

**VILLAGE OF LOMOND**

**LAND USE BYLAW**

**NO. 553**

Prepared by the



*OLDMAN RIVER INTERMUNICIPAL SERVICE AGENCY*

**May 1999**



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**VILLAGE OF LOMOND  
IN THE PROVINCE OF ALBERTA**

**LAND USE BYLAW NO. 553**

The Council of the Village of Lomond in accordance with the provisions of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended, enacts as follows:

**LAND USE BYLAW NO. 553**

BEING A BYLAW OF THE VILLAGE OF LOMOND IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DEVELOPMENT OF LAND AND BUILDINGS.

This bylaw may be cited as "The Village of Lomond Land Use Bylaw".

In this land use bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.
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**DEFINITIONS**

1. In this bylaw:

**Accessory building** means a building which is not attached to, or part of, a main building and which is incidental and subordinate to the main building.

**Accessory use** means a use which is subordinate or incidental to the principal use of the lot.

**Act** means the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended.

**Building** has the same meaning it has in the Act.

**Carport** means a partially enclosed structure with a roof intended for the shelter of one or more motor vehicles.

**Council** means the Council of the Village of Lomond.

**Designated officer** means a person authorized by council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's development authority bylaw.

**Development** has the same meaning as in the Act.

**Development authority** means the Municipal Planning Commission, except in such instances whereby the designated officer may be the development authority in accordance with this bylaw.

**Discretionary use** means the one or more uses of land or buildings that are described in Schedule 2 as discretionary uses.

**District** means a land use district established under Schedule 1.

**Dwelling or dwelling unit** means a building or a portion of a building, such as an apartment, designed for occupancy by only one household.

**Floor area** means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions.

**Garage (residential)** means an accessory building designed and used for storage of non-commercial motor vehicles.

**Home occupation** means any occupation, trade, profession or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building.

**Light industry** means the processing or manufacturing of goods which does not create and emit fumes, gases, smoke, vapours, vibration, noise, glare or other factors which could be regarded as hazards or nuisances adversely affecting the users of adjacent lands including public roads.

**Lot** has the same meaning as it has in the Act.

**Lot line** means the legally defined limit of any lot or parcel.

**Manufactured home** means a factory built dwelling that:

- (a) is designed to be transported to a new location and placed on a permanent foundation;
- (b) is constructed to meet all provincial building requirements;
- (c) includes units commonly referred to as "Double-wide" and "Single-wide" homes, but the term does not include motor homes, travel trailers, recreational vehicles and similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

**Manufactured home park** means a lot designed for occupancy by two or more manufactured homes where sites are rented to the manufactured or mobile home occupant.

**Mobile home** means a prefabricated dwelling unit that:

- (a) is designed to be transported, and when placed on a foundation and connected to utilities is ready for occupancy; and
- (b) was constructed and displays identification indicating the home meets only the CSA Z240 standard.

This definition includes units commonly referred to as "Double-wide" and "Single-wide" homes, but the term does not include motor homes, travel trailers, recreational vehicles and similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

**Modular home** means a home manufactured at a factory or place other than that of its final assembly which:

- (a) are assembled at the location where the building is to be permanently placed;
- (b) are transported by being carried on a motor vehicle;
- (c) are not constructed with wheels and axles permanently affixed to the frame if a frame is present;
- (d) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these are required in the modular building);
- (e) are constructed with a minimum of two sections each of which must be a minimum 3.65 m (12 ft.) in width;
- (f) are constructed to meet all current provincial building requirements.

**Moved-in building** means a conventional, pre-constructed, previously occupied building, other than a mobile home, which is physically removed from one site, transported and re-established on another site.

**Multi-family dwelling** means a building (other than a row dwelling) containing three or more separate dwelling units.

**Municipal Government Act** means the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended.

**Municipal Planning Commission (MPC)** means a committee appointed by council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's development authority bylaw.

**Municipality** means the Village of Lomond.

**Non-conforming building** has the same meaning as in the Act.

**Non-conforming use** has the same meaning as in the Act.

**Noxious or hazardous industries** are those industrial and related uses which may be detrimental to public health, safety and welfare or those uses which because of toxic gases, noxious smells, wastes, noise, dust or smoke emissions may be incompatible with residential or other development.

**Off-street loading space** means a part of a rear or side yard designated expressly for the temporary parking of haulage vehicles.

**Off-street parking space** means an off-street area available for the parking of one motor vehicle directly accessed from a street, lane or other public roadway.

**Permitted use** means the one or more uses of land or buildings that are described in Schedule 2 as a permitted use.

**Planning advisor** means the person or organization retained by the Village of Lomond to provide planning-related advice or services.

**Provincial Land Use Policies** means policies established by order of the Lieutenant Governor in Council pursuant to section 622 of the Act.

**Retail store** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such a store.

**Row dwelling** means a dwelling containing three or more separate dwelling units with each unit placed side by side and each having a separate front and rear entrance.

**Service station** means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and/or the maintenance and repair of motor vehicles.

**Sign** means an outdoor sign, either freestanding or attached to a building or other structure.

**Similar use** means a use of land or buildings for a purpose that is not provided for in any district designated in this bylaw, but is deemed by the Municipal Planning Commission to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**Single-detached dwelling** means a building containing one dwelling unit and excluding moved-in dwellings and mobile homes.

**Site** means an area of land consisting of one or more adjoining lots in one title.

**Site coverage** means the area encompassed within the perimeter of structures situated on a lot.

**Stop order** means an order issued by the development authority pursuant to section 645 of the Act.

**Street** means a registered and named public roadway greater than 9.1 m (30 ft.) in width. The term right-of-way shall not have the same meaning as street.

**Structure** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

**Subdivision and Subdivision and Development Appeal Board** means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development.

**Subdivision and Development Regulation** means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the Act.

**Two-family dwelling** means either a building containing two side-by-side dwelling units separated from each other by party walls extending from the foundation to the roof and not attached to any other residential building; or a building comprised of two separate dwelling units one above the other connected by a common floor/ceiling.

**Veterinary clinic** means a facility which treats animals of all sizes and can consist of inside and outside pens or both.

**Warehousing** means the use of a building for the indoor storage of goods and merchandise.



**Yard** means the area of a lot lying between the nearest portion of a building and a lot line.

All other words and expressions, not otherwise defined in this bylaw, have the meaning assigned to them in the Act.

**DESIGNATED OFFICER**

2. The office of "designated officer" is established.
3. The council shall, by resolution, appoint a person to the office of designated officer.
4. The designated officer:
  - (a) may perform only such powers and duties as are specified in this bylaw or by resolution of council;
  - (b) is responsible for processing, deciding upon and referring applications for a development permit in accordance with this bylaw;
  - (c) shall be considered an "authorized person" pursuant to section 624 of the Act.

**MUNICIPAL PLANNING COMMISSION**

5. The Municipal Planning Commission may perform only such powers and duties as are specified:
  - (a) in the Village of Lomond Municipal Planning Commission bylaw;
  - (b) in this bylaw; or
  - (c) by resolution of council.

