



AGENDA FOR THE REGULAR MEETING OF THE ELNORA VILLAGE COUNCIL

November 4, 2025
7:00 PM
Drop in Centre

Agenda prepared on October 31, 2025

Attendees:

Mayor: Leah Nelson
Deputy Mayor: Sherri Walker
Councillor: Gail Moise
CAO: Tina Williamson Ward
Administrative Assistant: Linsey Armstrong
Zoom Meeting Attendees, Public

Agenda

1.0 Call to Order

2.0 Adoption of Agenda

- 2.1 Adds/Deletes
- 2.2 Motion to Adopt

3.0 Adoption of Minutes

- 3.1 Minutes of Regular Meeting for October 14, 2025
- 3.2 Organizational Minutes for October 28, 2025

4.0 Business Arising Out of Minutes

5.0 Bylaws, Policies

- 5.1 Recreation and Culture Board Bylaw
- 5.2 Land Use Bylaw (pages 22 and 28)

6.0 Delegation(s)

- 6.1 Sgt. Jamie Day – promotion

7.0 New Business

- 7.1 GIC Renewal for Terms 22 and 23
- 7.2 Strategic Planning Event – schedule
- 7.3 Insurance Claim for Grocery Store
- 7.4 Parkland Foundation 2025 Review
- 7.5 Lavinia Henderson Financial Services Contract
- 7.6 Municipal Accountability Plan
- 7.7 Community Library Board Meeting and Project Manager

8.0 Financial	8.1	Financial Statement – Not available
	8.2	Council Cheque Listing – Not available
9.0 Correspondence	9.1.	N/A
10.0 Council Reports	10.1	Mayor Leah Nelson
	10.2	Deputy Mayor Sherri Walker
	10.3	Councillor Gail Moise
11.0 CAO & Public Works Report	11.1	CAO Administration Report – October 2025
	11.2	Public Works Report – Not available
12.0 Confidential		
13.0 Open Forum	13.1	Questions from the Public
14.0 Adjournment	NEXT REGULAR MEETING: December 9, 2025 at 7PM	



**VILLAGE OF ELNORA
REGULAR COUNCIL MEETING
MINUTES**

Tuesday, October 14, 2025

The regular meeting of the council of the Village of Elnora was held in the Drop-In Centre on Tuesday, October 14, 2025 commencing at 7:00PM

IN ATTENDANCE: Mayor: Jul Bissell
Deputy Mayor: Ron Duft
Councilor: Lisa Ferguson

CAO: Tina Williamson-Ward
Public

CALL TO ORDER The meeting was called to order at 7:03PM

ADOPTION OF AGENDA

Agenda, Oct 14, 2025 (2.2)

Res #2025-169 MOVED by Councillor Ferguson the Agenda be accepted as presented.

CARRIED

ADOPTION OF THE MINUTES

Minutes of Regular Meeting – September 16, 2025 (3.1)

Res #2025-170 MOVED by Councillor Ferguson the minutes of the Regular Meeting held on Sept 16, 2025 be approved as presented.

CARRIED

BYLAWS, POLCIES

Bylaw No. 2025-09, Subdivision Authority (5.2)

Res #2025-171 MOVED by Deputy Mayor Duft to give Bylaw 2025-09 Subdivision Authority Bylaw second reading

CARRIED

Res #2025-172

MOVED by Councillor Ferguson to give Bylaw 2025-09 Subdivision Authority
Bylaw third reading

CARRIED

NEW BUSINESS

2024 FCSS Annual Report (7.1)

Received as Information

Bylaw Sept 2025 Enforcement Contract (7.2)

Received as Information

Land Titles for 325 Main Street (7.3)

Received as information

Parkland Regional Library 2026 Proposed Budget (7.4)

Res #2025-173

MOVED by Mayor Bissell the Village accept the Parkland Regional Library's
Proposed 2026 Budget as presented with a 1.84% increase.

Elnora Library Status – verbal update from Mayor (7.5)

Received as information

FINANCIAL

Financial Statement - September 2025 (8.1)

Res #2025-174

MOVED by Councillor Ferguson the September 2025 financial statement be
accepted as presented.

CARRIED

Council Cheque Listing - September 2025(8.2)

Res #2025-175

MOVED by Councillor Ferguson the Council Cheque Listing for September 2025
be accepted as presented.

CARRIED

CORRESPONDENCE

2025-26 Canada Community-Building Fund (CCBF) allocation confirmation (9.1)

COUNCIL REPORTS

Mayor Bissell (10.1)

Library
MLA meeting

Deputy Mayor Duft (10.2)

Councillor Ferguson (10.3)

Library Board
FCSS

CAO & PUBLIC WORKS REPORTS

CAO (11.1)

a) *Administration Report – September 2025*

Public Works (11.2)

a) *Public Works Report – September 2025*

CAO & Public Works Reports, September 2025

Res #2025-176

MOVED by Deputy Mayor Duft the CAO and Public Works Reports for September 2025 be accepted as presented.

CARRIED

ADJOURNMENT

Being that the agenda matters have been concluded the meeting adjourned at 7:46PM

These minutes approved this _____ day of _____, 2025.

Jul Bissell, MAYOR

Tina Williamson-Ward, CAO



VILLAGE OF ELNORA
ORGANIZATIONAL MEETING MINUTES
Tuesday, October 28, 2025

The Organizational Meeting of the council of the Village of Elnora was held in the meeting room at the Elnora Drop-in Centre on Tuesday, October 28, 2025 commencing at 7:00 p.m.

IN ATTENDANCE:

Gail Moise
Leah Nelson
Sherri Walker

CAO, Tina Williamson-Ward
Admin Assistant, Lynsey Armstrong
Zoom attendees

CALL TO ORDER

The meeting was called to order by CAO T. Willimaosn-Ward at 7:00 p.m.

ELECTIONS OF OFFICE

2.1 MAYOR

CAO called for nominations for the office of Mayor

Sherri Walker nominated Leah Nelson for the position of Mayor

Leah Nelson allowed their name to stand for position of Mayor

CAO called for nominations a second time for the office of Mayor

CAO called for nominations for a third and final time for the office of Mayor

CAO declared nominations cease

CAO called for vote to appoint Leah Nelson as Mayor

All in favor

Office of Mayor (2.1)

Res #2025-177

CAO declared Leah Nelson elected as Mayor.

CARRIED

Mayor Nelson assumed the Chair for the remainder of the Organizational Meeting.

2.2 DEPUTY MAYOR

Mayor Nelson called for nominations for the office of Deputy Mayor
Gail Moise nominated Sherri Walker for the position of Deputy Mayor
Sherri Walker allowed their name to stand for position of Deputy Mayor

Mayor Nelson called for nominations a second time for the office of Deputy Mayor

Mayor Nelson called for nominations for a third and final time for the office of Deputy Mayor

Mayor Nelson moved that nominations cease.

Mayor Nelson called for vote to appoint Sherri Walker as Mayor

All in favor

Office of Deputy Mayor (2.2)

Res #2025-178

Mayor Nelson declared Sherri Walker elected as Deputy Mayor.

CARRIED

ORDER OF BUSINESS

Village Signing Authorities (3.1a)

Res #2025-179

MOVED by Deputy Mayor Walker to rescind J. Bissell and R. Duft as signing authorities and to appoint Mayor Nelson, Deputy Mayor Walker & CAO, any two (2) signatures.

CARRIED

FCSS Signing Authorities (3.1b)

Res #2025-180

MOVED by Councillor Moise to rescind J. Bissell as signing authority for FCSS and appoint Mayor Nelson.

CARRIED

Appointment of Auditor (3.2)

Res #2025-181

Moved by Mayor Nelson that the Village of Elnora Council appoint Gitzel & Company, Chartered Professional Accountants as Auditors for the Village of Elnora for 2025-2026.

CARRIED

Committees(3.3) a) b) c)

Res #2025-182

MOVED by Deput Mayor Walker that the following Committees be approved:

In House Committees

Finance Committee
Committee of the Whole

Representative

All of Council
All of Council

Funded Committees

FCSS
Parkland Foundation
Central Waste Management
Parkland Regional Library

Representative

Deputy Mayor Walker *Alt. Mayor Nelson*
Councillor Moise *Alt. Mayor Nelson*
Mayor Nelson *Alt. Councillor Moise*
Mayor Nelson *Alt. Deputy Mayor Walker*

Ad Hoc Committees

Police Advisory Committee
Weed Inspector

Representative

Councillor Moise *Alt. Deputy Mayor Walker*
R. Rintoul, PW Foreman

Recreation Board

Chair: Denver Silbernagel
Secretary: R. McQuillan
Board Members: R. Stefaniszyn
B. Pennock
K. Twidale

Library Board

Chair: Glenn Sawitsky
Vice Chair: S. Sawitsky
Secretary: H. LeBlanc
Treasurer: L.Higginbottom
Council Rep: Mayor Nelson
Board Members: C. Fossen

Municipal Planning Commission:

Board Members: K. Pennock
L. Cheshire
L. Nelson
D. Mose

Community Library Committee:

Board Members: Glenn Sawitsky, Library Board
Council Rep: Mayor Nelson
Council Rep: Councillor Moise

Elnora Cemetery Board:

Chair: L. Higginbottom
Treasurer: Pat Buckland

Secretary: J. Roberts
Alternate Secretary: R. McQuillan
Memorial Gardens & Flowers: Shirley Neelin
Board Member: D. Buckland
L. Chestire
D. Neelson
H. Neelson
M. Melner
Village Rep: Deputy Mayor Walker

CARRIED

Regular Meeting Dates & Time (3.4)

Res #2025-183 MOVED by Mayor Nelson that regular meetings of Council be held on the second Tuesday of each and every month at 7:00 pm, located at the Drop-In Centre.

CARRIED

Res #2025-184 MOVED by Councillor Moise that the next regular meetings of Council be held on the 4th day of November at 7:00PM due to Remembrance Day, being a statutory holiday.

CARRIED

Council Remuneration (3.5)

Res #2025-185 MOVED by Mayor Nelson that Council Remuneration be approved as follows:

- a) *Regular Council Meetings*
 - Mayor: \$80.00/meeting*
 - Deputy Mayor/Councilor: \$75.00/meeting*
- b) *Special Council Meetings*
 - Mayor: \$80.00/meeting*
 - Deputy Mayor/Councilor: \$75.00/meeting*
- c) *Committee Meetings*
 - Mayor: \$60.00/meeting*
 - Deputy Mayor/Councilor: \$60.00/meeting*
- d) *Full Day Sessions*
 - Mayor: \$120.00/day*
 - Deputy Mayor/Councilor: \$120.00/day*
- e) *Annual Stipend*
 - Mayor: \$800.00/year*
 - Deputy Mayor/Councilor: \$750.00/year*
- f) *CRA in Lieu*
 - Mayor: \$1,200.00/year*
 - Deputy Mayor/Councilor: \$1,200.00/year*
- g) *Council & Staff Mileage: \$0.70 per kilometer*

CARRIED

Financial Institution (3.6)

Res #2025-186

MOVED by Deputy Mayor Walker that the Village of Elnora Council appoint Servus Credit Union – Elnora Branch as the Financial Institution for the Village of Elnora.

CARRIED

Municipal Office Civic Address (3.7)

Res #2025-187

MOVED by Councillor Moise that the Village of Elnora Council name 640 Main Street as the Municipal Office for the Village of Elnora

CARRIED

ADJOURNMENT

Being that the agenda matters have been concluded the meeting adjourned at 7:21 PM

Leah Nelson, MAYOR

Tina Williamson-Ward, CAO

VILLAGE OF ELNORA
BYLAW NO. 2025-_____
RECREATION AND CULTURE BOARD BYLAW

**A BYLAW OF VILLAGE OF ELNORA, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE
OF ESTABLISHING A RECREATION AND CULTURE BOARD FOR THE VILLAGE OF ELNORA.**

WHEREAS, the Municipal Government Act, 2000, Chapter M-26, of Alberta provides municipalities with the authority to pass bylaws for the safety, health and welfare of people; and

WHEREAS, recreation includes sports, physical recreation, artistic, creative, cultural, social and intellectual activities; is a fundamental human need for citizens of all ages and important to the psychological, social, and physical well-being of individuals and communities.

NOW THEREFORE, pursuant to the authority conferred upon it by the Municipal Government Act, the Council for the Village of Elnora hereby enacts as follows:

1.0 PURPOSE

- 1.1 The Village of Elnora will establish a Recreation and Culture Board for the residents of the municipality and surrounding area who access recreation and culture events within the municipality.
- 1.2 The Recreation and Culture Board will promote the growth and development of a wide range of recreation and culture services including community and leadership development opportunities, creation, support, maintenance and/or operation of recreational and cultural events, and services and facilities of a varied nature for people of all ages in the Village of Elnora.

2.0 AREA

- 2.1 The area of the Recreation and Culture Board will be the incorporated boundaries of the municipality.

3.0 BOARD

- 3.1 The Recreation and Culture Board shall be composed of people living in Elnora or surrounding area.

4.0 COMPOSITION OF BOARDS

- 4.1 The board shall consist of a minimum of five (5) voting members up to a maximum of nine (9) voting members serving without pay.
- 4.2 The membership makeup of the Board shall endeavor to be representative of the area's geography and population.

- 4.3 The Board may, with reasons, request the resignation of any Board member and if so requested by majority of the Board, the member shall resign. Any member of the Board may resign at any time by giving written notice of such resignation to the Secretary of the Board.

5.0 CONDUCT OF MEETINGS

- 5.1 A Chair shall be elected at the first Board meeting following the Annual General Meeting.
- 5.2 The Board shall hold an Annual General Meeting which will be advertised and open to members of the public for input.
- 5.3 Regular meetings shall be held on a quarterly basis.
- 5.4 Regular and Special Meetings shall be held via email or zoom upon consent of the board.
- 5.5 Special Meetings may be called by the Chair or at the request of any three (3) members of the Board with 48 hours' notice being given.
- 5.6 Minutes of annual meetings shall be recorded by the Recording Secretary of the Board or appointed designate. Copies of all approved minutes shall be sent to all Board Members with copies to be filed with the Village within fourteen (14) days of the minute's approval. Email chains for regular meetings shall be considered sufficient for regular meeting minutes.
- 5.7 A quorum of the Board shall be a majority of members of the Board.
- 5.8 The Chair shall have a vote on any question, and, in the event of a tie vote, the motion shall be defeated.
- 5.9 The Board may appoint sub-committees, members of which need not be members of the Board but should still be residents of Elnora or the surrounding area, to deal with any matters coming within the scope and jurisdiction of the Recreation and Culture Board. All sub-committees must keep record of their meetings and give copies of such to the Board.

6.0 POWERS OF THE BOARD

- 6.1 The Board shall be concerned with the growth and development of a broad range of recreation, culture and community development activities and the coordination of recreation facility development and use, and to provide activities that will provide opportunities for people of all ages to use their leisure time in a wholesome and satisfying manner.
- 6.2 The Board may consider for approval any proposals received for financial consideration from community organizations and groups.
- 6.3 The Board may make rules and regulations and form policies as it deems necessary from time to time, provided such rules and regulations and policies are consistent with the authority contained within this bylaw. Copies of approved rules, regulations, policies and amendments shall be filed with the Village.

7.0 BUDGET AND FINANCE

- 7.1 The Board shall receive annual funding from the Village to assist in the implementation of the Board's mandate.
- 7.2 The Village shall provide budget reporting upon request.
- 7.3 Neither the Board nor any members thereof shall have the power to pledge the credit of the Village in connection with any matters whatsoever, nor shall the said Board or any members thereof have any power to authorize any expenditure to be charged against the Village.
- 7.4 In the event that there is to be any deviation from the ratified budget as recommended by the Recreation and Culture Board, application for change must be made to Village administration and agreement reached before the change is effected.
- 7.5 All costs incurred by the Board, in keeping with its budget, shall be paid in a timely fashion within the calendar year. Invoices must be provided to Village administration promptly to ensure payment.

8.0 MISCELLANEOUS

- 8.1 As a creation of Village Council, the Village shall extend its general liability insurance coverage to the Board and its members. In the case of planning special events, it is recommended the Board contact the Village to determine if extra coverage might be warranted.
- 8.2 In the event the Board has been authorized by the Village to disband, all projects are immediately declared null and void and all monies and properties revert back to the Village.

9.0 TRANSITIONAL

- 9.1 This Bylaw shall come into force and effect on the final date of passing thereof.
- 9.2 Bylaw No. 323 and Bylaw No. 325A are hereby repealed on the date of final passing of this Bylaw.

Read a first time this ____ day of _____, 2025

Read a second time this ____ day of _____, 2025

By unanimous consent, Council agrees to give **BYLAW #2025-____ third and final reading.**

Read a third time this ____ day of _____, 2025

Mayor

CAO



Bylaw No. 2020 - 05

Land Use Bylaw

Village of Elnora

ADOPTED ON: January 11, 2021

BYLAW NO. 2020-05

A BYLAW OF THE VILLAGE OF ELNORA IN THE PROVINCE OF ALBERTA, TO RESCIND EXISTING LAND USE BYLAW #504-0903 (November 2009) AND ADOPT THE PROPOSED DRAFT VILLAGE OF ELNORA LAND USE BYLAW #2020-05 AND AMENDMENTS.

Pursuant to the authority conferred upon it by Municipal Government Act, the Council of the Village of Elnora hereby enacts that **Land Use Bylaw #504-0903** be rescinded and that **Bylaw #2020-05 and amendments** be adopted as the **Village of Elnora Land Use Bylaw** as attached hereto.

FIRST READING:	October 13, 2020
SECOND READING:	January 11, 2021
THIRD READING:	January 11, 2021



MAYOR

Date Signed:

Jan 14/2021



CHIEF ADMINISTRATIVE OFFICER

Date Signed:

January 15, 2021

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PART 1 ENACTMENT

1.1 TITLE

1. This Bylaw shall be cited as the “Village of Elnora Land Use Bylaw” pursuant to Part 17 of the Municipal Government Act.

1.2 PURPOSE

The purpose of this Bylaw is to:

1. Divide the municipality into districts;
2. Prescribe and regulate the use for each district;
3. Establish the office of the Development Officer;
4. Establish a method of making decisions on applications for development permits including the issuing of development permits;
5. Provide the manner in which notice of the issuance of a development permit is to be given.

1.3 PREVIOUS BYLAW

1. Village of Elnora Land Use Bylaw No. 504-0903 is hereby rescinded.

1.4 EFFECTIVE DATE

1. This Bylaw comes into force and effect upon the date of its final reading by the Village of Elnora Council and has been signed in accordance with the Municipal Government Act.

1.5 APPLICATION IN PROGRESS

1. A development permit application deemed complete prior to the passing of this Bylaw shall be processed in accordance with the Land Use Bylaw in effect on the date the complete application was received.

1.6 CONTROL OF DEVELOPMENT

1. No person shall commence or continue a development, other than a development described in Section 4.2 (Development not requiring a Development Permit), without a benefit of a development permit issued in accordance with this Bylaw.

1.7 COMPLIANCE WITH OTHER LEGISLATION

Compliance with the requirements of this Land Use Bylaw does not exempt any person in possession of an approved development permit from:

1. A statutory plan;
2. The requirements of any federal, provincial or other municipal legislation;
3. Complying with any caveat, easement, covenant, or other instrument affecting a building or land; and
4. The obligation to obtain any other permit, license or other authorization required by this or any other bylaw.

1.8 SEVERABILITY

1. If any provision of this Land Use Bylaw is held to be invalid by a decision of a court of competent jurisdiction then that shall only apply to the extent of the invalid provision the rest of the Bylaw shall remain in full force and effect.

1.9 RULES OF INTERPRETATION

1. Unless otherwise stated, any reference to the “Act” in this Bylaw means the Municipal Government Act, RSA 2000 c. M-26. Any other Municipal bylaw referred to in this Bylaw means the current bylaw in effect, as amended, revised, consolidated, or replaced from time to time.
2. Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words used in the masculine gender shall also mean the other gender Words that have the same meaning whether they are capitalized or not.
3. Words, phrases and terms not defined in the Land Use Bylaw shall be given their definition in the *Municipal Government Act R.S.A. 2000, Subdivision and Development Regulation or the Alberta Building Code*. Other words shall be given their usual and customary meaning.
4. The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to this Land Use Bylaw.
5. Drawings and graphic illustrations are provided to give context and aid in interpreting and understanding the intent of a particular part of this Bylaw. Where any conflict or inconsistency between the graphical illustration and the text of a provision, the text shall prevail.

PART 2 APPROVING AUTHORITY

2.1 DEVELOPMENT AUTHORITY

1. The Development Authority is established by this Bylaw pursuant to the *Act*.
2. The Development Authority shall exercise its powers and duties on behalf of the Village.
3. The Development Authority shall consist of the Development Officer or, where the context of this Bylaw permits or other enactments, the Municipal Planning Commission, or Council with respect to land or building located within a Direct Control District except where Council has delegated its authority to either the Development Officer or the Municipal Planning Commission.

2.2 DEVELOPMENT OFFICER

1. The Office of the Development Officer is hereby established by this Bylaw.
2. Pursuant to the *Act*, Council hereby appoints the Development Officer as a Development Authority, with the power and authority to make decisions with respect to development permit application specified in this Bylaw.
3. The person that fill the office of Development Officer shall be appointed by the Village Manager.

2.3 MUNICIPAL PLANNING COMMISSION

1. The Municipal Planning Commission is established by Bylaw 469-2002.

2.4 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

1. The Subdivision and Development Appeal Board is established by Bylaw No. 470-2002.
2. The Intermunicipal Subdivision and Development Appeal Board is established by Bylaw No. 2019-02
3. Pursuant to the *Act*, Council hereby appoints the Subdivision and Development Appeal Board which shall perform such duties and functions in accordance with the Subdivision and Development Appeal Board Bylaw and the *Act*.

PART 3 ADMINISTRATION

1. AUTHORITY AND RESPONSIBILITY OF THE DEVELOPMENT OFFICER
2. The Development Officer shall perform such duties that are specified in this Land Use Bylaw including among other things:
 - (a) keep and maintain a copy of this Land Use Bylaw, as amended from time to time, for inspection by the public during office hours;
 - (b) keep a register of all development applications including the decisions;
 - (c) receive and process all applications for development permits;
 - (d) determine and provide notice if a development permit application is either complete or incomplete within 20 days of receipt; unless an approved extension has been granted in writing.
 - (e) review each development permit application to ascertain whether its appropriate use definition and, if necessary, require the applicant to apply for a development permit for a different use definition;
 - (f) determine and render decision on the following, and state the terms and conditions as authorized by this Land Use Bylaw or the *Act*:
 - (i) a complete application for a Permitted Use in any and all Land Use Districts;
 - (ii) development permit application requiring a minor variance of up to 5% of the required minimum standard,
 - (g) refer development permit application to the Municipal Planning Commission for decision, except when the authority has been delegated to the Development Officer, for:
 - (i) Discretionary Uses; and
 - (ii) development permit application requiring variance greater than 5% of the minimum standard,
 - (h) refer all development permit application in Direct Control District to Council for decision, except when the authority has been delegated to the Development Officer.
 - (i) provide notice of decisions on development permit application in accordance with the notification requirement of this Bylaw;
 - (j) review and process Land Use Bylaw amendments;
 - (k) Advise and assist the Municipal Planning Commission and, where applicable, the Council, with regard to the planning of orderly and economical development within the Village, and shall seek to ensure that any proposed development is in accordance with the purpose, scope, and intent of this Bylaw and be consistent with all applicable statutory plans and adopted Village policies.
3. The Development Officer may only approve a variance no greater than 5% of the minimum standards.

3.2 AUTHORITY AND RESPONSIBILITY OF THE MUNICIPAL PLANNING COMMISSION

1. The Municipal Planning Commission is established by the passing of Bylaw 469-2002.
2. The Municipal Planning Commission shall issue decisions and if necessary state the terms and conditions for development permit applications, as authorized by this Land Use Bylaw and the Act:
 - (a) for those uses listed as Permitted Uses which the Development Officer refers to the Municipal Planning Commission;
 - (b) for those uses listed as Discretionary Uses which the Development Officer refers to the Municipal Planning Commission;
 - (c) any other planning or development matter referred by the Development Officer.

3.3 DISCRETION OF THE DEVELOPMENT AUTHORITY

1. The Development Authority, excepting the Development Officer, may decide on application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority:
 - (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 parcels of land, and
 - (iii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.
 - (b) the proposed development is a minor variance to the non-conforming building resulting to a one time maximum building addition or enlargement of 10%.

PART 4 DEVELOPMENT PERMIT

4.1 PURPOSE OF A DEVELOPMENT PERMIT

1. Development permits are required to ensure that all development is achieved in an orderly manner.

4.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

All development undertaken in the municipality requires an approved development permit prior to commencement, except for the following:

1. The carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
2. The completion of any development which has lawfully commenced before the passage of this Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms and conditions of any permit granted in respect of it, and provided that it is completed within 12 months of the date of the development permit being issued;
3. The use of any such development as is referred to in Subsection 2 for the purpose for which development was commenced;
4. The erection, construction, maintenance, improvement, and/or other alteration of gates, fences, walls or other means of enclosure less than 1m (3 ft) in height in a front yard and less than 2m (6 ft) in other yards;
5. A temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under the Land Use Bylaw;
6. A soft sided building (camping tent) not exceeding three (3) consecutive days.
7. A temporary use of a parcel not exceeding seven (7) consecutive days for the sole purpose of mobile commercial sales (e.g. fish trucks, fruit trucks, etc.) providing a business license where applicable, is obtained from the municipality and the location of the business is to the satisfaction of the development authority;
8. The installation of Solar Energy Collector System subject to the provision of Section 8.31 of this Bylaw.
9. The installation, maintenance, and repair of utilities;
10. Any development carried out by or on behalf of the Crown, but not including that carried out by or on behalf of a Crown Corporation;
11. Any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
12. One accessory building not to exceed 9.5m² (100 ft²) in floor area and 2.5m (8 ft) in height, provided that such development complies with all applicable provisions of the district;
13. Development specified in Section 618 of the Municipal Government Act RSA 2000, which includes:
 - (a) highway or public road;

- (b) a well or battery within the meaning of the Oil and Gas Conservation Act;
 - (c) a pipeline or an installation or structure incidental to the operation of a pipeline;
 - (d) a flag attached to a single upright flagpole.
14. Signs listed in Section 10.5 (Sign Not Requiring a Development Permit).
15. One satellite dish antenna less than 1m (3 ft) in diameter per parcel;
16. Demolition of a building less than 25m² (270 ft²).

