

**VILLAGE OF MILO**

**LAND USE BYLAW**

**NO. 322**

Prepared by the



*OLDMAN RIVER INTERMUNICIPAL SERVICE AGENCY*

**August 1998**  
**(amended to include Bylaw No. 338)**



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**SUBDIVISION AUTHORITY BYLAW NO. 307**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 308**

**DEVELOPMENT AUTHORITY BYLAW NO. 309**

**VILLAGE OF MILO  
IN THE PROVINCE OF ALBERTA**  
**LAND USE BYLAW NO. 322**

Being a bylaw of the Village of Milo, in the Province of Alberta, to establish a land use bylaw. This bylaw may be cited as "The Village of Milo Land Use Bylaw".

**PREAMBLE**

1. **Whereas** the council of the Village of Milo wishes the village to become a regional focal point for growth and development by establishing policies and making decisions which would ensure the viability of the community; and

**Whereas** the council of the Village of Milo wishes to encourage development in an attractive, orderly, economic and efficient manner; and

**Whereas** the council of the Village of Milo wishes to discourage premature and inappropriate development; and

**Whereas** the council of the Village of Milo has adopted by resolution of council, a land use strategy, to help meet the challenges of community planning; and

**Whereas** the council of the Village of Milo recognizes that various provisions of the land use strategy and other statutory plans of the village may be implemented through a land use bylaw; and

**Whereas** section 639 of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended, authorizes the council of the Village of Milo to pass a land use bylaw;

**Now therefore**, the council of the Village of Milo hereby enacts as follows:

**DESIGNATED OFFICER**

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

#### **MUNICIPAL PLANNING COMMISSION**

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

#### **LAND USE DISTRICTS**

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

#### **DEVELOPMENT PERMIT APPLICATIONS**

9. Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the proposed development.
10. An application for a development permit must be made to the designated officer by submitting to him:
  - (a) a completed application in Form A of Schedule 9;
  - (b) the fee prescribed in Form A; and
  - (c) such other information as may be required by the designated officer.
11. An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

#### **PERMITTED USE APPLICATIONS**

12. Upon receipt of a completed application for a development permit for a permitted use that otherwise conforms with this bylaw, the designated officer shall either:
  - (a) issue a development permit with or without conditions or, at his discretion;
  - (b) refer the application to the Municipal Planning Commission for a decision.
13. As a condition of approval, the designated officer or the Municipal Planning Commission may require that a development agreement be completed between the applicant and the council.

#### **DISCRETIONARY USE APPLICATIONS AND WAIVERS**

14. Upon receipt of a completed application for a development permit for a discretionary use, the designated officer shall send the application to the Municipal Planning Commission.
15. Upon receipt of a completed application under section 14, the Municipal Planning Commission may notify or cause to be notified, in accordance with section 19:
  - (a) those persons likely to be affected by the issue of a development permit; and
  - (b) the County of Vulcan No. 2 if, in the opinion of the Municipal Planning Commission, the proposed development could have an impact on land uses in that municipality.
16. Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under section 18, the designated officer shall send the application to the Municipal Planning Commission.
17. Upon receipt of an application under section 16, and if the Municipal Planning Commission is prepared to exercise its discretion under section 18, it may notify, or cause to be notified, in accordance with section 19, those persons likely to be affected by the issue of a development permit.

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

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

#### **NOTIFICATION**

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

21. After considering any responses to the notification by those likely to be affected by the development, the Municipal Planning Commission shall either:
- (a) instruct the designated officer to issue a development permit with or without conditions; or
  - (b) refuse the application, stating the reasons.

**ADDITIONAL CONDITIONS OF APPROVAL**

22. In addition to the conditions that the Municipal Planning Commission may attach to a development permit under the schedules in this bylaw, the designated officer or Municipal Planning Commission may attach such further conditions to the approval of any permitted or discretionary use as are considered necessary to ensure that this bylaw is complied with.

**DEEMED REFUSAL**

23. In accordance with section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the designated officer or the Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the designated officer.

**DEVELOPMENT PERMIT NOTICE**

24. Upon the issue of a development permit, the designated officer shall immediately notify by mail the applicant as well as all persons notified under section 19. The designated officer shall also notify any other person likely to be affected:
- (a) by mail; or
  - (b) by placing an advertisement in a local newspaper circulating in the municipality; or
  - (c) by posting a notice in a conspicuous place on the property; or
  - (d) any combination of the above.

**VALIDITY OF A DEVELOPMENT PERMIT**

25. Unless it is suspended or cancelled or issued for a temporary use under section 32, a development permit remains in effect for 12 months from the date of issue.
26. The Municipal Planning Commission may extend the validity of a development permit for up to six months from the date of its expiry.

**REAPPLICATION**

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



#### **COMMENCEMENT OF DEVELOPMENT**

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

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

29. If, after a development permit has been issued, the designated officer or Municipal Planning Commission becomes aware that:
- (a) the application for the development permit contained a serious misrepresentation; or
  - (b) facts concerning the application for the development that were not disclosed and which should have been disclosed at the time the application was considered, have subsequently become known; or
  - (c) a development permit was issued in error;
- the designated officer or Municipal Planning Commission may suspend or cancel the development permit, as appropriate, by notice in writing to the holder of it.
30. Those persons who receive a notice referred to in section 29 may appeal to the Subdivision and Development Appeal Board pursuant to section 35 hereof.

#### **STOP ORDERS**

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

#### **TEMPORARY USE APPLICATIONS**

32. Where, in the opinion of the Municipal Planning Commission, a proposed use is of a temporary nature, it may issue a temporary development permit to be valid for a period not exceeding one year.
33. It shall be a condition of every temporary development permit, including one issued for a sign, that the Village of Milo shall not be liable for any costs involved in the cessation of any use or removal of any development at the expiration of the permitted period.
34. The Municipal Planning Commission may require the applicant to submit a suitable guarantee established by them to ensure the cessation of any use or removal of any development.

#### **DEVELOPMENT APPEALS**

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

#### **PERMIT TRANSFER**

36. A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.
37. When any use has been discontinued for a period of 6 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

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

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

#### **SIMILAR AND PROHIBITED USES**

39. Where an application is made for any use not specifically allowed in a land use district, but is reasonably similar in character and purpose, to a permitted or discretionary use in that district, the Municipal Planning Commission may:
  - (a) rule that the proposed use may be allowed with or without conditions; and
  - (b) issue a development permit in accordance with section 12.
40. Where a use is not listed in a land use district as either discretionary nor permitted and is not similar in nature in accordance with section 26, then that use is prohibited in that land use district.

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

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

#### **DEVELOPMENT AGREEMENTS**

42. The Municipal Planning Commission may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement to:
  - (a) construct or pay for the construction of public roadways or parking areas;
  - (b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;
  - (c) pay for an off-site levy or redevelopment levy imposed by bylaw.

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

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

#### **ADDITIONAL INFORMATION**

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

**NUMBER OF DWELLING UNITS ON A PARCEL**

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

**PENALTIES**

46. Every person who contravenes any provision of this bylaw is guilty of an offence pursuant to the Act and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

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

47. The Village of Milo Land Use Bylaw No. 299 and any amendments hereto are hereby repealed.

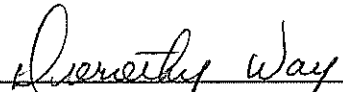
48. The procedure for amendment of this bylaw is prescribed in section 692 of the Act.

49. Schedules 1 through 11 attached hereto form part of this bylaw.

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

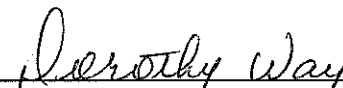
READ a **first** time this 17th day of March, 1998.