**LAND USE DISTRICTS**

6. The municipality is divided into those districts specified in Schedule 1 and shown on the Land Use District Map.
7. The one or more uses of land or buildings that are:
  - (a) permitted uses in each district, with or without conditions; or
  - (b) discretionary uses in each district, with or without conditions, or both;are described in Schedule 2.
8. Any land use not listed as either permitted or discretionary in a land use district is prohibited.

**DEVELOPMENT PERMIT APPLICATIONS**

9. Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the proposed development.
10. An application for a development permit must be made to the designated officer by submitting to him:
  - (a) a complete application in Form A of Schedule 9;

- (b) the fee prescribed in Form A; and
  - (c) such other information as may be required by the designated officer.
11. An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

**PERMITTED USE APPLICATIONS**

12. Upon receipt of a completed application for a development permit for a permitted use, the designated officer shall, if the application otherwise conforms with this bylaw, issue a development permit with or without conditions.

**DISCRETIONARY USE APPLICATIONS AND WAIVERS**

13. Upon receipt of a completed application for a development permit for a discretionary use, the designated officer shall send the application to the Municipal Planning Commission.
14. Upon receipt of a completed application under section 13, the Municipal Planning Commission may notify or cause to be notified, in accordance with section 17:
- (a) those persons likely to be affected by the issue of a development permit; and
  - (b) the County of Vulcan, No. 2 if, in the opinion of the Municipal Planning Commission, the proposed development could have an impact on land uses in that municipality.
15. Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under section 27, the designated officer shall send the application to the Municipal Planning Commission.
16. Upon receipt of an application under section 15, and if the Municipal Planning Commission is prepared to exercise its discretion under section 27, it may notify, or cause to be notified, in accordance with section 17, those persons likely to be affected by the issue of a development permit.

**NOTIFICATION**

17. Whenever notification is required under section 14 or 15, the designated officer shall, at least 8 days before the meeting of the Municipal Planning Commission:
- (a) mail written notice of the application to any person who may be affected; or
  - (b) publish a notice in a newspaper circulating in the municipality where the application is located; or
  - (c) post a notice in a conspicuous place on the property; or
  - (d) any combination of the above.
18. In all cases, notification shall:
- (a) describe the nature and location of the use;
  - (b) state the time and place where the Municipal Planning Commission will meet to consider the application as well as any oral or written submissions by affected parties.

19. After considering any responses to the notification by those likely to be affected by the development, the Municipal Planning Commission may instruct the designated officer to issue a development permit with or without conditions.
20. Upon the issue of a development permit, the designated officer shall immediately notify by mail the applicant as well as all persons notified under section 17. The designated officer shall also notify any other person likely to be affected:
  - (a) by mail; or
  - (b) by placing an advertisement in a local newspaper circulating in the municipality; or
  - (c) by posting a notice in a conspicuous place on the property; or
  - (d) any combination of the above.

#### **VALIDITY OF A DEVELOPMENT PERMIT**

21. Unless it is suspended or cancelled, a development permit remains in effect for 12 months from the date of issue.
22. The Municipal Planning Commission may extend the validity of a development permit for up to six months from the date of its expiry.

#### **REAPPLICATION**

23. If an application for a development permit is refused by the designated officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for a development:
  - (a) on the same lot; and
  - (b) for the same or similar use;may not be made for at least six months after the date of refusal.

#### **COMMENCEMENT OF DEVELOPMENT**

24. Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
  - (a) until at least 17 days after the issue of the permit;
  - (b) if an appeal is made, until the appeal is decided upon.

#### **DEVELOPMENT NOTIFICATION**

25. The person to whom a development permit has been issued shall notify the designated officer:
  - (a) following the preliminary layout of the site, but prior to the commencement of actual development thereon; and
  - (b) upon completion of the development.

#### **DEEMED REFUSAL**

26. In accordance with section 684 of 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 designated officer or Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the designated officer.

#### **AUTHORITY OF THE MUNICIPAL PLANNING COMMISSION**

27. The Municipal Planning Commission is authorized to approve an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Municipal Planning Commission:
- (a) the proposed development would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or
    - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (b) and the proposed development conforms with the permitted or discretionary uses prescribed for that land or building in Schedule 2.

#### **SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT**

28. If, after a development permit has been issued, the designated officer or Municipal Planning Commission becomes aware that:
- (a) the application for the development permit contained a serious misrepresentation; or
  - (b) facts concerning the application for the development that were not disclosed and which should have been disclosed at the time the application was considered, have subsequently become known; or
  - (c) a development permit was issued in error;
- the designated officer or the Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of it.
29. Those persons who receive a notice referred to in section 28 may appeal to the Subdivision and Development Appeal Board pursuant to section 33 hereof.

#### **ADDITIONAL CONDITIONS OF APPROVAL**

30. In addition to the conditions that the designated officer or Municipal Planning Commission may impose on a development permit under the schedules in this bylaw, the designated officer and the Municipal Planning Commission may impose such further conditions for permitted or discretionary uses, respectively, as are considered necessary to ensure that this bylaw is complied with.

#### **STOP ORDERS**

31. The designated officer or Municipal Planning Commission are authorized to issue a stop order under section 645 of the Act whenever it is considered necessary to do so.

#### **TEMPORARY USE APPLICATIONS**

32. Where, in the opinion of the Municipal Planning Commission, a proposed use is of a temporary nature, it may issue a temporary development permit valid for a period not exceeding one year. It shall be a condition of every temporary development permit, including signs, that the Village of Lomond shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period. The Municipal Planning Commission may require the applicant to submit an irrevocable letter of credit guaranteeing the cessation or removal.

#### **DEVELOPMENT APPEALS**

33. Any person applying for a development permit or any other person affected by any order, decision or development permit made or issued by the designated officer or Municipal Planning Commission may appeal such an order or decision to the Subdivision and Development Appeal Board in accordance with the procedures described in the Act.

#### **DEVELOPMENT IN MUNICIPALITY GENERALLY**

34. A person who develops land or a building in the municipality shall, in addition to complying with the use or uses prescribed in Schedule 2, comply with the standards of development specified in Schedules 4 to 8, and with any conditions attached to a development permit if one is required.

#### **NON-CONFORMING BUILDINGS AND USES**

35. A non-conforming building or use may only be continued in accordance with the provisions detailed in the Act.

#### **DEVELOPMENT AGREEMENTS**

36. Where a development is proposed in any land use district which would require construction of roadways or other servicing beyond that which the municipality would normally supply, the designated officer or Municipal Planning Commission shall recommend to council that a development agreement, establishing the responsibilities of each of the involved parties, be entered into by the developer(s) and the municipality as a condition of approval.

#### **DEVELOPMENT NOT REQUIRING A PERMIT**

37. Development that does not require a development permit is specified in Schedule 3.

#### **NUMBER OF DWELLING UNITS ON A PARCEL**

38. No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Municipal Planning Commission through the issuance of a development permit.

