

VILLAGE OF THORSBY



LAND USE BYLAW 2000-05 AND PERMIT FEE SCHEDULE

*EFFECTIVE DATE
SEPTEMBER 25, 2000*

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In the event that there is a discrepancy between this document and the original bylaw 2000-05 and amendments, the original bylaw and amendments are to be taken as correct.

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VILLAGE OF THORSBY

**LAND USE BYLAW 2000-05
AND
PERMIT FEE SCHEDULE**

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BYLAW 2000-05

**THE LAND USE BYLAW OF THE VILLAGE OF THORSBY
PROVINCE OF ALBERTA**

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

1. PURPOSE

The purpose of this bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, among other things:

- to divide the municipality into districts;
- to prescribe and regulate for each district the purposes for which land and buildings may be used;
- to establish the office of Development Authority;

- to establish a method of making decisions on applications for development permits including the issuing of development permits;
- to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit; and
- to establish a procedure for appeals against the decisions of the Development Authority.

2. DEFINITIONS

In this bylaw:

Abut or abutting means immediately contiguous to or physically touching, and when used in respect of a lot, means that the two abutting lots share a property line.

Accessory building means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same lot. A garage attached to a main building is deemed to be part of the main building.

Accessory use means a use customarily incidental and subordinate to the main use or building and located on the same lot with such main use or building.

Act means the *Municipal Government Act* and the regulations pursuant thereto.

Agriculture means all forms of farming except for intensive livestock facilities.

Apartment building means a building containing at least three separate dwellings, which share a common entrance from outside the building.

Applicant means an owner, agent or any person, firm, or company required to obtain or having obtained a development permit.

Area structure plan means a plan adopted by Council pursuant to the Act.

Bed and breakfast establishment means a business operated in a private house in which up to three rooms are made available for rent to short-term paying guests.

Billboard means a freestanding sign attached permanently and securely to the ground, engineered and maintained to the satisfaction of the Development Authority.

Building permit means a permit authorizing construction and issued under the Safety Codes Act.

Church means a place of worship of any faith.

Council means the Council of the Village of Thorsby.

Detached house means a building which contains one dwelling unit and which may also contain one “granny” or “nanny” suite.

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

Duplex means a building containing two dwelling units side by side, sharing a common wall, with separate outside entrances for each dwelling unit. It does *not* mean one dwelling unit above another.

Dwelling means a self-contained living premises with cooking, eating, living, sleeping, and sanitary facilities for domestic use of one or more individuals.

Easement means a right to use land, generally for access to other property, or as a right-of-way for a public utility.

Front means, in the case of a corner lot, the shorter side.

Front yard means that portion of the site extending across the full width of the lot from the front property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the front property boundary. Where a lot fronts on two or more streets, the Development Authority may designate one or more streets as the front of the lot.

Grade means the average elevation of the corners of a lot.

Granny or nanny suite means a self-contained suite within a detached residence, intended for use by a dependent or servant of the owner or occupier of the detached residence, and not rented or leased.

Group home means a facility which provides accommodation for up to six people who may be aged, disabled, or undergoing rehabilitation, and where qualified staff are present at all times.

Height (of a building) means the vertical distance from grade level to the highest point on the roof of the building, but excluding chimneys and aerials.

Home business means a business, trade, craft occupation, storage activity, or other commercial operation on a residential lot on a scale greater than a home office.

Home office means an office in a dwelling which

- is not visited by a significant number of clients,
- does not change the external appearance or residential character of the dwelling, and
- is carried on only by the residents of that dwelling,

and includes child care for up to three children who do not live at that place.

Lot means an individual lot or parcel (including a condominium lot) for which a title has been issued under the Land Titles Act, or, where two or more lots are “tied” for assessment purposes, or are included in a single title, the area encompassed by the two or more lots.

Main building means a building in which is conducted the main or principal use of the lot on which it is erected.

Manufactured house or housing means a single detached dwelling built off-site in one or more sections, and intended to be occupied in a place other than where it is manufactured, and which meets the Canadian Standards Association Z240 or A277 standards and conforms to the Alberta Building Code. Manufactured homes were previously called mobile homes.

Modular house or housing means a single detached dwelling which resembles a site-built home in design, construction, and all respects, but which is constructed elsewhere and is assembled after delivery to the site.

Municipal Development Plan means the plan adopted by Bylaw 84-2.

Municipality means the Village of Thorsby.

Owner means, in addition to the meanings set out in the Act, a 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 of the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title.

Parking stall means a hard-surfaced area at least 6 meters in length and 3 meters in width, reserved for the parking of motor vehicles.

Permitted use means the use of land or a building provided for in this bylaw, and for which, if it complies in every way with this bylaw, a development permit *shall* be issued with or without conditions as provided for in this bylaw.

Rear yard means that portion of the site extending across the full width of the lot from the rear property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the rear property line.

Residence means any building or structure used exclusively or primarily for human habitation and includes multiple dwellings, apartments, lodging and boarding houses, and (unless more closely defined for the purposes of one section of the bylaw) includes manufactured and modular homes.

Road means the entire width of the right-of-way of a road or lane shown on a township plan, road plan, or plan of subdivision and not only the built traveling surface.

Service station means a business selling motor fuels to the public, and includes freestanding service stations, gas bars, and the fuel sales component of any automobile supply or repair business.

Setback means the distance between the closest part of the foundations of a building and the front, side, or rear property line of the lot, measured at right angles to that property line.

Side yard means that portion of the site extending from the front yard to the rear yard and lying between the side property boundary of the lot and the nearest portion of the exterior wall of the building, and shall be measured at right angles to the side property boundary.

Sign means an object or device primarily intended to advertise or call attention to any person, matter, thing or event.

Suite means an area within a residence, which provides a self-contained living area with its own cooking and washing facilities.

Use means a use of land or a building as determined by the Development Authority, or on appeal by the Subdivision and Development Appeal Board.

Utility building means a building in which the proprietor of a utility company maintains his office(s) and/or maintains or houses any equipment used in connection with the utility.

Yard means the open space between the outside wall of the main building on a lot and the boundaries of that lot.

3. INTERPRETATION

3.1. Any doubt as to the meaning of a word, or the boundaries of a land use district shown on Schedule C, shall be settled by a resolution of Council.

3.2. In accordance with Alberta Land Titles practice, all areas and distances in this bylaw are in metric measure. Imperial equivalents are given as a convenience but may not be exact. In case of conflict, the metric measure shall govern.

3.3. The words *he*, *him*, and *his* are to be read as *she*, *her*, and *hers*, and the singular is to be read as the plural, as the case requires.

3.4. Where the boundary of a lot is also the boundary between two land use districts, and the lot boundary is then changed through subdivision, the land use classification follows the new boundary.

4. DEVELOPMENT AUTHORITY

4.1. The office of Development Authority is hereby established and shall be filled by a person appointed by resolution of Council.

4.2. The Development Authority shall:

4.2.1. maintain a copy of this bylaw as amended, and make it available to any person on a cost recovery basis;

4.2.2. maintain a register of all applications; the decisions made on them, and the reasons for those decisions, and make it available to any person at no charge;

4.2.3. review and process all applications for a development permit, and make and issue a decision in accordance with this bylaw;

4.2.4. enforce this bylaw in conformance with the Act; and

4.2.5. carry out the other duties imposed on him by this bylaw and the Act.

- 4.3. For the purposes of Section 542 of the Act, the Development Authority is an authorized person of the municipality.

5. SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board established by Bylaw 95-10 shall hear and decide upon appeals against the decision (or lack of decision) of the Development Authority.

6. DEVELOPMENT PERMIT REQUIRED

No development other than that listed in Section 7 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

7. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- 7.1. Those uses of land or a building which are *exempt* under Section 618 or 619 of the Act or under regulations pursuant to those sections;
- 7.2. The *completion and use* of a building which was lawfully under construction at the date of adoption of this bylaw;
- 7.3. The use of a building or property which was authorized under a *previous bylaw*;
- 7.4. The *maintenance* of or repairs to any building, provided that such works do not include structural alterations or major works of renovation;
- 7.5. Internal *alterations* to a building, provided these alterations do not result in an increase in the number of dwelling units in the building (but a permit under the Safety Codes Act may still be required);
- 7.6. The 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 metre in height in front yards and less than 1.5 metres in side and rear yards, and subject to Section 4 of Schedule A;

7.7. *Landscaping and paving*, provided that grades and water flows are not substantially altered;

7.8. The construction or maintenance of any utility, work, or improvement undertaken by the municipality or a utility in a *street or utility lot*;

7.9. A *temporary* building or sign, 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;

7.10 A *change of use* of land or building where the new use is permitted in that land use district and conforms in every way with this bylaw;

7.11 New single storey buildings, not on permanent foundation, under 15 square metres (160 sq ft) in size which are *accessory* to a residential use. These buildings are bound by yard and setback rules.

