

MUNSON LAND USE BYLAW NO. 98-365

TABLE OF CONTENTS

| | Page |
|--|------|
| PART I <u>Purpose & Definitions</u> | |
| 1. Purpose | 3 |
| 2. Definitions | 3 |
| PART II <u>Administrative Agencies</u> | |
| 3. Development Officer | 11 |
| 4. Municipal Planning Commission | 11 |
| 5. Development Appeal Board | 11 |
| PART III <u>Development Permit Application</u> | |
| 6. Control of Development | 13 |
| 7. Development Permit Not Required | 13 |
| 8. Application for a Development Permit | 14 |
| 9. Deciding on Development Permit Applications | 14 |
| 10. Development Permits & Notices | 16 |
| PART IV <u>Appeals</u> | |
| 11. Appeal Procedure | 17 |
| 12. Public Hearing | 17 |
| 13. Decision | 18 |
| PART V <u>Enforcement & Administration</u> | |
| 14. Orders of Compliance | 19 |
| 15. Enforcement | 19 |
| 16. Amendments to the Bylaw | 20 |
| 17. Existing Land Use Bylaw | 20 |

PART VI Land Use Districts

| | | |
|-----|---|----|
| 18. | Districts | 21 |
| 19. | District Boundaries | 21 |
| 20. | R-1 -- Residential District | 23 |
| 21. | R-1A -- Residential District | 26 |
| 22. | MHR -- Manufactured Home Residential District | 27 |
| 23. | C-1 -- General Commercial District | 31 |
| 24. | M-1 -- Industrial District | 35 |
| 25. | P -- Community Service District | 39 |
| 26. | UR -- Urban Reserve District | 41 |

PART VII General Land Use Regulations

| | | |
|-----|--|----|
| 27. | Subdivision of Land | 43 |
| 28. | Non-conforming Buildings & Uses | 43 |
| 29. | Fencing | 43 |
| 30. | Accessory Buildings & Uses | 44 |
| 31. | Off-street Loading & Unloading for Commercial & Industrial Development | 46 |
| 32. | Parking | 46 |
| 33. | Objects Prohibited or Restricted in Yards | 47 |
| 34. | Site Development | 47 |
| 35. | Home Occupations | 47 |
| 36. | Utilities | 48 |
| 37. | Drainage | 48 |
| 38. | Signs | 48 |
| 39. | Relocation of Buildings | 49 |
| 40. | Projection Over Yards | 50 |
| 41. | Daytime Child Care Services | 50 |
| 42. | Topographic Features | 51 |
| 43. | Dwelling Units on a Parcel | 51 |
| 44. | Physical Environment | 51 |

PART VIII Land Use District Map

APPENDIX A - Forms

PART I

Purpose & Definitions

1. Purpose

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of the Village of Munson.

2. Definitions

In this Bylaw:

- (1) **"Act"** means the Municipal Government Act S.A. 1994 Ch. M.26-1 as amended.
- (2) **"Adjacent"** means land that is contiguous to a parcel of land and includes land that would be contiguous if not for a highway, road, river, stream or railway;
- (3) **"Accessory Building" or "Accessory Use"** means a building use which in the opinion of the Development Officer or Municipal Planning Commission is subordinate, or incidental to the principal building or use located on the same site.
- (4) **"Apartment"** means a residential building designed and built to contain three or more dwelling units with shared services, facilities and outside entrances;
- (5) **"Attached Housing"** means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall each unit having separate entrances from grade level. (For purpose of this Bylaw, Garden, Linked, Row, Townhouses, four-plex, five-plex, and six-plex units which meet this criteria are considered to be attached housing.);
- (6) **"Bed & Breakfast Establishment"** means a lodging facility within an owner occupied dwelling, having no more than three (3) guest rooms, providing a common washroom and dining facilities but no cooking facilities in guest rooms;
- (7) **"Building"** includes anything constructed or placed on, in, over, or under land, but does not include a primary highway or a public roadway;
- (8) **"Carport"** means a structure attached to a principal or accessory building, designed and used for the shelter and storage of vehicles which must have at least the side which abuts the side yard and one end unenclosed;

