

NOTICE OF PUBLIC HEARING

VILLAGE OF COWLEY IN THE PROVINCE OF ALBERTA

PROPOSED BYLAW No. 432

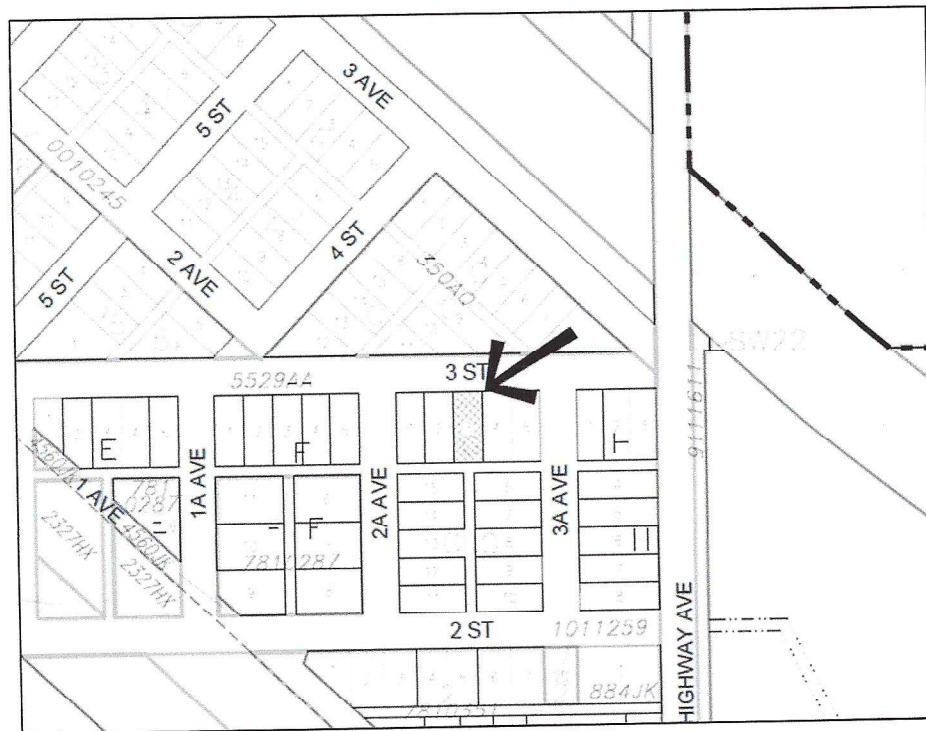
To be held at 6:30 p.m., January 13, 2025

Cowley & District Community Hall

Pursuant to the Municipal Government Act the Council of the Village of Cowley hereby gives notice of its intention to consider Bylaw No. 432, being an amendment to Land Use Bylaw No. 352.

The purpose of Proposed Bylaw 432 is to:

- add a new land use district, **Direct Control 1 – DC1**, into Land Use Bylaw 352 in order to regulate a proposed development that cannot be accommodated within existing land use districts on the specified lands by allowing for the development of an accessory building prior to the development of a dwelling unit; and
- to redesignate the lands at **207 3 Street and legally described as Lot 3, Block G, Plan 5529AA** from “**Parks and Open Space – POS**” to “**Direct Control 1 – DC1**” as shown below.



How to Submit Comments

If you would like to submit comments or require further information on this proposed bylaw please email vilocow@shaw.ca or call 403-628-3808, during normal business hours.

Please forward written submissions on or before January 8, at 3:00 PM.

How to Attend the Public Hearing

A public hearing to consider the proposed Bylaws will be held in person in the Crystal Room at the Cowley & District Community Hall (216 6 Street) 6:30 p.m. on January 13, 2025.

If you would like to speak at the public hearing, please contact Tiare Dewart at vilocow@shaw.ca by 3:00 p.m. on January 13, 2025.

DATED at the Village of Cowley in the province of Alberta this 4th day of December 2024.

Tiare Dewart
Chief Administrative Officer
Village of Cowley

VILLAGE OF COWLEY

BYLAW NO. 432

Being a bylaw of the Village of Cowley in the Province of Alberta, to amend Bylaw No. 352, being the municipal Land Use Bylaw.

Whereas the Council of the Village of Cowley desires to redesignate certain lands within the municipality and introduce a new land use district to regulate a proposed development that cannot be accommodated within existing land use districts on the specified lands.