8. NON-CONFORMING BUILDINGS AND USES

If a building or land use is not allowed in this bylaw, but was legally in existence at the date of passage of this bylaw, it may continue legally as a non-conforming use and be maintained, pursuant to Section 643 of the Act, but it may not be enlarged or replaced except pursuant to Section 11.6 of this bylaw.

9. APPLICATION FOR A DEVELOPMENT PERMIT

9.1. An application for a development permit shall be made to the Development Authority in writing on the appropriate form, signed by the owner or his authorized agent, and shall be accompanied by:

9.1.1. a statement of the former, present, and proposed use of a lot and any buildings on it;

9.1.2. the legal description and municipal address;

9.1.3. a site plan drawn to scale and showing the boundaries of the lot, the locations of existing and proposed buildings, any front, rear, and side yards, any provision for off-street loading and vehicle parking, and access and egress points to the site;

9.1.4. all easements and utilities, and the proposed connections to utilities;

9.1.5. the proposed site grading and drainage;

9.1.6. the estimated commencement and completion dates of any construction;

9.1.7. the estimated cost of the project or contract price; and

9.1.8. the appropriate fee.

9.2. The Development Authority may also request:

9.2.1. details of the proposed finish of the building and the landscaping of the lot;

9.2.2. a real property report drawn by an Alberta Land Surveyor, if there is any doubt
as
to the boundaries of the lot;

9.2.3. engineering and other reports to prove the safety and suitability
of the site for the purpose intended, including a declaration that the site is free
from contamination; and

9.2.4. a copy of the current title to the lot.

9.3. In the case where an application for a development permit has been refused
initially or on appeal, the Development Authority may refuse to accept another
application for a permit on the same property, and for the same or similar use of the
land by the same or any other applicant for six months after the date of previous
refusal, unless the circumstances have changed sufficiently to warrant otherwise.

10. PUBLIC CONSULTATION PRIOR TO DECISION

Before deciding on an application for a development permit for a discretionary use, or before relaxing or waiving or interpreting any part of the bylaw, the Development Authority may consult the owners of nearby land by mail or by advertising in the local newspaper, and if the neighbouring landowners reply within 14 days, the Development Authority shall consider their comments and recommendations before issuing a development permit.

11. DECISION BY THE DEVELOPMENT AUTHORITY

11.1. Except in the Direct Control district, the Development Authority shall decide on all applications for a development permit.

11.2. The Development Authority shall decide upon an application for a development permit within 40 days of receiving a complete application.

11.3. An applicant for a development permit may authorize the Development Authority, in writing, to take a longer period of time to make a decision.

11.4. An application for a development permit may, at the option of the applicant, be deemed to be refused when a decision is not made on it by the Development Authority within 40 days after receipt of the application by the Development Authority, and the applicant may appeal as if the application had been refused.

11.5. In the case where a proposed specific use of land or a building is not provided for in any district in this bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule B, and approve it.

11.6. The Development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this bylaw, if, in his opinion,

11.6.1. the proposed development would not

11.6.1.1. unduly interfere with the amenities of the neighborhood, or

11.6.1.2. materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land, and

11.6.2. the proposed development conforms with the use prescribed for the land or building in this bylaw,

and this power extends to non-conforming buildings pursuant to Section 643(5)(c) of the Act.

11.7. In making a decision, the Development Authority may approve the application unconditionally, or impose conditions considered appropriate, permanently, or for a limited period of time, or refuse the application.

11.8. When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

11.9. The Development Authority may issue a development permit subject to the condition that the applicant:

11.9.1. amends the proposal to conform with this or other bylaws;

11.9.2. pays an off-site levy or redevelopment levy imposed by bylaw;

11.9.3. enters into an agreement pursuant to Section 650 of the Act concerning servicing of the site;

11.9.4. registers an easement to protect a utility line;

11.9.5. repairs any municipal improvements that may be damaged as a result of the development;

11.9.6. finishes a building, or landscapes or paves a lot;

11.9.7. grades a lot to the satisfaction of the municipality;

11.9.8. supplies parking to meet the requirements of the bylaw;

11.9.9. registers a restrictive covenant concerning architectural controls and landscaping;

11.9.10. deposits a letter of credit or performance bond guaranteeing that any of the above conditions are met.

12. DEVELOPMENT PERMITS

12.1. A development permit does not come into effect until 14 days after the date of issue, and if a person starts construction prior to that, he does so at his own risk because the permit may be overturned on appeal.

12.2 If a valid appeal is made pursuant to this bylaw, a development permit, which has been granted, shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.

12.3 A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant and to any person who has expressed an interest in the matter.

13. SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT

13.1. If the development authorized by a permit is not commenced within 12 months from the date of issuance, or carried out with reasonable diligence, the permit is void, unless an extension has previously been granted by the Development Authority.

13.2. If a Development Permit was issued in error or was obtained through misrepresentation, the Development Authority may revoke it by sending a notice to the applicant by double registered mail.

14. NOTICE OF DECISION

When a permit has been granted for a discretionary use, or pursuant to Subsections 12.5 or 11.6 of this bylaw, the Development Authority

14.1. Shall immediately mail a notice in writing to the registered owners of all land within 50 metres (165 feet) and to any other person who may, in his opinion, be affected; and

14.2. May immediately publish in a newspaper circulating in the municipality a notice stating the location of the property for which the application has been made and the use approved; and

14.3. May post a notice of the decision conspicuously on the property for which the application has been made,

And the notice shall set out the rights of persons to appeal against the issuance of the Development Permit.

15. APPEAL PROCEDURE

15.1. An appeal against a decision of the Development Authority shall be launched by filing notice, with the appropriate fee, with the Secretary of the Subdivision and Development Appeal Board.

15.2. The procedure for hearing and determining appeals against a decision of the Development Authority shall be as set out in Sections 684 to 687 of the Act.

15.3. No appeal lies against a development permit for a permitted use unless the bylaw was relaxed, varied, or misinterpreted.

15.4. In making its decision, the Development Appeal Board *is bound* by the uses of land set out in this bylaw, and *shall have regard for* all other parts of this bylaw and all statutory plans.

16. JUDICIAL REVIEW

A decision of the Subdivision and Development Appeal Board is final and binding on all persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the Act.

17. CONTRAVENTION

17.1. If the Development Authority finds that a development or use of land or buildings is not in accordance with:

17.1.1. the Act or Regulations, or

17.1.2. a development permit or subdivision approval, or

17.1.3. this bylaw,

He may proceed in accordance with Sections 541 to 556 and/or Sections 645 and 646 of the Act.

17.2. Contravention of this bylaw is an offence and is subject to a fine not more than \$500.00 under Section 566 of the Act.

17.3. If a person, knowing that a development permit is required, starts construction before obtaining such a permit, the fee for the development permit shall be doubled.

18. AMENDMENT

18.1. A person may apply to have this bylaw amended, by applying in writing, giving reasons in support of the application, and paying the appropriate fee.

18.2. An application to change the district of any land may be initiated only by the owner of that land, or by Council.

18.3. An amendment to this bylaw must be consistent with the Act and Regulations, and with any municipal development plan or area structure plan that has been adopted by bylaw.

18.4. A proposal to amend the bylaw must be advertised in the manner specified in Section 606 of the Municipal Government Act. *(Added by bylaw 2003-08)*

19. FORMS AND FEES

Forms and fees referred to in this bylaw shall be established by resolution of Council.

20. CONTINUATION OF CONTROLS

A condition attached to a development permit issued under a former bylaw continues under this bylaw.

