehicle, if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
- (l) a statutory or official notice of a function of the Village of Breton;
- (m) sign(s) posted or exhibited solely for the identification of the land or building on which it is displayed, or to give directions to visitors, including professionals, corporate or trade name plate indentifying the occupants, if the sign(s) does not exceed 0.19 m² (2.0 ft²) in area, subject to all other orders, bylaws and regulations affecting such signs;
- (n) the erection of a maximum of two on-site signs relating to the sale lease, or rental of the buildings, or land to which they are attached provided that:
 - (i) such signs for any Single Detached Dwelling or Single Detached Dwelling parcel does not exceed 0.46 m² (4.95 ft²) in area, and
 - (ii) such signs for a multiple dwelling parcel, a commercial parcel, or an industrial parcel does not exceed 0.8 m² (8.6 ft²), and
 - (iii) such sign shall not be illuminated;
- (o) campaign signs or federal, provincial, municipal or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - (i) such signs are removed fourteen (14) days after the election date, and
 - (ii) the consent of the property owner or occupant is obtained, and

- (iii) such signs do not obstruct or impair vision or traffic, and
 - (iv) such signs are not attached to trees or utility poles, and
 - (v) such signs indicate the name and address of the sponsor and the person responsible for removal;
- (p) signs on land or buildings used for religion, educational, cultural, recreational, medical or similar public or quasi-public purpose provided that:
 - (i) such signs shall not exceed 1.1 m^2 (11.8 ft^2) in area, and
 - (ii) there shall be a limit of one sign for each side of the land or buildings on a different street;
- (q) signs of building contractors relating to the construction work in progress on the land which such signs are erected, provided that:
 - (i) such signs do not exceed 3.0 m^2 (32.3 ft^2) in area, and
 - (ii) there shall be a limit of one sign for each boundary of the property under construction which fronts onto a public street, and
 - (iii) such signs shall be removed with fourteen (14) days of occupancy; and
- (r) landscaping where it will not adversely affect the subject or adjacent properties but does not include changes in grade, stockpiling or excavation.
- (s) The erection or installation of a satellite dish less than 0.91 m (3.0 ft) in diameter, except as may be required by Section 39 (3) of this Land Use By-law.

SECTION 29 NON-CONFORMING BUILDING AND USES

- (1) If a development permit has been issued on or before the day on which a land use bylaw or land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.
- (2) A non-conforming use of land or a non-conforming use of a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of the Land Use Bylaw then in effect.

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

SECTION 30 APPLICATION FOR A DEVELOPMENT PERMIT

- (1) An application for a development permit shall be made to the Development Authority in writing:
 - (a) on the form prescribed by Council and be accompanied by:
 - (i) a scaled parcel plan in duplicate showing the legal description, the front, rear, and side yards and provisions for off-street loading and vehicle parking,
 - (ii) scaled floor plans, elevations and sections in duplicate,
 - (iii) a statement of existing and proposed uses,
 - (iv) a statement of registered ownership of land and interested of the applicant therein together with a copy of the Certificate of Title indicating ownership and encumbrances,

- (v) the estimated commencement and completion dates,
 - (vi) the estimated cost of the project or contract price, and
 - (vii) such other plans and information as the Development Authority or Council in a Direct Control District may consider necessary to evaluate the proposed development;
 - (b) the Development Authority may refuse to accept an application for a development permit where the information required by Section 30 (1) (a) has not been supplied or where, in the opinion of the Development Authority, the quality of the material supplied is inadequate to properly evaluate the application; and
 - (c) the Development Authority may deal with an application and make a decision without all of the information required by Section 30 (1) (a), if it is the opinion of the Development Authority that a decision on the application can be properly made without such information.
- (2) Each application for a development permit shall be accompanied by a non-refundable processing fee, the amount of which being determined by Council from time to time.
- (3) The Development Authority shall:
- (a) receive all applications for a development permit; and
 - (b) consider and decide on applications for a permit for those uses, listed in the district regulations, which constitute a permitted use in a district; and
 - (c) refer to any application to an adjacent municipality or any other agency or person which in his/her opinion may provide relevant comments or advice respecting the application.
- (4) For a permitted use in any district
- (a) the Development Authority shall approve, with or without conditions, an application for a development permit where the proposed development does conform in every respect to this Land Use Bylaw; or.
 - (b) subject to Section 30 (6), the Development Authority shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use Bylaw.

(5) For a discretionary use in any district

- (a) the Municipal Planning Commission may approve an application for a development permit:
 - (i) with or without conditions,
 - (ii) based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the parcel, and
 - (iii) where the proposed development conforms in every aspect to the Land Use Bylaw; or
- (b) the Municipal Planning Commission may refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of this Land Use Bylaw; or
- (c) subject to Section 30 (6), the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every aspect of this Land Use Bylaw.

(6) Variance Provisions:

The Development Authority or Municipal Planning Commission may approve an application for a development permit notwithstanding that the proposed development does not comply with this Land Use Bylaw if, in the opinion of the Development authority or Municipal Planning Commission:

- (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring prosperities; and
- (b) the proposed development conforms with the use prescribed for that land or building in this Land Use Bylaw.

(7) Limitations on Variance Provisions:

In approving an application for a permit under Subsection (6), the Development Authority or Municipal Planning Commission shall adhere to the following:

- (a) a variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same district.
- (b) except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing maximum height, floor area and density regulations; and
- (d) the general purpose and intent of the appropriate district.

(8) The Development Authority or Municipal Planning Commission may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement with the Village of Breton to do any or all of the following:

- (a) to construct or pay for the construction of a public roadway required to give access to the development;
- (b) to construct or pay for the construction of:
 - (i) a pedestrian walkway system to serve the development, or
 - (ii) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
- (c) to install or pay for the installation of utilities that are necessary to serve the development.
- (d) to construct or pay for the construction of:
 - (i) off-street parking facilities, and
 - (ii) loading and unloading facilities; and
- (e) to pay an off-site levy or redevelopment levy imposed by bylaw.

- (9) The municipality may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of the development agreement against the Certificate of Title for the land that is the subject of the development, with the said caveat being discharged when the agreement has been complied with.
- (10) In the case where an application for a development has been refused by the Development Authority or Municipal Planning Commission or ultimately after appeal pursuant to Part III of this Bylaw, the submission of another application for development by the same applicant or another applicant,
 - (a) on the same parcel, and
 - (b) for the same or similar use;may not be made for at least six (6) months after the date of refusal.

SECTION 31 DEVELOPMENT PERMITS AND NOTICES

- (1) A permit issued pursuant to this part shall come into effect:
 - (a) after the fourteenth (14) day of the date of the issued of the Notice of Decision by the Development Authority on the application for development permit; or
 - (b) if an appeal is made, on the date that the appeal is finally determined and the permit may be modified or nullified thereby.
 - (c) if it is issued by Council with respect to a development in a Direct Control District, upon the date of its issue.

Any development proceeded with the applicant prior to the expiry of the above is done solely at the risk of the applicant.
- (2) On the same date a development permit is issued, the Development Authority shall publicize a notice of the issuance of the permit in any or all of the forms described as follows:
 - (a) mail a notice of decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Authority, be affected; and/or
 - (b) post a notice of the decision clearly on the property of which the application has been made; and/or
 - (c) publish in a newspaper circulating in the municipality a notice of the decision.

- (3) If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, of the date of decision of the Subdivision and Development Appeal Board, nor carried out with reasonable diligence as determined by the Development Authority, the permit ceases to be effective, unless an extension to this period, being no longer than an additional twelve (12) months, has previously been granted by the Development Authority.
- (4) The decision of the Development Authority or Municipal Planning Commission on an application for a development permit shall be given to the applicant in writing.
- (5) If the Development Authority or Municipal Planning Commission refuses an application for a development permit, the notice of decision shall contain the reasons for the refusal.

SECTION 32 DEEMED REFUSALS ON DEVELOPMENT PERMIT APPLICATIONS

An application for a development permit shall at the option of the applicant, be deemed to be refused when the decision of the Development Authority, is not made within forty (40) days of the completed application being received by the Development Authority unless the applicant and the Development Authority have mutually entered into an agreement to extend the forty (40) day period.

SECTION 33 SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS

- (1) If, after a development permit has been issued, the Development Authority becomes aware that:
 - (a) the application for the development contains a misinterpretation; or
 - (b) facts concerning the application or the development were not disclosed at the time the application was considered; or
 - (c) the development permit was issued in error;the Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing to the holder of it.
- (2) If a person fails to comply with an order under the Act (Section 645), the Development Authority may suspend or cancel any existing development permits by notice, in writing, to the holder of the permit.
- (3) A person whose development permit is suspended or cancelled under this section may appeal to the Subdivision and Development Appeal Board.

SECTION 34 CONTRAVENTION

- (1) Where the Development Authority finds that a use is not in accordance with the Municipal Government Act, this Land Use Bylaw, or a development permit issued thereunder, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, the person(s) 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 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 the Municipal Government Act and its regulations, a development permit, subdivision approval or this Land Use Bylaw as the case may be, within the time specified by the notice.
- (2) If a person fails or refuses to comply with an order directed under subsection (1) or an order of the Subdivision and Development Appeal Board the Council or a person appointed by it may, in accordance with the Municipal Government Act (Section 542), enter upon the land or building and take action as it is necessary to carry out the order.
- (3) When the Council or a person appointed by it carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on the land.
- (4) For the purposes of entering and inspecting land or buildings as described in the Municipal Government Act (Section 542), the Development Officer is hereby declared to be an "authorized person."

