



Village of Marwayne

Agenda

Regular Village Council Meeting
Monday, March 23, 2020 @ 7:00 PM
Horton Agencies Board Room

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1 CALL TO ORDER	
2 ADOPTION OF AGENDA	
2.1 March 23rd, 2020 Regular Village Council Meeting	
Be it resolved that the March 23rd, 2020 Regular Village of Marwayne Council Meeting Agenda be approved as presented.	
3 ADOPTION OF MINUTES	
3.1 March 9th, 2020 Regular Village of Marwayne Council Meeting	5 - 8
Be it resolved that the March 9th, 2020 Regular Village of Marwayne Council Meeting Minutes be approved as presented.	
4 BYLAWS	
4.1 Bylaw No. 578-20, being a Bylaw to amend the Village of Marwayne's Land Use Bylaw No. 572-19	9 - 94
Administration recommends that the scheduling of the open house be postponed at this time due to the ongoing Coronavirus Pandemic. Because the Village is not bound by any legislated timeframes for adoption, we are in no rush to move this forward. As soon as we have more information on the ongoing situation, we can host the public hearing and pass the remainder of the bylaw readings.	
THAT the Village of Marwayne give first reading to Bylaw No. 578-20, being a bylaw to amend the Village of Marwayne Land Use Bylaw No. 572-19.	
4.2 Bylaw No. 579-20, being a Bylaw to adopt a Municipal Development Plan	95 - 139
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THAT the Village of Marwayne give first reading to Bylaw No. 579-20, being a bylaw to adopt a Municipal Development Plan.	

5 KEY STRATEGY: ADDRESSING SERVICE NEEDS

5.1 Raw Water Well Decommissioning

140 - 142

The Village currently owns three (3) raw water wells that require decommissioning. Being that we do not utilize these wells for any purpose, it does not serve the Village to keep them operational. As such, administration has made contact with both the Minor Ball Association regarding Well #3 as well as Murray Headon on whose property Well #4 is located to gage interest as to whether or not they are interested in purchasing the raw water wells from the Village. On March 18th, I was advised by Todd Hames that Minor Ball may be interested in taking over Well #3, but they had a few questions they would like answered first. I have asked Todd to forward those questions as soon as possible so that we may get them answered. That same day, in speaking with Mr. Headon, I was further advised that he required more time to think about whether or not he would be willing to take over Well #4. I have asked Mr. Headon if he could please come to a decision by April 1st in so that we can move forward with scheduling our 2020 projects accordingly.

In speaking with McAllister Drilling, the cost to decommission each well is roughly \$3000.00. As such, should the Village proceed in decommissioning all three wells (#3, #4 and #5), we would be looking at a bill of around \$9000.00 give or take. If it takes more or less time to complete the work, the cost would be adjusted up or down accordingly. The attached quote for Council's consideration is based on the decommissioning of two wells. Administration is seeking Council approval to proceed with the decommissioning of all 3 raw water wells in the event that there is no interest from the aforementioned third parties in purchasing them and taking them over.

Further to the decommissioning, administration would also need to hire a contractor to dig down 9 feet and cut the well casings. The cost of this service is roughly \$5000.00 as per the attached quote. Therefore, all things considered, the approximate cost for this project is estimated to be around \$15,000. If directed to do so, administration would include the above costs in the 2020 budget and proceed with scheduling the work accordingly.

Be it resolved that administration proceed with the decommissioning of Well #3, Well #4, and Well #5 within the municipal boundary of the Village of Marwayne.

5.2 ATCO Light Replacement Proposals

143 - 154

Following ATCO's presentation at the March 9th Council Meeting, administration followed up to obtain quotes for some outstanding work. The attached quotations are in regards to having a light installed at the playground as well as the light (which was removed for water line work last year) reinstalled at its previous location. In speaking with ATCO and Wilson, we still have the pole in our maintenance yard and it can be reused to save the Village money. Should Council decide to proceed with both or one of the options, administration will include the costs in the 2020 budget.

Be it resolved that the ATCO Light Replacement Proposals be received as information.

- 6 KEY STRATEGY: SAFE & CARING COMMUNITY
6.1 2019 In-Kind Contributions to Community Groups Report 155

Be it resolved that the 2019 In-Kind Contributions to Community Group Report be received as information.

- 7 KEY STRATEGY: PLANNING FOR GROWTH & CHANGE
7.1 Intermunicipal Collaboration Framework with the County of Vermilion River 156 - 176

On March 18th, administration received an email from the County advising that they agreed to the reformat as well as the proposed changes regarding the inclusion of the impending RCMP enhanced policing agreement. As such, I have finalized the document and it is ready for Council approval in order to meet our legislated deadline for adoption of April 1st, 2020.

Be it resolved that the Intermunicipal Collaboration Framework Agreement between the Village of Marwayne and the County of Vermilion River be approved and adopted as presented.

- 8 KEY STRATEGY: PURSUING OPERATIONAL & ORGANIZATIONAL EXCELLENCE
8.1 Food Stand Business Proposal

Administration was contacted by a local resident looking to set up a food stand within the Village boundary this upcoming summer in order to sell fresh fruits and vegetables. Pending Council approval, administration would charge the resident the local business license fee of \$25.00 and permit him to set up his local food truck on vacant Village property.

Be it resolved that the Food Stand Business Proposal be received as information.

9 ADMINISTRATIVE REPORTS

- 9.1 Councillor Reports

Be it resolved that the Councillor Reports be received as information.

- 9.2 Chief Administrative Officer Report 177 - 185

Be it resolved that the Chief Administrative Officer Report be received as information.

10 FINANCIAL

- 10.1 Cheque Distribution Report

Be it resolved that the Accounts Payable Invoices being over \$5000.00 but within budget be approved and authorized to be paid as presented. Be it further resolved that the Accounts Payable Invoices being less than \$5000.00 but within budget be received as information.

11 CLOSED SESSION - CONFIDENTIAL

11.1 FOIP Section 17 (1) - Personnel - Chief Administrative Officer Report

186 - 189

12 SETTING OF THE NEXT MEETING

12.1 April 2020 Meeting Dates

Many municipalities are holding their Council meetings using zoom or cancelling them all together as a result of the COVID-19 pandemic. I have included a link for Council's consideration as it relates to the digital meeting software: <https://zoom.us/>. As for delegation appointments, these have been temporarily postponed until further notice.

All things considered, Council may also proceed with scheduling in person meetings as per usual and/or change the timing, frequency or length as required.

13 ADJOURNMENT



Village of Marwayne
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Minutes of the Regular Meeting of the Council of the Village of Marwayne

In the Province of Alberta, held on Wednesday, March 9th, 2020
Commencing at 7:00 PM at the Horton Agencies Board Room

PRESENT

Mayor Cheryle Eikeland
Deputy Mayor Ashley Rainey
Councillors Rod McDonald, Tara Lawrence and Chris Neureuter
Chief Administrative Officer Shannon Harrower

1. CALL TO ORDER

Mayor C. Eikeland called the March 9th, 2020 Village of Marwayne Council Meeting to order at 7:15 p.m.

2. ADOPTION OF AGENDA

2020-03-1

Moved By Councillor R. McDonald

Be it resolved that the March 9th, 2020 Regular Village of Marwayne Council Meeting Agenda be approved as presented.

CARRIED

3. ADOPTION OF MINUTES

2020-03-2

Moved By Councillor C. Neureuter

Be it resolved that the February 19th, 2020 Village of Marwayne Council Meeting Minutes be approved as presented.

CARRIED

4. KEY STRATEGY: ADDRESSING SERVICE NEEDS

Public Works Foreman Report

2020-03-3

Moved By Councillor T. Lawrence

Be it resolved that the report given by the Village of Marwayne's Public Works Foreman Wilson Curtis be received as information.

CARRIED

Regional Water Operator Report

2020-03-4

Moved By Councillor C. Neureuter

Be it resolved that the report given by the Village of Marwayne's Regional Water Operator Carry Grant be received as information.

CARRIED



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5. KEY STRATEGY: PLANNING FOR GROWTH & CHANGE

Municipal Development Plan (MDP) Open House Review

2020-03-5

Moved By Councillor R. McDonald

Be it resolved that the Municipal Development Plan Open House Review be received as information.

CARRIED

Intermunicipal Collaboration Framework (ICF) with the County of Vermilion River

2020-03-6

Moved By Deputy Mayor A. Rainey

Be it resolved that the Intermunicipal Collaboration Framework Update with the County of Vermilion River be received as information.

CARRIED

Walking Trail Request for Proposals

2020-03-7

Moved By Deputy Mayor A. Rainey

Be it resolved that the Walking Trail Request for Proposals Update be received as information.

CARRIED

6. DELEGATIONS

ATCO Electric – LED Light Conversion

2020-03-8

Moved By Deputy Mayor A. Rainey

Be it resolved that the presentation from ATCO Electric regarding the conversion to LED street lighting be received as information.

CARRIED

7. ADMINISTRATIVE REPORTS

Councillor Reports

2020-03-9

Moved By Councillor C. Neureuter

Be it resolved that the following Councillor Reports be received as information:

- January 28th, 2020 Vermilion River Regional Waste Management Services Commission Meeting Minutes
- March 3rd, 2020 Intermunicipal Liaison Committee Meeting Minutes with the County of Vermilion River

CARRIED



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Chief Administrative Officer Report

2020-03-10

Moved By Deputy Mayor A. Rainey

Be it resolved that the Chief Administrative Officer Report be received as information.

CARRIED

8. CORRESPONDENCE AND INFORMATION

February 25th, 2020 Letter from Alberta Economic Development, Trade and Tourism

2020-03-11

Moved By Councillor T. Lawrence

Be it resolved that the Letter from the Minister of Economic Development, Trade and Tourism in regards to the Regional Economic Development Alliance be received as information.

CARRIED

February 27th, 2020 Letter from Alberta Municipal Affairs

2020-03-12

Moved By Deputy Mayor A. Rainey

Be it resolved that the February 27th, 2020 Letter from the Minister of Municipal Affairs regarding the 2020 budget be received as information.

CARRIED

AUMA Preliminary Analysis of the Government of Alberta's 2019 Budget

2020-03-13

Moved By Deputy Mayor A. Rainey

Be it resolved that the AUMA's Preliminary Analysis of the Government of Alberta's 2019 Budget be received as information.

CARRIED

9. FINANCE

Cheque Distribution Report

2020-03-14

Moved By Councillor C. Neureuter

Be it resolved that the Accounts Payable Invoices being over \$5,000.00 but within budget be approved and authorized to be paid as presented. Be it further resolved that the Accounts Payable Invoices being less than \$5,000.00 but within budget be received as information.

CARRIED



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February 2020 Utility Bill Report

2020-03-15

Moved By Councillor R. McDonald

Be it resolved that the February 2020 Utility Bill Report be received as information.

CARRIED

February 2020 Monthly Financial Statement

2020-03-16

Moved By Councillor C. Neureuter

Be it resolved that the February 2020 Monthly Financial Statement be received as information.

CARRIED

December 2019 Bank Reconciliation Statement

2020-03-17

Moved By Councillor C. Neureuter

Be it resolved that the 2019 Bank Reconciliation Statement be received as information.

CARRIED

9. ADJOURNMENT

Being that the March 9th, 2020 Council Meeting agenda matters for the Village of Marwayne have concluded, the meeting adjourned at 9:10 p.m.

Approved this 23rd day of March 2020.

Cheryle Eikeland, Mayor

Shannon Harrower, CAO

BYLAW NO. 578-20

**BEING A BYLAW OF THE VILLAGE OF MARWAYNE IN THE PROVINCE OF ALBERTA TO
AMEND THE LAND USE BYLAW NO. 572-19**

WHEREAS, pursuant to the *Municipal Government Act R.S.A. 2000* as amended, authorizes a Council to amend a Land Use Bylaw;

AND WHEREAS, the Council for the Village of Marwayne deems it desirable to amend Land Use Bylaw No. 572-19;

NOW THEREFORE, the Council of the Village of Marwayne, duly assembled, enacts as follows:

1. That Bylaw No. 572-19, being the Village of Marwayne Land Use Bylaw, is hereby amended as per Schedule "A" attached hereto.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

This Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Mayor and Chief Administrative Officer.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____, 2020.

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____, 2020.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS ____ DAY OF _____, 2020.

Cheryle Eikeland, Mayor

Shannon Harrower, CAO

**Bylaw No. 578-20
Land Use Bylaw Amendment
Schedule "A"**

PURPOSE

1. To add a new Use "*Animal Breeding and Boarding Facility*" as a discretionary Use in the *M – Industrial District* and *UR – Urban Reserve District*, along with the Use Definition as listed below in Section 11 of the *Village of Marwayne Land Use Bylaw 572-19*.

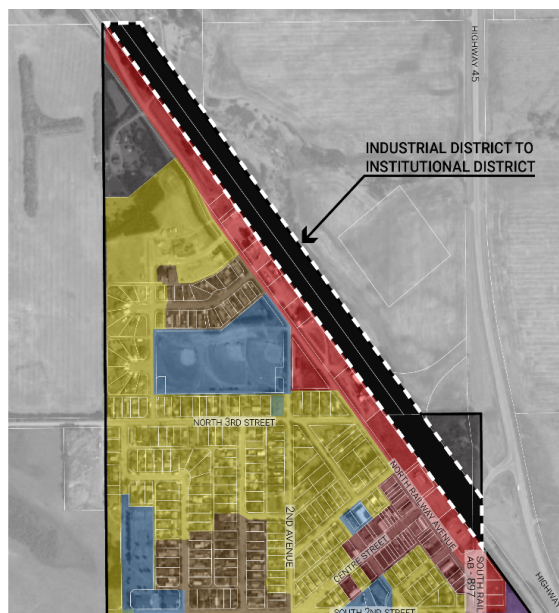
"Animal Breeding and Boarding Facility: means development used for the breeding, boarding, caring or training of animals, normally considered household pets. Typical facilities include pet breeding, pet boarding and pet training establishments."

2. To redistrict parcels along the CN rail currently under *M-Industrial District* to *I-Institutional District*.

APPLICATION

1. The amendment of adding a new Use "*Animal Breeding and Boarding Facility*" will allow for a range of animal boarding and breeding related businesses within the M and UR Districts. It is the municipality's intent to promote the development of the M and UR Districts with certain level of land use control deemed necessary by the Village.
2. Redistricting the public lands, along the CN rail, to *I-Institutional District* will allow Uses for public and recreational purposes, instead of industrial related development. These lands are in a narrow linear shape with limited road access which makes them difficult to be utilized for industrial development. The redistricting reflects the physical constraint and fits the public land ownership statutes.

Lands impacted by this amendment are shown below.



RATIONALE

1. To add "*Animal Breeding and Boarding Facility*" as a discretionary Use in the *Industrial District* and the *Urban Reserve District*.
 - o The amendment will allow for additional development opportunities within both of the Districts without impacting residential neighborhoods.
 - o The new use will be discretionary in both Districts to enable the development authority the ability to prescribe development regulations for a development

**Bylaw No. 578-20
Land Use Bylaw Amendment
Schedule "A"**

that may produce nuisances, such as noise, dust and odor, or deny the application if the use may compromise a neighborhood.

- The new Use is compatible with the existing Uses listed in both Districts. The impact/ nuisances potentially produced by such a facility is at the similar intensity level of the existing discretionary uses in both Districts.
2. The redistricting
- The amendment will make the subject lands available for public and recreational uses. The physical constraints of these lands make them difficult to be utilized for industrial or commercial development and the Village has significant lands already dedicated for these uses to the south. Meanwhile, the current District only allows these lands to be utilized for industrial and/or commercial purposes. The redistricting protects these lands for the purpose of which they are currently being used, trails, and enables the Village to formally build upon their intended use as recreational lands.
 - The subject lands are publicly owned by the Village. Therefore, the proposed amendment to make them available for public and recreational purpose is appropriate and suitable.

PUBLIC ENGAGEMENT

- **External Referral:** The referral letters were sent to Alberta Environment and Parks, Alberta Transportation, Alberta Health Services, the County of Vermilion River, Buffalo Trail Public Schools, the Village of Kitscoty, the Village of Dewberry, the Village of Paradise Valley and the Town of Vermilion on February 13th, 2020 to advise of the proposed amendments and included an invitation to the Public Open House.
- **Open House Notification:** The Public Open House was advertised through the *Meridian Source* in the February 27th and March 5th, 2020 editions; through online platforms such as Facebook and the Village's municipal website; on the local bulletin board; and the front page of the March 2020 of Marwayne's community newsletter.
- **Open House:** Held on March 9, 2020 in the Husky Room at the Village of Marwayne Community Hall. A total of 9 public members attended the Open House. No submissions were made in regards to the proposed land use bylaw amendment.



VILLAGE OF MARWAYNE

LAND USE BYLAW

BYLAW 572-19

Date Adopted: June 25th, 2019

Date Last Amended: **[insert date of bylaw 578-20 adoption]**





Village of Marwayne **LAND USE BYLAW**
Bylaw No. 572-19

VILLAGE OF MARWAYNE
PROVINCE OF ALBERTA

BYLAW No. 578 - 20
A BYLAW TO REGULATE LAND USE WITHIN THE VILLAGE OF MARWAYNE

PURSUANT to the Municipal Government Act, R.S.A. 2018, as amended, the Council of the Village of Marwayne duly assembled, hereby enacts as follows:

REPEALING EXISTING CONTROLS

Bylaw No. 523-13, and its amendments are hereby repealed.

DATE OF COMMENCEMENT

This Bylaw comes into effect upon the date of it finally being passed.

READ A FIRST TIME this 13th of May 2019.

AND ADVERTISED was done in accordance with Municipal Government Act Section 606, appearing in the Meridian Booster of June 6th & 13th, 2019 and the Voices of the Village June 2019 newsletter.

PUBLIC HEARING HELD on the 25th of June 2019.

READ A SECOND TIME this 25th of June 2019.

READ A THIRD TIME this 25th of June 2019.

SIGNED by the Mayor and Administrator this 25th of June 2019.

Mayor

Chief Administration Officer



Village of Marwayne **LAND USE BYLAW**
Bylaw No. 572-19

AMENDMENTS

REVISION NO.	DATE	BYLAW NO.	DESCRIPTION
Rev 1	23-Mar-20	578-20	<ul style="list-style-type: none"> ▪ Adding “Animal Breeding and Boarding” as a discretionary use in the Urban Reserve and Industrial Districts. ▪ Adding “Animal Breeding and Boarding” as a definition in the glossary. ▪ Redistricting titled properties: Plan 0840395 Block 17 Lot 1; Plan 5426CL Block (A); and Railway Plan 4999CL Right of Way in Township 52 Range 3 West of the 4th Meridian from Industrial District to Institutional District.



Village of Marwayne **LAND USE BYLAW**
Bylaw No. 572-19



Village of Marwayne **LAND USE BYLAW**
Bylaw No. 572-19

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LIFE FROM ALL ANGLES



Village of Marwayne **LAND USE BYLAW**
Bylaw No. 572-19

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LIFE FROM ALL ANGLES

section 1

General





Section 1 General

1.1 TITLE

The title of this Bylaw shall be the Land Use Bylaw of the Village of Marwayne.

1.2 PURPOSE

The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the *municipality* to achieve the orderly economic development of land, and for that purpose amongst other things:

- (1) to divide the *municipality* into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for *development permits*;
- (4) to provide the manner in which notice of the issuance of a *development permit* is to be given; and
- (5) to establish the number of *dwelling units* permitted on a *parcel of land*.

1.3 ESTABLISHMENT OF DISTRICTS

(1) For the purpose of this Bylaw, the Village of Marwayne is divided into the following Districts:

R1 SINGLE DWELLING RESIDENTIAL	ER ENVIRONMENT RESERVE DISTRICT
R2 MULTI-UNIT RESIDENTIAL	M INDUSTRIAL DISTRICT
C HIGHWAY COMMERCIAL DISTRICT	I INSTITUTIONAL DISTRICT
VC VILLAGE CENTRE DISTRICT	UR URBAN RESERVE DISTRICT

(2) The boundaries of the districts listed in 1.3(1) are as delineated on the Land Use District Map, being Schedule A hereto.

(3) Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary of the District is shown as following a *road*, lane, or water course, it shall be deemed to follow the centre line thereof.



- Rule 2. Where a boundary of the District is shown as approximately following a *parcel of land* line, it shall be deemed to follow the *parcel of land* line.
- (4) Where the application of the above rules does not determine the exact location of the boundary of a District, the *Council* either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
 - (5) After the *Council* has fixed a District boundary pursuant to the provisions of 1.3(4), the portion of the boundary so fixed shall not be thereafter be altered except by an amendment of this Bylaw.
 - (6) The development authority shall maintain a list of *Council's* decisions with respect to boundaries or portions thereof fixed by *Council*.

1.4 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS

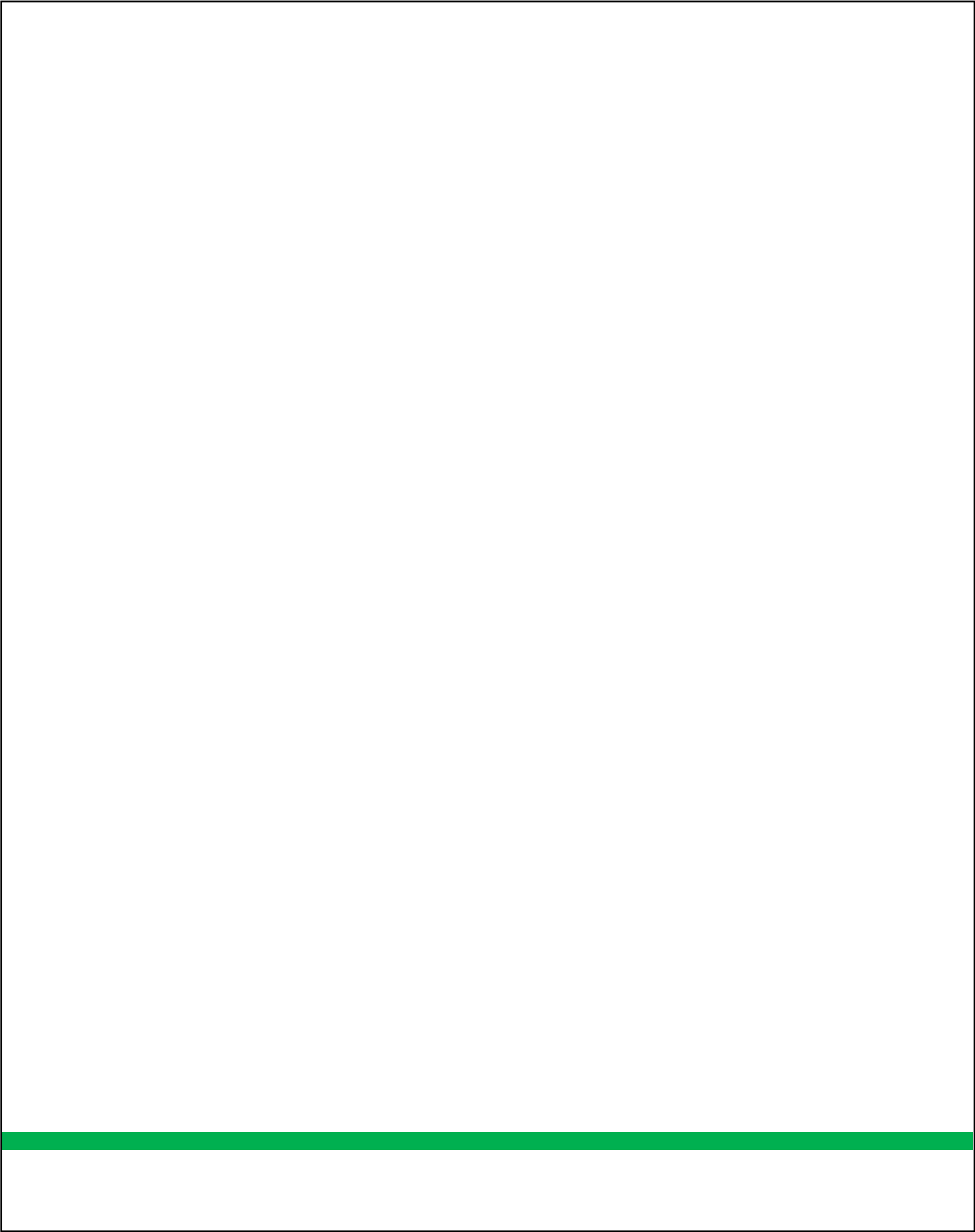
Land Use District regulations shall be as set forth in Sections 4, 5, 6, 7 and Schedule A of this Bylaw, and which may be amended as part of changes made to this Bylaw.

1.5 COMPLIANCE WITH OTHER LEGISLATION

Notwithstanding that a development permit may not be required in certain instances under this Bylaw, in no way does this exempt the applicant from complying with:

- (1) Other requirements for approval by municipal Bylaw, the Act, conditions, any other instrument affecting building or land, or other applicable regulation;
- (2) Any easement, covenant, agreement, or contract affecting the development; and
- (3) Requirements of the Alberta Safety Codes Act, and any regulations, including the Alberta Building Code.

The provisions and regulations of this Bylaw do not exempt any person from complying with the provisions or regulation of any other municipal, provincial, or federal statute.



section 2

Agencies



Section 2 Agencies

2.1 DEVELOPMENT AUTHORITY

- (1) For the purposes of this Bylaw, the development authority shall be the person or persons appointed to be the development authority pursuant to the *municipality's* Development Authority Bylaw.
- (2) The development authority shall perform such duties and responsibilities that are specified in this Bylaw.
- (3) The development authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereof and the reasons therefore.
- (4) For the purposes of Section 542 of the Act, the development authority is hereby declared to be the designated officer.

2.2 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board (*SDAB*) established by the *municipality's* Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in Section 9 of this Bylaw.

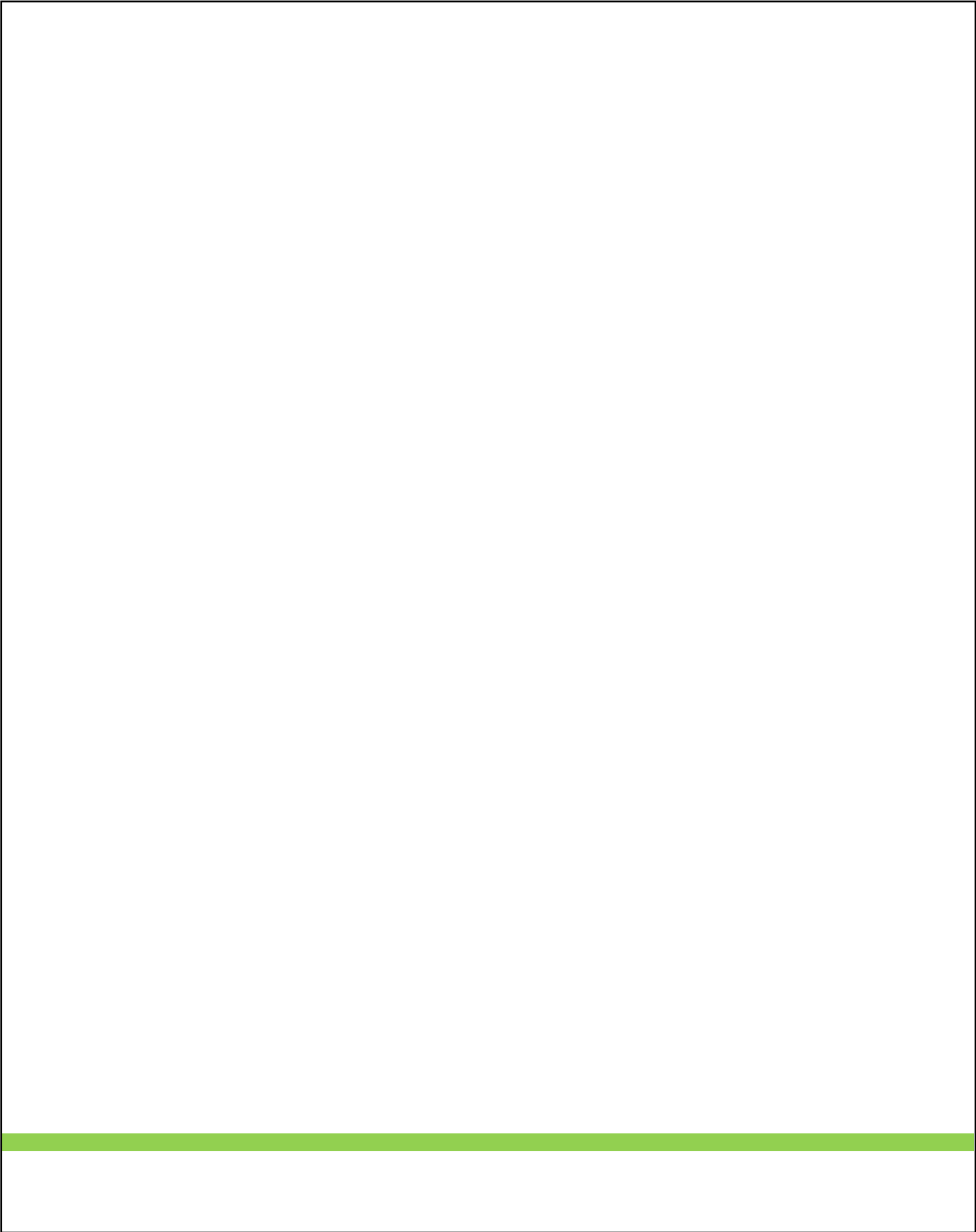
2.3 REFERRALS OF DEVELOPMENT APPLICATIONS

The development authority may refer any development permit application to an external agency for their review and comment. The following is a description of mandatory referrals to external agencies:

- (1) Crown land development: When the *municipality* receives a development permit application that is to be located on Crown land or near a regionally significant or *natural area*, a copy of the development permit application shall be forwarded to the appropriate government department for comment and recommendations;
- (2) Provincial highway network: The applicant shall be required to obtain an approval from Alberta Transportation, in the following circumstances:
 - (a) Subdivision or Area Structure Plan applications within 1.6km (1.0 miles) of a provincial highway;
 - (b) Development permit applications within 300m (0.19 miles) of a provincial highway; and
 - (c) Development permit applications within 800m (0.5 miles) of a provincial highway intersection with another public *road*.



- (3) Critical wildlife, vegetation, and physical environments: To support the preservation of land that is identified or determined by the *municipality* to be a critical wildlife habitat, vegetative area, or physical environment or both, the development authority may refer any development permit application that may adversely affect the subject or adjacent property to the appropriate government department for comments and recommendations;
- (4) Alberta Energy Regulator (AER): The applicant shall be required to obtain approval from the AER for developments that fall within the setback distances for sour wells, pipelines, and facilities;
- (5) Alberta Environment and Parks (AEP): The applicant may be required to obtain an approval from AEP and/or Fisheries and Oceans Canada, subject to location of the subject property, at the discretion of Development Authority. All environmental audits and Environmental Impact Assessments shall be referred to AEP for review and comment;
- (6) Alberta Health: The applicant may be required to obtain an approval from Alberta Health, subject to location of the subject property, at the discretion of development authority; and
- (7) Inter-municipal referrals: The development authority may refer an application for subdivision, development permit, and rezoning to the adjacent *municipality*.
- (8) ATCO: The applicant may be required to obtain approval from ATCO through a crossing and proximity agreement.
- (9) At the discretion of the development authority, interested person(s) may be provided with an opportunity to make representation on the application as part of the development permit application review process.



section 3

Development Permits, Rules & Procedures



Section 3 **Development Permits, Rules & Procedures**

3.1 CONTROL OF DEVELOPMENT

No development, other than that designated in Section 3.2, shall be undertaken within the *municipality* unless a development permit has been issued.

For development that requires a development permit, the development authority has authority to approve development permit applications based on provisions outlined in Section 3.4.

3.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit.
- (2) The completion of a building which was lawfully under construction at the date of the approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted, and provided that the building is completed within a period of twelve (12) months from the said date of the approval of this Bylaw.
- (3) The use of any such buildings as referred to in 3.2(2) for the purpose for which construction was commenced.
- (4) The erection, construction, maintenance, improvement or alteration of gates, fences, walls or other means of enclosure that does not exceed 1.85m (6.1ft) in height, provided that the erection, construction, or maintenance, improvement or alteration does not contravene with any other provision of this Bylaw. This does not apply to a corner parcel or lot lines adjacent to roadways;
- (5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.
- (6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- (7) An *accessory building* or structure in a Residential District with a gross floor area of under 9.3m² (100ft²), unless the *accessory building* or structure does not satisfy the regulations indicated in Section 4.6.



- (8) Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the *hard-surfacing* of part of a *parcel of land* in a Residential District for the purposes of providing vehicular access from a *road* to an attached or detached garage or carport.
- (9) The demolition or removal of any gates, fences, walls, or *accessory buildings*.