- (9) **"Church"** means a building primarily devoted to religious worship;
- (10) **"Clinic"** means an establishment in which medical, dental or other professional healing treatment is given to human beings;
- (11) **"Corner Site"** means a site at the intersection of two or more streets;
- (12) **"Council"** means the Council of the Village of Munson;
- (13) **"Daytime Child Care Services"** means development licensed by the Province of Alberta to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include daycare centers, day nurseries, kindergartens, nursery schools, and play schools.
- (14) **"Development"** means:
 - (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the land or building, or
 - (d) a change in the intensity of use of land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- (15) **"Development Authority"** means:
 - (a) a person (or persons) appointed as a Development Officer pursuant to a resolution of Council, or
 - (b) where a Municipal Planning Commission is authorized to act as a Development Officer, the Municipal Planning Commission, or
 - (c) where a Municipal Planning Commission is authorized to act as a Development Officer, in addition to a person appointed as a development officer, either or both of them;
- (16) **"Development Permit"** means a document authorizing a development issued pursuant to a land use bylaw;
- (17) **"Discretionary Use"** means a use of land or a building or a building provided for in this land use bylaw for which a development permit may be issued upon an application having been made;
- (18) **"Drinking Establishment"** means an establishment licensed by the Alberta Liquor Control Board, in which alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto. This term includes, but is not limited to bars, taverns, pubs and lounges;

- (19) **"Duplex"** means a single building containing two dwelling units, each having a separate entrance from the exterior. Dwellings of this type are also known as semi-detached single-family dwellings;
- (20) **"Dwelling"** means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, but does not include Manufactured homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;
- (21) **"Dwelling Unit"** means a complete building or self-contained portion of a building, containing a room or suite of rooms operated as a single housekeeping unit, intended to be used as a permanent or semi-permanent domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
- (22) **"Easement"** means a right to use land generally for access to other property or as a right-of-way for a public utility;
- (23) **"Existing"** means existing as of the date of adoption of this By-law;
- (24) **"Extensive Agricultural"** means systems of tillage and animal husbandry through which one may gain livelihood from large areas of land by the raising of crops or the rearing of livestock either separately or in conjunction with one another in unified operations and includes buildings and other structures incidental to the operation but does not include a feedlot, intensified hog operation and poultry farms;
- (25) **"Fence"** means a vertical physical barrier constructed out of typical building material to prevent visual or unauthorized access or both;
- (26) **"Front Lot Line"** means the boundary dividing the lot from the abutting street. In the case of a corner lot, the shorter boundary shall be deemed to be the front lot line;
- (27) **"Front Yard"** means a yard extending across the full width of a parcel from the front line of the parcel to the front wall of the main building situated on the parcel;
- (28) **"Garage, private"** means an accessory building designed and used for storage of motor vehicles and includes a carport;
- (29) **"Gross Floor Area"** means the total area of all floors of a building, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area;
- (30) **"Height"** means, when used with reference to a building or structure, the vertical distance between a horizontal plane through grade level and a horizontal plane through:

- (a) the highest point of the roof in the case of a building with a flat roof or a deck roof;
 - (b) the average level of a one-slope roof;
 - (c) the highest point in the case of a pitched, gambrel, mansard, or hipped roof.
- (31) **"Home Occupation"** means any occupation, trade, profession, or craft carried on by an occupant of an residential building or a use secondary to the residential use of the building, and which does not change the residential nature of the building nor the neighborhood or have any exterior evidence of such secondary use other than a small name plate, not exceeding 0.18m² (2 sq. ft.) in area. A home occupation does not include the outside storage of materials, goods or equipment, nor the employment of more than one paid assistant other than the occupant and the occupant's family;
- (32) **"Lane"** means a public thoroughfare which provides a secondary means of access to a site or sites;
- (33) **"Landscaping"** means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials;
- (34) **"Loading Space"** means a space for parking a commercial vehicle while being loaded or unloaded;
- (35) **"Main Building"** means a building in which is conducted the main or principal use of the site on which it is erected;
- (36) **"Manufactured Home"** means a detached dwelling built in an enclosed off site factory environment in one or more sections and intended to be occupied in a location other than where it was manufactured. Manufactured homes include homes that are completely self-contained single section dwelling units or are incomplete multi-section modules that are placed together and completed on site. A manufactured home is transported to the building site on dollies (wheels) or a flat bed truck and after placement, the dollies are removed from the site. Manufactured homes may be constructed to either the CSA Z240 or CSA A277 Standards.
- (37) **"Manufactured Home Single-wide"** means a Manufactured home consisting of a single unit designed to be towed in a single load;
- (38) **"Manufactured Home Double-wide"** means a Manufactured home consisting of two sections separately towable, but designed to be joined together at the site to form one dwelling unit;
- (39) **"Manufactured Home Park"** means a parcel of land under one title which has been planned, divided into Manufactured home lots and

improved for placement of Manufactured homes for permanent residential use;