4.3 DEVELOPMENT PERMIT APPLICATION

1. A development permit application is considered complete after a thorough review of the submitted application by the Development Officer. The Development Officer shall issue a dated and signed letter stating that the application is deemed complete.
2. An application for a development permit shall be made on the prescribed form, signed by the owner or authorized agent, paid the applicable fees, and submitted to the Development Officer. The following information, where applicable, shall accompany the application:
 - (a) One scaled (1:100) site plan showing:
 - (i) north arrow;
 - (ii) scale of plan;
 - (iii) legal description of property and surveyed dimensions of the parcel;
 - (iv) municipal address;
 - (v) lot line shown with dimensions;
 - (vi) the front, rear, and side yards of any existing and proposed buildings;
 - (vii) utilities, site drainage, and existing and proposed site grades supported by a lot grading plan;
 - (viii) development density, site coverage calculation, height and number of storeys;
 - (ix) existing and/or proposed use of a building or property;
 - (x) location and size of existing and proposed trees, shrubs, other physical features on a site to be retained, removed, or replaced;
 - (xi) a landscaping plan;
 - (xii) access locations to and from the site;
 - (xiii) loading and parking provisions;
 - (xiv) garbage, storage areas and fencing or screening proposed for same.
 - (b) information describing hazards including but not limited to any noxious, toxic, radioactive, flammable or explosive materials proposed for use or storage on site;
 - (c) plans showing elevations, floor plan and the perspective of the proposed development including a description of the exterior finishing materials and colours;

- (d) engineering plans or statement of intent respecting the provision of water and sewer services, and franchise utilities to the site, and the location of all services and utilities;
 - (e) a copy of the Certificate of Title to the land and, if the applicant is not the owner, a statement of the applicant's interest in the land together with the written consent of the owner to the application, and
 - (f) the estimated commencement and completion dates;
 - (g) the estimated value of the project;
 - (h) a signed consent form allowing right-of-entry on the property by the Development Officer; and
 - (i) such other plans and information as the development authority may consider necessary to properly evaluate the proposed development.
3. Each application for a development permit shall be accompanied by a non-refundable processing fee in accordance with the Fee Bylaw.
 4. Development that has commenced prior to obtaining development approval by the Development Authority shall be, to the sole discretion of the Development Authority, subjected to triple the current non-refundable processing fee rates.

4.4 INCOMPLETE APPLICATION

The Development Officer may return a development permit application to an applicant where there seem to be insufficient details of the proposed development have not been included with the application or where, in its opinion, the quality of the submitted documents is inadequate to properly evaluate the application. The returned application shall not be deemed complete until all required details have been submitted to the Development Officer.

1. the Development Officer may refuse a development permit application if it is an incomplete application or it fails the standard of Section 4.3 (Development Permit Application) in which the Development Officer is of the opinion that a proper evaluation may not be rendered.

4.5 DEVELOPMENT REFERRALS

1. The Development Officer or the Municipal Planning Commission may refer to other agencies in accordance with the Municipal Government Act.
2. The Development Officer or the Municipal Planning Commission may refer any application to any other agency or department for comment.

4.6 DEVELOPMENT PERMIT DECISION TIME LIMIT

1. The Development Authority shall consider and decide on any application for a development permit within 40 days of the receipt of a complete application or within such longer period as the applicant may have agreed to in writing.
2. An application for a development permit shall be deemed to be refused when no decision has been rendered within 40 days after receipt of a complete application.

4.7 ESTABLISHMENT OF FORMS

1. For the purpose of administering this Land Use Bylaw, the Development Officer shall prepare such forms and notices as deemed necessary.
2. Any such forms or notices are deemed to have full force and effect of this Land Use Bylaw.

4.8 ESTABLISHMENT OF FEES

1. The development permit application fee and fees for other matters arising through this Land Use Bylaw shall be established by Bylaw.
2. Council may, at any time, change the fees required as established by this Land Use Bylaw.
3. Notwithstanding Subsections 1 and 2; in the case where Council has delegated development authority powers to any other person or organization , the fees prescribed by the agency shall apply.

4.9 DEVELOPMENT PERMIT DECISIONS AND CONDITIONS

1. The Development Authority shall approve a development permit application with or without conditions for a permitted or discretionary use if the application conforms to the requirements of the Land Use Bylaw, the *Act*, the *Regulation*, and any applicable statutory plans to ensure any of the following:
 - (a) Arrangements satisfactory to the Development Authority for the supply of utilities including, but not limited to, water, sanitary sewer, storm water sewer, power, electric, natural gas, telecommunication, including payment of the cost of installation or construction of any such utility or facility by the applicant;
 - (b) Arrangements satisfactory to the Development Authority for vehicular and pedestrian access and/or circulation from public roads, trails, on-site parking lots, loading, landscaping or drainage or any matters including the payment of the cost of installation or construction of any such facility by the applicant;
 - (c) That the applicant enters into a development and/or servicing agreement which shall form part of the development permit and may be required to be registered by caveat against title to the land to do any or all of the following items listed in accordance with Section 650 of the *Act*.
 - (d) That the applicant provides and causes to be registered on the applicable titles any easement, right-of way agreement, encroachment agreement, or restrictive covenants which in the opinion of the Development Authority are required.
2. The Development Authority shall refuse a development permit application for a use or development not listed under Permitted or Discretionary Use.
3. The Development Authority may cancel, suspend, revoke a development permit if:
 - (a) there is a contravention of any condition under which such a permit was issued;
 - (b) the permit was issued in error; or
 - (c) the permit was issued on the basis of incorrect information.

4. If an application for a development permit for a permitted use does not conform to the requirements of this Land Use Bylaw, the *Act*, the *Regulation* and any applicable statutory plans, the Development Authority:
 - (a) shall refuse the application giving reasons for the refusal; or
 - (b) may approve the application subject to conditions to have the application conform to the above; or
 - (c) may approve the application pursuant to Sections 3.2 and 3.3, and subject to conditions listed in Subsection 1.

4.10 NOTIFICATION OF DECISION

1. A decision of the Development Officer or the Municipal Planning Commission on an application for a development permit shall be given in writing and a copy shall be sent by ordinary mail or electronic medium (eg. e-mail or other forms) or delivered in person to the applicant.
2. When an application for a development permit is approved, with or without conditions, the Development Officer shall:
 - (a) send a notice of the decision by ordinary mail or electronic means to the applicant on the same day the written decision by the Development Authority was given;
 - (b) arrange for a notice of decision to be published in the Village website or a local newspaper circulating in the Village stating the legal description and civic address of the site of the development and identifying the use which has been approved.
 - (c) for discretionary uses, a notice of the decision may also be immediately posted with the information prescribed in Subsection 2(b) conspicuously on the property for which the application has been made.
3. When the Development Officer or the Municipal Planning Commission refuses an application for a development permit, the notice of decision shall contain the reasons for the refusal.

4.11 EFFECTIVE DATE OF DEVELOPMENT PERMIT

1. A development permit shall not be issued until 21 days after the notice of decision has been provided to the applicant by mail, published in a newspaper or Village website, or posted on the property. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
2. Where an appeal is made pursuant to the Municipal Government Act, a development permit which has been issued shall not come into effect until the appeal has been determined and the permit may be modified or nullified.

4.12 EXPIRY AND VALIDITY OF PERMIT

1. If the development authorized by a development permit is not commenced within 12 months from the date of its issue or the date of decision by the Subdivision and Development Appeal Board, and completed within 12 months, the permit shall be deemed to be void, unless an extension, for the commencement and/or completion date, has been granted by the Development Officer.

2. The Development Authority may grant a one-time extension for the development permit expiry for up to an additional 12 months for the commencement and/or completion date.
3. A development permit issued according to this Land Use Bylaw is not a building permit. An approved building permit and a copy shall be submitted to the Development Officer, is required prior to commencement of work.

4.13 RE-APPLICATION FOR A DEVELOPMENT PERMIT

1. When a development permit application has been refused, the Development Officer shall refuse to accept another application for the same or a similar use for the same lot or site until six (6) months have passed from the date of the notice of decision.
2. Notwithstanding Subsection 1; the Development Officer may accept the development permit application if the reason for refusal has been addressed and the application conforms to this Land Use Bylaw.

PART 5 APPEAL

5.1 DEVELOPMENT PERMIT APPEALS

1. A development permit application is deemed refused if no decision has been rendered within 40 days of the application being deemed complete.
2. If the applicant and the Development Officer agreed to an extension for a decision, then the 40 day limit commences at the end of the agreed upon date.
3. The applicant may appeal to the Subdivision and Development Appeal Board in writing, as provided for in this Land Use Bylaw, unless the applicant and the Development Officer agreed to extend the application in writing.
4. Any person who lives adjacent to the subject of an application for which a development permit has been issued, or any person has demonstrably been affected by a development permit, may appeal to the Board.
5. Where the Development Authority:
 - (a) fails to issue a development permit, or
 - (b) refuses a development permit application, or
 - (c) issued a development permit subject to conditions, or
 - (d) issues a Stop Order under the Municipal Government Act,the applicant or the person served by a Stop Order, may appeal to the Subdivision and Development Appeal Board in accordance with the Municipal Government Act.
6. ~~An applicant, or person affected, person served by a Stop Order may appeal the decision in writing, giving reasons, to the Subdivision and Development Appeal Board within 14 days of the date of notice.~~

Replace with:

~~An applicant, or person affected, served by a Stop Order may appeal the decision in writing, giving reasons, to the Subdivision and Development Appeal Board as per the Act.~~

7. Notwithstanding Subsection 3, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Land Use Bylaw were relaxed, varied, or misinterpreted.

PART 6 ENFORCEMENT

6.1 CONTRAVENTION AND ENFORCEMENT

1. Contravention

- (a) No person shall contravene this Land Use Bylaw by commencing or undertaking a development or use that is not permitted under this Bylaw.
- (b) No person shall authorize or proceed with any development that is at variance with the description, specification or plan that were the basis for issuing a development permit under this Land Use Bylaw.
- (c) No person shall contravene a condition of a development permit issued under this Land Use Bylaw.
- (d) A Bylaw Enforcement Officer or a Development Officer (Designated Officer) may enforce the provisions of this Land Use Bylaw, the Municipal Government Act, Subdivision and Development Regulation, the conditions of a development permit or subdivision approval.
- (e) The provisions of this Land Use Bylaw may be enforced by way of stop order, injunction, or such other relief as may be available under the Municipal Government Act.
- (f) A Designated Officer may inspect premises in accordance with the provisions of the Municipal Government Act where there are reasonable grounds to believe that the premises are being used in contravention of this Land Use Bylaw

2. Pursuant to Subsection 1(e), the provisions of this bylaw may be enforced by way of Stop Order, injunction or such other relief as may be available under the Municipal Government Act, including the following:

- (a) Where the Development Authority finds that a development or use of land or building is not in accordance with Part 17 of the Municipal Government Act, this Land Use Bylaw, the Subdivision and Development Regulation, a development permit or subdivision approval, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:
 - (i) stop the development or use of the land or building in whole or in part as directed by the notice, or
 - (ii) demolish, remove or replace the development, or
 - (iii) carry out any other actions required by the notice so that the development or use of the land or building complies with Part 17 of Municipal Government Act, the Subdivision and Development Regulation, this Land Use Bylaw, a development permit or subdivision approval, within the time set out in the notice.
- (b) Any person who receives an order under Subsection 2(a) may appeal to the Subdivision and Development Appeal Board pursuant to the Land Use Bylaw.

- (c) The Village may register a caveat under the Land Titles Act in respect of an order referred to in Subsection 2(a) against the Certificate of Title for the land that is the subject of the order. A caveat registered under this Subsection must be discharged once the order has been complied with.
- (d) Where a person receives an order fails or refuses to comply with an order, the Village or its designate may, in accordance with Section 542 of the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (e) Where a person fails or refuses to comply with an order under Subsection 2(a) or an order of the Subdivision and Development Appeal Board under the Municipal Government Act within the time specified, the Village may seek a court order from the Court of Queen's Bench for any or all of the following:
 - (i) a declaration that the person who received an order is in breach of the Land Use Bylaw, an order issued under the Land Use Bylaw and/or the Subdivision and Development Appeal Board's decision relating to an appeal of an order;
 - (ii) an injunction ordering the person who received an order referred to in Subsection 2(a) to comply with the Land Use Bylaw within a certain period of time;
 - (iii) an order providing that, if compliance has not been achieved within the period stated in the court order, the Village or its appointed officer has the right to enter upon the land and building and take steps necessary to achieve compliance with the Land Use Bylaw;
 - (iv) an order that legal costs and the costs to achieve compliance incurred by the municipality can be added to the Tax Roll for the land that is the subject of the court order;
 - (v) a provision that the court order may be registered against the certificate of title for the land that is the subject of the court order and discharged only on full compliance with the court order.
- (f) Where a person fails or refuses to comply with an order directed him/her under Subsection 2(a) or an order of the Subdivision and Development Appeal Board under the Municipal Government Act within the time specified, the Enforcement Officer may enter upon the land or building and take such action as is necessary to carry out the order.
- (g) Where the Council or persons appointed by it carries out an order the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the Tax Roll of the property that is subject of the order.

6.2 OFFENCES AND PENALTIES

General

1. A person who contravenes or does not comply with the provision of Division 5 of Part 13 or Part 17 of the Municipal Government Act, or this Land Use Bylaw, or who obstructs or hinders any person in the exercise or performance of their powers under Part 17 or regulations under Part 17 of the Municipal Government Act, is guilty on an offence.
2. A person who is guilty of an offence referred to in Subsection 1 is liable upon summary conviction to the specified penalty set out in Schedule B, or in the case of an offence for which there is no specified penalty to a fine of not less than \$300 and not more than \$10,000.
3. Where an Enforcement Officer reasonably believes that a person has contravened any provision of this Bylaw, the Enforcement Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form provided under the Provincial Offences Procedures Act, allowing payment of the specified penalty for the particular offence as provided in Schedule B of this Bylaw, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty.
4. Where a person is convicted of a second, third or subsequent offence under a particular section of this Bylaw, and where the offence has occurred within 12 months after the date of occurrence of the first offence under that section of this Bylaw, the specified penalties applicable upon conviction for such second, third or subsequent offence shall be the amount set out in columns two and three, respectively, of Schedule B.
5. This section shall not prevent any Enforcement Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, or from laying an information in lieu of issuing a violation ticket.
6. Where a person is found guilty of an offence under this Land Use Bylaw, the court may in addition to any other penalty imposed, order the person to comply with the Land Use Bylaw, or a development permit or condition attached thereto.

PART 7 AMENDMENT

7.1 AMENDING THE LAND USE BYLAW

1. The Village of Elnora Council may amend this Land Use Bylaw.
2. A person may request to have this Land Use Bylaw amended by applying in writing to the Development Officer. The application shall:
 - (a) specify the nature of the amendment requested,
 - (b) outline the reasons of making the application,
 - (c) if the application is for a change of Land Use District, include the legal description or a drawing showing the location and dimensions of the property to be changed,
 - (d) state the applicant's interest in the lands, and
 - (e) be accompanied by an application fee in accordance with the Fee Bylaw.
3. For rezoning/re-designation application, the Development Officer may require:
 - (a) an outline plan for the area to be re-designated to the level of detail specified by the Development Officer; and
 - (b) payment of fee equal to the costs incurred by the Village to review the proposed re-designation and related outline plan;
4. Upon receipt of an application for amendment to this Land Use Bylaw, the Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development resulting from or allowed as a result of the proposed amendment. The analysis shall be based on the full development potential of the proposed amendment and not on the merits of any particular development proposal. The analysis shall, among other things, consider the following impacts:
 - (a) relationship to and compliance with approved statutory plans and Council policies,
 - (b) relationship to and compliance with statutory plans or outline plans in preparation,
 - (c) compatibility with surrounding development in terms of land use function and scale of development,
 - (d) traffic impacts,
 - (e) relationship to, or impacts on, services such as water and sewage systems, and other public utilities and facilities such as recreation facilities and schools,
 - (f) relationship to municipal land, right-of-way or easement requirements,
 - (g) effect on stability, retention and rehabilitation of desirable existing uses, building or both in the area,
 - (h) necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant, and
 - (i) relationship to the documented concerns and opinions of area residents regarding development implications.

5. Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall determine when the application will be in place before the Council and shall issue notice to the applicant, not less than seven (7) days', advising that he may appear before the Council and speak to the application at the public hearing. An application for an amendment must be before the Council within 60 days of its receipt by the Development Officer.
6. Following first reading of an amending bylaw, Council shall:
 - (a) establish the date, time and place for a public hearing;
 - (b) if a bylaw to establish procedures for public hearings has not been passed:
 - (i) outline the procedures to be followed by any person group of persons or person representing them who wish to be heard at the public hearing, and
 - (ii) outline the procedure by which the public hearing will be conducted
7. Following the first reading of an amending Bylaw, the Development Officer must give notice of the public hearing by:
 - (a) publishing notice in the Village Office or website at least once a week for two (2) consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates, and
 - (b) if the amending bylaw proposes to change the district designation of a parcel of land, mailing or delivering notice to every owner of adjacent land in and around the parcel or parcels to which the proposed bylaw relates, and
 - (c) if the amending bylaw proposes to change the district designation of a parcel of land, mailing or delivering notice to every owner of adjacent land in and around the parcel(s) to which the proposed bylaw relates.
8. A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
9. A notice must contain:
 - (a) a statement of the general purpose of the proposed Bylaw and public hearing,
 - (b) the address or website where a copy of the proposed Bylaw and any document relating to it or the public hearing may be inspected,
 - (c) the date, place and time where the public hearing will be held.
10. in the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of Subsections 6 through 9,
 - (a) include in the notice
 - (i) the municipal address, if any, and the legal address of the parcel of land, and
 - (ii) a map showing the location of the parcel of land
 - (b) give written notice containing the information described in Subsection 6(a) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and

- (c) give written notice containing the information described in Subsection 6(a) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- 11. If the land referred to in Subsection 10(c) is in Red Deer County, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the Tax Roll.
- 12. All proposed amendments to the Land Use Bylaw must be referred as required by the Act.
- 13. ~~Notwithstanding Subsection 6 and 7, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment is to correct clerical, technical, grammatical or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.~~
- 14. The Development Officer shall not accept an application to amend this Bylaw, for a minimum period of 6 months from the date of Council refusal:
 - (a) for application which is identical or similar to an application which Council refused; or
 - (b) unless in the opinion of the Development Officer, the reasons for the refusal have been adequately addressed or the circumstances of the application have changed significantly.

PART 8 GENERAL LAND USE REGULATION

8.1 APPLICABILITY

1. These General Regulations shall apply to all development in all districts unless otherwise exempted within this section or the applicable District Regulations. Where these Regulations may be in conflict with any District Regulations, the more stringent regulations shall prevail.

BUILDINGS

8.2 ACCESSORY BUILDINGS

1. An accessory buildings connected to the principal building by a structural element including, but not limited to a common foundation, roof or wall, shall be deemed to be part of the principal building.
2. No part of an accessory building shall be located on or over an easement or utility right-of-way unless written authorization by the easement holder or to whom the right-of-way belongs to.
3. An accessory building shall not be placed in the front yard.
4. An accessory building shall not be used as a dwelling except for an approved secondary suite.
5. The location of any accessory building that has or will have a permanent foundation in relation to the property lines of the parcel on which the accessory building is to be constructed shall be confirmed in writing by an Alberta Land Surveyor prior to construction commencing. A copy of the written conformation shall be provided to the Village.
6. When a parcel abuts a lane less than 6m wide, the Development Authority may require a rear yard setback for accessory buildings greater than the prescribed minimum.
7. An accessory building shall not exceed the height of the first storey of the principal building within the residential district unless approved as a secondary suite.
8. An accessory building shall not exceed 68m² (730 ft²).
9. An accessory building shall be located a minimum of 3m (10 ft) from the principal building.
10. No deck shall be constructed on an accessory building.

8.3 NUMBER OF PRINCIPAL BUILDINGS ON A PARCEL

1. There shall only be one principal building allowed on a parcel on a fee simple or condominium parcel unless approved by the Development Authority.
2. In cases whereby multiple buildings may be acceptable, such as bare-land condominium, mobile home park, and the like, to the Development Authority as principal buildings the following shall be provided:
 - (a) a detailed surveyed site plan; and
 - (b) any other studies or technical plans may be required as the Development Authority deems necessary.

8.4 TEMPORARY BUILDINGS AND SOFT SIDED BUILDINGS

1. The Development Authority may conditionally approve a temporary building, including a soft sided building, to be placed on a site subject to an expiry date to be removed by the owner in accordance with the terms and conditions of the development permit.
2. Sea cans are temporary buildings which shall not be used as an accessory building.

8.5 MULTIPLE USES

1. When any land or building is used for more than one purpose, all provisions of this Land Use Bylaw relating to each use shall be satisfied. Where there appears to be a conflict, the more stringent standards shall apply.

8.6 BUILDING ORIENTATION AND DESIGN

1. The design, character and appearance of any building, must be acceptable to the Development Authority having due regard to:
 - (a) amenities such as daylight, sunlight and privacy;
 - (b) compatibility with the character of existing development in the District, including, but not limited to, the facing materials, roof pitches, eave depth, building mass and architectural detail; and
 - (c) the building's scale and massing effect on adjacent parcels or pedestrian.
2. In the Industrial District or Commercial Districts, the Development Authority may approve an application for a development permit for a building that is soft-sided or faced or finished with flexible sheeting capable of being rolled or folded only if;
 - (a) the structure meets Alberta Building Code requirements;
 - (b) the building is an accessory building on the parcel and is not erected or placed within the front yard of a parcel, unless otherwise approved by the Development Authority, and
 - (c) the building is approved as a temporary structure and subject to annual renewal.
3. Sea/land shipping containers or similar forms of shipping or cargo containers shall not be permitted on a site in any residential district unless a temporary development permit has been approved for a period no greater than 14 consecutive days.

8.7 DANGEROUS GOODS

1. No dangerous goods shall be permitted to be placed or stored on site unless otherwise approved by Federal or Provincial Authority of which must be submitted as part of the application for a development permit.
2. Application for a development permit containing Dangerous Goods shall be referred to the Village Emergency Services.

8.8 NON-CONFORMING USES AND BUILDINGS

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

8.9 RELOCATION OF BUILDINGS

1. No moved-in buildings shall be permitted on a site in the Commercial District.
2. In all other districts, no person shall:
 - (a) alter the location on a parcel of a building which has already been constructed on that parcel, unless a development permit has been issued by Development Authority.
3. In addition to the requirements of Section 4.3 (Development Permit Application), the Development Authority shall require an application for a development permit to be accompanied by the following information for a proposed moved-in building:
 - (a) recent color photographs showing all sides of the building;
 - (b) elevation drawing on all sides of the building;
 - (c) the age, size and structural condition of the building;
 - (d) a statement prepared and signed by a qualified registered professional who is to make assessment on the structural condition and integrity of the building; and
 - (e) proposed improvements or alteration to the building.
4. An application for a development permit may be approved by the Development Authority if the proposal for a moved-in building meets all the regulations specified under the appropriate Land Use District in which it is proposed to be located.

5. Where the development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Development Authority may require the applicant to provide an irrevocable letter of credit of such amount equal to the cost of renovation to ensure completion of any renovations set out as a condition of development approval.
6. All structural and exterior renovations shall be completed within one (1) year of the date of issue of the of a development permit.

8.10 DEMOLITION OF BUILDINGS

1. In addition to requirements of Section 4.3 (Development Permit Application), the Development Authority may require an application for demolition of a building to be accompanied by a statement indicating how the demolition will be carried out safely, the duration of the demolition and clean up, and avoid or minimize nuisance.
2. A development permit is required to demolish a building equal to or greater than 25 m² (270 ft²) in size. Whenever a development permit is issued for the demolition of a building, it shall be a condition of the permit that the site be properly cleaned, with all debris removed, and left in a graded condition acceptable to the Development Authority.
3. Where a permit is approved, the Development Authority may require the applicant to provide an irrevocable letter of credit of such amount to cover the costs of reclamation and any damage to utilities and other municipal infrastructure.

YARDS

8.11 LIGHTING OF SITES

1. Any outdoor lighting for a development shall be located and arranged so that no light emission are directed to an adjoining lot or site; or interfere with the effectiveness of any traffic control device or the lighting of public streets.
2. Parking areas for apartments and public, commercial and industrial uses shall be provided with overhead illumination.

8.12 DRAINAGE

1. Any area requiring landscaping and/or re-contouring shall not direct surface drainage or cause the impounding of drainage on adjoining land unless otherwise approved by the Development Authority.
2. The storm water run-off and sub-surface drainage of all development shall be in a manner acceptable to the Development Authority.
3. The storm water run-off and sub-surface drainage, including discharge of sump pumps, of all development shall not directly discharge or cause any flows across a sidewalk.
4. All roof drainage from any building shall be directed and contained within the parcel it is built on.
5. Where the final site grades have been established through a development agreement or approved engineered drawings, the Development Authority shall require the applicant to provide a grading and location certificate indicating the final elevation of the corners of the property and the front, side and rear elevations and locations for all buildings.

8.13 EASEMENTS

1. No development or a portion thereof shall be permitted to encroach on a utility easement or right-of-way without a written consent of the person whom the easement is registered to or the person whose utility line is located in the easement.