3.3 NON-CONFORMING BUILDINGS AND USES

- (1) In accordance with Section 643 of the Act, if a development permit has been issued on or before the day which this Bylaw or an amendment to this Bylaw comes into force, and the Bylaw would make the development for which the permit was issued a *non-conforming use* or a *non-conforming building*, the development permit continues to be in effect in spite of the coming into force of the Bylaw.
- (2) A *non-conforming use* of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw, unless otherwise granted by the development authority in accordance with Section 3.7.
- (3) A *non-conforming use* of part of a *parcel of land* may not be exceeded or transferred in whole or in part to any other part of the *parcel of land* and no additional buildings may be constructed upon the *parcel of land* while the *non-conforming use* continues, unless otherwise granted by the development authority in accordance with Section 3.7.
- (4) A *non-conforming building* may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building;
 - (b) for the routine maintenance of the building, if the development authority considers it necessary; or
 - (c) in accordance with the powers possessed by the development authority pursuant to the Act and Section 3.7 of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) If a *non-conforming building* is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw, unless otherwise granted by the development authority in accordance with Section 3.7.
- (6) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.



3.4 PERMISSION FOR DEVELOPMENT

- (1) An application for a development permit shall be made to the development authority in writing, in the form required by the development authority, and shall be accompanied by:
 - (a) a completed development permit application form;
 - (b) a *site* plan drawn to scale showing the legal description; the *front, rear, and side yards*, if any; any provision for off-street loading and vehicle parking; and access and egress points to the *site*;
 - (c) a statement of the proposed uses; and
 - (d) a statement of ownership of the land and the interest of the applicant therein.
- (2) Each application for a development permit shall be accompanied by a fee as established by bylaw of *Council*.
- (3) The development authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
 - (a) design plans and working drawings, including elevations;
 - (b) *site* plans showing the proposed:
 - (i) location and position of structures on the *parcel of land*, including any signs,
 - (ii) location and number of parking spaces, exits, entries, and drives,
 - (iii) location of an access to garbage storage areas, and
 - (iv) landscape plan of the entire *site* which shall also show intended fencing and surfacing for drives and parking areas;
 - (c) information on the nature of the business being carried out;
 - (d) environmental assessment reports;
 - (e) traffic impact assessments; and
 - (f) in the case of the placement of an already constructed or partially constructed building on a *parcel of land*, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including photographs of the building in its current state and situation and of the area in which it is to be located.

3.5 DECISION MAKING

- (1) In accordance with Section 683.1 of the Act, the development authority shall within (twenty) 20 days of receipt of a development permit application determine if it is complete, unless an extension is agreed upon between the applicant and the development authority.



- (2) If the application is deemed complete, the development authority shall acknowledge to the applicant that the application is complete within (twenty) 20 days through written notice. If no notification is provided by the development authority, the application is deemed to be complete.
- (3) If the application is deemed incomplete, the development authority must notify the applicant within (twenty) 20 days through written notice, provide information on the outstanding documents, and timeframe for which the outstanding documents must be received by the development authority. If the outstanding documents are not received within the defined timeframe, the application is deemed to be refused and a notice outlining the reasons will be issued by the development authority.
- (4) In making a decision, the development authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (5) The development authority may require that as a condition of issuing a development permit, the applicant enters into an agreement to construct or pay for the construction of *roads*, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development. The development authority may also seek as part of the development permit to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.

3.6 REFUSAL OF A DEVELOPMENT PERMIT

- (1) In the case where an application for a development permit has been refused pursuant to this Section or ultimately after appeal pursuant to Section 9 of this Bylaw, the development authority may or may not, at their sole discretion, accept the submission of another application for a permit on the same *parcel of land* and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.
- (2) An application for a development permit shall be deemed to be refused when a decision thereon is not made by the development authority within forty (40) days after a complete application has been accepted by the development authority, unless agreed to by the applicant to extend the timeframe. The person claiming to be affected may appeal in writing as provided for in Section 9 of this Bylaw, as though they have received a refusal at the end of the forty (40) day period specified in this provision.

3.7 VARIANCE PROVISIONS

- (1) In accordance with Section 640(6) of the Act, the development authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement,



- an addition, or a structural alteration of a *non-conforming building*, if, in the opinion of the development authority:
- (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood; or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (2) When making a decision on a variance permit application, the development authority may consider the following as it relates to the application, where applicable:
- (a) For variance of subdivisions regulations:
 - (i) The compatibility of the subdivision with respect to adjacent parcels and the neighbourhood; and
 - (ii) The impact on infrastructure and servicing;
 - (b) For variance on land use regulations:
 - (i) The impact of noise;
 - (ii) The impact of odor;
 - (iii) The impact of the loss of sunlight on adjacent parcels;
 - (iv) The impact on an adjoining neighbour's privacy;
 - (v) The impact of pedestrian and vehicular traffic;
 - (vi) The impact on public infrastructure;
 - (vii) The impact on servicing;
 - (viii) The impact of the building or structure in relation to how it fits with the surrounding community;
 - (ix) The impact of operating hours;
 - (x) The impact of exterior lighting on adjacent properties; and
 - (xi) The impact of vibrations.

3.8 NOTICE OF A DEVELOPMENT PERMIT

- (1) A decision of the development authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.



3.9 REFUSAL OF A DEVELOPMENT PERMIT

- (1) When the development authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

3.10 DEVELOPMENT PERMITS AND NOTICES

- (1) A permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date a decision or development permit is publicized as described in 3.10(3). 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 9 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
- (3) The development authority, in its sole discretion, may cause a notice of decision to be:
 - (a) Published in a newspaper circulating in the area; or
 - (b) Published on the County website; or
 - (c) Be mailed directly to the adjacent landowners; or
 - (d) Do all of the above;
 - (e) Given by a method provided for in a separate Bylaw.
- (4) Further to 3.10(3), the development authority may provide further notice if determined necessary.
- (5) Notwithstanding 3.10(1) and 3.10(3), when a development permit is issued for a *permitted use* and no variance or relaxation of the regulations of this Bylaw has been granted, there shall be no notice of the decision given by the development authority and the development permit comes into effect on the day after it is granted.

3.11 VALIDITY OF DEVELOPMENT PERMITS

- (1) A development permit is invalid when:
 - (a) A time limit, established as a condition of the development permit, has elapsed or expired;
 - (b) The permit has been suspended or cancelled pursuant to Section 3.12;
 - (c) If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit and carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period is granted by the development authority.



3.12 WITHDRAWAL, SUSPENSION OR CANCELLATION OF PERMITS

The development authority may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of the permit if, after a development permit has been issued, the development authority becomes aware that:

- (1) The application for the development contains a misrepresentation;
- (2) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
- (3) The development permit was issued in error;
- (4) The conditions of development approval are not complied with in a satisfactory manner; or
- (5) If a person fails to comply with a Stop Order under Section 645 of the Act, the development authority may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.

part 4

General Provisions



Section 4 **General Provisions**

4.1 **PLANS OF SUBDIVISION**

Where the development of land involves a subdivision of land, a condition of issuing a development permit will be to require that the development permit cannot be acted upon until the subdivision has been registered at the Land Titles Office.

4.2 **DWELLING UNITS ON A PARCEL OF LAND**

No permit shall be granted for the erection of more than one (1) stand-alone *dwelling unit* and a secondary suite on a single *parcel of land* unless the *dwelling units* are located within a *duplex*, *row housing* or an *apartment*.

4.3 **SITE CONDITIONS**

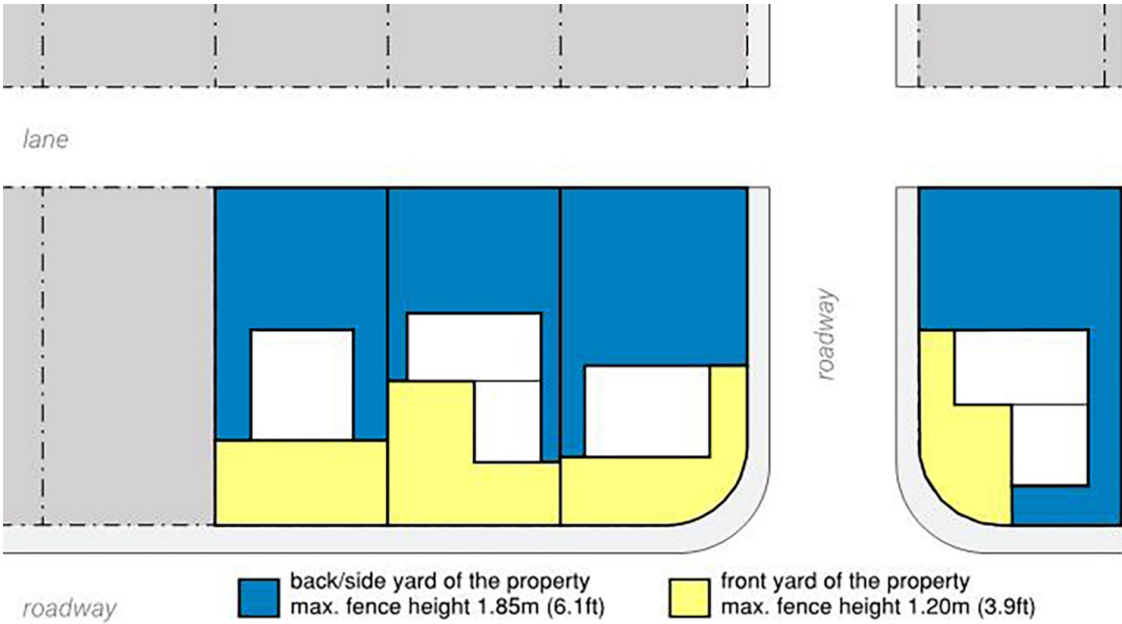
- (1) Outdoor Storage
 - (a) In all Districts, the outdoor storage of goods, machinery, building materials, waste materials, and other items are to be screened by fences, hedges or buildings, as required by the development authority and may be a condition of the development permit.
- (2) Buffer Strip
 - (a) A minimum buffer strip of 23m (75ft) shall be preserved from the top of the bank of any river, creek, watercourse or waterbody. No structures of any kind shall be permitted within this strip. The development authority may require a soil analysis, and additional setbacks may be required at their sole discretion.
- (3) Stormwater
 - (a) Generally speaking, to meet Alberta regulations for stormwater management, the pre-development flow must match the post-development flow. Stormwater runoff shall not cross another person's property without written consent from the *owners* affected.
- (4) Excavation
 - (a) No person shall commence or continue the removal of more than 25m³ or an area of greater than 250m² of topsoil without first obtaining a development permit.



4.4 FENCES AND WALLS

- (1) On an interior *site* in any Residential District, the height of a fence, wall, or gate shall not exceed:
 - (a) 1.20m (3.9ft) for the portion of the fence, wall or gate located in the *front yard*; and
 - (b) 1.85m (6.1ft) in all other yards.
- (2) On a corner parcel in any Residential District, the height of the fence, wall or gate shall not exceed:
 - (a) 1.20m (3.9ft) for the portion of the fence, wall or gate located in the *front yard*;
 - (b) 1.85m (6.1ft) for the portion of the fence, wall or gate situated between the *flanking side lot line* and the foremost side of façade of the *principal structure*, and extending from the *front lot line* to the *rear lot line*; and
 - (c) 1.85m (6.1ft) in all other yards.

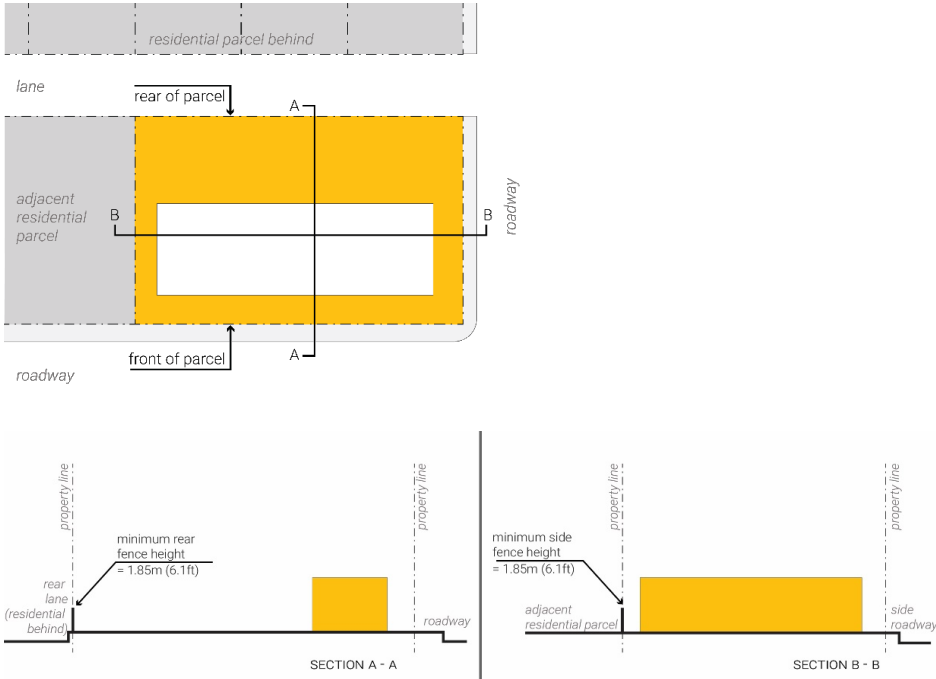
▼ Figure 1: Residential Fence, Wall, and Gate Diagram



- (3) All commercial developments shall provide, to the satisfaction of the development authority, a solid fence of not less than 1.85m (6.1ft) in height along any side or *rear lines* adjacent to any Residential District which cannot be seen through.

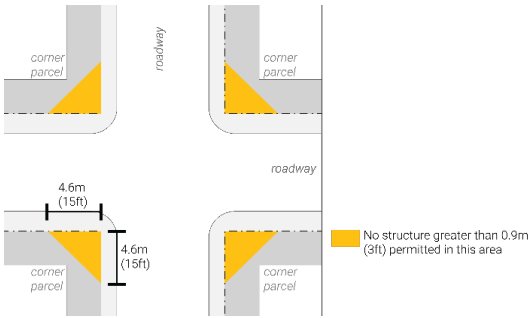


▼ Figure 2 Commercial Development Fences Diagram



- (4) On *corner sites* in all Districts other than Residential Districts, no fence, wall, tree, bush, structure or thing more than 0.9m (3.0ft) in height shall be erected, placed or maintained within the triangular area formed by the intersecting *road* or highway lines and a straight-line joining points of the *road* 4.6m (15.0ft) from their intersection.

▼ Figure 3: Corner Lot Setback Area

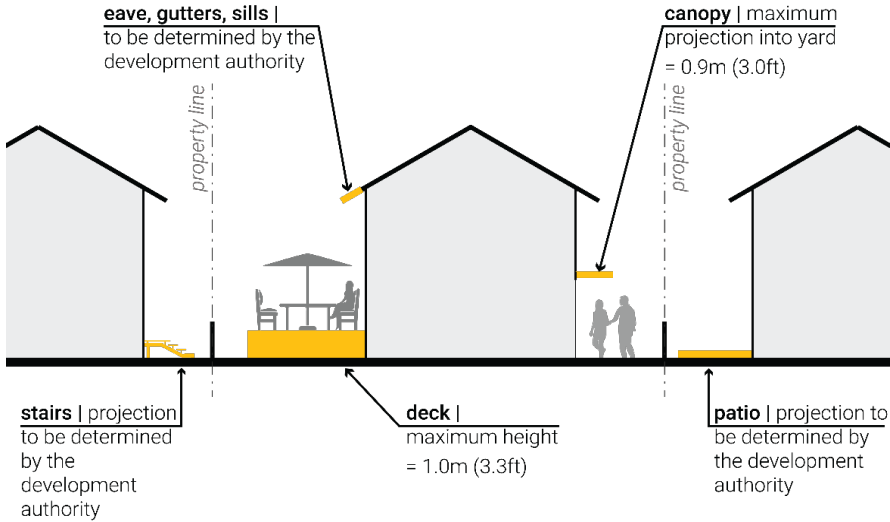




4.5 PROJECTION INTO YARDS

- (1) Except for fences as noted in Section 4.4, no building or structure shall be located or project into a required *front yard* in any Residential District without obtaining a variance approval from the development authority.
- (2) If fireplaces or balconies are developed as part of a *dwelling, yard* requirements shall be measured from the leading edge of the fireplace or balcony.
- (3) The following features may project into a required *yard*:
 - (a) steps, eaves, gutters, sills, and *patios* or other similar projections, with the amount of the projection to be allowed by the development authority;
 - (b) decks, not exceeding 1.0m (3.3ft) in height, with the amount of the projection to be allowed by the development authority;
 - (c) canopies over entrances to buildings provided such projections are cantilevered and do not exceed 0.9m (3.0ft) in length; and
 - (d) any other feature which, in the opinion of the development authority, are similar to the foregoing.

▼ **Figure 4: Projection Into Yards Diagram**

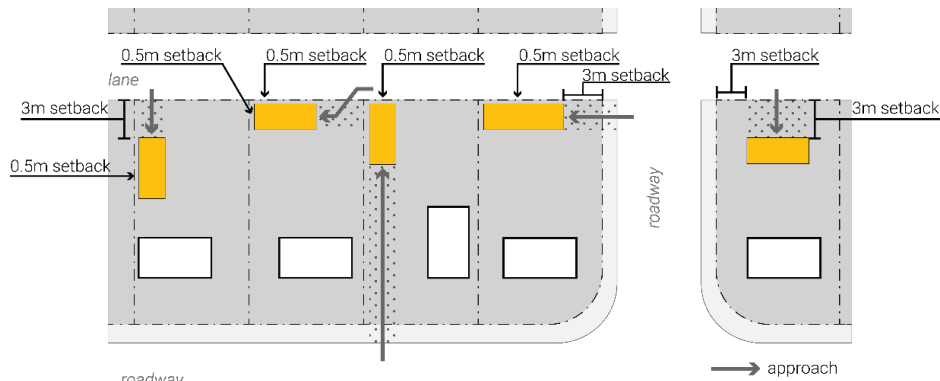




4.6 ACCESSORY BUILDINGS

- (1) An *accessory building* shall not be used as a *dwelling* without obtaining approval from the development authority.
- (2) *Accessory buildings* other than fences shall be located such that the minimum distances shown on Figure 6 between the *accessory buildings* and *main buildings*, *lot lines*, and other buildings, structures, and uses are provided.

▼ **Figure 5: Accessory Building Setback and Driveway Approach**



- (3) No *accessory buildings* or structures, unless outlined in Section 4.4 and 4.5, shall be located in the *front yard*.
- (4) Where a structure is attached to the *main building* on a *parcel of land* by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the *main building* and is not an *accessory building*.
- (5) The total area of all *accessory buildings* on a *parcel of land* shall not exceed 12% of the area of the *parcel of land*.

4.7 HISTORICAL AND ARCHAEOLOGICAL SITES

Historical sites or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with that Act, unless approval for their removal or relocation is approved by the Province.

4.8 SIGNS

- (1) A sign shall only be allowed provided that it is accessory to a development which is allowed pursuant to this Bylaw, and located on the same site as the development to which it is accessory.
- (2) Notwithstanding Section 4.8(1) above, signs shall not be allowed in Residential Districts, except for a sign accessory to a *home occupation*, as described in Section 5.1(3)(c) of this Bylaw.



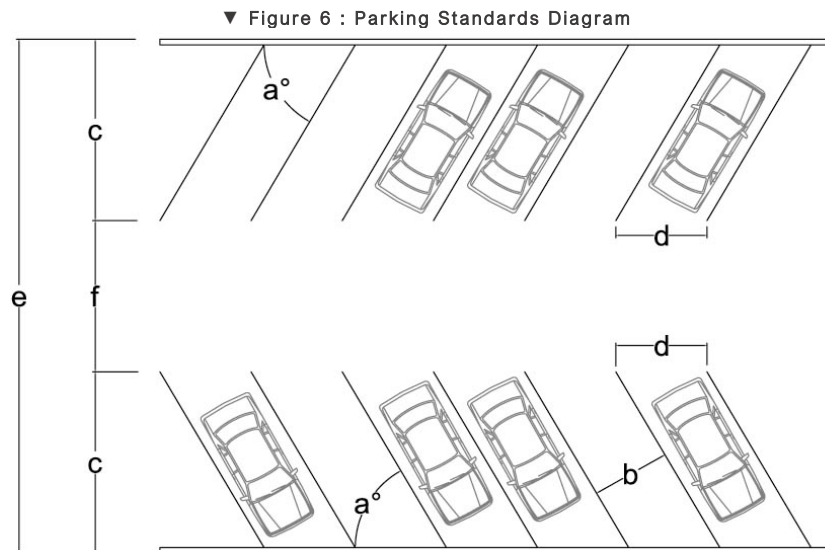
4.9 OFF-STREET VEHICULAR PARKING

When any new development is proposed, including a change of use of existing development, or when any existing development is, in the opinion of the development authority, substantially enlarged or increased in capacity, off-street vehicular parking shall be provided in accordance with the following:

- (1) Location and Standards of Off-Street Vehicular Parking
 - (a) All off-street vehicular parking areas and accessory off-street parking areas:
 - (i) shall not be located within 1.0m (3.3ft) of a lot boundary line common to the lot and to a road or highway;
 - (ii) shall be constructed so that adequate access to, and exit from each parking space is provided at all times by means of maneuvering aisles designed to the satisfaction of the development authority; and
 - (iii) shall have necessary curb cuts located to the satisfaction of the development authority.
 - (b) Parking spaces for the disabled:
 - (i) shall be provided in accordance with the Alberta Building Code;
 - (ii) shall be visibly designated as a parking space for the disabled using signage in accordance with Provincial Legislation; and
 - (iii) shall be included in the calculation of the minimum parking requirement.
 - (c) All off-street vehicular parking spaces shall conform to the requirements outlined in Table A.

▼ **Table A: Minimum Parking Standards**

A	B	C	D	E	F
Parking Angle in Degrees	Width of Space	Depth of Space Perpendicular to Aisle	Width of Space Parallel to Aisle	Overall depth	Width of Maneuvering Aisle (each direction)
0°	3.05m (10.0ft)	3.05m (10.0ft)	7.01m (23.0ft)	8.99m (29.5ft)	3.96m (13.0ft)
30°	3.05m (10.0ft)	5.00m (16.4ft)	6.00m (19.7ft)	14.00m (46.0ft)	3.96m (13.0ft)
45°	3.05m (10.0ft)	6.10m (20.0ft)	3.96m (13.0ft)	14.94m (49.0ft)	3.96m (13.0ft)
60°	3.05m (10.0ft)	6.10m (20.0ft)	3.05m (10.0ft)	17.98m (59.0ft)	6.10m (20.0ft)
90°	3.05m (10.0ft)	6.10m (20.0ft)	3.05m (10.0ft)	17.98m (59.0ft)	7.01m (23.0ft)



- (2) Surfacing and Drainage
 - (a) Every off-street vehicular parking space provided, and the access thereto, shall be *hard surfaced* if the access is from a *road*, highway, or lane which is *hard surfaced*.
 - (b) Off-street vehicular parking areas must be paved or of a gravel mixture as approved by the development authority.
- (3) Required Number of Off-Street Vehicular Parking Spaces
 - (a) The minimum number of off-street vehicular parking spaces required for each development, including parking spaces for the disabled, shall be calculated from Table B.
 - (b) In the case of a use not specifically listed in Table B, the required number of off-street vehicular parking spaces shall be as required by the development authority.
 - (c) In the case of the multiple use of a *lot*, the development authority shall calculate the number of off-street vehicular parking spaces required for each individual use, and the total shall be deemed to be the required parking for the *lot*.
 - (d) Where the total number of off-street vehicular parking spaces is determined by reference to a unit such as the number of seats or *floor area*, the next higher whole number shall be required where the calculation results in a fractional number of off-street vehicular parking spaces.
 - (e) The development authority may waive the requirement for off-street vehicular parking spaces in the VC District if the development is to occupy an existing or infill building in the VC District.



▼ **Table B: Number of Off-Street Parking Spaces**

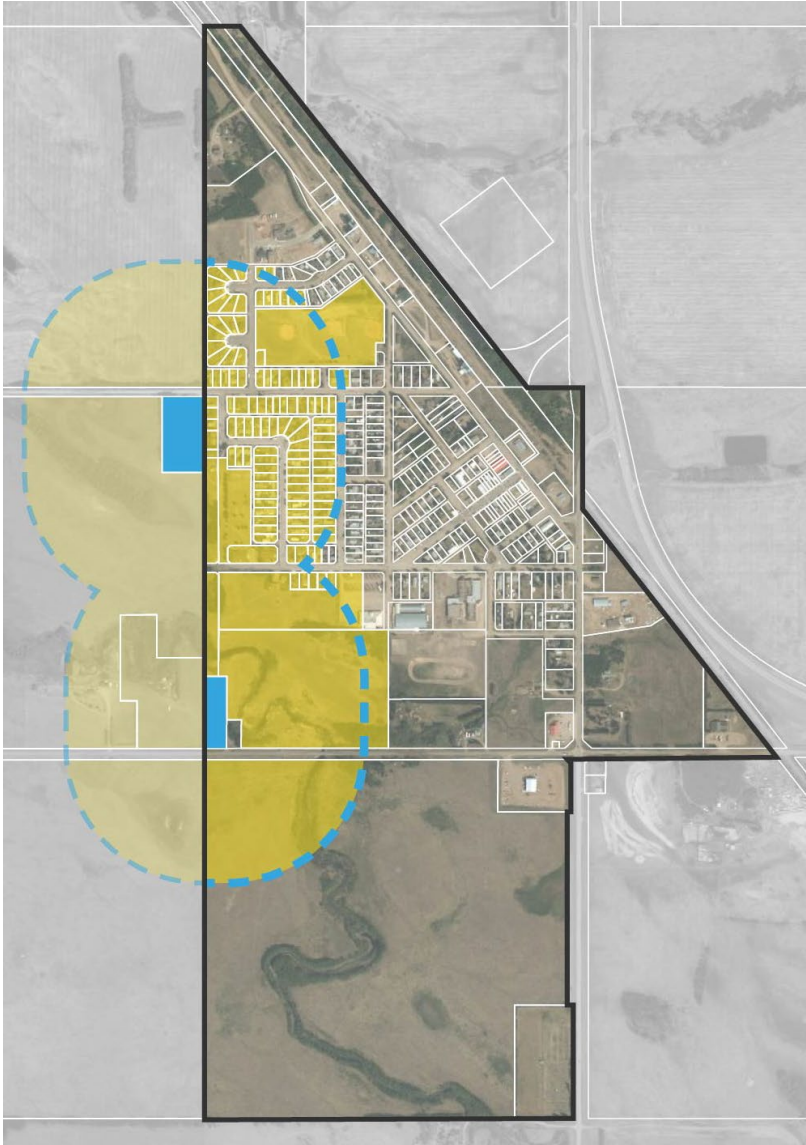
Use of Building or Development	Minimum Number of Parking Spaces
Residential Uses	
Single detached <i>dwelling</i> s, <i>duplexes</i> , and <i>manufactured homes</i>	1 per <i>dwelling unit</i>
<i>Apartments</i> and <i>row housing</i>	1 per <i>dwelling unit</i>
<i>Basement suites</i>	1 per basement suite
Boarding and lodging houses	1 per sleeping unit
<i>Major home occupations</i>	As required by the development authority
<i>Manufactured home parks</i>	1 per stall, plus 1 additional space as visiting parking for every 4 stalls
<i>Dwelling units</i> in commercial buildings	1 per <i>dwelling unit</i>
Commercial Uses	
Neighbourhood convenience stores	1 per 39.9m ² (430ft ²) of floor area
Shopping centres	1 per 39.9m ² (430ft ²) of floor area
Other retail and person service shops, banks, and offices	1 per 39.9m ² (430ft ²) of floor area
Eating and drinking establishments	1 per 5 seating spaces
Hotels, motor hotels, and motels	1 per rentable unit
Hospitals and Similar Uses	
Hospitals, nursing homes, and <i>group homes</i>	1 for every 3 beds
Senior citizen homes and lodges	1 for every 3 beds and 1 per resident staff
Places of Public Assembly	
Auditoriums, places of worship, halls, clubs, theaters, and entertainment establishments	To the satisfaction of the development authority, but not less than 1 per 20 seating spaces
Schools	
Elementary and junior high schools	1.4 spaces per classroom
Senior high schools	1.4 spaces per classroom, plus 1 per every 12 students
Industrial Uses	
All industries	1 parking space per 100m ² (1076.39ft ²) of floor area

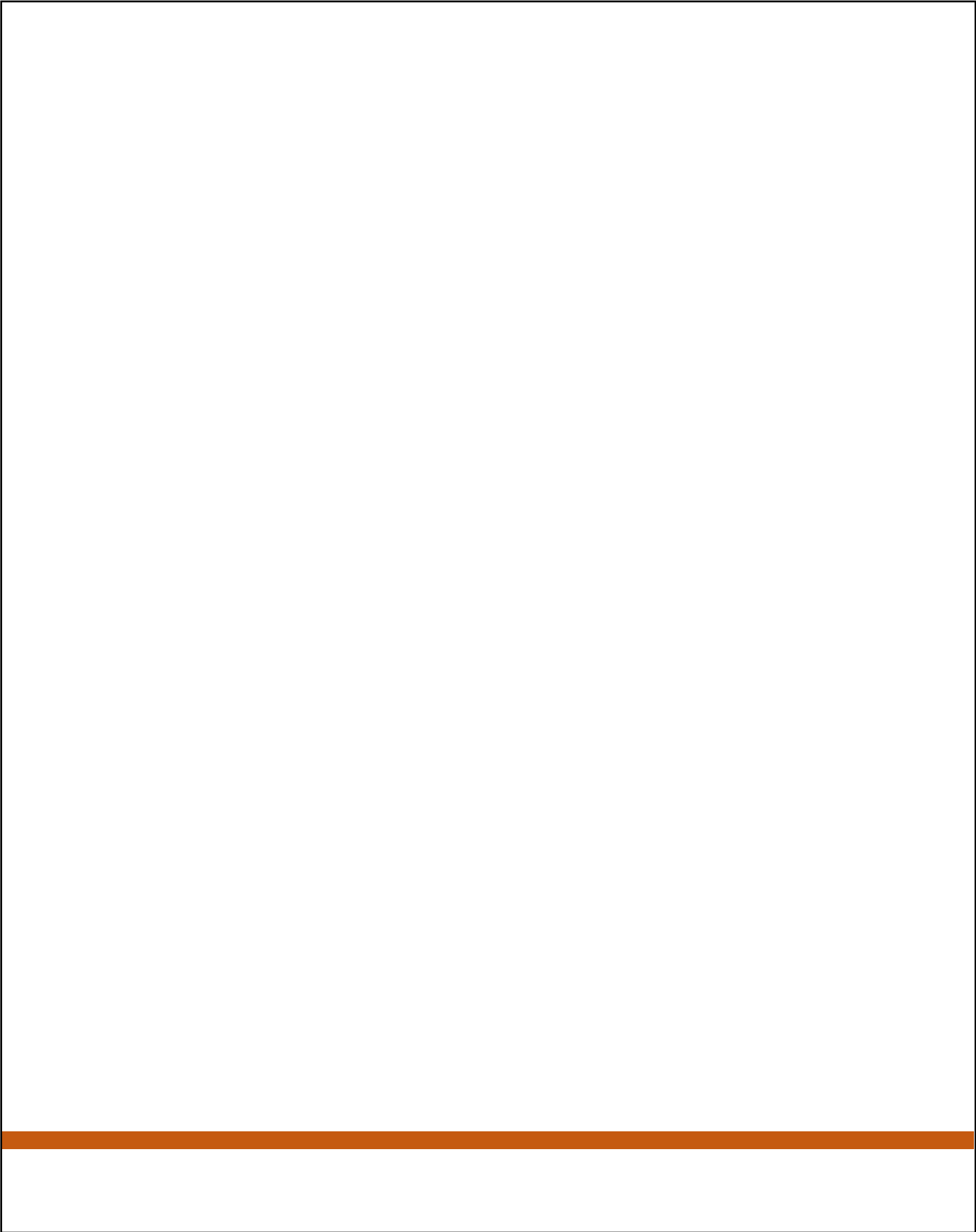
4.10 NON-OPERATING LANDFILL

Any residential, school, hospital or food establishment that is developed or altered and is located within 300m of a landfill as indicated on Figure 8. will be required to seek a landfill variance in accordance with Section 3.7. Approval of the variance will be coordinated by the Village of Marwayne with Alberta Environment and Parks.



