

Village of Myrnam

Land Use Bylaw



2018-08

Adopted Month, Day, Year

July 19th, 2018

Village of Myrnam

Land Use Bylaw

2018-08

A BYLAW OF THE VILLAGE OF MYRNAM IN THE PROVINCE OF ALBERTA, TO ADOPT A LAND USE BYLAW.

WHERE AS the Municipal Government Act, Revised Statutes of Alberta 2000 - Chapter M-26, current as of April 1st 2018 and Amendments thereto, authorize Council of a Municipality to enact a Land Use Bylaw to guide future development within the Village of Myrnam.

NOW THEREFORE the Village of Myrnam Land Use Bylaw No. 349 and amendments thereto, except for those Direct Control Bylaws listed as continued in the bylaw, are hereby repealed.

NOW THEREFORE Council of the Village of Myrnam in the Province of Alberta does hereby adopt the Village of Myrnam Land Use Bylaw 2018-08 this 19th day of July, 2018.

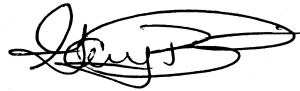
Read a first time this 22nd day of March, 2018.

Read a second time this 19th day of July, 2018.

Read a third and final time this 19th day of July 2018.



Mayor Edward Sosnowski



Chief Administrative Officer Gary Dupuis

July 19th 2018

Date

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APPENDICES

Appendix A Map 1| Land Use Districts



1 Enactment

1.1 Title

1.1.1 This Bylaw shall be known as and referred to as the “Village of Myrnam Land Use Bylaw”.

1.2 Purpose

- 1.2.1 The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and to:
- a. Divide the municipality into districts;
 - b. Prescribe and regulate for each district the purposes for which land and buildings may be used;
 - c. Establish the office of the development officer;
 - d. Establish a method of making decisions on applications for development permits including the issuing of development permits; and
 - e. Provide the manner in which notice of the issuance of a development permit is to be given.

1.3 Effective Date

1.3.1 This Land Use Bylaw comes into effect on the date of its third reading. At that time, the former Bylaw No. 349, and its amendments, shall cease to apply to new subdivision and development in the Village of Myrnam.

Section 1 | Enactment

1.4 Application

- 1.4.1 This Land Use Bylaw shall serve as a tool to implement policies established in the Municipal Development Plan (MDP), other statutory plans, and the *Municipal Government Act (Act)*, as amended from time to time.
- 1.4.2 All development hereafter in the Village of Myrnam shall conform to the provisions of this Bylaw.

1.5 Previous Bylaws

- 1.5.1 The Village of Myrnam Land Use Bylaw No. 349 is hereby repealed and this Bylaw shall apply to all lands within the Village of Myrnam.

1.6 Application in Progress

- 1.6.1 A completed application for a development permit or subdivision, which is received before adoption of this Bylaw shall be processed in accordance with the Village of Myrnam Land Use Bylaw No. 349 as amended.

1.7 Non-Conformity

- 1.7.1 In accordance with Section 643 of the Act, if a development permit has been issued on or before the day on which a Land Use Bylaw or a land Use Amendment Bylaw comes into force in a municipality and the Bylaw would make the development for which the permit was issued a non-conforming use or non-conforming building, the development permit continues to be in effect in spite of the coming into force of the Bylaw.
- 1.7.2 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- 1.7.3 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, may not be enlarged or added to and no structural alterations may be made to it or in it.
- 1.7.4 A non-conforming use of part of a parcel may not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings may be constructed on the parcel while the non-conforming use continues.
- 1.7.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:
- a. To make it a conforming building;
 - b. For routine maintenance of the building, if the Development Authority considers it necessary; or
 - c. In accordance with a Land Use Bylaw that provides minor variance powers to the Development Authority for the purposes of this Section.
- 1.7.6 If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the Land Use Bylaw.
- 1.7.7 The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

1.8 Severability

- 1.8.1 If any Section, clause, or provision of this Bylaw, including anything shown on Map 1, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remainder of this Bylaw in whole or in part, other than the Section, clause or provision, including anything shown on the Land Use District (Appendix A), so declared to be invalid.

1.9 Compliance with Other Legislation

- 1.9.1 Notwithstanding that a development permit may not be required in certain instances under this Bylaw, in no case does this exempt the applicant from complying with:
- a. Other requirements for approval by municipal Bylaw, the Act, conditions, any other instrument affecting building or land, or other applicable regulation;
 - b. Any easement, covenant, agreement, or contract effecting the development;
 - c. Requirements of Alberta building Code; and
 - d. *Alberta Safety Codes Act*, R.S.A. 2000, Chapter S-1.
- 1.9.2 The provisions and regulations of this Bylaw do not exempt any person or corporation from complying with the provisions or regulation of any other municipal, provincial, or federal statute.

1.10 Interpretation

Bylaw Text

- 1.10.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 1.10.2 The words “shall”, “must”, and “is” require mandatory compliance except where a variance has been granted pursuant to the Act.
- 1.10.3 Words, phrases, and terms not defined in this Section may be given their definition in the *Municipal Government Act* or the Alberta Building Code. Other words shall be given their usual and customary meaning.
- 1.10.4 Where a regulation involves two (2) or more conditions, provisions, or events connected by the conjunction “and”, this means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly or in combination; and “either-or” indicates the items shall apply singly but not in combination.
- 1.10.5 Where reference is made to other legislation or documents, this refers to the legislation and documents as may be amended from time to time.

Measurements

- 1.10.6 Within this Bylaw, both Imperial and Metric measures are normally provided, the Metric measures within brackets. However, the Metric measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures.

Section 1 | Enactment

Land Use District Map

- 1.10.7 The land use district boundaries shown on Map 1 shall be interpreted as follows:
- a. Where a boundary follows a public roadway, land, railway, pipeline, power line, or utility right-of-way or easement, it follows the centre line, unless otherwise clearly indicated;
 - b. Where a boundary is shown as approximately following the Village boundary, it follows the Village boundary;
 - c. Where a boundary is shown as approximately following the edge or shorelines of any river, lake, creek, or other water body, it follows such lines;
 - d. Where a boundary is shown as approximately following a lot or parcel line, it follows the lot or parcel line; and
 - e. In circumstances not covered above, the location of the boundary shall be determined by any dimensions set out in this Bylaw.
- 1.10.8 Where a district boundary is shown as being generally parallel to, or as an extension of, any of the features listed above, it shall be so.
- 1.10.9 In circumstances not covered within Subsection 1.10.7, the district boundary shall be determined by a Development Officer measuring the property line from some known location on Map 1.
- 1.10.10 Where the application of interpretations within Subsection 1.10.7 does not determine the exact location of a district boundary, a Development Officer shall fix the property line in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. This decision may be appealed to the Subdivision and Development Appeal Board (SDAB).
- 1.10.11 After the Development Officer has fixed a district boundary pursuant to the provisions of Subsection 1.10.10, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- 1.10.12 When any road or lane is closed, it has the same districting as the abutting land. When different districts govern abutting lands, the centre of the road or lane is the district boundary, unless the district boundary is shown clearly following the edge of the road or lane. If the road or lane is consolidated with an adjoining parcel, that parcel's district designation applies to affected portions of the closed road or lane.
- 1.10.13 The Development Permit Process and its relation to other sections of the Land Use Bylaw can be found in Section 3.
- 1.10.14 The uses that are listed in the permitted and discretionary use columns under the land use districts are not intended to be exclusive or restrictive. Where a specific use does not conform to the wording of any definition, the Development Authority may, at their discretion, determine that the use conforms to the spirit and intent of the purpose of the land use district and is determined similar to other uses allowed in that land use district. Notwithstanding the above, all uses defined as "same or similar uses" shall be considered discretionary.



2 Approval and Appeal Authorities

2.1 Development Authority

- 2.1.1 The Development Authority, as established pursuant to Section 624 of the Act and through the Development Authority Bylaw, for the Village of Myrnam is the:
- a. Council of the Village of Myrnam; and
 - b. Development Officer.

2.2 Development Officer

- 2.2.1 The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- 2.2.2 The Development Officer shall perform such duties that are specified in Section 3 of this Bylaw.
- 2.2.3 The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereon and the reasons therefore.
- 2.2.4 For the purposes of right of entry, the Development Officer is hereby declared to be an authorized person of the Council.

Section 2 | Approval and Appeal Authorities

2.3 Subdivision Authority

- 2.3.1 In accordance with Section 623(1) of the Act, the Subdivision Authority for the Village of Myrnam shall be established through a Subdivision Authority Bylaw.

2.4 Subdivision and Development Appeal Board

- 2.4.1 The Subdivision and Development Appeal Board (SDAB) for the Village of Myrnam shall be established by a separate Bylaw.
- 2.4.2 The SDAB shall carry out the duties and responsibilities pursuant to Section 628 of the Act, and in accordance with the Bylaw that creates it.
- 2.4.3 The SDAB shall review all appeal applications within its jurisdiction for development permit appeal, stop order appeal, and subdivision application appeal.
- 2.4.4 The Subdivision and Development Appeal Board shall perform such duties as are specified in Section 5 of this Bylaw.

2.5 Decision-Making Structure

- 2.5.1 The Development Authority shall be responsible for making decisions on all development permit application.



3 Development Permit Process

3.1 Control of Development

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

3.2 Development Not Requiring a Development Permit

3.2.1 The following development shall not require a development permit:

- a. The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation;
- b. The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1.0m (3.3ft) in height in front yards and less than 1.8m (6.0ft) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- c. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw;
- d. The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- e. The erection of any building ancillary to a farming operation in the Urban Reserve district, providing such building is located greater than 15.2m (50.0ft) from a public road;
- f. Accessory buildings or structures with a GFA under 11.15m² (120.0ft²); and
- g. Sheds that are placed on skids.

Section 3 | Development Permit Process

3.3 Development Permit and Agreement Fees

- 3.3.1 All fees and charges under and pursuant to development permit and subdivision applications, appeals, statutory plans, Bylaws, and this Bylaw, and any amendments to them shall be as established by Bylaw of Council.

3.4 Requirements for Development Permit Applications

General Requirements

- 3.4.1 An application for a development permit shall be made to the Development Officer in writing on the application form provided by the Village of Myrnam and shall:
- a. Be accompanied by a fee as established by Council from time to time within the Village's Fees and Charges Bylaw.
 - b. Be signed by the registered owner or his or her agent where a person other than the owner is authorized by the owner to make the application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a statutory declaration;
 - c. State the proposed use or occupancy of all parts of the land and buildings and provide any other information as may be required by the Development Authority;
 - d. Include parcel plans in duplicate at a scale satisfactory to the Development Authority, showing the following:
 - i. North point;
 - ii. Legal description of the parcel;
 - iii. Location of principal building and other structures including Accessory Buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas, including buffering and screening areas where provided;
 - iv. Outlines of the roof overhangs on all buildings;
 - v. Front, rear, and side yard setbacks;
 - vi. Access and egress points to and from the parcel;
 - vii. On a vacant parcel in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal; and
 - viii. Estimated cost of the project, excluding land prices.
 - e. Be accompanied by an electronic copy (by way of USB key or CD) of all plans and drawings;
 - f. Include certificate of title from the land Titles Office;
 - g. Indicate authorization by all registered owners where there is more than one registered owner;
 - h. Be signed with the corporate seal or include verification of corporate signing authority, where the registered owner is a corporation; and
 - i. Provide any other pertinent information or tests required by the Development Officer respecting the parcel or adjacent lands.
 - j. At the discretion of the Development Authority, parcel plans may also be required to show any or all of the following:
 - i. The provision of off-street loading and vehicle parking;
 - ii. The exterior elevations of all buildings showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;

Section 3 | Development Permit Process

- iii. A parcel grading plan indicating, but not limited to the elevation of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;
- iv. Storm drainage plan;
- v. The location of existing and proposed municipal and private local improvements as well as a cost and time estimation of the installation of these improvements;
- vi. The lowest finished floor elevation in either the basement or main floor in the principal and Accessory Buildings where applicable; and
- vii. Provide a real property report to be submitted by the applicant to verify compliance of all existing and proposed buildings with this Bylaw.

3.4.2 As part of the development permit application, the Development Authority may require the applicant to provide written consent to enter upon the subject property to verify compliance of all existing and proposed development(s) with this Bylaw.

3.4.3 The Development Authority may require a complete Hydrological Ground Water Impact Report for any commercial, industrial, or multi-parcel development.

Direct Control District Development Permit Application Requirements

3.4.4 In the case of a development permit application made pursuant to a Direct Control district, all requirements and procedures pertaining to the development permit application will be at the direction and to the satisfaction of Council.

3.4.5 In determining the development permit application requirements and procedures pursuant to a Direct Control district the Council may consider and be guided by the provisions outlined in this Section and may require the applicant to submit any or all of the following for the purpose of relating any proposal to the growth of the Village of Myrnam:

- a. An explanation of the intent of the project;
- b. The features of the project that make it desirable to the general public and the Village of Myrnam. This is to include an evaluation of how the project may contribute to the present and projected needs of the Village of Myrnam as a whole;
- c. A detailed development scheme containing the following information:
 - i. Location of all proposed buildings;
 - ii. Elevation and architectural treatment of all buildings and associated structures;
 - iii. Proposed servicing scheme and its relationship to the Village of Myrnam existing and/or proposed servicing plans;
 - iv. Anticipated scheduling and sequence of development;
 - v. Mechanisms by which conformance to the plan will be ensured, such as through a combination of caveats, easements, service agreements and performance bonds;
 - vi. Details of all earthwork and tree removal;
 - vii. All yard setbacks, parcel coverage, parcel areas, floor areas, sizes of parcels, and number of parking stalls; and
 - viii. Such additional requirements as are determined necessary by Council with regard to the nature of the proposed development and the surrounding use(s) that may be affected.

Section 3 | Development Permit Process

Incomplete Development Permit Application

- 3.4.6 When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with an application for a development permit, the Development Authority may return the application to the applicant for further details. The returned application shall not be determined to be in its final form until all required details have been submitted to the satisfaction of the Development Authority. Should the municipality deem the submitted application incomplete, the Development Authority may issue a notice acknowledging the application is incomplete.
- 3.4.7 Where an incomplete application has been submitted, the Village of Myrnam shall hold the application for thirty (30) days. If the applicant fails to collect the incomplete application within this period, the Village of Myrnam shall return the application by post.

Demolition

- 3.4.8 Upon application for a building demolition, the Development Authority may require a demolition plan detailing the following:
- a. Footprint of building and site plan of property on which the building is to be demolished;
 - b. Measures to be taken to ensure that the demolition is done in a safe and efficient manner and what measures are to be taken to ensure the disturbance and nuisances (dust, noise, debris, traffic, etc.) as a result of the demolition are mitigated or minimal;
 - c. Timelines for completion of demolition and site restoration project;
 - d. Salvage operation and stockpiling of building demolition material and fill from excavation; and
 - e. Site restoration and land reclamation upon building demolition (filling, grading, landscaping, etc.).
- 3.4.9 In the case where a proposed specific use of land or a building is not provided for in any district in the Bylaw, the Development Officer may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district.