21. REQUIREMENTS OF OTHER AUTHORITIES

21.1. A development authorized under this bylaw is subject to provincial and federal law, other bylaws, statutory plans, inter-municipal agreements, and any easements, caveats, covenants, and other encumbrances on the title to the land in question.

21.2. Nothing in this bylaw removes the obligation of a person to obtain other permits, licenses, or approvals under other legislation.

22. LAND USE DISTRICTS AND REGULATIONS

22.1. For the purposes of this bylaw the municipality is divided into the following districts:

R1	Low density residential
R1A	Narrow Lot Single Residential
R2	Medium density residential
R3	High density residential
RM	Mobile home subdivision
C1	Downtown Commercial
C1A	Downtown Commercial
C2	Highway commercial
M	Industrial
P	Park
I	Institutional
UX	Urban expansion
DC	Direct control

22.2. In all districts, development is regulated as set out in Schedule A.

22.3. Within individual districts, development is regulated as set out in Schedule B.

22.4. The boundaries of land use districts are as set out in Schedule C.

22.5. Schedules A, B, and C contained herein form part of and have full force in this bylaw.

22.6. Roads and other land to which no title has been issued are not included in any land use district.

22.7 Where a lot boundary is the boundary of a land use district, and the boundary of that lot is changed, and the land classification is adjusted to conform with the new lot boundary.

23. REPEAL OF EXISTING BYLAWS

Bylaw 90-3 and any amendments thereto are repealed.

24. DATE OF COMMENCEMENT

This bylaw comes into effect upon the date of third reading.

**VILLAGE OF THORSBY
LAND USE BYLAW 2000-05
SCHEDULE A
GENERAL REGULATIONS**

1. CONTAMINATED SITES

If it appears to the Development Authority that the site may be contaminated as a result of the former use, or if an application for a development permit indicates that the site was previously used for another purpose, the Development Authority may require the applicant to supply evidence that the site is free of contamination and suitable for the proposed use, and lacking such information, the Development Authority may refuse the application.

2. DESIGN, CONSTRUCTION, AND TREATMENT OF BUILDINGS

The Development Authority may refuse to issue a development permit for a building, the design, construction, or treatment of which is, in his opinion, incompatible with the neighboring buildings.

3. DECKS

For the purpose of establishing yards and setbacks,

3.1. a deck which is attached to a main building, and which has a walking surface 60 cm (2 feet) or more above ground, is deemed to be part of the main building; and

3.2. a deck which has a walking surface less than 60 cm (2 feet) above ground is not bound by yard and setback requirements.

4. FENCES

4.1. In residential districts, no fence shall be higher than 1.75 metres (6 feet) in side and rear yards and no higher than 1 metres (3 feet) in front yards.

4.2. The height limits for front yard apply to any side of a lot facing or flanking a street.

4.3. The maximum fence heights allowed in this section do not apply to swimming pools, which are governed by the Alberta Building Code.

4.4. Barbed wire may be used only

4.4.1. for fences surrounding land on which the grazing of livestock is allowed, and

4.4.2. as the top strand of a fence in a commercial or industrial district, and provided the top strand is at least 1.75 metres (6 feet) above ground level.

4.5. No electric fence shall be constructed except as an internal cross-fence on land on which grazing of livestock is allowed.

4.6. Subject to the foregoing, no development permit is required for fences or gates.

5. GARAGES

In front of the vehicle doors of every garage in a residential district there shall be a parking stall located entirely on the lot, as shown on Figure 1.

6. GRADING OF LOTS

6.1. No land shall be filled or raised, and no grading or drainage shall be undertaken, affecting adjacent property, unless a development permit has been issued for the work.

6.2. The Development Authority *may* require that a development permit application for a new building shall include a lot grading and drainage plan.

7. LIVESTOCK

7.1. No livestock other than normal domestic pets shall be kept in any district except UX.

7.2. This section does not apply to auction marts or veterinary clinics.

8. MOVED IN BUILDINGS

Any building moved on to a lot shall be of new construction unless otherwise allowed in a particular land use district by Schedule B. *(added by Bylaw 2002-03)*

9. OVERHANGS AND ENCROACHMENTS WITHIN A LOT

9.1. Balconies may encroach into yards by the following distances:

9.1.1. 1.5 metres (5 feet) into yards of 4 metres (13 feet) or more, and

9.1.2. 60 cm (2 feet) into yards of less than 4 metres (13 feet).

9.2. Other features attached to a building such as bay windows, chimneys, eaves, open steps, and sills may encroach into the yards required by Schedule B by the following distances:

9.2.1. 60 cm (2 feet) into yards of 1.5 metres (5 feet) or more, and

9.2.2. 45 cm (18 inches) into yards of less than 1.5 metres (5 feet).

10. PROHIBITED OBJECTS IN YARDS

10.1 In a residential district, no person shall keep a vehicle weighing greater than 4500 kg for longer than is reasonably necessary to unload the vehicle.

10.2 In a residential district, no person shall keep visible any wrecked or partially dismantled vehicle, or any other object, which in the opinion of the Development Authority is unsightly or offensive.

10.3 Radio and TV receiving dishes, antennas and aerials, larger than 1 metre in diameter, shall not be located in a front yard of a residential district.

10.4 Garbage shall be contained in weatherproof and animal-proof containers.

11. SIGNS

11.1. Exemptions

No permit is required for a sign which:

- is not visible from a public road or park, or
- is erected by a government or school authority, or
- concerns an election, or
- identifies the address or function of a building or parcel on which the sign stands, or
- advertises a sale or event taking place that day, or
- offers for sale or rent the parcel on which it stands, or
- advertises a business or activity taking place on that parcel, or
- advertises a product, service, or commodity offered for sale or rent on that parcel,

provided the size, style, number, and location of the sign meets the requirements of this bylaw.

11.2. A development permit is required for all signs other than those listed above.

11.3. Signs on Roads

11.3.1. No sign shall be placed on the right of way of a road without the approval of the municipality.

11.3.2. Notwithstanding 11.2 and 11.3.1 above,

11.3.2.1. temporary signs protected by Section 2(b) of the Constitution Act, 1982 (Canada), and

11.3.2.2. signs advertising auctions and garage sales taking place that day,

do not require a development permit, and may be placed on a road provided that the signs

11.3.2.3. are not a danger to public safety, and

11.3.2.4. are removed promptly after the election or event which is the subject of the sign.

11.4. Signs Overhanging Roads

11.4.1. The Development Authority shall require that a sign overhanging municipal property be constructed and maintained to such a standard that it is not a hazard to people, traffic or property.

11.4.2 A sign may overhang a road only if the owner of the sign has entered into a written agreement with the village under which he accepts all liability.

11.4.3 The preceding section does not apply to fascia signs, which encroach less than 15 cm (6 inches) over the road.

11.5. Signs in Residential Districts

In residential districts:

11.5.1. Signs shall not exceed 1 square metre (10 square feet), or 3 square metres (32 square feet) on church property, and shall not be illuminated, fluorescent, or moving.

11.5.2. Signs advertising a home occupation or home office shall be attached to the wall of the building in which the office or occupation is carried on.

11.5.3. Signs advertising garage and auction sales are permitted one day before and on the actual date of the sale.

11.5.4. Signs shall be in good taste and compatible with the character of the neighborhood.

11.5.5. No more than one sign for each of the purposes listed in Subsection 11.1 shall be erected on a residential parcel, except where the parcel abuts two or more roads, a sign may be erected facing each road.

11.5.6. Signs advertising commercial activities off site are not permitted.

11.6. Signs on Undeveloped Land Adjacent to Highways

11.6.1. No advertising other than

11.6.1.1. signs exempted by Section 11.1, and

11.6.1.2. billboards as defined elsewhere in this bylaw shall be placed within 200 metres of SR 778 in the UX district.

11.6.2. Billboards on each side of a highway in the UX district shall be separated by at least 200 metres.

11.6.3. For the purposes of this bylaw, vehicles or trailers parked for more than seven days on a private parcel adjacent to a highway, and bearing advertising material, are deemed to be signs but not billboards.

11.7. Portable Signs

11.7.1. A portable sign is a sign which is not permanently or securely attached to the ground or to a building, or which is intended to be moved from place to place.