#### **PENALTIES**

39. Every person who contravenes any provision of this bylaw is guilty of an offense under section 566 of the Act and is liable, upon summary conviction, to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

**ADDITIONAL INFORMATION**

40. The designated officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land.

**AMENDMENT, EXISTING CONTROLS AND DATE OF COMMENCEMENT**

41. Land Use Bylaw No. 438 and any amendments thereto are hereby repealed.


42. The procedure for amendment of this bylaw is prescribed in section 692 of the Act.

43. Schedules 1 to 9 attached hereto form part of this bylaw.

44. Appendix A attached hereto is for information only and does not form part of this bylaw.

45. This bylaw shall have effect from the date of final reading thereof.

READ a **first** time this 14th day of April, 1999.

  
**Mayor – Alvin Hendricks**


  
**Municipal Administrator – Tracey Doram**

READ a **second** time this 12th day of May, 1999.

  
**Mayor – Alvin Hendricks**

  
**Municipal Administrator – Tracey Doram**

READ a **third** time and finally PASSED this 12th day of May, 1999.

  
**Mayor – Alvin Hendricks**

  
**Municipal Administrator – Tracey Doram**

Schedule 1

**LAND USE DISTRICTS**

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## LAND USE DISTRICTS

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1. The municipality is divided into those land use districts shown on the attached Land Use District Map.
2. Each land use district shown on the map referred to in section 1 above shall be known by the following identifying letters and numbers:

RESIDENTIAL	– R
MOBILE HOME	– R2
COMMERCIAL	– C
HIGHWAY COMMERCIAL	– C2
INDUSTRIAL	– I
PUBLIC	– P
RAILWAY	– RY
TRANSITIONAL	– T

3. Land Use District Map (following this page)



Schedule 2

**LAND USE DISTRICT REGULATIONS**

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## RESIDENTIAL – R

**INTENT:** *To accommodate residential development on serviced lots in an economical, orderly and attractive manner, while excluding potentially incompatible land uses.*

### 1. PERMITTED USES

Accessory buildings and uses  
One-family dwellings

### DISCRETIONARY USES

Dwellings:  
Lodging or boarding houses  
Multi-unit dwellings  
Row dwellings  
Single- and double-wide mobile homes  
Two-family dwellings  
Home occupations  
Medical clinic  
Moved-in buildings  
Parks and playgrounds  
Places of worship  
Public and private schools  
Public utility structures  
Senior citizen housing  
Signs  
Similar uses

### 2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
One-family dwellings	15.2	50	35.1	115	534.2	5,750
Two-family dwellings	18.3	60	35.1	115	641.0	6,900
Mobile homes:						
– single-wide	12.2	40	35.1	115	427.3	4,600
– double-wide	15.2	50	35.1	115	534.2	5,750
Multi-unit dwellings	22.9	75	35.1	115	801.3	8,625
Row dwellings	As required by the MPC				232.3	2,500
All other uses	As required by the Municipal Planning Commission					

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard (with lanes)		Side Yard (laneless)		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
One-family or Two-family dwellings	7.6	25	1.5	5	1@3.0 1@1.5	10 5	7.6	25
Mobile homes	7.6	25	1.5	5	1@3.0 1@1.5	10 5	3.0	10

Use	Front Yard		Side Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Multi-unit dwellings	7.6	25	1.5	5	1@3.0 1@1.5	10 5	7.6	25
Row dwellings	7.6	25	1.5	5			7.6	25
Accessory buildings	7.6	25	0.9	3	0.9	3	0.9	3
	(with overhanging eaves not less than 0.6 m (2 ft.) from side and/or rear lot line)							
All other uses	As required by the Municipal Planning Commission							

**4. MAXIMUM SITE COVERAGE**

- Principal and accessory buildings – 50 percent
- Accessory buildings – 15 percent

**5. MINIMUM FLOOR AREA**

- One-family dwellings – 74.3 m<sup>2</sup> (800 sq. ft.)
- Two-family dwellings – 74.3 m<sup>2</sup> (800 sq. ft.) per unit
- Single-wide mobile homes – 65.0 m<sup>2</sup> (700 sq. ft.) per unit
- Double-wide mobile homes – 72.0 m<sup>2</sup> (775 sq. ft.) per unit
- Multi-unit dwellings – 55.7 m<sup>2</sup> (600 sq. ft.) per unit
- All other uses – As required by the Municipal Planning Commission

**6. MAXIMUM BUILDING HEIGHT**

- One-family dwellings – 8.5 m (28 ft.)
- Accessory buildings – 4.9 m (16 ft.)
- All other uses – As required by the Municipal Planning Commission

**7. EXEMPTIONS**

The Municipal Planning Commission may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in this district provided, however, that the minimum lot area is at least 232.3 m<sup>2</sup> (2,500 sq. ft.).

**8. ELIGIBLE MOBILE HOMES**

- (a) New factory built mobile homes.
- (b) Canadian Standards Association (CSA) certified units.
- (c) Mobile homes more than 10 years of age may not be permitted.
- (d) Any application for a development permit to locate a used mobile home or moved-in building shall include recent colour photographs showing the complete exterior of the structure, and a building inspector’s report to determine the unit’s stability in terms of appearance, state of repair, structural integrity and other pertinent features. The building inspection must be done by a certified building inspector at the expense of the applicant.

**9. ACCESSORY BUILDINGS, CARPORTS AND GARAGES**

- (a) Accessory buildings shall not be less than 0.6 m ( 2 ft.) from a side lot line, provided that overhanging eaves shall not be less than 0.3 m (1 ft.) from the side lot line.
- (b) A carport is permitted in a side yard, but shall not be less than 0.6 (2 ft.) from a side lot line, provided that overhanging eaves shall not be less than 0.3 m (1 ft.) from the side lot line.
- (c) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building itself, except on an irregular-shaped lot, one corner of the attached garage shall not be less than 0.6 m (2 ft.) from a side lot line, provided that the overhanging eave shall not be less than 0.3 m (1 ft.) from the side lot line, and provided that two-thirds of the building be not less than 1.5 m (5 ft.) from the side lot line.

**10. ROW DWELLINGS**

For row dwellings, each end unit shall have a minimum lot width of 10.7 m (35 ft.) and a minimum lot area of 325.2 m<sup>2</sup> (3,500 sq. ft.).