Home Based Business

- 3.4.10 An application for a development permit for a home based business shall include the following:
- a. A detailed description of the business;
 - b. Typical hours of operation;
 - c. Number of resident and non-resident employees;
 - d. Number of vehicle trips per day;
 - e. A site plan indicating:
 - i. Location of outdoor storage and potential measures to mitigate visual and noise impacts on adjacent properties;
 - ii. Parking layout; and
 - iii. A breakdown of the business use area in relation to the remainder of the property.
 - f. Any other information requested by the Development Authority.

3.5 Notice of Proposed Development

- 3.5.1 Prior to an application being considered for a discretionary use, the Development Authority may require one or more of the following prior to the date of consideration of the application:

Section 3 | Development Permit Process

- a. A similar notice to be published once in a newspaper circulating in the municipal area, at the expense of the applicant; or
- b. A similar notice to be published on the Village of Myrnam's website.

3.5.2 The notices issued pursuant to Subsection 3.5.1 shall state:

- a. The proposed use of the building or parcel;
- b. That an application respecting the proposed use will be considered by the Development Authority;
- c. That any person who objects to the proposed use of the parcel may deliver to the Development Authority a written statement of their objections indicating:
 - i. Their full name and address for service of any notice to be given to them in respect of the objection; and
 - ii. The reasons for their objections to the proposed use.

3.6 Referrals for Development Applications

3.6.1 The Development Authority may refer any development permit application to another municipal department or external agency for their review and comment. The following is a description of mandatory referrals to external agencies.

- a. Crown land development: When the municipality receives a development permit application that is to be located on Crown land or near a regionally significant or natural area, a copy of the development permit application shall be forwarded to the appropriate government department for comment and recommendations;
- b. Provincial highway network: The applicant shall be required to obtain an approval from Alberta Transportation, in the following circumstances:
 - i. Subdivision applications within 800.0 m (0.50 miles) of a provincial highway;
 - ii. Development permit applications within 300.0 m (0.19 miles) of a provincial highway; and
 - iii. Development permit applications within 800.0 m (0.50 miles) of a provincial highway intersection.
- c. Critical wildlife, vegetation, and physical environments: To support the preservation of land that is identified or determined by the municipality to be a critical wildlife habitat, vegetative area, and/or physical environment, the Development Authority may refer any development permit application that may adversely affect the subject or adjacent property to the appropriate government department for comments and recommendations;
- d. Alberta Energy Regulator (AER): The applicant shall be required to obtain approval from AER for developments within 100.0 m (328.08ft) of sour gas, gas or oil facilities in accordance with AER regulations;
- e. Alberta Environment and Parks (AEP): The applicant may be required to obtain an approval from AEP, subject to location of the subject property, at the discretion of Development Authority. All environmental audits and Environmental Impact Assessments shall be referred to AEP for review and comment;
- f. Alberta Health: The applicant may be required to obtain an approval from Alberta Health, subject to location of the subject property, at the discretion of Development Authority; and
- g. Inter-municipal referrals shall be in accordance with the Village of Myrnam and County of Two Hills Intermunicipal Development Plan.
- h. The date by which objections must be received by the Development Authority; and
- i. The date, time, and place the application will be considered by the Development Authority.

Section 3 | Development Permit Process

- 3.6.2 At the discretion of the Development Authority, interested person(s) may be provided with an opportunity to make representation on the application as part of the development permit application review process.

3.7 Decision on Development Permit Applications

Permitted or Discretionary Use Applications

- 3.7.1 The Development Officer shall receive, consider and decide on all applications for a development permit.
- 3.7.2 At the discretion of the Development Officer, any development permit application involving a discretionary use may be referred to Council for decision.
- 3.7.3 In making a decision the Development Officer may approve the application unconditionally, or impose conditions considered appropriate, permanently or for a limited period of time or refuse the application.
- 3.7.4 When the Development Officer refuses an application for a development permit, the decision shall contain reasons for the refusal.

Temporary Use Approval

- 3.7.5 Where a development is not required on a permanent basis, the Development Authority may approve the proposed development permit for a specified period of time. The expiry date of all temporary development permits shall be clearly indicated on the notice of decision.

3.8 Variance Provisions

- 3.8.1 The Development Officer may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Officer, the proposed development:
- Would not unduly interfere with the amenities of the neighbourhood;
 - Would not materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - Conforms to the use prescribed for the land or building in this Bylaw.
- 3.8.2 The Development Officer may allow only minor variances where site constraints or other factors prevent the developer from meeting the standards of the Bylaw.
- 3.8.3 Notwithstanding other provisions related to the granting of variances, the Development Officer shall not vary a development control standard (such as site setback criteria) by more than 10%. Variance requests exceeding 10% shall require the approval of Council.

3.9 Deemed Refusal

- 3.9.1 In accordance with the Act, 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 an agreement to extend the forty (40) day period herein described is established between the applicant(s) and the Development Authority.

3.10 Notice of Decision

- 3.10.1 A decision of the Development Officer on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- 3.10.2 When a permit has been issued the Development Officer shall immediately:
- Post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - Mail a notice in writing to all adjacent land owners who in the opinion of the development officer may be affected; and/or
 - Publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- 3.10.3 Development permits issued for permitted uses where the proposed development is in complete conformance with this Bylaw need only be advertised, at the discretion of the Development Authority, to the applicant and Landowner of the subject property.
- 3.10.4 Where an application for a development permit has been refused, the notice of decision need only be sent by mail to the applicant.
- 3.10.5 A development permit does not come into effect until fourteen (14) days after a notice of decision is communicated. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 3.10.6 Where an appeal is made against a notice of decision of the Development Authority, the Subdivision and Development Appeal Board, or the Alberta Court of Appeal, a development permit shall not come into effect until the appeal has been finally determined.

3.11 Development Permit Conditions

- 3.11.1 The Development Authority may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities, or to pay an off-site levy or redevelopment levy imposed by bylaw.

General Conditions for all Development Permits

- 3.11.2 Section 3.11 contains standard conditions that apply to all development permits. The Development Authority may amend or remove any of the conditions listed or add additional conditions not referenced here as needed on a case by-case basis.
- 3.11.3 In addition to other requirements of this Bylaw, the Development Authority may require the applicant to enter into an agreement and to abide by any or all of the following as conditions of approval for a development permit application:
- Install or pay for the installation of utilities (i.e., water, sewer and natural gas);
 - Pay for an off-site levy or redevelopment levy imposed by bylaw;

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- c. Prior to construction or commencement of any development, the owner/applicant or contractor is responsible to obtain building, electric, plumbing, sewage, and gas permits, if required. Permits must be obtained from the Village of Myrnam or a delegated authority. The applicant is required to consult with the permit issuer to ensure that there are no conflicts between homeowner/contractor permits and the person(s) responsible for performing the actual work;
 - d. All arrears that may be owed by the applicant to the Village of Myrnam be paid in full;
 - e. The development that is the subject of the permit be commenced within twelve (12) months of the issue date of the development permit and be completed within twenty-four (24) months;
 - f. Failure to conform to the conditions of a permit will render it null and void;
 - g. All development shall be landscaped and graded in a manner that all surface run-off is either contained on-site, directed into an existing water body (i.e., a lake or stream) or public drainage system (i.e., a municipal ditch);
 - h. A lot grading, elevation, and drainage plan;
 - i. The applicant shall remove all garbage and waste at his/her own expense and keep the site in a neat and orderly manner;
 - j. The proposed development shall be sited and conform to all building setbacks as shown on the submitted drawing and shall not be moved or enlarged except where authorized;
 - k. Any field work or construction undertaken prior to the effective date of the development permit is at the risk of the owners/applicants;
 - l. Any changes or additions to a permit shall require a new development permit application;
 - m. All development permit fees shall be paid in full prior to construction or commencement of any development. Failure to pay permit application fees will render a permit null and void; and
 - n. For garages or Accessory Buildings as built prior to construction of the principal building on a multi-parcel subdivision parcel, the applicant will be required to submit a security deposit of \$2,000.00 to the Village of Myrnam prior to any construction to ensure an application for a residence is submitted within three (3) years from the date of this approval. The deposit will be refunded upon the Village of Myrnam inspection for commencement of an approved residence on said parcel.
- 3.11.4 In addition to the requirements set out in Subsection 3.11.3, the Development Authority may also require the applicant to enter into an agreement and to abide by any or all of the following as conditions of approval for a development permit application:
- a. Construct or pay for the construction of public roadways or parking areas;
 - b. Construct or pay for a pedestrian walkway (sidewalk) system to serve the development;
 - c. Repair, reinstate, or pay for the repair or reinstatement to original condition of the curbing, sidewalk, and boulevard, and landscaping, which may be damaged or otherwise affected by the development or building operations on the site; and
 - d. Additional conditions for development permit approval for specialized uses.
- 3.11.5 The applicant must obtain Public Works approval for all approaches required for the proposed development.
- 3.11.6 Buildings associated with a development permit should be connected to municipal services (water and/or sewer) at the applicant's expense.

Home Based Business

- 3.11.7 A development permit for a Home Based Business is valid for one (1) year commencing the effective date, and shall be automatically renewed each year afterwards subject to conformance with the Land Use Bylaw and the conditions of approval contained in the permit.
- 3.11.8 The applicant is advised that any application for renewal of a Home Based Business is subject to review by the Development Authority. The Development Authority shall be notified in writing of such renewal requests, accompanied by the appropriate development permit application fee, if required, at least six (6) months prior to the expiry date of the development permit.
- 3.11.9 The applicant is responsible for obtaining and complying with any required permits from federal, provincial, or other legislation, or the condition of any easement, covenant, building scheme, or development agreement affecting the land.

3.12 Validity of Development Permits

- 3.12.1 A development permit remains in effect unless:
 - a. It is suspended or cancelled;
 - b. The development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit or as otherwise noted, or not carried out with reasonable diligence; or
 - c. The development that is the subject of the development permit is to be externally completed within twenty-four (24) months of the effective date of the development permit (or as otherwise noted), or be shown to be carried out with reasonable diligence.

3.13 Extension of Development Permits

- 3.13.1 The Development Officer may grant a one-time extension to the end date of a development permit for a maximum of one (1) year where the permit is for a building or use that is permitted or, in the opinion of the Development Officer, does not adversely impact the use, enjoyment, or value of neighbouring properties.

3.14 Resubmission Interval

- 3.14.1 If an application for a development permit is refused by the Development Authority or on an appeal to the Subdivision and Development Appeal Board, the Development Authority may refuse to accept subsequent development permit applications for the same or similar use on the same parcel for a period of sixty (60) days from the date of refusal unless, in the opinion of the Development Authority:
 - a. The reasons for refusal have been adequately addressed; or
 - b. The circumstances of the application have changed significantly.

3.15 Suspension or Cancellation Permits

- 3.15.1 The Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of the permit if, after a development permit has been issued, the Development Authority becomes aware that:
 - a. The application for the development contains a misrepresentation;
 - b. Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;

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- c. The development permit was issued in error; or
 - d. The conditions of development approval are not complied with in a satisfactory manner.
- 3.15.2 If a person fails to comply with a notice under the Act Section 645, the Development Authority may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.



4 Subdivision Process

4.1 Requirements for Subdivision Applications

- 4.1.1 The process for subdivision applications is outlined in Figure 1.
- 4.1.2 The applicant of a Subdivision Application shall be responsible for the following:
 - a. All applicable fees (including but are not limited to application, appraisal, mapping, administration, and endorsement fees) according to the Village's Fees and Charges Bylaw;
 - b. The expense of drafting a development agreement;
 - c. Payment of a Subdivision Road Improvement Levy in accordance with the Village of Myrnam policy; and
 - d. All legal, engineering, and evaluation costs related to the application and approval of the proposed subdivision.

4.2 Decision on Subdivision Applications

- 4.2.1 The municipality may use the recommendations of an environmental audit or Environmental Impact Assessment as a basis for comments to the Subdivision Authority in recommending to approve, approve with conditions, or refuse an application for subdivision.
- 4.2.2 A decision from the Subdivision Authority may be appealed to the SDAB or MGB.

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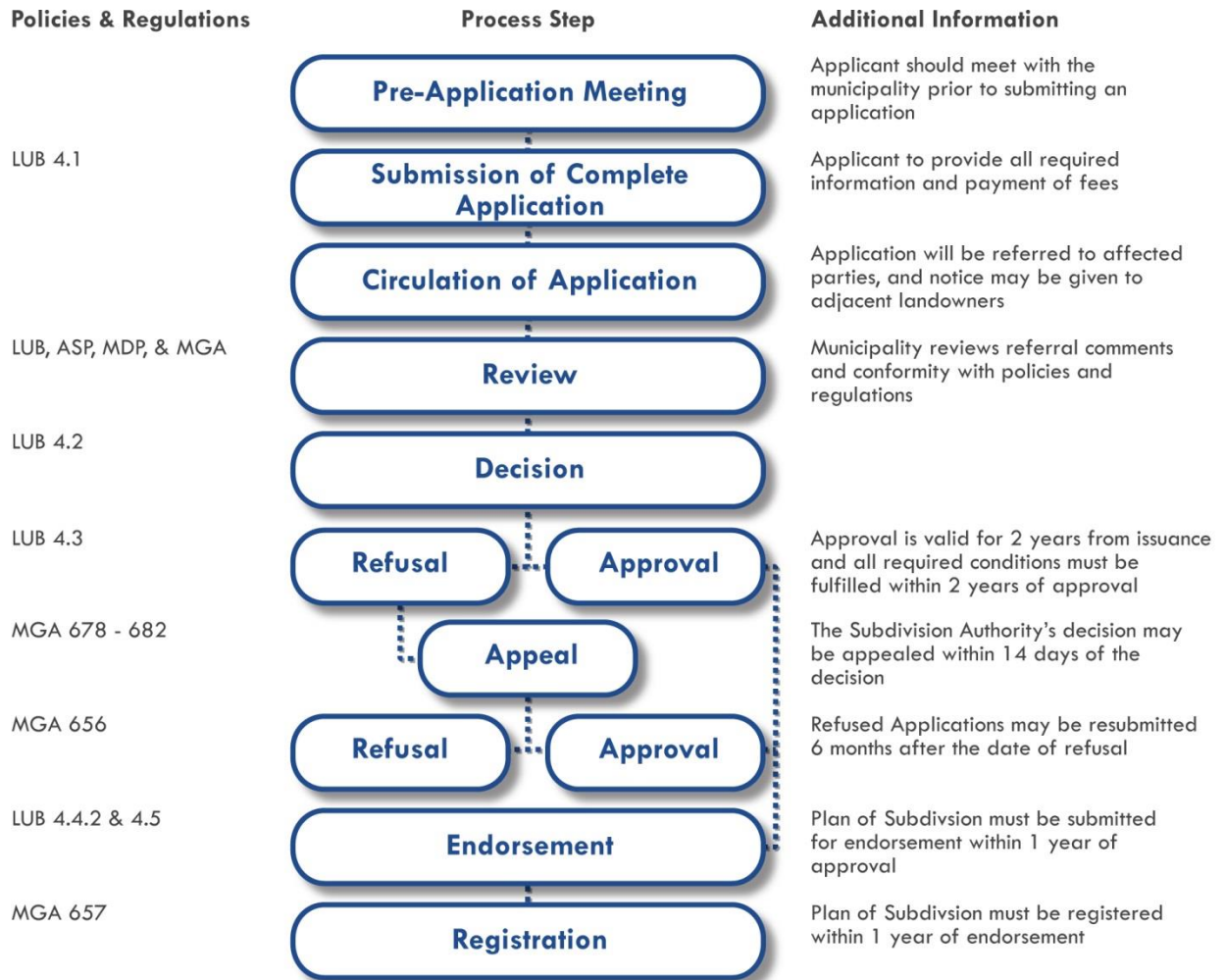


Figure 1. Subdivision Process

4.3 Subdivision Approval Conditions

- 4.3.1 Section 0 contains standard conditions that apply to all subdivisions, in addition to any outlined in the applicable district. The Subdivision Authority may amend, remove or add to any of the conditions listed as needed on a case-by-case basis.
- 4.3.2 All subdivision conditions must be fulfilled within twenty-four (24) months of date of subdivision approval.
- 4.3.3 The applicant shall enter into a development agreement, in a form satisfactory to the Village of Myrnam, to do any or all of the things referenced in Section 655(1)(b) of the Act. This development agreement may include, but is not limited to:
- Suitable access to each parcel constructed to the Village of Myrnam standards;
 - Water;
 - Sewage disposal;
 - Public transportation operated by or on behalf of the municipality;
 - Irrigation;

- f. Drainage;
- g. Fuel;
- h. Electric power;
- i. Heat;
- j. Waste management;
- k. Telecommunications;
- l. Rural addressing;
- m. Traffic control signs;
- n. Subdivision entrance signs;
- o. Street names and rural addressing;
- p. Installation of rural addressing for each lot created;
- q. School Division bus signage installed at the entrance of the subdivision; and
- r. That the Village of Myrnam must approve all infrastructure, signage, street names, and rural addressing prior to installation or plan endorsement.