PART IV - DEVELOPMENT APPEALS

SECTION 35 THE PROCESS OF DEVELOPMENT APPEALS

- (1) An appeal may be made to the Subdivision and Development Appeal Board where a Development Authority or Municipal Planning Commission:
 - (a) refuses or fails to make a decision on a development permit application within forty (40) days of receipt of a completed application; or
 - (b) issue a development permit subject to conditions; or
 - (c) issues an order under this Bylaw.
- (2) A person applying for the permit affected by an order, or any other person affected by an order or decision of a Development Authority/Municipal Planning Commission, may appeal to the Subdivision and Development Appeal Board.
- (3) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:
 - (a) the date of the order to decision by the Development Authority was publicized; or
 - (b) the forty (40) day period referred to in Subsection (1) (a) has expired.
- (4) Appeal Fee:
 - (a) Each notice of appeal shall be accompanied by a fee as set out by Council; and
 - (b) If the appeal is upheld, the Subdivision and Development Appeal Board may determine that the whole or part of the appeal fee be returned to the appellant.
- (5) Notice of Public Hearing:

Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold a public hearing respecting the appeal.

- (6) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the public hearing to:
- (a) the applicant;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) the landowners who were notified pursuant to Sections 34(2) and (3); and
 - (d) any other person that the Subdivision and Development Appeal Board consider to be affected by the appeal and should be notified.
- (7) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing, all relevant documents and materials respecting the appeal including:
- (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the development under Part II of this Bylaw, as the case may be.
- (8) Public Hearing:
- At the public hearing the Subdivision and Development Appeal Board shall hear:
- (a) the appellant or any person acting on their behalf; and
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person; and
 - (c) any other person who was served with notice of the hearing and who wishes to be heard, or a person acting on their behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear, or a person acting on their behalf.

- (9) The Subdivision and Development Appeal Board may approve an application for a development permit notwithstanding that the proposed development does not comply with the Bylaw if, the opinion of the Subdivision and Development Appeal Board:

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

- (10) Decision:

The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.

- (11) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal on a question of jurisdiction or law pursuant to the Municipal Government Act (Section 688). An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:
- (a) to a judge of the Appellate Division; and
 - (b) within thirty (30) days after the issue of the order, decision, or approval sought to be approved.
- (12) Any decisions made by Council with respect to a Direct Control District are not subject to appeal to the Subdivision and Development Appeal Board.

SECTION 36 OFFENCES AND PENALTIES

- (1) A person who,
- (a) contravenes any provisions of the Bylaw;
 - (b) fails to comply with any provisions or requirement of this Land Use Bylaw;
 - (c) contravenes a development permit or fails to comply with a condition

attached thereto; or

- (d) obstructs or hinders any person in the exercise or performance of his powers or duties under the Land Use Bylaw,

is guilty of an offence and is liable on summary conviction to a fine not less than \$500.00 and not more than \$2,500.00, and, in addition thereto, to a fine of not less than \$500.00 and not more than \$2,500.00 for every day that the offence continues.

- (2) Where a person is found guilty of a offence under this Land Use Bylaw, the Court may in addition to any other penalty imposed, order the person to comply with the Land Use Bylaw or a development permit, or condition attached thereto.

SECTION 37 OTHER LESISLATION

Compliance with the requirements of this Land Use Bylaw does not exempt any person from:

- (a) the requirement of any federal, provincial or municipal legislation; and
- (b) complying with an easement, covenant, agreement or contract affecting the development.

PART V - SUPPLEMENTARY REGULATIONS

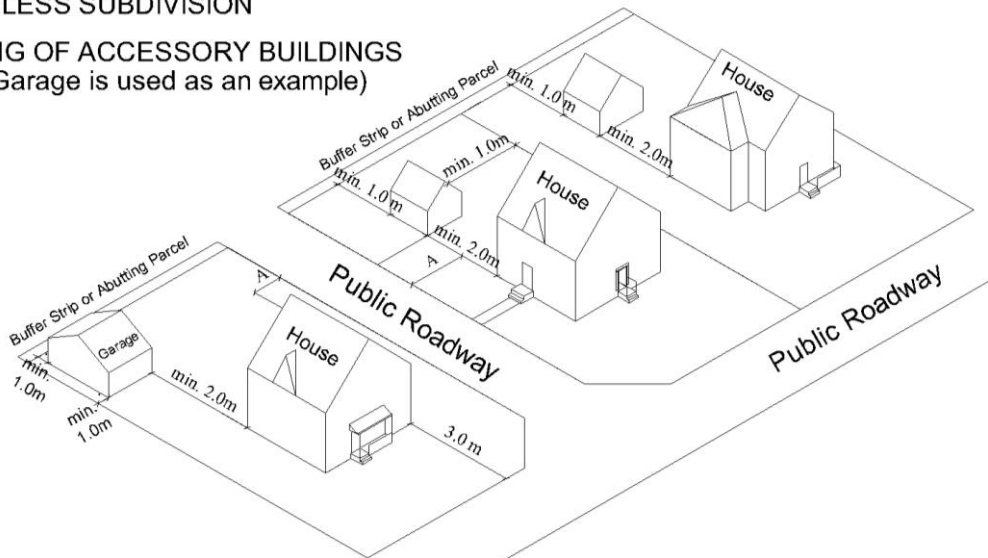
SECTION 38 BUILDING REGULATIONS

(1) Garages and Accessory Buildings

- (a) In a residential district detached garages and accessory buildings shall be located according to the following and as illustrated in the diagram below.
 - (i) no closer to the front street than the closet portion of the principal building,
 - (ii) a minimum of 2.0 m (6.56 ft) from the principal building,
 - (iii) an accessory building shall be situated so that the exterior wall is at least, 1.0 m (3.28 ft) from the side and rear boundaries of the parcel,
 - (iv) an accessory building shall not be more than 4.5 m (14.76 ft) in height, and shall not exceed the height of the main building,
 - (v) no roof overhang shall be within 0.3 m (1.0 ft) of the side and rear property boundary, and
 - (vi) an accessory building shall be situated in such a manner that it does not encroach upon easements and right-of-ways.
- (b) An accessory building shall not be used as a dwelling.
- (c) Where a garage door faces the roadway, the garage shall be set back 6.1 m (20.0 ft).
- (d) In any Land Use District, no accessory building shall be any larger than the principle building on the parcel.

LANELESS SUBDIVISION

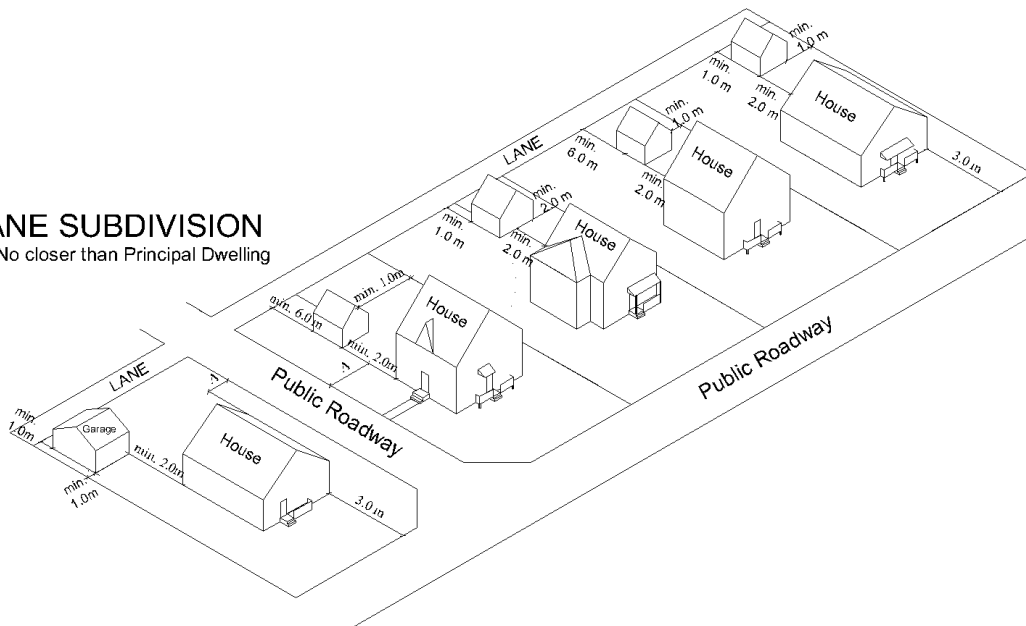
SITING OF ACCESSORY BUILDINGS (Garage is used as an example)



A - No closer than Principal Dwelling

LANE SUBDIVISION

A - No closer than Principal Dwelling



Note: Sketch is for illustrative purposes only: refer directly to text of Section. Distances, as illustrated are not to scale.

(2) Building Attached to Principle Building

Where a building is attached to the principle building by an open or enclosed roof structure, it is to be considered a part of the principle building and not an accessory building.

(3) Building Orientation and Design

The design, character and appearance of any building, or series of buildings, structures or sign proposed to be erected or located in any district must be acceptable to the Development Authority having due regard to:

- (a) amenities such as daylight and privacy,
- (b) the character of existing development in the district, and
- (c) its effect on adjacent parcels.

(4) Dwelling units on a Parcel

The number of dwellings units allowed on any single parcel shall be one (1) except for medium density residential districts and mobile home courts, where the number of dwellings units shall be governed by that district's density provisions.

(5) Relocation of Buildings

- (a) No person shall:
 - (i) place on a parcel a building which has been previously erected or placed on a different parcel, or
 - (ii) alter the location on a parcel of a building which has been constructed on that parcel,unless a development permit has been issued.
- (b) An application for a development permit may be approved by the Development Authority if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (c) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Development Authority may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (d) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

(6) Building Demolition

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

- (a) how the operation will be carried out to minimum dust, odour or other nuisance, and
- (b) the final reclamation of the parcel,

which is satisfactory to the Development Authority.