11.7.2. The Development Authority must not issue a development permit for a portable sign unless the sign is owned by

11.7.2.1. the owner or lessee of the land on which it stands, or

11.7.2.2. a person holding a current business license.

11.7.3. No more than one portable sign may be placed on a lot for each 100 metres of frontage.

11.7.4. Portable signs are not permitted in residential districts.

11.7.5. Council may by resolution set an annual fee to be paid in respect of every portable sign displayed in the municipality.

11.8. Aesthetics

Signs shall be designed, constructed, and maintained at the discretion of the Development Authority so they are compatible with the quality of the neighborhood.

11.9. Public Safety

11.9.1. A sign which is not attached to a building shall be set back from a road or lane the same distance as if it were a building, unless the Development Authority is satisfied that it will not interfere with sight lines for drivers.

11.9.2. Notwithstanding any other part of this bylaw, the Development Authority may refuse to issue a development permit for any sign, which in his opinion would be a danger to traffic, property, or public safety.

11.9.3. If in the opinion of the Development Authority a sign is a danger to traffic, property, or public safety, he may demand the immediate removal of the sign, and if he is unable to identify the person responsible for the sign, he may obtain right of entry under Section 542 of the Act, and remove the sign.

11.10. Situations Not Covered by This Bylaw

Where this bylaw provides no regulations governing the size, style, number, purpose, content, or location of sign, a permit may be issued by the Development Authority, but the use shall be deemed a discretionary use, and may be appealed to the Subdivision and Development Appeal Board, which may confirm, amend, or revoke the permit.

12. UTILITY BUILDINGS AND EQUIPMENT

The Development Authority may waive or relax siting and yard regulations where this is necessary for the efficient operation of a public utility system.

13. YARDS AND SETBACKS

13.1. Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

13.2. Where land is likely to be re-subdivided in future, the Development Authority may require that any new building be located as if the subdivision was already in effect.

14. SEQUENCE OF DEVELOPMENT

14.1 In residential districts, a development permit for an accessory building shall not be issued unless a dwelling exists on the lot, or is under construction.

(Added by bylaw 2004-04)

VILLAGE OF THORSBY
LAND USE BYLAW 2000-05
SCHEDULE B
REGULATIONS FOR LAND USE DISTRICTS

1. R1 LOW DENSITY RESIDENTIAL

1.1 *Purpose* The purpose of the R1 district is to provide land for detached residences and other uses which are compatible with a high quality residential area.

1.2 *Permitted uses* The following uses are permitted:

- New single detached houses of conventional construction, but excluding mobile homes
- Home offices
- Parks
- Unattended utility installations
- Buildings and uses accessory to the above

1.3 *Discretionary uses* The following uses may be allowed at the discretion of the Development Authority:

- Modular houses
- Basement suites in residences
- Granny or nanny suites in residences
- Churches
- Day care facilities
- Group care facilities
- Home businesses
- Moved-in buildings in accordance with section 8 of Schedule A
- Buildings and uses accessory to the above

1.4 *Density of Development* Only one residence and one suite shall be built on each lot

1.5 *Lot area* Residential lots shall have an area of at least 500 square metres (5,382 sq ft)

Other lots shall have an area to the satisfaction of the development authority.

1.6 *Lot width* Residential lots shall have a width of at least 15 metres (50 feet)

1.7 *Site coverage* No more than 40% of the area of a lot shall be covered by buildings.

1.8 *Maximum height in height of buildings* Principal buildings shall not exceed 10 metres (33 feet) from grade to roof peak. *(Added by bylaw 2004-04)*

Accessory Buildings shall not exceed 5 metres (16 feet) in height from grade to roof peak. *(Added by bylaw 2004-04)*

R1

1.9 *Front setback* The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.

1.10 *Rear setback* The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot.

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure

1.

1.11 *Side setback* *Interior lots:* Main buildings shall be set back at least 1.5 metres (5 feet) from the side property line

Accessory buildings shall be set back at least 1 metre (3 feet) from the side property line

Corner lots: All buildings shall be set back at least 3 metres (10 feet) from the flanking street

1.12 *Parking*
parking stalls

Each residence shall have 2 off-street

A basement suite shall have one off-street parking stall

Other land uses shall have sufficient parking to the satisfaction of the Development Authority, using the numbers set out in Table 1.

2. R2 MEDIUM DENSITY RESIDENTIAL

2.1 *Purpose* The purpose of the R2 district is to provide land for a mixture of detached and duplex houses and other activities which are compatible with those uses.

2.2 *Permitted uses* The following uses are permitted:

- New single family detached houses of conventional construction, but excluding mobile homes
- New duplex dwellings
- Home offices
- Parks
- Unattended utility installations
- Buildings and uses accessory to the above

2.3 *Discretionary uses* The following uses may be allowed at the discretion of the Development Authority:

- Modular houses
- Basement suites in single detached residences
- Granny or nanny suites in single detached residences
- Churches
- Day care facilities
- Group care facilities
- Home businesses
- Moved-in buildings in accordance with section 8 of Schedule A
- Buildings and uses accessory to the above

2.4 *Density of* Only one detached residence and one granny, nanny, or basement development suite shall be built on a lot.

Two duplex units forming a single building may be built on a lot.

2.5 *Lot area* A lot for a single detached residence shall have an area of at least 500 square metres (5,382 sq ft).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Other lots shall have an area to the satisfaction of the Development Authority.

2.6 *Lot width* A lot for a detached residence shall have a width of at least 15 metres (50 feet).

A lot for a duplex shall have a width of at least 7.5 metres (25 feet) for each half of the duplex.

Other lots shall have a width as required by the development authority.

2.7 *Site coverage* No more than 40% of the area of a lot shall be covered by buildings.

R2

2.8 *Maximum height* Principal buildings shall exceed 10 metres (33 feet) in height from
of buildings grade to roof peak. *(Added by bylaw 2004-04)*

Accessory buildings shall not exceed 5 metres (16 feet) in height from grade to roof peak.
(Added by bylaw 2004-04)

2.9 *Front setback* The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.

2.10 *Rear setback* The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot. *(Added by bylaw 2004-11)*

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure

apartments and row houses. Lower density housing is also allowed.

3.2 *Permitted uses* The following uses are permitted:

- New single family detached houses of conventional construction, but excluding mobile homes
- New duplex dwellings
- Apartment buildings
- Row and town houses
- Triplex and fourplex residences
- Home offices
- Parks
- Unattended utility installations
- Buildings and uses accessory to the above

3.3 *Discretionary uses* The following uses may be allowed at the discretion of the development authority:

- Modular houses
- Basement suites in single detached residences
- Granny or nanny suites in detached residences
- Churches
- Day care facilities
- Group care facilities
- Home businesses
- Moved-in buildings in accordance with section 8 of Schedule A
- Buildings and uses accessory to the above

3.4 *Density of* Only one detached residence and one granny, nanny, or basement development shall be built on a lot.

Two duplex units forming a single building may be built on a lot.

3.5 *Lot area* A lot for a single detached residence shall have an area of at least 500 square metres (5,382 sq ft).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Other lots shall have an area to the satisfaction of the Development Authority.

3.6 *Lot width* A lot for a detached residence shall have a width of at least 15 metres (50 feet).

A lot for a duplex shall have a width of at least 7.5 metres (25 feet) for each half of the duplex.

Other lots shall have a width as required by the development authority.

R3

3.7 *Site coverage* All buildings combined shall not cover more than 40% of the area of the lot.

3.8 *Maximum height of buildings* Principal buildings shall not exceed 11 metres (36 feet) in height from grade to roof peak. *(Added by bylaw 2004-04)*

Accessory buildings shall not exceed 5 metres (16 feet) in height from grade to roof peak. *(Added by bylaw 2004-04)*

3.9 *Front setback* An apartment building shall be set back at least 8 metres (26 feet) from the front property line.

Main buildings other than apartments shall be set back at least 6 metres (20 feet) from the front boundary of the lot.

3.10 *Rear setback* The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot.

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure

4. RM MOBILE HOME SUBDIVISION

4.1 *Purpose* The purpose of the RM district is to provide land where manufactured houses, formerly known as mobile homes, may be placed on individual subdivided lots. Conventionally built houses are also allowed.