4.3.4 Pursuant to Section 662 of the Act, 5.18m (17.0ft) of road widening adjoining all municipal road allowances is required and may be registered through caveat.

4.3.5 The Subdivision Authority may require a restrictive covenant be placed on all residential lots:

- a. Restricting basements on all lots that are restricted for basement development as per any geotechnical report required by the Village of Myrnam;
- b. Prohibiting clearing of vegetation outside of established building sites except where required for weed management, removal of hazardous trees, and/or selective removal of deadfall;
- c. Prohibiting the development of water wells unless a report prepared in accordance with Section 23 of the *Water Act* recommends that a water well may be approved for the residential site;
- d. Restricting waste-water disposal systems to holding tanks only on certain lots based on assessment of an on-site Wastewater Treatment System Suitability report;
- e. Restricting some lots or units to the sole use of utility services such as water and waste-water above ground infrastructure, sani-dump treatment and collection facilities, pump stations and fire ponds.

Reserve Lands

4.3.6 Municipal, school, or municipal and school reserve shall be provided in accordance with the Act and the MDP.

4.3.7 Public utility lots and rights of way must be provided, if required, in accordance with the Act and the MDP.

4.3.8 The applicant may be required to provide a landscaped buffer area where the Subdivision Authority feels it is necessary to limit any potential noise impact from a neighbourhood use.

4.4 Validity of Subdivision Approval

4.4.1 An approval from the Subdivision Authority, SDAB or MGB is valid for two (2) years from date of issuance. Extension of this period shall not be allowed.

4.4.2 Subject to a 14-day appeal period, the applicant must submit a plan of subdivision to the Subdivision Authority for endorsement within one (1) year from date of subdivision approval.

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4.5 Enforcement of Subdivision

Plan of Subdivision

- 4.5.1 The applicant shall prepare and present to the Village of Myrnam staff a plan of subdivision that:
- a. Complies with Section 657 of the Act;
 - b. Complies with the *Land Titles Act* of Alberta;
 - c. Is acceptable in all respects to the Registrar of the Land Titles Office of Alberta;
 - d. Shows the boundaries of the proposed subdivision, including all approaches; and
 - e. Shows any required reserve lands.

Endorsement

- 4.5.2 The plan of subdivision shall not be endorsed by the Subdivision Authority if there are any outstanding:
- a. Property taxes on the property of the proposed subdivision;
 - b. Compensation of the items outlined in Section 4.1;
 - c. Approvals, pursuant to Subsection 4.3.3; or
 - d. Statutory required approvals.



5 Subdivision and Development Appeals Process

5.1 Grounds for Appeals

- 5.1.1 In accordance with Section 685(1) of the Act, the person applying for the permit or affected by the stop order under Section 645 may appeal to the subdivision and development Appeal Board, if a Development Authority:
- Fails or refuses to issue a development permit to a person;
 - Issues a development permit subject to conditions; or
 - Issues an order under Section 645 of the Act.
- 5.1.2 No appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.

5.2 Procedure for Appeals

- 5.2.1 In accordance with Section 686(1) of the Act, development appeal to a SDAB is commenced by filing a notice of the appeal, containing reasons, with the board within fourteen (14) days in the case of an appeal made by a person referred to in Section 685(1) of the Act, after:
- The date on which the person is notified of the order or decision or the issuance of the development permit;
 - If no decision is made with respect to the application within the forty (40) day period or within any extension under Section 684, the date the period or extension expires; or
 - In the case of an appeal made by a person referred to in Section 685(2), the date on which the notice of the issuance of the permit was given in accordance with the Land Use Bylaw.

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- 5.2.2 The SDAB must hold an appeal hearing within thirty (30) days after receipt of a notice of appeal.
- 5.2.3 The SDAB must give at least five (5) days notice in writing of the hearing:
- a. To the appellant;
 - b. To the Development Authority whose order, decision, or development permit is the subject of the appeal; and
 - c. To those owners required to be notified under the Land Use Bylaw and any other person that the SDAB considers to be affected by the appeal and should be notified.
- 5.2.4 The SDAB must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:
- a. The application for the development permit, the decision, and the notice of appeal; or
 - b. The order under Section 645 of the Act.

5.3 Hearing and Decision

- 5.3.1 In accordance with Section 687(1) of the Act, at a hearing under Section 686, the SDAB must hear:
- a. The appellant or any person acting on behalf of the appellant;
 - b. The Development Authority from whose order, decision, or development permit the appeal is made, or a person acting on behalf of the Development Authority;
 - c. Any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person; and
 - d. Any other person who claims to be affected by the order, decision or permit and that the SDAB agrees to hear or a person acting on behalf of that person.
- 5.3.2 The SDAB must give its decision in writing together with reasons for the decision within fifteen (15) days after concluding the hearing.
- 5.3.3 In determining an appeal, the Subdivision and Development Appeal Board:
- a. Must act in accordance with any applicable Alberta land Surveyors' Association (ALSA) regional plan;
 - b. Must comply with the land use policies and statutory plans and the Land Use Bylaw in effect;
 - c. Must have regard to but is not bound by the subdivision and development regulations;
 - d. May confirm, revoke, or vary the order, decision, or development permit or any condition attached to any of them or make or substitute an order, decision, or permit of its own; and
 - e. May make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the Land Use Bylaw if, in its opinion:
 - i. The proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
 - ii. The proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw.

5.4 Court of Appeal

- 5.4.1 Pursuant to Section 688 of the Act, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:
- a. A decision of the Subdivision and Development Appeal Board; or

Section 5 | Subdivision and Development Appeals Process

- b. The Municipal Government Board on a decision of an appeal under Section 619 of the Act, an inter-municipal dispute under Division 11 of the Act, or a subdivision appeal.
- 5.4.2 An application for leave to appeal must be filed with the Court of Appeal within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be given to:
- a. The Village of Myrnam;
 - b. The Municipal Government Board or the Subdivision and Development Appeal Board; and
 - c. Any other person(s) that the judge directs.

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6 Enforcement

6.1 Contravention

- 6.1.1 A Development Authority may find that a development or use of land or buildings is not in accordance with:
- The Act or the regulations;
 - A development permit or subdivision approval; or
 - This Bylaw.

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

- Stop the development or use of the land or buildings in whole or in part as directed by the notice;
 - Demolish, remove or replace the development; or
 - Take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Municipal Government Act, the regulations, a development permit, subdivision approval, or this Bylaw, as the case may be.
- 6.1.2 Where a notice is issued under Subsection 6.1.1, the notice may state the following and any other information considered necessary by the Development Authority:
- An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out;
 - The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;

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- c. A time frame in which the contravention must be corrected prior to the Village of Myrnam pursuing further action; and
- d. Advise the person of their right to appeal the notice to the Subdivision and Development Appeal Board.

6.1.3 Where a person fails or refuses to comply with an order directed to them pursuant to Subsection 6.1.1 or an order of the SDAB under Section 687 of the Act within the time specified, Council, or a person appointed by it, may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order. Where an order has not been complied with, Council may register a caveat against the title of the subject property related to the order. Costs and expenses incurred in carrying out the order may be placed on the tax roll for the subject property and shall be collected in the same manner as property taxes.

6.2 Prohibitions

- 6.2.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.
- 6.2.2 No person shall contravene a condition of a permit issued under this Bylaw.
- 6.2.3 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a development permit. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by a Development Officer.

6.3 Non Compliance

- 6.3.1 If, after a development permit has been issued, the Development Authority becomes aware that:
 - a. The application for the development contains a misrepresentation;
 - b. Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
 - c. The development permit was issued in error;
 - d. The application was withdrawn by way of written notice from the applicant; or
 - e. If the condition(s) imposed in the development permit have not been complied with;The Development Authority may cancel, suspend, or modify as considered appropriate, the development permit by notice, in writing, to the holder of the permit.
- 6.3.2 A person whose development permit is cancelled, suspended or modified under this Subsection may appeal to the SDAB in accordance with Section 5 of the Bylaw within fourteen (14) days of notice of such action.

6.4 Warning Notice

- 6.4.1 A Designated Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

6.5 Violation Tickets

- 6.5.1 A Designated Officer shall be authorized and empowered to issue a municipal ticket to any person who the Designated Officer has reasonable and probable grounds to believe it has contravened any provision of this Bylaw.
- 6.5.2 A municipal ticket may be served:

- a. Personally to the person; or
 - b. Mailed to the address shown on a certificate of title for the lands on which the contravention is alleged to have occurred.
- 6.5.3 The municipal ticket shall be in a form approved by the Chief Administrative Officer and shall state:
- a. The name of the person to whom the municipal ticket is issued;
 - b. A description of the offence and the applicable Bylaw Section;
 - c. The appropriate penalty for the offence as specified in this Bylaw;
 - d. That the penalty shall be paid within fourteen (14) days of the issuance of the municipal ticket in order to avoid prosecution; and
 - e. Any other information as may be required by the Chief Administrative Officer.
- 6.5.4 Where a contravention of this Bylaw is of a continuing nature, further municipal tickets may be issued by a Designated Officer.
- 6.5.5 A person to whom a municipal ticket has been issued may pay the penalty specified on the municipal ticket and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 6.5.6 Where a municipal ticket has been issued and the penalty specified on the municipal ticket is not paid within the prescribed time, a Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*.
- 6.5.7 Notwithstanding Subsection 6.5.6, a Designated Officer may immediately issue a violation ticket to any person whom the designated Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 6.5.8 A violation ticket issued with respect to a contravention of this Bylaw shall be preserved upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 6.5.9 If a violation ticket is issued in respect of an offence, the violation ticket may:
- a. Specify the fine amount established by bylaw for the offence; or
 - b. Require a person to appear in court without the alternative of making a voluntary payment.
- 6.5.10 A person who commits an offence may, if a violation ticket is issued in respect of the offence and the violation ticket specifies the fine amount established by bylaw for the offence, make a voluntary payment equal to the specified fine.
- 6.5.11 When a clerk records in the Court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Act*, the receipt of that payment by the Act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.
- 6.5.12 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

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6.6 Right of Entry

- 6.6.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with:
- Part 17 of the Act, regulations thereto, and/or the Land Use Bylaw; or
 - A development permit;
- The Development Authority may take such action as specified in Sections 542 and 543 of the Act.

6.7 Stop Orders

- 6.7.1 The Development Authority may act under Subsection a pursuant to Section 645(1) of the Act, if a Development Authority finds that a development, land use, or use of a building is not in accordance with:
- This Part or a Land Use Bylaw or regulations under this Part; or
 - A development permit or subdivision approval;
- 6.7.2 If Subsection 6.7.1 applies, the Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:
- Stop the development or use of the land or building in whole or in part as directed by the notice;
 - Demolish, remove, or replace the development; or
 - Carry out any other actions required by the notice so that the development or use of the land or building complies with this Section, the Land Use Bylaw or regulations under this Part, a development permit or a subdivision approval, within the time set out in the notice.
- 6.7.3 A person who receives a notice referred to in Subsection 6.7.2 may appeal to the SDAB in accordance with Section 685 of the Act.

6.8 Appeal to Stop Orders

- 6.8.1 A person named in a stop order may appeal to the Subdivision and Development Appeal Board (SDAB).

6.9 Enforcement of Stop Orders

- 6.9.1 Pursuant to Section 646(1) of the Act, if a person fails or refuses to comply with an order directed to the person under Section 645 or an order of an SDAB under Section 687, the municipality may, in accordance with Section 542, enter on the land or building and take any action necessary to carry out the order.
- 6.9.2 A municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in Subsection 6.9.1 against the certificate of title for the land that is the subject of the order.
- 6.9.3 If a municipality registers a caveat under Subsection 6.9.2, the municipality must discharge the caveat when the order has been complied with.

6.10 Offenses and Penalties

- 6.10.1 Any person who contravenes or does not comply with any provision of this bylaw, or a development permit or subdivision approval, or a condition of a permit or approval, an order, notice or direction given under this bylaw, or a decision of the SDAB is guilty of an offense and is liable upon conviction.

- 6.10.2 Penalties for offences shall be in accordance with the Village of Myrnam's Master Rates – Fees and Charges Bylaw.

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7 Land Use Bylaw Amendment Process

7.1 Procedure for Amendments

Application Requirements

- 7.1.1 A person may apply to amend this Bylaw, in writing, to the Development Authority by completing the proper form. All proposed amendments to this Bylaw shall be made in accordance with Section 692 of the Act.
- 7.1.2 As part of the application referred to in Subsection 7.1.1, the applicant must provide the following information:
- Reasons in support of the application;
 - The use to be made of the land that is the subject of the application;
 - Reference to all utility corridors; and
 - The method of land servicing.

Payment and Undertaking

- 7.1.3 A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:
- Pay the Village of Myrnam an application fee as set by Bylaw of Council within the Village's Fees and Charges Bylaw;

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- b. Undertake in writing on a form provided by the Village of Myrnam to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the Village of Myrnam may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and
- c. Sign a consent authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

Investigation and Development Authority

- 7.1.4 Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
 - a. Initiate or carry out any necessary investigation or analysis of the issues involved in or related to the amendment; and
 - b. Prepare a detailed report including all maps and relevant material for Council to consider.

Procedure by Applicant

- 7.1.5 Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
 - a. The applicant wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
 - b. The applicant wishes to withdraw the application for an amendment.

Review by Council

- 7.1.6 As soon as reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively determined by the applicant in Subsection 7.1.5 as the case may be, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.