- (40) **"Manufactured Home Subdivision"** means an area subdivided by registered plan, containing lots for Manufactured homes by freehold or leasehold tenure;
- (41) **"Municipality"** means, where the context requires, the area of land contained within the boundaries of the Village of Munson's corporate limits, as delineated on the Land Use Map, being Part VIII of this Bylaw;
- (42) **"Municipal Planning Commission"** (MPC) means a Municipal Planning Commission which may be established by Council pursuant to the Municipal Government Act;
- (43) **"Non-conforming Building"** means a building lawfully constructed or lawfully under construction at the date this Bylaw becomes effective, as required by the Act, and which does not or will not comply with the requirements of this Bylaw;
- (44) **"Non-conforming Use"** means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date this Bylaw becomes effective, as required by the Act, and which does not or will not comply with the requirements of this Bylaw;
- (45) **"Parcel"** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;
- (46) **"Permitted Use"** means the use of land or of a building which is listed in the column captioned, "Permitted Uses" in the lists of Permitted and Discretionary Uses appearing in this Bylaw and for which, when it meets the applicable provisions of this Bylaw, a Development Permit shall be issued;
- (47) **"Public or Quasi-public Building Facilities and Installations"** includes a church or any building which is used by the public for the purpose of assembly, instruction, culture or enlightenment or for a communal activity, but does not include a school, or place of public entertainment for which an admission fee is customarily charged. In addition, it includes a building as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;
- (48) **"Rear Yard"** means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;
- (49) **"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 as a store;

- (50) **"Semi-detached Single-family Dwelling"** means a building comprised of two single-family dwellings horizontally attached by a common party wall. Dwellings of this type are often called side-by-side duplex;
- (51) **"Shopping Center"** means a group of commercial establishments planned, developed, owned, and managed as a unit with off-street parking provided on the site;
- (52) **"Side Yard"** means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side foundation of the main building;
- (53) **"Sign"** means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, a sign includes posters, notices, panels, boarding and banners;
 - (a) **"Area of Sign"** means the total surface area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area;
 - (b) **"Billboard"** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
 - (c) **"Fascia Sign"** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building;
 - (d) **"Free-Standing Sign"** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;
 - (e) **"Projecting Sign"** means a sign which is attached to a building or structure so that part of the sign projects more than one foot from the face of the building or structure;
 - (f) **"Roof Sign"** means any sign placed on or over a roof.

- (54) **"Single-family dwelling"** means an on-site stick-built home containing one dwelling unit only; but does not include semi-detached single-family dwellings or manufactured homes;
- (55) **"Site"** means:
- (a) a quarter section; or
 - (b) a river lot or settlement lot shown on an official plan referred to in Section 32 of the Surveys Act that is filed or lodged in the Land Titles Office; or
 - (c) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision; or
 - (d) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (56) **"Subdivision and Development Appeal Board"** means a subdivision and development appeal board appointed pursuant to Section 627 of the Municipal Government Act;
- (57) **"Temporary Development"** refers to a proposed development, where the intent is to operate the use or structure for a specified period of time, not to exceed one (1) year from the effective date of the permit issued in relation to the temporary development. Any temporary development permit will state a date on which the development will cease;
- (58) **"Two-family Dwelling"** means a building comprised of only two dwelling units
- (59) **"Utilities"** means any one or more of the following:
- (a) systems for the distribution of gas, whether artificial or natural;
 - (b) facilities for the storage, transmission, treatment, distribution or supply of water;
 - (c) facilities for the collection, treatment, movement, or disposal of sanitary sewage;
 - (d) storm sewer drainage facilities;
 - (e) systems for electrical distribution and lighting;
 - (f) systems for telephone & cable TV distribution
- (60) **"Yard"** means a part of a parcel upon or over which no main building is erected;
- (61) **All other words and expressions have the meanings respectively assigned to them in the Municipal Government Act S.A. 1994 Ch. M.26-1 as amended.**

PART II

Administrative Agencies

3. Development Officer

- (1) The Office of the Development Officer is hereby established and shall be filled by a person or persons appointed by resolution of Council.
- (2) The Development Officer shall:
 - (a) perform such duties specified in Part III of this Bylaw;
 - (b) keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto and ensure that copies of some are available to the public at a reasonable charge.