  
\_\_\_\_\_  
Mayor - Charlotte Bath

  
\_\_\_\_\_  
Municipal Administrator - Dorothy Way

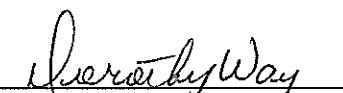
READ a **second** time this 27th day of August, 1998.

  
\_\_\_\_\_  
Mayor - Charlotte Bath

  
\_\_\_\_\_  
Municipal Administrator - Dorothy Way

READ a **third** time and finally PASSED this 27th day of August, 1998.

  
\_\_\_\_\_  
Mayor - Charlotte Bath

  
\_\_\_\_\_  
Municipal Administrator - Dorothy Way



Schedule 1

**LAND USE DISTRICTS**

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## LAND USE DISTRICTS

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

RESIDENTIAL	– R
COMMERCIAL	– C
PUBLIC	– P
RAILWAY	– RY
INDUSTRIAL	– I
URBAN RESERVE	– UR





Schedule 2

**LAND USE DISTRICT REGULATIONS**

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## RESIDENTIAL – R

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

**2. PERMITTED USES**

One-family dwellings  
 Accessory buildings and uses

**3. DISCRETIONARY USES**

Child care facilities  
 Dwellings:  
     Multi-unit dwellings  
     Row dwellings  
     Mobile homes <sup>1</sup>  
     Two-family dwellings  
 Home occupations  
 Mobile home parks <sup>2</sup>  
 Moved-in buildings  
 Parks and playgrounds  
 Places of worship  
 Public and private schools  
 Public utility structures  
 Satellite dish over 4 metres <sup>3</sup>  
 Similar uses

**4. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
One-family dwelling	15.2	50	30.5	100	464.5	5,000
Two-family dwelling	18.3	60	30.5	100	557.4	6,000
Mobile home						
– single-wide	12.2	40	30.5	100	371.6	4,000
– double-wide	13.7	45	30.5	100	418.1	4,500
Multi-unit dwelling	22.9	75	30.5	100	696.8	7,500
Row dwellings						
– end units	12.2	40	38.1	125	464.5	5,000
– interior units	7.6	25	38.1	125	290.3	3,125
All other	As required by the Municipal Planning Commission					

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<sup>1</sup> Refer to section 11.

<sup>2</sup> Refer to section 12.

<sup>3</sup> Refer to section 9, Schedule 4.

**5. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
One-family or two-family dwellings	7.6	25	1.5	5	1@3.0 1@1.5	10 5	7.6	25
Mobile homes	6.1	20	1.5	5	1@1.5 1@3.0	5 10	3.0	10
All others	As required by the Municipal Planning Commission							

**6. MAXIMUM SITE COVERAGE**

- (a) Principal and accessory buildings – 40 percent.
- (b) Accessory buildings – 10 percent.

**7. MINIMUM FLOOR AREA**

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

**8. MAXIMUM HEIGHT OF BUILDINGS**

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

**9. EXEMPTIONS**

The Municipal Planning Commission may approve a development on an existing registered lot, the minimum dimensions or area of which are less than those specified in this district provided, however, that the lot area is not less than 232.3 m<sup>2</sup> (2,500 sq. ft.).

**10. STANDARDS OF DEVELOPMENT**

The designated officer and Municipal Planning Commission shall refer to the standards of development established in Schedule 4 and attach the appropriate conditions to an approval of a development application.

**11. ELIGIBLE MOBILE HOMES**

- (a) New factory built mobile homes.
- (b) Canadian Standards Association (CSA) certified units.

- (c) Any application for a development permit to locate a used mobile home shall include recent colour photographs showing the complete exterior of the structure. Used units may require a personal inspection by the designated officer or Municipal Planning Commission and building inspector, at the expense of the applicant, to determine the unit's suitability in terms of its appearance, state of repair and other pertinent features.

**12. GROUPED MOBILE HOME STANDARDS**

- (a) Where a group of three or more mobile homes are proposed to be clustered together whether on individually titled lots or on a larger single lot, the Municipal Planning Commission may attach special standards of development as a condition of approval in order to ensure that the proposed development will not materially interfere with or affect the use, enjoyment or value of neighbouring properties.
- (b) Each such mobile home grouping may be required:
  - (i) to be developed in one continuous operation; and
  - (ii) conform to any special mobile home standards or requirements adopted by council.

**13. TEMPORARY MOBILE DWELLINGS**

The Municipal Planning Commission may allow, for up to 6 months, the use of a lot or group of lots for mobile dwellings such as travel trailers or motor homes if such dwellings will be occupied by workers engaged in construction projects or similar undertakings located in or near the village.

**14. ROW DWELLINGS**

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

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

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

**17. SIGNS** – See Schedule 7.

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



## COMMERCIAL – C

1. **INTENT:** To accommodate commercial uses in a manner that is convenient and attractive to users and beneficial to the community.

2. **PERMITTED USES**

- Barber shops
- Beauty parlours
- Billiard halls
- Financial institutions
- Offices
- Photography studios
- Post offices
- Retail outlets
- Restaurants
- Shoe repair shops
- Theatres

3. **DISCRETIONARY USES**

- Automotive parts and repair
- Bakeries
- Commercial recreation facilities
- Drive-in restaurants
- Hotels
- Laundromats
- Public buildings
- Dwelling unit in conjunction with an approved commercial use
- Service stations
- Signs
- Similar uses
- Workshop ancillary to retail outlets
- Accessory buildings or uses

4. **MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	7.6	25	30.5	100	232.3	2,500

5. **MINIMUM SETBACK REQUIREMENTS**

As required by the Municipal Planning Commission.

6. **MAXIMUM SITE COVERAGE**

**Principal building and accessory buildings:**

Permitted uses – 80 percent.

All other uses – As required by the Municipal Planning Commission.

7. **MAXIMUM BUILDING HEIGHT**

All buildings – 10.7 m (35 ft.).

8. **STANDARDS OF DEVELOPMENT**

The designated officer and Municipal Planning Commission shall refer to the standards of development established in Schedule 4 and attach the appropriate conditions to an approval of a development application.

9. **SIGNS** – See Schedule 7.

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





## **PUBLIC – P**

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

2. **PERMITTED USES**

Cemeteries  
Fire halls  
Government offices  
Municipal offices  
Parks  
Places of Worship  
Playgrounds  
Schools  
Sportsfields  
Accessory buildings or uses

3. **DISCRETIONARY USES**

Campgrounds  
Community halls  
Day care centres  
Drop-in centres  
Hospitals  
Libraries  
Museums  
Public recreation areas or buildings  
Public utility structures  
Senior citizens' residences  
Service clubs  
Signs  
Similar uses

4. **MINIMUM LOT SIZE**

As required by the Municipal Planning Commission.

5. **MINIMUM SETBACK REQUIREMENTS**

As required by the Municipal Planning Commission.

6. **MAXIMUM SITE COVERAGE**

As required by the Municipal Planning Commission.

7. **MAXIMUM HEIGHT OF PRINCIPAL BUILDINGS**

As required by the Municipal Planning Commission.

8. **STANDARDS OF DEVELOPMENT**

The designated officer and Municipal Planning Commission shall refer to the standards of development established in Schedule 4 and attach the appropriate conditions to an approval of a development application.

9. **SIGNS** – See Schedule 7.

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



## RAILWAY – RY

1. **INTENT:** To accommodate railway facilities and related uses while ensuring these are compatible with other land uses in the community.
  