Council May Direct Repayment

- 7.1.7 If it appears that the proposed amendment is one which is applicable to and for the benefit of the Village of Myrnam at large, or most of the persons affected in one area, or to the entire land use district, then the Council may direct that the application fee be returned to the applicant and that the Village of Myrnam pay the expense which the applicant has agreed to pay pursuant to the provisions of Subsection 7.1.3.

Proposed Amendments may originate from Development Authority

- 7.1.8 The Development Authority may, at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Development Authority.

Amendments Proposed by Council

- 7.1.9 Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority for necessary reports and recommendations.

7.2 Amendment Review Process

- 7.2.1 Council may, after administrative review, give first reading to a Bylaw to amend this Bylaw.

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- 7.2.2 Should first reading be given to a Bylaw to amend this Bylaw, Council shall:
- Establish the date, time, and place for a public hearing on the proposed Bylaw;
 - Outline the procedure to be followed by anyone wishing to be heard at the public hearing; and
 - Outline the procedure by which the public hearing will be conducted.

7.2.3 Council may give a second and third reading to an application to amend this Bylaw.

7.3 Advertising Requirements

- 7.3.1 On first reading being given to a bylaw to amend this Bylaw, the administration shall:
- Arrange for notice of the public hearing to be published in two (2) issues of a newspaper circulating in the Village of Myrnam, the publication date of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in the Act; and
 - Mail a notice of the public hearing to any neighbouring land owners who, in the opinion of the Development Authority, may be affected by the proposed amendment.
- 7.3.2 If the proposed amendment provides for a change of district or change of provisions of a district, the Administration shall mail, not less than fourteen (14) days preceding the date of the public hearing, notice to:
- The applicant;
 - The registered owner(s) of the land if not the applicant, the registered owner(s) of adjacent land;
 - If the subject amendment lands are adjacent to lands in another municipality, notice to that municipality; and
 - Any other authorities or persons who, in the opinion of the Development Authority, may be affected.
- 7.3.3 The notice of the public hearing shall contain the following information:
- The date, time, and place of the public hearing;
 - The purpose of the proposed Bylaw;
 - That a copy of the proposed Bylaw and any public documents applicable to the proposed Bylaw may be inspected at the Village of Myrnam office during regular office hours; and
 - The procedure to be followed at the public hearing.

7.4 Notification Hearing / Public Hearing

- 7.4.1 Where a public hearing is to take place under the provisions of Subsections 7.2.2, 7.2.3, and 7.3.1, the Development Authority shall provide notice of public hearing for the proposed Bylaw amendment to the affected land owners as defined by Subsection 7.3.2. The area of influence for such notice shall be determined by Council resolution.
- 7.4.2 The Council shall hear anyone who has received the notice of public hearing and who is interested in speaking at the public hearing.

7.5 Decision by Council

- 7.5.1 Council shall review the report and recommendations and may:
- Request further information;
 - Approve the proposed text amendment or re-districting as proposed;

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- c. Approve the proposed text amendments or re-districting with modifications within the scope of the limitations of the Act; or
- d. Refuse the proposal.

7.5.2 The Council may use the recommendations of an environmental audit or Environmental Impact Assessment as a basis for:

- a. Reasons to amend this Bylaw;
- b. Reasons to refuse an application to amend this Bylaw;
- c. Reasons to approve an application to adopt or amend a statutory plan; and
- d. Reasons to refuse an application to adopt or amend a statutory plan.

7.6 Resubmission Interval

7.6.1 Where an application for an amendment to this Bylaw has been defeated by Council, another application for the same or substantially the same amendment shall not be considered within twelve (12) months of the date of the refusal unless Council otherwise directs.

7.6.2 Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act Section 692 regarding enactment of Bylaws.



8 General Development Regulations

8.1 Accessory Buildings and Structures

- 8.1.1 Where a structure is attached to the principal building on a site by a roof, open, or closed structure, a floor or foundation, it is considered a part of the principal building and not an accessory building.
- 8.1.2 An accessory building or structure shall not be used as a dwelling except where it contains a garden suite in accordance with Section 9.3.
- 8.1.3 An accessory building shall not exceed one storey or 4.5m (14.8ft) in height excluding an accessory building built as a garden suite that shall not exceed two storeys 7.0m (23.0ft) in height.
- 8.1.4 Accessory buildings shall be located:
- A minimum of 2.0m (6.6ft) from any dwelling;
 - No closer to the front property line than the front line of the dwelling;
 - No closer than 1.0m (3.3ft) to any side or rear property line if the accessory building height is 4.0m (13.1ft) or less in height;
 - No closer than 1.5m (4.9ft) to any side or rear property line if the accessory building is greater than 4.0m (13.1ft) in height;
 - At the discretion of the Development Authority, on a zero side yard setback, provided they are located on the same zero side yard as the principal buildings; and
 - At the discretion of the Development Authority, on a zero side or rear yard setback provided that the structure is not more than 1.8m (5.9ft) in height and not larger than 10.0m² (107.6ft²).

Section 8 | General Development Regulations

8.2 Building Design, Character, and Appearance

- 8.2.1 The design, character and appearance of a building should:
- a. Be compatible with any other building existing in the vicinity, unless the building is setting a new standard of design, character and appearance for the land use district or a particular locality of it;
 - b. Be consistent with the purpose of the land use district in which the building is located; and
 - c. Comply with any provision of a statutory plan applicable to the design, character and appearance of the building.

8.3 Double Fronting Lots

- 8.3.1 Where in any district a lot fronts on more than one road, the frontage that is on the same road as adjoining lot frontages shall be used for determining the front setback. The other frontage may be considered the side or rear line, at the discretion of the Development Authority.

8.4 Dwellings on a Parcel

- 8.4.1 In any residential or manufactured home district or any district permitting a one-family dwelling no permit shall be granted for the erection of more than one dwelling, single detached unit on a single parcel.

8.5 Landscaping

General

- 8.5.1 As a condition of the development permit, and to the satisfaction of the Development Officer, all landscaping and planting must be carried out (weather permitting) within one year after building completion or occupancy of the development.
- 8.5.2 Any portion of a site area not occupied by buildings or parking/storage areas shall be landscaped. Landscaping may consist of hard landscaping or soft landscaping, or some combination of them.
- 8.5.3 The applicant of a development permit may be required as determined by the Development Authority to provide a detailed landscape plan, to the satisfaction of the Development Authority, including:
- a. Common names of trees and shrubs;
 - b. Location of trees and shrubs;
 - c. Number of trees and shrubs; and
 - d. Landscape details specifying the mixture of coniferous and deciduous trees and shrubs designed to provide landscape enhancement for year round effect.

Site Grading

- 8.5.4 All site grading must adhere to a site grading plan submitted by the developer and approved by the Development Authority, provided that the site grading plan:
- a. Includes the following information:
 - i. Design elevations;
 - ii. Surface gradients;
 - iii. Swale locations; and
 - iv. Other drainage information, as required by the Development Authority;

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- b. Directs surface drainage to public parks, reserves, boulevards, ditches, or roads;
- c. Has a minimum slope of 2% from the minimum front and side setbacks to the side property line; and
- d. Shows the slope along the property line to the design corner elevations to be continuous, without breaks or changes in slope.

8.5.5 Where drainage along property lines is provided within or outside of easements, the site grading plan shall be adhered to and drainage courses not obstructed.

8.5.6 If it is not possible for a developer to adhere to the site grading plan, or the developer chooses to deviate from the site grading plan, it is the property owner's responsibility to ensure the deviations are made without adversely affecting abutting properties. Retaining walls or special sloping are the responsibility of the party deviating from the site grading plan.

8.6 Moved In Buildings

8.6.1 Any application for a "moved-in building" considered by the Development Officer shall:

- a. Be accompanied by recent colour photographs of the structure;
- b. Be accompanied by a performance bond of not less than \$1,000.00, or as required by the Development Officer;
- c. Indicate if the building will meet the requirements of the Alberta uniform building standards act and if it does not, how the building will be brought up to these requirements; and
- d. Meet all other requirements or conditions as required by the Development Officer.

8.6.2 All structural and exterior renovations to a relocated building are to be completed within one year of the issuance of the development permit.

8.7 Objects Prohibited or Restricted in Yards

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

- a. Any dismantled or wrecked vehicle for more than 14 successive days;
- b. Any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the district;
- c. Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work;
- d. A commercial vehicle or recreational vehicle to remain in a front yard;
- e. No accessory building, use or parking space shall be located in the front yard of a residential use without the specific approval of the Development Officer; and
- f. On parcels less than one acre in size, the keeping of livestock or fowl except in the case of approved commercial or industrial operations.

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8.8 Parking

Access and Approach

- 8.8.1 In any district, when any new development is proposed, including but not limited to a change of use of an existing building or lot, or when any existing development is, in the opinion of the Development Authority, substantially enlarged or increased in capacity, then provision shall be made for on-site parking spaces in accordance with the regulations and standards contained in this Bylaw.
- 8.8.2 Adequate access to and egress from individual parking spaces is to be provided at all times by means of unobstructed manoeuvring aisles developed to the satisfaction of the Development Authority, except where otherwise indicated in this Bylaw.
- 8.8.3 All curb crossings, entrances, and exits shall be subject to the prior approval of the Development Authority.

General Parking Standards

- 8.8.4 Parking requirements for uses not listed in Table 2 shall be in accordance with requirements determined by the Development Authority.
- 8.8.5 Where the number of parking spaces is determined by reference to a unit such as the number of seats, floor area, beds, etc., the next higher whole number shall be required where the calculation results in a fractional number of parking spaces.
- 8.8.6 In the case of different uses or mixed-uses on the same site, on-site parking facilities shall be the sum of the requirements for the uses computed separately. On-site parking facilities for one use shall not be considered as providing required facilities for any other use, unless specifically approved by the Development Authority.
- 8.8.7 Every on-site parking space provided or required in any district and the access to it shall be surfaced in the same manner and materials as the road or lane from which the space gains access.
- 8.8.8 Every on-site parking space provided or required in any commercial district and the access to it, shall be lighted, well-drained, and landscaped.
- 8.8.9 Notwithstanding Subsection 8.8.7, any area at the rear or the side of the principal building provided or required for on-site parking in an industrial district need not be hard-surfaced, but shall be of such a surface as will minimize the carrying of dirt or foreign matter onto the road or lane.
- 8.8.10 Adequate curbs or fences shall be provided to the satisfaction of the Development Authority within or at the boundaries of a parking space or area if, in the opinion of the Development Authority, it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas, or buildings on the site or on an abutting site from contact with vehicles using such parking space or area.

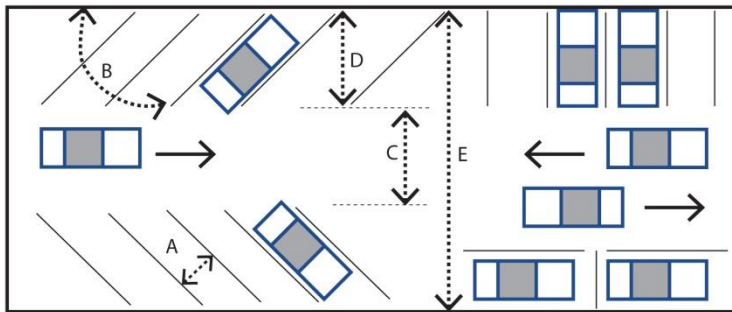
Section 8 | General Development Regulations

Parking Space Dimension Requirements

8.8.11 The minimum dimensions of manoeuvring aisles and parking stalls shall be in accordance with Table 1.

Table 1. Minimum Parking Dimensions

Stall Width (a)	Parking Angle (b)	Aisle Width (c)		Stall Depth Perpendicular to Aisle (d)	Parking Unit Depth (e)	
		One-Way	Two-Way		One-Way	Two-Way
			7.0m			
0°	3.4m	7.0m	3.0m	9.4m	13.0m	
3.0m	30°	3.1m	7.0m	5.4m	13.9m	17.8m
3.0m	45°	3.6m	7.0m	6.1m	15.8m	19.2m
3.0m	60°	6.0m	7.0m	6.4m	18.8m	19.8m
3.0m	90°	7.0m	7.0m	6.0m	19.0m	19.0m



8.8.12 Up to 15% of the number of parking stalls required in this Bylaw may be reduced in stall width and depth, at the discretion of the Development Authority, provided that:

- a. The stall width and depth are reduced by no more than 10% of the size required in Table 1; and
- b. The parking stalls with reduced stall width and depth are clearly marked for small car parking.

Section 8 | General Development Regulations

Number of On-Site Parking Spaces Required

- 8.8.13 The minimum number of on-site parking spaces required for any development shall be as defined in Table 2. In the case of 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.

Table 2. Residential Parking Requirements

Use	Parking Requirements
RESIDENTIAL USES	
DWELLING, SINGLE DETACHED	2 stalls per dwelling unit
DWELLING, APARTMENT	1.5 stalls per dwelling unit
DWELLING, DUPLEX	
DWELLING, TOWNHOUSE	
SECONDARY SUITE	1 stall per secondary suite
HOME BASED BUSINESS	1 stall
COMMERCIAL USES	
RETAIL	1 stall per 46.5m ² (500.0ft ²) of gross floor area leasable plus an additional stall per two employees
PERSONAL SERVICE SHOP	
PROFESSIONAL, FINANCIAL, OFFICE, HEALTH AND BUSINESS SUPPORT SERVICE	
RESTAURANT	1 stall per five seats plus an additional stall per two employees
BAR / NEIGHBOURHOOD PUB	
PRIVATE CLUB	
HOTEL	1 stall per sleeping unit plus an additional stall per two employees
MOTEL	
PLACES OF ASSEMBLY & INSTITUTIONAL USES	
PLACE OF WORSHIP	To the satisfaction of the Development Authority
RECREATIONAL USE	
INSTITUTIONAL USE	
SCHOOL	1 stall per employee plus an additional five stalls
HOSPITAL	1 stall per 93.0m ² (1001.0ft ²) of gross floor area, or 1 stall per four beds plus an additional stall for every two employees

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Use	Parking Requirements
INDUSTRIAL USES	
INDUSTRIAL USE, GENERAL	1 stall per employee or to the satisfaction of the Development Authority

- 8.8.14 When a building is enlarged or altered in such a manner as to cause an intensification or change of use, provisions shall be made for additional parking spaces as required by Section 8.8.

On-Site Loading

- 8.8.15 When required by the district regulations of this Bylaw or by the Development Authority, a development shall:
- Provide loading spaces, each having dimensions of not less than 3.0m (9.8ft.) in width, 7.5m (24.6ft.) in length, and 4.25m (13.9ft.) in height;
 - Provide vehicular access to and from a road or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting roads or lanes;
 - Be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level; and
 - Be so graded and drained as to dispose of all storm water runoff.

Barrier-free Parking Requirements

- 8.8.16 Parking for the physically handicapped shall also be provided as Provincial regulations require and shall be considered as part of the number of stalls required for the project.
- 8.8.17 A maximum of 5% of the total number of stalls required may be required to be provided for the handicapped by the Development Authority, provided that a maximum of three (3) stalls may be required for any project, unless exceptional circumstances due to the magnitude of development would warrant more than three (3) stalls.