**11. STANDARDS OF DEVELOPMENT** – See Schedule 4.

**12. HOME OCCUPATIONS** – See Schedule 5.

**13. MOVED-IN BUILDINGS** – See Schedule 6.

**14. SIGN REGULATIONS** – See Schedule 7.

**15. MINIMUM OFF-STREET PARKING AND LOADING SPACE** – See Schedule 8.

**16. SWIMMING POOL REGULATIONS** – See Schedule 9.





## MOBILE HOME – R2

**INTENT:** *To provide an area for and to regulate the development and use of land for mobile homes, and other uses listed, which are compatible with a residential area.*

**1. PERMITTED USES**

Accessory buildings and uses  
Mobile homes

**DISCRETIONARY USES**

Home occupations  
Laundromats  
Moved-in buildings  
Parks and playgrounds  
Places of worship  
Public utility structures  
Signs  
Similar uses

**2. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	15.2	50	36.6	120	557.4	6,000

**3. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	1@1.5 1@3.0	5 10	3.0	10

**4. MAXIMUM SITE COVERAGE**

- (a) Mobile homes, inclusive of all additions, shall cover not more than 35 percent of the surface area of the lot.
- (b) Any accessory buildings shall cover not more than 10 percent of the surface area of the lot.
- (c) Other development shall be at the discretion of the Municipal Planning Commission.

**5. MINIMUM FLOOR AREA**

55.7 m<sup>2</sup> (600 sq. ft.)

**6. MAXIMUM HEIGHT OF ACCESSORY BUILDINGS**

8.5 m (28 ft.)

**7. MINIMUM OFF-STREET PARKING SPACE**

Mobile homes – one per dwelling unit

All other uses – at the discretion of the Municipal Planning Commission

Off-street parking for recreational vehicles shall be provided in the rear or side yard only unless the recreational vehicle is the sole means of transportation for the members of that household.

**8. SPECIAL STANDARDS**

(a) All mobile homes shall conform to current Canadian Standards Association (CSA) standards when being located or relocated within the village. In order to help ensure compliance with CSA standards, the applicant shall provide the designated officer with the mobile home's serial number.

(b) All mobile homes shall be either sited on a continuous concrete foundation or anchored by not less than six tie-downs.

**9. STANDARDS OF DEVELOPMENT – See Schedule 4.**

**10. HOME OCCUPATIONS – See Schedule 5.**

**11. MOVED-IN BUILDINGS – See Schedule 6.**

**12. SIGN REGULATIONS – See Schedule 7.**

**13. SWIMMING POOL REGULATIONS – See Schedule 9.**

## COMMERCIAL – C

**INTENT:** *To provide an area suited to intensive commercial uses, including the redevelopment of existing uses, which are convenient and attractive to pedestrians, while offering ready vehicular access and adequate parking.*

### 1. PERMITTED USES

Accessory buildings and uses  
Bakeries  
Barber shops  
Beauty parlours  
Billiard halls  
Financial institutions  
Hotels  
Laundry and dry cleaning shops  
Offices  
Photography studios  
Post office  
Retail stores  
Restaurants  
Shoe repair shops  
Theatres  
Workshop accessory to retail stores

### DISCRETIONARY USES

Arcades  
Clubs  
Drive-in restaurants  
Libraries  
Moved-in buildings  
Parking areas  
Public buildings  
Residential accommodation in conjunction  
with an approved commercial use  
Service stations  
Signs  
Similar uses

### 2. MINIMUM LOT SIZE

As required by the designated officer or the Municipal Planning Commission.

### 3. MINIMUM SETBACK REQUIREMENTS

As required by the designated officer or the Municipal Planning Commission.

### 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 80 percent.

### 5. MAXIMUM BUILDING HEIGHT

All buildings – 10.7 m (35 ft.)

### 6. STANDARDS OF DEVELOPMENT – See Schedule 4.

### 7. SIGN REGULATIONS – See Schedule 7.

### 8. MINIMUM OFF-STREET PARKING AND LOADING SPACE – See Schedule 8.



## HIGHWAY COMMERCIAL – C2

**INTENT:** *To provide an area for the listed commercial uses and other uses which are compatible with the area and adjacent to a major thoroughfare. Large open areas used for customer parking and merchandise display should exist, creating an attractive environment accessible to vehicular traffic.*

### 1. PERMITTED USES

Accessory buildings and uses  
Motels  
Restaurants  
Service stations

### DISCRETIONARY USES

Accessory buildings and uses  
Bulk oil station  
Car dealerships  
Drive-in restaurants  
Farm machinery dealerships  
Lumber yards  
Moved-in buildings  
Public utility structures  
Recreation vehicle dealerships  
Recreation vehicle park  
Used car sales  
Signs

### 2. MINIMUM LOT SIZE

As required by the designated officer or the Municipal Planning Commission.

### 3. MINIMUM SETBACK REQUIREMENTS

As required by the designated officer or the Municipal Planning Commission.

### 4. MAXIMUM SITE COVERAGE

Principal building and accessory buildings – 60 percent.

### 5. ACCESS

Street access shall be as required by the Municipal Planning Commission.

### 6. STANDARDS OF DEVELOPMENT – See Schedule 4.

### 7. MOVED-IN BUILDINGS – See Schedule 6.

### 8. SIGN REGULATIONS – See Schedule 7.



## INDUSTRIAL – I

**INTENT:** *To provide one or more areas attractive to and suited for industrial and heavier commercial development while ensuring any development is compatible with other land uses and the quality of life in the community.*

**1. PERMITTED USES**

Accessory buildings and uses  
Bulk oil stations  
Public utility structures

**DISCRETIONARY USES**

Bulk fertilizer storage  
Car and truck washing facilities  
Livestock sales yards  
Manufacturing and processing facilities  
Moved-in buildings  
Outdoor storage  
Seed cleaning plants  
Service stations  
Transportation depots  
Veterinary clinics  
Warehousing and indoor storage facilities  
Signs  
Similar uses

**2. MINIMUM LOT SIZE**

As required by the designated officer or the Municipal Planning Commission.

**3. MINIMUM SETBACK REQUIREMENTS**

As required by the designated officer or the Municipal Planning Commission.

**4. MAXIMUM SITE COVERAGE**

Principal building and accessory buildings – 60 percent.

**5. SCREENING**

The designated officer or the Municipal Planning Commission may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other items.

**6. STANDARDS OF DEVELOPMENT – See Schedule 4.**

**7. SIGN REGULATIONS – See Schedule 7.**

**8. MINIMUM OFF-STREET PARKING AND LOADING SPACE – See Schedule 8.**





## PUBLIC – P

**INTENT:** *To provide for institutional, public and semi-public uses which are compatible with each other and adjoining land use districts.*

**1. PERMITTED USES**

Cemeteries  
Churches  
Fire halls  
Municipal offices  
Parks  
Playgrounds  
Sportsfields

**DISCRETIONARY USES**

Day care centres  
Government offices  
Hospitals  
Libraries  
Moved-in buildings  
Public recreation areas, buildings or facilities  
Public utility structures  
Schools  
Senior citizens' residences  
Signs  
Similar uses

**2. MINIMUM LOT SIZE**

As required by the designated officer or the Municipal Planning Commission.

**3. MINIMUM SETBACK REQUIREMENTS**

As required by the designated officer or the Municipal Planning Commission.

**4. MAXIMUM SITE COVERAGE**

As required by the designated officer or the Municipal Planning Commission.

**5. MAXIMUM BUILDING HEIGHT**

As required by the designated officer or the Municipal Planning Commission.