8.14 EXCAVATION

1. Any person wishing to excavate, strip or grade a land shall submit the following as part of the development permit application:
 - (a) the legal description of the site on which the excavation, stripping or grading is to take place;
 - (b) the specific area on the site to be affected by the operation;
 - (c) the present height of the land relative to any adjoining public thoroughfare and adjacent sites;
 - (d) the proposed depth to which the site is to be excavated or topsoil removed and the level to which it is proposed to restore surface of the land in relation to lands adjacent to the subject property;
 - (e) an outline of the methods for controlling or avoiding any nuisance arising from noise, dust or drainage from the operation; and
 - (f) the length of time that the applicant estimates will be required to complete the excavation or work.
2. Wherever a permit is required for the excavation of land or the removal of topsoil pursuant to this Land Use Bylaw, the operation shall be deemed to be discretionary use in the applicable District.
3. It shall be the responsibility of the applicant to restore the worked area to a level and condition as required by the Development Authority.
4. The applicant is responsible for controlling or avoiding any nuisance effect, such as noise, dust or drainage, arising from the activity.
5. A temporary fence shall be erected when work is not being performed within the perimeter of the excavations site which in the opinion of the Development Authority may be a risk to public safety.

8.15 PROJECTIONS INTO YARDS

1. Building projection constructed on foundations walls and footings shall be deemed to be part of the building and shall not be considered a projection over a yard.
2. Subject to the requirements of the Alberta Building Code and this Land Use Bylaw, the following features may project into any yard required by the Land Use Bylaw:

Feature	Yard in which projection is permitted	Maximum permitted projection into the minimum required yard setback
eaves, chimney	any yard	0.61m (2 ft)
unenclosed steps and exterior staircases	front and rear yards side yard	1.5m (5 ft) 0.61m
bay or box window	front and rear yards side	1m (3 ft) 0.61m
unenclosed verandas, porches balconies, terraces, patios or decks	front yard rear yard side yard	1.8m (6 ft) 3.5m (11.5 ft) 0.61m
cantilevered wall sections with a width less than 2.5m	rear and side yards	0.61m

Table 1. Projections into Yards

8.16 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1. Any yard shall be free of the following in any district:
 - (a) any dismantled or damaged vehicle for more than 14 successive days unless properly screened from view, or
 - (b) any object or chattel which, in the opinion of the Development Authority, is unsafe (including flammable liquids, explosives, toxic chemicals) unsightly, or adversely affect the amenities of the surrounding area, or
 - (c) any excavation, storage or piles of building materials or supplies required during the construction of a development unless all necessary safety measures are undertaken and the situation does not prevail longer than the Development Authority considers necessary for completion of construction work on the site.
2. It is prohibited to park any motor vehicle in the front yard of any residential district except on a driveway.
3. In addition to Subsection 2, no other objects of any kind may be permitted in the front yard in the residential district with the exception of movable objects, landscaping, and landscaping ornaments as determined by the Development Officer.
4. A holiday trailer, motor home or camper parked on a parcel in a residential district may be used for living and sleeping accommodation for a maximum period of 30 days per annum with the following conditions:
 - (a) must not be parked in the front yard; and

- (b) must have a valid development permit for the temporary accommodation.
- 5. The outdoor storage of materials, products, equipment, or machinery shall not be placed in the required front yard setback within the commercial district unless they are a part of the sale, promotion, or display provided they do not impede on pedestrian or vehicular traffic.

8.17 SPECIAL SETBACK REGULATIONS AND REQUIREMENTS

- 1. Notwithstanding any specific provisions in this Land Use Bylaw, setbacks in excess of the minimum yard requirements may be required when deemed necessary by the Development Authority.
- 2. Notwithstanding any other provision of this Land Use Bylaw, where a development is proposed on a site adjacent to a pipeline right-of-way, as defined in the Pipeline Act, no part of any building to be occupied by persons on a regular basis shall be constructed closer than 15m from the edge of the pipeline right-of-way or as determined by the Provincial Authority.
- 3. All development undertaken on parcels adjoining a railway property may be required to erect fencing to standards approved by the Development Authority.
- 4. Development in Proximity to Sour Gas Facilities and Oil and Gas Wells

In accordance with the *Subdivision and Development Regulation*,

- (a) development that results in permanent overnight accommodation or public facilities must not be approved unless it conforms to the setback requirements of the Alberta Energy and Utilities Board with respect to sour gas facilities unless the Board has given written approval to a lesser setback;
- (b) no building shall be constructed within 100m (330 ft) of the well head of a gas or oil well, unless, in the opinion of the Development Authority, it may be considered an infill development or is otherwise approved in writing by the Alberta Energy and Utilities Board.
- (c) No building shall be constructed within 100m (330 ft) of the well head of a water injection well unless otherwise approved by the Development Authority.
- 5. In accordance with the Subdivision and Development Regulation:
 - (a) school, hospital, food establishment or residential building must not be approved and a residential building must not be constructed within 300m of the working area of an operating wastewater treatment plant, and
 - (b) a wastewater treatment plant must not be approved unless the working area of the plant is at least 300m (985 ft) from any existing or proposed school, hospital, food establishment or residential building unless the development is approved in writing by the Deputy Minister of the proper Provincial Authority.
- 6. In accordance with the Subdivision and Development Regulation:
 - (a) a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within the distance from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulation, and

- (b) a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, food establishment or residence specified in the Subdivision and Development Regulation, unless the development is approved in writing by the Deputy Minister of the approved in writing by the Deputy Minister of the proper Provincial Authority.

8.18 RESTRICTIONS ON CORNER SITES

1. Notwithstanding any other provisions of this Land Use Bylaw, the sight triangle shall be free from visual obstruction of any kind at all times.

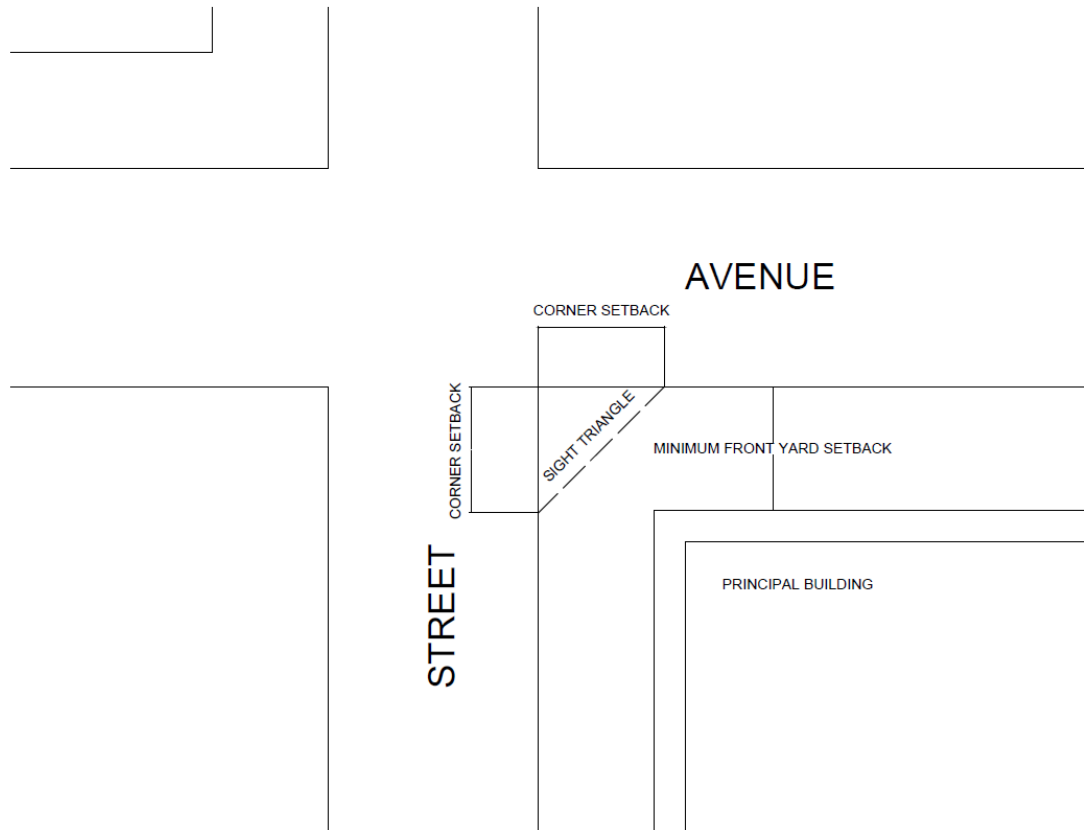


Figure 1. Corner Site Sight Triangle

8.19 SIGHT LINES: ROADWAY INTERSECTIONS

1. Where a lane intersects a road, a 3m (10 ft) sight triangle shall be provided as follows:

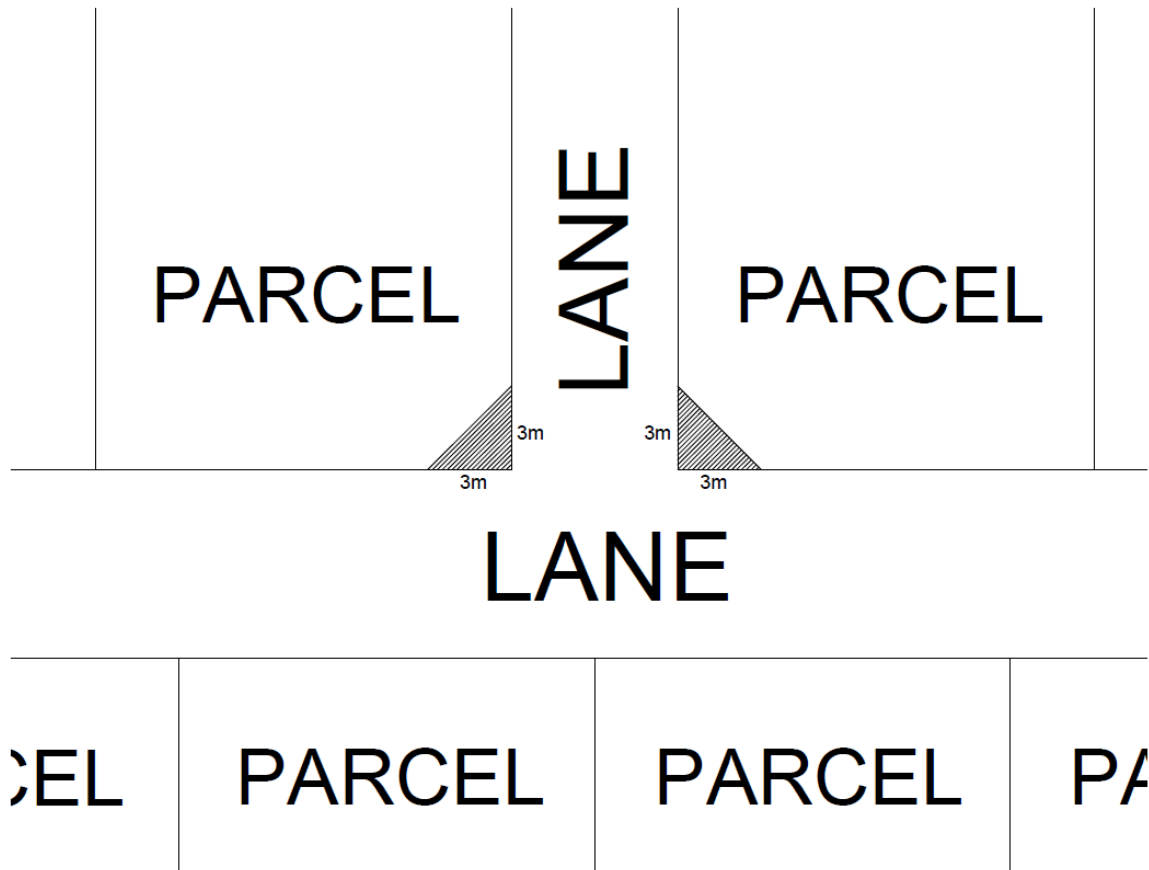


Figure 2. Sight Line lane way

2. At the intersection of other roadways, a 6m (20 ft) sight triangle shall be provided. The Development Authority may require the calculation of larger or smaller sight triangles for specific locations where
 - (a) one (1) or more rights-of-way is less than 15m (50 ft) or
 - (b) regulated vehicle speed exceeds 50 km/h, or
 - (c) one (1) of the carriageways is not centered in its right-of-way, or
 - (d) an intersection leg is curved or skewed, or
 - (e) an intersection leg is sloped at 2% or greater.
3. Sight triangle calculations shall be in accordance with the recommendations of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways.

8.20 SIGHT LINES: RAILWAY INTERSECTION

1. Development at railway intersection shall be free of obstruction within the sight line triangle at railway grade crossing in accordance with the supplementary guideline, Grade Crossing Standards (2019) as amended from time to time, based on the Federal Regulation Grade Crossing Regulation/SOR 2014-275. The calculation of the sight line triangle shall be submitted along with the development permit application confirmed by a qualified professional.
2. Sight triangle calculations shall be in accordance with the recommendations of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways, with the provision that distance between the nearest rail and the front of the stopping motor vehicle be between 5m (15 ft) and 15m (50 ft) as required by the Highway Traffic Act.

SPECIAL PROVISION - RESIDENTIAL DISTRICTS

8.21 MANUFACTURED HOME

1. All manufactured homes shall have Canadian Standards Association (CSA) certification, CSA Z240 for mobile homes, and CSA A277 for modular homes, and shall be in compliance with the Alberta Building Code. If a particular manufactured home has been damaged or structurally altered, the manufactured home must be certified as safe by a licensed Safety Codes Inspector in good standing.
2. The external appearance of a Manufactured Home shall be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity and shall have:
 - (a) a minimum roof pitch of 4:12 (rise:run);
 - (b) a roof surface of solid material in good repair at all times;
 - (c) a minimum roof overhang or eaves of 0.40m (15 inches) from each external wall;
 - (d) a maximum length to width ratio of 2.5:1;
 - (e) a minimum width of 6m (20 ft) measured from the external wall surface; and
 - (f) a permanent foundation consisting of a basement, crawl space or slab on grade.
3. The Development Authority shall require the same provision as stated in Section 8.9(3).
4. The undercarriage of a manufactured home shall be screened from view by skirting with materials and appearance that are complementary within 30 days of the date it is placed on site.

8.22 SECONDARY SUITE

1. A secondary suite may be supported within Low Density Residential District (R1).
2. One (1) secondary suite may be allowed per detached dwelling.
3. A secondary suite shall not contain more than 55.7m² (600 ft²) in gross floor area.
4. A secondary suite shall be situated so the exterior walls are at least:

- (a) 1.5m (5 ft) from the side parcel boundaries and on a corner parcel no closer to the street or avenue than the principal building.
 - (b) 1.5m (5 ft) from the rear parcel boundary when there is a blank wall facing the boundary.
 - (c) 3m (10 ft) from the rear parcel boundary when there is a window or doorway opening in the wall facing that boundary.
 - (d) 3m (10 ft) from the principal building and any accessory buildings on the parcel.
5. A secondary suite, developed on a second floor integral to a detached garage, shall not exceed 7.5m (25 ft) in height.
 6. One off-street parking stall shall be provided per secondary suite in addition to the required number of parking stalls for the principal building.
 7. Separate municipal utility services or means of suspending service to the secondary suite without disrupting service to the principal residence may be required at the discretion of the Development Authority.
 8. The appearance and design of a secondary suite developed as a separate building or addition to the principal building shall be compatible with the appearance and design of the principal building to the satisfaction of the Development Authority.

8.23 BED AND BREAKFAST

1. An approved bed and breakfast facility shall not be combined with any other types of business within the property boundary.
2. Bed and breakfast shall comply with the following standards:
 - (a) the exterior appearance of the principal and accessory buildings shall be in keeping with the character of the neighbourhood;
 - (b) one (1) sign may be permitted, not exceeding 0.6m² to identify the business.
 - (c) off-street parking shall be provided as follows:
 - (i) two parking spaces for the dwelling unit;
 - (ii) one parking space per guest room; and
 - (d) shall not be combined with any other types of business operation on site nor with a secondary suite.

8.24 HOME OCCUPATION

GENERAL PROVISION

1. Home Occupation is an accessory use to a dwelling.
2. Home occupation shall not generate nuisance beyond its property boundary. Nuisance include traffic uncharacteristic of a residential neighbourhood, noise, vibration, light pollution, odour, dust, and any other such externalities.
3. Home Occupation is required to have an approved, annual, business license.
4. Home Occupation may display one fascia sign fronting a street. The fascia sign shall not exceed 1% of the street façade.

5. No dangerous goods shall be permitted to be placed or stored on site unless otherwise approved by Federal or Provincial Authority of which must be submitted as part of the application for a development permit.

HOME OCCUPATION -MINOR

6. Home occupation – minor is generally a home office type of occupation.
7. Home occupation – minor shall be:
 - (a) conducted within the confines of the dwelling only,
 - (b) operated by resident(s) only. Non-resident employee is prohibited.
8. The operation of a Home Occupation – Minor shall not:
 - (a) use an Accessory Building for the purposes of the Home Occupation – Minor or any yard to store materials, goods or equipment at any time.
 - (b) sell goods on site.
 - (c) have a licensed commercial vehicle associated with the business parked on-site or in the vicinity of the site at any time;
 - (d) exceed 20% of the gross floor area or 30m², whichever is less, devoted to the occupation within the dwelling.

HOME OCCUPATION – MAJOR

Home Occupation – Major generates more activity than a home office type of business. It would be a combination of home office and/or another type of small scale occupation such as manufacturing, processing, packaging, and selling of products.

9. Home Occupation – Major shall be operated by resident(s) with up to two (2) non-resident employees.
10. Home Occupation – Major may include parts of the dwelling and/or accessory building provided that the use does not exceed:
 - (a) 20% of the dwelling area; and/or
 - (b) 50% of the accessory building area.
11. Home Occupation – Major may sell goods or products produced on site.
12. Home Occupation – Major shall not:
 - (a) be combined with any other types of business operation on site;
 - (b) sell goods that are not produced on site;
 - (c) have more than one commercial vehicle associated with the business parked on-site or in the vicinity of the site at any time; and
 - (d) have more than twenty percent (20%) of the gross floor area of the dwelling or 30m² (320 ft²), whichever is less, devoted to business usage.

SPECIAL PROVISION - COMMERCIAL AND INDUSTRIAL DISTRICTS

8.25 BAR / PUB

1. A bar / pub - neighbourhood or exclusive, shall restrict minors from entering the establishment.
2. In considering an application for a development permit for a bar / pub - exclusive, the Development Authority shall require the following:
 - (a) the gross floor area shall not exceed 557m² (6,000 ft²) and building occupancy shall not exceed 300 persons;
 - (b) be located on a parcel where the boundary of which is not less than 150m (500 ft) from the boundary of any parcel located in a residential or public service district parcel, or any parcel developed as a park or playground; and
 - (c) have no exterior display of full or partial nudity on any media or any product whereby minors are prohibited to purchase as enacted by the Province.

8.26 CANNABIS PRODUCTION FACILITY

1. A Cannabis Production Facility shall comply with, but not limited to, the following regulations:
 - (a) A Cannabis Production Facility may only be considered within the Industrial District.
 - (b) Cannabis is regulated by the Federal Government under the "Controlled Drugs and Substances Act" (Access for Purposes Regulations) for which an established framework has been implemented to access this product.
 - (c) The applicant shall obtain, comply, and provide the following as part of the development permit application:
 - (i) the required Federal License; and
 - (ii) conformance to all applicable provincial and federal regulations.
2. A Cannabis Production Facility shall comply with the following:
 - (a) A copy of confirmation that a federal and provincial license to operate has been approved;
 - (b) All loading facilities shall be fully enclosed within the principal building;
 - (c) All garbage containers and waste material shall be fully enclosed and securely locked;
 - (d) The site shall be fully enclosed by a fence. Fencing on all street frontages shall be contained within the property line so as not to obscure landscaping;
 - (e) An Engineered Drainage Plan is required; and
 - (f) any other requirements as the development authority deems necessary.

8.27 RETAIL STORE – EXCLUSIVE: CANNABIS

1. Applicant for Cannabis retail store shall provide a copy of confirmation of the following as part of the development permit application:
 - (a) a Provincial License to operate has been applied for; and
 - (b) all Provincial requirements and conditions have been satisfied.
2. Cannabis retail store shall comply with the following:
 - (a) complete and separate shipping and receiving from other businesses;
 - (b) consumption of Cannabis products shall not be allowed within the premises;
 - (c) products shall not be visible from the exterior of the principal building;
 - (d) outside storage is prohibited;
 - (e) garbage facility shall be fully contained within the principal building.
 - (f) drive-through service is prohibited;
 - (g) adhere to the:
 - (i) prescribed security measures required by the Province; and
 - (ii) advertisement regulation set out by the Province.
 - (h) hours of operation shall be between 10: 00 am – 10:00 pm.
 - (i) location must be 100m away from:
 - (i) a school;
 - (ii) a land designated as School Reserve;
 - (iii) health care facility;

8.28 DRIVE-THROUGH FACILITY

1. Drive-through facility shall be located only where the Development Authority is satisfied that the on-site layout of vehicle circulation pattern will not adversely affect the functioning of the surrounding public roadways.
2. Queuing space shall be provided on the same site as the development as follows:
 - (a) For drive-through vehicle services, a minimum of five (5) inbound queuing spaces shall be provided and a minimum of two (2) outbound queuing spaces shall be provided prior to exiting unto a public roadway.
 - (b) Each queuing space shall be a minimum of 6m (20 ft) long and 3m (10 ft) wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

OTHER PROVISIONS

8.29 FENCE

1. A fence shall be constructed no higher than:
 - (a) 2m (6 ft) on the side and rear yard;
 - (b) 1m (3 ft) on the front yard
2. Notwithstanding Subsection 1, any corner lot fence must not obstruct any sightlines as specified in “corner lot” restrictions specified in Section 8.13 (Easements).
3. Wire and/or electric fences are prohibited unless approved by the Municipal Planning Commission.

8.30 RETAINING WALLS

1. The Development Authority may require that a retaining wall be provided if the elevation difference between properties is more than 0.3m (1 ft).
2. The Development Authority may require the construction of an engineered retaining wall where the change in grade or elevation between two sites or around a building exceeds a slope of 1:3 (vertical : horizontal) and a height of 1m (3 ft).
3. An approved technical engineering report prepared by a qualified professional engineer shall be required for any proposed retaining wall as determined by the Development Authority.

8.31 SOLAR ENERGY COLLECTOR

1. Development permit is not required to install Solar Energy Collector System securely onto the principal and/or accessory building.
2. Solar energy collector system shall not produce nuisance, such as glare or excessive heat emitted beyond the property boundary.
3. Solar energy collector system attached to a building shall:
 - (a) project no more than 0.46m (1.5 ft) from the surface of the building;
 - (b) project no more than 1m (3 ft) above the roof line in residential districts, where the roof is flat, and no more than 2m (6 ft) above the roof line in all other districts;
 - (c) not exceed the maximum height of the district; and
 - (d) not extend beyond the outer edge of the roof or wall.
4. Solar energy collector system detached from a building is Discretionary in all districts which shall:
 - (a) be prohibited within the front yard; and
 - (b) be screened from adjacent properties;

8.32 SATELLITE DISH

1. No satellite dish shall be erected:
 - (a) located in front or side yard abutting a street;

- (b) that is less than 1m (3 ft) from side and/or rear property lines, except on corner site, no part of the dish shall be closer to the street than the principal building;
 - (c) that is used for commercial/advertising purposes other than displaying the manufacturer's name/logo; and
 - (d) that is illuminated.
2. A satellite dish shall be sited in such a way that minimizes its impact on neighbours.
 3. Not more than two satellite dishes per dwelling unit shall be permitted on a site unless otherwise approved by the Development Authority.
 4. Satellite dishes shall be securely fastened into or onto a building structure or a concrete foundation.

PART 9 PARKING

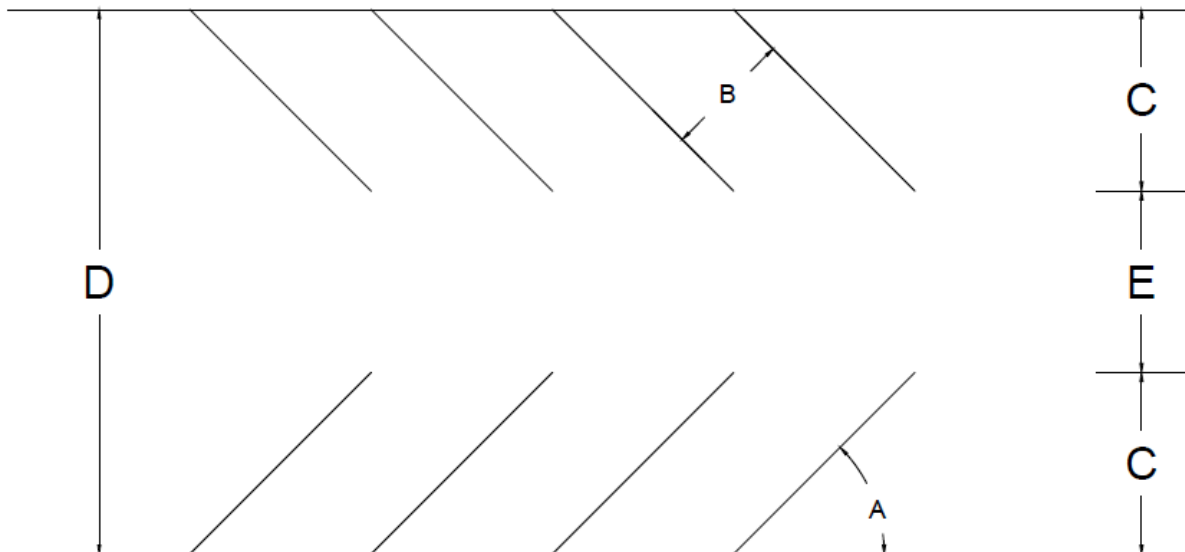
1. Parking spaces shall be provided on site in accordance with parking requirement, Table 2 below, unless otherwise noted, shall be calculated on the basis of the gross floor area, and where a fractional figure occurs shall be rounded up.
2. Notwithstanding Subsection 1, parking spaces for residential districts are exempt from this regulation except for multi-unit residential development exceeding 2 dwelling units.
3. The parking requirement for any use not specified in Subsection 1 shall be as determined by the Development Authority having regard to the traffic expected to be generated by the proposed development.
4. The parking space requirement on a parcel of land proposed to have more than one use shall be the sum of the requirements for each of those uses, unless the applicant provides a parking study approved by a qualified professional demonstrating less is required.