4.2 *Permitted uses* The following uses are permitted:

- New manufactured houses on permanent foundations
- New single family detached houses of conventional construction
- Modular houses
- New duplex dwellings
- Home offices
- Parks
- Unattended utility installations
- Buildings and uses accessory to the above

4.3 *Discretionary uses* The following uses may be allowed at the discretion of the development authority:

- Older manufactured houses on permanent foundations, which in the opinion of the development authority are fully compatible with the character of the neighborhood
- Other moved-in buildings in accordance with section 8 of Schedule A
- Basement suites in single detached residences
- Granny or nanny suites in detached residences
- Churches
- Day care facilities
- Group care facilities
- Home businesses
- Buildings and uses accessory to the above

4.4 *Density of* Only one detached residence and one granny, nanny, or basement

development suite shall be placed on a lot.

Two duplex units forming a single building may be built on a lot.

4.5 *Lot area* A lot for a single detached residence shall have an area of at least 500 square metres (5,382 sq ft).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Other lots shall have an area to the satisfaction of the Development Authority.

4.6 *Lot width* A lot for a detached residence shall have a width of at least 15 metres (50 feet).

A lot for a duplex shall have a width of at least 7.5 metres (25 feet) for each half of the duplex.

RM

Other lots shall have a width as required by the development authority.

4.7 *Site coverage* No more than 40% of the area of a lot shall be covered by buildings.

4.8 *Maximum height of buildings* Principal buildings shall not exceed 10 metres (33 feet) in height from grade to roof peak. *(Added by bylaw 2004-04)*

Accessory buildings shall not exceed 5 metres (16 feet) in height from grade to roof peak. *(Added by bylaw 2004-04)*

4.9 *Front setback* The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.

4.10 *Rear setback* The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot. *(Added by bylaw 2004-11)*

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure 1.

4.11 *Side setback* *Interior lots:* Main buildings shall be set back at least 1.5 metres (5 feet) from the side property line

Manufactured houses shall also be separated from each other by at least 4.5 metres (15 feet).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Accessory buildings shall be set back at least 1 metre (3 feet) from the side property line

Corner lots: All buildings shall be set back at least 3 metres (10 feet) from the flanking street

4.12 *Parking* A detached residence shall have 2 off-street parking stalls.

Each half of a duplex shall have two off-street parking stalls.

A basement suite shall have one off-street parking stall.

Other land uses shall have sufficient parking to the satisfaction of the development authority, using the numbers set out in Table 1.

4.13 *Other controls* Manufactured houses shall have the wheels and undercarriage removed prior to occupation.

5. C1 DOWNTOWN COMMERCIAL

5.1 *Purpose* The purpose of the C1 district is to provide land for high-density commercial activities in the downtown area.

5.2 *Permitted uses* The following uses are permitted:

- Retail stores except those listed below as discretionary
- Professional, financial, and service businesses except those listed below as discretionary
- Clubs, associations, churches, and lodges, except those listed below as discretionary
- Government buildings
- Residences above the main floor
- Buildings and uses accessory to the above

5.3 *Discretionary uses* The following uses may be allowed at the discretion of the development authority:

- Establishments selling or dispensing alcohol for consumption on or off the premises
- Establishments providing 'adult' entertainment or selling 'adult' products
- Gambling establishments
- Amusement arcades
- Pawnbrokers
- Businesses, which sell gasoline or auto parts, or sell or repair motor vehicles. Rules for these businesses shall be the same as if they were located in the C2 district.
- Businesses selling lumber or other flammable products
- Drive-in businesses
- Day care and group care facilities
- Residences at street level
- Hotels & Motels (*Added by bylaw 2002-01*)
- Buildings and uses accessory to the above

Note: Unattended (card lock) fuel sales are neither a permitted nor a discretionary use on the C1 district, and are restricted to the Industrial district. (*added by bylaw 2002-03*)

Note: auto wreckers are neither a permitted nor a discretionary use in the C1 district.

5.4 *Lot width* A lot for a commercial use shall have a width of at least 5 metres (16 feet)

A lot for residential use shall have a width of at least 10 metres
(33 feet)

5.5 *Site coverage* Commercial buildings may cover 100% of the lot.

Allowable site coverage for residential buildings shall be set by the development authority in each case.

C1

5.6 *Maximum height* The maximum allowable building height shall be determined by the development authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

5.7 *Front setback* Residences shall be set back at least 6 metres from the front property line.

No front setbacks are required for other buildings.

5.8 *Rear setback* Residences shall be set back at least 6 metres from the rear property line.

No rear setback is required for other buildings.

5.9 *Side setback* If the walls of a building are constructed of concrete block or other incombustible material, no side setback is required by this bylaw, but the Alberta Building Code shall govern.

If the walls of a building are constructed of combustible material, the building shall be set back at least 1.5 metres (5 feet) from the side property line.

5.10 *Parking* New professional, government, financial services, and medical buildings shall be provided with one off street parking stall for each whole 50 square metres of net leaseable area.

Other new commercial buildings shall be provided with one off street parking stall for each whole 100 square metres of net leaseable area.

Residences shall be provided with one off street parking stall per suite or unit.

Where an existing building is to continue in that use, or to be converted to another use, and is not to be enlarged, no parking is required in addition to that previously provided.

Off street parking may be located on the lot being developed or elsewhere within convenient walking distance.

Off street parking may be shared between two or more businesses if there is a written agreement between the two landowners and the agreement is satisfactory to the Development Authority.

In determining whether such an agreement is satisfactory, the development authority may consider the different times of peak usage by each business.

C1

5.11 *Loading* Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the development authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

5A.C1A DOWNTOWN COMMERCIAL *(Added by bylaw 2003-09)*

5A.1 *Purpose* The purpose of the C1A district is to provide land for high-density commercial activities in the downtown area.

5A.2 *Permitted uses* The following uses are permitted:

- Retail stores except those listed below as discretionary
- Professional, financial, and service businesses except those listed below as discretionary
- Clubs, associations, churches, and lodges, except those listed below as discretionary
- Government buildings
- Residences above the main floor
- Buildings and uses accessory to the above

5A.3 *Discretionary uses* The following uses may be allowed at the discretion of the development authority:

- Establishments selling or dispensing alcohol for consumption on or off the premises
- Establishments providing 'adult' entertainment or selling 'adult' products
- Gambling establishments
- Amusement arcades
- Pawnbrokers
- Businesses, which sell gasoline or auto parts, or sell or repair motor vehicles. Rules for these businesses shall be the same as if they were located in the C2 district.
- Businesses selling lumber or other flammable products
- Drive-in businesses
- Day care and group care facilities
- Buildings and uses accessory to the above

Note: auto wreckers are neither a permitted nor a discretionary use in the C1 district.

5A.4 *Lot width* A lot for a commercial use shall have a width of at least 5 metres (16 feet)

A lot for residential use shall have a width of at least 10 metres
(33 feet)

5A.5 *Site coverage* Commercial buildings may cover 100% of the lot.

Allowable site coverage for residential buildings shall be set by the development authority in each case.

5A.6 *Maximum height* The maximum allowable building height shall be determined by the development authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

C1A

5A.7 *Front setback* Residences shall be set back at least 6 metres from the front property line.

No front setback is required for other buildings.

5A.8 *Rear setback* Residences shall be set back at least 6 metres from the rear property line.

No rear setback is required for other buildings.

5A.9 *Side setback* If the walls of a building are constructed of concrete block or other incombustible material, no side setback is required by this bylaw, but the Alberta Building Code shall govern.

If the walls of a building are constructed of combustible material, the building shall be set back at least 1.5 metres (5 feet) from the side property line.

5A.10 *Parking* New professional, government, financial services, and medical buildings shall be provided with one off street parking stall for each whole 50 square metres of net leaseable area.

Other new commercial buildings shall be provided with one off street parking stall for each whole 100 square metres of net leaseable area.

Residences shall be provided with one off street parking stall per suite or unit.

Where an existing building is to continue in that use, or to be converted to another use, and is not to be enlarged, no parking is required in addition to that previously provided.

Off street parking may be located on the lot being developed or elsewhere within convenient walking distance.

Off street parking may be shared between two or more businesses if there is a written agreement between the two landowners and the agreement is satisfactory to the Development Authority.