SECTION 39 YARD REGULATIONS

(1) Corner and Double Fronting Parcels

- (a) In a residential area, a parcel abutting onto two streets or more shall have a front yard on each street in accordance with the front yard requirements of this Bylaw.
- (b) In all cases, the location of buildings on corner parcels shall be subject to approval by the Development Authority who shall take into account the location of existing adjacent buildings or the permitted setback on adjacent parcels where a building does not exist.

(2) Projections Over Yards

- (a) In all residential districts, the amount of a main or accessory building which may project into a minimum yard requirement are:
 - (i) Front Yard: Any projections not exceeding 1.5 m (4.9 ft) into the minimum front yard requirement.
 - (ii) Side Yards: Any projection, including unenclosed steps or eaves, not exceeding 50% of the minimum side yard requirement in laneless subdivisions shall apply.
- (b) In all other districts, the amount of main or accessory building which may project over a minimum yard requirement is:
 - (i) Front Yards: Any projection not exceeding 1.5 m (4.9 ft) into the minimum front yard requirement.

- (ii) Side Yard: Any projections not exceeding 0.6 m (1.9 ft) into the minimum side yard requirement.
- (c) No portion of a building other than eaves, signs, or canopies shall project into a public or private right-of-way.
- (3) Satellite Dishes Antennas 0.91 m (3.0 ft) or greater in diameter
 - (a) A satellite dish antenna is an accessory use which requires an approved development permit.
 - (b) A satellite dish antenna shall only be located in a rear yard, or side yard which does not abut a street.
 - (c) On an interior parcel, a satellite dish antenna shall be situated so that no part of it is closer than 1.0 m (3.28 ft) from the side or rear boundaries of the parcel.
 - (d) On a corner parcel, a satellite dish antenna shall be situated so that no part of it is closer to the street than the main building, or closer than 1.0 m (3.28 ft) from the other side parcel boundary or the rear parcel boundary.
 - (e) Where any part of a satellite dish antenna is more than 4.0 m (13.12 ft) above grade, or when it is located other than described in subsection (d) above, it shall be screened and located to the satisfaction of the Development Authority.
 - (f) Illumination of a satellite dish antenna is prohibited.

SECTION 40 MOBILE (MANUFACTURED HOME)

- (1) All mobile homes shall have certification from the Canadian Standard Association or an accredited building inspector.
- (2) All mobile homes are to be factory built or equivalent with exterior covering as required by the Development Authority.
- (3) All mobile homes shall be a minimum of 78.0 m² (840 ft²) in floor area.
- (4) Owners of mobile homes in mobile home subdivisions or in R-1B districts shall obtain a development permit regarding the placement of a mobile home.
- (5) All accessory structures, such as patios, porches, decks, additions, skirting, shall be:

- (a) so designed and erected as to complement the mobile home; and
 - (b) considered as part of the main building.
- (6) A mobile home unit shall be skirted from the floor level to the ground level and the skirting shall match or complement the existing finish of the mobile home.
- (7) The floor area of porches and additions shall not exceed the floor area of the mobile home unit.

SECTION 41 OFF-STREET PARKING AND LOADING REGULATIONS

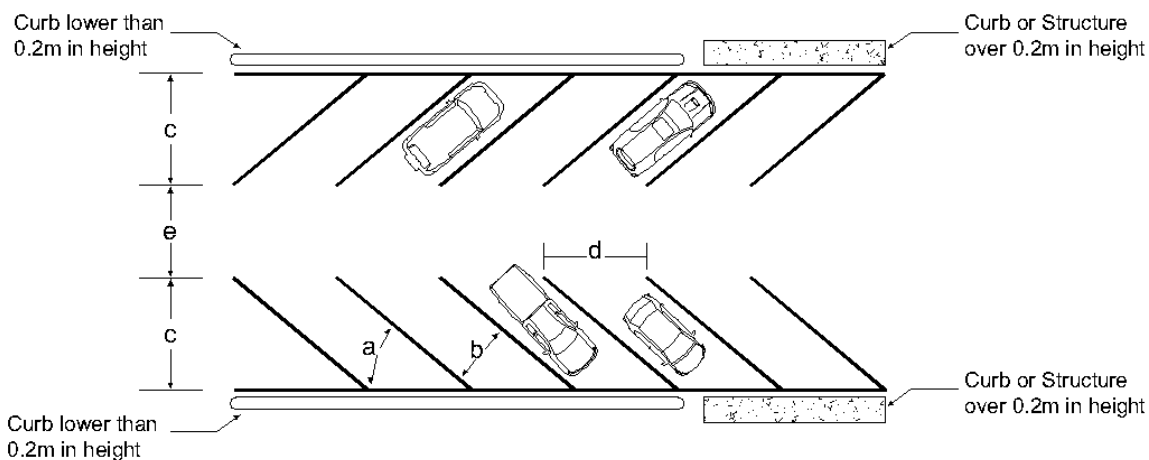
(1) Off-Street Automobile Parking

- (a) An off-street parking area:
 - (i) shall be constructed so that adequate access to, and exit from each stall is to be provided at all times by means of manoeuvring aisles designed to the satisfaction of the Development Authority;
 - (ii) shall have necessary curb cuts located to the satisfaction of the Development Authority; and
 - (iii) shall be hard-surfaced to the satisfaction of the Development Authority or of a gravel mixture approved by the Development Authority.
- (b) All parking areas shall conform to the minimum parking standards set out on the following page.

PARKING FACILITY DIMENSIONS

a	b	c	d	e
Parking Angle in Degrees	Width of stall in feet	Depth of stall perpendicular to Manoeuvring Aisle in feet	Width of stall Parallel to Manoeuvring Aisle in feet	Width of Manoeuvring Aisle in feet
0°	3.05 m (10.0')	2.59 m (8.5')	6.71 m (22.0')	One way 3.57 m (11.5')
30°	3.05 m (10.0')	4.88 m (16.0')	5.18 m (17.0')	One way 3.576 m (11.5')
45°	3.05 m (10.0')	5.49 m (18.0')	3.57 m (11.7')	One way 3.57 m (11.5')
60°	3.05 m (10.0')	5.79 m (19.0')	2.83 m (9.3')	One way 5.79 m (19.0')
90°	3.05 m (10.0')	5.79 m (19.0')	2.59 m (8.5')	One way 7.01 m (23.0')

(see below for illustration of column headings)



(2) Required Number of Off-Street Parking Spaces

- (a) The minimum number of off-street parking spaces required for each building class shall be as in the following table. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.

RESIDENTIAL:

One and two family dwellings and mobile homes.	1 per dwelling unit.
Multiple family dwellings of one bedroom or less per dwelling unit.	1.5 per dwelling unit.
Multiple family dwellings of two or more bedrooms per dwelling unit.	1 per dwelling unit, plus 1 additional stall for every four dwelling unit.
Senior citizens self contained dwelling units.	2 for each 3 dwellings units.

COMMERCIAL:

Business, public administration and offices other than doctor and dentists.	1 per 40.0 m ² (430.0 ft ²) of gross leasable space.
Medical and dental offices or clinics.	1 space for each 30.0m ² (323.0 ft ²) of gross leasable area or 3 spaces for each full or part-time professional, whichever is greater.
Retail and personal services shops and shopping centre buildings with a gross leasable area between 1000.0 m ² and 4000.0 m ² (10,764.0 ft ² and 43, 057.0 ft ²) .	1 per 20.0 m ² (215.0 ft ²) of gross leasable area.
Restaurants and drinking establishments.	1 for each 6.0 m ² (65.0 ft ²) of gross floor area or 1 per five seating spaces and 1 per three employees at maximum shift, whichever is greater.
Drive-in businesses and car washing establishments.	3 except where more are required under the other requirements of this section.
Hotels, motor hotels, motels and apartment hotels.	1 per sleeping unit and 1 space per three employees on maximum shift.

PUBLIC PLACES OF ASSEMBLY:

Theatre, auditoriums, halls churches and other amusement or recreational facilities.	1 per 7.5 seating spaces or 1 per 7.0 m ² (75.0 ft ²) used by the patrons, whichever is greater.
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SCHOOLS:

Elementary schools, junior high schools and senior high schools.	at discretion of Development Authority.
Private schools.	at discretion of Development Authority.

INDUSTRIAL:

Manufacturing and industrial plants, wholesale, warehousing and storage buildings and yards, servicing and repair establishments, research laboratories and public utility buildings.	1 per employee on maximum shift. This standard may be varied by the Development Authority to no fewer than 1 per three employees on maximum shift where it can be shown by the applicant that fewer stalls are required..
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HOSPITALS AND SIMILAR USE:

Hospitals, sanatoriums, groups care facilities, nursing homes, convalescent home and senior citizens lodges.	at discretion of Development Authority.
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- (b) At the opinion of the Development Authority and in lieu of providing off-street parking, an owner of land proposed for development shall pay the municipality to assist in providing the equivalent parking area. The amount of money required will be determined by Council. Money so received by the municipality will be used only for the development of municipal off-street parking facilities.
- (c) Notwithstanding Section 41 (2)(a), and at the discretion of the Municipal Planning Commission, the required on-site parking requirement may be waived in whole or in part in the C-1 - Commercial District.