USE OF BUILDING	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL	dwelling unit (du)
Dwelling: Detached, Duplex, Manufactured Home, Multi-attached, Row House	2 / du
Dwelling: Apartment	1 / du + 1 / 5 du - visitor parking
Dwelling: Multi-attached dwelling	2 / du + 1 / 5 du - visitor parking
Adult Care Residence,	1 / du + 1 / employee
Secondary Suite	1 / du
COMMERCIAL	employee (equivalent to a 24 hr work shift)
Government Service, Financial Service, Office, Repair Shop	2 / 100 m ² (1,000 ft ²)
Hotel, Motel, Bed and Breakfast	1 / guest room + 1 / employee
Bar / Pub, Restaurant	1 / 4 seats - indoors + 1 / 12 seats - outdoors
Retail Store, Personal Service, Day Care, Recreation and Entertainment, Gas Bar	2.5 / 100 m ² (1,000 ft ²)
INDUSTRIAL	
All Industrial Uses not listed elsewhere, Protective and Emergency Services	1 / employee

PUBLIC	
Hospital	1 / 4 beds + 1 / employee
Health Service, Animal Facility	2 / professional + 1 / employee
Place of Worship	1 / 4 seats
SCHOOL	
Junior High School and lower levels	1 / employee
Senior High School	1 / 20 students + 1 / employee

Table 2. Parking requirement

5. Parking areas shall be designed in accordance with the following standards:



A Parking Angle (degrees)	B Stall Width (m)	C Stall Depth (m)	D Overall Depth (m)	E Aisle Width (m)
0	7	2.75	9	12.5
30	2.75	5	13.5	3.5
45	2.75	5.7	15.4	4
60	2.75	6	18	6
90	2.75	5.5	18.5	7.5

Table 3. Parking Area Design Standard

6. A minimum standard of 30m² (320 ft²) per parking space shall be used as a general calculation of parking area and parking space shall have a minimum dimension of 2.75m (9 ft) by 5.5m (18 ft).
7. Parking spaces shall be located on the same parcel as the building or use; however parking may be provided off-site if located at a maximum distance of 125m (410 ft) from the building site with approval from the Development Authority subject to:
 - (a) the owner of the parking lot agrees with the terms and conditions of the Village; and
 - (b) a caveat registered against the parking lot owner
8. Every on-site parking space provided and access thereto shall be hard surfaced.
9. Notwithstanding Subsection 8, parking areas for industrial uses not abutting a street may be made of gravel at the discretion of the Development Authority.
10. Vehicle access to commercial and industrial sites shall be hard surfaced apron measuring a minimum depth of 7.5m (25 ft).
11. Parking areas, except for low density residential district (R1), shall be provided with overhead illumination satisfactory to the Development Authority.
12. As a condition of a development permit, an irrevocable letter of credit may be required up to the value of the estimated cost of the proposed paving/parking. The condition of the security being that, if the paving/parking is not completed in accordance with this Bylaw and the Development Permit within the one (1) construction season after the completion of the development, then the amount fixed shall be available to the village for its use in installing the required paving/parking.

9.2 LOADING SPACES

1. Loading spaces shall be required for non-residential development and apartment. Such spaces shall be reserved for loading and unloading and shall not be used for parking of other vehicles.
2. Loading spaces shall be designed and located so that all vehicles using such spaces can be parked and maneuvered entirely within the bounds of the parcel before moving onto a public roadway.
3. Loading spaces shall be located in rear and / or side yards only.
4. Each loading space shall be at least 3.5m (12 ft) wide x 9m (30 ft) long and 4.6m (15 ft) of overhead clearance.
5. Loading areas shall be paved to Village Engineering Standards.

9.3 DRIVEWAYS

1. At street intersections, driveway shall be setback from the parcel boundaries which form the intersection not less than:
 - (a) 6m (20 ft) where the driveway serves not more than four dwelling units, or
 - (b) 15m (50 ft) for all uses except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency or the front parcel boundary is not large enough to allow the minimum 6m setback.

PART 10 SIGN REGULATION

10.1 GENERAL PURPOSE

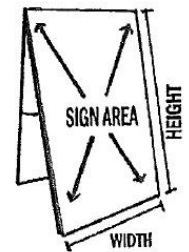
The purpose of the sign regulation is to ensure signs erected within the Village receives an approved development permit to prevent clutter, pollution and hazard to its citizen.

1. No sign shall be erected without a benefit of a permit unless a permit is not required within the provision elsewhere within this Land Use Bylaw.

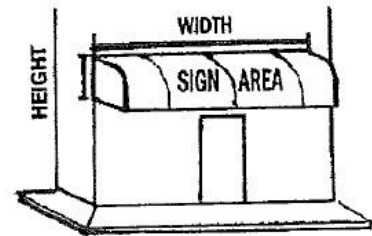
10.2 SIGN DEFINITION

The following are sign definition for each term

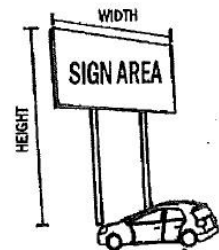
A-board means a self-supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure sign.



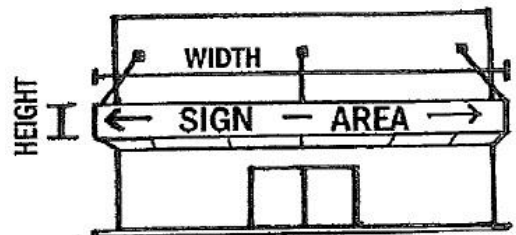
awning means a non-illuminated local advertising sign which is painted on or affixed flush upon the covering material of an awning.



billboard means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted structures. A billboard displays third-party advertising



canopy sign means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign



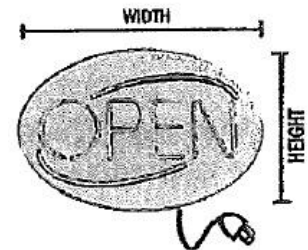
construction sign means a sign located on a site where construction is planned and contains general information about the intended construction.

digital sign means a sign that displays digital copy displaying advertising, including static or moving effects, message transition effects, video images, or animation.

directional sign means a sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act.

election sign means any sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act.

electric sign means a sign which utilizes an electrical energy source.

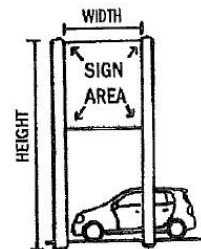


fascia sign means a local advertising attached to marked or inscribed on and parallel to the face of a building wall but does not include a billboard



flashing sign means a sign which contains an intermittent or flashing light source.

free standing sign means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign.



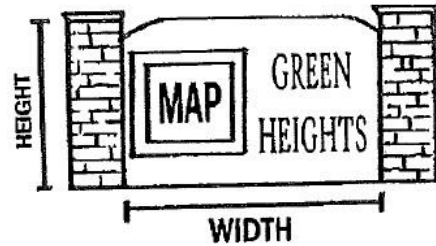
garage sale sign means a sign advertising any general sale to the public of personal property from a site in any residential district.

identification sign means a sign which contains no advertising but is limited to the name address and number of a building, institution or person.

inflatable sign means a sign or other advertising device which is designed to be inflated with air or a lighter-than-air gas and to be anchored or affixed securely to the ground.

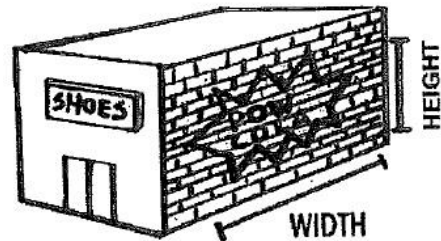
local advertising sign means a sign which advertises the business on the property where the sign is located.

neighbourhood identification sign means a sign which states the name of a community area and may contain a logo symbol or map which is related to the community name.

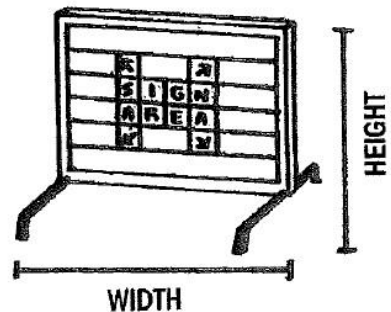


open house sign means a sign advertising an open house for residential property for sale, and may include an A-board sign

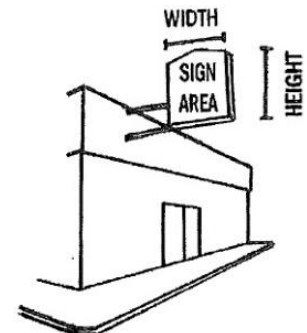
painted wall sign means a sign which is painted directly upon any outside surface or other part of building advertising products, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes super graphics.



portable sign means any sign or advertising device that can be carried or transported from one site to another which does not rely on a building or a fixed concrete foundation for its structural support and includes signs commonly known as mobile signs, temporary signs, inflatable signs, or devices or banners, whether tethered to a building or not, vehicles placed in a location for advertising purposes, but does not include A-board or real estate sign or signage permanently attached and forming part of motor vehicles use in the day to day conduct of a business.



projecting sign means a sign which projects from a structure or building façade.



property management sign means a sign that identifies the party responsible for the management of the site and any necessary sales, leasing or rental information.

reader board	means a sign which provides for a changeable message through the uses of an electronically displayed message or other similar means and which forms an integral part of the sign which advertises events related to the principal building and may be used for sponsor recognition.
real estate sign	means a sign erected on or off site by the owner or agent advertising the sale or lease of the property.
roof sign	means a sign which is erected upon or above a roof or parapet of a building.
rotating sign	means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock.
sign	means any device or medium used to communicate, identify or advertise: a place of business, a service or a product by using words, numbers, or logos.
sign area	means the entire surface area of a sign on which advertising copy could be placed and includes any frame or embellishment which forms an integral part of the display, but does not include landscaping and in the case of a double-face or multi-face sign, the average of the total area of all sign faces.
sign structure	means a structure designed to support a sign securely so as not to present hazard.
subdivision identification sign	means a sign containing general information about a subdivision such as the name of the subdivision or the name of the developer.
super graphics	means a graphic design painted on a building, which does not convey a defined advertising message or logo and include a mural.
third-party advertising	means a sign which refers to goods, activities or services other than those produced, offered for sale or free or obtainable at the premises or on the site on which the sign is displayed.
truck and/or trailer sign	means a sign on a parked or immobilized motor vehicle (eg truck or van) or trailer for 72 hours.
under-canopy sign	means a local advertising sign which is suspended beneath a canopy.
wall sign	means a sign which is mounted or fixed to or supported by a wall by any means and may display general advertising.
window sign	means a local advertising sign which is painted on , attached to or installed inside or outside a window.

10.3 APPLICATION

1. A development permit application for a sign shall include the following information:
 - (a) location of the sign with applicable elevation drawing or site plan of the property showing distances to front and side property lines, approaches or driveway location and distances from existing building;
 - (b) overall dimension of the sign;
 - (c) amount of projection from the face of the building or above the building roof or parapet wall;
 - (d) height of freestanding sign
 - (e) amount of projection over public property;
 - (f) height of sign above ground level; and
 - (g) manner of illuminating the sign in any from of animated or intermittent lights.

10.4 GENERAL PROVISION

1. A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings.
2. The development authority shall have regard for the scale and architectural character of the building and land use characteristics of the surrounding development.
3. A sign shall be located so that all portions of the sign and its support structure is completely within the property and no part of the sign shall project beyond the property lines subject to Subsection 5.
- 4.
5. No sign shall be erected that shows full or partial nudity; promotes: intolerance, hatred or ridicule of race, religion, or other segment of society.
6. No approval shall be granted for a sign which will overhang a street, sidewalk or other Village property unless:
 - (a) the applicant enters into an encroachment agreement with the Village; and
 - (b) the applicant files with the Village in a form satisfactory to the Village's solicitors a public liability and property damage policy in favour of the Village in the principal amount of \$500,000 inclusive limits in respect of loss sustained by one or more persons or damaged property, executed under seal by an insurance company registered to do business within the Province of Alberta, indemnifying against liabilities, claims, actions, loss, damages, judgements, costs and expenses which may accrue or be suffered by installation, suspension or alteration, and the maintenance and use of the sign in respect of which the application for a development permit has been made, and shall maintain such insurance in force until a sign has been taken down and removed.
7. Where a sign projects over public property, a minimum clearance of 2.5m (8 ft) above ground level shall be maintained where there is no vehicular movement within the area.

8. A higher clearance of 4.5m (15 ft) shall be maintained where a sign is located or projects into or over a driveway or other area of vehicle movement.
9. A sign shall not obstruct the view of or be liable to be confused with any authorized traffic sign, signal or device or otherwise pose a potential hazard to traffic.
10. A sign shall not display lights which may be mistaken for the flashing light customarily associated with danger or those used by police, fire, ambulance or any other emergency service vehicles.
11. The owner of a sign shall:
 - (a) keep the sign in good repair, clean, neat, and tidy; and
 - (b) ensure that all structural members and guy wires (support systems) are securely and properly attached to the sign and its anchor and meet proper safety standards; and
12. With the exception of billboard signs, freestanding signs related to comprehensively planned commercial area, freestanding signs used solely by community organizations and reader boards, the subject matter of all signs shall relate to the use or ownership of the property on which the sign is located.
13. Where a sign no longer fulfils its function under the terms of this Land Use Bylaw, the Development Authority may recommend that Council resolve to order the removal of the sign and the lawful owner of the sign, or where applicable the registered property owner, shall upon resolution:
 - (a) remove the sign and all related structural components within thirty (30) days from the date of receipt of such notice,
 - (b) restore the immediate area around the sign to the satisfaction of the Village, and
14. bear all the costs related to such removal and restoration.

10.5 SIGN NOT REQUIRING A DEVELOPMENT PERMIT

1. A development permit is not required for the erection of one non-illuminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs:
 - (a) fascia sign for the purpose of identification, direction and warning not exceeding 0.2m^2 (2 ft^2);
 - (b) fascia sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3m^2 (3 ft^2)
 - (c) fascia or freestanding sign relating to a religious, educational, cultural, recreational or similar institution, or to an apartment not exceeding 1m^2 (10 ft^2);
 - (d) a portable sign, not exceeding 4.5m^2 (48 ft^2) in area, relating to:
 - (i) sale or lease of land or building;
 - (ii) sale of goods or livestock by auction;
 - (iii) carrying out of construction;
 - (iv) announcement of any local event of a religious, educational, cultural, political or governmental nature;

- (e) notwithstanding the provisions of Part 4, a maximum of two “A” frame signs, not exceeding 0.55m² (6 ft²) in area and 1m (3 ft) in height on a parcel to which the advertising relates, or on the immediate adjacent road allowance located behind the curb line.

10.6 AWNING AND AWNING SIGN

1. Awnings shall be constructed of durable colour-fast material.
2. Awnings shall be tightly stretched over a ridged metal frame in order to minimize the accumulation of dirt through sagging, and also to improve their neat appearance.
3. Minimum clearance shall be 2.5m (8 ft).

10.7 CANOPY SIGN

1. Canopy sign shall be attached to the structure to which they refer.
2. Canopy sign may be attached to any or all faces of the canopy.
3. Under canopy signs shall not exceed a depth of 0.3m and shall not project beyond the outer edge of the canopy.
4. Canopy signs attached to the face of the canopy or under the canopy shall have a minimum clearance to the finished grade of 2.5m (8 ft).

10.8 DIGITAL SIGN

1. Digital signs shall be non-distractive to the public in its light intensity nor the amount of movement being displayed.
2. Digital Sign shall use automatic light level controls to adjust light levels at night to reduce light pollution in accordance with the following:
 - (a) Ambient light monitors shall automatically adjust the brightness level based on the ambient light conditions. Brightness levels shall not exceed 0.3 foot candles above ambient light conditions when measured from the face at its maximum brightness; and
 - (b) Brightness level of the sign shall not exceed 400 nits when measure from the sign face at its maximum brightness.

10.9 FASCIA SIGN

1. No fascia sign shall be lower than 2.5m (8 ft) above grade, except in the case of a sign intended solely for the information of pedestrians in which case the height shall be determined by the Development Authority having regard, amongst other things, to public safety.
2. No fascia sign on a single storey building shall be higher than the eave line of the building.
3. No fascia sign on a building of two or more storeys shall be higher than the sill level of the second floor windows or the equivalent height in the case of a sign attached to windowless wall unless otherwise approved by the Development Authority.

10.10 FREESTANDING SIGN

1. With the exception of signs used solely by community organizations, a freestanding sign shall be situated wholly upon the site of the building or land use to which the sign refers.
2. A sign shall not project over and beyond the property line.
3. No freestanding sign is to exceed 9m (30 ft) in height and 9m² (100 ft²) in sign area, except that a sign identifying a neighbourhood commercial site in or adjacent to a residential area shall have a maximum permitted height of 7.5m (25 ft) and a maximum permitted sign area of 4.6m² (50 ft²).
4. Only one (1) freestanding sign shall be allowed on each parcel.
5. Notwithstanding Subsection 3 and 4, if a freestanding sign is to be located in a shopping centre or intended to serve a commercial area planned as a unit, more than one (1) freestanding sign may be permitted and the total sign area may be increased to a maximum of 27.5m² (300 ft²) and maximum height shall be 11m (35 ft).
6. Where more than one (1) freestanding sign is permitted, freestanding sign on the same parcel shall be separated by a minimum distance of 15m (50 ft) from each other.

10.11 PROJECTING SIGN

1. No part of the projecting sign shall be less than 2.5m (8 ft) above finished grade.
2. No projecting sign on a single storey building shall be higher than the eaves line of the building.
3. No projecting sign on a building of two or more storeys shall be higher than the windowsill level of the second floor windows or the equivalent height in the case of the sign attached to a windowless wall, unless otherwise approved by the Development Authority.
4. The maximum size for projecting signs shall be 0.9m² (10 ft²).
5. Only one projecting sign may be erected on each street frontage of a building, unless otherwise approved by the Development Authority.

10.12 PORTABLE SIGN

1. Only one portable sign shall be permitted on a parcel at any one time.
2. No portable sign shall be higher than 2m (6 ft) above grade or larger than 3m² (30 ft²) in sign area.
3. Portable signs shall be situated wholly upon the site of the business or land use to which the advertising of the sign refers.

10.13 READER BOARD

1. A reader board may form part of a freestanding sign, billboard sign or fascia sign where all provisions relating to the respective type sign are satisfied.

10.14 ROOF SIGN

1. The Village shall be satisfied that the purpose of the roof sign cannot be achieved by another type of sign.
2. Roof signs will only be allowed if:

- (a) located in a commercial or industrial district;
- (b) the message of the sign is limited to the building on or the land use of the parcel on which the sign is situated;
- (c) the maximum sign area shall be 9m² (100 ft²), excluding the supporting structure.
- (d) the sign shall not project more than 2.5m (8 ft) vertically above the roof line, and no portion of the sign shall project horizontally beyond the roof line; and
- (e) a qualified member in good standing of the Association of Professional Engineers, Geologists and Geophysicists of Alberta shall design or approve the design of the sign support structure.

10.15 WALL SIGN

1. A wall sign shall not exceed 3.0m (10 ft) in height and 9.0m (30 ft) in length;
2. Only one wall sign per wall shall be permitted.
3. No wall sign on a building of two or more storeys shall be higher than the sill level of the second floor window or the equivalent height in the case of a sign on a windowless wall, unless otherwise approved by the Development Authority.

10.16 OTHER SIGN

1. The Development Authority may approve other sign subject to the general provisions of Section 10.4 (General Provision).

SIGN TYPE	DISTRICT	R1	R2	R3	C1	C2	I1	P1	P2	P3	U1
A – Board, Awning, Canopy, Digital, Electric, Flashing, Freestanding, Projecting, Reader Board, Roof, Rotating, Under Canopy, Window					P	P	P				
Billboard					P	P	P	P	P	P	P
Fascia					P	P	P	P	P	P	
Neighbourhood, Subdivision, Property Management		P	P	P	P	P	P				
Painted Wall, Wall					D	D	D				
Portable		D	D	D	P	P	P	P	P	P	D
Real Estate		P	P	P	P	P	P				P
Super graphic			D		D	D	D				

Table 4. Sign Regulations Matrix

10.17 SIGN MATRIX

- Table 4 above shows the Sign Regulation Matrix which shall be used in conjunction with the rest of the regulations within this bylaw. The sign types may be a Permitted Use, Discretionary Use, or Neither as indicated in the Table Key below:

TABLE KEY

Permitted Use	P
Discretionary Use	D
Neither Permitted nor Discretionary Use	

Table 5. Table Key.

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PART 11 LANDSCAPING REGULATION

11.1 LANDSCAPING

1. The purpose of this section is to encourage the effective use of vegetation and other landscaping material approved by the Development Authority to promote the aesthetic appearance of the built environment, while contributing to the image and appeal of the community, mitigate air and noise pollution and enhance property values. Landscaping shall be provided in accordance with the following:
 - (a) unless otherwise indicated, all Commercial and Industrial Districts shall be required to have a minimum of ten percent (10%) of the site area landscaped.
 - (b) all parts of a parcel, except the front yard, not covered by buildings, driveways, parking, storage and display areas or forming part of the required landscaped area shall be seeded to grass, sodded, cultivated as a garden, hard landscaped or left with its natural grass and vegetative cover.
 - (c) the front yard of all residential districts not covered by buildings, driveways, or parking shall be landscaped to the satisfaction of the development authority.
 - (d) all boulevards adjacent the development site shall be seeded, sodded, or gravelled excepting those ditch areas required for drainage. Any surface treatment other than grass or any tree planting on the boulevards shall require prior approval of the Village.
 - (e) existing trees shall be retained to the greatest extent possible. Any such trees which are retained following development may be considered in assessing fulfilment of the landscaping requirements provided construction activity has not, in the opinion of the Development Authority, impacted the ability of the existing trees to survive five (5) years beyond the date the development was completed.
 - (f) all trees shall be separated a minimum distance from each other to allow sufficient space for the tree's maximum potential growth radius at maturity and to ensure healthy, un-inhibited growth.
2. Landscaping shall be completed to the satisfaction of the Development Authority by the end of the first full growing season following completion of construction or the commencement of the use, whichever occurs first. All landscaping shall be of a type and quality that is satisfactory to the Development Authority.
3. Prior to issuing a development permit for any Commercial or Industrial Districts, the Development Authority may require submission of a detailed landscaping plan to a standard satisfactory to the Development Authority, outlining at a minimum the following:
 - (a) the location of the trees and shrubs to be planted, including the distance between trees and the anticipated growth radius at maturity;
 - (b) the number of trees and shrubs to be planted; and
 - (c) the common name of the trees and shrubs to be planted.

4. Screening shall be provided in any Commercial or Industrial Districts development for the following to the satisfaction of the Development Authority:
 - (a) outdoor storage area;
 - (b) garbage area.
5. Screening method and/or material shall be compatible with the development and its surrounding uses where the visual adverse impact is minimized.
6. The owner of a property, or his/her successor or assignee, shall be responsible for installation and proper maintenance of all landscaping required by a development permit. If the required landscaping does not survive two (2) growing season following the date of landscaping, the applicant/owner must replace it with a similar type of species and with a similar caliper width or height, to the satisfaction of the Development Authority.
7. A security equal to the amount of the cost to provide the approved landscaping plan shall be taken in the form of irrevocable letter of credit from a federally certified financial institution:
 - (a) the Village shall be paid the full amount on demand if the required landscaping has not been fully carried out as approved and the Village shall use the funds to carry out the works required.
 - (b) the Village will release the irrevocable letter of credit with the following conditions:
 - (i) once the date of the development permit of the required two (2) growing season has expired; and
 - (ii) the landscaping has been completed, as approved in the landscaping plan, to the satisfaction of the Development Authority.

PART 12 LAND USE DISTRICTS

12.1 ESTABLISHMENT OF LAND USE DISTRICTS

1. For the purpose of this Land Use Bylaw, the Village of Elnora is divided into the following Districts:

R1	Low Density Residential
R2	Multi-Family Residential
R3	Manufactured Home Park Residential
C1	General Commercial
C2	Service Commercial
I1	Industrial
P1	Public Service
P2	Public Recreation
P3	Public Utility
U1	Urban Reserve

2. Land Use Districts and the associated District provisions are established for the Village in accordance with Schedule A – Land Use District Map of this Bylaw.
3. The Land Use District Map constitutes part of Schedule A of this Bylaw.
4. Provisions listed on Parts 4, 8, 9, 10 & 11 shall apply to all development on all sites within any District as applicable.
5. All regulations are minimum standards unless otherwise noted:
 - (a) Where it is noted as max, this refers to maximum;
 - (b) where the measurements are given as a range the lower number would be the minimum and the larger number is the maximum.
6. Setback distances shall be measured from the property line to the nearest exterior wall of a building, structure, or use unless otherwise noted.
7. Measurements shall be interpreted as follows, while rounding is to the nearest 5s for lengths and to the nearest 1s for areas:

ac - acres	ha - hectares
du - dwelling unit	m - metres
ft – feet	m ² - square metres
ft ² – square feet	
8. Each individual parcel shall be connected to municipal water, sewer, storm water, and other utility services as applicable, unless otherwise noted.
9. The boundaries of the Districts listed in Subsection 1 area as delineated on the Land Use District Map being “Schedule A” hereto.