▼ **Figure 7: Non – Operating Landfill Setback Areas**





section 5

Special Provisions



Section 5 Special Provisions

5.1 HOME OCCUPATIONS

- (1) All development permits issued for *home occupations* shall be revocable at any time by the development authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (2) *Home occupation* shall comply with the following regulations:
 - (a) There shall not be pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which the *home occupation* is located;
 - (b) The number of non-resident employees or business partners working on-site shall not exceed two (2) at any time;
 - (c) Storage related to the business activity shall not be stored outside;
 - (d) The *home occupation* shall not be allowed if, in the opinion of the development authority, such use would be more appropriately located in a Commercial or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.
 - (e) The *home occupation* shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
 - (f) A *home occupation* shall not change the principal character or external appearance of the *dwelling* involved, nor use more than 20% or 30.7m² (330ft²), whichever is less, of the *dwelling unit* for business usage. Except as noted in Section 5.1(2)(g) herein, there shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
 - (g) Notwithstanding any other provisions of this Bylaw to the contrary, a *dwelling* in which a *home occupation* is located may have one (1) fascia sign placed on the *dwelling*, providing that the sign does not exceed 0.28m² (3.0ft²) in area.
 - (h) When a development permit is issued for a *home occupation*, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.

5.2 MOBILE HOMES

- (1) *Mobile homes* shall comply with Canadian Standards Association Certification or obtain building Certification from a Building Inspector approved by the Province of Alberta.
- (2) All accessory structures, such as patios, porches, additions, and skirtings, shall be
 - (a) designed and erected as to harmonize with the *mobile homes*;
 - (b) considered as part of the *main building*; and



- (c) erected only after obtaining a Development Permit.
- (3) A *mobile home* shall be skirted from the floor level to the ground level.
- (4) No *accessory building* or use, other than parking spaces, shall be located in the *front yard* of a *mobile home* stall.
- (5) The hitch and wheels are to be removed from the *mobile home* and the *mobile home* is to be securely fastened by tie downs or other means to a foundation.

5.3 CANNABIS PRODUCTION, DISTRIBUTION AND SALES

- (1) The location of any facilities related to *cannabis* as defined in the Cannabis Act (Canada) shall maintain a minimum distance of 100m (328ft) from the parcel of the facility to:
 - (a) a provincial health care facility, or a boundary of the *parcel of land* on which the facility is located; or
 - (b) a building containing a school or a boundary of the *parcel of land* which the facility is located; or
 - (c) the boundary of any *parcel of land* that is designated as a school reserve or municipal and school reserve as defined under the Act.
- (2) The development authority may ask for proof that facilities related to *cannabis* meet the required setbacks indicated in Section 5.4(1).
- (3) The *cannabis* facility shall comply with the Alberta Gaming and Liquor Commission's policies, and all provincial and federal regulations.

5.4 PET KEEPING AND ANIMAL BREEDING AND /OR BOARDING FACILITIES

- (1) No fur bearing animals, fowl, livestock other than small domestic pets such as cats and dogs may be permitted within the Residential Districts.
- (2) No livestock, whether or not the keeping of such livestock is considered to be confined feeding operation for which neither an approval nor a registration is required pursuant to the Agricultural Operations Practices Act, other than small domestic pets such as cats and dogs, may be allowed in any Residential District.
- (3) The keeping of more than three (3) dogs on any *lot*, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where animal breeding and/or boarding facilities are listed as discretionary use in this Bylaw.

Further, the maximum number of domestic pets to be kept on-site in each of the above Districts shall be in accordance with the Animal Control Bylaw.

section 6

Subdivision Process



Section 6 **Subdivision Process**

6.1 REQUIREMENTS FOR SUBDIVISION APPLICATIONS

- (1) The applicant shall be responsible for the following:
 - (a) All applicable fees;
 - (b) Payment of any Off-site Development Levy or Connection Fees; and
 - (c) All legal, engineering, related to the application and approval of the proposed subdivision.

6.2 SUBDIVISION APPLICATION REQUIREMENTS

The Subdivision Authority may require the applicant to provide plans, studies, or reports or any or all of them to assist in the evaluation of the proposal. Any proposed subdivision that is within 300m of the non-acting landfills indicated in Figure 8 that are intended for residential, school or health purposes will be required to seek a variance in accordance with Sections 3.7 and 4.11 prior to approval.

Notwithstanding the above, the applicant may be required to obtain approvals from provincial agencies.

The applicant must provide at a minimum the following information:

- (1) A completed application for subdivision;
- (2) A legible hand drawn tentative plan for a subdivision of up to four (4) parcels;
- (3) A tentative plan prepared by an Alberta Land Surveyor for a subdivision of more than four (4) parcels;
- (4) Current Certificate of Title dated less than fourteen (14) days before the application date;
- (5) An administration fee as set by the Schedule of Fees Bylaw; and
- (6) Any other information deemed necessary by the Subdivision Authority.

If the Subdivision Authority determines that the application is complete, a subdivision complete application letter will be issued to the applicant within twenty (20) days of the decision. The Subdivision Authority must make a decision within sixty (60) days of the subdivision application deemed complete.



6.3 DECISION ON SUBDIVISION APPLICATIONS

An applicant for subdivision may appeal a decision from the Subdivision Authority to the *SDAB* or MGB in accordance with the Act.

6.4 SUBDIVISION APPROVAL CONDITIONS

- (1) The Subdivision Authority may amend, remove or add to any of the conditions listed within this section as needed on a case-by-case basis.
- (2) All subdivision conditions must be fulfilled within twelve (12) months of date of subdivision approval, unless an extension is granted as per Section 657(6) of the Act.
- (3) The applicant shall enter into a development agreement, in a form satisfactory to the Village, to do any or all of the things referenced in Section 655(1)(b) of the Act. This development agreement may include, but is not limited to:
 - (a) Water;
 - (b) Sewage disposal;
 - (c) Drainage;
 - (d) Electric power;
 - (e) Waste management;
 - (f) Telecommunications;
 - (g) Subdivision entrance signs;
 - (h) Street names and rural addressing; and
 - (i) Provisions that the Village must approve all infrastructure, signage, street names, and rural addressing prior to installation or plan endorsement.
- (4) Pursuant to Section 662(1) of the Act, *road* widening adjoining all municipal *road* allowances may be required and may be registered through a caveat or *road* plan.

6.5 RESERVE LANDS

The applicant for subdivision must provide where required lands for municipal and school reserve, recreational reserve, *public utility* lots, and rights of way, or money in lieu up to a maximum of 10% of the property rate, in accordance with the Act and the Municipal Development Plan.



6.6 PLAN OF SUBDIVISION

The applicant shall prepare and present to Subdivision Authority a plan of subdivision that:

- (1) Complies with Section 657 of the Act;
- (2) Complies with the Land Titles Act, RSA 2000, c. L-4 as amended;
- (3) Is acceptable in all respects to the Registrar of the Land Titles Office of Alberta;
- (4) Shows the boundaries of the proposed subdivision, including all approaches; and
- (5) Shows any required reserve lands or *public utility* lots.

6.7 ENDORSEMENT

The plan of subdivision shall not be endorsed by the Subdivision Authority if there are any outstanding:

- (1) Property taxes on the property of the proposed subdivision;
- (2) Compensation of the items outlined in Section 6.1;
- (3) Approvals, pursuant to Section 6.4 and 6.5;
- (4) Required statutory approvals.

section 7

Land Use Districts



Section 7 Land Use Districts

▼ **Table C: Land Use Districts, Permitted and Discretionary Uses**

P = Permitted Uses, D = Discretionary Uses								
<i>Use</i>	<i>R1</i>	<i>R2</i>	<i>C</i>	<i>VC</i>	<i>ER</i>	<i>M</i>	<i>I</i>	<i>UR</i>
Accessory buildings and uses	P	P	P	P		P	P	P
Animal breeding and boarding						D		D
Any strictly temporary use or building which in the opinion of the development authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future								D
Apartment building		P						
Auctioneering establishments			D			D		
Automobile, light truck, and recreational vehicle sales and service			P			P		
Banks				P				
Basement suite	D	D						
Bed and breakfast	D	D						
Bowling alleys			D	D		P		
Buildings and uses accessory to discretionary uses			D			P		
Cannabis lounge			D	D		P		
Cannabis production and distribution			D			P		
Cannabis retail sales			D	D		P		
Cannabis retail stores			D			P		
Cemeteries							D	
Child care facilities	D	D					D	
Clinics			D	P		P		
Clubs and lodges			D	D		P	D	
Coin laundries				P				
Commercial schools			D	D		P		
Community hall							P	
Dance hall			D	D		P		
Day home	D	D						
Dry cleaners			P					
Duplex dwelling	D	P						
Dwelling units in a building used for any of the above mentioned permitted or discretionary uses				D				
Dwellings located above the ground floor				P				
Farming and cultivation or land, but not including confined feeding operations of any type								P
Frozen food lockers			D	D		P		
Funeral parlours			D			P		
Group home		D					P	
Heavier industrial uses which may produce nuisances such as noise, odour, dust, smoke, gas, toxins, etc. that in the opinion of the development authority are compatible with the proposed industrial site						D		



P = Permitted Uses, D = Discretionary Uses								
Use	R1	R2	C	VC	ER	M	I	UR
Home occupation	D	D						D
Hospitals							P	
Hotels			P	D		P		
Household appliance sales and repair			P					
Light industrial use			D			P		
Manufactured home	D	D						
Manufactured home park		D						
Mixed-use building		D		P				
Mobile home		D						
Modular home	D	D						
Motels			P			P		
Municipal uses that are not restricted and are compatible with an industrial area						D		
Offices				P				
Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses			D	D		D	D	
Outdoor amenities for public use					D			
Outdoor recreation facilities					D			
Parking lots			D			P		
Parks	P	P			P			
Parks, playground, recreation areas, and similar public or quasi-public buildings and uses							P	
Parks, plazas, and public gather places				P				
Personal service shops				P				
Place of Worship	D	D					P	
Public or quasi-public buildings and uses				D				
Public use	D	D						
Public utilities			D			P	D	D
Recreational uses							D	
Rentable unit			D					
Restaurants			D	P		P		
Retail stores			D	P		P		
Row housing		P						
Schools							P	
Semi - detached dwelling	P	P						
Service stations and gas bars			P			P		
Service establishments						P		
Sidewalk café as an accessory use				P				
Single detached dwelling	P	P						
Single detached dwelling on exiting parcels only								P
Storage and/or sale of building supplies, lumber, farm machinery, fertilizer, bulk oil, and propane gas			D			P		
Tailoring and shoe repair shops				P				



P = Permitted Uses, D = Discretionary Uses								
<i>Use</i>	<i>R1</i>	<i>R2</i>	<i>C</i>	<i>VC</i>	<i>ER</i>	<i>M</i>	<i>I</i>	<i>UR</i>
Theatres			D	D		P		
Trails					P			
Veterinary clinics			D	D		P		
Warehousing; storage and distribution of raw materials, processed or manufactured goods						P		
Wholesale warehouses			D			P		



7.1 R1 – S INGLE DWELLING RESIDENTIAL DISTRICT

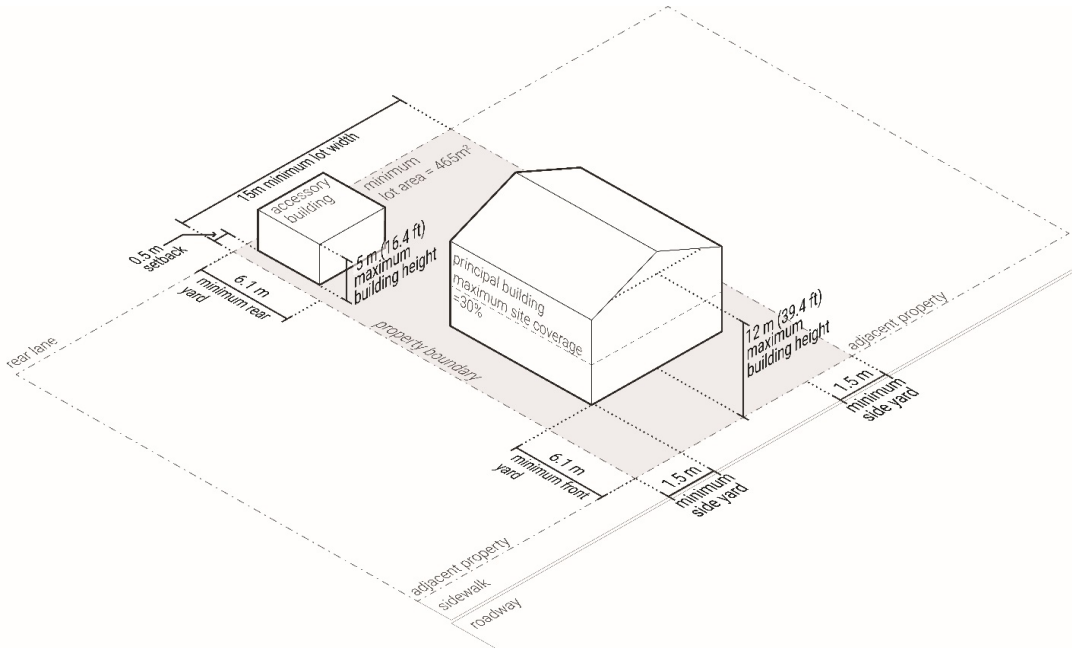
The general purpose of this District is to allow development of low-density residential development in the form of *single detached dwellings*, with provisions for complementary uses such as *semi-detached dwellings*.

- (1) Permitted Uses
 - (a) *Accessory Buildings or Uses*
 - (b) *Parks*
 - (c) *Semi-Detached Dwelling*
 - (d) *Single Detached Dwelling*
- (2) Discretionary Uses
 - (a) *Basement Suite*
 - (b) *Bed and Breakfast*
 - (c) *Child Care Facilities*
 - (d) *Day Home*
 - (e) *Duplex Dwelling*
 - (f) *Home Occupation*
 - (g) *Manufactured Home*
 - (h) *Mobile Home*
 - (i) *Modular Home*
 - (j) *Place of Worship*
 - (k) *Public Use*
- (3) In relation to Discretionary Activities the following are what the development authority will assess to determine if the permit should be issued:
 - (a) Whether the building is of a scale and size to complement the surrounding neighbourhood;
 - (b) The potential impact of traffic generated by the activity;
 - (c) The potential impact on the privacy and enjoyment of adjoining residents arising through potential hours of operation, noise or odors generated from the site.



(4) Regulation	Provision
(a) Lot area (minimum)	465m ² (5,000ft ²)
(b) Lot width (minimum)	15m (50ft)
(c) Front yard (minimum)	6.1m (20ft)
(d) Rear yard (minimum)	6.1m (20ft)
(e) Side yard (minimum)	1.5m (5ft)
<i>for all lots more than 15m (50ft) in width</i>	4.5m (10ft)
<i>on corner sites abutting roads</i>	4.5m (10ft)
(f) Building Heights (maximum)	
<i>principal building</i>	12m (39.4ft)
<i>accessory building</i>	5m (16.4ft)
(g) Site coverage (maximum)	
<i>principal building</i>	30%
<i>accessory building</i>	10%

▼ Figure 8 : R1 – Residential District Diagram





7.2 R2 – MULTI-UNIT RESIDENTIAL DISTRICT

The general purpose of this District is to allow development of medium and higher density residential development.

- | (1) Permitted Uses | (2) Discretionary Uses |
|--|-----------------------------------|
| (a) <i>Accessory Buildings or Uses</i> | (a) <i>Basement Suite</i> |
| (b) <i>Apartment Building</i> | (b) <i>Bed and Breakfast</i> |
| (c) <i>Duplex Dwelling</i> | (c) <i>Child Care Facilities</i> |
| (d) <i>Parks</i> | (d) <i>Day Home</i> |
| (e) <i>Row Housing</i> | (e) <i>Group home</i> |
| (f) <i>Semi-Detached Dwelling</i> | (f) <i>Home Occupation</i> |
| (g) <i>Single-Detached Dwelling</i> | (g) <i>Manufactured Home</i> |
| | (h) <i>Manufactured Home Park</i> |
| | (i) <i>Mixed-use Building</i> |
| | (j) <i>Mobile Home</i> |
| | (k) <i>Modular Home</i> |
| | (l) <i>Place of Worship</i> |
| | (m) <i>Public Use</i> |

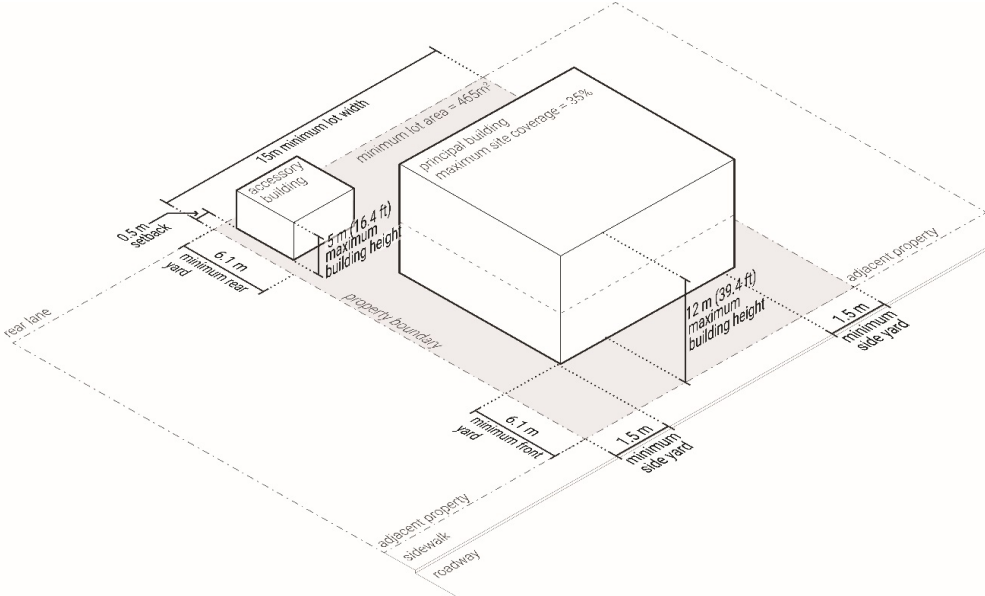
(3) Regulation	Provision
(a) Lot area (minimum)	
<i>for row housing</i>	150m ² (1,620ft ²)
<i>for apartments</i>	604m ² (6,500ft ²)
<i>for all other uses</i>	465m ² (5,000ft ²)
(b) Lot width (minimum)	
<i>for row housing</i>	3.7m (12ft)
<i>for all other uses</i>	15m (50ft)
(c) Front yard (minimum)	6.1m (20ft)
(d) Rear yard (minimum)	
<i>for apartments</i>	7.6m (25ft)
<i>for all other uses</i>	6.1m (20ft)
(e) Side yard (minimum)	
<i>for apartments</i>	4.6m (15ft)
<i>for all other uses</i>	1.5m (5ft)



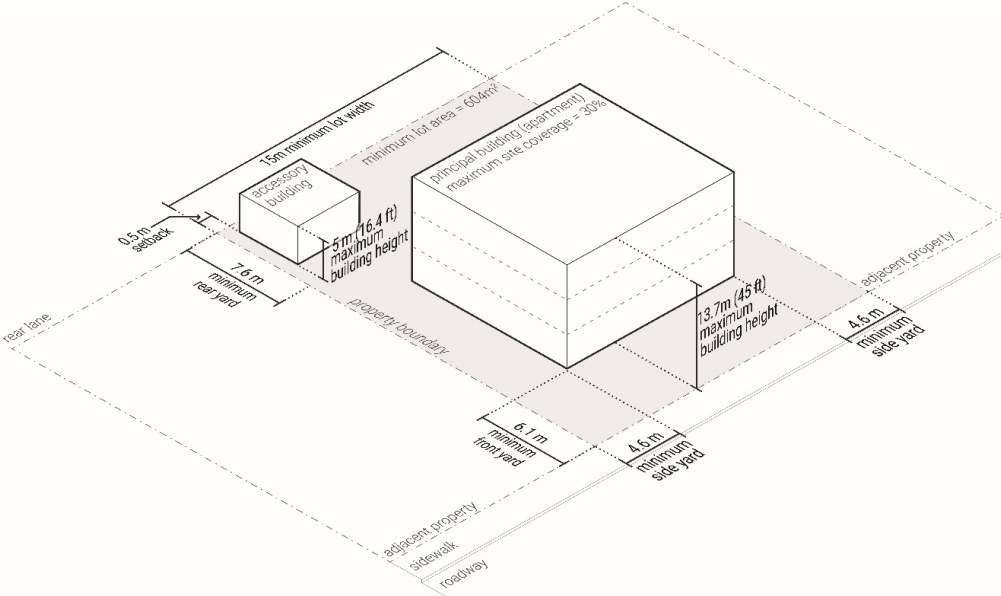
(f) Building Heights (maximum)	
<i>principal building</i>	12m (39.4ft), three (3) storeys
<i>accessory building</i>	5m (16.4ft)
(g) Site coverage (maximum)	
<i>principal building</i>	35%
<i>accessory building</i>	15%
(4) Additional <i>apartment</i> regulations	Provision
(a) Minimum <i>floor area</i>	
<i>bachelor dwelling unit</i>	41.8m ² (450ft ²)
<i>one (1) bedroom dwelling unit</i>	46.5m ² (500ft ²)
<i>two (2) bedroom dwelling unit</i>	55.7m ² (600ft ²)
<i>three (3) or more bedroom dwelling unit</i>	65m ² (700ft ²)
(b) Minimum lot size per suite	
<i>bachelor dwelling unit</i>	74.3m ² (800ft ²)
<i>one (1) bedroom dwelling unit</i>	97.5m ² (1,050ft ²)
<i>two (2) or more bedroom dwelling unit</i>	134.7m ² (1,450ft ²)
(c) Maximum building height	13.7m (45.0ft) or three (3) storeys, which ever is shorter
(d) Maximum <i>lot coverage</i>	30%
(e) Minimum yards	
<i>side</i>	4.6m or 40% of the building height, whichever is greater
(5) Additional <i>row house</i> regulations	Provision
(a) Maximum density	16 <i>dwelling units</i> per site acre
(b) Minimum yards	same as for <i>single detached dwellings</i> , except that no <i>side yard</i> shall be less than 3.0m (10ft) where <i>side yards</i> are provided and <i>side yards</i> adjacent to roads on <i>corner sites</i> be a minimum of 4.6m (15ft)
(c) Each unit shall have an outdoor living area, the depth of which shall be a minimum of 7.6m (25ft). Within this area shall be a privacy zone with a minimum depth of 4.6m (15.0ft) contained by a fence a minimum of 1.5m (5ft)	



▼ Figure 9 : R2 – Multi-Unit Residential District (Typical)



▼ Figure 10 : R2 – Multi-Unit Residential District (apartment)





7.3 C – HIGHWAY COMMERCIAL DISTRICT

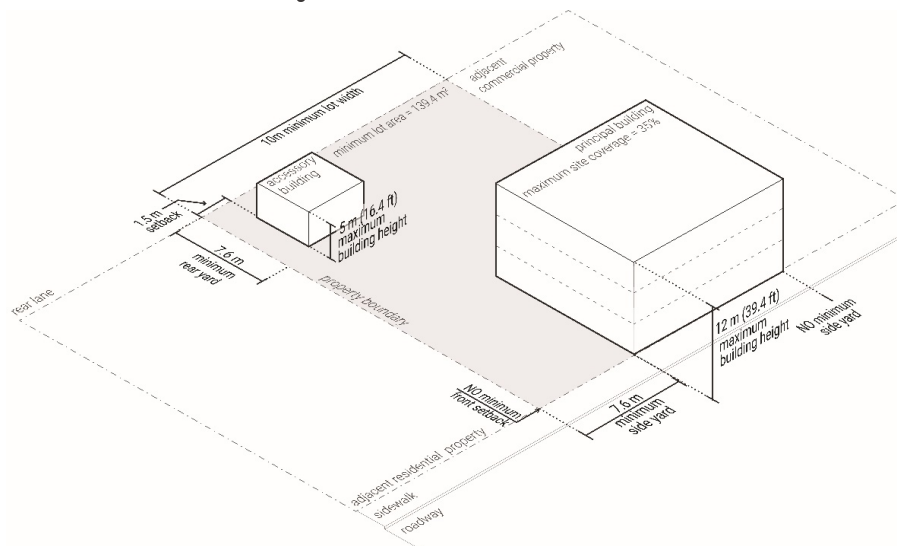
The general purpose of this District is to permit vehicle-oriented commercial development appropriate for the *municipality*. Highway commercial uses are located away from the central business core of the *municipality*, on larger lots with better highway access and visibility.

- | | |
|---|---|
| <p>(1) Permitted Uses</p> <hr/> <ul style="list-style-type: none"> (a) Accessory buildings and uses <hr/> (b) Automobile, light truck, and recreational vehicle sales <hr/> (c) Dry cleaners <hr/> (d) Hotels <hr/> (e) Household appliance sales and repair <hr/> (f) Motels <hr/> (g) Service stations and bars <hr/> | <p>(2) Discretionary Uses</p> <hr/> <ul style="list-style-type: none"> (a) Auctioneering establishments <hr/> (b) Bowling alleys <hr/> (c) Buildings and uses accessory to discretionary uses <hr/> (d) <i>Cannabis lounge</i> <hr/> (e) <i>Cannabis production and distribution</i> <hr/> (f) <i>Cannabis retail sales</i> <hr/> (g) <i>Cannabis retail stores</i> <hr/> (h) Clinics <hr/> (i) Clubs and lodges <hr/> (j) Commercial schools <hr/> (k) Dance halls <hr/> (l) Frozen food lockers <hr/> (m) Funeral parlours <hr/> (n) Light-industrial uses <hr/> (o) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses <hr/> (p) Parking lots <hr/> (q) Public utilities <hr/> (r) Rentable unit <hr/> (s) Restaurants <hr/> (t) Retail stores <hr/> (u) Storage and/or sale of building supplies, lumber, farm machinery, fertilizer, bulk oil, and propane gas <hr/> (v) Theatres <hr/> (w) Veterinary clinics <hr/> (x) Wholesale warehouses <hr/> |
|---|---|



(3) Regulation	Provision
(a) Lot area (minimum)	139.4m ² (1,500ft ²)
(b) Lot width (minimum)	10m (32.8ft)
(c) Front yard (minimum)	None, except where the development authority may deem it necessary to conform with existing development
(d) Rear yard (minimum)	7.6m (25ft)
(e) Side yard (minimum)	
if adjoining a Commercial District	None
if adjoining a Residential District	7.6m (25ft)
(f) Building Heights (maximum)	
principal building	12m (39.4ft), three (3) storeys
accessory building	5m (16.4ft)
(g) Site coverage (maximum)	
principal building	35%
accessory building	15%
(h) No use shall be established that may, in the opinion of the development authority, become obnoxious by way of noise, odour, dust, or fumes.	
(i) Notwithstanding any other provision of this Bylaw to the contrary, development of a <i>single detached dwelling</i> on Block D, Plan 8094ET shall be allowed only as the residence of the <i>owner</i> or operator of a use listed as a permitted or a discretionary use in 7.3(1) or 7.3(2) above. The regulations for the <i>dwelling</i> shall be as indicated for <i>single detached dwellings</i> in the Residential (R1) District in Section 7.1.	

▼ Figure 11: C – Commercial District





7.4 VC – VILLAGE CENTRE DISTRICT

The purpose of the Village Centre district is to promote the development of a pedestrian-accessible, commercial-service district in which a variety of retail, commercial, office, civic, and residential uses are permitted. The Village Centre district is intended to discourage the development of separate off-street parking facilities for each individual use.

<p>(1) Permitted Uses</p> <hr/> <p>(a) Accessory buildings and uses</p> <hr/> <p>(b) Banks</p> <hr/> <p>(c) Clinics</p> <hr/> <p>(d) Coin laundries</p> <hr/> <p>(e) Dry cleaners</p> <hr/> <p>(f) <i>Dwellings</i> located above the ground floor</p> <hr/> <p>(g) <i>Mixed-use</i> buildings</p> <hr/> <p>(h) Offices</p> <hr/> <p>(i) Parks, plazas, public gathering places</p> <hr/> <p>(j) Personal service shops</p> <hr/> <p>(k) Restaurants</p> <hr/> <p>(l) Retail stores</p> <hr/> <p>(m) <i>Sidewalk Café</i> as an <i>accessory use</i></p> <hr/> <p>(n) Tailoring and shoe repair shops</p> <hr/>	<p>(2) Discretionary Uses</p> <hr/> <p>(a) Bowling alleys</p> <hr/> <p>(b) <i>Cannabis lounge</i></p> <hr/> <p>(c) <i>Cannabis retail sales</i></p> <hr/> <p>(d) <i>Cannabis retail store</i></p> <hr/> <p>(e) Clubs and lodges</p> <hr/> <p>(f) Commercial schools</p> <hr/> <p>(g) Dance halls</p> <hr/> <p>(h) <i>Dwelling units</i> in a building used for any of the above mentioned <i>permitted or discretionary uses</i></p> <hr/> <p>(i) Frozen food lockers</p> <hr/> <p>(j) Funeral parlours</p> <hr/> <p>(k) Hotels</p> <hr/> <p>(l) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses</p> <hr/> <p>(m) Public or quasi-public buildings and uses</p> <hr/> <p>(n) Theatres</p> <hr/> <p>(o) Veterinary clinics</p> <hr/>
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<p>(3) Regulation</p> <hr/> <p>(a) Maximum building height</p> <hr/> <p>(b) Minimum building setback requirements, except as otherwise specified herein, shall be:</p> <p style="padding-left: 40px;">(i) <i>Front yard (minimum)</i></p> <hr/>	<p>Provision</p> <hr/> <p>12m (39.4ft). In all cases, the maximum height shall include all rooftop appurtenances, architectural features, skylights, or other such roof mounted building amenities.</p> <hr/> <p>Zero, except where the Village may deem it unnecessary considering existing development.</p> <hr/>
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	Onsite parking shall not be located at the front of any site in Village Commercial.
(ii) <i>Rear yard (minimum)</i>	None. If the <i>rear line</i> is adjacent to a Residential District, the minimum <i>rear yard</i> shall be 2.0m (6.6ft).
(iii) <i>Side yard (minimum)</i>	None. If the <i>side line</i> is adjacent to a Residential District, the minimum <i>side yard</i> shall be 2.0m (6.6ft).
(iv) <i>Awnings, canopies, and projecting signs</i>	Shall not be deemed in violation of setback requirements, provided that awning signs project no further than 1.5m (5ft) into the right-of-way and they are at least 2.6m (8.5ft) above the surface of any sidewalk.

- (c) *Sidewalk Café* are encouraged in public spaces to enhance the vitality of the street while maintaining pedestrian flow and safety standards.
 - (i) *Sidewalk café* shall be located adjacent to an existing business and shall be considered an accessory use.
 - (ii) The operator of a sidewalk café must carry a minimum of \$500,000 liability insurance.
 - (iii) A minimum clear passage way of not less the 1.5m (4.9ft) for pedestrians shall be maintained between the café and the curb or any physical obstructions.
 - (iv) *Sidewalk cafe* will be designed to have an open appearance with a defined edge such as a railing, fence, row of planters or pots.
 - (v) Perimeter fences around an outdoor café shall not be more than 1m (3.3ft) high.
 - (vi) The *sidewalk café* operator shall maintain the *sidewalk café* area and the immediately adjacent area in a clean and safe condition at all times.
 - (vii) If applicable, applications will be forwarded to Alberta Health Services and Alberta Gaming and Liquor Commission.
- (d) Renovations, alterations, and additions to existing buildings and all new development in the Village Centre District shall be in accordance with the Marwayne Downtown Historic Area Design Guidelines set out in Schedule B.