**6. STANDARDS OF DEVELOPMENT – See Schedule 4.**

**7. SIGN REGULATIONS – See Schedule 7.**

**8. MINIMUM OFF-STREET PARKING AND LOADING SPACE – See Schedule 8.**



## RAILWAY – RY

**INTENT:** *To provide for the development of railway facilities and related uses while ensuring these are compatible with other land uses in the community.*

**1. PERMITTED USES**

All uses and buildings required in the operation of the railway

**DISCRETIONARY USES**

All uses that are permitted or discretionary in the “Industrial” district  
Grain bins  
Grain elevators  
Moved-in buildings  
Signs

**2. MINIMUM LOT SIZE**

As required by the Municipal Planning Commission.

**3. MINIMUM SETBACK REQUIREMENTS**

As required by the Municipal Planning Commission.

**4. MAXIMUM SITE COVERAGE**

As required by the Municipal Planning Commission.

**5. STANDARDS OF DEVELOPMENT – See Schedule 4.**

**6. MOVED-IN BUILDINGS – See Schedule 6.**

**7. SIGN REGULATIONS – See Schedule 7.**

**8. MINIMUM OFF-STREET PARKING AND LOADING SPACE – See Schedule 8.**



## TRANSITIONAL – T

**INTENT:** *To limit development of larger parcels, usually on the periphery of existing development, to uses which will not restrict or hinder more intensive urban development in the future.*

### 1. PERMITTED USES

Extensive agriculture  
Market gardens  
Nurseries  
Pasture land

### DISCRETIONARY USES

Accessory buildings and uses  
Campgrounds  
Golf courses  
Moved-in buildings  
One-family dwellings  
Parks and playgrounds  
Private recreation  
Public and private schools  
Residential accommodation in conjunction  
with an approved use  
Riding arena  
Signs  
Similar uses  
Sportsfields

### 2. MINIMUM LOT SIZE

2.0 ha (5 acres) – This minimum may be varied by the Municipal Planning Commission if there is provision of all-weather access and connections to all main services.

### 3. SPECIAL REQUIREMENT

The Municipal Planning Commission may require that a discretionary use only be approved when an area structure plan for the site has been adopted by council.

### 4. MINIMUM SETBACK REQUIREMENTS

As required by the designated officer or the Municipal Planning Commission.

### 5. MAXIMUM SITE COVERAGE

As required by the designated officer or the Municipal Planning Commission.

### 6. STANDARDS OF DEVELOPMENT – See Schedule 4.

### 7. MOVED-IN BUILDINGS – See Schedule 6.

### 8. SIGN REGULATIONS – See Schedule 7.



Schedule 3

**DEVELOPMENT NOT REQUIRING  
A DEVELOPMENT PERMIT**

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## DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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No development permit is required for the following:

1. Any development specifically exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the Municipal Government Act.
2. Development that will cost no more than \$500 including labour and materials that will otherwise comply with this bylaw including any applicable minimum setback requirements.
3. The carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major renovations.
4. Completion of a building lawfully under construction on the date of the first publication of the official notice of adoption of this bylaw required by section 606 of the Act, provided that:
  - (a) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions under which that permit was granted; and
  - (b) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the said official notice.
5. The use of any building referred to in sections 5(a) and (b) above for the purpose for which construction was commenced.
6.
  - (a) The erection or construction of gates, fences, walls, hedges or other means of enclosure other than on corner lots or where abutting on a road used by vehicular traffic (see Schedule 4, No. 2) less than 1.8 m (6 ft.) in height confined to the side and rear yards.
  - (b) The installation, maintenance, improvement or other alterations to any gates, fences, walls, hedges or other means of enclosure.
7. The erection or construction of buildings, works, plants or machinery needed in connection with operations for which a development permit and a building permit have been issued for the period of those operations.
8. The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled.
9.
  - (a) A sign in a residential district which is 0.7 m<sup>2</sup> (8 sq. ft.) or less in area excepting only a home occupation sign as described in Schedule 5, No. 4.
  - (b) Signs in all other districts which are 11.1 m<sup>2</sup> (120 sq. ft.) or less in area do not require a development permit.
10. A change in ownership or occupancy of a conforming use of land or buildings, unless that change results in a change of use from one separately defined or use designation to a different and separately defined use or use designation.



Schedule 4

**STANDARDS OF DEVELOPMENT**

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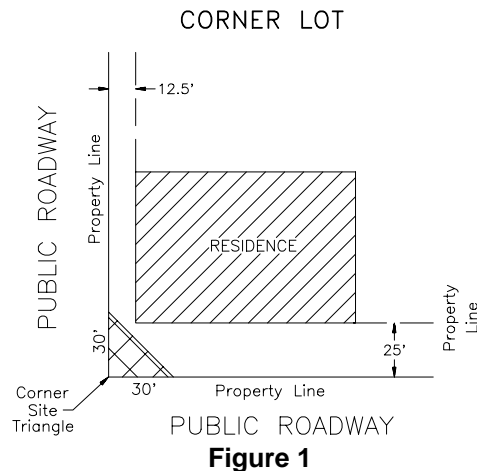
## STANDARDS OF DEVELOPMENT

### 1. QUALITY OF DEVELOPMENT

The designated officer or the Municipal Planning Commission may impose reasonable conditions on a development permit including landscaping or screening requirements or wherever doing so will improve the quality of any proposed development or its compatibility with nearby land uses or developments.

### 2. CORNER LOT TRIANGLE

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of 1.0 m (3.3 ft.) and 3.0 m (10 ft.) above the centre line grades of the intersecting streets in the area bounded by the property lines 9.1 m (30 ft.) from the point of intersection (or such other distance as may be required by the designated officer or Municipal Planning Commission) (see Figure 1).



### 3. MULTIPLE FRONT YARD PROVISION (Corner Lots)

Where any lot has more than one front yard line, the building setback required in the front yard shall apply to all yards, but at the discretion of the Municipal Planning Commission, only one-half the required front yard setback may apply to one of the front yards and that yard shall be considered a side yard (see Figure 1).

### 4. PORCHES

Any open or enclosed porch shall be considered part of the building in the determination of the size of yard or lot coverage.

### 5. PROJECTIONS OVER YARDS

The portions of, and attachments, to a principal building which may project over or into a yard are:

- (a) a canopy or eave which projects over a yard a distance not exceeding one-half the width of the minimum building setback required;
- (b) a chimney not more than 1.2 m (4 ft.) wide and projecting 0.6 m (2 ft.) or less over a yard.

### 6. BUILDING SETBACKS

- (a) The Municipal Planning Commission may waive the building setback requirements in an established area if the proposed setback will blend in with the prevailing yard pattern of adjacent buildings.

- (b) The Municipal Planning Commission may require varied building setbacks in developed or partly developed areas if doing so will enhance the appearance of that area.