10. All public thorough fares including roadways, alleys, and lanes; water courses and lakes are excluded from the Land Use Districts.
11. Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
 - (a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
 - (b) where a boundary is shown as approximately following the Village boundary, it follows the Village boundary;
 - (c) where a boundary is shown as approximately following the edge or shorelines of any watercourse or water body, it follows the edge or shoreline.
 - (d) when abutting lands are governed by different districts, the centre of roadway is the district boundary, unless the district boundary is shown clearly following the edge of a roadway .
 - (e) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District map; and
 - (f) a boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

12.2 LOW DENSITY RESIDENTIAL DISTRICT (R1)

1. General Purpose

To provide an area for low density residential development and compatible uses.

2. Permitted Uses	3. Discretionary Uses
Accessory Building and Accessory Use Dwelling: • Detached • Duplex Home Occupation – Minor Parks & Playground Public Utility Sign	Adult Care Residence Bed and Breakfast Day Care Facility Dwelling: • Manufactured Home • Modular Home Home Occupation – Major Place of Worship Secondary Suite

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area	500m ² (5,300 ft ²)
Parcel Width	12m (40 ft)
Front Yard	6m (20 ft)
Side Yard	1.5m (5 ft) 3m (10 ft) if abutting a public road way
Rear Yard	7.5m (25 ft) 6m (20 ft) if not abutting a back alley
Floor Area	79m ² (850 ft ²)
Site Coverage, max	55%
Building Height, max	9m (30 ft)

12.3 MULTI-FAMILY RESIDENTIAL DISTRICT (R2)

1. General Purpose

The purpose of this district is to provide for the development of a variety of multi-family housing types.

2. Permitted Uses	3. Discretionary Uses
Accessory Building and Accessory Use Dwelling: • Apartment • Multi-attached • Row House Home Occupation – Minor Parks & Playground Public Utility Sign	Adult Care Residence Bed and Breakfast Boarding & Rooming House Day Care Facility Dwelling: • Detached • Duplex • Manufactured Home • Modular Home Home Occupation – Major Place of Worship

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area or Area	Apartment 82m ² (880 ft ²) / du 102 / du – 2 bed rooms and greater 1.2 ha (3 ac) - max Multi-attached 90m ² (1,000 ft ²) / du Row House 190m ² (2,000 ft ²) / du – interior parcel 275m ² (3,000 ft ²) / du – corner parcel
Parcel width	Apartment 30m (100 ft) Multi-attached 15m (50 ft) Row House 6m (20 ft) / du – interior parcel

	9m (30 ft) / du –end unit
Front Yard	Apartment, Multi-attached 7.5m (25 ft) Row House 6m (20 ft)
Side Yard	1.5m (5 ft) 3m (10 ft) if flanking a road
Rear Yard	7.5m (25 ft)
Building Height, max	Apartment 4 storeys Multi-attached 3 storeys Row House 3 storeys

12.4 MANUFACTURED HOME RESIDENTIAL DISTRICT (R3)

1. General Purpose

To provide areas for the development of manufactured homes on permanent foundations on separately registered lots.

2. Permitted Uses	3. Discretionary Uses
Accessory Building and Accessory Use Dwelling: • Manufactured Home Home Occupation – Minor Parks & Playground Public Utility Sign	Day Care Facility Dwelling: • Detached • Duplex Home Occupation – Major

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area	500m ² (5,300 ft ²)
Parcel Width	12m (40 ft)
Front Yard	6m (20 ft)
Side Yard	1.5m (5 ft) 3m (10 ft) if abutting a public road way
Rear Yard	7.5m (25 ft) 6m (20 ft) if not abutting a back alley
Floor Area	79m ² (850 ft ²)
Sit Coverage, max	55%
Building Height, max	7.5m (25 ft)

12.5 MANUFACTURED HOME PARK RESIDENTIAL DISTRICT (R4)

1. General Purpose

To provide an area for the development of a comprehensively designed park that allows manufactured home sites to be leased or owned as part of a condominium.

2. Permitted Uses	3. Discretionary Uses
Accessory Building and Accessory Use Dwelling: • Manufactured Home Home Occupation – Minor Sign	Retail Store - General Park Playground Public Use

4. Development Standards

For the purpose of this District, it is recognized that lots in manufactured home parks may not be legally registered parcels where title can be transferred, the term “lot” in this District means an area of land for the placement of a manufactured home and for the exclusive use of its occupants.

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area	440m ² (4,736 ft ²)
Yard Requirements	a. 4.5m separation distance b. 7.5m from any park boundary c. 3m from any internal access road or common parking area d. 1.5m from any side lot line e. 4.5m from any rear lot line.
Width	4.5m (15 ft)
Floor Area	65m ² (700 ft ²)
Building Height, max	7.5m (25 ft) No accessory or attached structure shall exceed the height of the principal building on each lot
Parcel Coverage, max	45%
Density, max	17 du / ha
Park Area	2.02 ha (5 ac), min - 5.08 ha (13 ac), max

5. Other Requirements

- (a) Manufactured home parks shall be used for residential purposes including those uses and their associated facilities which, in the opinion of the Development Authority, are clearly provided to serve the needs of the park residents.
- (b) A comprehensive plan for the manufactured home park must be approved by the Development Authority. This plan shall include the following:
 - (i) park access, road system, walkway system and lot pattern showing dimensions;
 - (ii) proposed location of manufacture home for every lot;
 - (iii) guidelines governing the design and material to be used in the construction of carports, patios, porches, decks, storage buildings, skirting, fences, fuel storage and supply facilities, and other attached or detached structures;
 - (iv) location of parking spaces for every proposed lot, as well as visitor parking areas;
 - (v) provisions for on-site containerized garbage collection facilities;
 - (vi) area designated for recreational and/or playground use;
 - (vii) proposed landscaping in the park;
 - (viii) provisions for outdoor lighting;
 - (ix) identification and directional signs; and
 - (x) storage compound for trucks, trailers, campers, snowmobiles, boats, etc.
- (c) The development of the park must be completed in conformance with the approved plan and related conditions;
- (d) The park owner shall ensure that each manufactured home is leveled, blocked and skirted within 30 days of being placed on a lot.
- (e) All lot lines shall be clearly defined on the ground by permanent flush stakes or markers with a lot number or other address system;
- (f) Residents shall be informed of their responsibilities with respect to the Land Use Bylaw by the park owner who shall be responsible for developing and operating the park in compliance with this Bylaw.

Recreation Area and Landscaping

- (g) A minimum of 10% of the total area of a manufactured home park shall be set aside for recreational and/or playground use;
- (h) Each park shall provide on its perimeter a landscaped area of not less than 3m in width or other edge treatment satisfactory to the Development Authority;
- (i) All areas of a park not developed or occupied by park roads, walkways, driveways parking aprons, buildings or other developed facilities including playgrounds, shall be landscaped.

Vehicular – Pedestrian Areas

- (j) All park roads shall have at least 12m (40 ft) right-of-way and a paved carriageway of not less than 8m (25 ft) in width.
- (k) Internal pedestrian walkways, where provided, shall have a hard surfaced width of 1.5m (5 ft).
- (l) Two off-street parking spaces shall be provided on or adjacent to each manufactured home lot.
- (m) The owner of the park shall provide parking spaces for visitors at locations approved by the Development Authority. One parking space shall be provided for every 2 manufactured homes.
- (n) The park owner shall be responsible for the removal of snow from all internal pedestrian walkways and park vehicular areas and park streets, excluding individual parking spaces.

Storage Areas

- (o) A screened storage compound equivalent to 20m² (215 ft²) for every manufacture home lot in the park shall be provided for seasonal recreational equipment not capable of storage on the manufactured home lot.

Utilities

- (p) All utility services and all utility wires and conduits shall be installed underground.
- (q) All service buildings must be accessible by a park street.

12.6 GENERAL COMMERCIAL DISTRICT (C1)

1. General Purpose

To provide an area for a variety of commercial uses and professional services offering goods and services. The area is shall be attractive and safe for pedestrians while being accessible for motor vehicles.

2. Permitted Uses	3. Discretionary Uses
Bar / Pub - Neighbourhood Convenience Store Financial Service Food Catering Service Funeral Home Gas Bar Government Service Health Service Facility Hotel Office Motor Vehicle Sales and Repair Personal Service Facility Restaurant Retail Store – General Sign	Accessory Building and Use Animal Facility Bottle Depot Bus Depot Child Care Facility Dwelling: • Apartment Studio Car Wash Recreation and Entertainment Facility Mixed-Use Building Public Park Public Utility Place of Worship Repair Shop Retail Store - Exclusive Recreation Facility - Indoor

4. Development Standards.

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area	0.35 ha (0.85 ac)
Front Yard	0m
Side Yard	0m 3m (10 ft) - a site adjacent to a residential district 6m (20 ft) - one unobstructed side yard for laneless parcel, excludes corner site with rear access
Rear Yard	0m 6m (20 ft)– a site abuts a residential district
Parcel Coverage, max	100 %
Building Height, max	10m (30 ft)

5. Special Requirements

- (a) Where a parcel abuts a residential district the following shall be applied:
 - (i) no open storage or outdoor display shall be permitted in the abutting yard;
 - (ii) no parking space in such yard within 6m (20 ft) of a lot line;
 - (iii) no outdoor patio shall be allowed within 15m (50 ft) of an adjacent residential district; and
 - (iv) adequate screening or buffering shall be provided to the satisfaction of the Development Authority.
- (b) Dwelling units within mixed-use building shall:
 - (i) have a separate entrance distinct from the commercial use; and
 - (ii) not to be located on the same floor as non-residential use unless there is a physical separation of uses or entrances.

12.7 SERVICE COMMERCIAL DISTRICT (C2)

1. General Purpose

To provide areas for commercial uses located on highly visible thoroughfares or roadways to provide goods and services to the traveling public and having high standards of appearance and design.

2. Permitted Uses	3. Discretionary Uses
Bar / Pub - Neighbourhood Car Wash Gas Bar Hotel Motel Motor Vehicle Repair and Service Office Restaurant Restaurant – Drive Thru Retail Store – General Sign	Accessory Building and Accessory Use Bulk Fuel Sale and Station Car Wash - Commercial Commercial Recreation and/or Entertainment Facility Manufactured Home Sales and/or Service Financial Service Repair Shop – Minor Retail Store – Exclusive RV Sales and/or Service Farm Equipment Sale and/or Service Warehousing

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area	0.3 ha (0.75 ac)
Front Yard	9m (30 ft)
Side Yard	3m (10 ft) 6m (20 ft) if adjacent to a residential district
Rear Yard	6m (20 ft)
Parcel Frontage	15m (50 ft)
Parcel Cover, max	55 %
Building Height, max	10m (30 ft)

12.8 LIGHT INDUSTRIAL DISTRICT (I1)

1. General Purpose

To provide an area for a wide range of industries in the manufacturing, assembling, fabricating, processing, and associated businesses. Nuisance generated by the activities within this district should generally be contained within this District.

2. Permitted Uses	3. Discretionary Uses
Accessory Building and Accessory Uses Animal Facility Bar / Pub - Neighbourhood Bar / Pub – Exclusive Bottle Depot Car Wash - commercial Heavy Equipment Sales and Service Industrial Use - General Public Utility Sign Warehousing	Auction Market - minor Auction Market - major Auto Wrecking Yard Cannabis Production Facility Crematorium Motor Vehicle Repair and Service Retail Store - General Retail Store – Exclusive: Salvage Yard Storage Yard

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Parcel Area	0.4 ha (1 ac)
Front Yard	9m (30 ft)
Side Yard	3m (10 ft) 0m if fire resistant wall is provided 6m on one unobstructed yard for a laneless site, excluding corner sites with rear access
Rear Yard	6m (20 ft)
Parcel Frontage	15m (50 ft)
Parcel Coverage, max	85 %

12.9 PUBLIC SERVICE DISTRICT (P1)

1. General Purpose

To provide an area for institutional, recreational types of facility that serves the village community providing services where the activity is mainly conducted indoors within an enclosed building.

2. Permitted Uses	3. Discretionary Uses
Adult Care Facility Day Care Facility Community Facility Government Service Health Service Facility Hospital Place of Worship Protective and Emergency Services Sign	Accessory Building and Accessory Uses Cemetery Personal Service Facility Security/Operator Suite

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Front Yard	9m (30 ft)
Side Yard	3m (10 ft)
Rear Yard	6m (20 ft)
Parcel Coverage, max	85%
Building Height, max	15m (50 ft)

12.10 PUBLIC PARKS AND RECREATION DISTRICT (P2)

1. General Purpose

To provide land area for cultural, education, institutional, and recreational uses for the use and enjoyment of the village community;

2. Permitted Uses	3. Discretionary Uses
Accessory Building & Uses Park and Playground Recreational Facility - Outdoor Sign	Campground Cemetery Community Garden Community Facility Dog Park Driving Range Golf Course Mini-Golf Public Utility

4. Development Standards

In addition to the required regulations of this Bylaw, the following requirements shall apply:

Front Yard	9m (30 ft)
Side Yard	3m (10 ft)
Rear Yard	6m (20 ft)
Parcel Coverage, max	85%
Building Height, max	15m (50 ft)

12.11 PUBLIC UTILITY DISTRICT (P3)

1. General Purpose

To provide an area for public utility necessary for servicing the Village of Elnora and its residence.

2. Permitted Uses	3. Discretionary Uses
Accessory Building and Accessory Uses District Energy Facility Power Generating Plant Public Utility Sign	Solar Farm Wind Farm Sewage Treatment Plant Telecommunication Facility Water Treatment Plant Waste Management Facility

4. Development Standards

In addition to the required regulations of this Bylaw, the following standards shall apply:

Front Yard	9m (30 ft)
Side Yard	3m (10 ft)
Rear Yard	6m (20 ft)
Parcel Coverage, max	85%
Building Height, max	15m (50 ft)

5. Emergency risk study/plan prepared by a qualified professional must be submitted, all cost borne by developer, in order to protect the welfare of Elnora residents:
- (a) risk mitigation strategy must be implemented;
 - (b) setback recommendation from the study must be adhered to; and
 - (c) utility operators must keep the Village Emergency department informed of all their emergency contacts at all times.

12.12 URBAN RESERVE DISTRICT (U1)

1. General Purpose

To allow for agricultural and rural uses, and a limited range of other uses, that do not prejudice the future urban use of the land.

To protect the land from premature subdivision and development until such time as Council determines the specific land use(s) that may occur within the area taking into account such matters as growth, serviceability, and the future development land requirements of the Village.

2. Permitted Uses	3. Discretionary Uses
Agricultural Operation lawfully existing at the date of adoption of this Land Use Bylaw and Uses lawfully existing at the date of adoption of this Land Use Bylaw Sign	Accessory Use Existing residence and other related improvements Mechanized Excavation, Stripping and Grading Public Utility Building Uses and/or building which will not, in the opinion of the Municipal Planning Commission, materially alter the use of the land lawfully existing at the time this Land Use Bylaw came into effect, and would not conflict with future expansion of urban development Other similar uses

4. Development Standards

In addition to the required regulations of this Bylaw, , the following requirements shall apply:

Parcel Area	All of the land contained in the existing certificate of title, unless otherwise approved by Municipal Planning Commission having regard to the intended use of the smaller parcel of land and the form of subsequent subdivision and development planned for the area.
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PART 13 DEFINITION

1. Words that have their own definition shall be treated as separate and distinct from any other words within this section, unless otherwise stated. An example of this would be the word “dwelling, detached” which is different from a “manufactured home” although they may seem similar in use as a dwelling being detached from any other building.

abut	means immediately contiguous to or physically touching, and when used with respect to a parcel, means that the parcel physically touches upon another parcel and shares a property line or boundary.
accessory building and/or accessory use	means a building or use which: (a) is naturally and normally incidental, subordinate and exclusively devoted to a principal building or principal use; (b) is subordinate in area, extent or purpose to the principal building or principal use; and (c) is located on the same site as the principal building or use.
accommodation unit	means one or more room that provides sleeping accommodation and bathroom facilities for not more than two persons, but is not equipped with self-contained cooking facilities.
Act	means the Municipal Government Act, RSA 2000, Chapter M-26, as amended.
adjacent land	means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, railway, road or utility right of way, reserve land, river or stream
adult care residence	means a building with two or more accommodation units designed to provide long-term care housing wherein the adult residents, who because of their own circumstance, cannot or do not wish to maintain their own household are provided with meal services and may receive such services as housekeeping and personal care assistance.
adult entertainment	means a live or recorded performance, or part of serving (in a restaurant) or any other medium that shows or displays full or partial nudity, including full exposure of undergarments worn as clothing to serve patrons in a sexually explicit or suggestive manner.
agricultural operation	means an agricultural activity as defined in the Agricultural Operations and Practices Act.

animal facility	means an establishment for the sole purpose of providing goods and services for animals including: (a) a medical clinic; (b) training; (c) care; (d) grooming; (e) sale of domestic animals/pets; and (f) retail sales of associated animal supplies conducted.
apartment	means a residential building consisting of at least three (3) self-contained dwelling units within a single parcel accessed thru a common hallway.
assisted living	see adult care residence
auction market - minor	means a parcel and/or a building used for the auctioning of goods and equipment, including the temporary storage.
auction market - major	means a parcel and/or a building used for the auctioning of livestock, goods and equipment, including the temporary storage.
auto wrecking yard	means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components.
bar / pub - neighbourhood	means a development with a primary purpose of selling alcoholic beverages for consumption (not re-sale). Typical uses include pubs, bars, or lounge.
bar / pub - exclusive	means an adult entertainment oriented restaurant or bar/pub exclusively prohibiting customers under the age of majority.
bed and breakfast	means an owner occupied detached dwelling where temporary accommodation is provided in four or less guest rooms and meals are supplied on a daily basis to registered guests.
boarding and rooming house	means a detached dwelling in which a proprietor supplies, for a fee, sleeping accommodation with or without meals.
bottle depot	means a business that purchases empty beverage containers from the public.
building	includes anything constructed or placed on, in, over or under land but does not include a highway, public roadway or a bridge forming part of a highway or public roadway.
bus depot	means a facility providing for the departure and arrival of passengers and freight carried by bus.
business support service	means the provision of a service to other businesses on a commercial basis which supports the operation of the business being served and includes such services as janitorial services, property management services and courier services.

bylaw	means the village of Elnora Land Use Bylaw.
bylaw enforcement officer	means a person appointed to enforce any or all of the provisions of the Land Use Bylaw.
cannabis	means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time, and includes edible products that contain cannabis.
cannabis retail sales	means a retail store that is licensed by the Province of Alberta to lawfully sell cannabis and cannabis accessories.
cannabis production facility	means a facility of one or more buildings used for the purposes of growing, labelling, packaging, testing, destroying, storing, researching and developing, shipping and receiving of cannabis (marihuana) and cannabis oil by a licensed producer in natural, fresh, dry or processed form. This use does not include retail sales or a dispensary.
canopy	means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, moldings, architraves, awnings and pediments.
car wash - minor	means a facility for washing private passenger vehicle as defined in the Traffic Safety Act.
car wash - major	means a facility for washing all types of motor vehicles.
cemetery	means a use of land or a building for interment of the deceased.
community facility	means a facility or establishment owned and may be operated by a non-profit organization which provides for recreation, education or entertainment.
community garden	means a plot of land where a group of people organized to share the land to grow crops for personal consumption.
Council	means the elected political representatives of the Village of Elnora.
crematorium	means an establishment with one or more cremation chambers used only for the reduction of a deceased human body to ashes by heat. Funeral services is not permitted in a crematorium, see funeral home.
dangerous goods	as defined in the Transportation of Dangerous Goods Control Act.
dangerous goods occupancy	means any occupancy where dangerous goods, as defined in the Transportation of Dangerous Goods Control Act, are

	unloaded, loaded, stored, processed, or otherwise handled in quantities in excess of the amounts set forth in the said Act.
day care facility	means a facility requiring a provincial license to operate that provides care and supervision of children within 3 but less than 24 consecutive hours in each day that the facility is operating and is intended to be operated for at least 12 consecutive weeks per year and must be in compliance with the applicable regulation.
deck	an uncovered floor structure amenity area attached to the exterior, side or rear wall of a dwelling supported by a beam 0.6m in minimum height.
developer	means a person, group, or corporation proposing a development under this bylaw.
development	as defined in the <i>Act</i> .
development authority	means a development officer, municipal planning commission, subdivision and development appeal board, or the municipal government board, as authorized by the <i>Act</i> .
Development Officer	means the person appointed as a Development Officer pursuant to this Land Use Bylaw.
development permit	means a document that is issued under this Land Use Bylaw that authorizes a development.
discretionary use	means a use which may be compatible with other uses in the District, for which a development permit may be issued upon an application being made.
district	means Land Use District also referred to as zone.
district energy facility	means a facility designed to be a part of the energy supply system used for the purposes of heating or cooling the fluids that flows thru a multiple end users in order to provide service efficiency instead of individual, building based heating and cooling systems.
drive-thru restaurant	see restaurant.
dog park	means an area designed for on and off-leash dogs.
driveway	means a vehicle access route between the carriageway of a public roadway and use on a parcel.

dwelling,	means a self-contained building or part of a building used as a residential accommodation complete with a kitchen, bedroom/living room, and toilet facilities.
apartment	means a type of dwelling that is a residential building consisting of at least three (3) self-contained dwelling units within a single parcel accessed thru a common hallway.
detached	means a type of dwelling that is a single residential dwelling unit that is physically separated from any other building. This type of dwelling has a minimum width of 7.3m (24 ft) measured on its narrowest side with an eaves overhang of at least 46cm (18 inches) measured perpendicular to the exterior wall.
duplex	means a type of dwelling that is a structure with two (2) dwelling units sharing a common wall and located side by side or one above the other with a separated direct access to each dwelling. Also referred to as semi-detached house.
manufactured home	means a type of dwelling that is one storey residential building containing one dwelling unit (du) built in conformance with CSA-Z240 MH Series at an enclosed factory or on a manufacturing site in one or more sections to be transported and placed onto a residential parcel. The structure is set on a foundation where services are connected to piped municipal series.
modular home	means a form of one storey residential building built in an enclosed facility in conformance to CSA A277 to be transported and placed onto a residential parcel. The structure is set on a foundation where services are connected to piped municipal services.
multi-attached	means a type of dwelling composed of more than two dwelling units separated by a common wall, floor, or ceiling with separate direct exterior access to each dwelling. Housing types include, triplex, four-plex, etc.
row house	means a type of dwelling that has a group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade. This type of housing would have a backyard and may have a detached accessory building. Also referred to as town house.
dwelling unit	means one unit of dwelling abbreviated as du.

driving range	means an open space facility used for practicing golf swings by hitting golf balls.
eaves line	means the horizontal line that marks the intersection of the roof and the wall of the building.
encroachment	means any obstruction or intrusion extending from a property onto an adjoining public right-of-way or onto adjoining land.
encroachment agreement	means a written agreement between the municipality and a property owner which establishes particular circumstances and conditions under which a use or building on the property may incorporate the use of adjoining land owned or controlled by the municipality.
equipment rentals	means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items.
façade	means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.
feed mills and grain elevator	means buildings in which animals' feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared.
fence	means a physical barrier enclosing an area of ground to mark a boundary, control access, or prevent escape.
fence, electric	electrified or energized fence intended to emit electrical current to deter touch.
financial service	means the provision of service related to financial matters, including but not limited to the deposit or lending of money, the sale of financial investments, the provision of financial planning services, or offering of insurance related products..
floor area	means: a. for residential buildings, the total area of all floors in a building measured from the outside of exterior walls but excluding floor areas of basements, cellars, attached garages, sheds, carports, or open perches, or b. for commercial buildings, the total floor area of all floors in a building measured from the outside exterior wall including basements and cellars.
foundation	means the lower portion of a building, constructed to Alberta Building Code, typically of concrete or masonry, which includes footings that transfer the weight of a building to the ground.
four-plex	see dwelling, multi-attached.
freight and transportation depot	means a facility for the storage and distribution of freight shipped by air, rail or road transportation and includes a facility for the parking, storage and servicing of vehicles used in

	the transportation of freight or passengers for commercial purposes.
frontage	means that portion of the parcel abutting a street.
funeral home	means a business establishment where deceased human bodies are prepared for burial or cremation, and where funeral services may be held.
gas bar	means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories. It does not include automotive or vehicle repair.
geothermal energy	means energy derived from the temperature of the earth, below ground, that is used to produce electrical or thermal energy.
golf course	means an area of land designed for playing golf.
government service	means a development where administrative types of services being provided by any level of government or agency.
grade	a. for a building: the ground elevation established for the purpose of regulating the number of storeys and building height. The building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevations of the ground for each face of the building. b. for drainage: the ground elevation established in a lot drainage plan attached to the application for a development permit of the purposes of controlling the flow of surface water on the parcel.
group home	means a building or portion of a building used for the care or rehabilitation of no more than six (6) children, adolescents or adults.
hard landscaping	means the use of non-vegetative material, other than monolithic concrete, asphalt or gravel, as part of a landscaped area.
hard surface	means the ground is covered with durable material constructed of permeable or impermeable surface such as asphalt, concrete, paving stone, or similar material satisfactory to the Development Authority.
health service facility	means a development used for the provision of physical and mental professional medical services for outpatients, including the offices of physicians, dentists, and counselling types of services.