8.9 Projections into Yards

- 8.9.1 If fireplaces or balconies are included, yard requirements shall be measured from the leading edge of the fireplace or balcony.
- 8.9.2 The following features may project into a required minimum setback:
- Eaves, shade projections, bay or oriel windows, chimney breasts, or parts of a chimney that are constructed of non-combustible material, belt courses, sills, balconies, unenclosed steps, with or without a landing but without a roof and not more than 1.0m (3.3ft) above ground level, and any other architectural features which, in the opinion of the Development Authority, are of a similar character, provided such projections do not exceed 0.6m (2.0ft);
 - Balconies in apartment buildings not more than 1.5m (4.9ft); and
 - Uncovered steps and entrance ways not more than 2.0m (6.56ft) into the required front setback as.
- 8.9.3 In no situations shall the projections into any required setbacks be closer than 0.45m (1.47ft) to the adjoining property line to meet the requirements of high-intensity residential fires regulations established by the Province of Alberta.

Section 8 | General Development Regulations

8.10 Substandard Lots

- 8.10.1 With the approval of the Development Officer the minimum site area and yard setbacks may be less in the case of existing substandard lots.



9 Specific Development Regulations

9.1 Campgrounds

- 9.1.1 A campground shall:
- a. Provide minimum front, side, and rear setbacks of 7.6m (25.0ft);
 - b. Provide sites:
 - i. With a minimum width of 10.0m (32.8ft);
 - ii. With a minimum area of 250.0m² (2,691.0ft²); and
 - iii. Setback a minimum of 30.0m (98.4ft) from any water body.
 - c. Have two way internal roads with a minimum width of 6.0m (20.0ft);
 - d. Have one way internal roads with a minimum width of 3.65m (12.0ft);
 - e. Provide on-site water;
 - f. Provide sewage disposal facilities; and
 - g. Include a playground area with a minimum area of ten percent (10%) of the total site area.
- 9.1.2 The Development Authority, as a condition of a development permit approval, may:
- a. Require the applicant to construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development; or
 - b. Require the applicant to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the *Alberta Safety Codes Act* that may be applicable.

Section 9 | Specific Development Regulations

9.2 Drive-through Business

Access

- 9.2.1 A drive-through business shall not be located on sites where, in the opinion of the Development Authority, the drive-through business would create unsafe vehicle circulation or access or egress from the site.
- 9.2.2 All parts of a site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority to provide a durable dust-free surface.
- 9.2.3 No curb cut providing vehicle access onto the subject site shall:
- Be within 6.0m (19.7ft) from the nearest corner of an intersection of two roads;
 - Have a width greater than 10.7m (35.1ft);
 - Be located closer than 6.0m (19.7ft) from an adjacent curb cut on the same side of a site and measured along the lot line.

Landscaping and Screening

- 9.2.4 A minimum of ten percent (10%) of the site area of a drive-through business shall be landscaped to the satisfaction of the Development Authority.
- 9.2.5 Where a drive-through business is located abutting to a residential district, screening shall be provided to the satisfaction of the Development Authority.

Site Design

- 9.2.6 The minimum required front landscaped yard shall be 3.0m (9.8ft), or such greater distance as prescribed within the applicable district within which the development is located.
- 9.2.7 A minimum of two (2) queuing spaces shall be provided for each drive-in window to the following standards:
- Minimum length of 6.5m (21.3ft) and width of 3.0m (9.8ft); and
 - Provide sufficient space for turning and maneuvering and not interfere with parking or access on the site.
- 9.2.8 A drive through facility providing automotive servicing, such as quick lube, or similar facilities, shall provide sufficient vehicle stacking on the site for a minimum of five (5) passenger vehicles or three (3) large trucks. This requirement is in addition to the parking standards as outlined in Section 8.8.
- 9.2.9 The on-site layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority.
- 9.2.10 Any lighting proposed to illuminate the site shall be located and arranged so that all direct rays of light are directed upon the site only and not on any abutting residential use.
- 9.2.11 A sufficient number of catch basins to drain the site shall be provided, to the satisfaction of the Development Authority.

Site and Building Area

- 9.2.12 Where the customer normally remains in the vehicle for service, the minimum site size shall be 930.0m² (10,010.4ft²), and the minimum building area shall be 37.0m² (398.3ft²).

Maintenance

- 9.2.13 The owner, tenant, operator, or person in charge of a drive-in business shall, at all times:
- a. Maintain the site and the buildings, structures, and improvements thereon in a clean, neat, tidy, and attractive condition, free from all rubbish and debris;
 - b. Be responsible for the proper, safe, and orderly operation of the business and of motor vehicles using the site, and without restricting the generality of the foregoing, shall ensure that operators of motor vehicles:
 - i. Do not obstruct the sidewalks and boulevards abutting or adjacent to the site; and
 - ii. Enter and leave the site only at the entrances and exits provided for such purposes.

9.3 Garden Suite

- 9.3.1 A garden suite may be located in an accessory detached garage or an accessory building on a residential lot where a single family dwelling is the principal dwelling.
- 9.3.2 A garden suite shall:
- a. Be limited to one (1) garden suite per property;
 - b. Comply with setbacks for accessory buildings and structures within Section 8.1;
 - c. Have a covered entrance feature above the main entrance;
 - d. Comply with the *Alberta Safety Code Act*;
 - e. Have a gross floor area less than the gross floor area of the principal dwelling; and
 - f. Require one (1) parking space on-site in addition to required parking spaces for the principal dwelling.
- 9.3.3 A garden suite located within an accessory detached garage:
- a. Be located within an accessory building to a principal dwelling that is a detached garage; and
 - b. Have a direct separate entrance to the exterior of the detached garage that it is located above.

9.4 Home Based Business

General

- 9.4.1 No home based business shall create any adverse variation from the external appearance and residential character of land or buildings.
- 9.4.2 Any home based business may be required to enter into a road use agreement at the discretion of the development authority.
- 9.4.3 Home based businesses are responsible to conform to provincial legislation and regulation related to the storage of hazardous materials.

Home Based Business Minor

- 9.4.4 A home based business minor shall not require a development permit.
- 9.4.5 A home based business minor shall:
- a. Be operated by the permanent resident(s) of the principal dwelling;
 - b. Not employ any non-residents;
 - c. Not change the character of the dwelling in which it is located;

Section 9 | Specific Development Regulations

- d. Not have any exterior evidence of the secondary use other than a small sign as provided for in Section 9.18 of this Bylaw;
- e. Have no more than two (2) home based business vehicles used in conjunction with the home based business, parked and maintained on the site;
- f. Be contained within the principal dwelling; and
- g. Have no exterior storage.

Home Based Business Medium

9.4.6 A home based business medium shall require a development permit.

9.4.7 A home based business medium shall:

- a. Be operated by the permanent resident(s) of the principal dwelling;
- b. Not employ more than two (2) non-residents concurrently;
- c. Not change the character of the dwelling or accessory building in which it is located;
- d. Not have any exterior evidence of secondary use other than a small sign as provided for in Section 9.18 of this bylaw;
- e. Have no more than three (3) home based business vehicles used in conjunction with the home based business, parked and maintained on the site;
- f. Be contained within no more than 30% of gross floor area of the principal dwelling;
- g. Exterior storage may be considered at the discretion of the Development Authority subject to appropriate screening to the satisfaction of the Development Authority; and
- h. Clients and customers of a home based business medium shall only be permitted to visit the premises between the hours of 7:00 am – 5:00 pm.

Home Based Business Major

9.4.8 A home based business major shall require a development permit.

9.4.9 A home based business major shall:

- a. Be operated by the permanent resident(s) of the principal dwelling;
- b. Not employ more than twelve (12) non-residents concurrently;
- c. Not change the character of the dwelling or accessory building in which it is located;
- d. Have no more than six (6) home based business vehicles used in conjunction with the home based business, parked and maintained on the site
- e. Be located on a parcel with an areas of not less than 4.0ha (9.9ac);
- f. Be located within a portion of the principal dwelling not exceeding 30% of the gross floor area of the principal dwelling and within an accessory building;
- g. Be permitted the outdoor storage of goods, materials, commodities or finished products;
- h. Clients and customers of a home based business major shall only be permitted to visit the premises between the hours of 6:00 am – 8:00 pm; and
- i. Not include day homes, bed and breakfast establishments, or guest ranches.

Section 9 | Specific Development Regulations

9.5 Hotels / Motels

9.5.1 For the purposes of this Section, a rentable unit means a separate unit on a hotel / motel site used or intended to be used for the accommodations of one or more persons.

9.5.2 Site requirements for hotels / motels shall be in accordance with Table 3.

Table 3. Site Requirements for Hotels / Motels

	Minimum Site Area / Unit	Minimum Required Yards	Minimum Parking on Site
One Storey	139.0 sq. m (1496.2 sq. ft.)	Front: 7.5 m (24.6 ft.) Side: 3.0 m (9.8 ft.) Rear: 3.0 m (9.8 ft.)	One per sleeping unit
Two Storey	92.0 sq. m (990.3 sq. ft.)	Front 7.5 m (24.6 ft.) Side 3.0 m (9.8 ft.) Rear 3.0 m (9.8 ft.)	One per sleeping unit

9.5.3 Except in the case of rentable units and any other buildings connected by a continuous roof to form a shelter for motor vehicles, not less than 13.6m (11.8ft) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.

9.5.4 Each rentable unit of a motel shall face onto or abut a driveway not less than 6.0m (19.7ft) in width and shall have unobstructed access thereto.

9.5.5 Not more than one motor vehicle entrance and one motor vehicle exit of a hotel / motel to a street, each with a minimum width of 7.5m (24.6ft) at its narrowest point, shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.0m (29.5ft) in width.

- 9.5.6 The owner, tenant, operator or person in charge of a hotel / motel shall at all times:
- a. Maintain the site, buildings, structures, and improvements in a clean, tidy and attractive condition free from all rubbish and debris;
 - b. Maintain garbage and/or incineration facilities to the satisfaction of the Development Authority;
 - c. Maintain an appropriate fence where required, not less than 75cm (30in) in height around the boundaries of the site;
 - d. Landscape and keep the site landscaped; and
 - e. Be responsible for providing all utility and sewage disposal and water supply facilities to meet the requirements of Provincial Regulations and legislation.

9.6 Keeping of Animals

9.6.1 The keeping of livestock within all land use districts, excluding the Urban Reserve (UR) District, shall be prohibited.

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9.7 Kennel

- 9.7.1 A Kennel shall not be located within a 304.8m (1,000.0ft) radius of an existing multi-parcel residential subdivision.
- 9.7.2 The Development Authority may regulate the hours that the animals are allowed outdoors.
- 9.7.3 A development permit application for a Kennel, in addition to the development permit application requirements within Section 3.4, shall:
- Identify that all facilities meet public health regulations and state that facilities will be maintained in a manner satisfactory to the health regulatory authority;
 - Not include any facility or outdoor exercise area within the front yard, side yards, or within 25.0m (82.0ft) of a property line; and
 - Include fencing with a minimum height of 1.8m (6.0ft) around outdoor exercise areas;

9.8 Manufactured Homes

Development Permit Application

- 9.8.1 A development permit application for a manufactured home shall contain, in addition to Section 3.4:
- Recent colour photos of all exterior sides of the manufactured home; and
 - Proof of associated Canadian Standards Association (CSA) and Alberta Municipal Affairs (AMA) labels.

Development Permit Approval

- 9.8.2 A development permit approval for a manufactured home shall be issued if the manufactured home:
- Contains a Canadian Standards Association (CSA) CSA Z240 MH label with a manufacturing date greater than 1991;
 - Contains an Alberta Municipal Affairs (AMA) label; and
 - Has a minimum width of 5.0m (16.4ft).

Appearance

- 9.8.3 The Development Authority reserves the right to refuse a development permit for a manufactured home that contains exterior roof and wall materials that are in poor appearance or condition.
- 9.8.4 The Development Authority may impose as a condition on a development permit for a manufactured home that renovations be completed, within thirty (30) days after placement of the manufactured home on the property, to enhance the exterior appearance.

Development Permit Conditions

- 9.8.5 A development permit for a manufactured home shall include the following conditions:
- That the undercarriage of a manufactured home be completely screened by skirting from the grade level to floor level, with a matching material to the manufactured home exterior, within thirty (30) days of the manufactured home being placed on a property;
 - That aesthetically compatible entrance steps and landings to the manufactured home be constructed within thirty (30) days of the manufactured home being placed on a property; and

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- c. The manufactured home shall be placed on a foundation or base in accordance with the requirements of the Alberta Building Code.

Missing CSA and / or AMA Labels

- 9.8.6 A development permit for a manufactured home that does not contain a CSA Z240 MH and/or an AMA label shall not be granted approval unless:
- a. An inspection report, prepared by an Alberta Safety Codes Officer, has been provided that identifies necessary upgrades in order for the manufactured home to come into compliance with the CSA Z240 MH standard or regulations made pursuant to the *Alberta Safety Codes Act*; and
 - b. Conditions of the development permit include:
 - i. Necessary upgrades identified within an inspection report are to be completed prior to occupation of the manufactured home and within thirty (30) days after placement of the manufactured home on the property; and
 - ii. The Development Authority shall receive verification from an Alberta Safety Codes Officer that upgrades, identified within an inspection report, have been satisfactorily completed prior to occupancy of the manufactured home.

9.9 Medical Marijuana Facility

- 9.9.1 A Medical Marijuana Facility shall not:
- a. Operate on a parcel in conjunction with another use; and
 - b. Involve outdoor storage of goods, materials or supplies.
- 9.9.2 All activities related to a Medical Marijuana Facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving and shipping of medical marijuana and any other goods, materials and supplies.
- 9.9.3 A Medical Marijuana Facility shall provide:
- a. Landscaping and parking requirements as determined by the Development Authority; and
 - b. Waste storage areas and container within the primary enclosed building.
- 9.9.4 As a condition to a development permit application approval for a Medical Marijuana Facility, the Development Authority shall require a copy of the Health Canada license prior to operation of the facility.

9.10 Natural Resource Extraction and Processing

General

- 9.10.1 A Natural Resource Extraction or Natural Resource Processing use shall:
- a. Not be located within multi-parcel residential subdivisions;
 - b. Not be located within 800.1m (2625ft) of multi-parcel residential subdivisions; and
 - c. Have a minimum parcel area of 5.0ha (12.4ac) that includes associated activities and operations.
- 9.10.2 As part of the development permit application for a Natural Resource Extraction or Natural Resource Processing, in addition to development permit application requirements of Section 3.4, the Development Authority may require:

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- a. A Geotechnical Study if the proposed development is within 800.1m (2625.0ft) of an existing development sited on or adjacent to a sloping terrain.

9.10.3 All conditions on an approved development permit must be satisfied prior to commencing development or the development permit will be revoked.

Setback and Screening

9.10.4 The applicant shall include the following information related to setbacks and screening at the aggregate extraction and processing site to the satisfaction of the Development Authority:

- a. Written consent from all pipeline and right-of-way holders within the pit or within the vicinity of the pit.
- b. Details of the screening and landscaping, to be undertaken by the applicant, in order to reduce the negative visual impact of the development. The details should include, but are not limited to, information related to:
 - i. The location and area of native vegetation that will remain undisturbed;
 - ii. The location, design, and staging of any visual barriers to be constructed by the applicant, such as fences or berms;
 - iii. The location and area where the applicant will plant vegetation and trees; and
 - iv. Details on any other measures to be taken by the applicant.