**7. RETAINING WALLS, GRADING AND DRAINAGE**

- (a) The Municipal Planning Commission or designated officer may require the construction of a retaining wall as a condition of development if significant differences in grade exist or will exist between the parcel being developed and adjacent parcels.
- (b) The Municipal Planning Commission or designated officer may require grading provisions for control of surface drainage, including prevention of run-off onto neighbouring lots as a condition of approval.

**8. LANDSCAPING STANDARDS AND SCREENING**

- (a) The Municipal Planning Commission may impose landscaping or screening requirements on a development approval for a permitted and discretionary use if, in its opinion, these would serve to improve the quality or compatibility of the proposed development.
- (b) Where any parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Municipal Planning Commission shall require screening by buildings, fences, hedges, trees, berming or other landscaping features to its satisfaction.
- (c) the front yard shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Municipal Planning Commission.
- (d) In the case of corner lots, the minor street frontage shall also be landscaped to the satisfaction of the Municipal Planning Commission.
- (e) Landscaping may consist of any or all of the following:
  - trees, shrubs, lawn, flowers
  - large feature rocks, bark chips, field stone (limit of 25% of total landscaped area)
  - berming, terracing
  - other innovative landscaping features
- (f) Where screen planting is required, evergreens or flowering trees or shrubs should be used.

**9. SATELLITE DISHES**

- (a) A satellite dish antenna which exceeds 4.0 m (13 ft.) in overall height is an accessory use and requires a development permit before being installed.
- (b) A satellite dish antenna shall be situated so that no part of it is closer to the street than the main building and in no case shall it be less than 0.9 m (3 ft.) from any lot line.
- (c) Where any part of a satellite dish antenna is more than 4 m (13 ft.) above grade level, it shall be both screened and located to the satisfaction of the Municipal Planning Commission or designated officer.
- (d) No advertising shall be allowed on a satellite dish antenna.
- (e) The illumination of a satellite dish is prohibited.

**10. REFUSE COLLECTION AND STORAGE**

Refuse and garbage shall be effectively screened or kept in an enclosure of a size suitable for the type or scale of use involved.

**11. EXTERIOR BUILDING FINISHES**

The Municipal Planning Commission or designated officer may require that specific finishing materials and colour tones be utilized to maintain the compatibility of:

- (a) any proposed development with surrounding or adjacent developments;
- (b) any proposed additions or ancillary structures with existing buildings on the same parcel.

**12. SERVICING**

All development proposed for an unserviced area or parcel must be tied in to municipal servicing lines. Where no municipal servicing is available, development approval shall be subject to compliance with Regional Health Authority and appropriate provincial government standards for unserviced parcels.

**13. OUTDOOR FUEL STORAGE**

The outdoor storage of fuel in any residential land use district shall be suitably fenced to the satisfaction of the designated officer or the Municipal Planning Commission.

**NOTE:** *No hazardous chemical (as defined in the Hazardous Chemical Act) shall be permitted to be stored or kept within the village.*

**14. EASEMENTS**

In no case shall a building be located closer than 3 m (10 ft.) to a registered easement, or such greater distance as may be required by the Municipal Planning Commission.





Schedule 5

**HOME OCCUPATIONS**

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## HOME OCCUPATIONS

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1. No person other than members of the occupant's household and one paid assistant shall be engaged in any home occupation (as defined) on the premises.
2. The keeping of goods and materials for retail sale shall only be allowed if these items are not exposed to public view.
3. No variation in the residential character and appearance of the dwelling or land, including any accessory residential building, shall be permitted.
4. No advertising sign shall be permitted except a Municipal Planning Commission approved name plate attached to the residence and not exceeding 0.2 m<sup>2</sup> (2.2 sq. ft.) in area or such greater size as the Commission deems appropriate.
5. The use shall not generate more vehicular traffic or pedestrian traffic and vehicular parking than normal within the immediate neighbourhood.
6. Except with the approval of the Municipal Planning Commission, no commercial vehicle of a capacity greater than 680 kg (0.75 tons) shall be parked or maintained on or about the lot concerned.
7. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare produced by the use shall be discernible beyond the lot boundaries.
8. No use shall cause an increase in the demand placed on any municipal service or utility (water, sewer, garbage, etc.) such that the combined total consumption for that service or utility by a dwelling and its home occupation greatly exceeds the average for residences in the municipality.
9. No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or district in which the home occupation is located.
10. All permits issued for home occupations shall be subject to the condition that the permit is reviewed annually and may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use has become detrimental to the residential character and amenities of the neighbourhood.
11. No development permit shall be issued for a home occupation involving a use declared by resolution of council to be undesirable as a home occupation.
12. The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

**NOTE:** *All home occupations shall possess a village approved business license and only one license shall be issued per dwelling.*



Schedule 6

**MOVED-IN BUILDING STANDARDS**

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## MOVED-IN BUILDING STANDARDS

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All moved-in buildings shall comply with the following:

1. The building and the lot upon which it is to be located shall be subject to all conditions and regulations specified for the particular district as set out in this bylaw.
2. The building, when completed, shall:
  - (a) meet all requirements of the Alberta Uniform Building Standards Act; and
  - (b) comply with all provincial health and fire regulations and with all applicable municipal bylaws.
3. The value per square foot of the completed building shall be comparable to, or better than the average value of the other buildings in the immediate area which have a similar function.
4. The standards to which the building shall comply shall be established by the Municipal Planning Commission at the time of approval of the application and shall form a part of any conditions accompanying the development permit.
5. A report by a certified building inspector regarding each application shall be submitted to the Municipal Planning Commission before any such application will be considered.
6. A time limit for completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission as a condition of approval of any application.
7. Every application for a moved-in building shall be accompanied by recent colour photographs of all exterior sides.
8. The Municipal Planning Commission may require an irrevocable letter of credit or a performance bond of not less than \$2,000 be posted to ensure that any conditions attached to a development permit are met.
9. A final inspection by a qualified building inspector shall be made to establish full compliance with all requirements of the provincial building regulation at the applicant's expense.
10. No building shall be moved in or otherwise relocated until at least 17 days after a development permit has been issued, or in the event of an appeal, until the appeal is decided.





Schedule 7

**SIGN REGULATIONS**

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## SIGN REGULATIONS

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### 1. PERMITS REQUIRED

- (a) Except as provided in Schedule 3, a development permit must be obtained before a sign is enlarged, relocated, constructed or altered.
- (b) Where a development permit is required pursuant to this schedule, it shall be considered and processed as a discretionary use application in accordance with this land use bylaw's requirements.