heavy equipment sales and service	means the assembly, sales, rental, and service of any heavy vehicles or equipment used in commercial, industrial or agricultural activities.
home occupation, major	means the secondary use of the principal dwelling unit and/or accessory building by a permanent resident of the dwelling unit to conduct a business activity which does not change the residential character of the dwelling unit and/or accessory building, does not employ more than two (2) non-resident employees, and does not exhibit business activity outdoor nor storage of materials and/or equipment except for one commercial vehicle used for an approved home occupation, major.
home occupation, minor	means the secondary use of a principal dwelling unit by a permanent resident of the dwelling unit to conduct a business activity which does not change the residential character of the dwelling, does not have any exterior evidence of such secondary use, and does not employ any non-residents of the dwelling unit.
hospital	means an institutional development providing medical services to in-patients and out-patients.
hotel	means a building that provides temporary sleeping accommodation where each room/unit has access from a common interior corridor.
industrial use – general	means development used principally for one or more of the following industrial and related activities that are incompatible with residential or commercial activities due to nuisance effects: • assembly • distribution • packaging • processing • manufacturing • maintenance on or off-site (includes cleaning, repairing, testing of goods, products, or equipment) • recycling • rental of goods or equipment • training
Intermunicipal Development Plan	means a plan adopted by Council and the Council of Red Deer County as an Intermunicipal Development Plan pursuant to the <i>Act</i> .
joint use facility	means a building or grounds developed by and for the use of the village of Elnora and another group, organization or agency in accordance with a formal agreement between the participating parties.

landscaped area	means an area of land made attractive and desirable by the use of any or all of the following: grass, tree, shrubs, ornamental plantings, fences, walls and associated earthworks; however, it shall not include areas occupied by the garbage containers, storage, parking lots or driveways.
Land Use District	means an area as described in Part 12 and shown in Schedule A of this Land Use Bylaw.
land use policies	means policies established by the Lieutenant Governor in Council pursuant to the <i>Act</i> .
lane	means a public thoroughfare which provides a secondary means of access to a parcel and which is registered in a land titles office.
length of a driveway	means measure from the property line to the closest point of the building.
lot	see parcel.
manufactured home park	means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of a group of manufactured homes on a rental basis.
manufactured home site	means a land rented or intended to be rented as a site for the purpose of being occupied by a manufactured home within a manufactured home park.
manufacturing, heavy	means the manufacture of products, the process of which generates fumes, gases, smoke, vapor, vibration, noise, glare, or similar nuisance effects which has a high probability of occurring.
manufacturing, light	means the secondary use of the principal dwelling unit and/or accessory building by a permanent resident of the dwelling unit to conduct a business activity which does not change the residential character of the dwelling unit and/or accessory building, does not employ more than one (1) non-resident concurrently, and does not exhibit outdoor activity and storage of materials and/or equipment.
massing	means, as it refers to buildings, the combined effect of the height, bulk, and silhouette, of a building or a group of buildings.
mixed-use building	means a building designed for a combination of more than one type of use to exist in a building site, including such examples as retail commercial on the main floor, office space on second floor, residential use on the top floor.

motor vehicle sales and repair	means development used for the maintenance and repair of motor vehicles including but not limited to automobiles, trucks, utility vehicles, motorcycles, snowmobiles and other similar vehicles and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops.
municipality	means the Village of Elnora unless otherwise specified.
Municipal Planning Commission	means a Municipal Planning commission established by Council pursuant to Part 17, Division 3 of the <i>Act</i> .
municipal shop and storage yard	means the facility used by the municipality for the storage of material used in the fulfilling of various functions and the housing and repair of its equipment.
natural environment preservation area	means an environmentally sensitive or otherwise locally significant area that is to be preserved because of its natural or amenity value to the Village.
non-conforming building	as per Municipal Government Act, means a building: a. that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or land on which the building is situated becomes effective, and b. that on the date a land use by-law becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.
non-conforming use	as per Municipal Government Act, means a lawful specific use: a. being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and b. that on the date a land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this Land Use Bylaw.
non-renewable resource extraction	means the mining or removal from the ground of deposits of coal, sand, gravel, clay, and other minerals.
office	means a facility providing for the administration of business, or government, or the provisions of professional services.
parcel	means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.
parcel, corner	means a parcel abutting two or more streets, other than a lane at their intersection or abutting two parts of the same street from an interior angle of less than 135 degrees.

parcel coverage	means the area covered by buildings, parking facilities, driveways, storage areas or display areas.
parcel depth	means the shortest distance between the centre point of the front parcel boundary and the centre point of the rear parcel boundary, or the centre point of an opposite front parcel boundary.
parcel, interior	means a parcel abutting only one street other than a lane.
parcel, through	means a parcel that abuts two parallel streets, not including lanes.
parcel width	means the distance between the side parcel boundaries connecting points located at the minimum required front yard measure along each side parcel boundary.
parking facility	means a structure or an area providing for parking of motor vehicles.
parks and playground	means areas of public land known for their natural scenery and for preservation for public recreation either active or passive.
permitted use	means a use which is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms with this Land Use Bylaw.
personal service	means the provision of a service to individuals on a commercial basis, which is related to the care of appearance or well-being of the individual, cleaning or repair of personal effects and includes such services as photographers, travel agents, beauty salons, and dry cleaners. It does not include drinking establishments, insurance agencies, health services or business which are primary retail.
place of worship	means a development owned and/or operated by a religious organization used for worship and related religious, philanthropic or social activities, including rectories, masses, churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.
plan, statutory	refers to any one or all of the following: intermunicipal development plan, municipal development plan, area redevelopment plan, and area structure plan.
protective and emergency services facility	means a public facility where the base of operation is located to provide services such as police, fire protection, ambulance, correctional, and other types of services.

principal building	means a building among which, in the opinion of the Development Authority: a. is the primary or main building among one or more buildings situated on the site; b. constitutes by reason of its use, the primary purpose for which the site is used; and/or c. occupies the majority of the site area.
principal use	means the primary purpose, in the opinion of the Development Authority, for which a building or parcel is used. No more than one (1) principal use may be located upon a parcel unless specifically permitted otherwise in this Bylaw.
public utility	means a public utility as defined in Part 17 of the Municipal Government Act R.S.A. 2000, including the public utility building.
public utility building	means a building in which the proprietor of a public utility: a. maintains its offices, or b. maintains or houses equipment used in connection with the public utility.
railway use	means a use of land or building directly related to the building or operation of a railroad system.
recreation and entertainment facility	means a facility or establishment which provides for recreation or entertainment for a gain or profit.
recreational vehicle (rv)	means a motorized vehicle or towable trailer which includes living quarters intended for accommodation. Types of rv include motorhome, campervans, travel trailers, camper trailers, fifth-wheel trailers, pop-up campers, and truck campers.
Regulation	means the Subdivision and Development Regulation, Alberta Regulation 43/2002, as amended.
renewable energy	means non-polluting energy generation technology such as solar, wind or geothermal.
repair shop – minor	means a shop, not exceeding 300 m ² (3,230 ft ²), intended for repairs of household appliances, furniture; electronic items: cell phones, computers; and any other household or business related items that does not require a use of small engine.
repair shop – major	means inclusive of repair shop-minor, and small engine repairs that are smaller than automotive engine.
restaurant	means a business intended to sell prepared food and beverages for consumption on or off-site including drive-thru.
retail store - general	means a store, not exceeding 300 m ² (3,230 ft ²) , intended for the general public which may sell, prepare, and/or rent goods

	or equipment to consumers with no age restriction to enter the premises due to legislation.
retail store – exclusive	means retail store intended to sell goods and/or services for which minors are prohibited to enter the premises due to legislations. The intended patrons are the people who are at the age of majority. This store includes, but not limited to, cannabis retail store, liquor store, adult store, etc...
• adult	means a type of retail store - exclusive that sells adult entertainment goods.
• cannabis	means a type of retail store - exclusive that is licensed by the Province of Alberta to lawfully sell cannabis and cannabis accessories.
• liquor	means a type of retail store - exclusive that is licensed by the Province of Alberta to lawfully sells alcoholic beverages.
road	means land: a. shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or b. used as a public road, c. including bridges forming part of the public road and any structure incidental to a public road, but does not include a highway.
semi-detached house	see dwelling: duplex
scale	means the impression (or feel) of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details, that relates to the visual and physical experience of the pedestrian.
screen	means a fence, berm, hedge, wall or building used to separate areas of function which detract from the appearance of the street scene and the view from the surrounding areas.
secondary suite	means an additional dwelling unit in a residential district located within an existing detached dwelling or within an accessory building. If located within an accessory building may also be referred to as garden suite or granny suite.
security/operator suite	means a secondary building, which may come in a form of a detached dwelling, or portion of a building for on-site accommodation for the purposes of on-site operation, security, and caretaking of the principal use. No more than one Security/Operator Suite may be approved on a site.
seed cleaning plant	means a building for the storage and preparation of seeds used in agriculture.

self-storage	see warehousing.
senior citizen housing	means housing designed specifically for, and occupied solely by, senior citizens.
set back	means a distance additional to minimum yard requirements which may be required on parcels adjacent to the public roadway.
sight line triangle	means an area at the intersection of a roadway or roadways and railways in which all buildings, fences, vegetation and finished ground elevations shall be less than 1 m (3 ft) in height above the average elevation of the carriageways/trails, in order that vehicle operators may see approaching vehicles in time to avoid collisions.
sign	where any type of sign is referred to in this Bylaw, such sign shall have the definition set forth in Section 10.2 (Sign Definition).
site area	means the total area of a site.
soft landscaping	means the use of vegetative material as part of the landscaping area.
soft sided structure	means any building that is faced or finished on any portion of the building exterior with flexible sheeting capable of being rolled or folded.
solar energy	means energy from the sun that is converted to produce electrical, thermal, or any other form of energy.
solar farm	means a land area intended for the collection of solar energy using solar panels for commercial distribution.
solar panel	means a large panel containing solar cells or heat-absorbing devices that convert the sun's radiation into energy for use, e.g. in heating buildings, electricity.
solid waste transfer station	means a facility for the collection and temporary holding of solid waste in a storage container.
statutory plan	means the following plans: Intermunicipal Development Plan, Municipal Development Plan, Area Structure Plan or Area Redevelopment Plan adopted by bylaw in accordance with the Municipal Government Act.
storage yard	means land used for outdoor storage.
street	means any category of public roadway except a lane.
structural alterations	means any change to the roof, foundation or exterior walls of a structure or reduces existing setback distances. For the purposes of this Bylaw, this definition is used in determining whether changes to buildings require a development permit.

structure	means anything constructed or erected, the use of which requires location on the ground, attachment to something located on the ground, but not including pavement, curbs, walks, open air surfaced areas, or movable vehicles.
Subdivision and Development Appeal Board	means the board established pursuant to the <i>Act</i> .
temporary	means such period of time as determined by the Development Authority.
temporary building	means a building for the purpose of construction without any foundation, and the use or placement of which is intended to be for periods of time that are less than twelve months. This Includes tent (temporary garage, storage shelter, or greenhouse) or stage. Building permit is required for area 60m ² and greater.
third-party advertising	means a sign which refers to goods, activities or services other than those produced, offered for sale, free or obtainable at the premises or on the site on which the sign is displayed.
town house	See dwelling: row house
use	means a building or an area of land and function and activities therein or thereon.
veterinary clinic	see animal facility.
warehousing	means a facility for indoor storage of merchandise, household goods, equipment, value added products and/or distribution.
wholesale	means the sale of goods in large quantities, as for resale by a retailer.
wind energy	means energy from the wind that is converted to produce electrical energy.
wind energy conversion system	means a system of materials in place designed to harness wind energy and convert it to electricity.
wind farm	means a land area intended for the collection of wind energy using wind energy conversion systems for commercial distribution.
yard	means an open space on the same site as a principal building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.
yard, front	means that portion of the site extending across the full width of the site from the front property boundary to the front exterior wall of the principal building.
yard, rear	means that portion of the site extending across the full width of the site from the rear property boundary to the rear exterior wall of the principal building.

yard, side

means that portion of the site extending across the full length of the site from the side property boundary between the front yard and the rear yard to the exterior wall of the principal building.

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PART 14 SCHEDULE A – LAND USE DISTRICT MAP

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TWP RD 352

TWP RD 352

RD 232

RD 232

RD 232

LAGOON



LEGEND

	R1	LOW DENSITY RESIDENTIAL		P1	PUBLIC SERVICE
	R2	MULTI-FAMILY RESIDENTIAL		P2	PUBLIC PARKS & RECREATION
	R3	MANUFACTURED HOME RESIDENTIAL		P3	PUBLIC UTILITIES
	C1	GENERAL COMMERCIAL		U1	URBAN RESERVE
	C2	SERVICE COMMERCIAL			
	I1	INDUSTRIAL			

BYLAW NO. 2020-05
ADOPTED ON: JANUARY 11, 2021

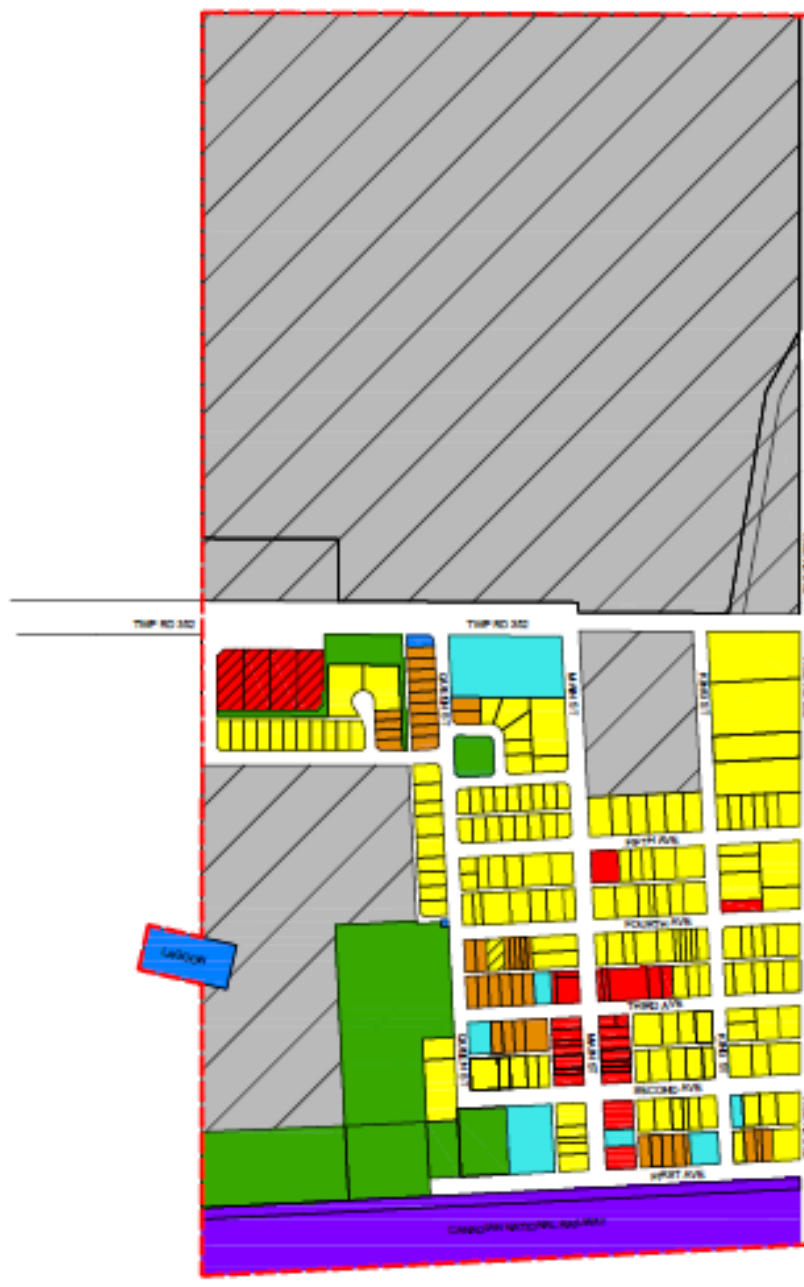


VILLAGE OF ELNORA

SCHEDULE 'A'

LAND USE DISTRICT MAP

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LEGEND

	R1	LOW DENSITY RESIDENTIAL		P1	PUBLIC SERVICE
	R2	MULTI-FAMILY RESIDENTIAL		P2	PUBLIC PARKS & RECREATION
	R3	MANUFACTURED HOME RESIDENTIAL		P3	PUBLIC UTILITIES
	C1	GENERAL COMMERCIAL		U1	URBAN RESERVE
	C2	SERVICE COMMERCIAL			
	I1	INDUSTRIAL			

BYLAW NO. 2020-05
ADOPTED ON: JANUARY 11, 2021



VILLAGE OF ELNORA

SCHEDULE 'A1'

LAND USE DISTRICT MAP

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PART 15 SCHEDULE B – ENFORCEMENT FINES

PENALTIES FOR OFFENCES UNDER THE LAND USE BYLAW

Offence	First Offence	Second Offence	Third or Subsequent Offence
Displaying a sign without a development permit	\$500	\$1000	\$10,000
Displaying a sign in contravention of this Bylaw	\$500	\$1000	\$10,000
Displaying a sign in contravention of the conditions of a development permit	\$500	\$1000	\$10,000
Commence development without a development permit	\$500	\$1000	\$10,000
Breach of restrictions on objects prohibited or restricted in yards	\$150	\$250	\$1,000
Accessory building in contravention of this Bylaw	\$150	\$250	\$1,000

Item	Authorized Charge
Impounding of signs	\$100 / sign
Storage of signs: less than or equal to 1.5m²	\$3.00 / sign / day
Storage of signs: greater than 1.5m²	\$5.00 / sign / day



Request for Decision

To: Village Council

From: Tina Williamson-Ward, CAO

Subject: GIC terms 22 and 23 renewal - Library

PURPOSE:

To renew term Library Project Term 22 GIC and Civic Centre Term 23 GIC.

BACKGROUND:

GIC term 22 and 23 expire on the 21st of November 2025 and needs to be renewed. Funding is set aside for future renovations of the westside of the building located at 213 Main Street.

RECOMMENDATION:

renew term 22 and 23.

FINANCIAL IMPLICATIONS:

earned interest on current investment

LEGAL:

N/A

PREPARED BY: Tina Williamson-Ward, CAO



Request for Decision

To: Village Council

From: Tina Williamson-Ward, CAO

Subject: Strategic Planning event

PURPOSE: To provide direction, align resources and efforts toward a common community vision, and improve overall performance of the Village of Elnora municipal services.

BACKGROUND: N/A

RECOMMENDATION: The Village of Elnora Council plan a Strategic Planning event.

FINANCIAL IMPLICATIONS: No direct financial implications

LEGAL: N/A

PREPARED BY: Tina Williamson-Ward, CAO



Request for Decision

To: Village Council

From: Tina Williamson-Ward, CAO

Subject: 213 Main Street Siding repair

PURPOSE: Approve the repairs needed to 213 Main Street.

BACKGROUND: The public works summer student was mowing the lawn next to 213 Main Street and slid down the hill, damaging the siding of the building. Please see attached quote for repairs.

RECOMMENDATION: Approve repair costs.

FINANCIAL IMPLICATIONS: \$1,000 deductible through insurance

LEGAL:

PREPARED BY: Tina Williamson-Ward, CAO

RR 1
Lousana, AB, T0M 1K0
Phone: 403-506-1396

DATE 2025-10-22

Quotation For:

valid until 2025-11-22

Village of Elnora

Comments or Special Instructions:

SALESPERSON	JOB			TERMS
	replace 14 pieces of tin on store building			

QUANTITY	DESCRIPTION	UNIT PRICE	TAXABLE?	AMOUNT
14	sheets of metal		T	\$ 917.28
	screws		T	\$ 35.00
	labour		T	\$ 1,470.00
	Delivery		T	\$ 100.00
SUBTOTAL				\$ 2,522.28
TAX RATE				5.00%
SALES TAX				\$ 126.11
OTHER				\$ -
TOTAL				\$ 2,648.39

If you have any questions concerning this quotation please contact Wayne LeBlanc, 403-506-1396, e-mail : bulletcont@gmail.com

THANK YOU FOR YOUR INTEREST !

Parkland Foundation Management Body was formed by provincial Ministerial Order in 1996 and is responsible for the operation and administration of Autumn Grove Lodge in Innisfail, self-contained suites in Bowden, Delburne, Elnora, Innisfail and Penhold as well as two family houses in Bowden.

Parkland Foundation is mandated to operate under the Alberta Housing Act and related legislation and regulations. Its primary purpose is to administer and maintain a portfolio of comfortable and affordable residential housing units for the benefit of citizens to whom the various social housing programs are targeted.

On February 1, 2015 Parkland Foundation announced a new partnership with The Bethany Group. Headquartered in Camrose, the organization assumed CAO duties and management of the foundation's operations while reporting to the Board. Parkland Foundation joins Camrose & Area Lodge Authority, Flagstaff Regional Housing Group, Lacombe Foundation, and Wetaskiwin & Area Lodge Authority as local housing management bodies with The Bethany Group named as administrator in their Ministerial Order.

A Changing Environment

Over time, the delivery of social housing programs has become more complex. Reporting requirements have increased, capital maintenance and repair projects have more administrative requirements. Human resource management, IT services, Workplace Health and Safety and Staff Education are all specialized skill sets that are increasingly important in the delivery of the lodge and social housing programs. Additionally, relationships and understanding of provincial initiatives are needed to navigate the system to plan for the future at the local level.



The Bethany Group performs all the functions of an individual CAO but operates under a team approach to bring added value, service supports and expertise. The benefit of the partnership has been that Parkland Foundation has CAO leadership with access to a wide variety of expertise, robust risk management processes, consistent approach to service delivery and leveraged buying power that is cost effective for the organization and our communities. Residents and the organization are supported locally with an on-site management team, maintenance and a financial/payroll officer, while receiving the resources and support of CAO leadership as needed.

Major Accomplishments

- Transfer to YARDI for accounting, property and asset management
- Full funding of Autumn Grove with an increase of 14 Senior Self-Contained units (SCC) in 2020
- Reserve policy, purchasing and procurement
- At provincial request, adding SSC units in Delburne and Elnora to portfolio
- Compliance with all Accommodation and Public Health Standards
- Successful annual COR Safety Audits
- Education and training for all employees (required by legislation and best practice)
- Human Resources policies and procedures to ensure compliance with provincial employment standards
- Provision of capital maintenance renewal is a collaboration with government forming strong relationships to ensure ongoing funding for capital projects to update and renew current housing stock
- Successful submissions for CMR funding, with \$830,000 received in the past three years

Year	Project	Community/Building	Amount
2025	Side Walk Upgrade	Bowden – Westview Manor	\$50,000
2025	Suite Renewal	Bowden – Community Housing	\$80,000
2024	Boilers, MUA and Hot Water Tanks	Innisfail – Dodds Lake	\$300,000
2024	Boilers, MUA and Hot Water Tanks	Bowden – Bow Glen Court	\$150,000
2023	Suite Renewals	Innisfail – Dodds Lake	\$125,000
2023	Suite Renewals	Bowden – Westview Manor	\$125,000

- It is of note that in the last 5 years, all of the buildings in the portfolio have received funding for either interior and exterior improvements.



Proposal:
Village of Elnora Finance and Administration Support
Services

October 17, 2025

Submitted to
Village of Elnora

Submitted by
Civic Solutions Inc.
Lavinia Henderson, President and CEO
Administrative Office
Box 272
Fort Qu'Appelle, SK S0G 1S0

The Proposal

The Village of Elnora is currently seeking financial and administrative support services for the municipality.

Civic Solutions Inc. (Civic) is prepared to offer finance and administrative support services to the Village of Elnora that consists of remote work on an as required basis for the balance of 2025 beginning in November. Remote work will consist of up to one (1) day per month. One (1) day is equal to seven (7) hours. Start times and break times will be established by the CAO. Friday is the preferred day as existing clients are already booked for Mondays, Tuesdays and Thursdays. An alternate day will be prearranged with the CAO at least one month prior in situations where a general holiday falls on a scheduled day.

The scope of the work will include but not necessarily be limited to:

- a) Support and advice with respect to the development, review and writing of bylaws, policies, procedures, minutes, communications and grant applications, reporting and filing. Civic's support and advice does not replace any need to obtain legal opinion.
- b) Support and advice with respect to grant writing including the preparation and writing of draft documents as well as reporting and filing.
- c) Assistance with and or training of staff in audit preparation, budget preparation and presentation and financial reporting to council, as well as specific training requirements identified by the CAO. Additionally, support will include month- and year-end balancing, preparation of continuity schedules and reconciliation worksheets and reporting to other governmental agencies.
- d) Staff training and mentoring/coaching for existing or new staff members as requested.
- e) Special projects as identified by the CAO.

Professional fees and expenses will be:

Hourly rate: \$95.00

Civic will provide WCB coverage. Comprehensive liability insurance and errors and omissions insurance is the responsibility of the municipality. The Village of Elnora will be responsible for any costs associated with remote desk top connection to the Village's system including establishing an email address if required.

2022 Municipal Accountability Program Report

Village of Elnora



Municipal Affairs

Village of Elnora 2022 Municipal Accountability Program Report

The Municipal Accountability Program is intended as a program of support and collaboration for municipal Chief Administrative Officers to either confirm compliance with requirements of municipal legislation or to identify concerns and develop corrective solutions where needed. The scope of this report is limited to confirming the compliance or lack of compliance with mandatory legislative requirements. The content of the report does not constitute an opinion on the legal effectiveness of any documents or actions of the municipality, which should be determined in consultation with independent legal advice.

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Section 1: Introduction

1.1 Our Commitment

Alberta Municipal Affairs is committed to assisting municipalities in providing well-managed, accountable local government to Albertans. To achieve this, Municipal Affairs plays an important role in assisting and supporting municipalities in Alberta through various programs to foster capacity building, transparency and accountability, which are essential elements for responsible local government.

The *Municipal Government Act (MGA)*, which provides the legislative framework for local government in Alberta, has numerous mandatory requirements that may at times seem overwhelming and difficult to manage for municipalities. Municipalities are also bound by other statutes and corresponding regulations that fall under the purview of Municipal Affairs. Compliance with these statutes and regulations is essential to good governance, the successful operation of a municipality and the viability, safety and well-being of a community. The Municipal Accountability Program is designed to help municipal officials successfully meet the challenges involved in responding to this wide range of legislative needs.