Reclamation

9.10.5 Natural Resource Extraction or Natural Resource Processing developments must be reclaimed to the satisfaction of the provincial and/or federal authority having jurisdiction.

9.10.6 The Development Authority may require, as a condition of a development permit, that the owner provide a guaranteed security to ensure that reclamation is completed. The security may take the following forms:

- a. Cash to a value equal to one hundred ten (110) percent (%) of the established reclamation costs; or
- b. An irrevocable Letter of Credit having the value equivalent to one hundred ten (110) percent (%) of the established reclamation costs.

9.10.7 If a Natural Resource Extraction and Processing development has already received approval from Alberta Environment and Parks and security for reclamation has been submitted to the satisfaction of the Province, the security required by Subsection 9.10.6 is not required.

9.10.8 The owner or the applicant, based on the information provided in the reclamation plan, shall calculate and pay the reclamation security in accordance with provincial requirements. In the event the owner does not complete the required reclamation in the time specified in the approved reclamation plan and the cash or the Letter of Credit is insufficient for the Village of Myrnam to complete the required work, should it elect to do so, then the owner shall pay such deficiency to the Village of Myrnam immediately upon being invoiced. The Village of Myrnam shall provide an accounting to the owner indicating how the proceeds of the Letter of Credit were applied, within sixty (60) days of completing the reclamation.

9.10.9 A Road Use Agreement, between the Village of Myrnam and the landowner/developer of the natural resource extraction and/or processing use, incorporating haul routes, maintenance, signage, and other related clauses is required as a condition of a development permit.

9.11 Private Swimming Pools and Hot Tubs

- 9.11.1 A private outdoor hot tub or swimming pool above or below-ground shall:
- a. Not be situated within a front yard;
 - b. Be enclosed by a fence or wall with a height not less than 1.8m (5.9ft);
 - c. Provide access through an enclosed fence or wall by a gate that is:
 - i. The same height as the fence or enclosure; and
 - ii. Equipped with a self-latching device on the inside of the gate located not less than 1.5m (4.9ft) above the ground level;

9.12 Propane Tank Storage

- 9.12.1 The Alberta Ministry of Municipal Affairs Public Safety authority regulates the storage and handling of propane through enforcing the *Safety Codes Act*, standards, inspections, licensing and permits.

9.13 Public Park

- 9.13.1 Public parks that contain day use and picnic areas shall provide:
- a. An adequate number of picnic tables, fire pits, garbage cans;
 - b. Landscaping that is to be regularly maintained;
 - c. Landscaped screening or fencing along property lines that directly abut residential lots;
 - d. Parking in accordance with Section 8.8.

9.14 Secondary Suite

- 9.14.1 A secondary suite shall only be allowed in single detached or duplex dwellings.
- 9.14.2 Only one (1) secondary suite shall be allowed per principal building.
- 9.14.3 A secondary suite shall not be allowed in an accessory building.
- 9.14.4 A secondary suite shall not exceed 50% of the total floor area of the principal building, including upper floors and basement combined, or 90.0m², whichever is less, and shall not be smaller than 38.0m².
- 9.14.5 A separate entrance door shall be required for a secondary suite either from outdoors or from a shared entry area within the principal building.
- 9.14.6 A minimum of one (1) off-street parking stall shall be provided per secondary suite for the exclusive use of the occupant of the secondary suite, in addition to any other parking stalls required to serve the principal building.

9.15 Service Stations and Bulk Fuel Station

- 9.15.1 The minimum site area of a service station shall be 1,500m² (16,145.9ft²).
- 9.15.2 The minimum site area of a bulk fuel station shall be 2,700m² (29,062.6ft²).

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Setback of Building and Structures

- 9.15.3 Petroleum Tank Management Association of Alberta (PTMAA) is the designated approval authority for administration of Alberta Fire Code for the Village of Myrnam as it relates to one or more of petroleum and/or bulk fuel product storage system construction, registration, upgrading, testing, closure, maintenance and operation standards.
- 9.15.4 The setback requirements for the above ground and underground storage tanks from buildings and property lines shall be to the satisfaction of the PTMAA guidelines.

Site and Building Requirements

- 9.15.5 All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public road or lane, and drained to the satisfaction of the Development Authority.
- 9.15.6 A minimum of 10% of the site area of a service station shall be landscaped to the satisfaction of the Development Authority.
- 9.15.7 The maximum building coverage for a service station or bulk fuel station shall be 25% of the site area.

Vehicle Wash Facilities

- 9.15.8 For service stations with vehicle washing facilities, a minimum of five (2) queuing spaces shall be provided per service lane or washing bay, plus a minimum of two (1) queuing spaces located downstream of each service lane or washing bay.

9.16 Shipping Containers – Residential Use

- 9.16.1 Within the Residential (R) District shipping containers may be used as a principal building at the discretion of the Development Authority and shall:
- Require a development permit;
 - Provide compliance with the Alberta Building Code and Safety Code;
 - Have exterior aesthetics that complement the residential character within the surrounding area;
 - Conform to required setbacks; and
 - Be in accordance with height regulations.
- 9.16.2 Within the Residential (R) District shipping containers may be used as an accessory building to the principal building and shall:
- Be considered as a GARDEN SUITE;
 - Require a Development Permit;
 - Provide compliance with the Alberta Building Code and Safety Code;
 - Have exterior aesthetics that complement the principal building;
 - Conform to required setbacks; and
 - Be in accordance with height regulations.

9.17 Shipping Containers – Storage Use

All Districts

- 9.17.1 In all land use districts a shipping container shall:
- Be considered an accessory building to the principal building;
 - Be used for storage purposes excluding any dangerous or hazardous materials;
 - Be restricted within any front yard;
 - Be positioned within a side or rear yard of a primary building; and
 - Conform to required setbacks of the applicable land use district.

Residential Districts

- 9.17.2 Within the Residential (R) District, Manufactured Home Subdivision (MHS) District, and Manufactured Home Park (MHP) District shipping containers shall:
- Require a development permit;
 - Have an exterior finish that matches or complements the exterior finish of the principal building;
 - Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority; and
 - Not exceed the maximum number of one (1) shipping container per lot.

Industrial and Urban Reserve Districts

- 9.17.3 Within the Industrial (M) District and Urban Reserve (UR) District all shipping containers shall:
- Be visually screened from public roads and neighbouring properties to the satisfaction of the development authority;
 - Not be restricted to any maximum number; and
 - Have a maximum height, if multiple shipping containers are stacked or one standalone shipping container, in accordance with height regulations of the applicable land use district.

Commercial Districts

- 9.17.4 Within the Commercial (C) District, excluding properties mentioned in 1.1.1, and the Highway Commercial (HC) District, all shipping containers shall:
- Require a development permit;
 - Have an exterior finish that matches or complements the exterior finish of the principal building;
 - Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority; and
 - Not exceed the maximum number of one (1) shipping container per lot.

9.18 Signs

- 9.18.1 No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless a development permit has been issued for the sign or structure.

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- 9.18.2 No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- 9.18.3 No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 9.18.4 Notwithstanding the generality of subsection 9.18.1, nor the provisions of subsections 9.18.2 and 9.18.3, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such signs shall be illuminated and provided further that any necessary permits have been obtained in accordance with the Highway Development Control Regulations:
- Signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character, or to a hotel, motel, club or similar institution, provided that such signs shall not exceed 1.2m² (12.9ft²) and be limited to one sign per parcel of land;
 - Temporary advertisement relating to the sale or leasing of land, the sale of goods or livestock, the carrying out of construction or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that such advertisement shall not exceed 2.0m² (21.5 ft²), and provided further that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisements relate; and
 - Advertisements or signs in relation to the function of local public authorities, utility boards or other public or quasi-public bodies.
- 9.18.5 No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
- 9.18.6 All advertisements shall be kept in a safe, clean and tidy condition, and may by decision of the Development Authority be required to be renovated or removed.
- 9.18.7 No signs or advertising structures other than those specified under subsection 9.18.4 shall be permitted in the Residential (R) District, Manufactured Home Subdivision (MHS) District, and Manufactured Home Park (MHP) District.

9.19 Solar Energy Collector System

- 9.19.1 A solar energy collector system:
- May be located on a wall or roof of a building in any land use district; and
 - Shall only be located on a pole within the Urban Reserve (UR) District.

Roof Mounted

- 9.19.2 A solar energy collector system that is mounted on a roof with a pitch of less than 4:12 may project a maximum of 2.1m (7.0ft) from the surface of the roof.
- 9.19.3 A solar energy collector system mounted on a roof with a pitch of 4:12 or greater:
- May project a maximum of 1.2m (4.0ft) from the surface of the roof; and
 - Shall not extend beyond the outermost edge of the roof.

Wall Mounted

- 9.19.4 A solar energy collector system that is mounted on a wall:
- Shall be positioned a minimum of 2.4m (8.0ft) above grade; and
 - May project a maximum of 0.6m (2ft) from the surface of the wall.

9.20 Wind Energy Conversion System Micro

- 9.20.1 A Wind Energy Conversion System Micro shall:
- Be mounted on a roof of a primary or accessory building;
 - Have a maximum height that exceeds the maximum building height of the applicable land use district by no more than 2.0m;
 - Not exceed a quantity of more than one (1) Wind Energy Conversion System Micro system per lot; and
 - Not generate noise in excess of 60 dB(A) or 5 dB(A) above the average background noise on site, whichever is greater.
- 9.20.2 A Wind Energy Conversion System Micro shall require a development permit.
- 9.20.3 A development permit application for a Wind Energy Conversion System Micro, in addition to development permit application requirements within Section 3.4, shall include:
- Manufacturer specifications detailing the rated energy output in kilowatts, Canadian Standards Association approval, generated sound characteristics, and safety features; and
 - Details relating to the location and design of the Wind Energy Conversion System Micro anchor and/or foundation that will be attached to either the primary building or accessory structure.
- 9.20.4 Upon receiving a development permit application for a Wind Energy Conversion System Micro, the Development Authority shall forward the application to the following authorities for input in order to inform a decision on the application:
- Alberta Energy and Utilities Board;
 - Transport Canada; and
 - Navigation Canada.

9.21 Wireless Communications Facility

Location

- 9.21.1 Wireless communication facilities should be encouraged to locate within the Urban Reserve (UR) District.
- 9.21.2 Where possible, visually unobtrusive antennas are encouraged to co-locate with existing infrastructure such as but not limited to signs located on private property and water towers.
- 9.21.3 New wireless communications facilities should be built to a standard to accommodate multiple devices. If such co-location of facilities is not feasible, the clustering of such facilities shall be encouraged.
- 9.21.4 Wireless communication facilities and/or their access roads should avoid locating within environmentally sensitive areas such as but not limited to steep slopes and those areas adjacent to watercourses or water bodies. Facilities that are proposed to be located within such areas will be requested to provide an environmental assessment and/or a geo-technical report to the Village.

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Design

- 9.21.5 The visibility of all wireless communications facilities and their associated appurtenances should be minimized through the use of design, colour, and architectural style.
- 9.21.6 Guyed facilities are encouraged to have daytime visual markers to prevent interference with bird migration.
- 9.21.7 In those instances where Transport Canada requires that a wireless communication facility be lit, the following measures are encouraged:
- The light source should not spill-over onto adjacent properties;
 - The lighting should be a minimum number of low intensity white lights; and
 - The strobe interval should be the maximum allowable by Transport Canada.

Setback

- 9.21.8 Wireless communication facility sites should be established with regard to Alberta Transportation and the Village of Myrnam setbacks from highways and roads.

Signage

- 9.21.9 Signage for wireless communications facilities should only:
- Identify the facility;
 - Identify the owner and give their contact information; or
 - Warn of any safety issues.

Management

- 9.21.10 Wireless communications facilities should be removed within six (6) months of cessation of use.
- 9.21.11 All carriers interested in locating a wireless communications facility within the Village should first contact all other carriers providing similar services and pursue co-location before meeting with the Development Officer. These responses should be provided to the Development Officer in writing prior to meeting with him or her.
- 9.21.12 The Village shall request public consultation for proposed wireless communications facilities greater than 10.0m in height for landowners within a radius of six (6) times the tower height. The carrier will be required to pay the costs associated with the public consultation.
- 9.21.13 A letter of support will be sent by the Village to Industry Canada if:
- Any technical assessment that was requested by the Village has been completed to the satisfaction of Council; and
 - A public consultation was either not necessary or, if public consultation was deemed necessary, it was completed and the results of the consultation provided to Council for final decision. The results of this decision will be forwarded by the Development Officer to Industry Canada.



10 Land Use Districts

Land Use District regulations shall be as set forth in the following districts within Table 4:

Table 4. Land Use Districts

Section	Land Use District	Page
10.1	R Residential (R) District	58
10.2	MHS Manufactured Home Subdivision (MHS) District	62
10.3	MHP Manufactured Home Park (MHP) District	65
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Summary of Permitted (P) and Discretionary (D) Uses

LAND USE DISTRICTS	R	MHS	MHP	C	HC	M	I	P	UR
AGRICULTURE EXTENSIVE									P
AGRICULTURE INTENSIVE									D
AUTOMOTIVE AND EQUIPMENT REPAIR AND SERVICE					P	P			
AUTOMOTIVE AND EQUIPMENT SALES AND RENTAL					P				
BAR / NEIGHBOURHOOD PUB				D					
BULK FUEL STATION					P	D			
CAMPGROUND								D	D
DRIVE-THROUGH BUSINESS					P				
DWELLING APARTMENT	D								
DWELLING UNIT				D					
DWELLING, DUPLEXES	D								
DWELLING, SINGLE DETACHED	P								P
DWELLING, TOWNHOUSE	D								
GARDEN SUITE	D								
HOME BASED BUSINESS MAJOR									P
HOME BASED BUSINESS MEDIUM	P	P	P						P
HOME BASED BUSINESS MINOR	P	P	P						P
HOTEL				P	P				
INDUSTRIAL USE, GENERAL						P			
INSTITUTIONAL USE	D			D		D	P	D	D
KENNEL						D			P
MANUFACTURED HOME	D	P	P						P

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LAND USE DISTRICTS	R	MHS	MHP	C	HC	M	I	P	UR
MEDICAL MARIJUANA FACILITY						D			
MOTEL					P				
NATURAL RESOURCE EXTRACTION									D
NATURAL RESOURCE PROCESSING									D
PERSONAL SERVICE SHOP				P					
PLACE OF WORSHIP	D						P		
PRIVATE CLUB				D					
PROFESSIONAL, FINANCIAL, OFFICE, HEALTH AND BUSINESS SUPPORT SERVICE				P					
PUBLIC PARK								P	
PUBLIC UTILITY	P	P	P	P	P	P	P	P	P
RECREATIONAL USE							P	P	
RESTAURANT				P	P				
RETAIL				P	D				
SECONDARY SUITE	D								
SOLAR ENERGY COLLECTOR SYSTEM	P	P	P	P	P	P	P	P	P
WIND ENERGY CONVERSION SYSTEM MICRO	D	D	D	D	D	D	D	D	D
WIRELESS COMMUNICATIONS FACILITY									D

Section 10 | Land Use Districts

10.1 Residential (R) District

Purpose

10.1.1 The general purpose of the Residential (R) District is to permit development of a residential character and associated uses.