2. **PERMITTED USES**  
All uses and buildings required in the operation of the railway
  
3. **DISCRETIONARY USES**  
All uses that are permitted or discretionary in the “Industrial” district  
Grain elevators  
Signs  
Similar uses
  
4. **MINIMUM LOT SIZE**  
As required by the Municipal Planning Commission.
  
5. **MINIMUM SETBACK REQUIREMENTS**  
As required by the Municipal Planning Commission.
  
6. **MAXIMUM SITE COVERAGE**  
As required by the Municipal Planning Commission.
  
7. **STANDARDS OF DEVELOPMENT**  
The designated officer and Municipal Planning Commission shall refer to the standards of development established in Schedule 4 and attach the appropriate conditions to an approval of a development application.
  
8. **SIGNS** – See Schedule 7.
  
9. **OFF-STREET PARKING AND LOADING SPACE** – See Schedule 8.



## INDUSTRIAL – I

1. **INTENT:** To provide an area attractive to and suited for industrial and heavier commercial development, while ensuring any development is compatible with other land uses and the quality of life in the community.

2. **PERMITTED USES**

- Building supply sales
- Bulk fuel storage
- Bulk oil stations
- Contractor, building trades
- Farm machinery sales and service outlets
- Grain elevators
- Machine shops

3. **DISCRETIONARY USES**

- Car and truck washing facilities
- Greenhouses
- Livestock sales yards
- Manufacturing facilities
- Outdoor storage
- Processing facilities
- Public utilities structures
- Seed cleaning plants
- Signs
- Truck depots
- Veterinary clinics
- Warehousing and indoor storage
- Welding shops
- Similar uses

4. **PROHIBITED USES**

- Auto wreckers
- Noxious or hazardous uses

5. **MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	30.5	100	As required by the Municipal Planning Commission		929.0	10,000

6. **MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	3.0 (internal)	10	As required by the Municipal Planning Commission	
			4.6 (corner)	15		

7. **MAXIMUM SITE COVERAGE**

Principal building and accessory buildings – 60 percent.

**8. STANDARDS OF DEVELOPMENT**

The designated officer and Municipal Planning Commission shall refer to the standards of development established in Schedule 4 and attach the appropriate conditions to an approval of a development application.

**9. OUTDOOR STORAGE**

- (a) No outdoor storage shall be permitted in the required front yard setback of 7.6 m (25 ft.), nor in the required corner lot side yard setback of 4.6 m (15 ft.).
- (b) Display of vehicles, new machinery and new equipment may be allowed in front of a proposed building, provided such display does not encroach on the required landscaped area.
- (c) Other outdoor storage areas shall be kept effectively screened from view by buildings, solid fences, trees, landscaped features, or combinations thereof.

**10. WASTE MANAGEMENT**

The designated officer or the Municipal Planning Commission may refer an application to the Headwaters Regional Health Authority and/or Alberta Environmental Protection for endorsement of its waste management procedures prior to a decision being made on a development application.

**11. SIGNS – See Schedule 7.**

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

## URBAN RESERVE – UR

1. **INTENT:** To limit development of larger parcels, typically on the periphery of existing development, to uses that will not restrict or hinder more intensive urban development in the future.
  
2. **PERMITTED USES**
  - Extensive agriculture
  - Market gardens
  - Nurseries
  - Pasture land
  
3. **DISCRETIONARY USES**
  - Campgrounds
  - Dwelling units in conjunction with an approved use
  - Public parks
  - Sportsfields
  - Similar uses
  
4. **PROHIBITED USES**
  - Livestock confinement
  
5. **MINIMUM LOT SIZE**

2.0 ha (5 acres) – This minimum may be varied by the Municipal Planning Commission if there is provision for all-weather road access and connections to municipal services.
  
6. **CONCEPT PLAN / AREA STRUCTURE PLAN**

As a condition of approval for a discretionary use, the Municipal Planning Commission may require that either a concept plan or an area structure plan, adopted by council, be provided.
  
7. **MINIMUM SETBACK REQUIREMENTS**

As required by the designated officer or the Municipal Planning Commission.
  
8. **MAXIMUM SITE COVERAGE**

As required by the designated officer or the Municipal Planning Commission.
  
9. **STANDARDS OF DEVELOPMENT**

The designated officer and Municipal Planning Commission shall refer to the standards of development established in Schedule 4 and attach the appropriate conditions to an approval of a development application.
  
10. **SIGNS** – See Schedule 7.





Schedule 3

**DEVELOPMENT NOT REQUIRING  
A DEVELOPMENT PERMIT**

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## DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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No development permit is required for the following:

1. Any development specifically exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the Act.
2. Development that will cost no more than \$500 including labour and materials, that complies with this bylaw in all respects including minimum setbacks.
3. The erection or placement of one accessory building or structure less than 9.3 m<sup>2</sup> (100 sq. ft.) in area that complies with this bylaw in all respects including applicable minimum setbacks.
4. The carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major renovations.
5. Completion of a building lawfully commenced on or before the first publication of the official notice of adoption of this bylaw as required by section 692 of the Act, provided that:
  - (a) said construction is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions under which that permit was granted; and
  - (b) said construction, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the said official notice.
6. The use of any building referred to in section 5(a) and (b) for the purpose for which construction was commenced.
7. The erection or construction of gates, fences, walls, hedges or other means of enclosure other than on corner lots or where abutting on a road used by vehicular traffic (see Schedule 4, No. 2) less than 1.8 m (6 ft.) in height confined to the side and rear yards.
8. The maintenance, improvement or other alterations to any gates, fences, walls, hedges or other means of enclosure.
9. The installation, alteration, maintenance and/or repair of any public works, services and utilities carried out by, or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled.
10. A sign in a residential district which is no more than 0.4 m<sup>2</sup> (4 sq. ft.) in area.
11. A satellite dish antenna that does not exceed 4 m (13 ft.) in overall height which is installed in a rear or side yard and that does not abut on a street.
12. A change in ownership or occupancy of a conforming use of land or buildings, unless that change results in a change of use from one separately defined use or use designation to a different and separately defined use or use designations.



Schedule 4

**STANDARDS OF DEVELOPMENT**

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## STANDARDS OF DEVELOPMENT

### 1. QUALITY OF DEVELOPMENT

The designated officer or the Municipal Planning Commission may attach conditions to a development permit in order to improve the quality of any proposed development or its compatibility with nearby land uses or developments. These conditions may include:

- (a) **Landscaping and Screening:** where outdoor storage of goods, machinery, vehicles, buildings or waste materials adjacent to a secondary road is proposed or reasonably anticipated, the provision of screening by buildings, fences, hedges, trees, berming or other landscaping features.
- (b) **Exterior Building Finish:** requiring specific finishing materials and colour tones to ensure a proposed development, including proposed additions and accessory buildings, will be compatible with nearby developments or other buildings on the same lot.

### 2. STREET CORNER VISIBILITY

- (a) On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections.
- (b) In residential areas, such restrictions apply between 0.9 m (3 ft.) and 3.0 m (10 ft.) above the centre line grades of the intersecting streets in the area, bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft.) from the point of intersection (see Diagrams 1 and 2).