1.2 The Municipal Accountability Program

With a focus on supporting municipalities in continuing to strengthen municipal accountability and transparency, the purpose of this program is to:

- support municipalities in strengthening their knowledge of mandatory legislative requirements with a primary focus on the *MGA*;
- support municipalities in achieving legislative compliance;
- support municipalities in being well-managed, accountable and transparent; and
- provide a collaborative partnership between Municipal Affairs and municipalities to address legislative discrepancies that may exist.

The Municipal Accountability Program consists of multi-year cycle reviews, ordered by the Minister under Section 571 of the *MGA*. While this program is available to all municipalities, upon the request of a council and with the approval of the Minister, municipalities with populations of 2,500 or less are automatically scheduled for a visit once every five years. The Village of Elnora was randomly selected for a municipal accountability review in 2022.

Working with the chief administrative officer (CAO), support is provided to mitigate any minor legislative gaps that may be identified. Ministry staff work with CAOs to validate compliance, identify gaps, provide resource information, and develop corrective solutions where needed. The outcome of this program will be strong, well-managed, accountable municipalities and a strong collaborative relationship between the CAOs and the ministry.

The results of the Village of Elnora review, contained in this report, are offered to support the municipality's efforts in achieving its goals for ongoing legislative compliance with the *MGA* and its associated regulations, as well as other legislation under the responsibility of Alberta Municipal Affairs.

Section 2: Executive Summary

2.1 Methodology

The Municipal Accountability Program consists of a review of council meeting minutes, municipal bylaws, and other municipal documents. A visit and interview with village administration is also included. These components assist in determining areas where the municipality is in compliance with legislative requirements, and to identify any areas that require improvement to achieve compliance with the many requirements the *Municipal Government Act* and other legislation imposes on municipalities.

Municipal Affairs staff met with village administration on September 14, 2022 by electronic means. This virtual format was used to complete the on-site portion of the Municipal Accountability Program review and to examine compliance with mandatory requirements of the *MGA* and other legislation under the purview of Municipal Affairs.

Village of Elnora is commended for their cooperation and assistance throughout the review. As well as the time commitment during the site visit, municipal staff promptly responded to questions and provided documentation as requested. Ministry staff

appreciate this additional time and effort and recognize the commitment to the well-being and success of the municipality demonstrated by village administration.

2.2 Legislative Compliance

Overall the review findings are positive. The areas in which the municipality is meeting mandatory legislative requirements include:

- orientation training;
- chief administrator officer evaluation;
- provision of information;
- signing of municipal documents;
- public presence at meetings;
- organizational meeting;
- regular meeting change notice;
- authority to act;
- quorum;
- voting;
- pecuniary interest;
- assessment review board bylaw;
- discretionary bylaws: fees and charges;
- passing bylaws;
- public participation policy;
- capital budget;
- financial records and receipts;
- municipal accounts;
- fidelity bond;
- salary and benefits;
- management letter;
- assessment roll;
- tax roll;
- prepare tax notices;
- content of assessment notices;
- certify date of mailing;
- tax arrears list;
- tax sale;
- development authority;
- subdivision and development appeal board;
- nomination forms;
- ballot account;
- disposition of election material;
- campaign disclosure statements;
- library boards.

2.3 Legislative Gaps

Specific areas where the municipality is required to take action to achieve compliance are included below along with the page numbers which detail the legislative requirements and the gaps to be addressed:

- requirement to designate a place for the municipal office ([page 9](#));

- requirement to close meetings in accordance with the *MGA* and *FOIPP* ([page 16](#));
- requirement for council meeting minutes to be in accordance with the *MGA* ([page 24](#));
- requirement for the code of conduct bylaw include all legislative requirements ([page 25](#));
- requirement to establish the chief administrative officer position by bylaw and to formally appoint a chief administrative officer by council resolution ([page 27](#));
- requirement for the property tax bylaw to be in accordance with the *MGA* ([page 28](#));
- requirement to establish a bylaw enforcement officer bylaw ([page 30](#));
- requirement for the procedural bylaw to be in accordance with the *MGA* ([page 31](#));
- requirement for the fire bylaw to be in accordance with the *MGA* ([page 33](#));
- requirement to revise and amend bylaws in accordance with the *MGA* ([page 35](#));
- requirement to adopt an operating budget ([page 37](#));
- requirement to establish a financial institution ([page 41](#));
- requirement for the municipality to appoint an auditor, ensure the audited statements are submitted to the ministry on time and approved by council ([page 43](#));
- requirement for a municipality to implement a three-year operating plan and a five-year capital plan ([page 46](#));
- requirement for the content of tax notices to be in accordance with the *MGA* ([page 51](#));
- requirement to establish a municipal development plan in accordance with the *MGA* ([page 55](#));
- requirement to establish a land use bylaw in accordance with the *MGA* ([page 56](#));
- requirement to establish a subdivision authority ([page 57](#));
- requirement to list and publish policies related to planning decisions ([page 60](#));
- requirement for election officers to be appointed and sign the appropriate oath/statement ([page 62](#));
- requirement for municipal emergency structure, appointments, and training to be in place ([page 67](#));

2.4 Next Steps

This report contains a complete summary of the Municipal Accountability Program review including legislative requirements, comments and observations, recommendations for actions, as well as links to resources to assist the municipality.

A response by the municipality is required that includes a plan detailing the actions to be taken to rectify the legislative gaps identified in this report. This response must be submitted to Municipal Affairs within eight weeks of receiving this report. For your municipality's convenience, this report has been formatted to provide space in each section for responses to the findings on each particular area of non-compliance; however, your municipality is not required to use this report to provide its responses, and may prefer instead to develop a customized document for the responses and implementation plan.

Ministry staff are available to provide support and additional resources to guide the municipality through the development of the plan and to successfully address the legislative gaps identified. The review will formally conclude upon receipt of documentation confirming that all items have been addressed.

Section 3: Municipal Accountability Review Findings

3.1 General

1. Municipal Office

Legislative requirements: MGA 204

1. Has council named a place as its municipal office?

Comments/Observations: A resolution establishing the location of the municipal office could not be located.

Meets Legislative Requirements: No

Recommendations/Action Items: Council must pass a resolution establishing the location of the municipal office.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

--

2. Orientation Training

Legislative requirements: *MGA 201.1*

1. How was orientation training offered to elected officials following the 2021 general election and any subsequent by-elections?

Comments/Observations: Council was offered orientation training as demonstrated by municipal records.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Chief Administrative Officer Evaluation

Legislative requirements: MGA 205.1

1. Has council provided the CAO with an annual written performance evaluation?

Comments/Observations: The CAO was provided a performance evaluation on April 14, 2022.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Provision of Information

Legislative requirements: *MGA 153.1*

1. When information regarding the operation or administration of the municipality is requested by a councillor, how does the CAO provide information to all of council as soon as practicable?

Comments/Observations: The CAO is aware of section 153.1 of the *MGA*. Information is provided to all members of council, usually via email but also included in council agendas.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

4. Signing of Municipal Documents

Legislative requirements: *MGA 213*

1. Are the minutes of council meetings signed by:
 - the person presiding at the meeting; and
 - a designated officer?
2. Are the bylaws of a municipality signed by:
 - the chief elected official; and
 - a designated officer?
3. Are agreements, cheques, and other negotiable instruments signed by:
 - the chief elected official or another person authorized by council, and by a designated officer; or
 - by a designated officer acting alone if so authorized by council?

Comments/Observations: All municipal documents provided and accessed online were signed by both the mayor and CAO in accordance with the requirements of section 213 of the *MGA*. Agreements and cheques are signed by the CAO and one member of council. As the visit was conducted electronically, the village's minutes and bylaw binders were not reviewed.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

5. Repair of Roads, Public Places, and Public Works (for discussion only)

Legislative requirements: MGA 532

Each municipality must ensure that every road or other public place that is subject to the direction, control and management of the municipality, including all public works in, on or above the roads or public place put there by the municipality or by any other person with the permission of the municipality, are kept in a reasonable state of repair by the municipality, having regard to:

- the character of the road, public place or public work; and
- the area of the municipality in which it is located.

1. Is the municipality aware of this section?
2. What does the municipality do to support this requirement?
3. Is the above supported through the annual budget?
4. Is the municipality aware of the level of risk and liability if the municipality fails to perform its duty outlined in section 532?

Comments/Observations: The municipality is encouraged to review all policies and practices in place. In the event the policies and practices established set specific service levels, it may be appropriate to review the service levels and seek the necessary advice to ensure that the service levels are appropriate, and are being followed.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

3.2 Meetings

1. Public Presence at Meetings

Legislative requirements: *MGA 197(1)*

1. Are council and council committee meetings held in public?

Comments/Observations: Council meetings are open to the public. Notices of meetings are posted in the village notices in village office and on the website.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required

Resources: Not applicable

2. Closed Meetings

Legislative requirements: MGA 197

1. Before closing all or a part of a meeting to the public:

- Is a resolution passed to indicate what part of the meeting is to be closed?
- Does the resolution identify what exception to disclosure under the *Freedom of Information and Protection of Privacy Act (FOIPP)* applies to the part of the meeting that is to be closed?
- Are members of the public notified once the closed portion of the meeting is concluded?

Comments/Observations: The minutes of September 14, 2021 reflect that council moved to closed session. Section 197 of the *MGA* requires that the resolution to move to closed session must include the applicable section under *FOIPPA* which provides the basis for closing the meeting to the public.

Meets Legislative Requirements: No

Recommendations/Action Items: A resolution to enter closed session must include the appropriate exception to disclosure under FOIP.

Resources: Municipal Affairs has developed an online resource for municipalities regarding closed meetings: [Closed Meetings of Council \(Municipal Affairs\)](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3. Organizational Meeting

Legislative requirements: *MGA 150, 152, 159(1), 192*, [MO No. MSD:036/20](#)

1. Is an Organizational Meeting held annually?
2. Is a chief elected official (CEO) appointed (not a requirement if the CEO is elected at large or it is included in the procedural bylaw)?
3. Is a Deputy CEO appointed?

Comments/Observations: The organizational meeting was held October 21, 2021. A chief elected official and deputy were appointed.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

4. Special Meetings

Legislative requirements: *MGA 194*

1. Has a special council meeting been held?
2. Was the proper notification provided to the public?
3. If less than 24 hours was provided as notification, was the appropriate documentation signed by two-thirds of council?
4. Was there a need to change the agenda for the special meeting?
5. If the agenda was modified, was all of council present at the meeting to approve the change?

Comments/Observations: Special meetings of council were held on June 2 and 27, 2022. The agenda for the June 27, 2022 meeting was not changed and all members of council signed a waiver of notice.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

5. Regular Meeting Change Notice

Legislative requirements: MGA 193

1. Has the date, time or place of a regularly scheduled meeting been changed?
2. Was at least 24 hours' notice of the change provided to any councillors not present at the meeting at which the change was made, and to the public?

Comments/Observations: Changes to the date and time of a regularly scheduled meeting are done via council resolution. At least 24 hours' notice is provided.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3.3 Meeting Procedures

1. Authority to Act

Legislative requirements: *MGA 180-181*

1. Are resolutions or bylaws passed in an open public meeting?

Comments/Observations: A review of minutes show that resolutions are passed in open and public meetings.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

2. Quorum

Legislative requirements: *MGA 167*

1. Is a majority of council present at the meeting to exercise their authority to act under sections 180 and 181?

Comments/Observations: Council for the village consists of three members. The minutes that were reviewed met the quorum requirements.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Voting

Legislative requirements: *MGA 182-185*

1. Does each councillor participate in voting (unless an abstention is required or permitted and is noted)?
2. Is an abstention from voting recorded in the minutes?
3. Is the request for a recorded vote made prior to the vote being taken?

Comments/Observations: The CAO indicated that each member of council votes on all matters put to a vote of council. There were no abstentions and no requests for recorded votes noted in the meeting minutes reviewed. The voting documented in the council meeting minutes met the legislative requirements.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

4. Pecuniary Interest

Legislative requirements: *MGA 172*

1. When a pecuniary interest is declared:

- is the general nature of the pecuniary interest disclosed?
- has the councillor abstained from voting on any question relating to the matter?
- has the councillor abstained from any discussion on the matter if applicable? and
- has the councillor left the room if applicable?

Comments/Observations: No instances of pecuniary interest have arisen in the period covered by the review. A resource is provided below should a pecuniary interest situation arise.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Municipal Affairs has prepared a document that describes pecuniary interest, exceptions and the procedures for disclosure: [Pecuniary Interest](#).

5. Council Meeting Minutes

Legislative requirements: *MGA 172, 184, 185, 197, 208, 230*

1. Are the minutes recorded in the English language?
2. Do the minutes include the names of the councillors present at the council meeting?
3. Are the minutes given to council for adoption at a subsequent council meeting?
4. Are recorded votes documented?
5. Are abstentions from public hearings recorded?
6. Are the minutes recorded in accordance with section 230 of the *MGA* when a public hearing is held?
7. Are the minutes kept safe?

Comments/Observations: Minutes of council were recorded in English. Names of councillors present were recorded and minutes of the previous meeting were reviewed and approved by a resolution of council Minutes are kept in a safe location at the village office. No recorded votes or abstentions were recorded in the minutes viewed. A resource is provided should these occasions arise.

Notices for the March 18, 2021 public hearing for the municipal development plan and the November 24, 2022 public hearing for the land use bylaw amendments reflect that the public hearings were conducted outside of council meetings. Section 216.4(2)(b) of the *MGA* requires that public hearings be conducted during regular or special council meetings.

Meets Legislative Requirements: No

Recommendations/Action Items: Going forward, all public hearings must be conducted within a regular or special council meeting.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Affairs provides the following resource to assist CAOs in the preparation of council meeting minutes: [The Preparation of Meeting Minutes for Council \(Municipal Affairs\)](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3.4 Mandatory Bylaws

1. Code of Conduct

Legislative requirements: *MGA 146.1*, [Code of Conduct for Elected Officials Regulation 200/2017](#)

1. Has a code of conduct governing the conduct of councillors been established by bylaw?
2. Does the bylaw apply to all councillors equally?
3. Are there sanctions for breaching the code of conduct?
4. Does the bylaw include the following topics:
 - representing the municipality;
 - communicating on behalf of the municipality;
 - respecting the decision-making process;
 - adherence to policies, procedures and bylaws;
 - respectful interactions with councillors, staff, the public and others;
 - confidential information;
 - conflicts of interest;
 - improper use of influence;
 - use of municipal assets and services; and
 - orientation and other training attendance?
5. Has a complaint system been established within the bylaw?
6. Does the complaint system address:
 - who may make a complaint alleging a breach of the code of conduct;
 - the method by which a complaint may be made;
 - the process to be used to determine the validity of a complaint; and
 - the process to be used to determine how sanctions are imposed if a complaint is determined to be valid?
7. Has the code of conduct been reviewed in the last four years?

Comments/Observations: The code of conduct bylaw (2018-01) was adopted on May 8, 2018. The bylaw applies to all members of council equally and includes the most of the required topics but does not address adherence to policies, procedures and bylaws or improper use of influence. Part 13 of the bylaw provides a process for council to investigate breaches of statutory regulations, including those which may result in disqualification for office; however, the *MGA* does not provide councils the authority to investigate breaches of this nature.

The Code of Conduct regulation specifies which sanctions may be imposed for breaches of the code of conduct. A code of conduct may not exceed the sanctions provided for in the regulation. Sanctions b, c, e, f, g, h, j, k, and l are in excess of the sanctions established in the regulations.

The bylaw must be reviewed every four years (due in 2022).

Meets Legislative Requirements: No

Recommendations/Action Items: The code of conduct must be amended or replaced to remove the ability for investigate breaches beyond their authority and to remove sanctions not provided for in the code of conduct regulation.

Resources: The [Councillor Code of Conduct: A Guide for Municipalities](#) is a tool developed Alberta Municipalities, in partnership with the Rural Municipalities of Alberta (RMA) and Alberta Municipal Affairs, to help municipalities develop their local codes of conduct.

The resource is divided into two parts:

1. The first part is an explanation of codes of conduct and what the legislative amendments require.
2. The second part is a template that municipalities can use and adapt to their local context: [Access the Word version of the bylaw template](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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2. Establishment of the Chief Administrative Officer Position

Legislative requirements: *MGA 205*

1. Is there a bylaw establishing the position of CAO?
2. Is there a council resolution that appoints the current CAO?

Comments/Observations: Bylaw 2017-02 appoints the current CAO but does not clearly establish the position of CAO.

Meets Legislative Requirements: No

Recommendations/Action Items: The village must adopt a bylaw which establishes the position of chief administrative officer.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3. Property Tax Bylaw

Legislative requirements: *MGA 353-359*, [Matters Relating to Assessment Sub-classes Regulation 202/2017](#)

1. Is a property tax bylaw passed annually?
2. Are the rates in accordance with the:
 - assessment class (section 297);
 - Matters Relating to Assessment Sub-classes Regulation; and
 - municipal assessment sub-class bylaw (if required)?
3. Does the tax rate bylaw maintain a maximum 5:1 tax ratio between residential and non-residential assessment classes?
4. Are the requisitions accounted for (Alberta School Foundation Fund, Seniors, Designated Industrial Property)?s
5. Are the calculations correct?
6. Is there a minimum tax applied as per section 357?

Comments/Observations: The tax rate bylaw for 2022 is bylaw 2022-03, which was adopted on June 12, 2022. The bylaw includes the municipal library and waste management charges as requisitions. These are not requisitions under the *MGA* and must be included in the general levy.

Designated Industrial Properties (DIP) are a requisition under section 359.3(1) and must be included in the tax bylaw.

The bylaw also includes an assessment class of grant-in-lieu. This not an acceptable assessment class under section 297(1) of the *MGA* or a prescribed subclass for class 2 properties as defined by the regulation. The municipality may, by bylaw, establish subclasses for class 1 (residential) properties on any basis it deems appropriate.

The funds levied under the bylaw do not equal the total of all levies and the balance to be raised by taxation.

Meets Legislative Requirements: No

Recommendations/Action Items: The tax rate bylaw must include only those classes or subclasses established by legislation, regulation, or bylaw. The bylaw must also only include those requisitions required by the *MGA*. The funds levied in the tax rate bylaw must equal the total of all levies and the budgeted amount to be raised by taxation.

Resources: Municipal Affairs Financial Advisors are available to provide financial support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Affairs has created an example tax bylaw to assist municipalities when developing their annual property tax bylaw: [Example Property Tax Bylaw](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

4. Assessment Review Boards

Legislative requirements: *MGA 454-456*, [Matters Relating to Assessment Complaints Regulation 201/2017](#)

1. Has a local assessment review board been established?
 - Are at least three members appointed to this board?
 - Is the term of the office of each member appointed established?
 - Has council prescribed the remuneration and expenses, if any, payable to each member?
 - Has council designated one of the members appointed as chair and prescribed the chair's term of office, remuneration, if any, and expenses?
 - Have the appointed members received the mandatory training?
2. Is a composite assessment review board established?
 - Are at least two members appointed to this board?
 - Is the term of the appointment established?
 - Has council prescribed the remuneration and expenses, if any, payable to each member?
 - Has council designated one of the members appointed as chair and prescribed the chair's term of office, remuneration, if any and expenses?
 - Have the appointed members received the mandatory training?
3. Has a person been appointed as the clerk and received the mandatory training?
4. Has the municipality jointly established the local assessment review board, composite assessment review board, or both, with one or more other municipalities?
 - Have the member councils jointly designated one of the board members as chair?
 - Have the member councils jointly prescribed the chair's term of office and the remuneration and expenses, if any, payable to the chair?
 - Have the member councils jointly appointed the clerk of the assessment review boards?

Comments/Observations: Bylaw 2020-01 was passed on February 11, 2020 and establishes an intermunicipal assessment review board for the village. The bylaw jointly establishes the local assessment review board and composite assessment review board with the member municipalities. The bylaw appoints a specified position at the City of Red Deer as the clerk of the boards. Appointment of members and chair is delegated to the clerk of the boards. The remuneration and benefits payable to the members and the chair are provided within the bylaw as is the requirement that members receive the legislated training.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

5. Bylaw Enforcement Officers

Legislative requirements: MGA 555-556

1. Has the municipality passed a bylaw enforcement officer bylaw?
2. Are the powers and duties established within the bylaw for the bylaw enforcement officer?
3. Does the bylaw include:
 - disciplinary procedures;
 - penalties; and
 - an appeal process?
4. Have all individuals who perform bylaw enforcement within the municipality taken the official oath?

Comments/Observations: The village has not adopted a bylaw enforcement officer bylaw as required by sections 555-556 of the *MGA*. Copies of oaths for individuals performing bylaw enforcement for the municipality were not available.

Meets Legislative Requirements: No

Recommendations/Action Items: The municipality must adopt a bylaw enforcement officer bylaw and ensure oaths are completed for individuals performing bylaw enforcement.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

3.5 Discretionary Bylaws

1. Procedural Bylaw

Legislative requirements: *MGA 145*

1. Does the municipality have a procedural bylaw?

Comments/Observations: Bylaw 482-0406 was passed October 12, 2005 and is the village's procedural bylaw. Sections 49 and 51 of the bylaw do not meet the requirements of section 197 of the *MGA* for closing meetings to the public. A motion to go to closed session under Division 2 of FOIP citing the exception to disclosure which is the basis for closing part of the meeting to the public.

Section 53 of the bylaw addresses committees of council. However, section 145(1) of the *MGA* now requires that council committees be established by bylaw. In addition, sections 65-67 contravene section 201(2) which prohibit a council or member from taking on duties assigned to the chief administrative officer.

Meets Legislative Requirements: No

Recommendations/Action Items: The procedural bylaw must be amended or replaced to comply with the requirements of the *Municipal Government Act*.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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2. Fees and Charges Bylaw

Legislative requirements: *MGA*

1. Does the municipality have a Fee Bylaw?

Comments/Observations: The municipality passed bylaw 2022-02 on April 14, 2022 to establish fees and charges for the village. The bylaw is reviewed annually with all changes being made by repealing and replacing the bylaw.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Fire Bylaw

Legislative requirements: *MGA 230, 606, 634, 692*

1. Does the bylaw comply with the *Municipal Government Act*?

Comments/Observations: Bylaw 478-0402 is the fire bylaw for the village. The bylaw establishes that the fire chief reports to village council but does not establish the fire chief as a designated officer. Section 207 of the *MGA* establishes the CAO as the administrative head of the municipality. However, council may, by bylaw, establish the position of a designated officer under section 210(4) who is not supervised by the CAO.

Section 7 of the bylaw provides that council ratifies the rules, regulations, conduct and discipline, and standard operating procedures of the fire department. This contrary to section 201(2) of the *MGA* which prohibits a council from performing a power, duty or function assigned to the CAO or a designated officer. Section 28 also contravenes section 201(2) as council does not have bylaw enforcement authority.

While not legislatively incorrect, the village may wish to review section 21 of the bylaw in relation to liability.

Meets Legislative Requirements: No

Recommendations/Action Items: The fire bylaw should be amended or replaced to ensure it complies with the *MGA*.

Resources: Municipal Affairs Planning Advisors are available to provide planning and development support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3.6 Bylaw Procedures

1. Passing Bylaws

Legislative requirements: *MGA 187-189*

1. Are bylaws given three distinct and separate readings?
2. If all readings are conducted at one council meeting, is there a resolution passed that gives unanimous consent to consider third reading?

Comments/Observations: Bylaws are given three distinct and separate readings. A resolution to consider third reading at one council meeting is passed unanimously as required by the *MGA*.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

2. Bylaw Revisions and Amendments

Legislative requirements: MGA 63-69, 191, and 692

1. Are revision bylaws limited to:
 - consolidation of two or more bylaws;
 - altering citation; and
 - changes that do not materially affect a bylaw (clerical, technical, grammatical, or typographical)?
2. Does the title of the bylaw indicate that it is a revision bylaw?
3. Has the CAO certified in writing the revision prior to the bylaw being given first reading?
4. How are schedules to bylaws amended (e.g., fees charges or rate schedules)?
5. Have there been amendments to a bylaw that initially required advertising?
6. Was the amending bylaw advertised?
7. Are bylaws amended or repealed in the same way as the original bylaw was enacted?

Comments/Observations: Bylaws are generally repealed and replaced. The municipality has not consolidated or revised bylaws; however, the minutes include resolutions (i.e.: 2021-208, 2022-004, 2022-17) which repeal bylaws. Section 191(2) of the *Municipal Government Act* states that amendment or repeal of a bylaw must be made in the same way as the original bylaw.

Meets Legislative Requirements: No

Recommendations/Action Items: The municipality must repeal bylaws by bylaw. The repealing bylaw is subject to the same advertising and notification requirements as the original bylaw(s).

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3.7 Mandatory Policies

1. Public Participation Policy

Legislative requirements: *MGA 216.1*, [Public Participation Policy Regulation 193/2017](#)

1. Has a public participation policy been passed?
2. Does the policy identify:
 - types or categories of approaches the municipality will use to engage the public; and
 - types and categories of circumstances in which the municipality will engage with the public?
3. Is the public participation policy available for public inspection?
4. Has the public participation policy been reviewed by council in the last four years? (Not applicable until summer of 2022.)

Comments/Observations: Policy 2018-001 was approved on July 10, 2018. The policy includes the approaches the municipality will use to engage the public as well as the circumstance in which the municipality will be engaged. The CAO is aware that the policy must be reviewed in 2022. The policy is posted on the village website.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3.8 Finance

1. Operating Budget

Legislative requirements: *MGA 242, 243, 244, 248, 248.1*

1. Has an operating budget been adopted for each calendar year?
2. Does the operating budget include the estimated amount of each of the following expenditures and transfers:
 - the amount needed to provide for the council's policies and programs;
 - the amount needed to pay the debt obligations in respect of borrowings made to acquire, construct, remove or improve capital property;
 - the amount of expenditures and transfers needed to meet the municipality's obligations as a member of a growth management board, or its obligations for services funded under an intermunicipal collaboration framework (not applicable until April 1, 2020);
 - the amount needed to meet the requisitions or other amounts that the municipality is required to pay under an enactment;
 - if necessary, the amount needed to provide for a depreciation or depletion allowance, or both, for its municipal public utilities as defined in section 28;
 - the amount to be transferred to reserves;
 - the amount to be transferred to the capital budget; and
 - the amount needed to recover any shortfall as required under section 244?
3. Does the operating budget include estimated amounts of each source of revenue (taxes, grants, service fees)?
4. Are the estimated revenues and transfers sufficient to pay the estimated expenditures?
5. Does the budget align with the property tax rate bylaw?
6. Has council established procedures to authorize and verify expenditures that are not included in a budget?