### 2. GENERAL REQUIREMENTS

- (a) Signs and billboards are prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises.
- (b) One or more lawn, fascia and/or freestanding signs may be considered as discretionary use subject to the following limitations:
  - (i) not more than two signs shall be permitted on a single premises;
  - (ii) no sign shall exceed 11.1 m<sup>2</sup> (120 sq. ft.) in area;
  - (iii) no sign shall be illuminated unless the source of light is steady and suitably shielded;
  - (iv) the maximum height of a sign not attached to a building shall be 6.1 m (20 ft.);
  - (v) the maximum height of any lawn sign shall be 1.5 m (5 ft.);
  - (vi) the location of any lawn sign shall be such that it does not become a visual obstruction to traffic.
- (c) Directional and information signs may be permitted by the Municipal Planning Commission where reasonably required.
- (d) Variances may be considered by the Municipal Planning Commission only in exceptional circumstances.
- (e) All signs shall be maintained in a safe and tidy manner to the satisfaction of the designated officer.
- (f) No roof signs or fascia signs extending more than 0.5 m (1.6 ft.) above a roof line shall be permitted.
- (g) Signs resting on or attached to any public roadway or sidewalk are not permitted.
- (h) A canopy or marquee sign may be permitted by the Municipal Planning Commission subject to reasonable requirements concerning its height above grade, structural integrity and any requirements that the Commission feels are appropriate.



Schedule 8

**OFF-STREET PARKING AND  
LOADING AREA REQUIREMENTS**

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## OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

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**1. OFF-STREET PARKING**

- (a) Parking areas shall be constructed in a manner which allows adequate drainage, snow removal and maintenance.
- (b) The designated officer or Municipal Planning Commission may require that parking areas or portions thereof be paved
- (c) As a condition of approval, the Municipal Planning Commission may waive the provision of one or more parking spaces by levying a fee, the value of which will be established by resolution of council.

**2. OFF-STREET PARKING**

All parking space provided shall be on the same lot with the building or use, except that the Municipal Planning Commission may permit the parking space to be on a lot within 152.4 m (500 ft.) of the building (or use) if it determines that it is impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat, to the approval of council, shall be registered against the lot.

**3. SPECIFIC REQUIREMENTS**

Use	No. of Stalls Required
Dwellings:	
Single family homes and mobile homes.....	2 per dwelling
Two family dwellings.....	1.5 per dwelling unit
All others.....	As required by the MPC or designated officer
Licensed premises.....	1 per 3 seating spaces
Retail stores, personal and professional services.....	1 per 55.7 m <sup>2</sup> (600 sq. ft.) of gross floor area
Banks and offices .....	1 per 65.0 m <sup>2</sup> (700 sq. ft.) of gross floor area
Hotels and motels .....	1 per guest room
Restaurants .....	1 per 4 seating spaces
Service stations .....	1 per employee and 2 per service bay
Industrial uses and public utility structures .....	1 per 65.0 sq. m (700 sq. ft.) of gross floor area; or 1 per 3 employees whichever is greater with a minimum of 2 spaces per use

Use	No. of Stalls Required
Public assembly buildings, e.g. churches, community halls, lodges, etc.....	1 per 6 seating spaces or per 5.1 m <sup>2</sup> (55 sq. ft.) whichever is greater
All other uses .....	As required by the MPC or designated officer

**4. LOADING AREA REQUIREMENTS AND GUIDELINES**

- (a) For each commercial, industrial and other non-residential use a minimum of one 9.1 m (30 ft.) x 3.0 m (10 ft.) off-street loading area shall be provided.
- (b) The designated officer or the Municipal Planning Commission may:
  - (i) require additional loading areas for a proposed development; and
  - (ii) approve a joint loading area serving two or more adjacent uses of buildings.
- (c) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe movement of pedestrians, vehicular traffic and parking.
- (d) Loading space shall be encouraged in off-street locations with lane access at the rear of the principal building or in other suitable areas effectively screened from public view by solid fences or other devices approved by the designated officer or the Municipal Planning Commission.



Schedule 9

**SWIMMING POOL REGULATIONS**

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## SWIMMING POOL REGULATIONS

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### 1. ENTRY RESTRICTIONS

- (a) Every private swimming pool shall be secured against entry by the public other than owners, tenants or their guests.
- (b) No privately-owned outdoor swimming pool shall be constructed unless fenced, except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.
- (c) Every fence enclosing an outdoor swimming pool shall be at least 1.8 m (6 ft.) in height above the level of the grade outside the enclosure, and shall be an approved design such that it will reasonably deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection equivalent to the fence and shall be equipped with a self-latching device and lock located on the inside of the gate.
- (d) no barbed wire nor electrification of any part of a fence or gate or other potentially hazardous devices shall be permitted to deter entry.

### 2. SAFETY REQUIREMENTS

A private swimming pool shall be provided with at least one exit ladder or stair from the deepest part of the pool, where the dimension of the pool on its longest axis does not exceed 9.1 m (30 ft.). An additional ladder or stair is to be provided at the opposite end of the pool where the pool exceeds 9.1 m (30 ft.).

### 3. TREATMENT OF WATER

The method and degree of treatment of water for all private swimming pools shall be to the satisfaction of the health officer.

### 4. DRAINING

The draining of a swimming pool shall not be carried out in such a manner as to cause run-off onto neighbouring properties or a public street.

### 5. SITE RESTRICTIONS

Swimming pools shall not be located within any required front yard.



Schedule 10

**FORMS AND APPLICATIONS**

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**VILLAGE OF LOMOND  
APPLICATION FOR A DEVELOPMENT PERMIT**

**FORM A**

**LAND USE BYLAW NO. 553**

**PROCESSING FEE** \_\_\_\_\_

**DEVELOPMENT APPLICATION NO.** \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

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

REGISTERED OWNER'S NAME (if not the applicant): \_\_\_\_\_

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

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: \_\_\_\_\_

(Option - Lease - Other)

**In order to properly evaluate an application for development, the designated officer must be provided with a complete and clear description of the land and all existing and proposed structures.**

**1. Details of DEVELOPMENT Site:**

Show the **lot dimensions** on a scaled PLOT PLAN, e.g. (1" = 20' – 0-4 acres; 1' = 100' – 5-9 acres; 1" = 200' – 10 or more acres)

**2. Details of EXISTING DEVELOPMENT:**

Describe below and indicate on the PLOT PLAN each building or structure presently located on the lot; noting the **use(s), dimensions, setbacks and floor area(s)** and which one(s), if any, are to be removed, relocated and/or renovated.

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

The Municipal Planning Commission may require a surveyor's certificate to ensure the location of any buildings or structure(s) on the lot.

**3. Details of PROPOSED DEVELOPMENT:**

Describe below and indicate clearly on the PLOT PLAN all new buildings, additions and structures to be constructed on the lot, noting the **use(s), dimensions, setbacks and floor area(s)** of each as well as any proposed interior renovations, changes in use, or home occupations (if applicable).

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

**TOTAL ESTIMATED COST** of labour and materials for development: \_\_\_\_\_

**4. Details of VEHICLE PARKING and ACCESS**

Show **location** and **number** of all existing and proposed **parking spaces, loading spaces** and **driveways** on the PLOT PLAN.

**5. Details of EXTERIOR BUILDING FINISH**

Describe the **type(s)** \_\_\_\_\_ and **colour(s)** \_\_\_\_\_ of all material used to finish the existing and proposed structure exteriors.