And whereas the purpose of Bylaw No. 432 is to provide for the addition of a new land use district being the Direct Control 1 – DC1 land use district as described in attached Schedule 'A'.

And whereas the purpose of Bylaw No. 432 is redesignate the lands legally described as:

**Lot 3, Block G, Plan 5529AA
Containing 0.06 ha (0.155 ac) more or less**

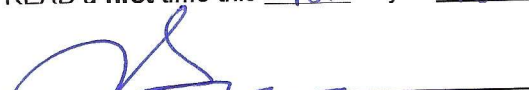
From "Parks and Open Space – POS" to "Direct Control 1 – DC1" as shown on the map in Schedule 'B' attached hereto to accommodate the development of an accessory building prior to development of a principal dwelling.

And whereas the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

Now therefore, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Village of Cowley in the Province of Alberta duly assembled does hereby enact the following:

1. Bylaw No. 352 being the Land Use Bylaw, is hereby amended by Bylaw 432 to include the amendments as indicated in the attached Schedule 'A'.
2. Lands Legally Described as Lot 3, Block G, Plan 5299AA be as shown on the attached Schedule 'B' is designated Direct Control 1 – DC1.
3. That the Land Use Districts Map of the Village of Cowley Land Use Bylaw No. 352 is amended to reflect this designation.
4. That the aforementioned amendment to Land Use Bylaw 352, shall make use of formatting that maintains the consistency of the portions to the bylaw being amended.
5. Bylaw 432 shall come into effect upon third and final reading hereof.
6. Bylaw No. 352, being the municipal land use bylaw, is hereby amended and consolidated.

READ a **first** time this 12 day of November, 2024.


Mayor – Barbara Burnett


Municipal Administrator – Tiare Dewart

READ a **second** time this _____ day of _____, 2024.

Mayor – *Barbara Burnett*

Municipal Administrator – *Tiare Dewart*

READ a **third** time and finally PASSED this _____ day of _____, 2024.

Mayor – *Barbara Burnett*

Municipal Administrator – *Tiare Dewart*

Schedule "A"

Bylaw No. 432

1. That Schedule 1 Land Use Districts, Section 2, be amended by adding the following to the bottom of the list:

DIRECT CONTROL 1

- DC1

2. That Schedule 2 Land Use District Regulations be amended by adding the following district after Direct Control – DC as follows:

DIRECT CONTROL 1 – DC1

1. **INTENT**

The intent of the Direct Control 1 (DC1) district, in accordance with the Act, is to facilitate development on the subject parcel in consideration of Council being the development authority to allow for development of an accessory building prior to establishment of a principal use.

2. **USES**

- 2.1 **Permitted Uses**

Single-family dwellings

- 2.2 **Discretionary Uses**

Subject to the provisions of the municipal development plan, an applicable area structure plan, or an applicable area redevelopment plan, the discretionary uses within this district are:

- (a) Accessory buildings and uses;
- (b) Accessory structures;
- (c) Double-wide mobile homes;
- (d) Single-wide mobile homes; and
- (e) such other uses that Council considers suitable.

3. **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.

4. **DIRECT CONTROL ADMINISTRATIVE PROCEDURES**

- (a) The development officer shall refer all development applications in this district to either:
 - (i) the MDA, if the MDA is composed exclusively of Council members; or
 - (ii) Council.
- (b) If Council is in receipt of a development application in this district, Council shall process that application in accordance with the administrative procedures of this bylaw as if council were the MDA.
- (c) If Council or the MDA considers it appropriate to do so, they may solicit and consider the comments of the following agencies or organizations before they give final consideration to a development application:
 - (i) Alberta Agriculture, Food and Rural Development;
 - (ii) Alberta Environmental Protection;
 - (iii) Alberta Transportation and Utilities;
 - (iv) Chinook Regional Health Authority,
 - (v) planning advisor;
 - (vi) any other agency Council or the MDA considers appropriate.

5. **USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS**

5.1 **General**

Subject to the provisions or requirements of this district, Council or the MDA may regulate a use or a development in any manner either considers necessary having regard to:

- (a) the provisions of an applicable statutory plan;
- (b) the applicable use restrictions and development requirements in Schedule 5;
- (c) the comments of any agency contacted under section 4(c); and
- (d) any of the requirements or provisions of any other district in this bylaw.