(3) Communal Parking Facilities

Parking may be provided on a parcel other than the parcel of the principal use provided that it is in accordance with the following regulations:

- (a) On non-residential property and subject to the approval of the Development Authority, an owner of land or a group of such owners may pool their required off-street parking spaces within one or more communal parking facilities and may thereby collectively fulfill the required number of off-street parking spaces.
- (b) Where a group of uses is served by a communal parking facility, the requirement for such a facility shall be the sum of the off-street parking requirements for such a facility shall be the sum of the off-street parking requirement for each of the uses served by the parking facility.
- (c) At the opinion of the Development Authority and in lieu of providing off-street parking, an owner of land proposed for development shall pay the municipality to provide the equivalent parking area. The amount of money required will be determined by Council and shall be based on the amount or proposed to be purchased by the municipality. Money so received by the municipality will be used only for the development of municipal off-street parking facilities.

(4) Off-Street Loading Spaces

- (a) Off-Street loading spaces shall be required for all non-residential developments and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a public roadway.

- (c) An off-street loading space shall be at least 4.0 m (13.12 ft) in width, 8.0 m (26.24 ft) in length, with height of 4.0 m (13.12 ft).
- (d) Hard-surfacing shall be required where an off-street parking facility is required to be hard-surfaced.
- (e) Number of off-street loading spaces:
 - (i) one space in a retail, industrial, warehouse or similar development of less than 450.0 m² (5,000 ft²) of gross floor area;
 - (ii) two spaces for between 450.0 m² (5,000 ft²) and 2,323.0 m² (25,000 ft²) of gross floor area, and one additional space for each additional 2,323 m² (25,000 ft²) or fraction thereof;
 - (iii) one additional space for office buildings, places of public assembly, institution, club or lodge, school, or any other use one spaces up to 2,787.0 m² (30,000 ft²) of gross floor area and for each additional 2,787 m² (30,000 ft²) or fraction thereof, one additional space; and
 - (iv) one loading space for neighbourhood commercial store.

SECTION 42 SIGN REGULATIONS

(1) General Sign Regulations

- (a) The Development Authority may require the removal of any sign which, in their opinion, is or has become unsightly or is in such a state of disrepair as to constitute a hazard.
- (b) Minimum yard requirements shall be observed for any sign located on a parcel, at the discretion of the Development Authority, and the sign shall not be further than 30.0 m (98.4 ft) from the principal building. No sign shall be of such size or design as to, in the opinion of the Development Authority, obstruct the vision of persons using roads abutting the parcel.
- (c) Quality, aesthetics character and finishing of sign construction shall be to the satisfaction of the Development Authority.
- (d) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 3.0 m² (32.23 ft²).
- (e) Where, in the opinion of the Development Authority, a proposed sign in a commercial or light industrial district might be objectionable to a resident in an adjacent residential district, the Development Authority may impose

such other regulations as to protect the interests of the residents.

- (f) Flashing, animated or illuminated signs shall not be permitted in developments where in the opinion of the Development Authority they might:
 - (i) affect residents in adjacent housing, or residential districts; or
 - (ii) interfere with the interpretation of traffic signs or traffic signals lights or obstruct the vision of a motor vehicle.
- (g) The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse materials.
- (h) The Development Authority may require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safety of a sign with respect to design and/or placement.

(2) Signs in Residential Developments

- (a) When the owner or tenant of a residential property has been granted a development permit for the purpose of conducting any form of business or professional practice in his residence, that person may display a sign, not larger than 0.37 m^2 (4.0 ft^2) on the dwelling. The sign shall be placed flat against the wall of the dwelling or may be displayed from the inside of a window of the dwelling.
- (b) Name or number signs shall have a surface area of no more than 0.3 m^2 (3.23 ft^2).
- (c) For multiple family and boarding houses one identification sign not exceeding 1.0 m^2 (10.76 ft^2) in area shall be allowed on each parcel.
- (d) All exterior signs shall be placed flat against the building or designated as part of an architectural feature.
- (e) Notwithstanding (a) to (d) above, no sign will be permitted in residential districts except for places of worship, school or other public institutions.

(3) Signs in Commercial Developments

Where commercial buildings are permitted the following regulations apply:

- (a) For each principal building, one identification sign only, not to exceed 3.0 m^2 (32.29 ft^2) in area.

- (b) Signs may be detached if they do not exceed a height of 2.0 m (6.56 ft) or project into any required setback area.
- (c) Where a sign is not detached, it shall be placed flat against the building or be designed as part of an architectural feature thereof, or as an canopy sign.
- (d) One wall sign only will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a total area of 0.9 m² (9.69 ft²) of copy for each lineal metre of building occupancy.
- (e) If the occupancy is on a corner, one wall sign will be permitted for each face.
- (f) If the building includes a canopy, one wall sign will be permitted for each face.

(4) Freestanding Signs

Within all land use districts, excepting residential districts, one freestanding sign may be allowed per parcel as follows:

- (a) Where a parcel has in excess of 90.0 m (295.3 ft) of frontage, one additional freestanding sign may be erected for each additional 90.0 m (295.27 ft) or portion thereof, of road frontage abutting the developed portion of the said parcel.
- (b) Where a parcel is double fronting or flanking, Subsection (a) applies to each frontage and/or flanking side.
- (c) The height of any freestanding sign shall not exceed 9.0 m (39.5 ft) from grade. No part of any sign that is highway oriented shall be more than 9.0 m (29.5 ft) above the grade of the highway.
- (d) No permit for a freestanding sign shall be issued unless the area of the sign is no more than 5.0 m² (53.8 ft²) for the first 15.0 m (42.9 ft) of lineal frontage of the parcel upon which it is located, plus 1.0 m² (10.76 ft²) for each additional 10.0 m (32.8 ft) of lineal frontage, up to a total area of 22.0 m² (236.8 ft²) with no side or face to exceed 11.0 m (36.1 ft) in area.
- (e) The freestanding sign shall not project to within 0.6 m (1.96 ft) of a property line, or within 2.0 m (6.56 ft) of overhead utility lines.

(5) Awning, Canopy and Projecting Signs

- (a) One awning, canopy or projecting sign for each side of the parcel which abuts a road shall be permitted in all non-residential land use districts.
- (b) No awning, canopy or projecting sign shall extend more than 2.0 m (6.56 ft) above the principal building on the parcel and, in any case, the top of the sign shall not extend more than 9.0 m (29.5 ft) above grade.
- (c) No such sign shall exceed 8.0 m² (86.11 ft²) in area with no side or face to exceed 3.0 m² (32.29 ft²) in area.
- (d) The sign shall have a clearance of not less than 3.0 m (9.84 ft) between the bottom of the sign and the sidewalk, walkway or ground level.
- (e) The sign shall not project more than 3.0 m (9.84 ft) from the property line, nor to within 2.0 m (6.56 ft) of the surfaced portion of a public road.
- (f) No sign shall be permitted, where in the opinion of the Development Authority, the sign would obstruct the free movement or access to pedestrians, vehicles or repairs to overhead utility lines.

(6) Wall, Fascia and Roof Signs

- (a) Wall fascia and roof signs shall be permitted in all land use districts, except residential districts, but shall indicate only the name and nature of the occupants within the development.
- (b) Wall, fascia and roof signs shall not exceed:
 - (i) 20% of the area of the wall to which the sign is attached or mounted above;
 - (ii) 0.3 m (0.98 ft) from the face of the wall to which it is attached or mounted above;
 - (iii) 9.0 m (29.5 ft) from the grade to the top of the sign; and
 - (iv) 2.0 m (6.56 ft) from the top of the wall to which the sign is attached or mounted above to the top of the sign.
- (c) No more than one wall, fascia or roof sign per road frontage or flanking side shall be permitted.

(7) Variances

Where there are exceptional circumstances or conditions applicable to a particular property to the extent that difficulties or inconsistencies with the general purpose of these regulations may result from their strict and literal interpretation, variances shall be considered by the Subdivision and Development Appeal Board according to the merits of the individual application.

(8) Existing Signs

These signs regulations shall not be applied to signs legally in existence at the date of the adoption of this Bylaw.

SECTION 43 HOME OCCUPATIONS

- (1) The home occupation shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling in which it is located.
- (2) No advertising by the home occupation shall be permitted which would, in the opinion of the Municipal Planning Commission, result in the increased generation of vehicular traffic to the premises of the home occupation.
- (3) There shall be no outside storage of materials, commodities, or finished products.
- (4) There shall be no mechanical or electrical equipment used which creates visuals, audible or electrical interference with radio or television reception.
- (5) No commodity other than the products or service of the home occupation shall be sold on the premises.
- (6) A home occupation shall not employ on site any person other than the resident or residents of the dwelling.
- (7) Any vehicles parked on-street as a result of the home occupation shall, in the opinion of the Municipal Planning Commission, not be a source of inconvenience to adjacent landowners or tenants.
- (9) The display or placement of signage on the premises of a home occupation shall be in accordance with the provisions of Section 42 of this Bylaw.
- (10) The home occupation shall not, in the opinion of the Municipal Planning Commission, be a source of inconvenience, materially interfere with or affect the use, enjoyment or

value of neighbouring properties, by way of excessive noise, smoke, steam, odour, dust, vibration or refuse matter which would not commonly be found in the neighbourhood.

- (11) At any one time, the attendance to the premises of a home occupation by clients, customers, or students shall be limited to a maximum of six persons.
- (12) If at any time, any of the requirements of a home occupation have not, in the opinion of the Development Authority or Municipal Planning Commission, been complied with, the Development Authority or Municipal Planning Commission may suspend or cancel the development permit for the home occupation.