In determining whether such an agreement is satisfactory, the development authority may consider the different times of peak usage by each business.

5A.11 Loading Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the development authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

6. C2 HIGHWAY COMMERCIAL

6.1 *Purpose* The purpose of the C2 district is to provide land for commercial operations where customers normally drive on to the site.

6.2 *Permitted uses* The following uses are permitted:

- Retail stores except those listed below as discretionary
- Professional, financial, and service businesses except those listed below as discretionary
- Clubs, associations, churches, and lodges except those listed below as discretionary
- Trade workshops
- Gas stations
- Automobile, truck, and farm implement dealerships
- Boat and recreational vehicle sales and service
- Lumber yards
- Government buildings
- Residences above the main floor
- Buildings and uses accessory to the above

6.3 *Discretionary uses* The following uses may be allowed at the discretion of the development authority:

- Establishments selling or dispensing alcohol for consumption on or off the premises
- Establishments providing 'adult' entertainment
- or selling 'adult' products
- Gambling establishments
- Amusement arcades
- Pawnbrokers
- Businesses selling lumber or other flammable products
- Car and truck washing establishments
- Auto body shops
- Drive-in businesses
- Veterinary clinics
- Day care and group care facilities
- Residences at street level
- Hotels & Motels (*Added by bylaw 2002-01*)
- Buildings and uses accessory to the above

Note: Unattended (card lock) fuel sales are neither a permitted nor a discretionary use on the C2 district, and are restricted to the Industrial district. *(added by bylaw 2002-03)*

Note: a development permit for a service station does not allow autobody work or auto wrecking unless this is specifically written in the development permit.

6.4 *Density of lot development* Only one residence may be placed on a lot development

6.5 *Lot width* Except as noted below, all lots shall have a width of at least 15 metres (50 feet) (but see section 6.14 regarding flammable materials).

C2

No minimum lot width is required for unattended utility installations.

6.6 *Site coverage* All buildings combined shall not cover more than 50% of the area of the lot.

6.7 *Maximum height of buildings* The maximum allowable building height shall be determined by the development authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

6.8 *Front setback* All buildings shall be set back at least 7.5 metres (25 feet) from the front property line (but see 6.14 concerning flammable materials).

6.9 *Rear setback* Where a lot backs on to a lot classified as commercial or industrial, no rear yard setback is required (but see 6.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 6 metres from the rear property line.

6.10 *Side setback* Where a lot is adjacent to a lot classified as commercial or industrial, no side yard is required (but see 6.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 2.5 metres from the side property line.

6.11 *Parking* New professional, government, financial services, and medical buildings shall be provided with one off street parking stall for each whole 50 square metres of net leaseable area.

Other new commercial buildings shall be provided with one off street parking stall for each whole 100 square metres of net leaseable area.

Residences shall be provided with one off street parking stall per suite or unit.

Where an existing building is to continue in that use, or to be converted to another use, and is not to be enlarged, no parking is required in addition to that previously provided.

Off street parking may be located on the lot being developed or elsewhere within convenient walking distance.

Off street parking may be shared between two or more businesses if there is a written agreement between the two landowners and the agreement is satisfactory to the Development Authority.

In determining whether such an agreement is satisfactory, the development authority may consider the different times of peak usage by each business.

C2

6.12 *Loading* Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the development authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

6.13 *Flammable* Where flammable or explosive materials are stored on site, the

materials development authority shall consult the fire department may increase the required lot size, building setbacks, or other requirements to minimize the danger to the public.

6.14 *Drive-in businesses* Drive in businesses shall be permitted only where passing traffic will not be impeded, and traffic entering the business will not endanger pedestrians.

Curb cuts shall be situated at a location approved by the development authority.

The lot shall be large enough to accommodate all necessary parking, and provide room for vehicles awaiting service so that they do not back up into the adjacent street.

7. M INDUSTRIAL

7.1 *Purpose* The purpose of the Industrial district is to provide land for manufacturing, warehousing, storage, and the servicing of heavy equipment, where this will not deleteriously affect nearby residences.

7.2 *Permitted uses* The following uses are permitted (but see note below):

- Manufacturing
- Processing
- Fabrication
- Services to agriculture
- Warehousing and storage
- Automobile, truck, and farm implement sales and service
- Car and truck washing establishments
- Transportation, communications, and utilities industries
- Veterinary clinics
- Auction marts *(Added by bylaw 2003-07)*
- Government operations
- Buildings and uses accessory to the above

Note: *Any of the above uses, which in the opinion of the development authority, will unreasonably disturb nearby residences through excessive noise or traffic, are deemed to be discretionary uses, but this does not apply to any land use in NE 14-49-1-5 which was in effect on the date that the land was annexed to the Village. (Added by bylaw 2003-07)*

7.3 *Discretionary uses* The following uses may be allowed at the discretion of the development authority:

- Auto body and paint shops
- Auto wreckers
- Bulk fuel sales
- Recycling industries
- Other commercial and industrial activities which in the opinion of the development authority are compatible with the purpose of the district and the surrounding land uses
- Residences
- Buildings and uses accessory to the above

7.4 *Density of Development* Only one residence or suite may be developed on one lot.

7.5 *Lot sizes* Lot areas and widths shall be at the discretion of the Development Authority.

7.6 *Maximum height of buildings* The maximum allowable building height shall be determined by the development authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

M

7.7 *Front setback* All buildings shall be set back at least 7.5 metres (25 feet) from the front property line (but see 7.14 concerning flammable materials).

7.8 *Rear setback* Where a lot backs on to a lot classified as commercial or industrial, no rear yard setback is required (but see 7.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 6 metres from the rear property line.

7.9 *Side setback* Where a lot is adjacent to a lot classified as commercial or industrial, no side yard is required (but see 7.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 2.5 metres from the side property line.

7.10 *Parking* Each establishment shall provide sufficient off street parking to accommodate the maximum number of staff and visitors likely to be on site at any one time.

7.11 *Loading* Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the development authority may require that an off-street loading

dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

7.12 *Flammable materials* Where flammable or explosive materials are stored on site, the development authority shall consult the fire department may increase the required lot size, building setbacks, or other requirements to minimize the danger to the public.

7.13 *Screening* The development authority may require a lot to be fenced or landscaped if in his opinion this is needed to protect the values of nearby residences.

8. P PARK

8.1 *Purpose* The purpose of the Park district is to provide land for parks and publicly owned recreational facilities. It differs from the Institutional district by not allowing major buildings.

8.2 *Permitted uses*

- Public parks and playgrounds
- Golf courses and driving ranges
- Buffer strips and noise berms
- Buildings and uses accessory to the above

8.3 *Discretionary uses*

- Concessions and small-scale commercial activities that are compatible with the use of the district

8.4 *Other controls* The development authority may require such controls as appear necessary to protect the public interest in park land.

9. INSTITUTIONAL

9.1 *Purpose* The purpose of the Institutional district is to provide land for schools, hospitals, and other community service facilities, both government and privately owned.

9.2 *Permitted uses*

- Parks and playgrounds
- Athletic, sporting, and cultural facilities
- Schools
- Churches
- Day care centers
- Hospitals, hospices, nursing homes and long term care facilities
- Cemeteries and crematoria
- Buffer strips
- Government-owned community service facilities *(Added by bylaw 2003-08)*
- Buildings and uses accessory to the above

9.3 *Discretionary uses*

- Group homes
- Campgrounds
- Residences for the staff of a permitted facility
- Buildings and uses accessory to the above

9.4 *Maximum height* The maximum allowable building height shall be determined by the *of buildings* development authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

9.5 *Front setback* All buildings shall be set back at least 7.5 metres (25 feet) from the front property line.

9.6 *Rear setback* All buildings must be set back at least 6 metres from the rear property line.

9.7 *Side setback* All buildings must be set back at least 2.5 metres from the side property line.

9.8 *Parking* Each establishment shall provide sufficient off street parking to accommodate the maximum number of staff and adult visitors likely to be on site at any one time.

9.9 *Loading* Where a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

10. UX URBAN EXPANSION

10.1 *Purpose* The purpose of the Urban Expansion district is to identify land which will probably be converted to urban use in the future, but which can be used for agriculture as long as the owner elects to do so.