7.5 M – INDUSTRIAL DISTRICT

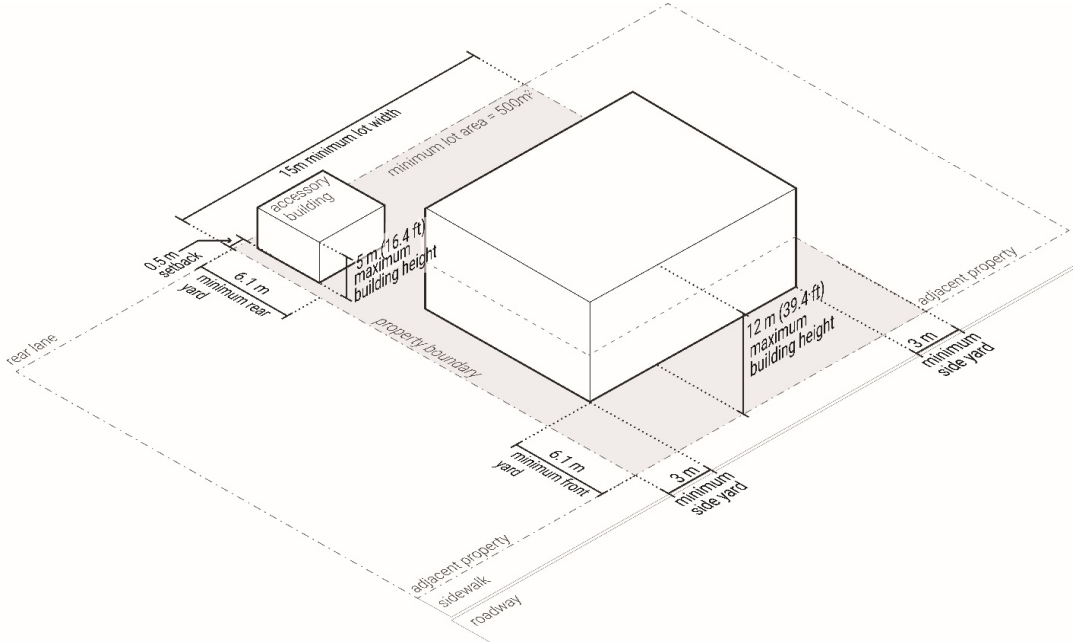
The general purpose of this District is to provide for manufacturing, processing, assembly, distribution, service, and repair uses. Any industrial use that may produce excessive nuisances (noise, vibration, smoke, dust, odour, toxins, radiation, fire and explosive hazards) will be discretionary, and the development authority has the ability to prescribe development regulations around discretionary industrial uses.

- | | |
|--|--|
| <p>(1) <u>Permitted Uses</u></p> <ul style="list-style-type: none"> (a) All uses listed as permitted or discretionary uses in the C District (b) <i>Cannabis production and distribution</i> (c) <i>Light industrial uses</i> (d) Servicing establishments | <p>(2) <u>Discretionary Uses</u></p> <ul style="list-style-type: none"> (a) <i>Animal breeding and boarding</i> (b) <i>Cannabis retail sales</i> (c) Heavier industrial uses that may produce nuisances such as noise, odour, dust, smoke, gas, toxins, etc., that in the opinion of the development authority are compatible with the proposed industrial site (d) Municipal uses that are not restrictive and are compatible with an industrial area (e) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses |
|--|--|

(3) Regulation	Provision
(a) Lot area (minimum)	500m ² (5,382ft ²)
(b) <i>Front yard</i> (minimum)	6.1m (20ft)
(c) <i>Rear yard</i> (minimum)	6.1m (20ft)
(d) <i>Side yard</i> (minimum)	3m (10ft)
(e) Building Heights (maximum)	12m (39.4ft)
(f) Site coverage (maximum)	60%



▼ Figure 12: M - Industrial District





7.6 I – INSTITUTIONAL DISTRICT

The general purpose of this District is to provide for the development of public uses and recreational facilities.

(1) Permitted Uses

- (a) Accessory buildings and uses
- (b) Community halls
- (c) *Group homes*
- (d) Hospitals
- (e) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses
- (f) *Places of Worship*
- (g) Schools

(2) Discretionary Uses

- (a) Cemeteries
- (b) *Childcare facilities*
- (c) Clubs and lodges
- (d) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses
- (e) *Public utilities*
- (f) Recreational uses

(3) Regulations

- (a) All regulations shall follow those in the Commercial District, described in Section 7.3(3).



7.7 UR – URBAN RESERVE DISTRICT

The general purpose of this District is to provide reserve land for future urban expansion, while permitting the continuation of existing agricultural or recreation land uses.

(1) **Permitted Uses**

- (a) *Accessory buildings and uses*
- (b) Farming, cultivation of land, but not including confined feeding and operations of any type
- (c) Parks
- (d) *Single detached dwellings* on existing parcels only

(2) **Discretionary Uses**

- (a) *Animal breeding and boarding*
- (b) Any strictly temporary use or building which in the opinion of the development authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future
- (c) *Home occupation*
- (d) Public utilities

(3) **Regulations**

- (a) No subdivision or development other than for the above uses shall take place until an Area Structure Plan and redistricting has been adopted by *Council* in accordance with the requirements of the *Act*.
- (b) *Home occupations* shall comply with the provisions of Section 5.1.
- (c) The establishment of a *dwelling* or *accessory building* shall comply with the setback provisions under the R1 District, described in Section 7.1.



7.8 ER – ENVIRONMENTAL RESERVE DISTRICT

The general purpose of this District is to protect the existing natural features from being encroached on by development, and to provide residents with public access to the areas districted as Environmental Reserve.

- (1) **Permitted Uses**
 - (a) Parks
 - (b) Trails
- (2) **Discretionary Uses**
 - (a) Outdoor amenities for public use
 - (b) Outdoor recreation facilities
- (3) **Regulations**
 - (a) All regulations shall be as required by the development authority.

section 8

Enforcement



Section 8 Enforcement

8.1 ENFORCEMENT AND STOP ORDERS

- (1) Where a development authority finds that a development or use of land or buildings is not in accordance with
 - (a) the *Act* or the regulations made thereunder, or
 - (b) a development permit or subdivision approval, or
 - (c) this Bylaw,

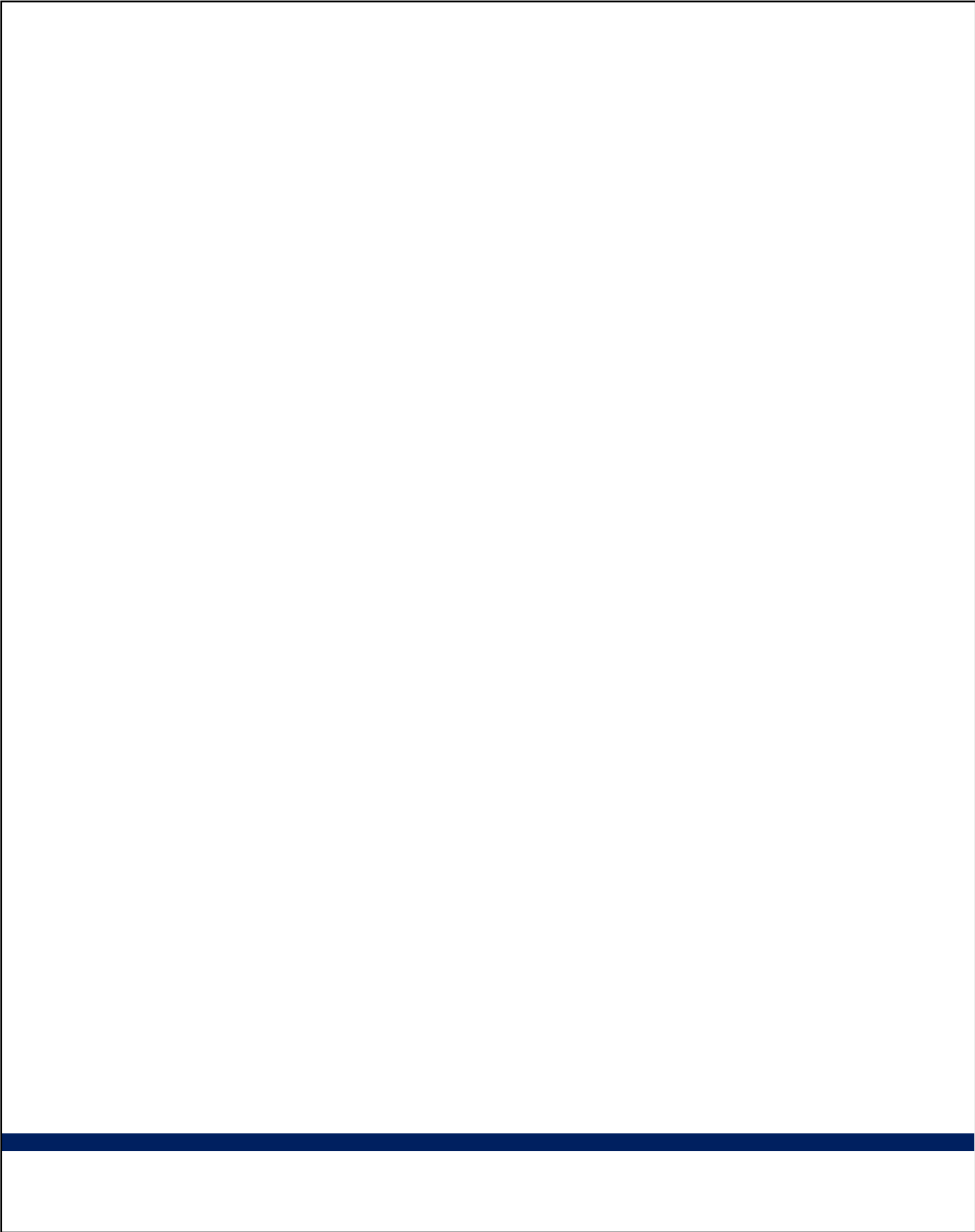
the development authority may, by notice in writing, order the *owner*, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:

 - (d) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (e) demolish, remove or replace the development, and/or
 - (f) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the *Act*, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to them under Section 8.1(1) or an order of the *SDAB* within the time specified, the development authority may, in accordance with Section 542 of the *Act*, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the *Act*.
- (4) Where the development authority carries out an order, the *Council* shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (5) In addition to the process and penalties described above, the development authority or any other person identified as a designated officer by the *Council* for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (6) The recipient of a stop order may appeal to the *SDAB* in accordance with Section 686(1) of the *Act*.



8.2 VIOLATION TICKETS

- (1) The development authority or any other person identified as a designated officer by the *Council* for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
- (2) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the Village.
- (3) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (4) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (5) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (6) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.



section 9

Appeals



Section 9 Appeals

9.1 APPEAL PROCEDURE

- (1) An appeal may be made to the *SDAB* where a development authority:
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of a complete application, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Section 8.1 of this Bylaw.
- (2) Notwithstanding Section 9.1(1), no appeal lies in respect of the issuance of a development permit for a *permitted use* unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a development authority may appeal to the *SDAB*.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the *SDAB*, together with reasons and the development appeal fee as established by resolution of *Council*, within twenty-one (21) days after:
 - (a) the date the order, decision or permit issued by the development authority was publicized in accordance with Section 3.10(3); or
 - (b) the date on which the person is notified of the order or decision or the issuance of the development permit; or
 - (c) the forty (40) day period referred to in Section 9.1(1)(a) has expired.

9.2 APPEAL HEARING

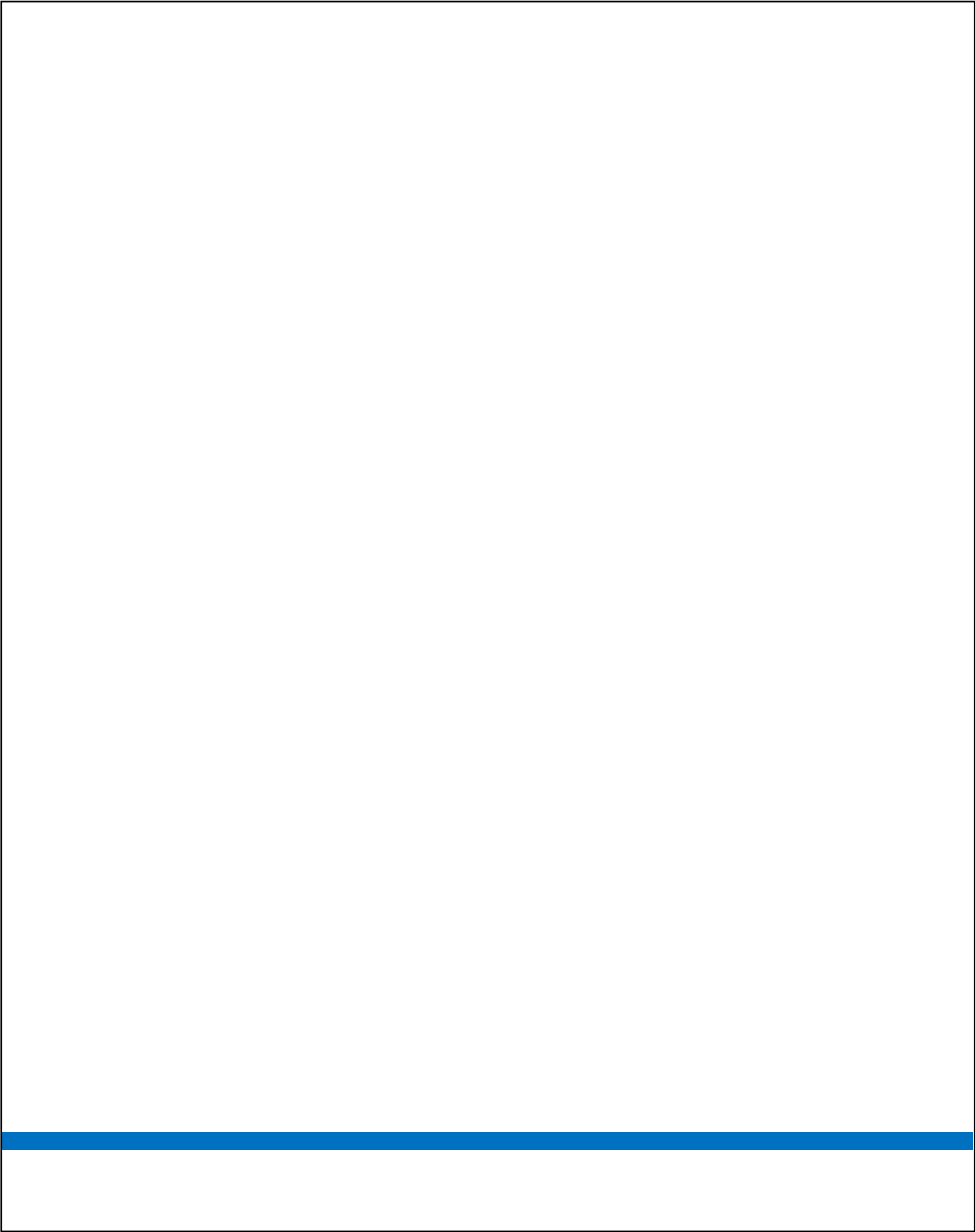
- (1) Within thirty (30) days of receipt of a notice of appeal, the *SDAB* shall hold an appeal hearing respecting the appeal.
- (2) The *SDAB* shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant;
 - (b) the development authority from whose order, decision or development permit the appeal is made;
 - (c) those adjacent land *owners* who were notified under Section 3.10(3)(c) and any other person who, in the opinion of the *SDAB*, are affected by the order, decision or permit; and
 - (d) such other persons as the *SDAB* specifies.



- (3) The *SDAB* shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal there from; or
 - (b) the order of the development authority Section 8.1,
as the case may be.
- (4) At the appeal hearing referred to in Section 9.1(1), the *SDAB* shall hear:
 - (a) the appellant or any other person acting on their behalf;
 - (b) the development authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the development authority, 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 their behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the *SDAB* agrees to hear or a person acting on their behalf.

9.3 DECISION

- (1) The *SDAB* shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal 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 the Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal; and
 - (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.



part 10

Administration



Section 10 Administration

10.1 APPLICATION TO AMEND BYLAW

- (1) A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 10.2.
- (2) *Council* may at any time initiate an amendment to this Bylaw by directing the development authority to initiate an application therefore.

10.2 FORM OF APPLICATION

All applications for amendment to this Bylaw shall be made to the *Council* on the form provided by the *municipality* and shall be accompanied by:

- (1) an application fee as established by resolution of *Council*; and
- (2) a recent title search of the land affected or other documents satisfactory to the development authority showing the applicant's interest in the said land; and
- (3) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and
- (4) the reasons for the changes to this Bylaw.

10.3 AMENDING BYLAWS

All amendments to this Bylaw shall be made by *Council* by bylaw and in conformity with the Village's MDP, the Act and the Alberta Land Stewardship Act.

10.4 SCHEDULES

Schedules A (the Land Use District Map) and B (the Downtown Design Guideline) are part of this Bylaw.

section 11

Definitions

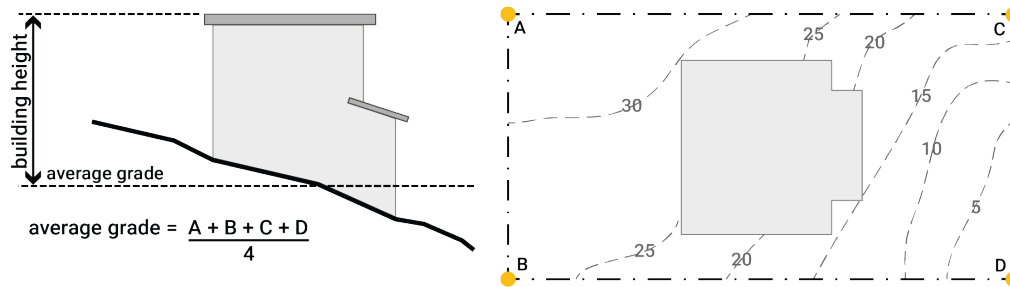


Section 11 Definitions

In this Bylaw:

- (1) **"accessory building"** means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land;
- (2) **"accessory use"** means a use customarily incidental and subordinate to the main use or building, which is located on the same parcel of land with such main use or building;
- (3) **"Act"** means the Municipal Government Act, 2018, as amended;
- (4) **"animal breeding and boarding"** means development used for the breeding, boarding, caring or training of animals, normally considered household pets. Typical facilities include pet breeding, pet boarding and pet training establishments.
- (5) **"apartment"** means a dwelling containing three (3) or more dwelling units, but shall not mean row housing;
- (6) **"average grade"** means the average lot grade calculated from averaging the elevation of the of the lot corners;

▼ Figure 13 : Diagram of 'average grade'



- (7) **"basement suite"** means a self-contained dwelling unit, in the basement of a single detached dwelling, having a common access with a dwelling unit on the main floor;
- (8) **"bed and breakfast"** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of two (2) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (9) **"building"** includes anything constructed or placed on, in, over, or under land but does not include a road or a bridge forming part of a road;
- (10) **"Cannabis"** means cannabis as defined in the Cannabis Act (Canada);



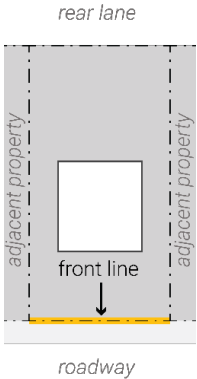
- (11) **"Cannabis Distributor"** means a person, organization or entity who holds a cannabis distributor licence issued under the Gaming, Liquor and Cannabis Act (Alberta);
- (12) **"Cannabis Lounges"** means development where the primary purpose of the facility is the sale of Cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation. This Use does not include Cannabis Production and Distribution;
- (13) **"Cannabis Production and Distribution"** means development used principally for one or more of the following activities as it relates to Cannabis:
 - (a) the production, cultivation, and growth of Cannabis;
 - (b) the processing of raw materials;
 - (c) the making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
 - (d) the storage or transshipping of materials, goods and products; or
 - (e) the distribution and sale of materials, goods and products to Cannabis Retail Sales stores or to individual customers.
- (14) **"Cannabis Retail Sales"** means development used for the retail sale of Cannabis that is authorized by provincial or federal legislation. This Use does not include Cannabis Production and Distribution;
- (15) **"child care facility"** means an establishment licensed by the regional Child and Family Services Authority intended to provide care, educational services and supervision for seven (7) or more children for a period less than 24 hours at a time. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres;
- (16) **"corner site"** means a parcel of land with boundary lines on two separate roads or a single road that curves at an angle of sixty (60) degrees or more at the subject site. For the purposes of this definition, a road shall not include a lane;
- (17) **"Council"** means the Council of the Village of Marwayne;
- (18) **"day home"** means a child care operation within a dwelling unit that serves not more than 6 children and is operated either under contract with a Family Day Home Agency or independently as a private babysitting facility;
- (19) **"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 of any of them in, on, over or under land, 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 use of the land or building, or



- (d) a change in the intensity 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 intensity of use of the land or building;
- (20) **"Development Authority"** means the Development Authority established by the municipality's Development Authority Bylaw and appointed by Council;
- (21) **"development permit"** means a document authorizing a development issued pursuant to this Bylaw;
- (22) **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made;
- (23) **"duplex"** means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other and which may or may not share a common access;
- (24) **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single detached dwellings, semi-detached dwellings, duplexes, row housing, apartments, mobile homes and manufactured homes;
- (25) **"dwelling unit"** means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit;
- (26) **"floor area"** means the total area of all floors of all buildings, not including accessory buildings, located on any parcel of land, excluding the area of basement floors, except that all dwelling units in apartment buildings shall be included in the calculation of floor area;
- (27) **"front line"** means the boundary line of a parcel of land lying adjacent to a road. In the case of a corner site, the shorter of the two boundary lines adjacent to the road shall be considered the front line;

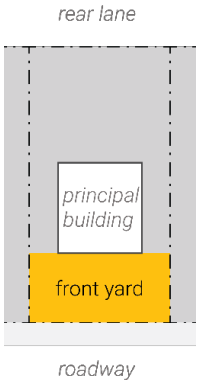


▼ **Figure 14 : Diagram of 'Front Line'**



- (28) **"front yard"** means a yard extending across the full width of a parcel of land from the front line to the nearest wall of the main building situated on the parcel of land. If there are fireplaces or balconies on the building, the front yard shall be measured to the nearest point of the fireplace or balcony. In the case of a curved front line, the front yard will also form a curve;

▼ **Figure 15 : Diagram of 'Front Yard'**



- (29) **"ground floor area"** means the total area of buildings, including accessory buildings, located on the lot;
- (30) **"group home"** means a development consisting of the use of a dwelling as a facility which is authorized, licensed or certified by a public authority to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioural problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance or supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group

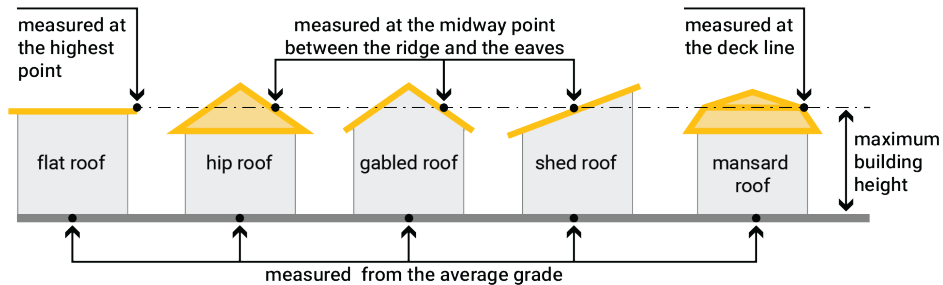


and using cooking facilities shared in common. This does not include drug or alcohol addiction treatment centres;

- (31) **"hard-surfacing"** means a durable ground surface constructed of cast-in-place concrete, brick, concrete paving blocks, turfstone, stone, asphalt, or similar materials (not including gravel and clay);
- (32) **"home occupation"** means the use of a portion of a residential building to conduct a business or commercial enterprise that is incidental or subordinate to the residential function of the building.
- (33) **"light industrial use"** means manufacturing, fabricating processing, repairing, storing, wholesaling, and/or distribution of goods and materials in such a manner that all activities take place inside buildings and no noise, dust, glare, heat, or any other emission is evident outside the building;
- (34) **"lot"** means:
 - (a) a quarter section, or
 - (b) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (35) **"lot coverage"** is a calculation of the ground floor area divided by the area of the parcel of land.
- (36) **"lot width"** means the length of a line parallel to the front line or, in a parcel of land with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard;
- (37) **"main building"** means a building in which is conducted the main or principal use of the parcel of land on which it is erected;
- (38) **"manufactured home"** means a prefabricated dwelling unit intended for occupancy and is not a mobile home;
- (39) **"maximum building height"** means the maximum permitted height of a building within a land use district;



▼ Figure 16 : Diagram of 'Maximum Building Height'

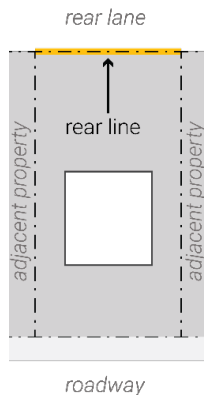


- (40) **"mixed-use"** means a development that contains more than one use on the lot or within a building.
- (41) **"mobile home"** means a single dwelling comprising of one or more large factory-built sections. It will be manufactured in full compliance with both the current CSA National Mobile Home Standard and the Alberta Building Code (ABC), bearing prominently displayed CSA Mobile Home Label and an Alberta Municipal Affairs label that certifies compliance to both the current CSA Standard and the ABC at the time of approval.
- (42) **"modular home"** means a dwelling that conforms to the Canadian Standards Association A-277 Series certified standards in place at the time of manufacture, that is designed to be transported to the building site in pieces and assembled on-site on top of a site-constructed basement or foundation;
- (43) **"municipality"** means the Village of Marwayne;
- (44) **"natural area"** means lands in a natural state where buildings and development are prohibited or restricted.
- (45) **"non-conforming building"** means a building:
 - (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (46) **"non-conforming use"** means a lawful specific use:
 - (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;



- (47) **"owner"** means:
 - (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
 - (b) in the case of any other land, the owner of the land according to the municipality's assessment roll.
- (48) **"patio"** means a paved outdoor area at ground level adjoining a house;
- (49) **"parcel of land"** means lot;
- (50) **"permitted use"** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made, provided that all of the regulations of this Bylaw are satisfied;
- (51) **"place of worship"** means a building wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical uses include churches, chapels, convents, kingdom halls, monasteries, mosques, synagogues, and temples;
- (52) **"Principal Building, Structure or Use"** means a building or use which, in the opinion of the development authority, is the main purpose for which the building or site is ordinarily used.
- (53) **"public utility"** means a public utility, as defined in the Act;
- (54) **"rear line"** means the boundary line of a parcel of land lying opposite to the front line of the parcel and/or farthest from a road;

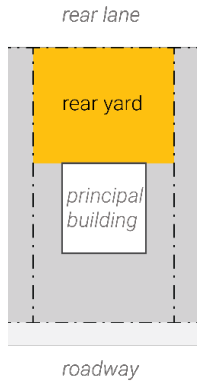
▼ Figure 17 : Diagram of 'Rear Line'





- (55) **"rear yard"** means a yard extending across the full width of a parcel of land from the nearest wall of the main building situated on the parcel of land to the rear line of the parcel of land. If there are fireplaces or balconies on the building, the rear yard shall be measured to the nearest point of the fireplace or balcony;

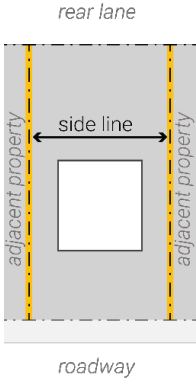
▼ **Figure 18: Diagram of 'Rear Yard'**



- (56) **"rentable unit"** means a separate unit of a motel used or intended to be used for the temporary accommodation of one or more persons;
- (57) **"Retail Cannabis Licence"** means a licence issued under the Gaming, Liquor and Cannabis Act (Alberta) to purchase cannabis from the Alberta Liquor and Gaming Commission, and to possess, store and sell the cannabis in the licensed premises.
- (58) **"road"** means a road as defined in the Act and shall include a highway;
- (59) **"row housing"** means a dwelling or dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";
- (60) **"secondary suite"** means an accessory use containing one additional self-contained dwelling unit located within a single dwelling;
- (61) **"Semi-Detached Dwelling"** means two attached dwelling units that share a common wall;
- (62) **"side line"** means the boundary line of a parcel of land lying between a front line and a rear line of a parcel of land. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line;

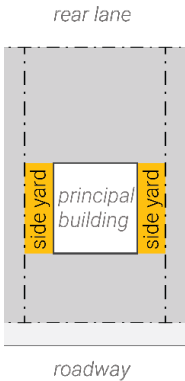


▼ **Figure 19 : Diagram of 'Side Line'**



- (63) **"sidewalk café"** means a group of tables and chairs and other accessories situated and maintained upon a public sidewalk or other pedestrian areas for the use and consumption of food and beverages sold to the public from, or in, an adjoining indoor food and beverage establishment;
- (64) **"side yard"** means a yard extending from the nearest wall of the main building situated on a parcel of land to the side line, and lying between the front and rear yards on the parcel of land. If there are fireplaces or balconies on the building, the side yard shall be measured to the nearest point of the fireplace or balcony;

▼ **Figure 20: Diagram of 'Side Yard'**



- (65) **"Single Detached Dwelling"** means a residential use in which the principal building is a permanent building constructed on-site to Alberta Building Code requirements, used for one dwelling unit and that may contain one secondary suite, but does not include a manufactured home.