SECTION 44 VETERINARY, KENNELS, ANIMAL HOSPITALS

- (1) In accordance with Section 46 veterinary clinics, animal hospital, pet shops and kennels shall be adequately protected to suppress pollution emissions.
- (2) Pens, rooms, exercise runs and holding stalls shall be soundproofed to the satisfaction of the Development Authority or Municipal Planning Commission.
- (3) A separate air extraction system shall be provided in the animal holding area where heating and air conditioning is shared with other businesses.
- (4) The disposal of waste materials and carcasses, or parts of carcasses, shall be to the satisfaction of the Development Authority or Municipal Planning Commission.
- (5) No kennel, veterinary clinic, pet shop etc. shall be permitted in any residential land use district and no property containing such a facility shall be permitted within 35 m (115 ft) of any residential development.

SECTION 45 OBJECTIONAL ITEMS IN YARDS

- (1) No person shall keep or permit in any part of a yard in any residential district:
 - (a) any dismantled or wrecked vehicles for more than fourteen (14) successive calendar days;
 - (b) any vehicle weighting more than 4536 kg (10,000 lbs) gross vehicle weight for longer than is reasonably necessary to load or unload such a vehicle;
 - (c) any object or chattel which, in the opinion of the Development Authority or Municipal Planning Commission, is unsightly or tends to adversely affect the amenities of the district;
 - (d) any excavation, storage or piling of materials required during the construction

stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situations does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

- (2) In all districts, garbage shall be stored in weather-proof containers screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority or Municipal Planning Commission, and shall be in a location easily accessible for pickup.
- (3) In all districts except the Urban Reserve Holding Districts, no fowl or livestock shall be permitted.

SECTION 46 POLLUTION CONTROL

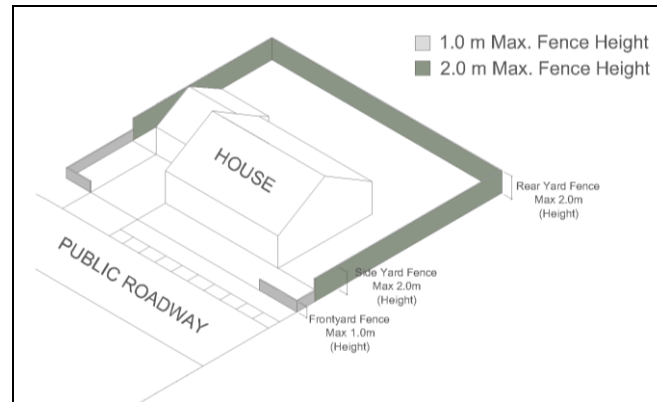
In any district, no storage, use of land, or development may be undertaken which would, in the opinion of the Development Authority or Municipal Planning Commission:

- (a) unduly interfere with the amenities of the district or;
- (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties, by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or hazardous materials.
- (c) cause water or any other liquid to drain from one property to another in any amount significant enough to cause damage. Property shall be landscaped such that water drains into streets, lanes and drainage easements.

SECTION 47 FENCES AND SCREENING

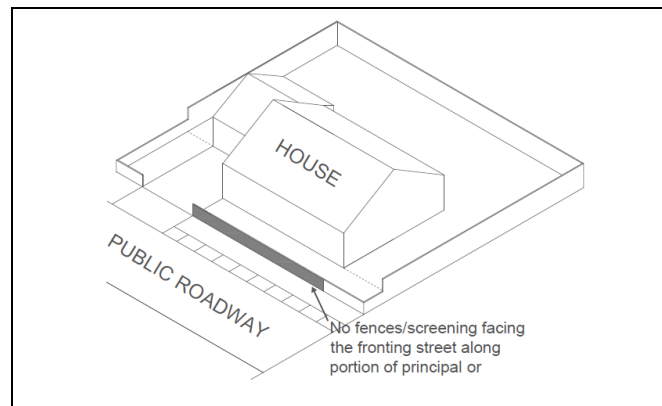
- (1) In any land use district, except as herein provided:
 - (a) No fence shall be constructed that is:
 - (i) higher than 2.0 m (6.56 ft) for that portion of the fence that does not extend beyond the foremost portion of the principal building on the parcel;
 - and
 - (ii) higher than 1.0 m (3.28 ft) for that portion of the fence that does extend beyond the foremost portion of the principal building on the parcel.

FIGURE 3: SITING OF FENCES



(2) In the case of corner parcels in all land use districts:

- (a) No person shall construct a fence or other screening within the portion of the parcel facing the fronting street that extends beyond the foremost portion of any principal or accessory building, as illustrated in the diagram below.



- (b) There shall be no obstruction of the sight triangle by fencing or other screening, including landscaping. Sight triangle calculations shall be in accordance with the recommended methods of the Transportation Association of Canada regarding crossing sight distances for roadways.
- (3) Where parcels have both their front and rear yards facing onto a street, special approval of the Development Officer must be obtained prior to the erection of any fences on such parcel. Size and specifications for fences in these areas must conform with the overall standard set for the area by the Village of Breton.
- (4) Where hedges trellises, arbors, and similar things are located on or adjacent to a parcel line, they shall comply with the height requirements for fences.

- (5) Multiple Family Dwellings adjacent to a Single Detached Dwelling should provide a wooden fence, or other such screening approved by the Development Authority, of not less than 1.0 m (3.28 ft) or more than 2.0 m (6.56 ft) in height along the side of the abutting Single Detached Dwelling.
- (6) In the case of commercial, industrial, public and quasi-public uses abutting a residential area, a solid chain link fence shall be provided of not less than 1.5 m (4.92 ft) or more than 2.0 m (6.56 ft) in height along the sides of the abutting residential area.
- (7) Where a fence has been permitted to be higher than 2.0 m (6.56 ft) in the above noted land use district, no barbed wire portion shall be permitted below a height of 2.0 m (6.56 ft). This requirement may be relaxed where used for extensive agricultural activity.
- (9) No barbed wire fences shall be permitted in residential land use districts.
- (10) The Development Authority shall ensure that all fences are made of material and constructed and maintained in such a manner as not to pose a hazard to the public and no electrification of fences will be permitted.

PART VI - DEFINITIONS

SECTION 48 DEFINITIONS

(1) In this Bylaw:

"ABUT" – Immediately contiguous or physically touching and when used with respect to a site, means the site physically touches upon another site, and shares a property line or boundary line with it.

"ACCESSORY BUILDING" - means a building which is separate from the principal building on the parcel where both are located and which the Development Authority decides is incidental to that of the principal building;

"ACCESSORY USE" - means a use of a building or land which the Development Authority decides is incidental and subordinate to the principal use of the parcel on which it is located;

"ACT" - means THE MUNICIPAL GOVERNMENT ACT, Revised Statutes of Alberta 2000, Chapter M-26, as amended, and the regulations pursuant thereto;

"ADJACENT" – means land that is contiguous to a parcel and includes land that would be contiguous if not for a highway, public roadway, river or stream, pipeline, utility right-of-way, public utility lot, reserved land, or similar feature;

"AMENITY AREA" - means an area which shall be provided subject to the regulations of this Bylaw and which must be developed for the active or passive recreation and enjoyment of the occupants of a residential development. Such area may be for either private or communal use and may be under either individual or common ownership;

"AMENITY AREA - PRIVATE OUTDOORS" - means an amenity area which shall be provided subject to regulations in this Bylaw, but which must be developed for the active or passive recreation and enjoyment of the residents of a specific dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is intended to serve;

"AMUSEMENT ESTABLISHMENTS" - means development providing facilities where patrons are normally, but not necessarily participants. Typical uses include amusement parks, go-kart tracks, miniature golf establishments and also include indoor amusements establishments which typically include billiard parlours, electronic games, arcades, bowling alleys and theatres;

"APARTMENT" - means a building designed and built to contain three or more dwelling units with shared services from the street, shared facilities and shared outside entrances;

"AREA REDEVELOPMENT PLAN" - means a plan accepted or adopted by Council as an area redevelopment plan pursuant to the Municipal Government Act;

"AREA STRUCTURE PLAN" - means a plan accepted or adopted by Council as an area structure plan pursuant to the Municipal Government Act;

"BED AND BREAKFAST" – means a secondary use of a single detached dwelling unit whereby temporary accommodation (not to exceed two (2) weeks), with or without meals, is provided to the public for remuneration. No more than three (3) rooms for the purpose of guests within the home is permitted. A Bed and Breakfast establishment is not allowed in a boarding house, manufactured home dwelling, family care unit, or group home;

"BOARDING FACILITIES" - means a use consisting of sleeping facilities which may be in addition to the family accommodation and where cooking and/or sanitary facilities are not developed in addition to those which are in the dwelling unit containing the boarding facilities;

"BUIDLING" - includes an structure, erection, stockpile, sign or fixture that may be built or placed on land;

"BUILDING HEIGHT"- means the vertical distance between grade and the highest point of a building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building;

"CANOPY" - means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;

"CANOPY SIGN" - see SIGN, CANOPY;

"CARPORT" - means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed;

"CHATTEL" - means a moveable item of personal property;

"CONVENIENCE RETAIL STORE" - means a development used for the retail sale of goods required by neighbouring residents or employees on a day-to-day basis and the gross floor area which is less than 275 square metres. Typical uses include small food stores and variety stores selling confectionery, tobacco, groceries, non-alcoholic beverages and personal care items;

"CORNER" - means the intersection of any two property lines of a parcel;

"CORNER PARCEL" - see PARCEL, CORNER;

"COUNCIL" - means the Council of the Village of Breton;

"CURB CUT" - means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel;

"DAY CARE FACILITY" - means a facility and program for the provision of care, maintenance and supervision for four or more children under the age of fifteen years, by a person other than one related by blood or marriage, for periods of more than three (3) but less than twenty-four (24) consecutive hours, other than institutions operated by or under the authority of the Director of Child Welfare;

"DECK" - means the paved, wooden, or hard-surfaced area adjoining a house, more than 0.6 m (1.97 ft) above grade, used for outdoor living;

"DEVELOPER" - means an owner, agent or person, firm or company required to obtain or having a development permit.