Land classified UX cannot be subdivided, redeveloped, or reclassified until the owner has prepared a comprehensive plan for the property to the satisfaction of Council.

10.2 *Permitted uses* Agriculture, including grazing, but excluding intensive livestock operations or the spreading of manure

10.3 *Discretionary uses* Buildings and uses accessory to agriculture

10.4 *Locations of* Buildings, utility connections, and other improvements shall be

Buildings located compatibly with the long term plans for the land as set out in the municipal development plan and any other long term plans adopted by Council.

11. DC DIRECT CONTROL

11.1 *Purpose* The purpose of the Direct Control district is to allow Council to control the use and development of land and buildings in any manner it considers necessary.

11.2 *Process* If a proposed subdivision or development in a Direct Control district is consistent with the municipal development plan and other Village policies, the Development Authority or Subdivision Authority may approve the application, with or without conditions.

In all other cases, a proposed subdivision or development in a Direct Control district shall be referred to Council for a decision.

12. R1A NARROW LOT SINGLE RESIDENTIAL

12.1 *Purpose* The purpose of R1A district is to provide land for detached residences on narrower lots than in a standard R1 subdivision.

12.2 *Permitted Uses* The following uses are permitted:

New single detached houses of conventional construction,
Home Offices,
Parks,
Unattended utility installations,
Buildings and uses accessory to the above.

12.3 *Discretionary Uses* The following uses may be allowed at the discretion of the Development Authority:

Modular houses, but not mobile homes
Basement suites in residences
Granny or nanny suites in residences
Churches
Daycare facilities
Group care facilities
Home businesses
Moved-in buildings in accordance with section 8 of Schedule A
Buildings and uses accessory to the above.

- 12.4 *Density of Development* Only one residence and one suite shall be built on each lot.
- 12.5 *Lot Area* Residential lots shall have an area of at least 300 square metres (3,230 sq ft). Other lots shall have an area to the satisfaction of the development authority.
- 12.6 *Lot Width* Residential lots shall have a width of at least 10 metres (33 feet)
- 12.7 *Site Coverage* No more than 50% of the area of a lot shall be covered by buildings.
- 12.8 *Maximum Height of Buildings*
height Principal buildings shall not exceed 10 metres (33 feet) in height from grade to roof peak. Accessory buildings shall not exceed 5 metres (16 feet) in height from grade to roof peak.
- 12.9 *Front Setback*
from The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.
- 12.10 *Rear Setback*
from The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot. Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot. Despite the above, garages may be located as shown in Figure 1.
- 12.11 *Side Setback*
the Main buildings shall be set back at least 1.5 metres (5 feet) from the side property line.

from Accessory buildings shall be set back at least 1 metre (3 feet)
the side property line.

12.12 *Parking*

Each residence shall have 2 off-street parking stalls.
A basement suite shall have one off-street parking stall.
Other land uses shall have sufficient parking to the satisfaction
of the Development Authority, using the numbers set out in Table
1.

Table 1: Customer Parking

Where parking is required, but no actual numbers are set out in the bylaw, the following table is to be used as a guide by the Development Authority.

One stall for each member of staff present at the busiest shift, plus customer/client parking at the following rates:

<i>Type of Establishment</i>	<i>Customer Parking Recommended</i>
Retail stores, banks, offices and service establishments	One stall per 100 square metres of gross leaseable area
Places of entertainment	One stall per 5 client seats
Hotels and motels	One stall per room, plus those stalls required for any entertainment component of the business
Industrial plants	As required for the likely number of visitors

These numbers may be reduced if an establishment has the use of suitable off-site parking such as on-street parking, municipally-owned lots, or private arrangements for the use of other businesses' parking where peak periods differ.

Village of Thorsby

Permit Fee Schedule

(Fees may be periodically amended by Motion of Council in accordance with Bylaw 2001-02)

Development Permits

New Residential	\$ 60.00/dwelling
Meters/Valves Fee for New Building	\$ 255.00
New Commercial/Industrial	\$ 120.00

Occupancy Permits

Where required by the Building Code	\$ 72.00
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Building Permits

Residential/Dwelling Units/Farm

New Construction – Building Permit Fee	\$ 00.40 per square foot
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Additions/renovations will be calculated The same as new construction	\$ 50.00 (<i>minimum fee</i>)
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Private Garages (<i>attached or detached</i>)	\$ 75.00 (<i>flat rate</i>)
Decks/storage sheds	\$ 50.00

Modular Home Permit (<i>Building, Electrical, Gas and Plumbing</i>) (Build. \$275, Elect. \$75, Gas \$50, Plumb. \$50)	\$ 450.00
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Modular Home – Private Garage if taken out with Building add;	\$ 60.00
Modular Home – Private Sewage Permit if required add;	\$ 100.00

Mobile Home Set-Up (<i>Building, Electrical, Gas and Plumbing</i>) (Build. \$70, Elect. \$35, Gas \$35, Plumb. \$35)	\$ 175.00
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Mobile Private Sewage add	\$ 100.00
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Fireplaces or wood burning stoves (if not included in new construction)	\$ 50.00 (<i>flat rate</i>)
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Demolitions Residential	\$ 50.00 (<i>flat rate</i>)
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Commercial/Industrial/Institutional

First \$ 1,000,000.00 construction value	\$ 5.00 per \$ 1,000 construction value
Over \$ 1,000,000.00 construction value	\$ 5,000.00 + \$3.50 per \$ 1,000 Construction value portions over \$ 1,000,000.00
Demolition's Commercial	\$ 100.00 (<i>flat rate</i>)

***Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

Village of Thorsby

Gas Permit Fee Schedule

RESIDENTIAL INSTALLATIONS

Number of Outlets	Permits
1	\$47.00
2	\$57.00
3	\$67.00
4	\$90.00
5	\$112.00
6	\$124.00
7	\$135.00
8	\$146.00
9	\$158.00
10	\$169.00
11	\$176.00
12	\$184.00
13	\$191.00
14	\$199.00
15	\$206.00
16	\$214.00
17	\$221.00
18	\$229.00
19	\$236.00
20	\$244.00

***Note:**

Add \$7.00 for each outlet over 20.

****Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

Village of Thorsby

Gas Permit Fee Schedule

NON-RESIDENTIAL INSTALLATIONS

BTU Input	Permit Fee
10,000	\$47.00
20,000	\$47.00
30,000	\$47.00
40,000	\$47.00
50,000	\$47.00
60,000	\$47.00
70,000	\$47.00
80,000	\$47.00
90,000	\$47.00
100,000	\$47.00
110,000	\$52.00
120,000	\$57.00
130,000	\$62.00
140,000	\$67.00
150,000	\$72.00
170,000	\$77.00
190,000	\$82.00
210,000	\$87.00
230,000	\$92.00
250,000	\$97.00
300,000	\$102.00
350,000	\$107.00
400,000	\$112.00
450,000	\$117.00
500,000	\$122.00
550,000	\$127.00
600,000	\$132.00
650,000	\$137.00
700,000	\$142.00
750,000	\$147.00
800,000	\$152.00
850,000	\$157.00
900,000	\$162.00
950,000	\$167.00

1,000,000

\$172.00

***Note:**

Add \$7.00 for each 100,000 BTU over 1,000,000 BTU.

****Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

Village of Thorsby

Gas Permit Fee Schedule

(PROPANE AND SMALL INSTALLATIONS)

Type of Installation	Permit Fee
Propane Tank Sets (new or replacement)	\$50.00
Temporary Propane/Natural Gas Heating (includes tank set)	\$50.00
Gas/Propane Cylinder Refill Centres	\$75.00

REPLACEMENT COMMERCIAL OR INDUSTRIAL APPLIANCES PER UNIT AS FOLLOWS

BTU Input	Permit Fee
0-400,000 BTU Input	\$50.00
400,001 – 5,000,000 BTU Input	\$75.00
Over 5,000,000 BTU Input	\$250.00

***Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

Village of Thorsby

Plumbing Permit Fee Schedule

<u>No. of Fixtures</u>	<u>Permit Fee</u>	<u>No. of Fixtures</u>	<u>Permit Fee</u>	<u>No. of Fixtures</u>	<u>Permit Fee</u>
1	\$47.00	35	\$228.00	69	\$369.00
2	\$50.00	36	\$233.00	70	\$373.00
3	\$55.00	37	\$237.00	71	\$377.00
4	\$58.00	38	\$242.00	72	\$381.00
5	\$64.00	39	\$247.00	73	\$384.00
6	\$71.00	40	\$251.00	74	\$388.00
7	\$79.00	41	\$256.00	75	\$392.00
8	\$86.00	42	\$261.00	76	\$396.00
9	\$94.00	43	\$265.00	77	\$399.00
10	\$101.00	44	\$270.00	78	\$403.00
11	\$107.00	45	\$275.00	79	\$407.00
12	\$113.00	46	\$279.00	80	\$411.00
13	\$118.00	47	\$284.00	81	\$413.00
14	\$124.00	48	\$289.00	82	\$414.00
15	\$129.00	49	\$293.00	83	\$416.00
16	\$135.00	50	\$298.00	84	\$418.00
17	\$141.00	51	\$302.00	85	\$420.00
18	\$146.00	52	\$306.00	86	\$422.00
19	\$152.00	53	\$309.00	87	\$424.00
20	\$158.00	54	\$313.00	88	\$426.00
21	\$162.00	55	\$317.00	89	\$428.00
22	\$167.00	56	\$321.00	90	\$429.00
23	\$172.00	57	\$324.00	91	\$431.00
24	\$176.00	58	\$328.00	92	\$433.00
25	\$181.00	59	\$332.00	93	\$435.00
26	\$186.00	60	\$336.00	94	\$437.00
27	\$190.00	61	\$339.00	95	\$439.00
28	\$195.00	62	\$343.00	96	\$441.00
29	\$200.00	63	\$347.00	97	\$443.00
30	\$204.00	64	\$351.00	98	\$444.00
31	\$209.00	65	\$354.00	99	\$446.00
32	\$214.00	66	\$358.00	100	\$448.00
33	\$218.00	67	\$362.00		
34	\$223.00	68	\$366.00		

***Note:**

Add \$1.00 fee for each fixture over 100.

****Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

Village of Thorsby

Private Sewage Disposal Systems

<i>System Permit Fee</i>	\$120.00
<i>Holding Tank (only)</i>	\$75.00

***Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

Village of Thorsby

Electrical Permit Fee

(FOR NEW SINGLE FAMILY RESIDENTIAL)

Square Footage	Permit Fee
Up to 1,000 square feet	\$100.00
1,001 to 1,500 square feet	\$120.00
1,501 to 2,000 square feet	\$150.00
2,001 to 2,500 square feet	\$165.00
Over 2,500 square feet	\$180.00

***Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

****Note:**

This fee schedule applies to "New" Single Family dwellings only. (For residential renovations, garages, additions, etc., use Electrical Installation Cost Fee)

*****Note:**

Private garages if attached in square footage of house for fee (ie., 1000 square foot house and 500 square foot attached garage – 1500 square foot).

******Note:**

Detached garages electrical is \$0.10 a square foot (ie., 620 square foot would be \$62.00) with a minimum \$50.00 fee.

Village of Thorsby

Electrical Permit Fee

(FOR OTHER THAN NEW SINGLE FAMILY RESIDENTIAL)

Installation Costs	Permit Fee
Under – 1,000	\$47.00
1,000.01 – 1,500	\$55.00
1,500.01 – 2,000	\$65.00
2,000.01 – 2,500	\$70.00
2,500.01 – 3,000	\$75.00
3,000.01 – 3,500	\$85.00
3,500.01 – 4,000	\$90.00
4,000.01 – 4,500	\$100.00
4,500.01 – 5,000	\$102.00
5,000.01 – 5,500	\$110.00
5,500.01 – 6,000	\$115.00
6,000.01 – 6,500	\$120.00
6,500.01 – 7,000	\$125.00
7,000.01 – 7,500	\$130.00
7,500.01 – 8,000	\$135.00
8,000.01 – 8,500	\$140.00
8,500.01 – 9,000	\$145.00
9,000.01 – 9,500	\$150.00
9,500.01 – 10,000	\$155.00
10,000.01 – 11,000	\$160.00
11,000.01 – 12,000	\$165.00
12,000.01 – 13,000	\$170.00
13,000.01 – 14,000	\$175.00
14,000.01 – 15,000	\$180.00
15,000.01 – 16,000	\$185.00
16,000.01 – 17,000	\$190.00
17,000.01 – 18,000	\$195.00
18,000.01 – 19,000	\$200.00
19,000.01 – 20,000	\$205.00
20,000.01 – 21,000	\$210.00
21,000.01 – 22,000	\$212.00
22,000.01 – 23,000	\$217.00
23,000.01 – 24,000	\$222.00
24,000.01 – 25,000	\$227.00

25,000.01 – 26,000	\$232.00
26,000.01 – 27,000	\$237.00
27,000.01 – 28,000	\$242.00
28,000.01 – 29,000	\$247.00

Installation Costs	Permit Fee
29,000.01 – 30,000	\$252.00
30,000.01 – 31,000	\$256.00
31,000.01 – 32,000	\$260.00
32,000.01 – 33,000	\$264.00
33,000.01 – 34,000	\$268.00
34,000.01 – 35,000	\$272.00
35,000.01 – 36,000	\$276.00
36,000.01 – 37,000	\$280.00
37,000.01 – 38,000	\$284.00
38,000.01 – 39,000	\$288.00
39,000.01 – 40,000	\$292.00
40,000.01 – 41,000	\$296.00
41,000.01 – 42,000	\$300.00
42,000.01 – 43,000	\$304.00
43,000.01 – 44,000	\$308.00
44,000.01 – 45,000	\$312.00
45,000.01 – 46,000	\$316.00
46,000.01 – 47,000	\$320.00
47,000.01 – 48,000	\$324.00
48,000.01 – 49,000	\$328.00
49,000.01 – 50,000	\$332.00
50,000.01 – 60,000	\$367.00
60,000.01 – 70,000	\$407.00
70,000.01 – 80,000	\$447.00
80,000.01 – 90,000	\$487.00
90,000.01 – 100,000	\$527.00
100,000.01 – 110,000	\$547.00
110,000.01 – 120,000	\$577.00
120,000.01 – 130,000	\$607.00
130,000.01 – 140,000	\$637.00
140,000.01 – 150,000	\$667.00
150,000.01 – 160,000	\$697.00
160,000.01 – 170,000	\$727.00
170,000.01 – 180,000	\$757.00
180,000.01 – 190,000	\$787.00
190,000.01 – 200,000	\$817.00
200,000.01 – 210,000	\$847.00
210,000.01 – 220,000	\$877.00
220,000.01 – 230,000	\$907.00

230,000.01 – 240,000	\$937.00
240,000.01 – 250,000	\$967.00
250,000.01 – 300,000	\$1,057.00

Installation Costs	Permit Fee
300,000.01 – 350,000	\$1,157.00
350,000.01 – 400,000	\$1,257.00
400,000.01 – 450,000	\$1,357.00
450,000.01 – 500,000	\$1,457.00
500,000.01 – 550,000	\$1,557.00
550,000.01 – 600,000	\$1,657.00
600,000.01 - 650,000	\$1,757.00
650,000.01 – 700,000	\$1,857.00
700,000.01 – 750,000	\$1,957.00
750,000.01 – 800,000	\$2,057.00
800,000.01 – 850,000	\$2,157.00
850,000.01 – 900,000	\$2,257.00
900,000.01 – 950,000	\$2,357.00
950,000.01 – 1,000,000	\$2,457.00

INSTALLATION COST:

Total value of electrical materials, fixtures and supplies plus labour (in the case of a homeowner – double the value of materials, fixtures and supplies to get installation cost).

TEMPORARY AND UNDERGROUND SERVICES CONDUCTORS AND FEEDERS:

A flat fee of \$47.00 will be charged to contractors for temporary services and underground services conductors and feeders.

***Note:**

Add Safety Codes Council Fee of \$4.00 minimum or 3.5% of permit cost, whichever is greater up to a maximum of \$500.

FIGURE 1 – GARAGE LOCATIONS IN RESIDENTIAL AREAS

(Insert Figure #1)

Schedule C – MAP OF LAND USE DISTRICTS
(Insert Schedule C: Land Use Districts)