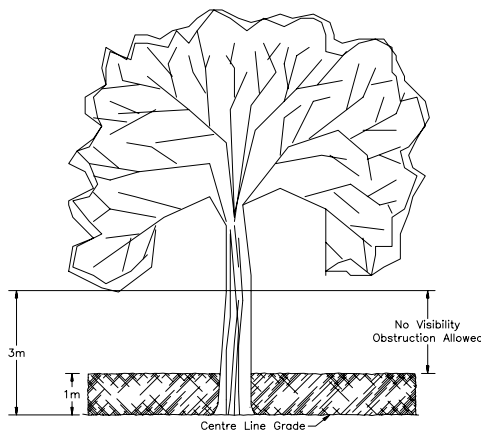


Diagram 1

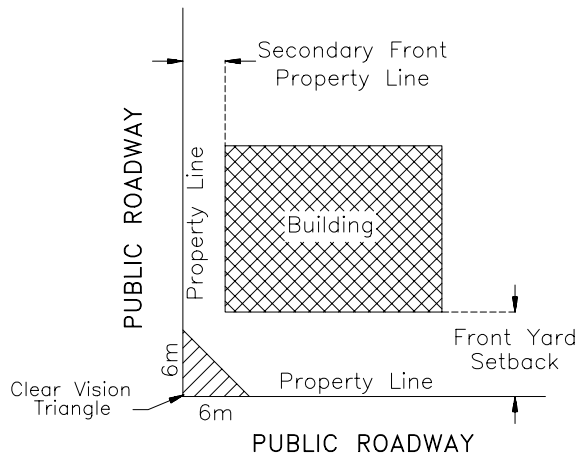
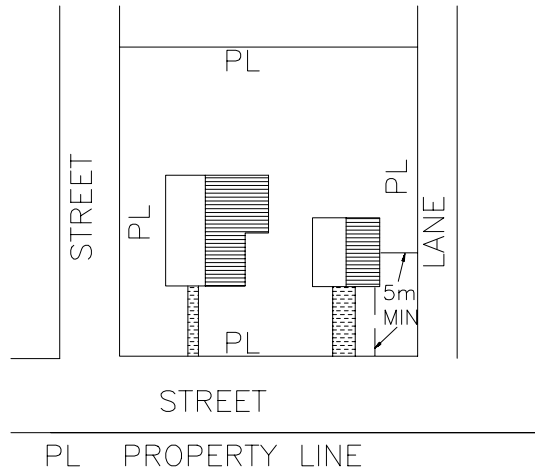


Diagram 2

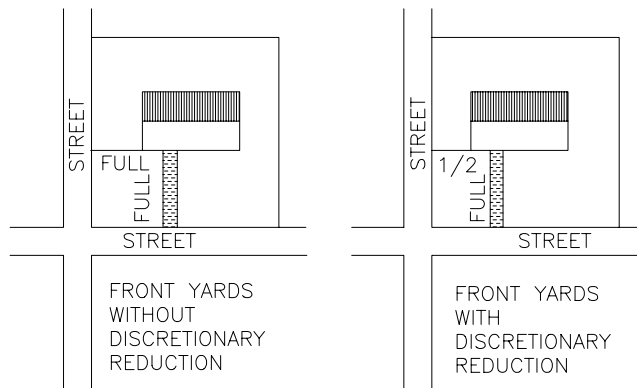
- (c) For residential development, no dimension between a garage and the property line adjacent to a street or lane shall be less than 4.9 m (16 ft.) (see Diagram 3).



**Diagram 3**

**3. SECONDARY FRONT YARD PROVISION**

In a residential land use district where any lot has more than one front yard setback requirement, the designated officer or Municipal Planning Commission may allow for a reduction of up to one-half of the front yard requirement for one of the yards, however, the full setback shall apply to the main entrance side of the dwelling. This reduced front yard is termed the "Secondary" front yard (see Diagram 4).



**Diagram 4**

**4. ACCESSORY BUILDINGS**

An accessory building located in a rear yard shall not be sited less than 0.6 m (2 ft.) from a side lot line or rear lot line. Any overhanging eaves shall not be less than 0.3 m (1 ft.) from a side lot line. An accessory building located in a side yard shall not be sited less than 1.5 m (5 ft.) from the side lot line.



**5. ATTACHED GARAGE OR CARPORT**

- (a) A garage or carport attached to a principal building shall be considered part of the principal building; and
- (b) On an irregularly shaped lot, its nearest corner shall not be sited less than 0.6 m (2 ft.) from any side lot line; no part of the overhanging eave shall be less than 0.3 m (1 ft.) from any side lot line and two-thirds of the garage or carport shall be at least 1.5 m (5 ft.) from any side lot line.

**6. PROJECTIONS OVER YARDS**

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

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

**7. BUILDING SETBACKS**

- (a) The Municipal Planning Commission may waive the building setback requirements in an established area if the proposed setback will blend in with the prevailing yard pattern of adjacent buildings.
- (b) The Municipal Planning Commission may require varied building setbacks in developed or partly developed areas if doing so will enhance the appearance of that area.

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

As a condition of development approval, the designated officer or Municipal Planning Commission may require:

- (a) the construction of a retaining wall if significant differences in grade exist, or may be created between the lot being developed and an adjacent lot;
- (b) grading to the municipality's satisfaction that will effectively control surface drainage and prevent storm water run-off onto nearby lots.

**9. SATELLITE DISHES**

- (a) Where any part of a satellite dish extends more than 4.0 m (13 ft.) above grade level, it shall be both screened and located to the satisfaction of the designated officer or the Municipal Planning Commission.
- (b) No part of a satellite dish installation shall be closer to the street than the main building or less than 0.9 m (3 ft.) from any lot line.
- (c) No part of a satellite dish antenna shall be illuminated or contain advertising.

**10. REFUSE COLLECTION AND STORAGE**

All refuse and garbage shall be stored on the property in a suitable container or enclosure that is effectively screened, pending collection and removal and is accessible for pickup and disposal from a public roadway.

**11. SERVICING**

All development proposed for an unserviced area or lot shall be connected to municipal servicing lines. Where no municipal servicing is available, development approval shall be subject to compliance with Regional Health Authority and Alberta Labour standards for unserviced parcels.

Schedule 5

**HOME OCCUPATIONS**

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## HOME OCCUPATIONS

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1. No person other than members of the occupant's household and one paid assistant shall be engaged in any home occupation (as defined) on the premises, unless a greater number of employees is approved by the Municipal Planning Commission. In deciding upon an increase of employees, the Municipal Planning Commission shall consider any potential adverse impact on the neighbourhood.
2. No development permit shall be issued for a home occupation involving a use identified by resolution of council to be undesirable as a home occupation.
3. No home occupation shall be approved if, in the opinion of the Municipal Planning Commission, it is likely to:
  - (a) generate significantly more vehicular traffic or parking than is normal within the immediate neighbourhood;
  - (b) involve a noxious or hazardous use or produce any offensive noise, vibration, electrical interference, smoke, dust, odour, heat or glare discernible beyond the lot boundaries;
  - (c) employ electrical or mechanical equipment that requires a fire rating change in the structure or land use district in which the home occupation is located.
4. No home occupation shall:
  - (a) display or expose goods and materials for retail sale to public view outside;
  - (b) change or vary the residential character and appearance of the dwelling or land, including any accessory residential building;
  - (c) display signs or advertising other than an identification sign attached to the residence exceeding 0.4 m<sup>2</sup> (4 sq. ft.) in area;
  - (d) involve parking or maintaining a commercial vehicle of over 682 kg (0.75 tons) rated capacity on or near the premises unless approved by the Municipal Planning Commission.
5. All permits issued for home occupations shall be subject to the condition that the permit is reviewed annually and may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use has become detrimental to the residential character and amenities of the neighbourhood.



Schedule 6

**MOVED-IN DWELLING STANDARDS**

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## MOVED-IN BUILDING STANDARDS

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The intent of the schedule is to ensure that moved-in buildings, through the adherence to building conditions and regulations, do not create a land use conflict.