4. Municipal Planning Commission

- (1) The Municipal Planning Commission (MPC) established by Bylaw 320 shall perform such duties as are specified in Part III of this Bylaw.

5. Subdivision and Development Appeal Board

- (1) The Subdivision and Development Appeal Board (SDAB) established by Bylaw No. 321 shall perform such duties as set forth in Part IV of this Bylaw.

PART III

Development Permit Application

6. Control of Development

- (1) No development other than that designated in Section 7 shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

7. Development Permit Not Required

It shall not be necessary to obtain a Development Permit prior to commencement of the following developments but the development shall otherwise comply with the provisions of this Bylaw.

- (1) The carrying out of works of maintenance or repair to a building provided that such work:
 - (a) does not include structural alterations;
 - (b) does not change the use or intensity of the use of the structure;
- (2) The completion of a building which could be prohibited by this Bylaw, but was lawfully begun on or before the date of the first official notice (Sections 606 and 692 of the Act) of this Bylaw provided the building:
 - (a) is completed within 12 months of the notice; and
 - (b) complies with any development permit issues for it.
- (3) The use of any such building as is referred to in subsection (2) for the purpose for which construction was commenced;
- (4) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting a road used by vehicular traffic) less than 1.0 m (3.2 ft.) in height in front yards and less than six feet in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means or enclosure;
- (5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit was issued under this Bylaw;
- (6) The maintenance or repair of public works, services or utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (7) The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election, referendum or plebiscite;

- (8) The construction, maintenance and repair of private walkways, pathways, driveways, and similar works;
- (9) Those signs outlined in Section 38 as not requiring a development permit;
- (10) An official notice, sign, placard or bulletin required to be displayed pursuant to provisions of Federal, Provincial or Municipal Legislation;
- (11) The erection or construction or replacement of one (1) garden/tool shed per site, which does not exceed 9.3 m² (100 sq. ft.) in floor area and 2.5 m (8.2 ft.) in height.

8. Application for a Development Permit

- (1) An application for a development permit shall be made to the Development Officer using the approved form and shall be accompanied by:
 - (a) a site plan showing the legal description and the front, rear and side yards, if any, and any provisions for off-street loading and vehicle parking and access and egress points to the site;
 - (b) floor plans and elevations and sections if required by the Development Officer;
 - (c) a statement of uses;
 - (d) a statement of ownership of land and interest of the applicant therein;
 - (e) the estimated commencement and completion dates;
 - (f) the estimated cost of the projected or contract price;
 - (g) the development permit fee as set by Council.
- (2) The Development Officer may require additional copies of the application or of plans and specifications as well as such additional information (photographs, inspection reports, engineering analysis, etc.) as the Development Officer may deem necessary.

9. Deciding on Development Permit Applications

- (1) The Development Officer shall:
 - (a) receive, consider and decide on an application for a development permit for those uses listed as a permitted use for the relevant land use district and comply with the minimum standards for that district;
 - (b) refer, at his/her discretion, a permit application for an industrial development for comments to those authorities (provincial and regional) where interest or jurisdiction may be effected;
 - (c) refer with his/her recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for those uses which constitute