Comments/Observations: The operating budget was passed on June 2, 2022 by resolution 2022-080. The budget includes the amounts needed to pay for council's policies and programs. The municipality has no debt obligations and the budget contains no transfers to reserves.

The budget does not include all requisitions as required by section 343(1) of the *MGA* and does not align with the property tax bylaw.

Meets Legislative Requirements: No

Recommendations/Action Items: The budget must include all requisitions specified in the legislation and must align with the property tax bylaw.

Resources: Municipal Affairs Financial Advisors are available to provide general financial support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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2. Capital Budget

Legislative requirements: MGA 245, 246, 248.1

1. Has a capital budget for each calendar year been adopted?
2. Does the capital budget include the estimated amount for the following:
 - the amount needed to acquire, construct, remove or improve capital property;
 - the anticipated sources and amounts of money to pay the costs to acquire, construct, remove or improve capital property; and
 - the amount to be transferred from the operating budget?

Comments/Observations: The 2022 capital budget was adopted on June 2, 2022 by resolution 2022-081. The budget includes the estimated amounts capital includes needed to acquire, construct, remove or improve capital property, the sources of money and the amount to be transferred to the operating budget.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Financial Records and Receipts

Legislative requirements: *MGA 268.1*

1. Are accurate records and accounts kept of the municipality's financial affairs?
2. Are actual revenues and expenditures of the municipality, compared with the estimates, reported to council as often as council directs?
3. Are revenues of the municipality collected and controlled, and receipts issued in the manner directed by council?

Comments/Observations: The village uses Muniware to maintain their financial records. Council is provided with variance reports on a monthly basis.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

4. Municipal Accounts

Legislative requirements: *MGA 270*

1. Is all money belonging to or held by the municipality deposited into a financial institution designated by council?

Comments/Observations: The village banks with Servus as indicated by municipal records. A resolution designating the financial institution could not be located.

Meets Legislative Requirements: No

Recommendations/Action Items: A resolution naming the village's financial institution must be passed.

Resources: Municipal Affairs Financial Advisors are available to provide general financial support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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5. Fidelity Bond

Legislative requirements: *MGA 212.1*

1. Does the municipality annually obtain a fidelity bond or equivalent insurance?
2. Does the bond or insurance cover:
 - the CAO of the municipality;
 - the designated officers of the municipality; and
 - other employees of the municipality?

Comments/Observations: The village has insurance coverage through AMSC as indicated by municipal records.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

6. Auditor, Audited Financial Statements, Auditor Report

Legislative requirements: *MGA 276, 280, 281*, [Debt Limit Regulation 255/2000](#)

1. Has one or more auditors for the municipality been appointed?
2. Are annual financial statements of the municipality prepared for the immediately preceding year?
3. Do the financial statements include:
 - the municipality's debt limit; and
 - the amount of the municipality's debt as defined in the regulations under section 271?
4. Are the financial statements, or a summary of them, and the auditor's report on the financial statements available to the public in the manner the council considers appropriate by May 1 of the year following the year for which the financial statements have been prepared?
5. Has council received the auditor's report on the annual financial statements and financial information return of the municipality?

Comments/Observations: A resolution appointing the auditor could not be located. The auditor presented the 2021 financial report on June 27, 2022. The statement includes information on the debt limit for the municipality and the report is posted on the village website. The financial statement was not made available to the public in the manner the council considers appropriate by May 1 as required by section 276(3) of the *MGA*.

Meets Legislative Requirements: No

Recommendations/Action Items: Audited financial statements must be completed and made available to the public no later than May 1.

Resources: Municipal Affairs Financial Advisors are available to provide general financial support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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7. Salary and Benefits

Legislative requirements: *MGA 217*, [Supplementary Accounting Principles and Standards Regulation 313/2000](#)

1. Has information been provided on the salaries of councillors, the chief administrative officer and all designated officers of the municipality, including the assessor?

Comments/Observations: The audited financial statement includes information on the salaries of councillors, the chief administrative officer and designated officer (assessor).

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable. Municipal Affairs Financial Advisors are available to provide general financial support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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8. Management Letter

Legislative requirements: *MGA 281(3)*

1. Has council received a separate auditor's report on any improper or unauthorized transaction or non-compliance with this or another enactment or a bylaw that is noted during the course of an audit?

Comments/Observations: Council received a separate auditors report on any improper or unauthorized transaction or non-compliance with this or another enactment or a bylaw that was noted during the course of the audit.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable

9. Three-Year Operating and Five-Year Capital Plans

Legislative requirements: *MGA 283.1*, [Municipal Corporate Planning Regulation 192/2017](#)

1. Has the municipality prepared a written plan respecting its anticipated financial operations over a period of at least the next three financial years and does it include the following;
 - a. major categories of expenditures and revenues;
 - b. annual surplus/deficit;
 - c. accumulated surplus/deficit?
2. Has the municipality prepared a written plan respecting its anticipated capital property additions over a period of at least the next five financial years and does it include;
 - a. anticipated expenditures; and
 - b. anticipated sources of revenue?
3. Does the three-year operating plan or the five-year capital plan include the current financial year in which the financial plan or capital plan is prepared?
4. Has council reviewed and updated its financial plan and capital plan annually?

Comments/Observations: The three year operating plan was adopted on June 2, 2022. While the plan includes the major categories of expenditures and revenues, it does not include the annual surplus and deficit or the accumulated surplus and deficit. The plan includes the current year, which is contrary to section 283.1 of the *MGA*.

The 5 year capital plan was passed June 2, 2022 and includes the years 2022-2027. The plan includes anticipated property additions, expenditures and anticipated sources of revenue.

Meets Legislative Requirements: No

Recommendations/Action Items: The three year operating plan must include the annual surplus/deficit and the accumulated surplus/deficit. The plan must not include the current year.

Resources: Municipal Affairs has created a guide to assist municipalities getting started with -multi-year financial planning: [New Legislative Requirements for Municipal Financial & Capital Plans](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3.9 Assessment and Taxation

1. Assessment Roll

Legislative requirements: *MGA 210, 284.2(1), 307*

1. Has the assessor been established as a designated officer by bylaw?
2. Has a person who has the qualifications as set out in the Municipal Assessor Regulation 347/2009 been appointed to the position of designated officer to carry out the functions of a municipal assessor?
3. Is the assessment roll available for inspection?
4. Is there a fee for this?
5. Does the municipality have a bylaw to establish this fee?

Comments/Observations: The assessor is established as a designated officer through bylaw 2018-03. The bylaw further appoints a person as assessor for the village. The assessment roll is available for inspection at the public office. There is no fee to view the roll.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

2. Tax Roll

Legislative requirements: MGA 327, 329

1. Has an annual tax roll been prepared for the municipality?
2. Does the tax roll include the following:
 - a description sufficient to identify the location of the property or business;
 - name and mailing address of the taxpayer;
 - the assessment;
 - the name, tax rate, and amount of each tax imposed in respect of the property or business;
 - the total amount of all taxes imposed in respect of the property or business;
 - the amount of tax arrears; and
 - if the property is subject to an agreement between the taxpayer and the municipality (section 347 or 364)?

Comments/Observations: An annual tax roll has been completed and contains the required legislated content. As the visit was done electronically, the village's tax software was not reviewed.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Assessment and Tax Notice

Legislative requirements: *MGA 308, 333*

1. Does the municipality provide for a combined property assessment and tax notice?
2. Are assessment notices prepared annually for all assessed property, other than designated industrial property, shown on the assessment roll?
3. Are assessment notices sent to assessed persons?
4. Are tax notices prepared annually for all taxable property and businesses shown on the tax roll of the municipality?
5. Are the tax notices sent to the taxpayers?

Comments/Observations: Combined assessment and tax notices are prepared annually and sent to taxpayers in accordance with *MGA* requirements.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

4. Content of Assessment Notices

Legislative requirements: MGA 303, 308.1, 309

1. Has the assessor set a notice of assessment date, which must be no earlier than January 1 and no later than July 1?
2. Has the assessor set additional notice of assessment dates for amended and supplementary assessment notices? Are those notice of assessment dates later than the date that tax notices are required to be sent under Part 10?
3. Does the municipal assessment notice show the following:
 - the same information that is required to be shown on the assessment roll;
 - the notice of assessment date;
 - a statement that the assessed person may file a complaint not later than the complaint deadline; and
 - information respecting filing a complaint in accordance with the regulations?

Comments/Observations: The notice of assessment date was June 10, 2022. The assessment notice included all the information required to be shown and the information on filing a complaint.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

5. Content of Tax Notices

Legislative requirements: MGA 334

1. Does the municipal property tax notice show the following:
 - the same information that is required to be shown on the tax roll;
 - the date the tax notice is sent to the taxpayer;
 - the amount of the requisitions, any one or more of which may be shown separately or as part of a combined total;
 - except when the tax is a property tax, the date by which a complaint must be made, which date must not be less than 30 days after the tax notice is sent to the taxpayer;
 - the name and address of the designated officer with whom a complaint must be filed;
 - the dates on which penalties may be imposed if the taxes are not paid; and
 - information on how to request a receipt for taxes paid?

Comments/Observations: The tax notice includes all the information required to be shown on the tax roll. The date of mailing, penalty and appeal comply with the legislation. Information on how to request a receipt for taxes paid is not included.

See section 3.4.3 of this report regarding assessment classes with regard to changes needed on future tax notices.

Meets Legislative Requirements: No

Recommendations/Action Items: The tax notice must include information on how to request a receipt for taxes paid.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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6. Notice and Certification

Legislative requirements: MGA 311, 335, 336

1. Has the municipality published in one issue of a newspaper having general circulation in the municipality, or in any other manner considered appropriate by the municipality, a notice that the assessment notices have been sent?
2. Has a designated officer certified the date the tax notices were sent?
3. Have the tax notices been sent before the end of the year in which the taxes were imposed?

Comments/Observations: A notice signed by a designated officer certifying that tax notices were mailed June 3, 2022 was posted on the website and at the village office.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

7. Tax Arrears List

Legislative requirements: MGA 412, 436.03

1. Has a tax arrears list been prepared showing the parcels of land in the municipality in respect of which there are tax arrears?
2. Has the list been sent to the Registrar and to the Minister responsible for the *Unclaimed Personal Property and Vested Property Act*?
3. Has the list been posted in a place that is accessible to the public during regular business hours?
4. Were persons notified who are liable to pay the tax arrears that a tax arrears list has been prepared and sent to the Registrar?

Comments/Observations: A tax arrears list was prepared in 2022 for parcels with tax arrears. The list was posted in the village office and those required to pay were notified.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

8. Tax Sale

Legislative requirements: *MGA 418, 436.08*

1. Have those properties appearing on the tax arrears list been offered for sale within the time frame provided?

Comments/Observations: The village held a public auction in 2022 in accordance with the legislation.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

1. Municipal Development Plan (MDP)

1. Is there a Municipal Development Plan (MDP) adopted by bylaw?

2. Does the MDP address/include:

Meets Legislative Requirements: No

Resources: Municipal Affairs Planning Advisors are available to provide planning and development support by calling toll-free 310-0000 and then 780-427-2225. Additionally, Municipal Affairs has prepared a [Guidebook for preparing a municipal development plan](#).

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2. Land Use Bylaw (LUB)

Legislative requirements: *MGA 230, 606,640, 642 (1), 692 (4), [Matters Related to Subdivision and Development Regulation](#)*

1. Is there a land use bylaw?
2. Does the land use bylaw:
 - divide the municipality into districts (zones);
 - establish a method of making decisions on development permit applications, including provisions for:
 - the types of development permits that may be issued;
 - processing an application for, or issuing, canceling, suspending or refusing to issue development permits;
 - the conditions (contained in the land use bylaw) that development permits may be subject to;
 - how long development permits remain in effect (if applicable);
 - the discretion the development authority may exercise with respect to development permits;
 - provide for how and to whom notice of the issuance of development permits is to be given;
 - establish the number of dwelling units permitted on a parcel of land; and
 - identify permitted and discretionary uses?
3. When an application to amend or change the land use bylaw is submitted, did the notice of the amendment include:
 - the municipal address/legal address of the parcel of land;
 - a map showing the location of the parcel of land;
 - written notice to the assessed owner of that parcel of land; and
 - written notice to the assessed owner of the adjacent parcel of land;
 - the purpose of the bylaw amendment or change and public hearing;
 - the address where the proposed bylaw, and any documents can be inspected; and
 - the date, time and place of the public hearing?

Comments/Observations: Bylaw 2020-05, the land use bylaw, was adopted January 11, 2021. The bylaw conforms to all provisions of the *MGA* with respect to the required content. However, some sections of the bylaw require amendment. Section 6 of the land use bylaw provides that a person may appeal a stop order within 14 days of the date of notice. However, section 646(1)(a)(ii) establishes an appeal period of 21 days after the date of notice.

Section 13 of the land use bylaw allows for amendments to the bylaw without notice or hearing provided the amendments are to correct clerical, technical, grammatical or typographical errors. Any such amendments may only be done by a revision bylaw, which must comply with sections 63 and 65 of the *MGA*.

Meets Legislative Requirements: No

Recommendations/Action Items: The bylaw must be amended or replaced to reflect the legislated appeal period for stop orders. Any amendments considered revisions under section 63 of the *MGA* must be done by bylaw.

Resources: Municipal Affairs Planning Advisors are available to provide planning and development support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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3. Subdivision Authority

Legislative requirements: *MGA 623, 625*

1. Has the municipality by bylaw provided for a subdivision authority?

Comments/Observations: No bylaw providing for a subdivision authority was located. This is a requirement under section 623 of the *MGA*.

Meets Legislative Requirements: No

Recommendations/Action Items: The municipality must, by bylaw, provide for a subdivision authority.

Resources: Municipal Affairs Planning Advisors are available to provide planning and development support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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4. Development Authority

Legislative requirements: *MGA 623, 625*

1. Has the municipality bylaw provided for a development authority?

Comments/Observations: Development authority is provided for in bylaw 2020-02, the land use bylaw.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

5. Subdivision and Development Appeal Board (SDAB)

Legislative requirements: *MGA 627, 628*, [Matters Related to Subdivision and Development Regulation](#)

1. Is a subdivision and development appeal board bylaw or intermunicipal agreement established by bylaw?
2. Does the SDAB bylaw describe the functions and duties of the SDAB?
3. Do the SDAB members exclude those who are:
 - municipal employees;
 - members of the municipal planning commission; and
 - individuals who can carry out subdivision and development powers on behalf of the municipality?
4. Is there no more than one councillor appointed to serve on a panel of the board?
5. If more than one, is there Ministerial approval for the additional councillors to sit on the panel?
6. Is there a clerk appointed to the SDAB?
7. Has the clerk successfully completed the required SDAB training?
8. Is the member(s) appointed to the SDAB qualified to do so in accordance with the SDAB provisions in the Act and regulation?
9. Has the municipality completed its Statistical Information Return (SIR) to report that the SDAB clerk and members are trained?

Comments/Observations: Bylaw 2019-02 is the village's regional SDAB bylaw. The bylaw describes the functions and duties of the board and delegates authority to appoint members of the board to a specified administrative committee. The bylaw excludes municipal employees, members of the municipal planning commission or persons having subdivision and development authority in any participating municipality. Appointments to the board are restricted to residents of participating municipalities. The bylaw provides for the appointment of a clerk and addresses legislated training requirements for clerk and members.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: None applicable.

6. Listing and Publishing Policies Used to Make Planning Decisions

Legislative requirements: MGA 638.2

1. Are the following published on the municipal website:

- an up-to-date list of council approved policies (by bylaw or resolution) used to make planning/development decisions;
- a summary of these policies and their relationship to each other and to statutory plans and bylaws passed under Part 17 of the *MGA*; and
- documents incorporated by reference in any bylaws passed under Part 17?

Comments/Observations: The municipality has not published policies and bylaws used to make planning decisions on the village website as required by section 638.2.

Meets Legislative Requirements: No

Recommendations/Action Items: The village must publish an up-to-date list of council approved policies and their relationship to each other and to statutory plans and bylaws on the municipal website.

Resources: Municipal Affairs Planning Advisors are available to provide planning and development support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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7. Joint Use and Planning Agreements (for discussion only)

Legislative requirements: *MGA 670.1, 672 and 673, Education Act 53.1*

1. Is the municipality aware that, where a school board is operating within the municipal boundaries of a municipality, the municipality must, by June 11, 2023, enter into an agreement with the school board?

2. Are they aware that the agreement must contain provisions:

- establishing a process for discussing matters relating to:
 - the planning, development and use of school sites on municipal reserves, school reserves and municipal and school reserves in the municipality;
 - transfers under section 672 or 673 of the *MGA* of municipal reserves, school reserves and municipal and school reserves in the municipality;
 - disposal of school sites;
 - the servicing of school sites on municipal reserves, school reserves and municipal and school reserves in the municipality;
 - the use of school facilities, municipal facilities and playing fields on municipal reserves, school reserves and municipal and school reserves in the municipality, including matters relating to the maintenance of the facilities and fields and the payment of fees and other liabilities associated with them, and
 - how the municipality and the school board will work collaboratively,
- establishing a process for resolving disputes, and
- establishing a time frame for regular review of the agreement, and may, subject to the governing legislation, contain any other provisions the parties consider necessary or advisable?

Comments/Observations: The CAO is aware of the requirement.

Resources: Municipal Affairs Planning Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

3.11 Elections

1. Returning /Substitute/Deputy Officers

Legislative requirements: *LAEA 13, 16*, [Local Authorities Election Forms Regulation 106/2007](#)

1. Was a returning officer appointed for the 2021 general election?
2. Was a substitute returning officer appointed for the 2021 general election?
3. Did all of the appointed election officers take the required oath/statement per the Local Authorities Election Forms Regulation?

Comments/Observations: The CAO was the returning officer for the 2021 general election. A substitute returning officer was not appointed in accordance with the *Local Authorities Election Act*. The returning officer took the required oath.

Meets Legislative Requirements: No

Recommendations/Action Items: A substitute returning officer must be appointed for all elections going forward and take the prescribed oath.

Resources: Municipal Affairs Advisors are available to provide elections support by calling toll-free 310-0000 and then 780-427-2225. In addition, Municipal Affairs has developed a number of resources available to assist municipalities and individuals with the municipal election process and is available online at [Municipal Elections](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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2. Nomination Forms

Legislative requirements: *LAEA 27, 28.1, 34, 97*

1. Were the nomination papers signed by at least five electors of the municipality?
2. Were the nomination papers accompanied by the candidate information form (form 5)?
3. Have all nomination papers that were filed prior to the most recent election been retained?
4. Were copies of the prescribed form for the identification of an official agent, campaign workers and scrutineers for the purposes of identification under section 52 made available to the candidates?
5. Does the municipality ensure that the Deputy Minister is forwarded a signed statement showing the name of each nominated candidate, election results, and any information about the candidate that the candidate has consented to being disclosed (for general elections and by-elections)?

Comments/Observations: Nomination papers were signed, filed, and the Deputy Minister received the required information in accordance with the *LAEA*. The nomination papers have been retained by the municipality.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3. Ballot Account

Legislative requirements: LAEA 88, 89, 94, 100

1. Has a copy of the ballot account been retained?

Comments/Observations: No ballot account was required as all candidates were acclaimed.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

4. Disposition of Election Material

Legislative requirements: *LAEA 101*

1. Were the election materials disposed of in accordance with section 101 of the *LAEA*?
2. Is there a copy of the affidavits of destruction of the ballot box contents sworn or affirmed by the two witnesses?

Comments/Observations: The election materials for the 2021 general election were destroyed, and the village has retained the affidavits of destruction.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

5. Campaign Disclosure Statements

Legislative requirements: *LAEA 147.4, 147.7*

1. Has the local jurisdiction issued a late filing fee of \$500 for campaign disclosure statements not received on or before March 1 immediately following a general election, or within 120 days of a by-election?
2. Have all campaign disclosure statements filed within the last four years been retained by the municipality?
3. Are all documents filed under this section available to the public during regular business hours?
4. Has the returning officer reported all complaints or allegations under Parts 5.1 or 8 of the *LAEA* to the Elections Commissioner?

Comments/Observations: Campaign disclosure statements were submitted by all candidates for the 2021 general election.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

3.12 Emergency Management

1. Municipal Emergency Organization/Agency/Advisory Committee

Legislative requirements: *Emergency Management Act (EMA) 11, 11.1, 11.2*

- 1. Has the emergency management committee been established by bylaw?
- 2. Has an emergency advisory committee been appointed consisting of a member or members of council to advise on the development of emergency plans and programs?
- 3. Is an emergency management agency established by bylaw to act as the agent of the local authority in exercising the local authority’s powers and duties under the EMA?
- 4. Has a director of the emergency management agency been appointed?
- 5. Has the director of emergency management received the required training (Basic Emergency Management, ICS-300, and Director of Emergency Management courses)?
- 6. Have municipal elected officials received the required training (Municipal Elected Officials course)?
- 7. Have municipal staff who have been assigned responsibilities respecting the implementation of the emergency plan received the required training (Basic Emergency Management and ICS-100 courses)?
- 8. Are there prepared and approved emergency plans and programs?

Comments/Observations: The CAO indicated that a new emergency management bylaw has been drafted to delegate powers to Red Deer County but has not yet been passed by council.

Municipal officials completed the elected officials course as of March 10, 2022. A director of emergency management was appointed by resolution 2019-030 on February 12, 2019. An approved emergency plan is in place.

Meets Legislative Requirements: No

Recommendations/Action Items: An emergency management bylaw must be passed to meet the requirements of the *Emergency Management Act*.

Resources: The Alberta Emergency Management Agency has developed a number of online tools at [Emergency and Disaster Preparedness](#) to assist municipalities which include resources to develop emergency plans, and training workshops. For questions and additional support pertaining to emergency management, contact the Alberta Emergency Management Agency at 310-0000 then 780-422-9000.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

3.13 Libraries

1. Municipal Library Board

Legislative requirements: *Libraries Act 3-5*

1. Is a municipal library board established?
2. Has council provided a copy of the bylaw establishing the board to the Minister?
3. Has council appointed all of the members of the library board?
4. Have two or fewer councillors been appointed to the board?
5. Are there alternate members of council appointed to the board?
6. In the case of an intermunicipal library board, are members appointed to the board in accordance with the intermunicipal agreement?
7. Does the appointment term exceed three years?
8. Does any member's number of terms exceed three consecutive terms? If so, did two-thirds of council pass a resolution stating that they may be reappointed (for each additional term)?

Comments/Observations: One councillor was appointed to the municipal library board by resolution 2021-183 on October 19, 2021. Council appointed all public members to the board. Any term exceeding three terms was approved by a two-thirds majority of council.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

2. System Library Board

Legislative requirements: *Libraries Act 16, Libraries Regulation 141/1998*

1. Is the municipality a member of a library system?
2. If so, has council appointed one member to the board?
3. If so, does the appointment term exceed three years?
4. Does any member's years of service exceed nine consecutive years? If so, did two-thirds of council approve each additional term?

Comments/Observations: The village is a member of the Parkland library system. Council appoints one member annually to the board.

Meets Legislative Requirements: Yes

Recommendations/Action Items: No action required.

Resources: Not applicable.

Section 4: Conclusion

Your participation and cooperation during the 2022 Municipal Accountability Program review are appreciated. This report is intended to help the Village of Elnora reach full mandatory legislative compliance.

No confidential information is contained within this report; therefore, the report in its entirety should be shared with council to strengthen awareness of the diversity and magnitude of municipal responsibilities, the significant tasks and work involved, and achievements in compliance. The report can be used as a planning tool for addressing the compliance gaps identified and for future training purposes. To demonstrate transparency and accountability to citizens, it is strongly encouraged that the review results are shared during an open public meeting.

The ministry is committed to maintaining a strong collaborative working relationship. We welcome your feedback on our review process as we work together to ensure Albertans live in viable municipalities with well-managed, accountable and transparent local governments.



Request for Decision

To: Village Council

From: Tina Williamson-Ward, CAO

Subject: Community Library Committee
Meeting and Project Manager

PURPOSE: To proceed with the planning stages of the Elnora Community Library at 213 Main Street.

BACKGROUND: The Village is ready to proceed with the planning stages of the Elnora Community Library. To facilitate traction, the Community Library Committee should hold a meeting this month to discuss how to proceed and review alternate plans that are now available. Additionally, Council should appoint a Project Manager to ensure this project remains on track.

RECOMMENDATION: Council should require a meeting be called by the chair of the committee to take place this month. If the chair is unknown or unavailable, Council should call the meeting and a chair of the committee can be appointed as per the bylaw. Additionally, to ensure continuity with the project, Council should appoint Jul Bissell as the project manager for the project.

FINANCIAL IMPLICATIONS: no direct financial implications

LEGAL:

PREPARED BY: Tina Williamson-Ward, CAO

VILLAGE OF ELNORA
Administrator's Report

Report Period: October 2025

Report Date: October 31th, 2025

- Council Meetings: Preparation of agendas/agenda package for November. Attendance and follow up.
- Correspondence: Letters, filing, emails
- Bylaw research for MAP requirements, MGA review.
- Elections, Advance and regular. Reporting requirements. Training.
- Recreation Board Meeting. Bylaw prep.
- Insurance updates. Discussion with contractor on repairs for insurance claims.
- Website and Facebook updates

Tina Williamson-Ward, CAO