All moved-in buildings shall comply with the following:

1. A development application submitted to the Municipal Planning Commission has been approved and any conditions of approval have been met.
2. The building and the lot upon which it is to be located comply with all standards and conditions applicable to the land use district concerned.
3. Every application to relocate a building shall be accompanied by:
  - (a) details of the purpose for which it is to be used;
  - (b) details of the building's size, age and structural condition;
  - (c) recent colour photographs depicting all sides of the building;
  - (d) a plan of the proposed site showing the future location of the moved-in building;
  - (e) written confirmation from a qualified building inspector that the building meets, or can be readily renovated to meet, criteria under the provincial Uniform Building Standards Act.
4. The building, when relocated and completed, shall comply with all provincial health and fire regulations as well as all applicable municipal bylaws.
5. The value of the completed building shall be comparable to, or better than the average value of other, similar dwellings in the immediate area.
6. The Municipal Planning Commission may attach conditions to a development permit for a moved-in building, including a time limit for complying with municipal development standards and other applicable requirements.
7. A suitable guarantee established by the Municipal Planning Commission may be required to ensure that the conditions of the development permit are met.
8. No building shall be relocated until at least 17 days after a development permit has been issued, or in the event of an appeal, until the appeal is decided.
9. After a moved-in building has been relocated and any foundations, alterations, additions or repairs completed, a qualified building inspector shall verify if all municipal standards of development and provincial building regulation requirements have been met.
10. Any cost incurred for building inspections prior to the issuance of a development permit shall be at the expense of the applicant.



Schedule 7

**SIGN REGULATIONS**

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## SIGN REGULATIONS

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### PERMITS REQUIRED

1. Except as provided in Schedule 3:
  - (a) a development permit must be obtained before a sign\* is enlarged, relocated, constructed or altered;
  - (b) every sign shall be considered a discretionary use.

### GENERAL REQUIREMENTS

2. The message, logo or other material depicted by a sign should only refer to, describe or refer to the premises on which it is located.
3. Lawn, roof, fascia and/or freestanding signs are subject to the following limitations:
  - (a) maximum of two signs permitted on a single premises;
  - (b) signs not to exceed 11.1 m<sup>2</sup> (120 sq. ft.) in area;
  - (c) the light source for an illuminated sign required to be steady and suitably shielded;
  - (d) the maximum height of a sign not attached to a building not to exceed 6.1 m (20 ft.);
  - (e) no lawn sign shall create a visual obstruction to traffic and is not to exceed 1.5 m (5 ft.);
  - (f) roof and fascia signs not to extend more than 0.5 m (1.6 ft.) above a roof line.
4. The Municipal Planning Commission may approve:
  - (a) directional and information signs where reasonably required;
  - (b) a canopy sign subject to reasonable requirements concerning its height above grade, structural integrity and any other appropriate conditions;
  - (c) variances from this schedule only in exceptional circumstances.
5. All signs shall be maintained in a safe and tidy manner to the satisfaction of the designated officer.
6. Signs resting on or attached to any public roadway or sidewalk are not permitted.

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\* Refer to definition in Schedule 11. See also Diagram 5.



Schedule 8

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

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## OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

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**1. OFF-STREET PARKING**

- (a) Parking areas shall be constructed in a manner which allows adequate drainage, snow removal and maintenance.
- (b) A required parking or loading space shall be located on the same lot as the use or development it serves.
- (c) The Municipal Planning Commission may require that a parking area or portion thereof be paved and/or designed so as to not interfere with either parking or traffic and pedestrian safety.

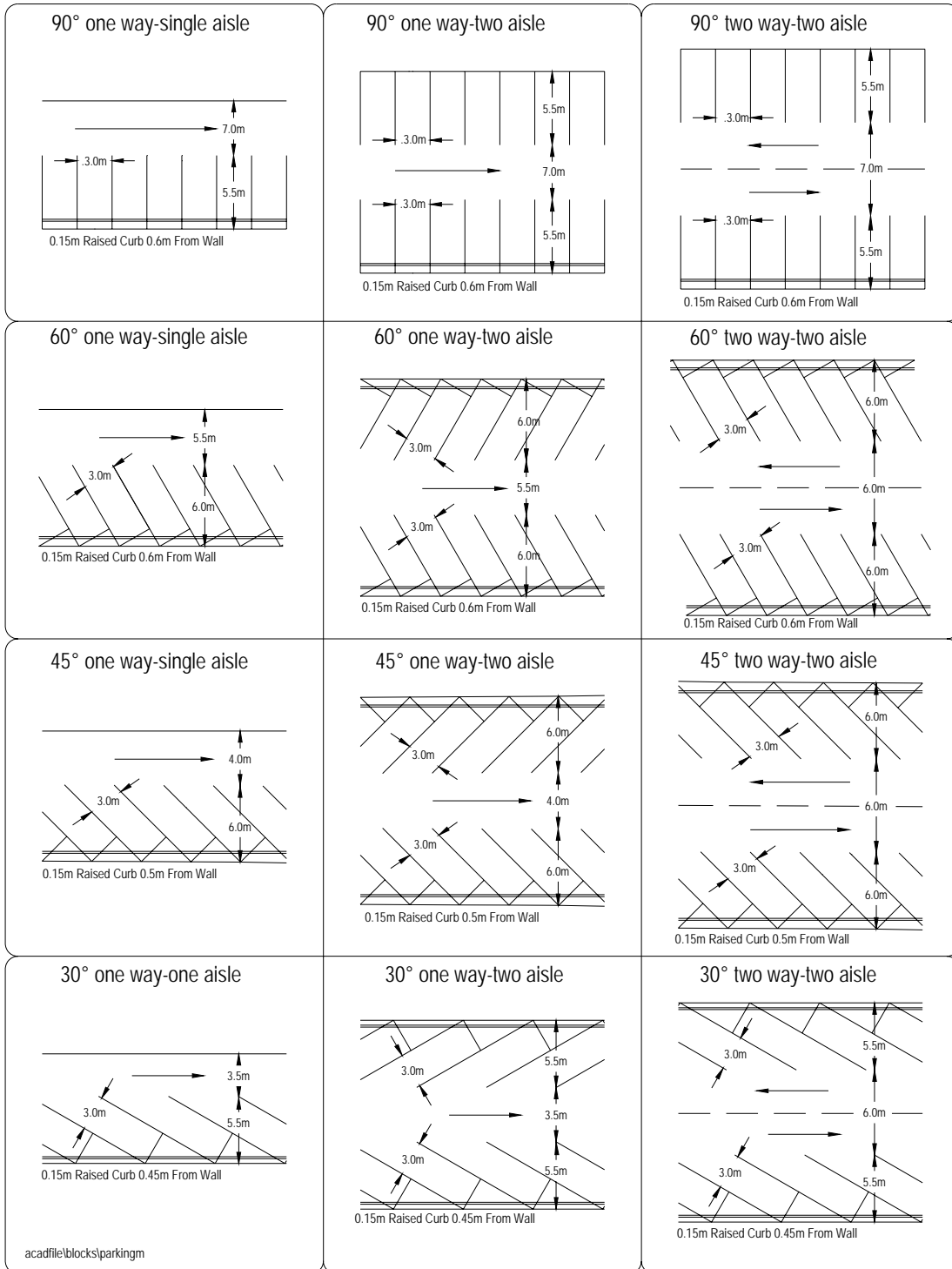
**2. SPECIFIC REQUIREMENTS**

Use	No. of Stalls Required
Dwellings:	
Single family homes and mobile homes	2 per dwelling
Two-family dwellings	1.5 per dwelling unit
All others	As required by the Municipal Planning Commission
Licensed premises	1 per 3 seating spaces
Retail stores, personal and professional services	1 per 55.7 m <sup>2</sup> (600 sq. ft.) of gross floor area
Banks and offices	1 per 65.0 m <sup>2</sup> (700 sq. ft.) of gross floor area
Hotels and motels	1 per guest room
Restaurants	1 per 4 seating spaces
Service stations	1 per employee and 2 per service bay
Industrial or public utility use	1 per 65.0 m <sup>2</sup> (700 sq. ft.) of gross floor area with a minimum of 2 spaces per use
Public assembly buildings, e.g. churches, community halls, lodges, etc.	1 per 6 seating spaces or per 5.1 m <sup>2</sup> (55 sq. ft.) whichever is greater
All other uses	As required by the Municipal Planning Commission