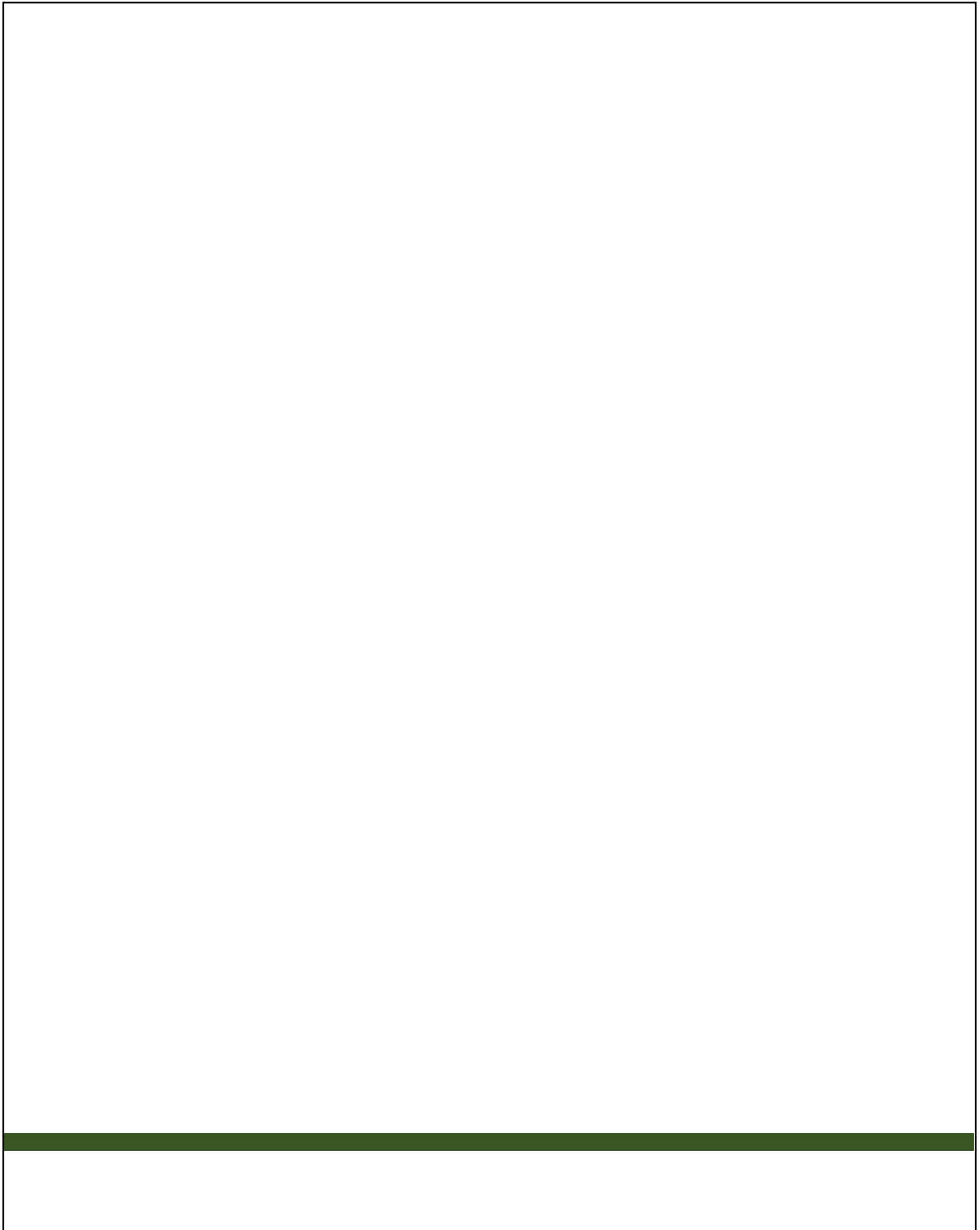


- (66) **"site"** means one or more parcels of land on which a development either is to take place or has taken place;
- (67) **"Subdivision and Development Appeal Board"** means the Subdivision and Development Appeal Board established by the Council by the Subdivision and Development Appeal Board Bylaw adopted pursuant to the Act;
- (68) **"temporary building"** means a building incidental and subordinate to the principal use which at no time shall be used a dwelling and is not intended to remain as a permanent structure;
- (69) **"yard"** means a part of a parcel of land upon or over which no main building is to be erected; and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law;



schedule A

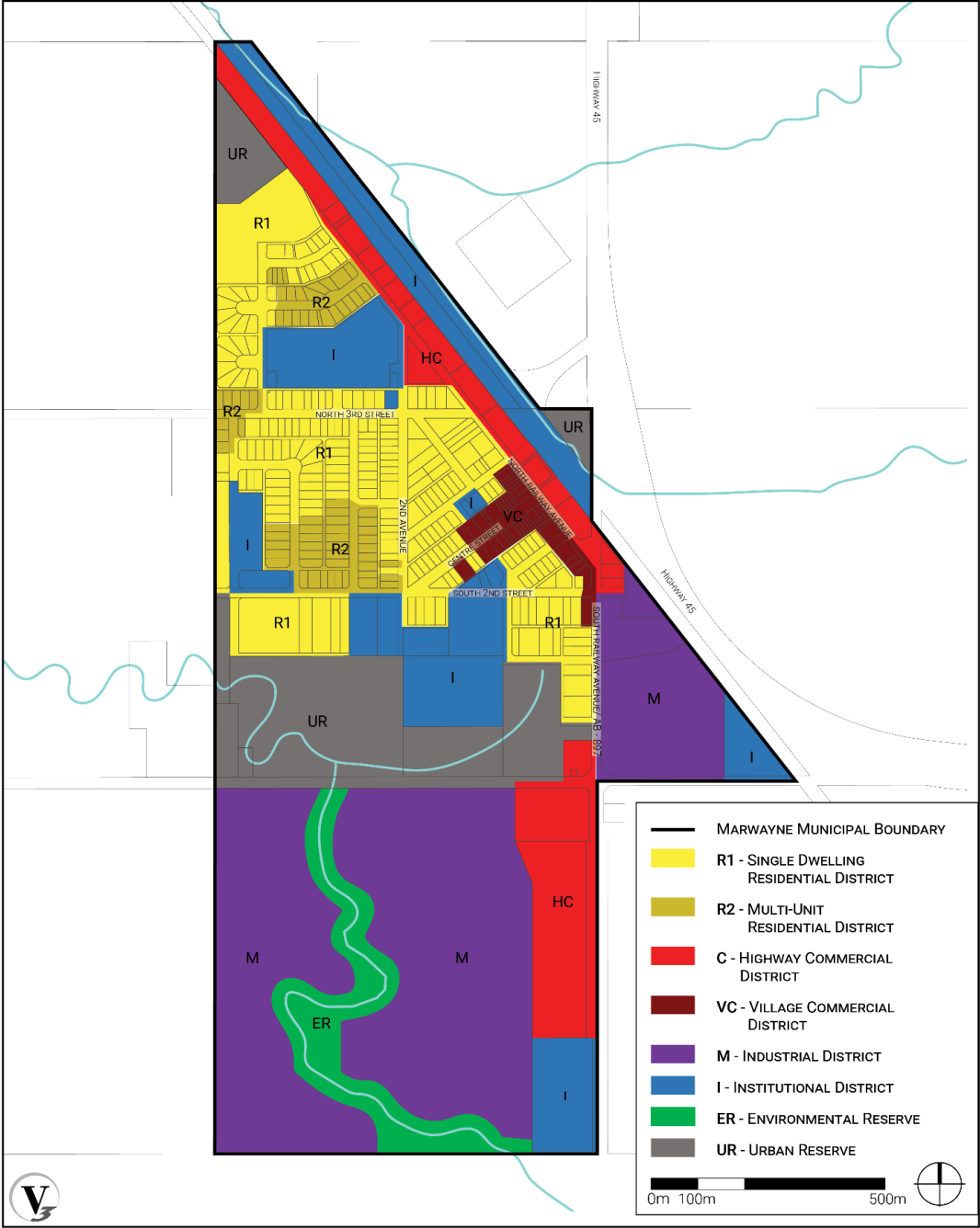
**Land Use District
Map**





Schedule A | Land Use District Map

Last Amended [insert date of bylaw 578-20 adoption]



Schedule A | Marwayne Land Use District Map

BYLAW NO. 579-20

**BEING A BYLAW OF THE VILLAGE OF MARWAYNE IN THE PROVINCE OF ALBERTA TO ADOPT
A MUNICIPAL DEVELOPMENT PLAN**

WHEREAS, pursuant to the *Municipal Government Act R.S.A. 2000* as amended, a municipality in the Province of Alberta may adopt a Municipal Development Plan;

AND WHEREAS, the Council for the Village of Marwayne deems it desirable and in the best interest of the Village of Marwayne to adopt a Municipal Development Plan;

NOW THEREFORE, the Council of the Village of Marwayne, duly assembled, enacts as follows:

1. Bylaw No. 579-20 be cited as "The Village of Marwayne Municipal Development Plan".
2. The Village of Marwayne Municipal Development Plan, attached hereto as Schedule "A" and forming part of this bylaw, is hereby adopted.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

This Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Mayor and Chief Administrative Officer.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____, 2020.

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____, 2020.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS ____ DAY OF _____, 2020.

Cheryle Eikeland, Mayor

Shannon Harrower, CAO

SCHEDULE "A" – BYLAW NO. 579-20



MUNICIPAL DEVELOPMENT PLAN

Village of Marwayne

BYLAW 579-20

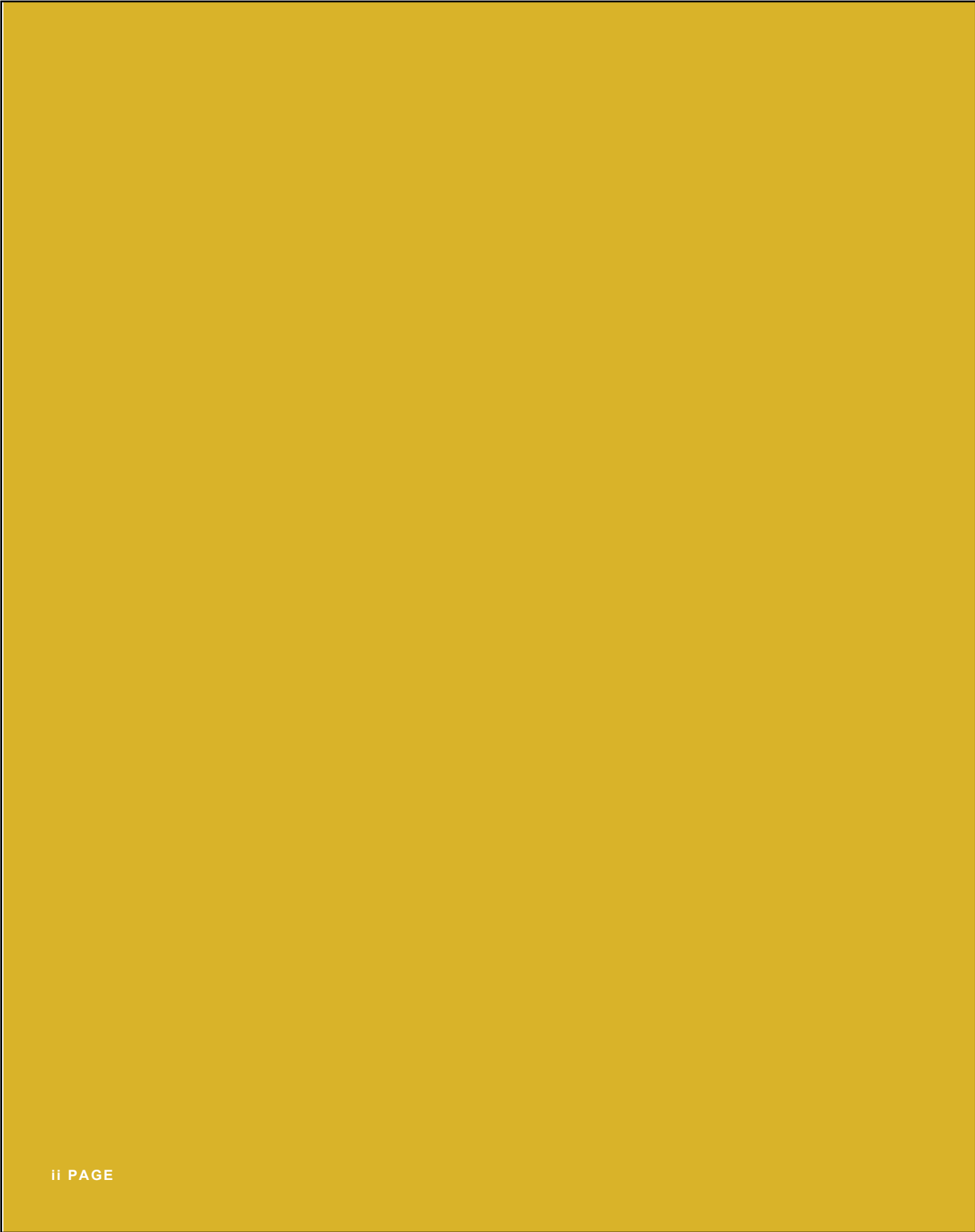


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Last Revised: 2020-03-16

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1 INTRODUCTION

1.1 What is a Municipal Development Plan?

A Municipal Development Plan (herein referred to as “MDP” or “the Plan”) is a municipality’s plan for the future. It sets out a clear vision for how a municipality grows and develops over an extended period of time and beyond. A municipal development plan provides a comprehensive long-term land use policy framework within which growth and development may take place. It also guides Council’s decisions on key issues like conservation of the natural environment, investment in infrastructure and services, and characteristics of future development.

1.2 What are the requirements of an MDP?

This MDP has been prepared under the legislative authority prescribed in Section 632 of the Municipal Government Act (herein referred to as “MGA” or “the Act”). The MGA states that every municipality is required to adopt an MDP, which other municipal statutory plans and related bylaws must be consistent with.

There are several compulsory topics that an MDP is required to address. In summary, a Municipal Development Plan **must**:

- address the future land use within the municipality;
- address the manner of and the proposals for future development in the municipality;
- address the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities;
- address the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities;
- address the provision of municipal services and facilities either generally or specifically;
- contain policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities;
- contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school boards; and
- contain policies respecting the protection of agricultural operations.

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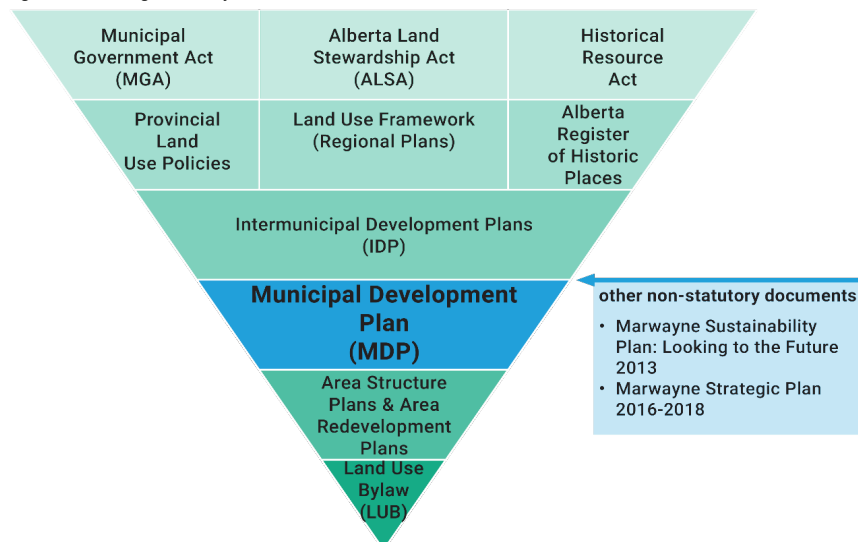
INTRODUCTION

There are also some topics that a Municipal Development Plan **may** address and/or contain, including:

- proposals for the financing and programming of municipal infrastructure;
- the co-ordination of municipal programs relating to the physical, social and economic development of the municipality;
- environmental matters within the municipality;
- the financial resources of the municipality;
- the economic development of the municipality;
- any other matter relating to the physical, social or economic development of the municipality;
- statements regarding the municipality’s development constraints, including the results of any development studies and impact analysis, goals, objectives, targets, planning policies and corporate strategies; and
- policies respecting the provision of conservation reserve in accordance with section 664.2(1)(a) to (d) of the MGA.

The MGA also identifies the hierarchy and relationship of other statutory plans, with the intent of each plan being consistent with the plan above it, and in the event of inconsistency, which provisions in what plan are to prevail. In summary, an MDP is intended to bridge higher level regional and inter-jurisdictional plans with those specific to a municipality. The broad provisions of a municipal development plan are often implemented through area structure plans, area redevelopment plans and the land use bylaw.

▼ Figure 1: Planning Hierarchy



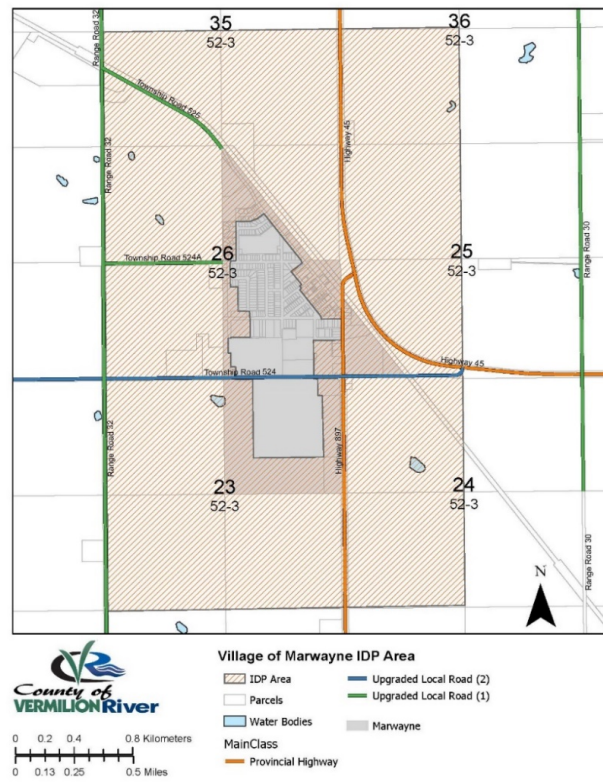
1.3 How the Municipal Development Plan was Prepared

As an MDP is required to be consistent with Intermunicipal Development Plans (herein referred to as “IDP”), this document considered the IDP prepared between the County of Vermilion River and the Village of Marwayne as it was being developed. This IDP is a regional planning document aligning both municipalities’ land use goals and policies with the Regional Land Use Policies and Alberta Land Stewardship Act Regional Plans. In regards to the regional land use framework, the North Saskatchewan Regional Plan was in the process of being developed and not formally adopted as this MDP was being prepared.

The development of the MDP also builds on and reflects the Community Vision, Core Values, Strategies and Goals of the Village of Marwayne Council, and the Village’s Strategic Plan established in the Marwayne Sustainability Plan: Looking to the Future (Version 2.0 - July 2013). The Marwayne Sustainability Plan is the Village’s “umbrella document” providing guidance for the implementation of Council’s the long-term vision and goals.

The preparation of this plan also considered the Southeast Industrial Area Structure Plan (2008) and the Village’s newly updated Land Use Bylaw (2019).

▼ Figure 1: Village of Marwayne IDP area.



1

INTRODUCTION

The MDP also builds on the information obtained from Council meetings held throughout the process of preparing this plan, including:

MDP information and Engagement Session with Council (December 2nd, 2019)

An Information and Engagement Session was held at the outset of preparing this MDP. During this session, Council provided direction on and affirmation of the Community Vision and Objectives that would form the basis of the MDP.

Feedback Session with Council (February 3rd, 2020)

More content regarding the new MDP's structure, land use concept, objectives and policies were provided for Council's consideration in this session. Councillors were given the opportunity to build on the work from the previous Engagement Session and provided additional comments prior to proceeding to a formal public engagement process.

External Referral (February 13th, 2020)

On February 13th, 2020, the Village of Marwayne circulated a copy of the draft MDP to the following agencies and municipalities:

- The County of Vermilion River;
- The Village of Dewberry;
- The Village of Kitscoty;
- The Village of Paradise Valley;
- The Town of Vermilion;
- Buffalo Trail Public Schools Regional Division No. 28;
- Alberta Environment and Parks;
- Alberta Health Services; and
- Alberta Transportation.

These agencies and municipalities were given a 30-day window to review the draft MDP and provide comments. They were also invited to attend the Public Open House to discuss the MDP with Village administration and the project team. At the time of formal adoption, no comments or feedback had been received.

Public Open House (March 2020)

A Public Open House was held on March 9th, 2020 in the Husky Room at the Village of Marwayne Community Hall to share information on the Village's existing situation and emerging trends, and review the MDP's land use concept, Goals, Objectives and Policies. The Public Open House was advertised through the *Meridian Source* in the February 27th and March 5th, 2020 editions; through online platforms such as Facebook and the Village's municipal website; on the local bulletin board; and the front page of the March 2020 of Marwayne's community newsletter.

The community was given the opportunity to discuss the project with the project team and the Village's Administration. Community members were also invited to complete the Comment Form to provide

feedback on the MDP. A total of nine (9) people attended the Public Open House and one (1) submission was received relating to the size of the MDP maps viewable on a mobile device.

1.4 Plan Interpretation and Organization

The structure of this MDP is intended to allow for easy interpretation of its policies. Each section begins with a goal that addresses a specific topic relating to the requirements of the MGA (as outlined in Section 1.2). Within each section are subsections that have specific objectives and subsequent policies that would help achieve the overarching goal. This structure works best when the document is interpreted in a holistic manner where each of the policies are viewed in the context of one another rather than separately. Generally, the objectives, and ultimately the goals and vision of the MDP are more likely to be achieved by addressing the complete set of policy direction.

The MDP contains the operative terms 'shall', 'should', and 'may'. The interpretation of these shall be as follows:

Shall

indicates that actions are mandatory.

Should

indicates direction to strive to achieve the outlined action but is not mandatory.

May

is discretionary, meaning the policy in question can be implemented if the municipalities choose to do so. This is typically dependent on context and individual circumstances.

This MDP is organized into three major parts:

Sections 1 and 2: Provides an overview for the purpose of this MDP, its legal basis, existing situation and emerging trends.

Sections 3 to 10: Includes the Community Vision, Topics, Objective and Policies for the Village of Marwayne to direct and implement the future physical, social and economic development.

Section 11: Contains a glossary of key terms used in this MDP.

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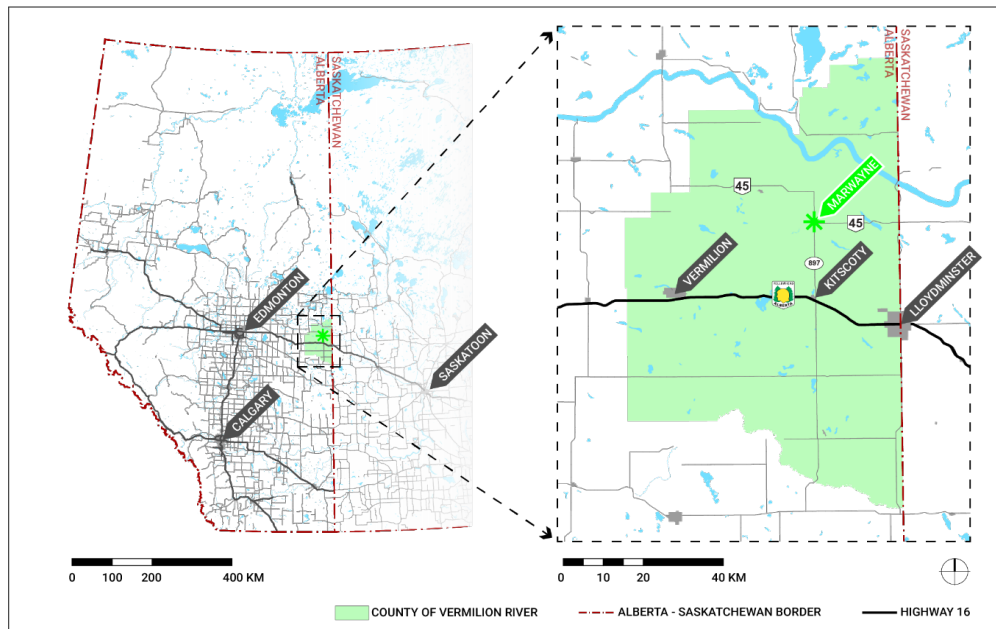
CONTEXT + EMERGING TRENDS

2 CONTEXT AND EMERGING TRENDS

2.1 Regional Context

The Village of Marwayne is located in the County of Vermilion River, approximately 44 kms northwest of Lloydminster, and 240 kms east of Edmonton (Figure 3: Regional Context Map). The community is situated along the south side of a former Canadian Pacific Railway line and approximately 18 kms north of the Yellowhead Trans-Canada Highway (Highway 16) which connects to Lloydminster and Edmonton, and beyond. Alberta Highway 45 connects Marwayne with the Saskatchewan border to the east, and Alberta Highway 897 connects Marwayne with the City of Cold Lake and the Cold Lake Oil Sands Deposit to the north and the Village of Kitscoty and Highway 16 to the south.

▼ Figure 2: Regional Context Map



Map created by V3 Companies of Canada Ltd using data from the following sources: Government of Alberta and Government of Canada

Throughout most of the 20th century, agriculture was the economic base for many of the residents of the Village of Marwayne and this industry remains the economic backbone for the surrounding area. The past several decades has witnessed significant economic diversification into the manufacturing and oil and gas sectors. Oil and gas exploration and pipeline development occur in the vicinity of the Village of Marwayne.

Situated on the direct corridor to Cold Lake (Highway 897), Marwayne is located just below the southern tip of the Cold Lake Oilsands area. During Alberta’s boom years up until 2014, oil and gas drilling activity was very strong around Marwayne. Marwayne’s major businesses are involved in providing services to the region’s primary industries, such as agriculture, oil and gas and related products.

The surrounding region is also referred to as “The Lakeland Region” due to its numerous lakes and rivers. Lea Park is a ten-minute drive north and Whitney Lakes Provincial Park is a half-hour drive north. The lakes and rivers provide the community with an opportunity to take on a larger role as a seasonal service provider for tourists in the region.

2.2 Historical Development

Settlement in Western Canada occurred through a number of related processes. First, between 1871 and 1921 the Canadian government signed a series of treaty agreements with First Nations that gave the government rights to the land and opened up the West to agricultural settlement.¹ The second important factor was the completion of the Canadian Pacific Railway in 1885, which opened the Western passage for newcomers as well as facilitated grain exports. Further, technical innovations in dry land farming and agricultural machinery – in conjunction with a rise in wheat prices in the late 1890s – greatly increased the profitability of farming as a livelihood. Finally, the closing of the American frontier allowed Canada to attract thousands of new immigrants from the United States and abroad with greater ease.²

The origin of the Village of Marwayne can be traced back to the original settlement of the Marfleet family. Between 1896 and 1905 the government of Canada launched a campaign aimed at farmers from the United States, Britain and Central and Eastern Europe that advertised free or cheap land in the Canadian West. The Marfleet family emigrated from a village called Wainfleet in England. In 1906, at the request of the Government of Canada, the family opened a post office on their farm named Marwayne, using a combination of their home village and family names.

In 1926 the Canadian Pacific Railway constructed a line from Lloydminster to Edmonton. A village site was established after the construction of the railway, approximately a quarter mile from the original Marfleet farm. The Village took the name Marwayne, and the population grew to between two and three hundred residents within months.

2.3 Historical and Projected Population

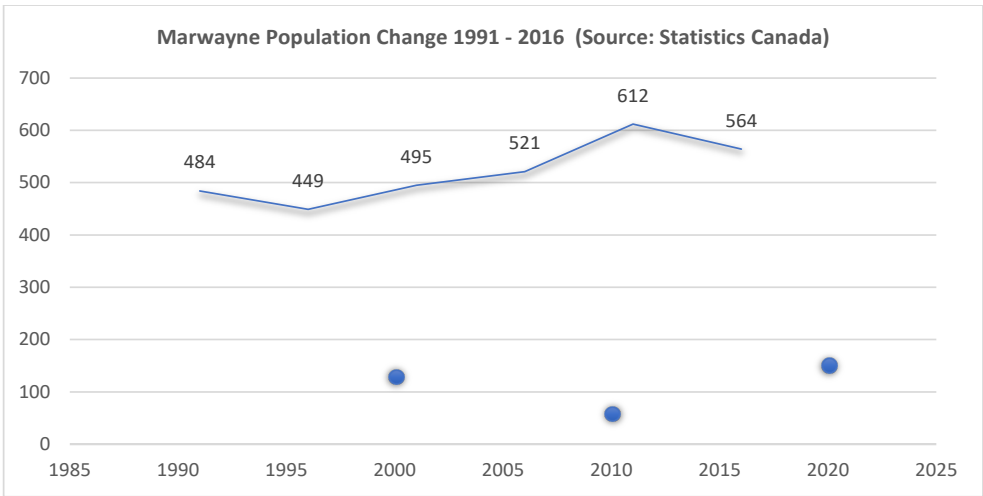
Marwayne’s population has fluctuated from 1991 to 2016. From 1996 to 2011, the population experienced a continuing increase from 449 to 612 according to Statistics Canada (refer to the diagram below). Overall, Marwayne has experienced positive population growth at an average annual rate of 0.83% between 1991 and 2016.

¹ The major treaties affecting Alberta are Treaties 6, 7 and 8 – signed in 1876, 1877 and 1899 respectively. Alberta: How the West was Young. (2008). Treaties – Overview. Retrieved January 23, 2008, from http://www.abheritage.ca/alberta/fn_metis/treaties.html.

² The Applied History Research Group. (1997). The Peopling of Canada: 1891- 1921. Retrieved January 23, 2008, from http://www.ucalgary.ca/applied_history/canada1891/ch4.html.

2

CONTEXT + EMERGING TRENDS



The population growth experienced between 1996 and 2011 did not continue into 2016. The greatest decline occurred in the 0 to 19 age group, which decreased from 205 to 160 people. The other decline occurred in the 40 to 64 age group, which decreased from 190 to 170 people, as shown in the tables below.

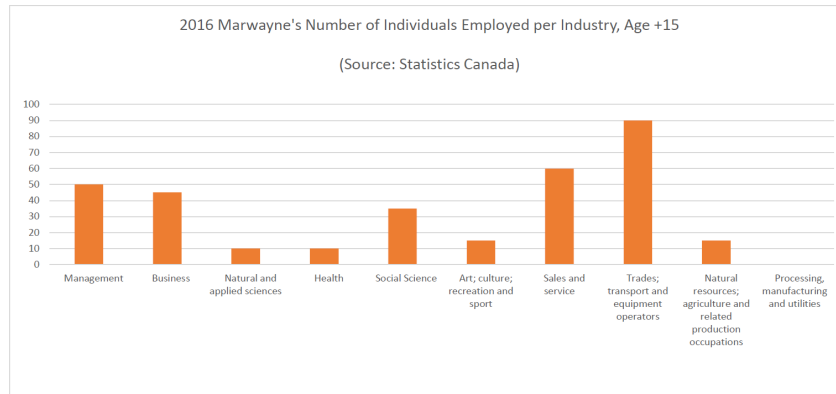
2011 Population by Age		
Age	Total	% of Village population
0-19	205	33%
20-39	160	26%
40-64	190	31%
65+	60	10%
2011 total:	615	

2016 Population by Age		
Age	Total	% of Village population
0-19	160	28%
20-39	160	28%
40-64	170	30%
65+	75	13%
2016 total:	565	

Rural residents between the ages of 20 and 39 often relocate to urban areas for education and employment opportunities. In contradiction to this trend, Marwayne’s population at this age group stayed stable from 2011 to 2016, maintaining the same number of 160 people living and working in their home community.

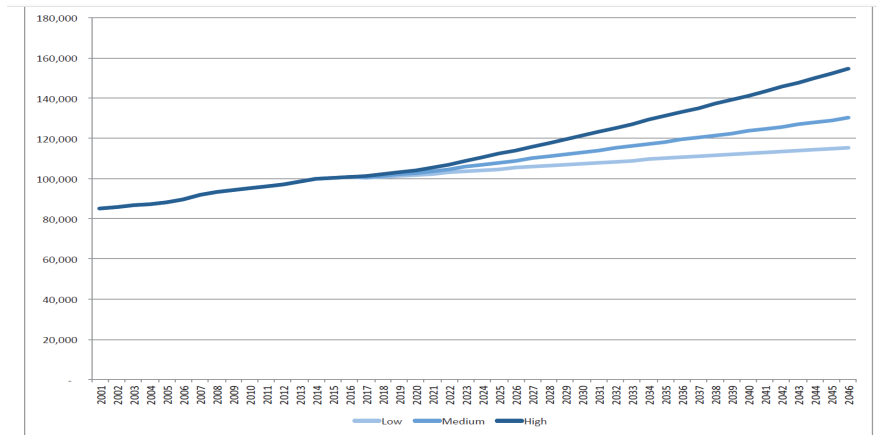
Municipalities in Alberta are allowed to conduct their own censuses. According to the Village of Marwayne’s municipal census, the Village’s population peaked in the year 2013 with a population of 667, reflecting Alberta’s oil and gas boom between 2010 and 2014. Since the method of conducting a municipal census in Alberta differs from Statistics Canada, the 2013 population data is not included in the analysis above.

Significant numbers of the Village's residents are involved in retail, trades, and sales and services sectors while many others are employed in management, business and social science. Particularly males are employed in agriculture, oil and gas and related production occupations.



The Village of Marwayne is located within Alberta's Census Division No.10. Based on population projections prepared by the Alberta Treasury Board and Finance, Census Division No. 10 is projected to continue to experience population growth at an average annual growth rate of between 0.5% and 1.4%.³ Growth in the region largely ties to oil sands development within the Cold Lake Oil Sands Area and Lloydminster.

Alberta Census Division No. 10 Population Projections



Source: Village of Dewberry, Village of Marwayne, Village of Kitscoty Population and Employment Growth Working Paper, Applications Management, September 29, 2016

Over the long term, it is expected that Marwayne will experience growth relative to the region. Until 2046, the Village's total population could reach between 808 to 1,314. This represents an annual average growth rate ranging between -0.5% to 2%.

³ Alberta Population Projections by Census Division, 2016-2041, Alberta Treasury Board and Finance Low, Medium and High Scenarios.

2

CONTEXT + EMERGING TRENDS

2.4 Economic Development Profile of Marwayne Region

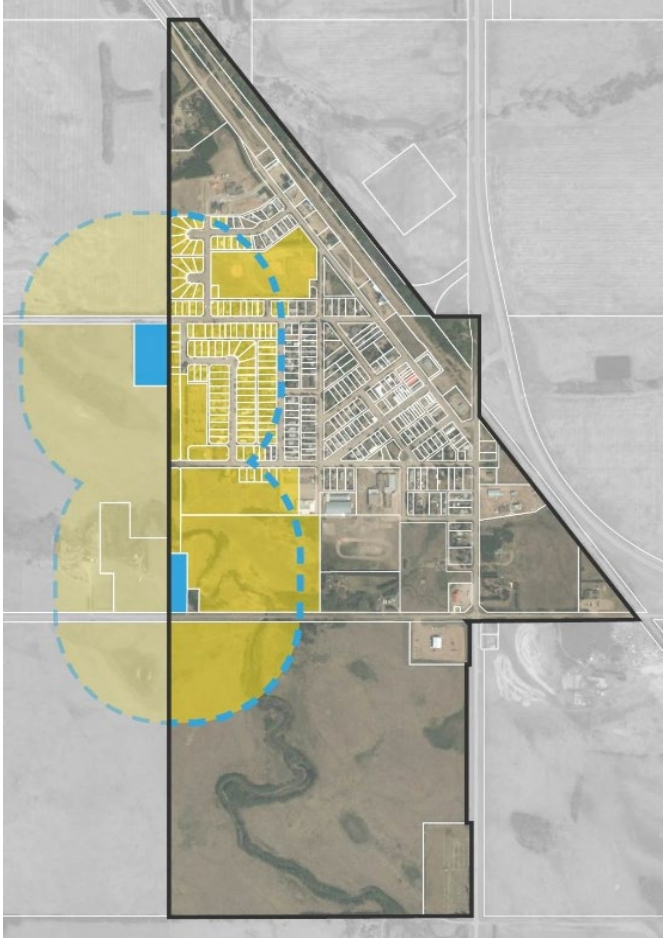
Marwayne’s economic development is largely tied with the growth of the region. The regional Gross Domestic Product (GDP) is anticipated to increase due to modest rates of industry-specific labour productivity growth. Some of these industries include: crop and animal production; agriculture and support services; utilities and construction; postal services, broadcasting and other information services; and financial enterprises, education, health care services and hospitals, to name a few. There is also a variety of general services in Marwayne allowing people to trade goods and services locally.