Permitted and Discretionary Land Use Classes

10.1.2 Land use classes within the following table shall be permitted or discretionary within the Residential (R) District.

Permitted	Discretionary
DWELLING, SINGLE DETACHED	DWELLING, APARTMENT
HOME BASED BUSINESS MEDIUM	DWELLING, DUPLEXES
HOME BASED BUSINESS MINOR	DWELLING, TOWNHOUSE
PUBLIC UTILITY	GARDEN SUITE
SOLAR ENERGY COLLECTOR SYSTEM	INSTITUTIONAL USE
	MANUFACTURED HOME
	PARK
	PLACE OF WORSHIP
	SECONDARY SUITE
	WIND ENERGY CONVERSION SYSTEM MICRO

Regulations

- 10.1.3 In addition to the regulations contained in Sections 8 and 9, the following standards shall apply to all development in the Residential (R) District.

Regulation	Standard
Max. Dwelling Density	
Max. Lot Coverage	30%
Min. Lot Area	
Dwelling, Single Detached	5,500.0ft ²
Duplex	7000.0ft ²
Apartment	8000.0ft ²
Min. Lot Dimensions (Configuration must meet or exceed minimum Lot Area)	
Width	15.24m (50.0ft)
Depth	22.86m (75.0ft)
Min. Gross Floor Area	
Dwelling, Single Detached	600.0ft ²
Duplex	1000.0ft ²
Apartment	N/A
Min. Setback	
Yard – Front	6.1m (20.0ft)
Yard – Side	.91m (3.0ft)
Yard – Rear	6.1m (20.0ft)
Max. Building Height	10.06m (33.0ft)

Additional Regulations

- 10.1.4 Parking shall be a minimum of two (2) stalls per suite on site for apartments.

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10.2 Manufactured Home Subdivision (MHS) District

Purpose

10.2.1 The general purpose of the Manufactured Home Subdivision (MHS) District is to enable development of parcels for manufactured homes on individual lots.



Permitted and Discretionary Land Use Classes

10.2.2 Land use classes within the following table shall be permitted or discretionary within the Manufactured Home Subdivision (MHS) District.

Permitted	Discretionary
HOME BASED BUSINESS MEDIUM	WIND ENERGY CONVERSION SYSTEM MICRO
HOME BASED BUSINESS MINOR	
MANUFACTURED HOME	
PUBLIC UTILITY	
SOLAR ENERGY COLLECTOR SYSTEM	

Regulations

- 10.2.3 In addition to the regulations contained in Sections 8 and 9, the following standards shall apply to all development in the Manufactured Home Subdivision (MHS) District.

Regulation	Standard
Max. Dwelling Density	One (1) manufactured home per lot
Max. Lot Coverage	42.5%
Min. Lot Area	5,500.0ft ²
Min. Lot Dimensions	
Width	18.3m (60.0ft)
Depth	30.48m (100.0ft)
Min. Gross Floor Area	700.0ft ²
Min. Setback	
Yard – Front	6.1m (20.0ft)
Yard – Side	3.0m (9.8ft)
Yard – Rear	4.6m (15.0ft)

Additional Regulations

- 10.2.4 Manufactured homes are to be placed on foundations or pads approved by the Development Officer. Wheels and hitches shall be removed unless otherwise approved by the Development Officer.
- 10.2.5 Manufactured homes shall be skirted to the ground level with material approved by the Development Officer.

Development Permit Application

- 10.2.6 A development permit application for a manufactured home shall contain, in addition to Section 3.4:
- a. Recent colour photos of all exterior sides of the manufactured home; and
 - b. Proof of associated Canadian Standards Association (CSA) and Alberta Municipal Affairs (AMA) labels.

Development Permit Approval

- 10.2.7 A development permit approval for a manufactured home shall be issued if the manufactured home:
- a. Contains a Canadian Standards Association (CSA) CSA Z240 MH label with a manufacturing date greater than 1991;
 - b. Contains an Alberta Municipal Affairs (AMA) label; and

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- c. Has a minimum width of 5.0m (16.4ft).

10.3 Manufactured Home Park (MHP) District

Purpose

10.3.1 The purpose of the Manufactured Home Park (MHP) District is to provide for the development of a manufactured home park where a parcel of land under a single title has been divided into rentable manufactured home spaces. Ownership and responsibility for the maintenance of internal roads, underground services, communal areas and buildings, snow clearance and garbage collection, together with general park management, rests with the management.



Permitted and Discretionary Land Use Classes

10.3.2 Land use classes within the following table shall be permitted or discretionary within the Manufactured Home Park (MHP) District.

Permitted	Discretionary
HOME BASED BUSINESS MEDIUM	WIND ENERGY CONVERSION SYSTEM MICRO
HOME BASED BUSINESS MINOR	
MANUFACTURED HOME	
PUBLIC UTILITY	
SOLAR ENERGY COLLECTOR SYSTEM	

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Regulations

10.3.3 In addition to the regulations contained in Sections 8 and 9, the following standards shall apply to all development in the Manufactured Home Park (MHP) District.

Regulation	Standard
Max. Density	20 manufactured homes per ha (8.1 per ac)
Max. Lot Coverage	42.5%
Lot Area	
Min.	0.8ha (2.0ac)
Max.	4.0ha (10.0ac)
Min. Lot Dimensions	
Width	18.3m (60.0ft)
Depth	30.48m (100.0ft)
Min. Gross Floor Area	700.0ft ²
Min. Setback	
Yard – Front	6.1m (20.0ft)
Yard – Side	3.0m (9.8ft)
Yard – Rear	4.6m (15.0ft)
Min. Manufactured Home Space Setback	
Yard – Front	6.1m (20.0ft)
Yard – Side	3.0m (9.8ft)
Yard – Rear	4.6m (15.0ft)
Min. Manufactured Home Space Dimensions	
Width	18.3m (60.0ft)
Depth	30.0m (98.4ft)
Max. Manufactured Home Space Coverage	42.5%

Regulation	Standard
Max Building Height	6.0m or one (1) storey

Additional Regulations

- 10.3.4 Manufactured homes are to be placed on foundations or pads approved by the Development Officer. Wheels and hitches shall be removed unless otherwise approved by the Development Officer.
- 10.3.5 Manufactured homes shall be skirted to the ground level with material approved by the Development Officer.
- 10.3.6 Any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of determining manufactured home space setbacks.
- 10.3.7 No part of a manufactured home park shall be used for non-residential purposes except for home based businesses, where a development permit has been issued, and such other uses as are required for the direct serving and well-being of the park residents and for the management and maintenance of the manufactured home park.
- 10.3.8 The owner, or person in charge of the manufactured home park, shall at all times maintain the park and the common buildings, structures, and improvements thereon in a clean, neat, tidy, and attractive condition and free from all rubbish and debris.

Parking

- 10.3.9 Two (2) off-street parking stalls shall be provided for each manufactured home space.
- 10.3.10 Parking shall be restricted within any front yard except within driveways on either side of a manufactured home.
- 10.3.11 Visitor parking area(s) shall be conveniently located, signed, hard-surfaced and provided at a ratio of one (1) space for every four (4) manufactured home space.

Internal Roads

- 10.3.12 Interior roads shall be hard surfaced, well drained, maintained to the satisfaction of the Development Authority and designed to satisfy the Village of Myrnam Municipal Standards.

Fencing

- 10.3.13 Screen fences or walls shall be erected where determined necessary by the Development Authority around storage and laundry yards, refuse collection points, and playgrounds.

Landscaping

- 10.3.14 All areas of a Manufactured Home Park not occupied by manufactured homes, internal roads, pedestrian walkway system, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority.
- 10.3.15 Amenities A minimum of 10% of the manufactured home park gross area shall be provided for the recreational use of the manufactured home park occupants. The recreational area shall be:

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- a. Located conveniently to all manufactured home park residents;
- b. Free from traffic hazards;
- c. Be clearly marked and landscaped;
- d. Screened or fenced;
- e. Not included in required setbacks; and
- f. The amount of recreation space may be reduced at the discretion of the Development Authority if, in its opinion, adequate recreation space exists in the area in which the manufactured home park is located.

Site Design

- 10.3.16 The design of a Manufactured Home Park shall be to the satisfaction of the Development Authority.
- 10.3.17 Only one (1) manufactured home may be located on a manufactured home space.
- 10.3.18 Each manufactured home space shall be clearly marked on the ground by permanent stakes, markers, or other means and shall be clearly defined with a space number or by other address system.
- 10.3.19 Manufactured homes and all community facilities in a manufactured home park shall be connected by a safe, convenient, concrete pedestrian sidewalk of at least 1.2m (3.9ft) in width.
- 10.3.20 Manufactured home park facilities shall be encouraged to be arranged in a cluster-style development pattern in order to facilitate the provision of increased open space and reduce the amount of infrastructure needed to service the manufactured home park.
- 10.3.21 Manufactured home parks shall have at least two legal road accesses.

Lighting

- 10.3.22 Street lighting in a manufactured home park shall be to the same standards as that in a conventional residential neighbourhood.

Utilities

- 10.3.23 All municipal utilities shall be provided underground to dwellings in a manufactured home park.

Signs

- 10.3.24 Only one main, free standing identification sign shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign may be allowed under exceptional circumstances of the layout, location and size of the park related to surrounding areas. The sign or signs shall be of a size, type and construction of residential character and appearance, and acceptable to the Development Authority.
- 10.3.25 Directional signs within the manufactured home park shall be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

Development Permit Application

- 10.3.26 A development permit application for a manufactured home shall contain, in addition to Section 3.4:
- a. Recent colour photos of all exterior sides of the manufactured home; and
 - b. Proof of associated Canadian Standards Association (CSA) and Alberta Municipal Affairs (AMA) labels.

Development Permit Approval

- 10.3.27 A development permit approval for a manufactured home shall be issued if the manufactured home:
- a. Contains a Canadian Standards Association (CSA) CSA Z240 MH label with a manufacturing date greater than 1991;
 - b. Contains an Alberta Municipal Affairs (AMA) label; and
 - c. Has a minimum width of 5.0m (16.4ft).

Section 10 | Land Use Districts

10.4 Commercial (C) District

Purpose

- 10.4.1 The general purpose of this district is to enable development of a retail or personal service nature. Uses which generate excessive noise, dust or are noxious shall not locate in this district.



Permitted and Discretionary Land Use Classes

- 10.4.2 Land use classes within the following table shall be permitted or discretionary within the Commercial (C) District.

Permitted	Discretionary Uses
HOTEL	BAR / NEIGHBOURHOOD PUB
PERSONAL SERVICE SHOP	DWELLING UNIT
PROFESSIONAL, FINANCIAL, OFFICE, HEALTH AND BUSINESS SUPPORT SERVICE	INSTITUTIONAL USE
PUBLIC UTILITY	PRIVATE CLUB
RESTAURANT	SERVICE STATION
RETAIL	WIND ENERGY CONVERSION SYSTEM MICRO
SOLAR ENERGY COLLECTOR SYSTEM	

Regulations

- 10.4.3 In addition to the regulations contained in Sections 8 and 9, the following standards shall apply to all development in the Commercial (C) District. Parcel size, floor area, site coverage, setbacks and parking shall be at the discretion of the Development Officer.

Regulation	Standard
Max. Lot Coverage	100%
Min. Lot Dimensions	
Width	10.0m (32.8ft)
Depth	30.0m (98.4ft)
Setback	
Yard – Front	Max. 3.0m (9.8ft) Retail stores built adjacent to existing similar uses may be built without a front yard where there is lane access.
Yard – Side	If a site is abutting a residential land use district: Min. 1.5m (5.0ft) Where there is no lane access: Min. 4.5 m (14.8 ft.) All other uses: None required
Yard – Rear	Min. 3.1m (10.0ft)

Section 10 | Land Use Districts

10.5 Highway Commercial (HC) District

Purpose

- 10.5.1 The purpose of the Highway Commercial (HC) District is to provide for various service commercial uses along major roads that connect to the Highway 45 corridor.



Permitted and Discretionary Land Use Classes

- 10.5.2 Land use classes within the following table shall be permitted or discretionary within the Highway Commercial (HC) District.

Permitted	Discretionary Uses
AUTOMOTIVE AND EQUIPMENT REPAIR AND SERVICE	RETAIL
AUTOMOTIVE AND EQUIPMENT SALES AND RENTAL	WIND ENERGY CONVERSION SYSTEM MICRO
BULK FUEL STATION	
DRIVE-THROUGH BUSINESS	
HOTEL	
MOTEL	
PUBLIC UTILITY	
RESTAURANT	
SERVICE STATION	
SOLAR ENERGY COLLECTOR SYSTEM	

Regulations

- 10.5.3 In addition to the regulations contained in Sections 8 and 9, the following standards shall apply to all development in the Highway Commercial (HC) District. Parcel size, floor area, site coverage, setbacks and parking shall be at the discretion of the Development Officer.

Regulation	Standard
Max. Lot Coverage	50%
Min. Lot Area	464.5m ² (5,000.0ft ²)
Min. Gross Floor Area	26.0m ² (280.0ft ²)
Min. Setback	
Yard – Front	7.5m (24.6ft)
Yard – Side	7.5m (24.6ft)
Yard – Rear	4.5m (14.8ft)
Max. Building Height	16.0m (52.5ft) or 4 storeys

Section 10 | Land Use Districts

10.6 Industrial (M) District

Purpose

- 10.6.1 The general purpose of the Industrial (M) District is to enable development of uses of a storage, industrial service or manufacturing nature.



Permitted and Discretionary Land Use Classes

- 10.6.2 Land use classes within the following table shall be permitted or discretionary within the Industrial (M) District.

Permitted	Discretionary
AUTOMOTIVE AND EQUIPMENT REPAIR AND SERVICE	AUTOMOTIVE REPAIR, SERVICE, RENTAL AND SALES
INDUSTRIAL USE, GENERAL	BULK FUEL STATION
PUBLIC UTILITY	KENNEL
SOLAR ENERGY COLLECTOR SYSTEM	INSTITUTIONAL USE
	MEDICAL MARIJUANA FACILITY
	PUBLIC UTILITY (CREATE USE CLASS)
	SERVICE STATION
	WIND ENERGY CONVERSION SYSTEM MICRO

Regulations

- 10.6.3 In addition to the regulations contained in Sections 8 and 9, the following standards shall apply to all development in the Industrial (M) District.

Regulation	Standard
Max. Lot Coverage	60%
Min. Lot Area	1860.0m ² (20,020.9ft ²)
Min. Lot Dimensions	
Width	30.0m (98.4ft)
Min. Setback	
Yard – Front	7.5m (24.6ft)
Yard – Side	7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)
Max. Building Height	The maximum height of a building shall be determined by the Development Authority.

Additional Regulations

- 10.6.4 Uses which generate excessive noise, dust, and odour or are otherwise obnoxious may be refused by the Development Officer.

Section 10 | Land Use Districts

10.7 Institutional (I) District

Purpose

10.7.1 The general purpose of this district is to provide for uses which are publicly owned or owned by organizations which serve a general community purpose.