**3. LOADING SPACE**

- (a) For each commercial, industrial and other non-residential use a minimum of one 9.1 m (30 ft.) x 3.0 m (10 ft.) off-street loading space shall be provided.
- (b) The Municipal Planning Commission may:
  - (i) require an additional loading space for a specific proposed development; and
  - (ii) approve a joint loading space serving two or more adjacent uses of buildings.
- (c) Each loading space shall be located so that vehicles using it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.
- (d) Wherever feasible, each loading space should be located with lane access at the rear of the principal building and be effectively screened from public view by solid fences or other devices approved by the Municipal Planning Commission.

## PARKING LAYOUT ALTERNATIVES-METRES





Schedule 9

**FORMS AND APPLICATIONS**

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

**Form A**

LAND USE BYLAW NO. 322

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

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

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

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

REGISTERED OWNER'S NAME: \_\_\_\_\_

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

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

(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: LOT(S) \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_

**In order to properly evaluate an application for development, the designated officer must be provided with a complete and clear description of the land; everything which is presently built on the land, and everything which is to be built on that land.**

**1. Details of DEVELOPMENT Site:**

Show the **lot dimensions** on a scaled PLOT PLAN, e.g. [1:300 – 0-1.6 ha (0-4 acres); 1:1000 – 1.6-3.6 ha (4-9 acres); 1:2500 – 3.6 ha (9 acres) or more].

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

**2. Details of EXISTING DEVELOPMENT:**

Describe below and indicate on the PLOT PLAN each building or structure presently located on the lot; noting the **use(s), dimensions, setbacks and floor area(s)** and which one(s), if any, are to be removed, relocated and/or renovated as well as such other information the designated officer or Municipal Planning Commission may request.

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

**The Municipal Planning Commission or designated officer may require a surveyor's certificate if deemed necessary to ensure the location of the structure(s) on the lot.**

**3. Details of PROPOSED DEVELOPMENT:**

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

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

**4. Details of LANDSCAPING**

Describe generally the type of landscaping **features** \_\_\_\_\_ and **fencing** proposed \_\_\_\_\_, and indicate **locations** \_\_\_\_\_ on the PLOT PLAN.

**5. Details of VEHICLE PARKING and ACCESS:**

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

**6. Details of EXTERIOR BUILDING FINISH:**

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

**7. Details of SERVICES:** Indicate as follows: **(A)** = available **(R)** = required.

( ) water ( ) sewer ( ) septic field ( ) natural gas ( ) electricity ( ) telephone

Estimated Commencement Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

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

Signature of **Applicant**: \_\_\_\_\_

Signature of **Registered Owner** (if not applicant): \_\_\_\_\_

**TERMS AND CONDITIONS:**

1. Subject to the provisions of the Land Use Bylaw No. 322 of the Village of Milo, the term "development" includes any change in the use of buildings or land.
2. Although the designated officer may be able to advise on the principle or details of any proposals, such advice does not comprise official consent, and is without prejudice to the disposition of a development application. Any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with information sufficient to identify the lot or parcel. Plans and drawings should be drawn at a scale appropriate to the development. However, unless requested by the designated officer, it is not necessary for these to be professionally prepared.
4. **If a decision is not made within 40 days** from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, **the application shall be deemed to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period as provided in section 684 of the Act.
5. Construction undertaken subsequent to approval of this development permit application may be regulated by the provincial building requirements. The applicant assumes all responsibilities pertaining to construction plan submissions, approval and inspections that may be required by **Alberta Labour**.



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

**Form B**

LAND USE BYLAW NO. 322

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

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

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

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

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

APPROVED

APPROVED subject to the following conditions:

REFUSED for the following reasons:

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_

Designated Officer

**NOTES:**

1. You may appeal this decision by written notice to the Secretary of the Subdivision and Development Appeal Board within 14 days of the date of notification of decision.
2. A development permit becomes effective 17 days after the date it is issued, unless an appeal is lodged pursuant to section 683 of the Act. If an appeal is lodged, then a permit will only become effective upon a Subdivision and Development Appeal Board decision confirming it.
3. Approval of a development in no way removes the need to obtain any permit or approval required under any Federal, Provincial or Municipal legislation, order and/or regulations pertaining to the development including a building permit.



**VILLAGE OF MILO  
DEVELOPMENT PERMIT**

**Form C**

LAND USE BYLAW NO. 322

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

This development permit is hereby issued to:

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

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

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

The permit is issued subject to the following conditions:

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

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

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

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

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

**Designated Officer**

**IMPORTANT:**

This permit is subject to the following conditions:

1. A development permit for a discretionary use becomes effective 17 days after the date it is issued unless an appeal is lodged pursuant to section 683 of the Act, in which case a permit only becomes effective upon a Subdivision and Development Appeal Board decision confirming it.
2. This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit is no longer valid.
3. If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit unless an extension has been applied for and has been approved by the designated officer or Municipal Planning Commission.
4. The designated officer or Municipal Planning Commission may require cessation of work and the suspension, revocation or modification of the permit when the development for which the development permit has been issued is not being carried out or completed to the extent or in the manner originally approved.

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

**VILLAGE OF MILO  
NOTICE OF HEARING OF APPEAL**

**Form D**

LAND USE BYLAW NO. 322

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

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

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

A public hearing in the matter of the Appeal of \_\_\_\_\_  
a resident of \_\_\_\_\_, against the decision of the designated officer /  
Municipal Planning Commission concerning Development Application No. \_\_\_\_\_  
being the application for a development permit for \_\_\_\_\_  
at \_\_\_\_\_  
by \_\_\_\_\_  
shall be heard by the Subdivision and Development Appeal Board of the Village of Milo on the  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ o'clock in the (a.m. / p.m.).  
The hearing will be held in \_\_\_\_\_.

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

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

**Secretary,  
Subdivision and Development Appeal Board**



**VILLAGE OF MILO  
NOTICE OF APPEAL DECISION**

**Form E**

LAND USE BYLAW NO. 322

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

This is to notify you than an appeal against the:

- APPROVAL
- APPROVAL WITH CONDITIONS
- REFUSAL

of a Development Application with regard to the following:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

was considered by the Subdivision and Development Appeal Board on \_\_\_\_\_, \_\_\_\_\_.

The decision of the Board with regard to the appeal is as follows:

- THE DEVELOPMENT PERMIT WAS CONFIRMED
- THE DEVELOPMENT PERMIT WAS REVOKED
- CONDITIONS ON THE DEVELOPMENT PERMIT WERE VARIED

for the following reasons:

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

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

**Secretary,  
Subdivision and Development Appeal Board**





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

**Form F**

LAND USE BYLAW NO. 322

PROCESSING FEE   \$50  

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

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

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

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

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

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

(Option - Lease - Other)

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

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

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

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

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

Signature of **Applicant**: \_\_\_\_\_

Signature of **Registered Owner** (if not applicant): \_\_\_\_\_

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

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

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



Schedule 10

**FEES**

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**FEES**

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1. Every application for a permit should be accompanied by a non-returnable processing fee, at a rate of 50¢ per \$1,000 valuation, with a minimum fee of \$5.00.
2. Appeals to the Subdivision and Development Appeal Board shall be accompanied by a \$300.00 fee, which is refundable if the appellant is successful.