Over the years, Marwayne has been upgrading municipal infrastructure and transforming into a community offering an excellent quality of life. Municipal infrastructure has been upgraded in the downtown area with an award-winning streetscape with new sidewalks, lighting, boulevards and signage. A series of community amenities and recreational facilities are constructed and upgraded in recent years. Community events, such as the Harvest Day and Winter Festival, are hosted every year attracting people from the region and broader area. Opportunities of how the existing assets, such as attainable housing market, infrastructure and community amenities, can be utilized to leverage the Village’s growth needs to be explored in the future.

2.5 Land Use Constraints

The major land use constraint identified is caused by two non-operating landfill sites on the west boundary of the Village (refer to Figure 4). One site is within the Village boundary and the other borders the Village boundary. According to Alberta’s MGA – Subdivision and Development Regulation, a 300 m setback distance to a non-operating landfill facility is required for school, hospital, food establishment and/or residential developments. Subdivision and development within the 300 m buffer cannot be approved unless a variance from Alberta Environment and Parks (AEP) is received. To assist with future subdivision and development in the impacted areas, the Village has established a process to pursue a variance from AEP on behalf of the landowner or prospective developer.

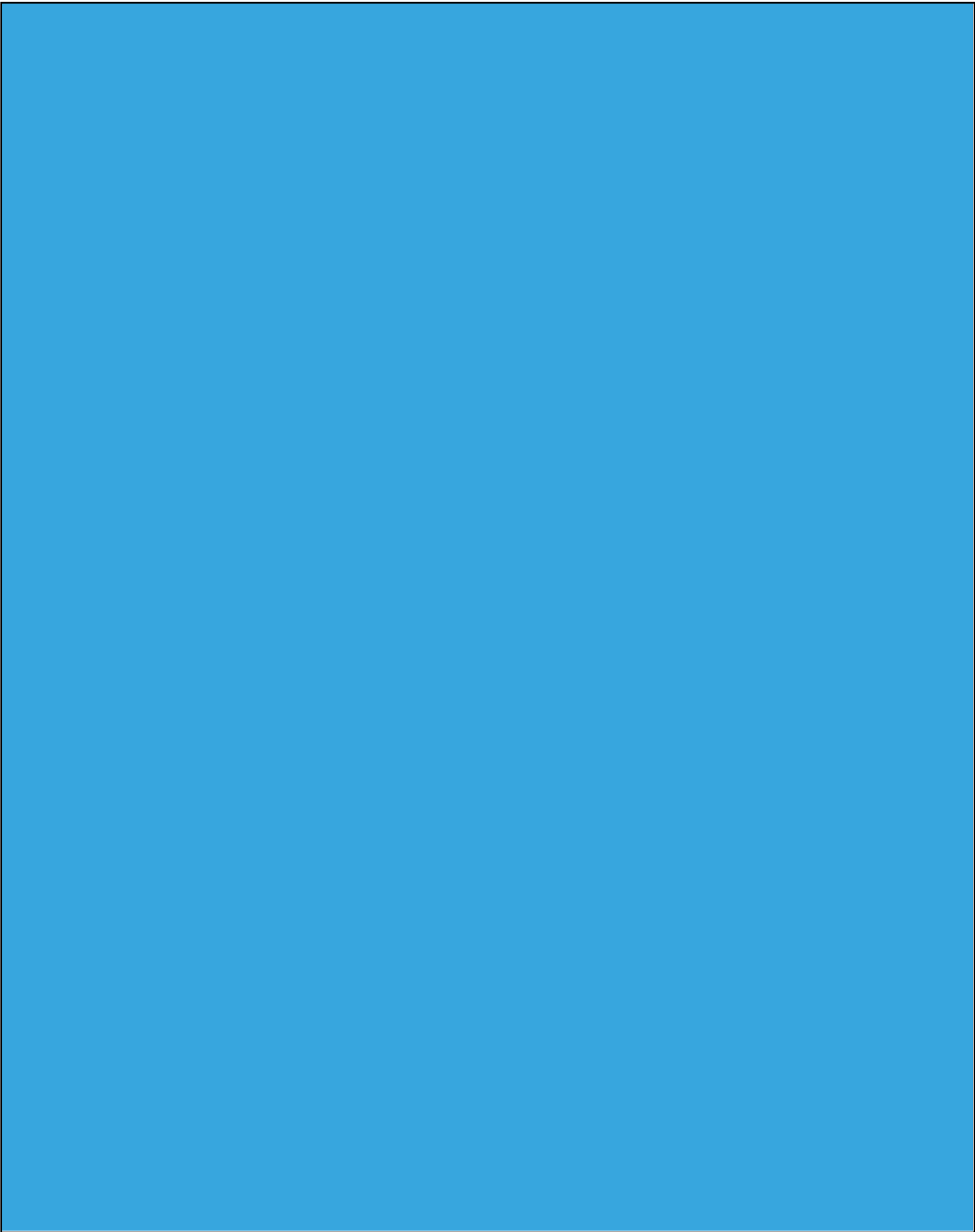
▼ Figure 3: Properties within the non-operating landfill setback



Source: Village of Marwayne Land Use Bylaw – Figure 7: Non-Operating Landfill Setback Areas

2.6 Future Growth Challenges and Opportunities

Marwayne’s long term growth relies on retaining and attracting more businesses into the Village. To take full advantage of its location and attract investors to the area, the Village must ensure to be investment ready. The readiness must be achieved through continually responsive planning and strategic actions. Some of the most important features of forward planning include land use, transportation, municipal services, community infrastructure, and most important, their budget and cost implication to the Village’s resiliency and growth. By contemplating in advance what needs to be done, by who and how, the Village can demonstrate readiness to local and regional investors.



3 VISION AND GOALS

3.1 Vision, Topics and Goals

Guided by the community vision established in the Sustainability Plan 2013, this MDP provides objectives and policies for future land use and development in Marwayne.

COMMUNITY VISION

“Ensuring quality of life in a safe, viable and thriving community”

Marwayne’s community vision is interpreted under seven topics identified in accordance with the requirements of the MGA. Each topic, along with its associated goal, form the foundation of the Village’s objectives and policies.

Topics	Goals
GROWTH + LAND USE	To promote orderly and economical growth and land use development.
TRANSPORTATION	To plan and develop a safe, efficient, and effective transportation network.
MUNICIPAL SERVICES	To plan and develop an efficient, effective, and economical municipal infrastructure system.
ECONOMIC DEVELOPMENT	To promote Marwayne’s long-term economic resilience.
ENVIRONMENT	To protect and enhance the natural environment for future generations.
COMMUNITY DEVELOPMENT + AMENITIES	To develop and maintain excellent community amenities and services for local residents and the broader region.
IMPLEMENTATION + MONITORING	To establish a framework for implementation and monitoring of the vision, goals, objectives and policies of this MDP.



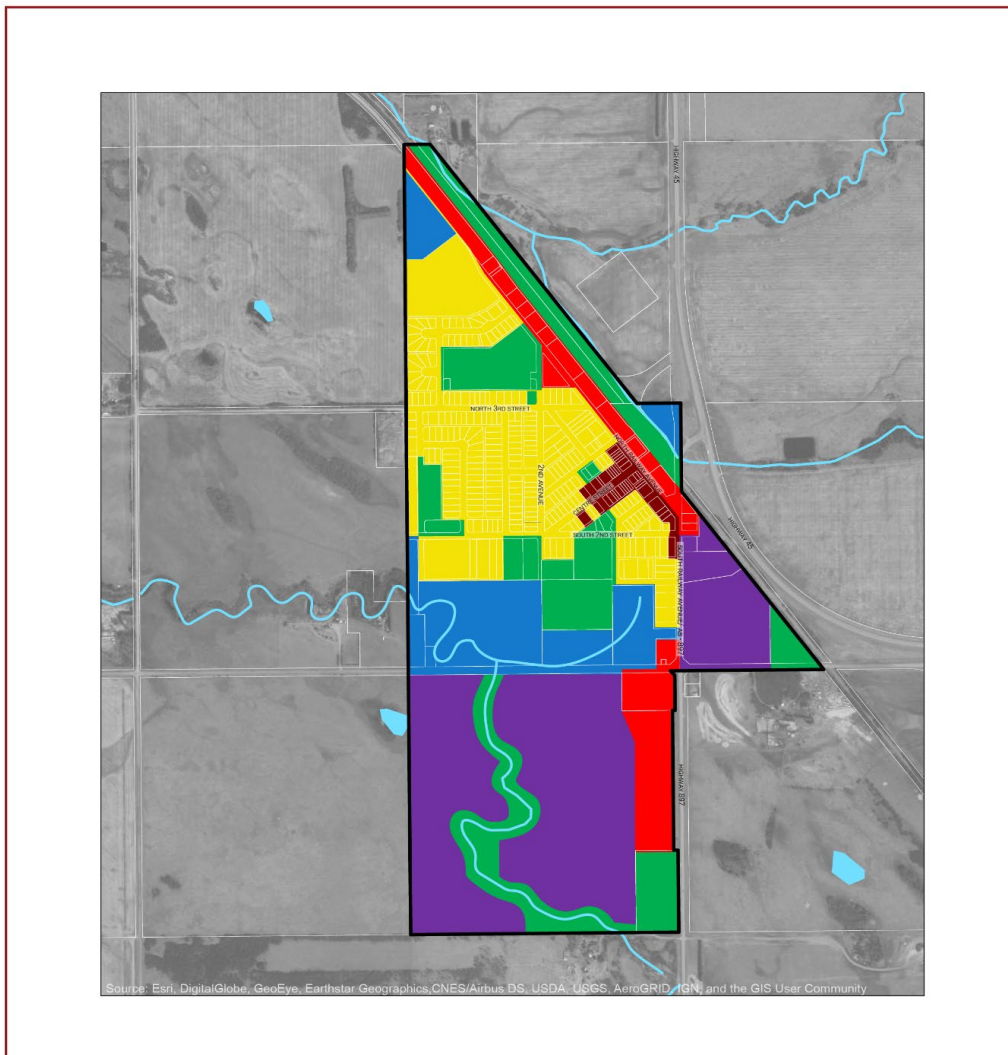
4

GROWTH + LAND USE

4 GROWTH + LAND USE

Goal: To promote orderly and economical growth in land use development.

▼ Figure 4: Future Land Use Designation Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

<p>TITLE: Village of Marwayne MDP: Land Use Designation Map</p>	<p>LEGEND:</p> <table border="0"> <tr> <td> VILLAGE BOUNDARY</td> <td> RESIDENTIAL</td> <td> INDUSTRIAL</td> </tr> <tr> <td> LAND PARCEL (2016)</td> <td> VILLAGE CENTRE</td> <td> HIGHWAY COMMERCIAL</td> </tr> <tr> <td> WATER COURSE</td> <td> RECREATION</td> <td> FUTURE GROWTH AREA</td> </tr> </table>	VILLAGE BOUNDARY	RESIDENTIAL	INDUSTRIAL	LAND PARCEL (2016)	VILLAGE CENTRE	HIGHWAY COMMERCIAL	WATER COURSE	RECREATION	FUTURE GROWTH AREA	<p>SCALE: 1:15,000</p>
VILLAGE BOUNDARY	RESIDENTIAL	INDUSTRIAL									
LAND PARCEL (2016)	VILLAGE CENTRE	HIGHWAY COMMERCIAL									
WATER COURSE	RECREATION	FUTURE GROWTH AREA									
<p>CLIENT: Village of Marwayne</p>	<p>DATA SOURCE(S): Village of Marwayne, Government of Alberta Open Data, Government of Canada Open Data, Alberta Environment and Parks</p>										
<p>PROJECT: C19-085 DATE: 10/02/2020</p>											

4

GROWTH + LAND USE

4.1 Growth of the Village

“Building our community”

OBJECTIVE 4.1.1

To support regional collaboration.

- Policy 4.1.1.1** The Village **shall** continue working with municipalities in the region to promote economic development.
- Policy 4.1.1.2** The Village **shall** work with the County of Vermilion River on implementing the policies of any adopted IDP.
- Policy 4.1.1.3** In the absence of an IDP, the Village **shall** refer all subdivision or discretionary development permits to the County where the property adjoins the boundary with the County.
- Policy 4.1.1.4** In the absence of an IDP, the Village **should** work with the County and other regional municipalities on economic development initiatives.

OBJECTIVE 4.1.2

To encourage compact, orderly and economical growth of the Village.

- Policy 4.1.2.1** The Village **should** direct new development to the areas with existing municipal services.
- Policy 4.1.2.2** The Village **shall** consider future expansion/ annexation in a manner that is sustainable and consistent with the policies and objectives outlined in this MDP and any adopted IDP.
- Policy 4.1.2.3** The Village **may** work with landowners and developers to seek opportunities to finance and/or recover the capital costs of providing servicing resulting from the new development.
- Policy 4.1.2.4** The Village **shall** require all new subdivisions to provide either 10% of the land for municipal reserve, or cash-in-lieu, or a combination there-of, in compliance with the provisions in the MGA.

OBJECTIVE 4.1.3

To work with the local school boards to identify and acquire lands to meet future needs.

- Policy 4.1.3.1** The Village **shall** work with local school boards to identify appropriate land to meet the boards' needs.
- Policy 4.1.3.2** The Village **may** obtain land for future school sites through municipal reserve dedication in accordance with Policy 4.1.2.4.

Policy 4.1.3.3 The Village **may** seek to acquire additional lands if it is determined that the Village land supply does not meet the needs of the local school boards.

4.2 Residential Area

“A Place to Call Home”

According to the Sustainability Plan 2013, the majority of the housing stock in the Village of Marwayne is made up of single-detached dwellings (76.5%), with the second largest type of housing being modular homes (12.7%). The Village recognizes that a community is made of people from all walks of life, and as such, seeks to provide a variety of housing options in order to attract and retain residents.

OBJECTIVE 4.2.1

To ensure adequate land supply for future residential growth.

Policy 4.2.1.1 The Village **shall** direct residential development into those areas designated as “Residential” as noted in Figure 4: Future Land Use Designation Map.

Policy 4.2.1.2 The Village **should** monitor population age structures and demand to plan for the supply of adequate land to meet the growth.

Policy 4.2.1.3 The Village **should** consider orderly, cost effective and economically feasible extension of utilities and roadways in examining the suitability of new residential development.

OBJECTIVE 4.2.2

To ensure access to local open space and recreational amenities.

Policy 4.2.2.1 The Village **should** pursue opportunities to enhance open space and recreational amenities in residential neighbourhoods.

Policy 4.2.2.2 The Village **should** provide functional walkways in subdivisions linking residential areas with parks, trail systems, and public and commercial facilities.

Policy 4.2.2.3 The Village **should** ensure that walkways are landscaped, lighted, hard surfaced and well drained.

OBJECTIVE 4.2.3

To promote sense of place.

Policy 4.2.3.1 The Village **should** promote cost effective streetscapes and pedestrian safety with sufficient infrastructure and public amenities in the areas designated as “Future Growth Area”.

Policy 4.2.3.2 The Village **should** require boulevard trees and on-street parking in the neighbourhoods, where possible and feasible, to separate pedestrians from traffic.

Policy 4.2.3.3 The Village **should** encourage front porches in new and existing residential areas.

4

GROWTH + LAND USE

OBJECTIVE 4.2.4

To maintain the physical characteristics of the existing neighbourhoods.

- Policy 4.2.4.1** The Village **should** encourage new development within the existing neighborhood to be sensitive to the surrounding form and bulk.
- Policy 4.2.4.2** The Village **should** allow for the development of new modular housing provided that when completed such housing is consistent with the form and bulk of the immediate neighbourhood.

OBJECTIVE 4.2.5

To support aging in place.

- Policy 4.2.5.1** The Village **should** encourage the provision of sufficient self-contained housing for senior citizens by incorporating such uses within the Land Use Bylaw.
- Policy 4.2.5.2** The Village **should** encourage the provision of housing for other groups with special housing needs by incorporating such uses within the Land Use Bylaw.

OBJECTIVE 4.2.6

To encourage housing diversity.

- Policy 4.2.6.1** The Village **should** encourage a range of dwelling and lot sizes and a variety of housing types while maintaining single detached housing as the predominant housing form through provisions in the Land Use Bylaw.
- Policy 4.2.6.2** The Village **should** ensure that higher density housing is located in residential areas close to public facilities such as schools and major recreation facilities, major commercial development, and arterial roadways.
- Policy 4.2.6.3** The Village **should** create and maintain an up-to-date housing inventory to assist in making land use decisions.
- Policy 4.2.6.4** The Village **should** encourage higher density mixed-use development in the Village Centre.
- Policy 4.2.6.5** The Village **should** support home businesses to be located in residential districts to support local business development.
- Policy 4.2.6.6** The Village **should** encourage narrow-lot housing and affordable housing through provisions of the Land Use Bylaw in older parts of the Village where lot sizes are smaller.

4.3 Village Centre

“A Vibrant Downtown Core”

The creation of character and a sense of place can greatly increase residents’ sense of pride in their community and, in turn, augment quality of life. The community described their desired future for downtown core area as a vibrant community focal point with pedestrian-oriented commercial enterprise.

The Village has created a new, award winning downtown streetscape. An inventory of historical commercial places, a streetscapes design, a grant program, and design guidelines also became available to assist business owners with renovations. In 2010, three businesses received municipal historic designation.

Additionally, the Village has recently completed water, sewer and storm sewer upgrades in the downtown core area.

OBJECTIVE 4.3.1

To promote an attractive and safe Village Centre.

- Policy 4.3.1.1** The Village **shall** continue to focus on enhancing the visual appeal of the Village Centre.
- Policy 4.3.1.2** The Village **should** encourage businesses to have rear entry doors to accommodate customer and staff parking in the rear of buildings.
- Policy 4.3.1.3** The Village **shall** consider provisions in the Marwayne Downtown Historic Area Design Guidelines when evaluating development permits for renovations, alterations and additions to existing buildings, and any new development in the Village Centre.
- Policy 4.3.1.4** The Village **should** adopt universal design principles with new development.
- Policy 4.3.1.5** The Village **should** continue to promote crime prevention through applying design principles of Crime Prevention Through Environmental Design (CPTED).
- Policy 4.3.1.6** The Village **should** seek infill development opportunities for vacant lands before considering to expand the Village Centre.
- Policy 4.3.1.7** If expansion of the Village Centre is deemed appropriate, the Village **should** direct the future expansion southwest along Centre Street and northwest and southeast along the west side of Railway Avenue (refer to Figure 4: Future Land Use Designation Map).
- Policy 4.3.1.8** The Village **should** encourage and assist in organizing and coordinating community events in the Village Centre.

OBJECTIVE 4.3.2

To promote diverse shops, services and employment opportunities.

4

GROWTH + LAND USE

Policy 4.3.2.1 The Village **shall** continue to investigate tools to assist existing business to stay and expand, and attract additional business opportunities in the Village Centre.

Policy 4.3.2.2 The Village **shall** encourage development of retail business firstly in the Village Core and secondly along Highway 897 and 45 in the lands designated as “Commercial” on the Figure 4: Future Land Use Designation Map.

Policy 4.3.2.3 The Village **should** encourage government offices and services to be relocated or remain in the Village Centre.

Policy 4.3.2.4 The Village **should** encourage private sector offices to be located in the Village Centre.

OBJECTIVE 4.3.3
To encourage mixed-use developments with residential and commercial components.

Policy 4.3.3.1 The Village **should** encourage infill of vacant land and redevelopment of older buildings to accommodate residential units above ground level.

Policy 4.3.3.2 The Village **should** explore the option of adapting older buildings to serve as mixed-use affordable and/or senior’s housing.

4.4 Highway Commercial and Industrial Development

“A Thriving Economy”

One of the most important elements of resilient community building is achieving adequate economic and employment opportunities for Village residents. The Village is committed to making land available to accommodate growth. The Village annexed a quarter section south of the existing neighbourhood (NE23-52-3-W4) to allow industrial and highway commercial development. Additionally, an Area Structure Plan was also adopted in 2008 to provide guidance for development in this area. With this land, the Village reached a healthy assessment ratio of 1:2 between residential and non-residential land for tax base.

Lands along the east side of the Village boundary present an advantage to development due to their location. Highway 897 and 45 are readily available for these lands to access to major transportation routes that connect the area to the rest of the Province and Canada. It would be a natural extension of highway commercial and industrial uses into these areas.

OBJECTIVE 4.4.1
To provide an adequate supply of industrial and commercial land.

Policy 4.4.1.1 The Village **should** enable adequate land for transportation-oriented business along the Highway 897 corridor and industrial areas as shown in Figure 4: Future Land Use Designation Map.

Policy 4.4.1.2 The Village **shall** work with developers to provide necessary infrastructure and amenities for the properties in the designated areas.

Policy 4.4.1.3 The Village **shall** seek opportunities, such as Provincial and Federal programs and incentives, to assist industrial development.

OBJECTIVE 4.4.2

To ensure safe movement of goods and people throughout the Village.

Policy 4.4.2.1 The Village **should** require dangerous or hazardous goods transported by road is limited to main truck routes.

Policy 4.4.2.2 The Village **may** require appropriate noise attenuation measures to be implemented to create acceptable noise levels for residential development adjacent to collector roads.

OBJECTIVE 4.4.3

To ensure functional and efficient site layout and design.

Policy 4.4.3.1 The Village **should** ensure that vehicular and pedestrian circulation patterns and facilities, landscaping, waste collection, and other aspects of individual industrial and commercial developments in proximity to one another are coordinated.

Policy 4.4.3.2 The Village **should** examine applications for Highway Commercial development in respect to access, circulation, parking and signage.

Policy 4.4.3.3 The Village **should** require that Industrial Subdivision Plans contain lot sizes and configurations appropriate to anticipated industry demand.

Policy 4.4.3.4 The Village **should** encourage Low Impact Development (LID) suitable for cold climates.

Policy 4.4.3.5 The Village **may** require additional buffering where industrial parcels abut roadways, municipal reserves, and non-industrial lands.

Policy 4.4.3.6 The Village **should** work with Alberta Transportation to maintain safe access points along Highway 897 and 45.

Policy 4.4.3.7 The Village **shall** direct all subdivision and development permit applications to Alberta Transportation.

4

GROWTH + LAND USE

OBJECTIVE 4.4.4

To consider risks associated with oil and gas installments and activities and incorporate them into land use planning to achieve compatibility to adjacent land uses.

- Policy 4.4.4.1** The Village **should** develop and maintain up-to-date pipelines and wells information to assist in making appropriate land use decisions.
- Policy 4.4.4.2** The Village **should** work with the Alberta Energy Regulator (AER) to guarantee that adequate setbacks from sour gas facilities, pipelines, and wells are met through the subdivision and/or development permit approval process.
- Policy 4.4.4.3** The Village **should** collaborate with the Alberta Energy Regulator (AER), the Government of Alberta, industry operators and the development industry to minimize negative impacts from oil and gas activities to adjacent land uses.

4.5 Recreation

“Places to enjoy with friends and families”

Because the Village has a population of both young and old residents, it is important to promote a mix of both active and passive recreational activities. A variety of recreational services can be found in the Village, including skating and curling arenas, an outdoor skating rink, three ball diamonds, a running track, tennis courts, outdoor basketball court, soccer fields, children’s playgrounds, a campground, and a community hall that has a stage, conference room, and wireless internet access for a variety of activities and meetings. The local K-12 school has also been updated with improved capacity of accommodating larger community functions. The Village’s new facilities have been built to LEED Shadow standards.

The Village will continue to partner with the award-winning Marwayne Agricultural Society – which acts as the governing body to the recreational and non-profit groups in the Village of Marwayne – to seek solutions for recreational infrastructure and programming.

OBJECTIVE 4.5.1

To provide well connected and easy to access parks and trail system for all ages, stages, and abilities.

- Policy 4.5.1.1** The Village **should** preserve and maintain parks and open spaces in the existing neighbourhoods.
- Policy 4.5.1.2** The Village **should** provide sidewalks, trails and green corridors connection throughout the whole Village to promote active lifestyles.

OBJECTIVE 4.5.2

To advocate for the development of new recreational facilities.

- Policy 4.5.2.1** The Village **should** monitor the use of existing recreational facilities and identify trends in the facilities usage.
- Policy 4.5.2.2** Where viable, the Village **should** continue to enhance and incorporate new recreational facilities into their existing infrastructure.

4.6 Future Growth Area

“Lands of opportunity”

The MDP’s Land Use Concept identifies areas to accommodate the Village’s future growth. The intent is to allow the existing usage of lands and, at the same time, attract new development through providing a broad range of land use opportunities, ranging from single-detached houses to neighbourhood retail to potentially light industrial uses. The Village will work with private developers to ensure appropriate transition among the different uses and the provision of necessary municipal services and roadways.

The largest growth area is located south of the existing school site and residential areas, and north of the quarter section designated for future industrial uses. One of the non-operating landfill sites is located at the southwest corner of this area. Future development within the landfill buffering must comply with the MGA – Subdivision and Development Regulation. The Village is responsible to guide the development in this area in cooperation with Alberta Environment and Parks.

OBJECTIVE 4.6.1

To support a broad range of development and ensure compatibility between the new development and the adjacent existing uses.

- Policy 4.6.1.1** The Village **should** support residential and residential related uses close to the existing school site.
- Policy 4.6.1.2** The Village **should** require landowners and private developers to pay for services resulting from the new development.
- Policy 4.6.1.3** The Village **may** consider temporary solutions in water and sewer services that are efficient and economical for a new development. In doing so, the Village **should** provide timing of municipal service extension to service the development.
- Policy 4.6.1.4** The Village **should** require effective transition between new development and the adjacent uses through adequate setbacks and landscaped buffers.

4

GROWTH + LAND USE

OBJECTIVE 4.6.2
To ensure proper land use compliance within the non-operating landfill setback area.

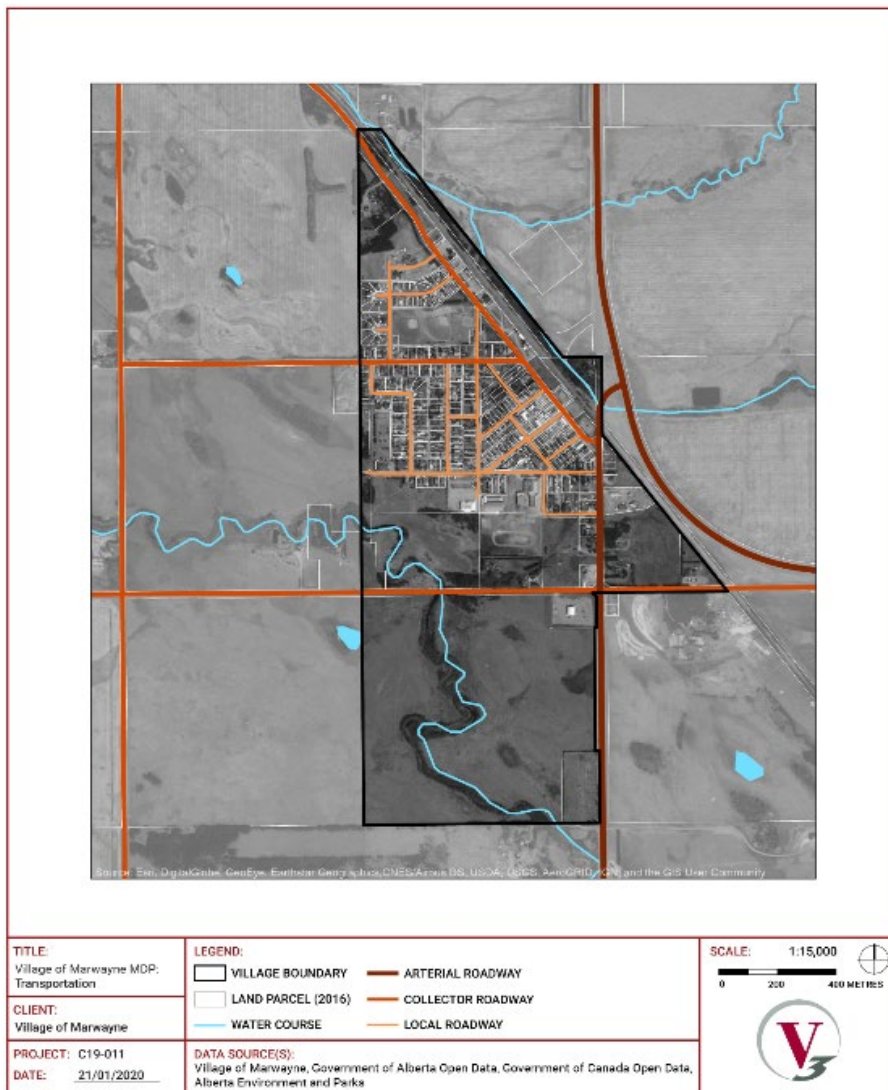
Policy 4.6.2.1 The Village **should** continue to assist new development to obtain the required variance from Alberta Environment and Parks.

5 TRANSPORTATION

Goal: To plan and develop a safe, efficient and effective transportation network.

Adequate vehicle transportation systems are a vital tool for economic development, as they play an important role in expanding and shaping the built environment in all communities. The development of roads needs to be managed to recognize the significant capital and operational costs associated with this infrastructure.

▼ Figure 5: Roadway Infrastructure Map



5

TRANSPORTATION

OBJECTIVE 5.1.1

To create an adequate road network that meets the needs of the residents, businesses, and industry.

- Policy 5.1.1.1** The Village **shall** develop cost effective road design standards for accommodating industrial, commercial and residential development, recognizing that each use and demand of the roads is not the same.
- Policy 5.1.1.2** The Village **shall** work with Alberta Transportation to monitor and maintain Highway 897.
- Policy 5.1.1.3** The Village **shall** protect lands to create sufficient right of ways to enable future roadway expansion, where necessary.

OBJECTIVE 5.1.2

To create a walkable community that facilitates the safe and efficient movement of pedestrians.

- Policy 5.1.2.1** The Village **shall** require the provision of sidewalks on at least one side of the road in residential districts.
- Policy 5.1.2.2** The Village **should** promote the construction of a walking/cycling trail system as an alternate form of transportation that provides non-motorized access between residential areas, parks and other public facilities.
- Policy 5.1.2.3** The Village **should** promote the use of narrower intersections in the form of reduced pavement width.
- Policy 5.1.2.4** The Village **should** provide traffic and pedestrian control as required through lane markings, crosswalks, signage and other control devices.
- Policy 5.1.2.5** The Village **should** adopt universally accessible design standards to accommodate all residents.

OBJECTIVE 5.1.3

To link new and old infrastructure systems together.

- Policy 5.1.3.1** When reviewing and dealing with Area Structure Plans, Outline Plans and proposed tentative subdivision plans, the Village **should** ensure there is adequate provision for future road linkages with adjacent undeveloped quarter sections.
- Policy 5.1.3.2** The Village **should** create compatible transportation networks with adjacent land uses.
- Policy 5.1.3.3** The Village **should** encourage street layout in the new development that are suited to existing topography and other natural features of the area to minimize cut-and-fill and grading throughout the site.

6 MUNICIPAL SERVICES

Goal: To plan and develop an efficient, effective and economical municipal infrastructure system.

The Village provides water and sanitary services to residential, commercial, industrial and institutional developments in the neighbourhood. The capacity of the existing infrastructure in Marwayne can serve almost double the current population. Water and sewer piping are installed under the road network as shown in Figures 6, 7 and 8. Marwayne is committed to upgrading water, sewer, and storm sewer services and infrastructure.

The water system for the Village is connected to the Alberta Central East Water Corporation water line, a regional water main. The sanitary system is directed to a sanitary lagoon northwest of the Village boundary. This facility is operated and maintained by the Village.