"DEVELOPMENT" - means development as defined in the Act, and includes the following:

- (i) The carrying out of any construction or excavation, or other operations, in, on, over or under land, or the making of any change in the use or the intensity of use of any land, buildings or premises, and without restricting the generality of the foregoing, includes the removal of topsoil. For the purpose of this Bylaw, development also means the demolition of a building,
- (ii) In a building or on a parcel used for dwelling purposes, any increase in the number of families occupying and living in the building or on the parcel, and any alterations or additions which provide for an increase in the number of dwellings units within the building or on the parcel,
- (iii) The placing of refuse or waste material on land,
- (iv) The resumption of the use for which land or buildings had previously been utilized,
- (v) The use of the land for the storage or repair of motor vehicles or other machinery or equipment,
- (vi) The more frequent or intensive use of land for the parking of trailers, bunkhouses, portable dwellings, skid shacks or any other type of portable building whatsoever or not the same has been placed or affixed to the land in any way, and
- (vii) Includes the erection of signs;

"DEVELOPMENT AUTHORITY" - means the official or officials of the municipality with the responsibility of receiving, considering and deciding on applications for development under this Land Use Bylaw;

"DEVELOPMENT OFFICER" - means an individual appointed by a bylaw pursuant to Section 624 of the Act who has the responsibility of exercising development powers and duties in accordance with this Land Use Bylaw;

"DEVELOPMENT PERMIT" - means a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or set of plans or drawings, specifications or other documents. This permit is separate and distinct from a building permit;

"DISCONTINUED" - means the time at which, in the opinion of the Development Authority, substantial construction activity or a non-conforming use or conforming use has ceased;

"DISSCRETIONARY USE" - means a use of land or building provided for in the District Regulations of this Bylaw, for which a development permit may be issued with or without conditions;

"DOUBLING FRONTING PARCEL" - see PARCEL, DOUBLE FRONTING;

"DRIVE-IN BUSINESS" - means an establishment which services customers travelling in motor vehicles driven onto the parcel where such business is carried on, where normally the customer either remains in the vehicle for service, or parks their vehicle for a short period for the purpose of doing business at the premises, and includes service stations;

"DUPLEX, SIDE-BY-SIDE" - means a building containing two dwellings units sharing one common wall regardless of the number of storeys, and in no case being located above or below each other;

"DUPLEX, VERTICAL" - means a building containing two dwelling units, the dwelling area of one being located above the dwelling area of the other, wither in whole or in part, each with a separate private entry (not including secondary suites);

"DWELLING" - means any building used principal for human habitation and which is supported on a permanent foundation extending below ground level, and includes multiple dwellings, apartments and horizontal multiple dwellings, but does not include mobile homes;

"DWELLING UNIT" - means a self- contained living premise with cooking, eating, living, sleeping and sanitary for domestic use of one or more individuals;

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

"EATING AND DRINKING ESTABLISHMENT" - means a development where prepared food and beverages are offered for sale to the public for consumption on the premises and where live entertainment may be offered. This use includes the following and such similar uses as restaurants, lounges, bars and fast food outlets;

"EXCAVATION" - means any breaking of ground, except common household gardening and ground care;

"FAMILY CARE FACILITIES" - means a facility which provides resident service in a private residence to six or fewer individuals who are not related to the resident household. These individuals shall be handicapped, aged, disabled, or in need of supervision, on a temporary or long-term basis, in accordance with their individual needs. The use includes the following and such similar uses as, foster or boarding homes for children, day care centres, group homes, and family facilities, or psychiatric care facilities;

"FENCE" - means a vertical or physical barrier constructed to prevent visual intrusion, sound abatement or unauthorized access;

"FLANKING PARCEL" –see PARCEL, FLANKING;

"FLOOR AREA" - means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways;

"FOUNDATION" - means the lower portion of a building, usually concrete or masonry, and includes the footing which transfers the weight of and lands on a building to the ground;

"FREESTANDING SIGN" - see SIGN, FREESTANDING;

"FRONT YARD" - see YARD, FRONT;

"FRONTAGE" - means the length of a street boundary measured along the front lot line. On double fronting lots all sides of a parcel adjacent to streets shall be considered frontage;

"GARAGES" - means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles;

"GENERAL INDUSTRIAL USE" –means uses such as manufacturing, processing assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or transshipment of materials, finished goods, products or equipment;

"GRADE" - means the ground elevation establishment for the purpose of regulating the number of storeys and the height of buildings. The building grade shall be the level adjacent to the wall of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building;

"GROSS LEASEABLE AREA" - means the total floor area of the building contained within the outside surface of the exterior and basement walls, and includes enclosed and heated malls but excludes mechanical and utility rooms, public washrooms, stairwells and elevators;

"GROUP CARE FACILITY" - means a facility which provides resident services to seven or more individuals of whom one or more are unrelated. These individuals may be aged, disabled, or undergoing rehabilitation, and area provided services to meet their needs. This use includes supervised facilities such as group home (all ages), halfway houses, resident schools, resident facilities and foster or boarding homes, and psychiatric care facilities. These facilities are not intended to include major institutional care facilities such as hospitals;

"HALF STOREY" - see STOREY, HALF;

"HOME OCCUPATION" - means an occupation carried on within a dwelling unit or mobile home and which is not visible or noticeable in any matter outside the dwelling or mobile home. Such occupation is an accessory use and is secondary to the residential occupancy and does not change the character thereof;

"INDOOR EATING ESTABLISHMENT" - means an establishment where food and drink are intended to be consumed within the confines of the establishment;

"INTERIOR PARCEL" - see PARCEL, INTERIOR;

"LANDSCAPING" - means to preserve or change the natural features of a parcel by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in modern landscape architecture;

"LANE" - mean a public thoroughfare for vehicles, the right-of-way of which does not exceed 10.0 m (32.8 ft) and is not less than 6.0 m (19.7 ft) wide, and which provides a secondary means of access to a parcel or parcels.

"LOADING SPACE" - means an off-street space on the same parcel as a building or group of buildings, for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded;

"MINOR" - means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Authority, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major municipal area;

"MEDICAL OR DENTAL CLINIC" - means a development used for the provision of physical and mental health services on an outpatient basis;

"MOBILE HOME" - means a transferable dwelling which is constructed with a chassis that allows for permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the dwelling. A mobile home does not include a modular home (single wide) or two parts which when put together (double wide) comprise a complete dwelling;

"MOBILE HOME COURT" - means an area upon which a mobile home is intended to be placed or which is intended to be covered by a mobile home within a mobile home court or on a mobile home subdivided lot;

"MOBILE HOME SUBDIVIDED PARCEL" - means a parcel held in fee simple in a mobile home subdivision;

"MOBILE HOME SUBDIVISION" - means an area which has been subdivided by legal subdivision into parcels subdivided for mobile homes under this Bylaw;

"MODULAR HOME" – means a method of constructing a home in large sections, away from the site, and under controlled conditions. The type of home that is constructed is determined by the building code which it complies and design criteria that determine whether the structure type is single detached or multi-family, single level or multi-storey. The term modular does not describe a type of home, just as the term site-built does not describe a type of home. They both describe a construction method.

"MULTI-FAMILY DWELLINGS" - means a dwelling containing three or more dwellings units;

"MUNICIPAL DEVELOPMENT PLAN" - means the plan adopted by Council as a Municipal Development Plan;

"MUNICIPAL PLANNING COMMISSION" - means a body created by a bylaw pursuant to Section 626 of the Act who has the responsibility of exercising development powers and duties with this Land Use Bylaw;

"MUNICIPALITY" - means the Village of Breton, in the Province of Alberta;

"NON-CONFORMING USES" - means a lawful specific use:

- (i) being made of land or building or intended to be made of a building lawfully under construction, at the date the Land Use Bylaw or any amendment thereof affecting the land or building becomes effective, and

- (ii) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw;

"OCCUPANCY" - means the use or intended use of a building or part thereof for the shelter or support of persons or property;

"OFF-SITE SIGN" - see SIGN, OFF-SITE

"OFF-STREET PARKING" - means an off-street facility for the parking of three or more vehicles.

"OUTDOOR EATING ESTABLISHMENT" - means an establishment where food and drink are normally consumed either outdoor or inside the confines of the establishment;

"PARAPET WALL" - means that part of an exterior, party wall or fire wall extending above the roof line or which serves as a guard at the edge of a balcony or roof;

"PARCEL" - means the aggregate of the one or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles office.