Schedule 11

**DEFINITIONS**

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## DEFINITIONS

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<p>In this land use bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.</p>
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**Accessory building** means a building which is not attached to, or part of, a main building and which is incidental and subordinate to the main building.

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

**Building height** means the vertical distance from the average finished grade within 3 m (10 ft.) of a building to the highest point of that building.

**Building, moved-in** means a building, other than a mobile home, that is physically removed from a lot, then transported to, and re-established on a different lot and may include a dwelling.

**Building, non-conforming** has the same meaning as in the Act.

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

**Child care facility** means a development providing provincially-approved care or education, without overnight accommodation for more than six children at one time. This term refers to uses such as day care centres, nursery schools, kindergartens and playschools.

**Council** means the council of the Village of Milo.

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

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

**Development agreement** means a contractual agreement between the municipality and an applicant for a development permit completed pursuant to the Act.

**Development authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:

- (a) in the Act; or
- (b) in the Village of Milo Development Authority Bylaw; or
- (c) in this bylaw; or
- (d) by resolution of council.

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

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

**Dwelling, multi-unit** means a building (other than a row dwelling) containing three or more separate dwelling units.

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

**Dwelling, one family** means a building other than a moved-in dwelling or a mobile home, containing one dwelling unit.

**Dwelling, two-family** means either:

- (a) a building containing two side-by-side dwelling units, each with separate outdoor access, separated by a party wall extending from the foundation to the roof of at least the first storey; or
- (b) a building comprised of two separate dwelling units one above the other, each with separate outdoor access, separated by a common floor and ceiling.

**Easement** means a right held by anyone party in land owned by another.

**Floor area** means the total area of the several floors and passageways of a building contained within the exterior walls, excluding any basement storage areas, attached garage and areas used for a heating plant or other utilities.

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

**Home occupation** means any occupation, trade, profession or craft carried on in expectation of profit within a dwelling unit by an occupant as a use secondary to its residential use.

**Kennel** means an establishment in which three or more dogs, more than one year old, are housed, groomed, bred, boarded, trained or sold.

**Lane** means a public roadway, not exceeding 7.6 m (25 ft.) in width which provides a secondary means of access to a lot.

**Lot** means an area of land the boundaries of which are shown on a plan registered in a Land Titles Office, or are described in the Certificate of Title to the land, and that has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office. The words **site** and **parcel** shall have the same meaning as the word **lot**.

**Lot area** means the total horizontal area of a lot.

**Lot, corner** means a lot located at the intersection or junction of two or more streets.

**Lot, interior** means any lot other than a corner lot.

**Lot lines** means the legally defined limits of any lot. The term property lines shall have the same meaning.

**Lot, length** means the horizontal distance between the front and rear lot lines vertically projected and measured along the median between the side lot lines.

**Lot, width** means the average horizontal distance between the side lot lines.

**Mobile home** means a factory-built dwelling unit that is designed to be towed and which, when placed on a foundation and connected to utilities, is ready for occupancy.

**Mobile home park** means a lot designed for occupancy by two or more mobile homes where sites are rented or leased to the occupants.

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

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

**Municipality** means the Corporation of the Village of Milo.

**Noxious or hazardous use** means a use which, due to waste products, odour, surface runoff, noise, dust, smoke or other emissions, could be detrimental to the environment, become a nuisance or be incompatible with residential or other development.

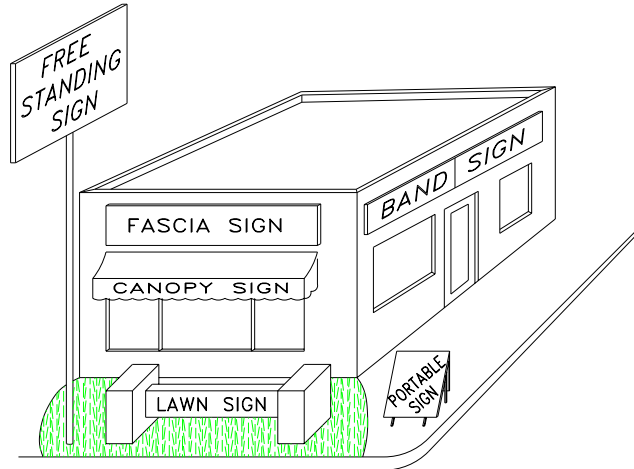
**Planning advisor** means the person or organization retained by the Village of Milo to provide planning-related advice or services.

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

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

**Service station** means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning and minor repair services for motor vehicles.

**Sign** means an outdoor sign, either freestanding or attached to a building or other structure (see Diagram 5).



**Diagram 5**

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

**Street** means a registered and named, numbered public roadway not less than 9.1 m (30 ft.) in width.

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

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

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

**Use, accessory** means a use of a building or site which the designated officer decides is normally incidental and subordinate to the principal use of the building or site.

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

**Use, non-conforming** has the same meaning as in the Act.

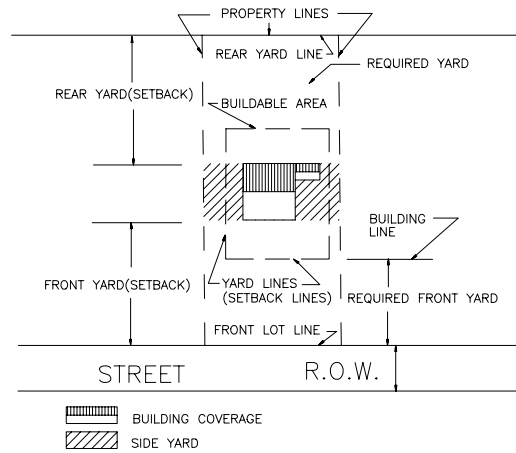
**Use, permitted** means a use of land or buildings described in Schedule 2 as permitted uses.

**Use, principal** means the main purpose, in the opinion of the designated officer, for which a lot and/or building is used.

**Veterinary clinic** means a facility for the care and treatment of animals of all kinds and may include indoor and/or outdoor accommodation.

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

**Yard** means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted (see Diagram 6).



**Diagram 6**

**Yard, front** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building (see Diagram 6).

**Yard, rear** means a yard extending across the full width of a lot and situated between the side lot lines and the nearest portion of the principal building (see Diagram 6).