▼ Figure 6: Water Distribution Map (2016)

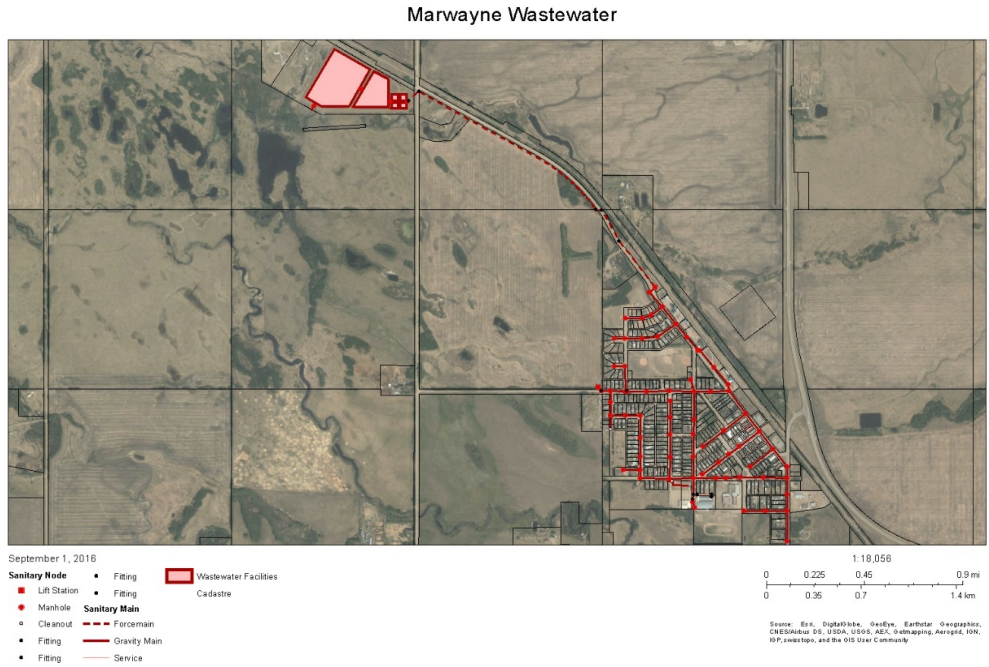


6

MUNICIPAL SERVICES

According to Marwayne’s 2016 Servicing Report, the sanitary sewer system has the capacity to serve a population of 1100. When the Village reaches a population of 750 people, it will begin to consider expanding these facilities (Figure 7).

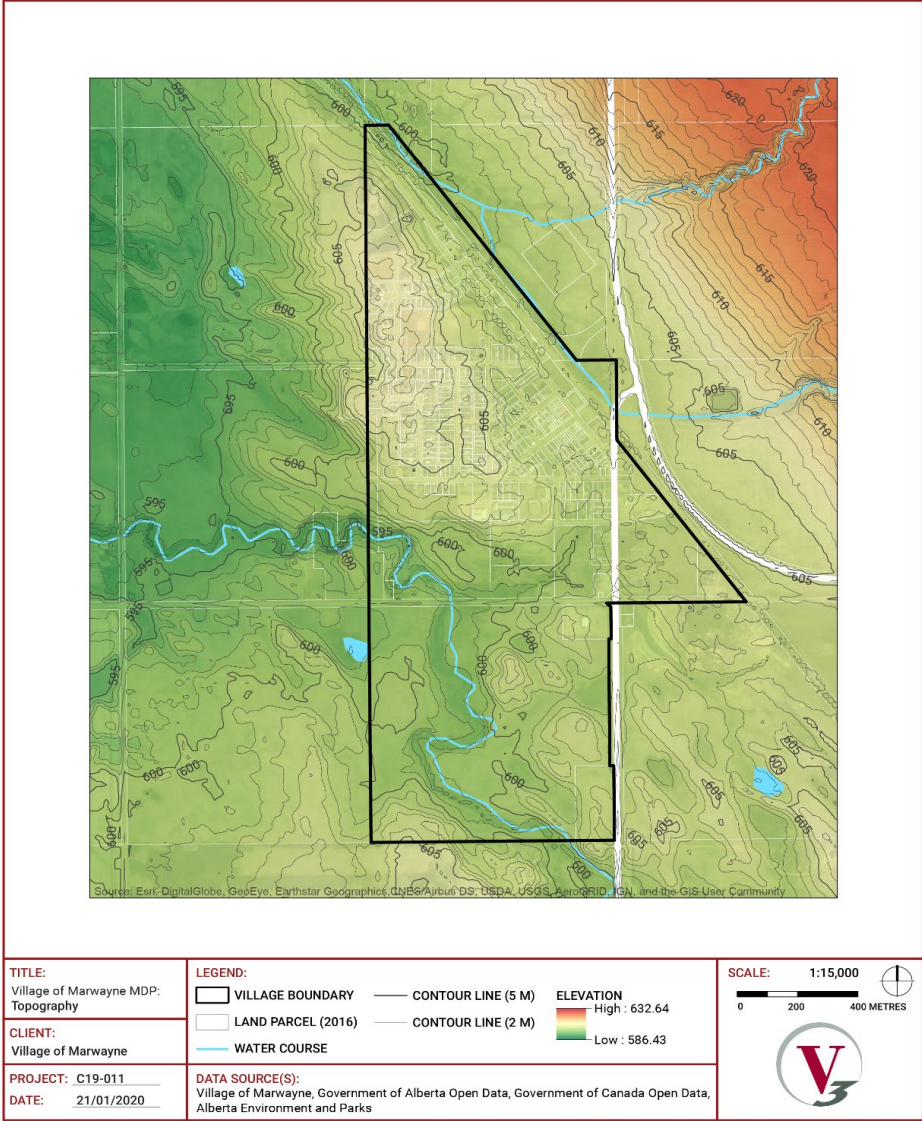
▼ Figure 7: Wastewater System (2016)



According to the Sustainability Plan 2013, the community was experiencing treated water loss in the older areas where the service lines and connections are developing hard to detect leaks. The Village’s wastewater system was also reported to have a problem with both inflow and infiltration of ground water.

The topography in and around Marwayne causes water to flow towards the Village from the northeast and away from the Village in the northwest, west, and south (Figure 8). The stormwater flows from the north and the east are directed to flow through a culvert perpendicular to the Canadian Pacific Railway.

▼ Figure 8: Stormwater Map (2020)



6

MUNICIPAL SERVICES

OBJECTIVE 6.1.1

To develop and maintain an efficient, effective and economical utility system to meet future development opportunities.

- Policy 6.1.1.1** The Village **shall** encourage new development to be located in the existing serviced area.
- Policy 6.1.1.2** The Village **shall** enable the continued expansion of utility services as required by development.
- Policy 6.1.1.3** The Village **should** avoid development that requires the installation of a lift station that would have to be absorbed of the Village.
- Policy 6.1.1.4** The Village **may** allow alternative sustainable onsite servicing solutions when a development requires a lift station.
- Policy 6.1.1.5** The Village **should** require planning of all future development to consider the direction of prevailing winds and stormwater drainage flow.
- Policy 6.1.1.6** The Village **should** include the projected costs of future utility development in the capital works budget.
- Policy 6.1.1.7** The Village **should** annually update its servicing plans to provide guidance for future development of water, sewer and stormwater systems and to assist with capital works budgeting.
- Policy 6.1.1.8** The Village **should** finance lane lighting and paving which is of local benefit through a local improvement plan.
- Policy 6.1.1.9** The Village **should** develop an infrastructure asset management plan to track the life cycle of infrastructure to assist with budget allocations.

OBJECTIVE 6.1.2

To keep the development and maintenance of the utility system at minimum cost to existing tax payers.

- Policy 6.1.2.1** As a condition of subdivision or development permit approval, the Village **should** enter into an agreement with the developer indicating responsibility of the developer for all servicing, infrastructure and utility costs associated with the development.
- Policy 6.1.2.2** The Village **should** require developers to prepare a stormwater management plan for approval from the Village prior to development being approved.

OBJECTIVE 6.1.3

7 ECONOMIC DEVELOPMENT

Goal: To promote Marwayne’s long-term economic resiliency.

The importance of having a strong industrial and commercial tax base is critical to the resilience of the Village. The Village’s primary tax base is from economic sectors such as agriculture, oil and gas, retail and service sectors serving the trade area and extending into the greater region. Agriculture is the economic underpinning for many of the residents of the Village. During the past several decades, the Village has experienced significant growth resulting from the region’s manufacturing and oil and gas sectors.

The Village’s future economic development will be closely tied to the region’s growth. The regional GDP is anticipated to increase due to modest rates of industry-specific labour productivity growth. Some of these industries include: crop and animal production; agriculture support services; utilities and construction; postal services, broadcasting and other information services; and financial enterprises, education, health care services and hospitals, to name a few.

The Village has a variety of facilities that the community enjoys year-round as well as reserve areas adjacent to the Marwayne Creek. These built and natural assets provide the Village with the opportunity to take on a larger role as a seasonal tourism service provider for tourists in the region.

OBJECTIVE 7.1.1

To continue to identify ways to attract and retain businesses.

- Policy 7.1.1.1** The Village **should** establish a community marketing strategy that promotes the advantage and opportunities for business and tourism in Marwayne.
- Policy 7.1.1.2** The Village **should** pursue diversification of industrial and commercial development.
- Policy 7.1.1.3** The Village **should** adopt a “business friendly” approach in the processing of development and building permits.
- Policy 7.1.1.4** The Village **may** explore innovative ways to sell the Village’s land as encouragement for development.
- Policy 7.1.1.5** The Village **may** explore creative approaches to attract businesses through tools, such as tax incentives or supporting infrastructure installation, in a managed approach.

OBJECTIVE 7.1.2

To continue collaboration with nearby municipalities and regional organizations.

- Policy 7.1.2.1** The Village **should** continue to work with the Vermilion River Regional Alliance (VRRRA) and Alberta HUB to seek regional solutions and support for commercial and industrial development and initiatives.

7

ECONOMIC DEVELOPMENT

OBJECTIVE 7.1.3

To advocate for investment in education and training to promote a skilled local labour force.

Policy 7.1.3.1 The Village **may** seek opportunities to partner with school boards and other educational institutions.

Policy 7.1.3.2 The Village **should** support the development of the Business Communication room with adequate telecommunication tools.

8 ENVIRONMENT

Goal: To protect and enhance the natural environment for future generations.

Council recognizes a positive environment is needed for economic activity, retaining and increasing services, creating employment, increasing the assessment base and fostering a quality of life in Marwayne.

The Village of Marwayne is committed to preserving important environmental features and enhancing the urban environment through the use of planted vegetation within the Village limits. Increasing the amount of urban vegetation is both sound environmental and aesthetic policy: vegetation has the ability to reduce storm water run-off and reduce energy consumption through shading, wind protection, decreased irrigation and water consumption. Increasing the vegetative cover is a simple way to enhance the visual aesthetics of the Village – particularly in new residential developments – and thereby making Marwayne a more amenable place to both live and work.

Additionally, the Village is working to ensure the environmental remediation of land along the old railway line and in the process of facilitating development of an industrial park at the southerly end of the Village.

OBJECTIVE 8.1.1

To conserve and protect the natural features in the Village.

- Policy 8.1.1.1** The Village **should** assess subdivision and development permit applications for their impact on the environment.
- Policy 8.1.1.2** The Village **should** encourage new developments to protect special natural features and incorporate them into the design of the development, particularly in regard to environmentally sensitive land along the Marwayne Creek.
- Policy 8.1.1.3** The Village **should not** allow development that will negatively affect the natural environment through air, noise, water or visual pollution.
- Policy 8.1.1.4** The Village **should** encourage innovative approaches to develop and operate a utility system to effectively reduce the amount of greenhouse gas emissions and provide cleaner air.
- Policy 8.1.1.5** The Village **should** encourage conservation of water use through education, promotion, and development of policies where appropriate for large water users.
- Policy 8.1.1.6** The Village **should** implement sustainable technologies into all Village assets.
- Policy 8.1.1.7** The Village **should** encourage developers, businesses and residents to adopt energy saving measures.

8

ENVIRONMENT

Policy 8.1.1.8 The Village **should** continue to take regular "energy audits" of Village controlled buildings and consider implementing ways to reduce energy consumption, e.g., Village vehicles and equipment, street lighting, heating and ventilation and energy efficient light bulbs.

Policy 8.1.1.9 The Village **should** encourage planting more trees in new residential, commercial and industrial developments, and in other public areas throughout the Village.

Policy 8.1.1.10 The Village **should** continue to encourage individuals, businesses and community groups to participate in the annual community clean-up.

Policy 8.1.1.11 The Village **should** consider helping community groups in providing receptacles for recycling and composting.

OBJECTIVE 8.1.2
To ensure new development's compliance to all applicable regulations within the landfill buffering area.

Policy 8.1.2.1 The Village **shall**, on behalf of landowners and developers, apply for a non-operating landfill variance through AEP.

Policy 8.1.2.2 The Village **shall** continue to identify ways to remove the 300 m setback control.

9 COMMUNITY DEVELOPMENT AND SERVICES

Goal: To develop and maintain excellent community amenities and services for local residents and broader region.

A thriving social environment is built on a sense of belonging, a sense of safety and security, and an understanding of community needs. The Village of Marwayne recognizes the importance of community development and aims to promote civic involvement, bolster community spirit and create a welcoming environment for people of all walks of life.

The availability of community amenities and facilities is critical as the Village is to be perceived as a viable choice for families to live and grow. Similar to many small municipalities, the Village faces challenges of keeping the facilities well maintained due to the lack of sustainable funding and the dependence on a seasonal human resources labor pool. The Village also faces the shortage of volunteers for the ongoing management of public facilities.

OBJECTIVE 9.1.1

To empower and support volunteers.

- Policy 9.1.1.1** The Village **should** encourage public participation in its planning and development endeavors.
- Policy 9.1.1.2** The Village **may** encourage the development of neighbourhood and community groups and initiatives that support community well-being.
- Policy 9.1.1.3** The Village **should** continue to support the Marwayne Agricultural Society and its umbrella governance structure as an approach to making the Village sustainable.

OBJECTIVE 9.1.2

To promote essential services to all the residents and special needs groups.

- Policy 9.1.2.1** The Village **should** maintain public amenities where families can gather and socialize.
- Policy 9.1.2.2** The Village, in conjunction with the County of Vermilion River, **should** continue to provide ambulance and fire protection services in accordance with their agreement. Maintenance and upgrading of equipment will be considered in the five (5) year capital budget.
- Policy 9.1.2.3** The Village **should** endeavor to enable places of worship according to community needs.
- Policy 9.1.2.4** The Village **may** encourage the provision of a privately-run senior's transportation service to promote access to healthcare services in larger centres in the region.

9

COMMUNITY DEVELOPMENT + SERVICES

Policy 9.1.2.5 The Village **should** provide transportation services to seniors and people with physical disabilities, subject to the availability of funding from senior levels of government.

OBJECTIVE 9.1.3
To increase awareness of community events and increase communication.

Policy 9.1.3.1 The Village **should** explore the feasibility of installing an electronic screen to advertise all events and information and encourage residents to use the screen.

Policy 9.1.3.2 The Village **should** continue to utilize its newsletter, website and social media for information sharing and communication.

Policy 9.1.3.3 The Village **should** investigate innovative tools to raise awareness of community events and initiatives.

OBJECTIVE 9.1.4
To encourage the utilization of existing public facilities.

Policy 9.1.4.1 The Village **should** promote the usage of the new and existing facilities for cultural and recreational programming.

OBJECTIVE 9.1.5
To reduce capital and operating costs of public facilities.

Policy 9.1.5.1 The Village **should** move towards making the operations of recreation facilities financially self-supporting.

Policy 9.1.5.2 The Village **should** support community organizations in the maintenance of recreation areas.

OBJECTIVE 9.1.6
To identify long-term consideration for the development and maintenance of public facilities.

Policy 9.1.6.1 The Village **should** develop a comprehensive asset management plan to assist in the understanding of all Village's assets, their lifecycle and replacement costs. This information **should** be considered in the Village's long-term budget management plan.

10 PLAN IMPLEMENTATION AND MONITORING

To establish a framework for implementation and monitoring of the vision, goals, objectives and policies of this MDP.

The vision, goals, objectives and policies contained within this MDP are meant to be used to inform the municipal decision-making process relating to a variety of matters, as well as the creation of implementation tools such as the Village’s Land Use Bylaw and other planning related tools. As the Village of Marwayne grows and develops over a period of time, so will the relevance of its guiding directives and policies. To maintain the effectiveness and relevance of the goals and objectives of this document, reviews, community consultations and public engagement sessions should be conducted after a set period of time as required.

OBJECTIVE 10.1.1

Achieve consistency between all guiding policy documents.

Policy 10.1.1.1 If an IDP exists between the Village and the County of Vermillion River and an amendment is made to the IDP, the MDP **shall** be reviewed, and where required, updated to be consistent with the IDP.

Policy 10.1.1.2 The goals, objectives, and policies of all Village Statutory Plans and bylaws and amendments **shall** be consistent with the provisions of this MDP.

OBJECTIVE 10.1.2

To encourage the effective implementation of the visions, goals, objectives and policies contained within this MDP.

Policy 10.1.2.1 The Village **shall** work towards collaboration with other government agencies, other municipalities, and public and private agencies to advance the implementation of the policies and objectives of this MDP.

Policy 10.1.2.2 The Village **should** use the Land Use Bylaw and other associated bylaws as key tools to achieve the objectives and implement the policies of this MDP.

Policy 10.1.2.3 The Village **may** provide incentives, through a formal policy, to promote various forms of development. Incentives will only be offered when there is a clear public interest or policy objective in doing so.

Policy 10.1.2.4 The Village **shall** prioritize projects according to the municipal budget. The Village **should** prioritize projects in conjunction with the asset management plan should it be developed as outlined in Policy 9.1.6.1.

10

PLAN IMPLEMENTATION + MONITORING

OBJECTIVE 10.1.3
Monitor the effectiveness and applicability of the MDP.

- Policy 10.1.3.1** A comprehensive review **shall** occur at least once every five (5) years, in conjunction with reviewing and updating the Village’s Sustainability Plan 2013, and in alignment with the municipal election cycle, to keep this MDP relevant and current.
- Policy 10.1.3.2** Administration **shall** solicit comments and suggestions for improvements to this MDP on an on-going basis, and carry-out an annual amendment to reflect these comments where desirable.
- Policy 10.1.3.3** Amendments to this MDP **shall** be in accordance with the requirements of the MGA.
- Policy 10.1.3.4** Council **shall** establish key monitoring measures to be carried out by administration to assist with making decisions when implementing policies outlined in this MDP.

11 GLOSSARY

Asset Management	Data of all the Village assets, detailing maintenance costs, operating costs and life-cycle to aide in budget allocation.
Crime Prevention Through Environmental Design (CPTED)	A multi-disciplinary approach to deterring criminal behavior through environmental design. CPTED strategies rely upon the ability to influence offender decisions that precede criminal acts. Generally speaking, most implementations of CPTED occur solely within the urbanized, built environment. Specifically altering the physical design of the communities in which humans reside and congregate in order to deter criminal activity is the main goal of CPTED. CPTED principles of design affect elements of the built environment ranging from the small-scale (such as the strategic use of shrubbery and other vegetation) to the overarching, including building form of an entire urban neighbourhood and the amount of opportunity for “eyes on the street”.
Environmentally Sensitive Areas	Reserve land dedicated at the time of subdivision for the purposes of preserving natural features and open space, and must be preserved in its natural state or used as a public park. ER can be dedicated on lands that consist of a swamp, gully, ravine, coulee, natural drainage course, land that is unstable, subject to flooding, or a strip of land not exceeding six metres wide abutting the shore of any water body.
Intermunicipal Collaboration Framework (ICF)	is a mandated legal document required by the Municipal Government Act that requires the development of a formal document between bordering municipalities that identifies opportunities for collaboration around mutual services provided.
Intermunicipal Development Plan (IDP)	is a legal document used by adjoining municipalities to develop a land use plan related to the future development of lands along the peripheral boundaries of the respective municipalities? This document can include provision around future annexation of lands as well as other topics as discussed in the Municipal Government Act.
Low Impact Development (LID)	mimics natural hydrology (movement of water) by managing stormwater close to its source. Wherever possible, natural landscape features that contribute to local hydrology are preserved and incorporated into urban design.
Municipal Government Act (MGA)	is the main provincial legislation that sets out the roles of municipal officials and municipalities, including the content of a Municipal Development Plan.
Municipal Reserve (MR)	Lands designated as Municipal Reserve are lands for schools, parks and public recreation purposes provided by the developer as part of the subdivision process.

11

GLOSSARY

- School Reserve** Lands designated as Municipal Reserve are lands for schools, parks and public recreation purposes provided by the developer as part of the subdivision process.

- Statutory Plan** A Planning Document, such as a Municipal Development Plan, Inter-municipal Development Plan or Area Structure Plan which is accepted through the Bylaw process at the Municipal Government Level.

- Universal Design** The design of buildings, streets, roadway systems and public spaces that accommodate the widest range of potential users. This is accomplished by removing barriers for those with mobility, visual and hearing impairments, and accounting for other special needs.

- Walkable Community** A community designed to make travel on foot convenient, attractive, and comfortable for people of various ages and abilities. Considerations include the directness of the route, safety, amount of street activity, separation of pedestrian and auto circulation, street furniture, surface material, sidewalk width, prevailing wind direction, intersection treatment, curb cuts, ramps and landscaping.



McALLISTER DRILLING INC.

Box 1189
Lloydminster, AB/SK
S9V 1G1
Phone: (780) 875-2409
george@mcallisterdrilling.ca

Invoice No. **Quote**
Update Date: March 16, 2020
Bill To: Village of Marwayne
Box 113
Marwayne, AB
T0B 2X0
Address:
Contact: Shannon Harrower
Phone: (780)847-3962
Email: cao.marwayne@hmsinet.ca

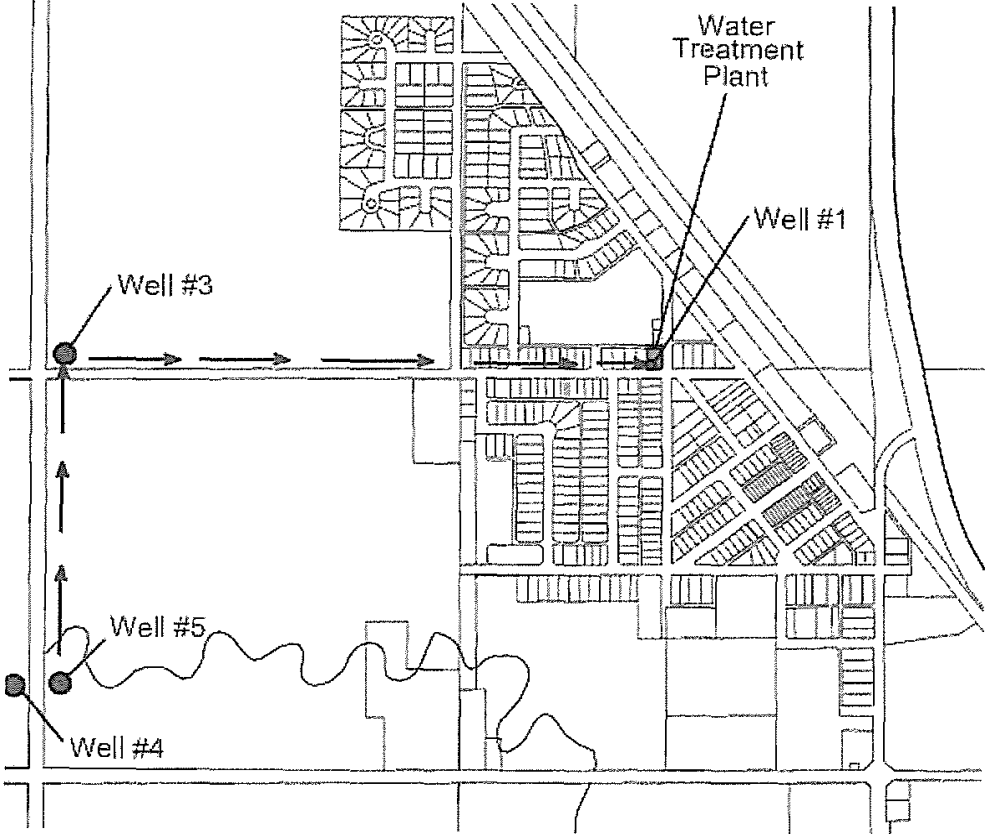
Estimated Cost to Abandon two 7" water wells near Marwayne, AB. (Based on doing both wells at same time)

Rig #:
Supervisor:

Scope of work: Abandonment of two source water wells for the Village.
Legal Land Des: SE-27-52-3-W4 & SW-26-52-3-W4

Services	Units	Cost Per Unit	Amount
Cost to pull pumps out of wells:			
Service Rig travel & Labour	6 hrs	\$135.00	\$810.00
Cost of abandoning two wells:			
Mobilization & Demobilization (includes freight on materials to site)(water truck , grout machine , crew truck and crew)	2 hrs	\$450.00	\$900.00
Rig time to abandone two holes (install material)	5 hrs	\$450.00	\$2,250.00
Chlorine (L)	2 wells	\$48.00	\$96.00
Bentonite chips- client will use after cutting casing off below gd.	12 bags	\$24.00	\$288.00
Clean frak-sand (fill open area through water zones)	20 bags	\$24.00	\$480.00
Bentonite Grout seal (pumped from bottom of casings to surface)	30 bags	\$28.00	\$840.00
Note:			
*McAllister Drilling will supply a Water truck but client will supply access to water			
*Client is responsible to dig down below ground level and cut off casing and cap.			
*Client is responsible for removing any building that are over wells to be abandoned.			
*Third party charges are cost plus 10%			
*Access is the responsibility of the client.			
*Water and disposing of waste is the responsibility of the client.			
*All extra rig time, safety, standbye, etc is charged @ \$450/hr.			
*Pumping materials will be left on site unless requested removal by client.			
G.S.T # R874304710 RT0001		Invoice Subtotal	\$5,664.00
		GST 5%	\$283.20
		TOTAL	\$5,947.20

Location of the Marwayne Water Wells are:



AGENDA ITEM #5.1

Rusway Construction Ltd. 5509 - 67 Avenue Lloydminster, AB T9V 3N6		Quote		
		Terms	Quoted by	Date
		Net 30	Kevin Lane	18-Mar-20
Name/Address Village of Marwayne Box 113, 210 2nd Ave S email: marwayne@mcsnet.ca Phone:(780) 847-3962 Attention: Shannon Harrower		Project Village of Marwayne Water Well Deletion Marwayne, AB		
Description	Qty	Unit	Unit Price	Total
Excavation to decommission existing water wells Quote Includes - Excavation to 9' depth to cut well casing, remove casing and backfill excavated trench - One call and private locates - Hydrovac charges as needed to daylight existing utilities - Mobilization to and from site and any needed mobilization within the village Quote does not include - Landfill tipping fees for the removal of waste - Asphalt or concrete restoration - Hydrovac charges as needed to daylight existing utilities - Excavation in frozen ground conditions	1	Lump Sum	\$5,390.00	\$5,390.00
The following makes up an integral part of this quotation: Includes, locates, signage, road closure and excavation permits GST. not included We appreciate the opportunity to provide this quote should you have any questions please do not hesitate to call Dean Robertson at (780) 871-2096 or Kevin Lane at (780) 872-0370.				
			TOTAL	\$5,390.00
Quote remains valid for 30 days. Prices do not include GST, utility locates, engineering/survey or layout, hydrovac or hand exposure, bonding, permits, testing, dewatering, signage/barricades, removal of trees/garbage/debris, removal or replacement of existing structure including retaining walls, patio/decks/steps/driveways/sidewalks/curbs/fences/irrigation systems, removal of excess dirt/topsoil, replacement of topsoil, import/export of material not noted above, seeding, sodding or trench settlement. Payment terms are 30 days. Thank you for the opportunity to provide you with a quote, we look forward to contributing to your project.				
_____ Rusway Construction Ltd.		_____ Customer Acceptance		
email: kevin@rusway.ca			Phone: 780-875-69 Fax: 780-875-6621	



March 12, 2020

Town of Marwayne
PO Box 113 Stn Main
Marwayne, AB

Attention Playground Light:

**Re: Proposal for
Our File: 1008428**

Thank you for giving ATCO Electric the opportunity to submit a Proposal at the above noted location. The cost and technical details presented in this proposal are based on information provided by you at the time of application. A site visit may be completed after proposal acceptance depending on your requested in-service date.

Commercial Terms

<input type="checkbox"/> Firm Cost:	
Rate Schedule: D61B Street Light (Inv Option)	
Original Cost:	\$12,412.34
ATCO Electric’s available investment:	(\$2,599.00)
Customer Contribution:	\$9,813.34
GST:	\$490.67
Cost To Customer:	\$10,304.01
Distribution contract demand:	N/A 25 year investment term, 5 year initial term
Rate minimum monthly demand:	D61B-N/A

Invested Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. ATCO Electric is responsible for full cost of end of life replacement.

No Investment Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. The customer is responsible for full cost of replacement

Based on our initial review of the project requirements, we estimate it will take 53 calendar days to complete. Please review the contents of the proposal carefully and provide your acceptance or rejection; to meet the requested in-service date of April 30, 2020 your response is required by March 30, 2020.

Thank you for working with us to provide your electric service requirements. If you have any questions or would like to discuss this proposal, please call me at 587-217-4527.

Megan Nichols
Customer Connection Expeditor
587-217-4527
Megan.Nichols@atco.com



Scope of Services

Project #1008428

Customer responsibility to the project includes:

- Staking final grade in area of construction.
- Ensuring any required municipal development permits are in place.
- Signing and returning the Customer Acknowledgement Project Acceptance page of this proposal.

ATCO Electric's responsibility to the project includes:

- Supplying and installing 1 Light – 38w LED
- Supplying and installing a Supply and installing

This estimate is subject to the following assumptions:

Route selection, site location and scope of work determined using customer provided information does not change
Ability to acquire third party approvals required for route selection



Additional Terms of Agreement

Project #1008428

1. This Proposal for Electric Service is valid for 90 calendar days from the date of this proposal.
2. Customer acceptance of ATCO Electric's Cost Proposal is required before ATCO Electric will proceed with the project. Customer acceptance or rejection is recognized at the time ATCO Electric receives a signed copy of the Customer Acknowledgement Project Acceptance page from the customer.
3. Upon receiving the Customer's acceptance, ATCO Electric will commence with planning and construction activities. An invoice to the Customer for the full amount of the Customer Contribution to the project will be forwarded prior to construction completion. The customer is responsible for paying the full amount of the invoice within 30 calendar days of receipt from ATCO Electric.
4. Electric service will be delivered under our current price schedule D61B. Price schedules and company investments are in accordance with the ATCO Electric Customer Terms and Conditions for Electric Distribution Service as approved by the Alberta Utilities Commission.
5. Distribution monthly charges will begin not more than 30 days following construction completion. The minimum monthly distribution contract demand will be carried forward annually for the life of the service, (D61B-25 years).
6. The minimum monthly charge while idle shall be as per the applicable price schedule. Price schedules are found on www.atcoelectric.com.
7. The customer has the right to cancel this project at any time. The customer must notify ATCO Electric of its desire to cancel the project by contacting the ATCO Electric Representative listed on the Customer Acknowledgement Proposal Acceptance page of this proposal in writing.
8. Customers who cancel a project prior to accepting ATCO Electric's Proposal are not responsible for costs incurred by ATCO Electric to prepare the Proposal.
9. Customers who cancel a project after accepting ATCO Electric's Proposal are responsible and will be invoiced for the full amount of ATCO Electric services and costs incurred from the date of the customer application up to and including the date of cancellation.
10. This Proposal for Electric Service is subject to the ATCO Electric Customer Terms and Conditions for Electric Distribution Service found on www.atcoelectric.com. These Terms and Conditions are approved by the Alberta Utilities Commission and are amended from time to time. If there is any conflict or inconsistency between the terms and conditions of this Proposal for Electric Service and the terms and conditions of the ATCO Electric Customer Terms and Conditions for Electric Distribution Service, the ATCO Electric Customer Terms and Conditions for Electric Distribution Service shall prevail to the extent of the conflict or inconsistency.
11. The service described herein is provided for the Customer's use only at the said location, and the Customer shall not permit any other person to use such service.
12. ATCO Electric retains ownership and is responsible for the maintenance of the distribution facilities.
13. Site identification numbers will be provided on your acceptance of this proposal.
14. Customers are responsible for selecting an energy retailer to purchase energy on their behalf. Regardless of the retailer chosen, the energy will be delivered through ATCO Electric's system of power lines. In order to assist you with your retailer selection, the government of Alberta maintains a list of retailers that are registered to provide energy in Alberta. This list can be found at <http://ucahelps.alberta.ca/>
15. For your additional assistance, ATCO Electric has developed the Customer Guide to New Extensions to help customers understand our business practices and processes for new or upgraded electric services. Your ATCO Electric Customer Connection Expeditor is available to review details of the Customer Guide with you at your convenience.



**Customer Acknowledgement
Project Response
Project #1008428**

Project Scope and Commercial Terms

<input type="checkbox"/> Firm Cost:	
Rate Schedule: D61B Street Light (Inv Option)	
Original Cost:	\$12,412.34
ATCO Electric’s available investment:	(\$2,599.00)
Customer Contribution:	\$9,813.34
GST:	\$490.67
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Distribution contract demand:	N/A 25 year investment term, 5 year initial term
Rate minimum monthly demand:	D61B-N/A

Invested Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. ATCO Electric is responsible for full cost of end of life replacement.