5.2 **Accessory Structures**

- (a) See Schedule 5, Part 5.2.
- (b) In addition to the requirements in Schedule 5, Part 5.2, Council or the MDA may impose height, locational or other restrictions on an accessory structure having regard to the requirements or provisions of any other district in this bylaw.

5.3 **Accessory Buildings**

Accessory Buildings may be permitted prior to the development of a principal residential building provided that the building is sited in a manner that allows for the development of a dwelling.

The height, location, size, design, character and appearance of all accessory buildings shall be to the satisfaction of Council or the MDA having regard to the requirements or provisions of any other district in this bylaw.

5.4 **Accessory Residential Buildings**

The height, location, size, design, character and appearance of all accessory residential buildings shall be to the satisfaction of Council or the MDA having regard to the requirements of the R1 or R2 district.

6. **MINIMUM LOT SIZE**

The minimum lot size in this district shall be as required by Council or the MDA.

7. **MINIMUM SETBACK REQUIREMENTS – Principal Buildings**

7.1 All principal buildings and uses on an interior lot shall be setback in accordance with the following:

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwellings, double-wide mobile homes	6.1	20	1.5	5	7.6	25
Single-wide mobile homes	6.1	20	See Schedule 5, Part 5.3.		7.6	25

7.2 **Prevailing Setbacks**

In the case of a development application for a single-family dwelling, the MDA or the development officer may require a greater or lesser setback than the 6.1 m (20 ft.) front property boundary setback prescribed in 7.1 above, where existing development on adjoining lots in a well-established area has, in the opinion of Council or the MDA, established a predominant and prevailing setback that differs from the stated setback.

7.3. **Encroachments into Yards or Setbacks**

Where Council or the MDA considers it reasonable and appropriate to do so, Council or the MDA may allow portions of, or attachments to a principal building to encroach into a

yard as established in 7.1 above, but the type and magnitude of the encroachment shall be in accordance with the following, subject to 6.4(b) below:

- (a) an eave, chimney, cornice or sill may encroach 0.5 m (1.6 ft.) into a side yard; and
- (b) an enclosed or unenclosed veranda, porch or balcony, or a chimney may project not more than 1.5 m (5 ft.) into a principal front yard or a rear yard.

8. MINIMUM SETBACK REQUIREMENTS – Other Buildings

8.1 Accessory Buildings

Accessory buildings:

- (a) shall maintain the same setbacks as the principal building from a principal or a secondary front property boundary; and
- (b) shall maintain a minimum 1.5 m (5 ft.) setback from a side or a rear property boundary; and
- (c) where an accessory building is permitted prior to the development of a principal building, the front property setback for the accessory building shall be defined by Council or the MDA to ensure adequate space for the future development of a dwelling in front of the accessory building.

8.2 Satellite Dishes and Radio or Television Towers – See Schedule 5, Part 5.2.

9. MAXIMUM LOT COVERAGE

Principal building, accessory buildings and accessory residential buildings – 55 percent (combined)

10. MINIMUM FLOOR AREA

Unless otherwise allowed by Council or the MDA, the first storey minimum gross floor area of all principal buildings shall be in accordance with the following:

Use	Minimum Area
Single-family dwellings	74.3 m ² (800 sq. ft.)
Single-wide mobile homes	60.4 m ² (650 sq. ft.)
All other buildings and uses	As required by the MDA.

11. LANDSCAPING AND SCREENING

Landscaping and screening shall be to Council's or the MDA's satisfaction having regard to Schedule 6.