- discretionary uses and which have been assigned to it for consideration and decision;
 - (d) refer to the Municipal Planning Commission at his/her discretion any application which in his/her opinion should be decided by the Commission.
- (2) The Municipal Planning Commission shall:
- (a) decide on applications for a development permit for those uses listed as discretionary uses for the relevant land use district;
 - (b) approve the application unconditionally or impose conditions considered appropriate, either permanently or for a limited period of time, or refuse the application.
- (3) An application may be approved where the proposed development does not comply with the required front yard, side yard, rear yard and/or floor area requirements of any district in this Bylaw if, in the opinion of the Municipal Planning Commission, the proposed development would not:
- (a) unduly interfere with the amenities of the neighborhood;
 - (b) materially interfere with or affect the use, enjoyment or value of the neighbouring properties and the amount of variance does not exceed 20% for the front yard, side yard, rear yard, height and/or floor area requirements in any district.
- (4) In the case where a proposed specific use of land or a building is not provided for in any land use district in the Bylaw, the Municipal Planning Commission may determine such a use is similar in character and purpose to another use of land or building that is included in the list of permitted and discretionary uses prescribed for that land use district.
- (5) The Municipal Planning Commission may require, as a condition of issuing a development permit, the applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities or to pay off-site levy or redevelopment levy imposed by Bylaw.
- (6) If a development permit application is refused, the Development Officer need not accept another application for the same or similar use on the same parcel for six (6) months after the refusal.
- (7) If a decision is not made on a development permit application within 40 days after its receipt by the Development Officer, the applicant may deem it to be refused at the end of the 40 day period.
- (8) The Development Officer or Municipal Planning Commission may issue a temporary Development Permit, for a period not exceeding one (1) year.

10. Development Permits & Notices

- (1) The development permit granted pursuant to this Bylaw does not come into effect until 14 days after the date an order, decision or development permit is communicated as described in Section 10(3) of this Bylaw. 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 Section 11 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) When a permit has been granted, the Development Officer shall:
 - (a) Immediately post a notice of the decision conspicuously on the property for which the application has been made and/or;
 - (b) a notice in writing shall be immediately mailed to all registered owners of land who in the opinion of the Development Officer may be affected and/or;
 - (c) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property which the application has been made and the use approved.
- (4) If the Development authorized by a permit is not commenced within the 12 months from the date of its issue or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Officer / Municipal Planning Commission.
- (5) A decision by the Development Officer / Municipal Planning Commission on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) When the Development Officer / Municipal Planning Commission refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART IV

Appeals

11. Appeal Procedure

- (1) An appeal may be made to the Subdivision and Development Appeal Board where the Development Officer / Municipal Planning Commission:
 - (a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - (b) issues a development permit subject to conditions;
 - (c) issues an order under Section 14 of this Bylaw.
- (2) The person applying for a development permit or affected by the order, under subsection (1), or any other person complying with the appeal requirements as set out in the Act may appeal the decision or development permit of the Development Officer / Municipal Planning Commission to the Subdivision and Development Appeal Board.
- (3) An appeal shall be made by serving a written notice of appeal, stating the reasons for the appeal, to the Secretary of the Subdivision and Development Appeal Board within 14 days after the date of the order, decision or permit issued by the Development Officer / Municipal Planning Commission was either:
 - (a) first published in a newspaper circulating in the area; or
 - (b) posted on the site of the property which is the subject of the application; or
 - (c) received by the applicant, whichever of these occur first.
- (4) For the purpose of subsection 3(c), the date of receipt of the decision is deemed to be five (5) days from the date the decision was mailed.

12. Public Hearing

- (1) Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least 5 days notice in writing of the public hearing to:
 - (a) the appellant or any person acting on his/her behalf;
 - (b) The Development Officer / Chairman of the Municipal Planning Commission from whose order, decision or development permit the appeal is made;
 - (c) those registered owners of land in the municipality who were notified under subsection 10(3)(b) and any other person who in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit;

- (d) the Director/Senior Planner of Palliser Regional Municipal Services;
 - (e) such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal, as they become available, subject to Section 217 of the Act, including:
- (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the Development Officer / M.P.C. under Section 14, as the case may be.
- (4) At the public hearing referred to in subsection (1), the Board shall hear:
- (a) the appellant or any person acting on his/her behalf;
 - (b) the Development Officer / Chairman of the Municipal Planning Commission from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his/her behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or person acting on his/her behalf.

13. Decision

- (1) The Subdivision and Development Appeal Board shall give a written decision together with reasons for the decision within 15 days of the conclusion of the hearing;
- (2) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the Municipal Government Act. An application for leave to appeal to the Court of Appeal shall be made:
- (a) to a judge of the Court of Appeal; and
 - (b) within 30 days after the issue of the order, decision, permit, or approval sought to be appealed.