"PARCEL AREA" - means the total area of a parcel;

"PARCEL CORNER" - means a parcel at the intersection of two abutting streets;

"PARCEL COVERAGE" - means the combined area measured at 1.0 m (3.0 ft) above grade, of all buildings on a parcel excluding all features which would be permitted under this Bylaw as projections into required yards;

"PARCEL DEPTH" - means the average distance between the front and rear property lines;

"PARCEL DOUBLE FRONTING" - means a corner parcel which is not a flanking parcel, but also includes a parcel which abuts two public streets, which are parallel or nearly parallel where abutting the parcel;

"PARCEL FLANKING" - means a corner parcel on which a side boundary is abutting onto a street and where all other parcels which are within 9.1 m (30.0 ft) of the parcel having no front boundary on the same street;

"PARCEL WIDTH" - means the distance between the side property lines of a parcel and at the minimum permissible front yard, measured parallel to the road or to the tangent line on a curved road;

"PARKING FACILITY" - means the area set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility;

"PARKING STALL" - means a space set aside for the parking of one vehicle;

"PERMITTED USE" - means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, without or without conditions, upon an application having been made which conforms to the Land Use Bylaw;

"PERSONAL SERVICE ESTABLISHMENT" - means a development used for the provision of personal services to an individual which are related to the cleaning and repair of personal effects of the care and appearance of the body. Typical uses include but are not limited to: hairdressers, shoe repair, dressmakers, laundry services and jewellers;

"PLACES OF WORSHIP" - means development owned, rented or leased by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, classrooms, dormitories and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;

"PIPELINE" – means a pipe used to convey a substance or combination of substances, including installations associated with the pipe, but does not include:

- (i) a pipe used to convey water other than water used in connection with
 - (A) a facility, scheme or other matter authorized under the *Oil and Gas Conservation Act* or the *Oil Sands Conservation Act*, or
 - (B) a coal processing plant or other matters authorized under the *Coal Conservation Act*,
- (ii) a pipe used to convey gas, if the pipe is operated at a maximum pressure of 700 kilopascals or less, and is not used to convey gas in connection with a facility, scheme or other matter authorized under the *Oil and Gas Conservation Act* or the *Oil Sands Conservation Act*, or
- (iii) a pipe used to convey sewage;

"PRINCIPAL BUILDING" - means a building which, in the opinion of the Development Authority,

- (i) occupies the major or central portion of the parcel,
- (ii) is the chief or main building among one more buildings on the parcel, or
- (iii) constitutes by reason of its use the primary purpose of which the parcel is used;

"PRINCIPAL USE" - means the primary purpose, in the opinion of the Development Authority, for which a building or parcel is used. There shall be no more than one principal use on each parcel unless specifically permitted otherwise in the Bylaw;

"PROFESSIONAL, FINANCE, OFFICE AND BUSINESS SUPPORT SERVICES" - means development primarily used for the provision of professional, management, administrative, consulting and financial services. Typical uses include the offices of lawyers, accountants, engineers, planners, secretarial, employment, telephone answering and similar office support services, banks, credit unions, loans offices and familiar financial uses, printing establishment, film processing establishment, janitorial firms and business repair shops;

"PUBLIC USE" - means a development which is publicly owned, supported or subsidized involving public assembly or use. Public use typically includes the following and similar uses as, public schools, parks, libraries, arenas, museums, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational activities;

"REAR YARD" - see YARD, REAR;

"RECREATIONAL EQUIPMENT" - means any permanent building, the intended use of which is for either active or passive recreation. Certain types of sidewalk furniture may be classified as recreational equipment at the discretion of the Development Authority;

"RETAIL STORE" - means development used for the sale of retail, and/or rental of a wide variety of consumer goods including the following and such similar uses as groceries and beverages, electronic goods, furniture and appliances, hardware and home improvement supplies, household goods, printer matter, pharmaceutical and personal care items and office supplies and more;

"ROOF SIGN" - see SIGN, ROOF;

"SECONDARY SUITE" – means development consisting of dwelling located within, an accessory structure in which the principal use is a Single Detached Dwelling or Duplex. A secondary suite has cooking facilities, food preparation sleeping and sanitary facilities which are physically separate of those of principal dwelling within the structure. A secondary suite has an separate entrance, either from a common room in indoor landing or directly from the side or rear of the structure. This use includes the development of basement space, above grade space, or the addition of a new floor space for a Secondary Suite to an existing Single Detached Dwelling or Duplex;

"SEPARATION SPACE" – means the horizontal open space provided around a dwelling to ensure no conflict of visibility from dwellings and adequate light, air and privacy, for activities undertaken within the dwelling. Unless otherwise specified in this Bylaw, a separation space may be partially or entirely outside the parcel boundary of a dwelling unit;

"SERVICE STATION" - means a parcel or the portion thereof used or intended to be used for any of the following: the servicing or repair of motor vehicles, the sale of gasoline, the sale of lubricating oils and other automotive fluids, accessories for motor vehicles, and a towing service dispatch point;

"SETBACK" - means the minimum horizontal distance between the parcel boundary and the nearest point on the exterior wall or chimney of the building, or another part of the building specified elsewhere in this Bylaw;

"SHOPPING CENTRE" - means two or more commercial establishments planned, developed and managed as a unit on a parcel or parcels and serviced by off-street parking, and includes the total parcel upon which buildings are located;

"SHORT FORM" - means an abbreviation;

"SHOW HOME" - means a permanent dwelling which is constructed for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area. Show homes may contain offices for the sale of other lots or dwellings in the area;

"SINGLE DETACHED DWELLING" – means development consisting of a building containing only one (1) dwelling, not approved secondary suites, which is separate from any other dwelling or buildings.

"SIGN" - means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event;

"SIGN, CANOPY" - means a sign which is part or attached to the outside edge of a canopy;

"SIGN, FREESTANDING" - means a sign supported by one or more uprights, braces or pylons and which stands independently of buildings;

"SIGN, OFF-STIE" - means a sign that advertises goods, products, services or facilities or directs persons to a different location from where the sign is located. Such a sign is not located on the parcel of the goods, products, services or facilities advertised.

"SIGN PROJECTING" - means a sign which is affixes to any building or part thereof and extends beyond the building wall or parts thereof by more than 0.3 m (1.0 ft). This does not include a sign attached to the ground;

"SIGN, ROOF" - means any sign erected upon, against or directly above a roof on top of or above the parapet wall of a building;

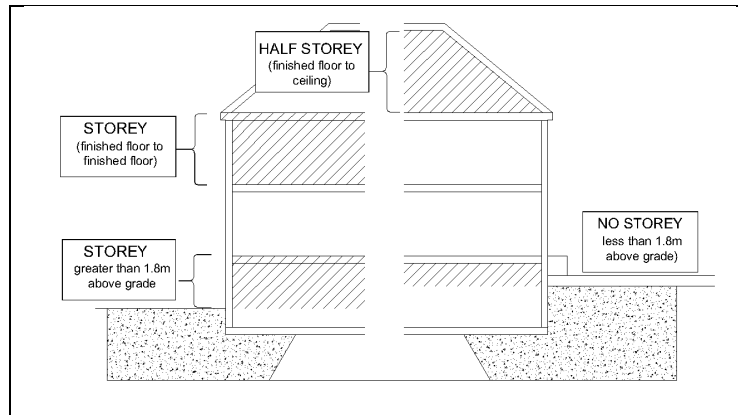
"SIGN, UNDER-CANOPY" - means a sign which is attached to the bottom face of a canopy;

"SIGN, WALL" - means a sign that is attached or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m (0.33 ft) from the wall, and which does not project above the roof or parapet;

"SPLIT LEVEL" - means a dwelling that has three separate living areas, each separated from the next by one half-storey;

"STATUTORY PLAN" - means a Municipal Development Plan, Area Structure Plan or Area Redevelopment Plan pursuant to the Municipal Government Act.

"STOREY" - means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or cellar shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 1.8 m (5.9 ft) above grade;



"STOREY, HALF" - means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor;

"STREET" - means a right-of-way no less than 10.0 m (32.8 ft) in width for a public thoroughfare and designed for the use of vehicular or pedestrian traffic, but does not include a lane or as defined as a street in the Highway Safety Act;

"STRUCTURE" - means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings;

"SUBDIVISION AND DEVELOPMENT APPEAL BOARD" - means a Subdivision and Development Appeal Board appointed pursuant to the Municipal Government Act, or Council where it is the Subdivision and Development Appeal Board pursuant to the Act;

"SURVEILLANCE SUITE" - means a single residential unit forming part of a development and used solely to accommodate a person or persons related as family who official function is to provide surveillance for the maintenance and safety of the development;

"TEMPORARY BUILDING" - means a structure that has been permitted to exist for a limited time only;

"TEMPORATY STORAGE FACILITY" - means a facility used for the temporary storage of either personal or business goods;

"TRAFFIC ISLAND" - means an area or space officially set aside within a street land or parking lot as prohibited for use by motor vehicles and which is marked or indicated by construction as to be plainly visible at all times;

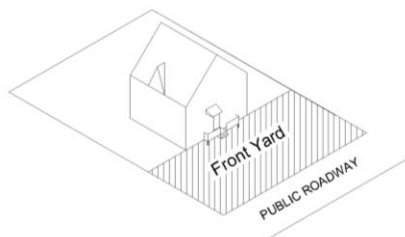
"USE" - means a use of land or a building as determined by the Development Authority;

"UTILITY" - means the components of a sewage, storm water or solid waste disposal system, or a telecommunication, electrical power, water, gas, or oil distribution system;

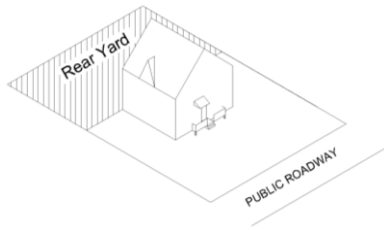
"UTILITY BUILDING" - means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility;

"YARD" - means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general level of the graded lot, unless otherwise permitted in this Bylaw;

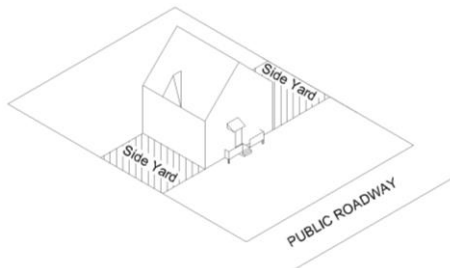
"YARD, FRONT" - means that portion of the parcel extending across the full width of the parcel from the front property of the parcel to the exterior wall of the building;



"YARD, REAR" - means that portion of the parcel extending across the full width of the parcel from the rear property boundary of the parcel to the exterior wall of the building; and