**Yard, side** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building (see Diagram 6).

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



**SUBDIVISION AUTHORITY BYLAW NO. 307**

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**VILLAGE OF MILO  
IN THE PROVINCE OF ALBERTA  
SUBDIVISION AUTHORITY BYLAW NO. 307**

1. Being a bylaw of the Village of Milo in the Province of Alberta to establish a municipal Subdivision Authority;

**AND WHEREAS**, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority by December 1, 1995;

**AND WHEREAS**, the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulation, the local land use bylaw and statutory plans;

**AND WHEREAS**, this bylaw may be cited as the Village of Milo Subdivision Authority Bylaw;

**NOW THEREFORE**, the Council of the Village of Milo in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:
  - (a) ACT means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
  - (b) MUNICIPALITY means the Village of Milo in the Province of Alberta.
  - (c) COUNCIL means the Municipal Council of the Village of Milo.
  - (d) SUBDIVISION AUTHORITY means the body established by bylaw to act as the subdivision authority in accordance with sections 623 and 624 of the Act.
  - (e) MEMBER means a member of the Subdivision Authority.
  - (f) SECRETARY means a person or persons authorized to act as secretary for the Subdivision Authority.
  - (g) AUTHORIZED PERSONS means a person or organization authorized by Council to which the municipality may delegate any of its Subdivision Authority powers, duties or functions.
  - (h) ALL OTHER TERMS USED IN THIS BYLAW SHALL HAVE MEANING AS IS ASSIGNED TO THEM IN THE MUNICIPAL GOVERNMENT ACT, AS AMENDED FROM TIME TO TIME.
3. For the purpose of this bylaw, the Subdivision Authority of the Village of Milo shall be the Council of the Village of Milo.
4. The Subdivision Authority shall hold regular meetings as required by the Subdivision Authority, and it may also hold special meetings at any time at the call of the chairman.
5. Two(2) of the members of the Subdivision Authority shall constitute a quorum.
6. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision Authority.

7. The Subdivision Authority may make its orders, decisions, and subdivision approvals; and may issue notices with or without conditions.
8. The Subdivision Authority may make rules to govern its hearings.
9. The Subdivision Authority, when considering an application for subdivision approval, is not required to hold a hearing.
10. Members of the Subdivision Authority shall not be members of the Subdivision and Development Appeal Board.
11. The secretary of the Subdivision Authority shall attend all meetings of the Subdivision Authority and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications,
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision Authority;
  - (e) notes as to each representation;
  - (f) the names and addresses of those making representations at the meeting;
  - (g) the decision of the Subdivision Authority;
  - (h) the reasons for the decision of the Subdivision Authority;
  - (i) the vote of the members of the Subdivision Authority on the decision;
  - (j) records of all notices of decision and of persons to whom they were sent;
  - (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision Authority;
  - (l) such other matters as the Subdivision Authority may direct.
12. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 20th day of November, 1995.

READ a second time this 20th day of November, 1995.

READ a third time and finally passed this 20th day of November, 1995.

***The original bylaw including signatures is held at the Village of Milo office.***

**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD BYLAW NO. 308**

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**VILLAGE OF MILO  
IN THE PROVINCE OF ALBERTA  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 308**

1. Being a bylaw of the Village of Milo in the Province of Alberta to establish a municipal Subdivision and Development Appeal Board;

**AND WHEREAS**, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board by December 1, 1995;

**AND WHEREAS**, the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

**AND WHEREAS**, this bylaw may be cited as the Village of Milo Subdivision and Development Appeal Board Bylaw;

**NOW THEREFORE**, the Council of the Village of Milo in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:
  - (a) ACT means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
  - (b) MUNICIPALITY means the Village of Milo in the Province of Alberta.
  - (c) COUNCIL means the Municipal Council of the Village of Milo.
  - (d) SUBDIVISION AND DEVELOPMENT APPEAL BOARD means the tribunal established to act as the municipal appeals body.
  - (e) MEMBER means a member of the Subdivision and Development Appeal Board.
  - (f) SECRETARY means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
  - (g) ALL OTHER TERMS USED IN THIS BYLAW SHALL HAVE MEANING AS IS ASSIGNED TO THEM IN THE MUNICIPAL GOVERNMENT ACT, AS AMENDED FROM TIME TO TIME.
3. For the purpose of this bylaw, the Subdivision and Development Appeal Board shall be composed of not more than three (3) persons who are residents or tax payers of the Village of Milo.
4. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of council.
5. Appointments to the Subdivision and Development Appeal Board shall be made for a term of three (3) years.

6. The members of the Subdivision and Development Appeal Board shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.
7. Each member of the Subdivision and Development Appeal Board may be entitled to such remuneration as may be fixed from time to time by council.
8. The council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
9. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the chairman.
10. Two (2) of the members of the Subdivision and Development Appeal Board constitute a quorum.
11. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
12. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
13. The Subdivision and Development Appeal Board may make rules to govern its hearings.
14. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
15. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the council, may by resolution, appoint another person for the unexpired portion of that term.
16. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision and Development Appeal Board;
  - (e) notes as to each representation;
  - (f) the names and addresses of those making representations at the meeting;
  - (g) the decision of the Subdivision and Development Appeal Board;
  - (h) the reasons for the decision of the Subdivision and Development Appeal Board;
  - (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
  - (j) records of all decisions and of persons to whom they were sent;

- (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

17. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 20th day of November, 1995.

READ a second time this 20th day of November, 1995.

READ a third time and finally passed this 20th day of November, 1995.

***The original bylaw including signatures is held at the Village of Milo office.***





**DEVELOPMENT AUTHORITY BYLAW NO. 309**

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**VILLAGE OF MILO  
IN THE PROVINCE OF ALBERTA  
DEVELOPMENT AUTHORITY BYLAW NO. 309**

1. Being a bylaw of the Village of Milo in the Province of Alberta to establish a municipal Development Authority;

**AND WHEREAS**, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Development Authority by December 1, 1995;

**AND WHEREAS**, the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

**AND WHEREAS**, this bylaw may be cited as the Village of Milo Development Authority Bylaw;

**NOW THEREFORE**, the Council of the Village of Milo in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:

- (a) ACT means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
- (b) MUNICIPALITY means the Village of Milo in the Province of Alberta.
- (c) COUNCIL means the Municipal Council of the Village of Milo.
- (d) DEVELOPMENT AUTHORITY means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:
  - (i) in the Act; or
  - (ii) in the Village of Milo Land Use Bylaw; or
  - (iii) in this Bylaw; or
  - (iv) by resolution of council.
- (e) MUNICIPAL PLANNING COMMISSION means the Municipal Planning Commission of the Village of Milo as established by bylaw.
- (f) DESIGNATED OFFICER means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
- (g) MEMBERS means the members of the Development Authority.
- (h) SECRETARY means the person or persons appointed by council to act as secretary of the Development Authority.
- (i) AUTHORIZED PERSONS means a person or organization authorized by Council to which the municipality may delegate any of its Development Authority powers, duties or functions.
- (j) ALL OTHER TERMS USED IN THIS BYLAW SHALL HAVE MEANING AS IS ASSIGNED TO THEM IN THE MUNICIPAL GOVERNMENT ACT, AS AMENDED FROM TIME TO TIME.

3. For the purpose of this bylaw, the Development Authority for the municipality shall be council and a authorized person.
4. The Development Authority shall hold regular meetings as required by the Development Authority, and it may also hold special meetings at any time at the call of the chairman.
5. Two(2) of the members of the Development Authority shall constitute a quorum.
6. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Development Authority.
7. The Development Authority may make its orders, decisions, development permits, and approvals; and may issue notices with or without conditions.
8. The Development Authority may make rules to govern its hearings.
9. Members of the Development Authority shall not be members of the Subdivision and Development Appeal Board.
10. The secretary of the Development Authority shall attend all meetings of the Development Authority and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications,
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Development Authority;
  - (e) notes as to each representation;
  - (f) the names and addresses of those making representations at the meeting;
  - (g) the decision of the Development Authority;
  - (h) the reasons for the decision of the Development Authority;
  - (i) the vote of the members of the Development Authority on the decision;
  - (j) records of all notices of decision and of persons to whom they were sent;
  - (k) all notices, decisions, and orders made on appeal from the decision of the Development Authority;
  - (l) such other matters as the Development Authority may direct.
11. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 20th day of November, 1995.

READ a second time this 20th day of November, 1995.

READ a third time and finally passed this 20th day of November, 1995.

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