Estimated **Commencement** Date: \_\_\_\_\_

Estimated **Completion** Date: \_\_\_\_\_

*I have read and understand the terms and conditions noted below and hereby apply for permission to carry out the development described above and on the attached plans and specifications. I further certify that the registered owner of the land described above is aware of, and in agreement with this application.*

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

**SIGNED:** \_\_\_\_\_  
**Applicant**

**SIGNED:** \_\_\_\_\_  
**Registered Owner** (if not applicant)

**TERMS AND CONDITIONS:**

1. Subject to the provisions of the Land Use Bylaw No. 553 of the Village of Lomond, the term "development" includes any change in the use of buildings or land.
2. Although the designated officer may be able to advise on the principle or details of any proposals, such advice does not comprise official consent, and is without prejudice to the disposition of a development application. Any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with information sufficient to identify the lot or parcel. Plans and drawings should be drawn at a scale appropriate to the development. However, unless requested by the designated officer, it is not necessary for these to be professionally prepared.
4. **If a decision is not made within 40 days** from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, **the application shall be deemed to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period as provided in section 684 of the Act.
5. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Alberta Uniform Building Standards Act**. The applicant assumes all responsibilities pertaining to construction plan submissions, approval and inspections that may be required by the **Alberta Labour**.



**VILLAGE OF LOMOND  
NOTICE OF DECISION ON APPLICATION FOR A  
DEVELOPMENT PERMIT**

**FORM B**

**LAND USE BYLAW NO. 553**

**DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

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

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

In the matter of development property located at \_\_\_\_\_  
\_\_\_\_\_

The development as specified in Development Application No. \_\_\_\_\_ has been:

APPROVED

APPROVED subject to the following conditions:

REFUSED for the following reasons:

**DATE:** \_\_\_\_\_ **SIGNED:** \_\_\_\_\_  
Designated Officer

**NOTES:**

1. You may appeal this decision by written notice to the Secretary of the Subdivision and Development Appeal Board within 14 days of the date of notification of decision.
2. A development permit becomes effective 17 days after the date it is issued, unless an appeal is lodged pursuant to section 686(1) of the Act. If an appeal is lodged, then a permit will only become effective upon a Subdivision and Development Appeal Board decision confirming it.
3. Approval of a development in no way removes or lessens the applicant's obligation to obtain any permit or approval required under any Federal, Provincial or Municipal legislation, order and/or regulations pertaining to the development including a building permit.



**VILLAGE OF LOMOND  
DEVELOPMENT PERMIT**

**FORM C**

**LAND USE BYLAW NO. 553**

**DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

This development permit is hereby issued to:

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

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

In respect of works consisting of: \_\_\_\_\_

The permit is issued subject to the following conditions: \_\_\_\_\_

On land located at: \_\_\_\_\_

and as described on Development Application No. \_\_\_\_\_ and accompanying plans.

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

**SIGNED:** \_\_\_\_\_

**Designated Officer**

**IMPORTANT:**

This permit is subject to the following conditions:

1. A development permit for a discretionary use becomes effective 17 days after the date it is issued unless an appeal is lodged pursuant to section 686(1) of the Act, in which case a permit only becomes effective upon a Subdivision and Development Appeal Board decision confirming it.
2. This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
3. If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit unless an extension has been applied for and has been approved by the Municipal Planning Commission or the designated officer.
4. The designated officer or Municipal Planning Commission may require cessation of work and the suspension, revocation or modification of the permit when the development for which the development permit has been issued is not being carried out or completed to the extent or in the manner originally approved.

5. Notwithstanding anything contained herein to the contrary, the granting of a development permit shall:
  - (a) indicate only that the development to which the permit relates is authorized in accordance with the provisions of the Land Use Bylaw and shall in no way relieve or excuse the applicant from complying with any other bylaws, laws, orders and/or regulations affecting such works;
  - (b) be without prejudice to the municipality's right to refuse any other permit or approval that may be required in respect of the development by this or any other bylaw, law, order and/or regulation affecting such works.
6. If the use for which this development is issued is discontinued for one year or more, then a new application for development to recommence said use must be made in accordance with the provisions of the land use bylaw.
7. The issuance of this development permit is subject to the condition that it does not become effective until 17 days after the date of the issuance of the notice of decision. Should this decision be appealed within 17 days after the notice of decision has been issued, the permit shall not become effective until the appeal shall have been determined and the permit upheld thereby. SHOULD DEVELOPMENT BE COMMENCED WITHIN THE 17-DAY TIME FRAME AND AN APPEAL BE LAUNCHED AGAINST THIS PROPOSAL AND SUBSEQUENTLY BE UPHeld BY THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD, ANY COSTS INCURRED SHALL BE AT THE SOLE EXPENSE OF THE DEVELOPER.

**VILLAGE OF LOMOND  
NOTICE OF HEARING OF APPEAL**

**FORM D**

**LAND USE BYLAW NO. 553**

**DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

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

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

A public hearing in the matter of the Appeal of \_\_\_\_\_,  
a resident of \_\_\_\_\_, against the decision of the  
designated officer / Municipal Planning Commission concerning Development Application No.  
\_\_\_\_\_, being the application for a development permit for  
\_\_\_\_\_ at \_\_\_\_\_

by \_\_\_\_\_ shall be heard by the Subdivision and Development  
Appeal Board of the Village of Lomond on the \_\_\_\_\_ day of \_\_\_\_\_,  
at \_\_\_\_\_ o'clock (a.m./p.m.) The hearing will be held in the \_\_\_\_\_  
\_\_\_\_\_.

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

**SIGNED:** \_\_\_\_\_

**Designated Officer**



**VILLAGE OF LOMOND  
APPLICATION FOR LAND USE BYLAW AMENDMENT**

**FORM E**

**LAND USE BYLAW NO. 553**

**PROCESSING FEE** \_\_\_\_\_

**DATE RECEIVED BY DESIGNATED OFFICER** \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

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

REGISTERED OWNER'S NAME (if not applicant): \_\_\_\_\_

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

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: \_\_\_\_\_

(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: LOTS(s) \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_

QUARTER \_\_\_\_\_ SECTION \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_

STREET ADDRESS (if applicable) \_\_\_\_\_

NATURE AND REASONS FOR AMENDMENT REQUEST: \_\_\_\_\_

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

***I have read and understand the terms noted below and hereby apply for reclassification as described.***

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

**SIGNED:** \_\_\_\_\_

**Applicant**

**SIGNED:** \_\_\_\_\_

**Registered Owner** (if not applicant)

Approved by Amending Bylaw No. \_\_\_\_\_ Third and Final Reading Date \_\_\_\_\_

Refused (date) \_\_\_\_\_

**TERMS:** A **refusal** is not appealable and a subsequent application for amendment involving the same lot for the same or a similar use may not be made for at least 6 months after the date of refusal.





APPENDIX A

**FEES**

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**FEES**

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1. Development permit fees are to be as established by resolution of council.
2. Appeals to the Subdivision and Development Appeal Board must be accompanied by a fee as established by resolution of council.