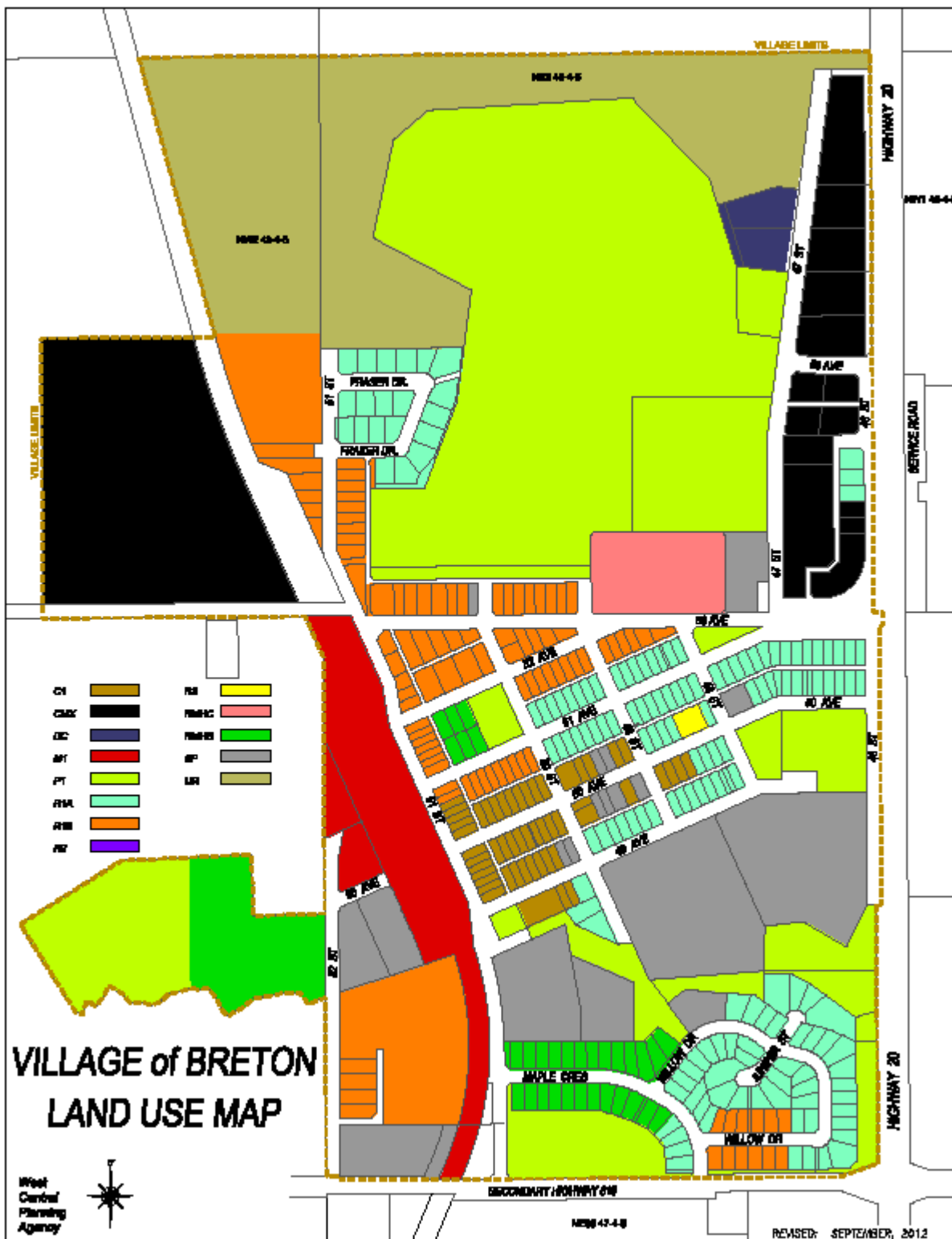


"YARD, SIDE" - means the portion of the parcel extending from the front yard to the rear yard and lying between the side property boundary of the parcel and the nearest point of the wall of the building.



- (2) All other words and expression have the meanings respectively assigned to them in the Act.

SCHEDULE "A"



SCHEDULE “B”

**APPLICATION
NUMBER:** _____

FORM A

APPLICATION FOR A DEVELOPMENT PERMIT

I 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:		Telephone:
Address:		
Lot	Block:	Plan:
or Certificate of Title:		
Registered Owner:		Address:
Existing Use:		Land Use District:

Proposed Use:		
Lot Type: Interior	Corner	Through
Lot Width:	Lot Length:	Lot Area:
Front Yard:	Side Yards:	Rear Yard:
Floor Area:		Percentage of Lot Occupied:
Off-street Parking: Size of Space		Number of Spaces:
Off-street Loading: Size of Space		Number of Spaces:
Accessory Use:		
Percentage of Lot Occupied:		Height of Accessory Building:
Setback from Side Lot Line:		Setback from Rear Lot Line:
Estimated Cost of the Project or Contract Price:		
Estimated Dates of Commencement:		
Estimated Date of Completion:		

I 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.

Signature _____

Date: _____

IMPORTANT NOTES

1. Any development proceeded with prior to the expiry of the appeal period is done solely at the risk of the Applicant even though an application for Development has been approved and a Development Permit has been issued. The period allowed for an appeal to be filed is 14 days after a development permit is issued.
2. Any person claiming to be affected by a decision regarding an application for a development permit may appeal by serving written notice to the Secretary of the Development Appeal Board within 14 days after a development permit or notice of decision was issued.
3. This Development Permit is valid for a period of 12 months from the date it was issued, or the date of an approval order being granted by the Development Appeal Board. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, the permit becomes invalid unless an extension has been granted by the Development Officer.
4. The applicant is reminded that compliance with this Permit requires compliance with all conditions affixed thereto.
5. A development must be commenced within 12 months from the date of a development permit being issued or of an approval order being granted by the DAB. If at the expiry of this period the development has not been commenced or carried out with reasonable diligence, the permit becomes invalid unless an extension has been carried out by the Development Officer.
6. This is not a Building Permit and, where required by any regulation, a Building Permit shall also be obtained.
7. A development permit is an authorization for development under the Land Use Bylaw, but is not an approval under any other regulations which may be applicable.
 - (a) Water and sewage systems are under the jurisdiction of the Plumbing Inspection Branch, Alberta Labour;
 - (b) Development in proximity to gaslines, other pipelines, powerlines, or telephone lines require approvals from: The Gas Protection Branch - Alberta Labour, Alberta Energy Resources Conservation Board, Alberta Utilities and Telecommunications.
 - (c) All plans submitted for the construction or alteration of a commercial or industrial building as specified under the Alberta Architects Act, shall be authorized by a registered architect or a professional engineer.

PERMIT
NUMBER: _____

FORM B

DEVELOPMENT PERMIT

Development involving _____ (as further described in
Application No. _____) has been:

APPROVED

APPROVED, subject to the following conditions (state reasons):

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

Date of Issuance _____ Date of Issue of Development Permit _____

Signature of Development Officer _____

NOTE

1. The issuance of a Development Permit in accordance with the Notice of decision is subject to the condition that it does not become effective until fifteen (15) days after the date the order, decision or development permit is issued.
2. The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after notice of the decision is given.
3. A permit issued in accordance with the notice of decision is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.

APPLICATION
NUMBER: _____

FORM C

NOTICE OF REFUSAL

You are hereby notified that your application for a development permit with regard to the following:

has been **REFUSED** for the following reasons:

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

Date of Issuance _____ Date of Issue of Development Permit _____

Signature of Development Officer _____

APPLICATION
NUMBER: _____

FORM D

NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

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

Legal description of the land to be developed:

All/part of the _____ 1/4 sec. _____ twp. _____ range _____ west of _____ meridian
being all parts of lot _____ block _____ Reg. Plan No. _____ C.O.T. No. _____
Area of the above parcel of land to be developed _____ acres

Date of Decision: _____

Date of Issuance: _____

The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal to the secretary of the Subdivision and Development Appeal Board within fourteen (14) days after Date of Issuance.

FORM E

NOTICE OF APPEAL HEARING

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

☐ APPROVED
The decision ☐ APPROVED WITH CONDITIONS a development permit for the following reasons:
☐ REFUSED

PLACE OF HEARING _____
TIME OF HEARING _____
DATE OF HEARING _____

Any person affected by the proposed development has the right to present a written brief prior to the hearing and/or to be present and be heard at the hearing. Persons making written submissions shall submit their written briefs to the secretary of the Subdivision and Development Appeal Board no later than _____.

Date

Secretary of the Subdivision and
Development Appeal Board

APPLICATION
NUMBER: _____

FORM F

NOTICE OF APPEAL DECISION

This is to notify you that an appeal against the
with regard to the following:

- ☐ APPROVED
☐ APPROVED WITH CONDITIONS of development
☐ REFUSED

was considered by the SUBDIVISION AND DEVELOPMENT APPEAL BOARD on _____
19____, and the decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD with regard to the
appeal is as follows and for the following reasons:

Date

Secretary of the Subdivision and
Development Appeal Board

NOTE:

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

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

**APPLICATION
NUMBER:** _____

FORM G

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

We hereby make application to amend the Land Use Bylaw.

Applicant:		Telephone:		
Address:				
Registered Owner of Land:		Telephone:		
Address:				
Land Description: Lot:	Block:	Registered Plan:		
or Certificate of Title:				
Quarter:	Section:	Township:	Range:	West of:
Existing Use:		Land Use District:		

Amendment Proposed

From:	To:
-------	-----

Reasons in Support of Application for Amendment

We enclose \$_____ being the application fee.

Signature _____

Date: _____