11. REFUSE SCREENING AND STORAGE

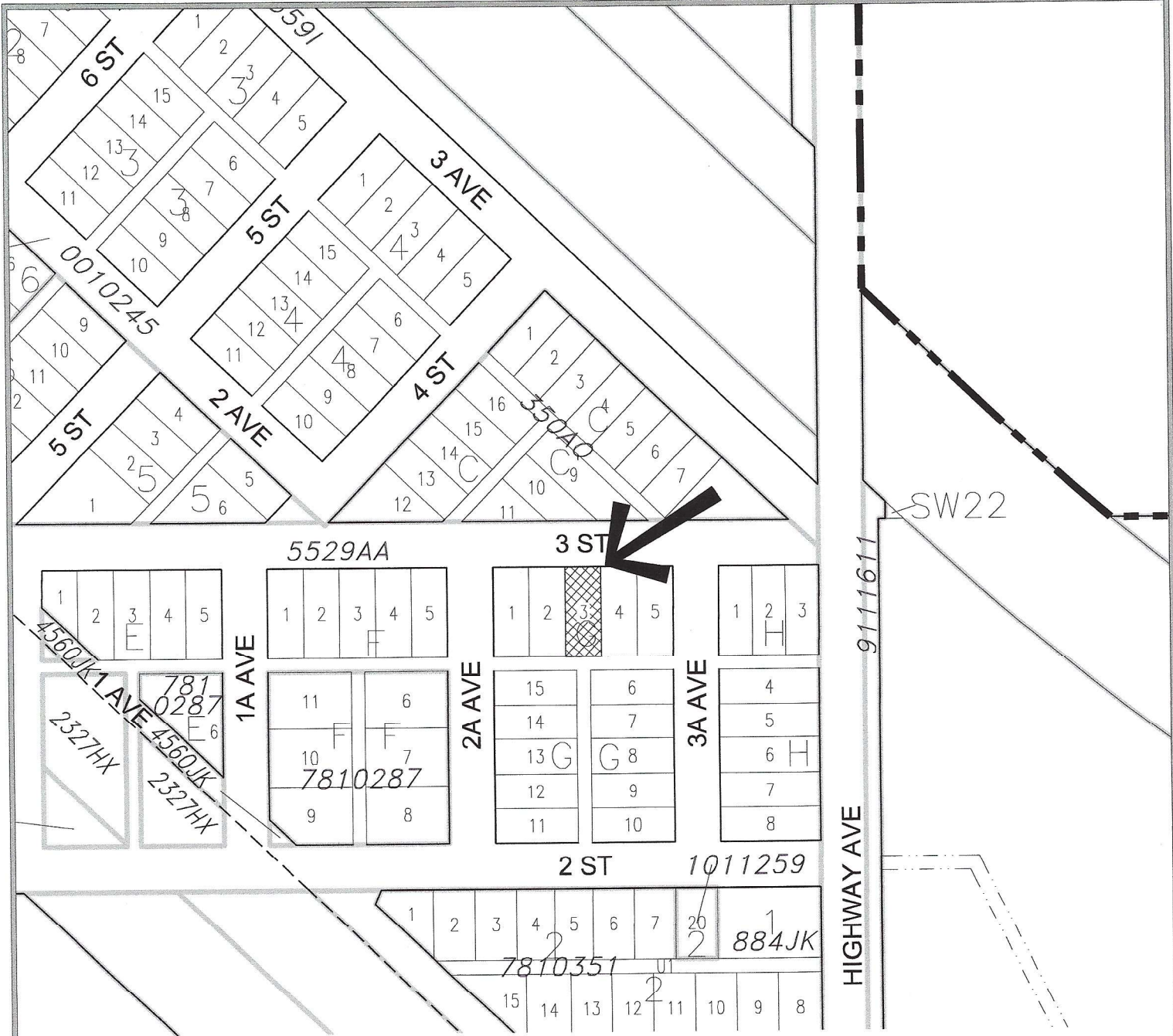
- (a) Refuse and garbage shall be kept in suitably-sized containers until such time as collection or disposal is possible.
- (b) Council or the MDA may require that refuse container enclosures are located and designed to the satisfaction of Council or the MDA.

12. ACCESS AND OFF-STREET PARKING AND LOADING

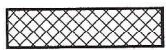
As Council or the MDA considers necessary having regard to Schedule 7.

13. SECURITIES

As Council or the MDA considers necessary having regard to Schedule 8.



LAND USE DISTRICT REDESIGNATION SCHEDULE 'B'

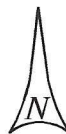


FROM: PARKS AND OPEN SPACE - POS
TO: DIRECT CONTROL 1 - DC1

LOT 3, BLOCK G, PLAN 5529AA
WITHIN NE 1/4 SEC 16, TWP 7, RGE 1, W 5 M
MUNICIPALITY: VILLAGE OF COWLEY
DATE: NOVEMBER 7, 2024

Bylaw #: 432

Date: _____



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344

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