Permitted and Discretionary Land Use Classes

10.7.2 Land use classes within the following table shall be permitted or discretionary within the Institutional (I) District.

Permitted	Discretionary
INSTITUTIONAL USE	WIND ENERGY CONVERSION SYSTEM MICRO
PLACE OF WORSHIP	
PUBLIC UTILITY	
RECREATIONAL USE	
SOLAR ENERGY COLLECTOR SYSTEM	

Regulations

10.7.3 Parcel size, floor area, site coverage, setbacks and parking shall be at the discretion of the Development Officer.

10.8 Parks (P) District

Purpose

10.8.1 The general purpose of this district is to provide for public recreational uses.



Permitted and Discretionary Land Use Classes

10.8.2 Land use classes within the following table shall be permitted or discretionary within the Parks (P) District.

Permitted	Discretionary
PUBLIC PARK	CAMPGROUND
PUBLIC UTILITY	INSTITUTIONAL USE
RECREATIONAL USE	WIND ENERGY CONVERSION SYSTEM MICRO
SOLAR ENERGY COLLECTOR SYSTEM	

Regulations

10.8.3 Parcel size, floor area, site coverage, setbacks and parking shall be at the discretion of the Development Officer.

Section 10 | Land Use Districts

10.9 Urban Reserve (UR) District

Purpose

- 10.9.1 The general purpose of this district is to reserve those lands in the village which by virtue of their relationship to existing development, roads and utilities, may be suitable for urban development at some time in the future.



Permitted and Discretionary Land Use Classes

- 10.9.2 Land use classes within the following table shall be permitted or discretionary within the Urban Reserve (UR) District.

Permitted	Discretionary
AGRICULTURE EXTENSIVE	AGRICULTURE INTENSIVE
DWELLING, SINGLE DETACHED	INSTITUTIONAL USE
HOME BASED BUSINESS MAJOR	NATURAL RESOURCE EXTRACTION
HOME BASED BUSINESS MEDIUM	NATURAL RESOURCE PROCESSING
HOME BASED BUSINESS MINOR	WIND ENERGY CONVERSION SYSTEM MICRO
KENNEL	WIRELESS COMMUNICATIONS FACILITY
MANUFACTURED HOME	
PUBLIC UTILITY	
SOLAR ENERGY COLLECTOR SYSTEM	

Regulations

- 10.9.3 Parcel size, floor area, site coverage, setbacks and parking shall be at the discretion of the Development Officer.

11 Definitions

In this Bylaw

A

Act means the *Municipal Government Act* and subsequent amendments thereto;

Accessory Building means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land;

Accessory Use means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building;

Agriculture Extensive means the use of land or buildings for the production of crops or livestock which require larger tracts of land. Extensive agriculture does not include confined feeding operations;

Agriculture Intensive means a commercial agricultural operation other than confined feeding operations which, due to the nature of the operation, may be able to use smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, sod farms, market gardens, and beekeeping;

Automotive and Equipment Repair and Service means land, buildings and structures used for the mechanical repair and servicing of vehicles, equipment, motorcycles, and recreation vehicles or craft and may include the accessory sale, installation or servicing of related parts and accessories.

Automotive and Equipment Sales and Rental means a development used for the retail sale or rental of new or used automobiles, equipment and motorcycles, together with incidental maintenance services and sale of parts.

Section 11 | Definitions

B

Bar / Neighbourhood Pub means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the site. This use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical uses include neighbourhood pubs, bars, beverage rooms, and cocktail lounges.

Building includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;

Bulk Fuel Station means lands, buildings, and structures for the bulk storage and distribution of petroleum products and may include key lock retail sales. This does not include a service station, minor or a service station, major.

C

Campground means a development for short term recreational use with sites designated for lodgings in tents, recreational vehicles, or other similar accommodations. A campground shall accommodate no more than twenty (20) sites, and be in operation no more than six (6) months per year.

Council means the Council of the Village of Myrnam;

D

Development means:

1. An excavation or stockpile and the creation of either of them; or
2. A building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them; or
3. A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
4. A change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

Development Appeal Board means a development appeal board appointed pursuant to the Act;

Development Officer (DO) means a person appointed as a development officer pursuant to a resolution of Council;

Development Permit means a document authorizing a development issued pursuant to a land use bylaw or the land use regulations;

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

Drive-through Business means a development which serves customers traveling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-through businesses include, but are not limited to service stations, drive-in restaurants, and drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes.

Dwelling means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, but does not include manufactured homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;

Dwelling, Apartment means a residential building consisting of at least 3 dwelling units;

Dwelling, Duplex means two dwelling units sharing a common wall, and located side by side or one above the other;

Dwelling, Single Detached means a building containing a single dwelling unit as the main use of the building. A single-family dwelling may be site-built or modular.

Dwelling, Townhouse means a group of three or more dwelling units having a common wall or structural feature, but in no case being located above or below each other.

Dwelling Unit means a residential unit containing one (1) or more habitable rooms that provide living accommodations and is intended as a permanent residence, as an accessory use, to a non-residential principal use;

F

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

G

Garden Suite means an accessory use on the same lot as a principal dwelling, which is either a suite above a detached garage or an accessory building. A garden suite has a gross floor area less than the primary dwelling, and contains cooking, food preparation, sleeping and sanitary facilities.

Gross Floor Area means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area;

H

Home Based Business, Major means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling or an accessory building by at least one permanent resident of said dwelling, and which increases traffic circulation in the area in which it is located.

Home Based Business, Medium means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, does not employ more than two (2) non-residents concurrently, and which does not increase traffic circulation in the area in which it is located.

Home Based Business, Minor means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, does not employ any non-residents, and does not increase traffic circulation in the area in which it is located.

Hotel means a development used for the provision of rooms or suites for temporary accommodation where the rooms obtain access from a common interior corridor but may have a meal service for guests. Hotels may include meeting rooms and minor/major food and beverage establishments.

Section 11 | Definitions

I

Industrial Use, General means the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of materials, finished goods, products or equipment. General industrial use does not include uses listed under heavy industrial use.

Institutional Use means a development of a public character including governmental, religious, health, educational, social, and cultural facilities having a close affinity with public services to a municipality, area, or region. This use includes cemeteries and community halls. K

Kenel means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale.

L

Lot means a:

1. Quarter section,
2. River lot shown on an Official Plan referred to in the Surveys Act that is filed or lodged in a land titles office,
3. Settlement lot shown on an Official Plan referred to in the Surveys Act that is filed or lodged in a land titles office,
4. Part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
5. Part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;

M

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

Manufactured Home means a structure whether ordinarily equipped with wheels or not that is manufactured to be moved from one point to another by being towed or carried and which provides year round living accommodation for one or more persons and can be connected to utilities;

Manufactured Home Park means a parcel of land under a single title which has been or is intended to be divided into rentable spaces for Manufactured Homes. Ownership and responsibility for the maintenance of internal roads, underground services, communal areas and buildings, snow clearance and garbage collection, together with general park management, rests with the management.

Medical Marijuana Facility means any building in which an activity authorized by the medical marijuana production regulations (Marijuana for Medical Purposes Regulations SOR/2013-119), or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, processing, labeling and packaging, storing, and transporting of marijuana.

Modular means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction.

Motel means a development used for the provision of rooms or suites for temporary accommodation where each room or suite has its own exterior access, may be equipped with individual kitchen facilities, and may have a meal service for guests. Motels may include food and beverage establishments.

Moved-In Building means any structure moved from one lot to another or from outside the Village to a lot inside the Village but not including a manufactured home.

Municipality means the Village of Myrnam;

N

Natural Resource Extraction means the extraction of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite and salt found on or under the site, or accessible from the site.

Natural Resource Processing means the processing of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite and salt.

Non-Conforming Building means a building that:

1. That is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
2. That on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw;

Non-conforming Use means a lawful specific use:

1. being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use by-law or any amendment thereof affecting the land or building becomes effective, and
2. 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;

P

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;

Public Park means land developed for public recreational activities that do not require major buildings or facilities. A park may include but is not limited to picnic areas, day use areas, playgrounds, trails, landscaped areas and associated public washrooms;

Permitted Use means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made;

Personal Service Shop means a development used for the provision of personal services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects, and may include such uses as: barbershops, hairdressers, tattoo parlours, beauty salons, tanning salons, shoe repair shops, laundromats, and dry cleaning outlets, but does not include health services, retail stores, service stations, or adult entertainment facilities.

Section 11 | Definitions

Place of Worship means a building wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical uses include churches, chapels, convents, kingdom halls, monasteries, mosques, synagogues, and temples. Places of worship may also contain or involve accessory uses and facilities for eating and drinking and a manse. From time to time part of a place of worship may be used as an entertainment establishment;

Private Club means an indoor development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private clubs may include rooms for eating and general assembly.

Professional, Financial, Office, Health and Business Support Service means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the following and similar uses as offices of lawyers, accountants, engineers, planners, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices and similar financial uses; printing establishments, film processing establishments, janitorial firms, medical practitioners and business equipment repair shops.

Public Utility means a development or building, as defined in the *Municipal Government Act*, used to provide one or more of the following for public consumption, benefit, convenience or use: water; wastewater or storm water; public transportation; communication; drainage ditch; natural gas; electric power; or heat. It includes communications towers and the buildings required to operate the public utility.

R

Rear Yard means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;

Registered Owner means

1. In the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
2. In the case of any other land:
 - a. The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
 - b. In the absence of a person described in paragraph a, the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land;

Recreational Use means a recreational development conducted on a single site where the prime reason for location is to take advantage of natural physical features, including the availability of large areas of land, to provide day-to-day sporting and athletic facilities and the structures incidental thereto. This use includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, and similar uses, and may include a refreshment stand or snack bar incidental to the primary use;

Retail means a development used for retail sale of consumer goods on a daily basis in an enclosed building including, but not limited to, food stores, liquor stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

Restaurant means a development where the primary purpose of the facility is the sale of prepared foods to the public, for consumption within the premises or off the site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. This use typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants.

S

Secondary Suite means a separate set of living quarters within a principal building, containing independent and physically separate sleeping, sanitary and kitchen facilities.

Service Station means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include a retail convenience store, vehicle washes, facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but not including body repair or paint shops.

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

Solar Energy Collector System means a structure and accessories designed to convert solar radiation into electrical or thermal energy;

Structural Alteration means the addition to, deletion from, or change to any building which requires a permit other than a plumbing permit, a gas permit, or an electrical permit pursuant to the *Safety Codes Act*.

T

V

Veterinary Clinic means a development where domestic pets or livestock are cared for and treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalization for fewer than four (4) days.

W

Wind Energy Conversion System Micro means a small-scale wind turbine either rotating on a vertical or horizontal axis, with an energy capacity of less than 0.5kW, which is installed on the roof of a building or structure.

Wireless Communications Facility means a development involving a structure and components needed to operate wireless transmitters or receivers for television, radio, telephone and internet signals.

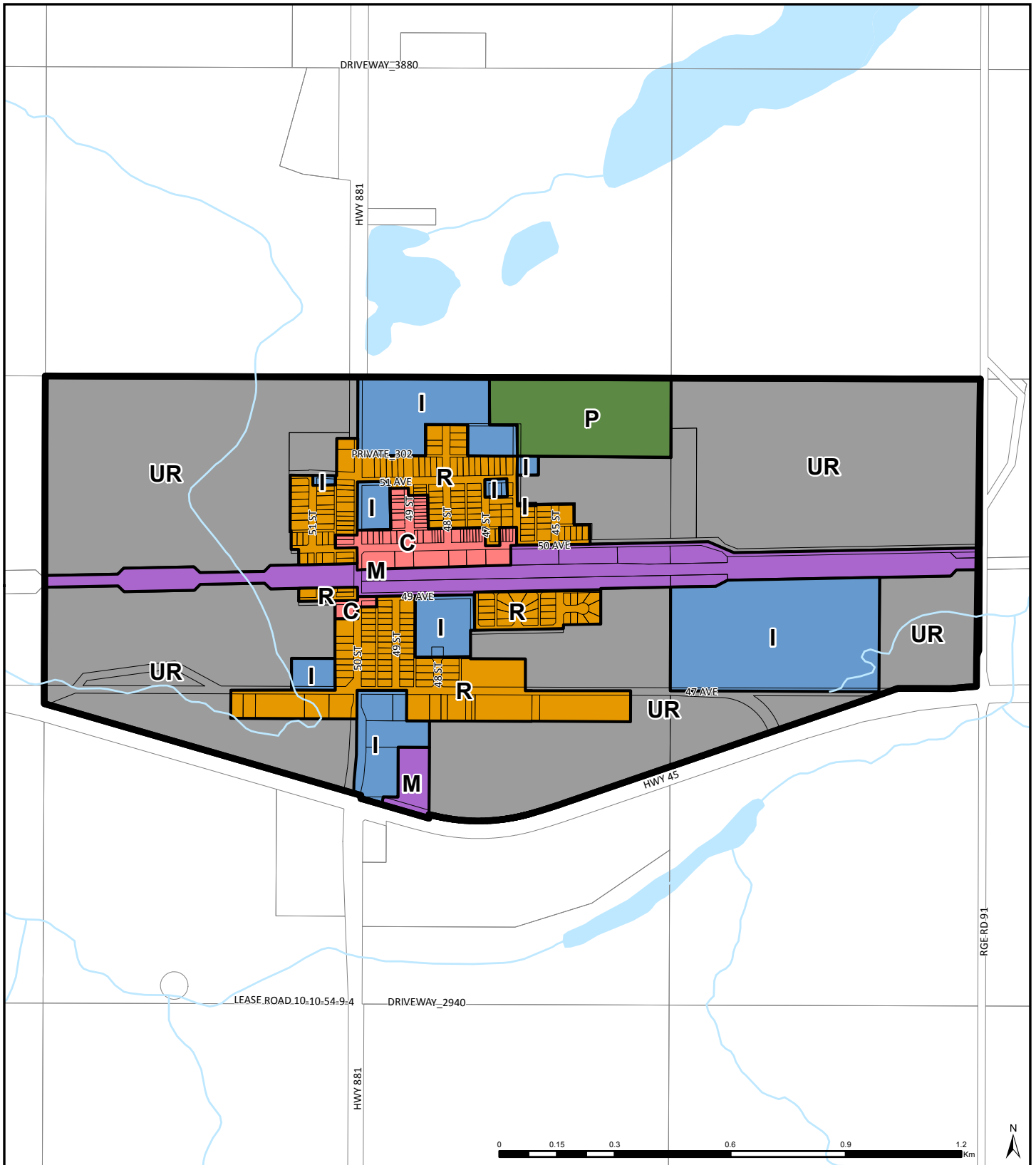
Y

Yard means a part of a parcel upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act.

Appendix A

Map 1 | Land Use Districts



Village of Myrnam
Land Use Bylaw

Map 1 | Land Use Districts



Legend

- | | | |
|---|--|--|
|  Residential (R) |  Commercial (C) |  Parks (P) |
|  Manufactured Home Subdivision (MHS) |  Highway Commercial (HC) |  Industrial (M) |
|  Manufactured Home Park (MHP) |  Institutional (I) |  Urban Reserve (UR) |
| |  Village Boundary | |