No Investment Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. The customer is responsible for full cost of replacement

Project Response

Accept Proposal **Reject Proposal**

On behalf of Town of Marwayne, I _____ am authorized to execute this agreement. I acknowledge that I have reviewed this Proposal for Electric Service in its entirety and understand these Terms and Conditions, Additional Terms of Agreement, Project Scope and Commercial Terms and agree to be bound by them.

Customer Signature: _____ Date: _____

Your opinion matters to us!
But if you would prefer to **not** receive a follow-up survey regarding the services provided by ATCO, please initial here: _____



Please email the completed form to the undersigned.

By Email to megan.nichols@atco.com
By Mail to Attn: Megan Nichols
 ATCO Electric
 PO Box 11590
 Lloydminster Alberta
 T9V 3B8

Sincerely,

Megan Nichols

Megan Nichols
Customer Connection Expeditor
587-217-4527
Megan.Nichols@atco.com



March 12, 2020

Town of Marwayne
PO Box 113 Stn Main
Marwayne, AB

Attention Shannon Harrower CAO:

**Re: Proposal for
Our File: D71203**

Thank you for giving ATCO Electric the opportunity to submit a Proposal at the above noted location. The cost and technical details presented in this proposal are based on information provided by you at the time of application. A site visit may be completed after proposal acceptance depending on your requested in-service date.

Commercial Terms

- Firm Cost: New pole & New light
Rate Schedule: D61B Street Light (Inv Option)
Original Cost: \$4,873.00
ATCO Electric’s available investment: (\$2,599.00)

Customer Contribution: \$2,274.00
GST: \$113.70
Cost To Customer: \$2,387.70

Distribution contract demand: N/A 25 year investment term, 5 year initial term
Rate minimum monthly demand: D61B-N/A
- Firm Cost: Existing Pole but needs to be installed and new light
Rate Schedule: D61B Street Light (Inv Option)
Original Cost: \$4,500.00
ATCO Electric’s available investment: (\$2,599.00)

Customer Contribution: \$1,901.00
GST: \$95.05
Cost To Customer: \$1,996.05

Distribution contract demand: N/A 25 year investment term, 5 year initial term
Rate minimum monthly demand: D61B-N/A

Invested Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. ATCO Electric is responsible for full cost of end of life replacement.

No Investment Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. The customer is responsible for full cost of replacement



Based on our initial review of the project requirements, we estimate it will take 0 calendar days to complete. Please review the contents of the proposal carefully and provide your acceptance or rejection; to meet the requested in-service date of April 30, 2020 your response is required by March 31, 2020

Thank you for working with us to provide your electric service requirements. If you have any questions or would like to discuss this proposal, please call me at 587-217-4527.

Megan Nichols
Customer Connection Expeditor
587-217-4527
Megan.Nichols@atco.com



Scope of Services

Project #D71203

Customer responsibility to the project includes:

- Staking final grade in area of construction.
- Ensuring any required municipal development permits are in place.
- Signing and returning the Customer Acknowledgement Project Acceptance page of this proposal.

ATCO Electric's responsibility to the project includes:

- Supplying and installing 1 Light – 38W LED
- Supplying and installing a Supply and installing

This estimate is subject to the following assumptions:

Route selection, site location and scope of work determined using customer provided information does not change
Ability to acquire third party approvals required for route selection



Additional Terms of Agreement

Project #D71203

1. This Proposal for Electric Service is valid for 90 calendar days from the date of this proposal.
2. Customer acceptance of ATCO Electric's Cost Proposal is required before ATCO Electric will proceed with the project. Customer acceptance or rejection is recognized at the time ATCO Electric receives a signed copy of the Customer Acknowledgement Project Acceptance page from the customer.
3. Upon receiving the Customer's acceptance, ATCO Electric will commence with planning and construction activities. An invoice to the Customer for the full amount of the Customer Contribution to the project will be forwarded prior to construction completion. The customer is responsible for paying the full amount of the invoice within 30 calendar days of receipt from ATCO Electric.
4. Electric service will be delivered under our current price schedule D61B, D61B. Price schedules and company investments are in accordance with the ATCO Electric Customer Terms and Conditions for Electric Distribution Service as approved by the Alberta Utilities Commission.
5. Distribution monthly charges will begin not more than 30 days following construction completion. The minimum monthly distribution contract demand will be carried forward annually for the life of the service, (D61B-25 years, D61B-25 years).
6. The minimum monthly charge while idle shall be as per the applicable price schedule. Price schedules are found on www.atcoelectric.com.
7. The customer has the right to cancel this project at any time. The customer must notify ATCO Electric of its desire to cancel the project by contacting the ATCO Electric Representative listed on the Customer Acknowledgement Proposal Acceptance page of this proposal in writing.
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9. Customers who cancel a project after accepting ATCO Electric's Proposal are responsible and will be invoiced for the full amount of ATCO Electric services and costs incurred from the date of the customer application up to and including the date of cancellation.
10. This Proposal for Electric Service is subject to the ATCO Electric Customer Terms and Conditions for Electric Distribution Service found on www.atcoelectric.com. These Terms and Conditions are approved by the Alberta Utilities Commission and are amended from time to time. If there is any conflict or inconsistency between the terms and conditions of this Proposal for Electric Service and the terms and conditions of the ATCO Electric Customer Terms and Conditions for Electric Distribution Service, the ATCO Electric Customer Terms and Conditions for Electric Distribution Service shall prevail to the extent of the conflict or inconsistency.
11. The service described herein is provided for the Customer's use only at the said location, and the Customer shall not permit any other person to use such service.
12. ATCO Electric retains ownership and is responsible for the maintenance of the distribution facilities.
13. Site identification numbers will be provided on your acceptance of this proposal.
14. Customers are responsible for selecting an energy retailer to purchase energy on their behalf. Regardless of the retailer chosen, the energy will be delivered through ATCO Electric's system of power lines. In order to assist you with your retailer selection, the government of Alberta maintains a list of retailers that are registered to provide energy in Alberta. This list can be found at <http://ucahelps.alberta.ca/>
15. For your additional assistance, ATCO Electric has developed the Customer Guide to New Extensions to help customers understand our business practices and processes for new or upgraded electric services. Your ATCO Electric Customer Connection Expeditor is available to review details of the Customer Guide with you at your convenience.



**Customer Acknowledgement
Project Response**

Project #D71203

Project Scope and Commercial Terms

Firm Cost: New pole & New light
 Rate Schedule: D61B Street Light (Inv Option)
 Original Cost: \$4,873.00
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Invested Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. ATCO Electric is responsible for full cost of end of life replacement.
No Investment Option: The lighting fixtures are installed, owned and maintained by ATCO Electric. The customer is responsible for full cost of replacement

Project Response
 Accept Proposal **Reject Proposal**

On behalf of Town of Marwayne, I _____ am authorized to execute this agreement. I acknowledge that I have reviewed this Proposal for Electric Service in its entirety and understand these Terms and Conditions, Additional Terms of Agreement, Project Scope and Commercial Terms and agree to be bound by them.

Customer Signature: _____ Date: _____

Your opinion matters to us!
 But if you would prefer to **not** receive a follow-up survey regarding the services provided by ATCO, please initial here: _____



Please email the completed form to the undersigned.

By Email to megan.nichols@atco.com

By Mail to Attn: Megan Nichols
ATCO Electric
PO Box 11590
Lloydminster Alberta
T9V 3B8

Sincerely,

Megan Nichols

Megan Nichols
Customer Connection Expeditor
587-217-4527
Megan.Nichols@atco.com



2019 In-Kind Community Group Contribution Report

2019 ORGANIZATIONS
Arena
Agricultural Society
Chamber of Commerce
Minor Ball Association
Curling Club
Cemetery
Seniors & Seniors Program
Ad Grad Calendar/awards night/legion
Community Hall
Dance Academy/office for recital
Public Library (NLLS)
Lil Critters Playschool
Lea Park Rodeo
Newsletter - other
Volunteer Recognition (Fire Dept.)
Seniors Snow Flag
Community Bookings

2019 in-kind	2019 FCSS	Annual donation/requisition
\$ 5,555.00		
\$ 5,190.00		
\$ 795.00		
\$ 7,035.00		
\$ 1,905.00		
\$ 315.00		
\$ 360.00	\$ 1,000.00	
\$ 555.00		
\$ 1,500.00		
\$ 550.00		
\$ 635.00		\$ 3,120.90
\$ 65.00	\$ 3,000.00	
\$ 585.00		
\$ 2,680.00	\$ 7,195.00	
\$ 300.00	\$ 500.00	\$ 2,500.00
\$ 150.00	\$ 150.00	
\$ 1,875.00		
\$ 30,050.00	\$ 11,845.00	\$ 5,620.90
Total Village		\$ 47,515.90

2019 CVR recreation board/donation	2019 FCSS	2019 Totals
\$ 35,500.00		\$ 41,055.00
		\$ 5,190.00
		\$ 795.00
\$ 1,100.00		\$ 8,135.00
\$ 11,000.00		\$ 12,905.00
		\$ 315.00
	\$ 1,000.00	\$ 2,360.00
		\$ 555.00
\$ 9,500.00		\$ 11,000.00
		\$ 550.00
		\$ 3,755.90
	\$ 4,000.00	\$ 7,065.00
\$ 12,000.00		\$ 12,585.00
		\$ 9,875.00
\$ 7,027.99		\$ 10,327.99
		\$ 300.00
		\$ 1,875.00
\$ 76,127.99	\$ 5,000.00	\$ 128,643.89
Total County	\$ 81,127.99	Village & CVR \$ 128,643.89



**BETWEEN
THE VILLAGE OF MARWAYNE &
THE COUNTY OF VERMILION RIVER**

FINAL DRAFT

Last Revised: 2020-03-17

INSERT BYLAW TEXT OR COUNCIL RESOLUTIONS HERE

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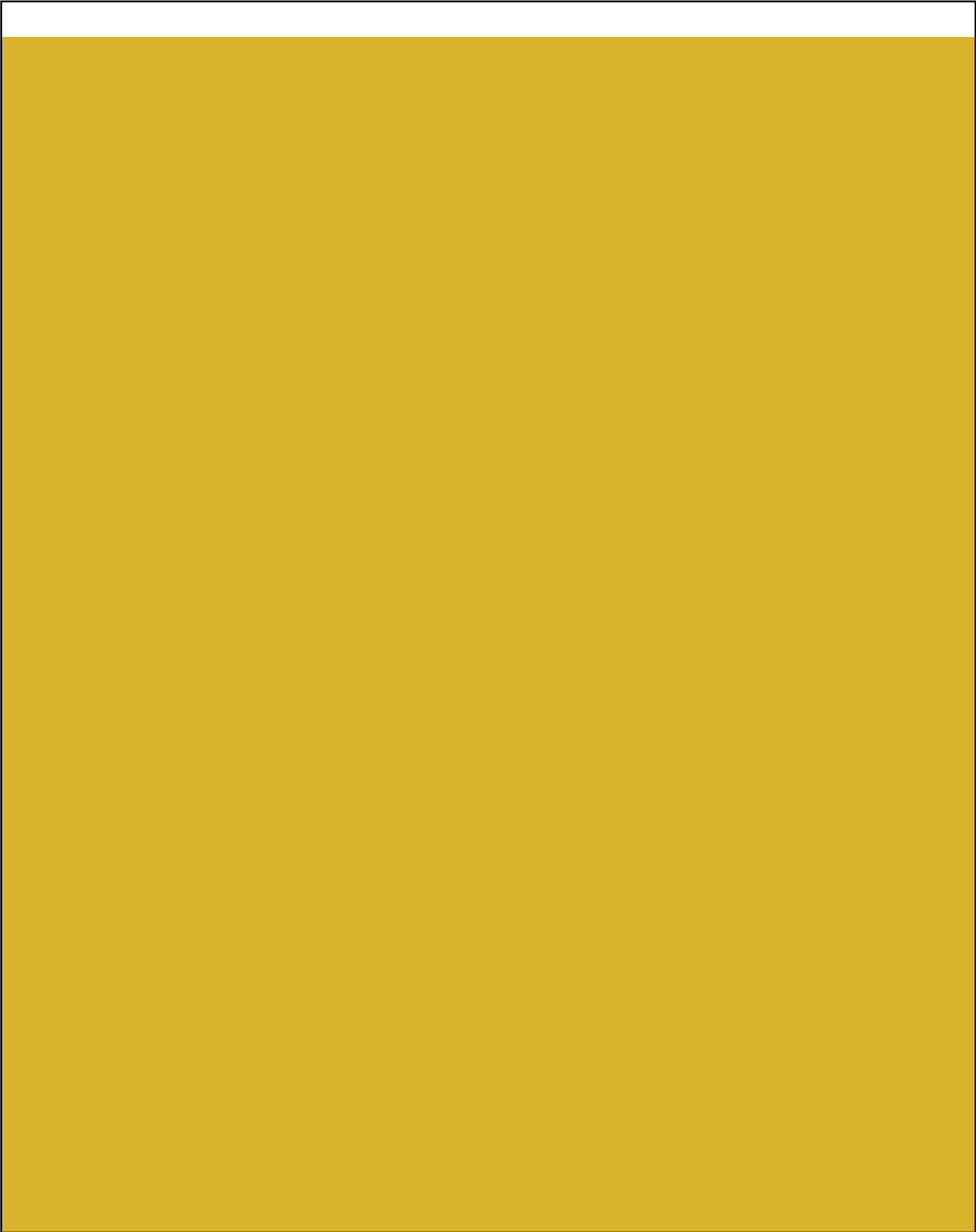
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1 INTRODUCTION

1.1 What is an Intermunicipal Collaboration Framework Agreement?

An Intermunicipal Collaboration Framework Agreement (herein referred to as the “ICF”) establishes the principles and guidelines for communication and cooperation in the identification and development of current and future intermunicipal and regional partnerships. It serves as a means for integrated and strategic service delivery with the intention of achieving efficiencies and balancing benefits and burdens between municipal partners. By acknowledging the importance of respect, trust and goodwill in all dealings and communications, this ICF is intended to outline the way in which the provision of cooperative rather than competitive services will be offered for the benefit of all residents within the respective municipalities.

1.2 What are the requirements of an Intermunicipal Collaboration Framework?

This ICF has been prepared under the legislative authority prescribed in Section 17.2 of the Municipal Government Act (herein referred to as the “MGA”). The MGA states that municipalities that have common boundaries must create a framework with each other by April 1, 2020 through the adoption of a bylaw or by resolution of Council.

There are several compulsory topics that an ICF is required to address. In summary, an Intermunicipal Collaboration Framework **must**:

- Provide for the integrated and strategic planning, delivery and funding of intermunicipal services;
- Steward scarce resources efficiently in providing local services;
- Ensure municipalities contribute funding to services that benefit their residents;
- Describe the services to be provided under it that benefit residents in more than one of the municipalities that are parties to the framework;
- Identify which municipality is responsible for providing which services and outline how the services will be delivered and funded;
- Contain provisions establishing a process for resolving disputes that occur while the framework is in effect; and
- Not contain any provisions that conflict or are inconsistent with a growth plan or an Alberta Land Stewardship Act plan.

1.3 How the Intermunicipal Collaboration Framework was Prepared

To be consistent with the guiding principles as outlined in an Intermunicipal Development Plan (herein referred to as the “IDP”), this document considered the IDP prepared between the County of Vermilion River (herein referred to as the “County”) and the Village of Marwayne (herein referred to as the “Village”) as it was being developed. The parties’ intention within the context of this framework was to create protocols which formalize, streamline, and help advance areas of intermunicipal interest and relevance.

The ICF is a framework that provides a means of exploring opportunities and developing common solutions and responses to service delivery gaps and/or challenges that affect this region. In addition, the ICF encourages communication at all levels of municipal organizations to ensure that opportunities are recognized, explored and pursued to their fullest potential.

The ICF builds on a series of amendments to the MGA as well as shared agreements and information obtained from Council meetings held throughout the process, including:

Working Together Agreement – September 2018

In light of the legislative changes, the County of Vermilion River and the Villages of Marwayne, Kitscoty, Dewberry and Paradise Valley began planning for the development of their respective ICF’s and IDP’s to meet the statutory requirements. The commitment to further ongoing collaboration between the municipalities was ratified by the adoption of the Working Together Agreement which serves to guide the process for the development of the ICF’s and IDP’s in order to allow for their completion and ultimately, formalized adoption.

Terms of Reference for the Intermunicipal Liaison Committee – September 2018

The terms of reference outline the structure, functions, and operations of the Intermunicipal Liaison Committee (herein referred to as the “ILC”) in accordance with the provisions and procedures under the Working Together Agreement.

Public Open Houses – January 2019 and November 2019

In response to the provincial requirements, the County of Vermilion River and the Villages of Marwayne, Kitscoty, Dewberry and Paradise Valley launched the Beyond Boundaries Project. The Beyond Boundaries Project consisted of two (2) rounds of open houses – two (2) in the winter and two (2) in the fall. The first series of open houses were held in Marwayne on January 21, 2019 and in Kitscoty on January 28, 2019. The purpose of these open houses was to provide an opportunity for interested residents and stakeholders to learn more about the provincial collaboration requirements, the work that the municipalities were undertaking to meet those requirements, and to express any questions, concerns and/or considerations about the requirements of the work being done.

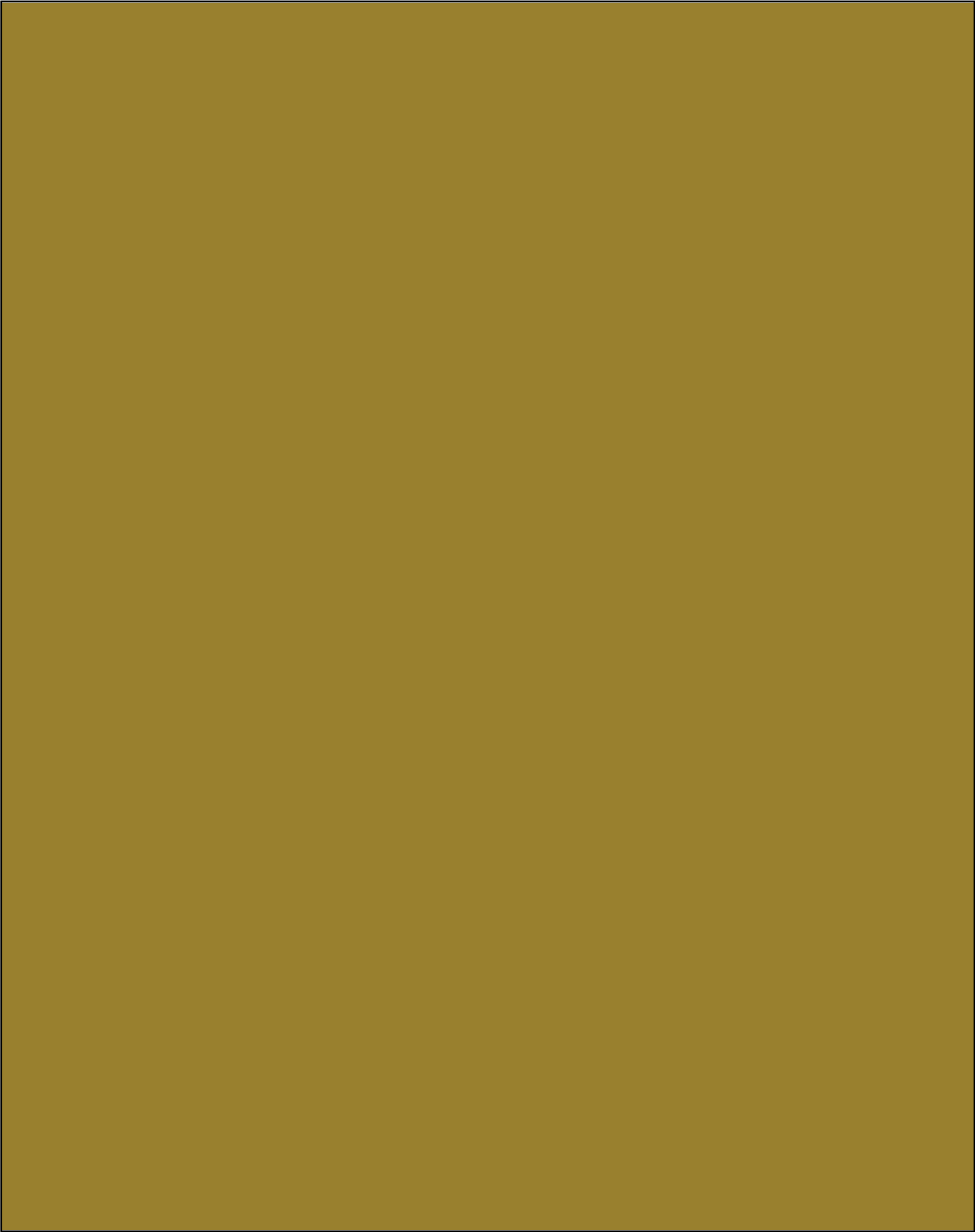
The second series of open houses were held in Marwayne on October 28, 2019 and in Kitscoty on November 12, 2019 after the draft ICF and IDP documents had been prepared. The purpose of these subsequent open houses was to provide residents with the opportunity to review the draft documents and provide their feedback.

1.4 Framework Interpretation and Organization

The structure of this ICF is intended to allow for easy interpretation of its provisions. This structure works best when the document is interpreted in a holistic manner where each of the policies are viewed in the context of one another rather than separately. Generally, the objectives, and ultimately the goals and vision of the ICF are more likely to be achieved by addressing the complete set of provisions.

The ICF contains the operative terms 'shall', 'should', and 'may'. The interpretation of these shall be as follows:

<p>Shall</p> <p>indicates that actions are mandatory.</p>	<p>Should</p> <p>indicates direction to strive to achieve the outlined action but is not mandatory.</p>	<p>May</p> <p>is discretionary, meaning the policy in question can be implemented if the municipalities choose to do so. This is typically dependent on context and individual circumstances.</p>
--	--	--



2 INTERMUNICIPAL SERVICES

2.1 Transportation

The County of Vermilion River shall provide operational assistance in the maintenance of local Village streets, including the portion of Range Road 32 and Township Road 524 adjacent to the Village boundary, upon request through the Urban Road Maintenance Agreement. Under the Urban Road Maintenance Agreement, the services to be provided include, but are not limited to:

- Snow removal;
- Road and street maintenance;
- Groundskeeping;
- Application of dust abatement;
- Grader maintenance; and
- Maintenance for Bridge File 74613.

The Urban Road Maintenance Agreement outlines the terms and costs of these service provisions while other transportation services are provided independently by each municipality.

2.2 Water

Water services for both the Village and the County are provided by the Alberta Central East Water Corporation (herein referred to as "ACE") under separate third-party agreements. Services are provided via the ACE regional waterline which was originally constructed as part of the 2016 provincial and federal government program – Water for Life. Ninety (90) percent of the costs were funded by the provincial and federal governments while the remaining ten (10) percent of the costs were prorated and shared between the thirteen (13) member municipalities based on population for each phase of construction. Municipalities who have connected to the ACE regional waterline are responsible for contributing to the annual operation and maintenance costs based on their actual/individual water consumption.

2.3 Wastewater

Wastewater services are provided independently by each municipality.

2.4 Solid Waste

The Village and the County's solid waste services (capital and operational) are provided for under a third-party agreement with the Vermilion River Regional Waste Management Services Commission and as established under the Vermilion River Regional Waste Management Services Commission Regulation. An annual flat rate is paid by each member municipality as outlined in the individual yearly agreements.

The Waste Management Authority Lease Agreement allows for the lease of lands for the construction, management, and operation of waste transfer stations for the purpose of recovering, handling, and disposing of waste. Both the Village and the County, amongst other municipalities, have consented to the granting of the leasehold interest to the Vermilion River Regional Solid Waste Management Authority. The current lease term is for twenty (20) years and was entered into on January 1, 2005.

2.5 Emergency Services

Emergency services are provided for under the Disaster Services Mutual Aid Agreement and the Fire Services Agreement. These agreements have been established as a means for the Village and County to provide mutual aid services in the event of a disaster, emergency, or fire in specified/designated areas. Cost recovery for services and equipment are as outlined in the individual agreements with each municipality being responsible for the maintenance, operation and upkeep of their respective fire halls.

2.6 East Central 9-1-1 Call Answer Society

Services are provided pursuant to the individual agreements executed between the East Central 9-1-1 Call Answer Society and the respective municipality.

2.7 Enforcement and Policing

Bylaw Enforcement and Policing services are currently provided by the Royal Canadian Mounted Police (herein referred to as the "RCMP"), pursuant to the Police Act. RCMP officers responsible for patrolling and responding to County specific emergency situations shall also patrol and respond to those emergency situations which occur within the municipal boundary of the Village consistent with the provisions of the Police Act.

2.8 Recreation

Recreational facility funding is provided for under the County's Community Enhancement and Recreation Grant Program. The program was established as a means of funding community organizations, agricultural societies, recreational societies/associations and hall boards that operate community facilities and programs within the municipal boundary of the County.

The goal of recreation funding is to build experiences that:

- Bring enjoyment;
- Encourage active participation;
- Create and enhance community spirit;
- Support recreation, arts, and culture;
- Are educational; and

2.9 Cemeteries

Through their Cemetery Improvement Fund Program, the County reviews applications on an annual basis for requests related to operational assistance and/or upgrades, improvements, and major equipment purchases. Capital improvement funding is allocated based on the amount of funding the County has budgeted while operational assistance funding is limited to \$250.00 per applicant, annually.

Although the Village is presently responsible for both summer and winter maintenance of the grounds, in conjunction with the local cemetery volunteer organization, the Village may require the County's assistance from time to time. Requests for assistance shall be honoured provided that they have been made in writing and shall be funded on a cost share basis.

2.10 Libraries

Public library services are provided through the Northern Lights Library System (herein referred to as the "NLLS") Board through a third-party agreement with each municipality. The NLLS issues annual requisition contracts on a per capita basis to maintain their operations.

The County provides additional funding for public libraries utilizing their Municipal Sustainability Initiative (herein referred to as "MSI") grant monies in the amount of \$1500.00 annually. The allocation of these funds is based on the service levels provided by each public library and may be adjusted annually depending on the amount of MSI funding the County receives.

2.11 Vermilion River Regional Alliance

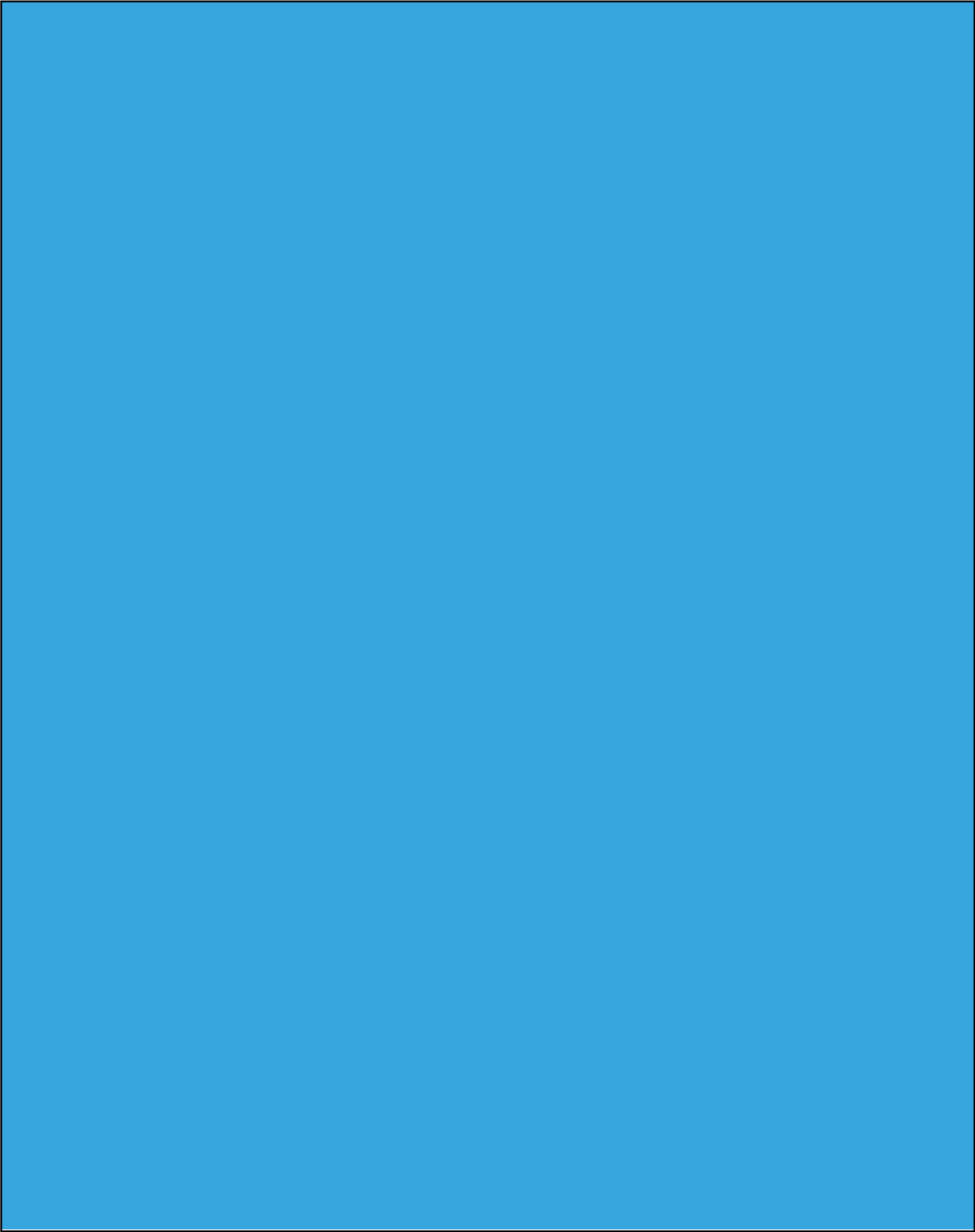
The Village and the County, amongst other municipalities, participate in this regional information gathering and idea-sharing initiative. Annual fees shall be remitted, as per the terms of reference, in order for each respective municipality to have voting privileges.

2.12 Natural Gas

The County provides natural gas services within the intermunicipal boundary area as well as within the Village pursuant to the Natural Gas Agreement.

2.13 Planning and Development

The commitment to working together for the purpose of this ICF was ratified by the execution of the Planning and Development Services Sharing Agreement.



3 IMPLEMENTATION

3.1 Adoption

As per the legislative requirements, municipalities must adopt their respective ICF by April 1, 2020. In doing so, the Village and County agree to continue to cooperate in pursuing mutually beneficial economic development initiatives that aim to attract investment and create employment opportunities within the region. If or when infrastructure costs and/or tax revenue sharing agreements are established, the Village and County agree that there will be a fair and equitable recognition of existing investment in roads and water and sewer infrastructure. Any agreements for cost and revenue sharing shall be to benefit future development of the lands located in the Intermunicipal Boundary.

3.2 Repeal, Review and Amendment Procedures

When it is in the mutual interests of the Village and County to do so, this section sets forth the process by which the ICF may be repealed, reviewed and/or amended. Pursuant to the regulations set forth in the MGA, the ICF shall be reviewed by resolution of each municipality's Councils at intervals not to exceed a five (5) year period. However, a shorter review period may be agreed to by Council resolution of each municipality provided that the review is conducted no less than one (1) year following a municipal election.

The ICF may be amended from time to time subject to an agreement in writing by each municipal Council. Amendments may include but are not restricted to:

- Policy changes;
- Text and/or language changes;
- Order/formatting changes; and
- Boundary adjustments.

Other changes, not listed above, may be made provided that an agreement has been executed in writing by each municipality. This ICF shall remain in effect until each municipality agrees in writing to repeal the bylaw or rescind the Council resolution under the provisions of the provincial legislation.

If there is a conflict and/or inconsistency between the ICF and an existing agreement between the Village and the County, the ICF must address the conflict and/or inconsistency and, if necessary, alter or rescind the agreement.

3.3 Dispute Resolution

Pursuant to the MGA, a municipality that is party to an ICF that fails to participate in the dispute resolution process set out in the framework or fails to comply with an agreement reached by the parties as a result of that process, understands and acknowledges that the other party to the framework, may s Bench for an order directing the non-adherent municipality to comply with the process and/or agreement.

The dispute resolution process, as outlined below, is consistent with the ICF regulation. The purpose of the dispute resolution process at the municipal level is to provide the option of mediation between the municipalities prior to any appeal being filed with the Municipal Government Board (herein referred to as the “MGB”). As such, disputes shall only be initiated by the Councils of either the Village or the County.

A dispute, for the purposes of this ICF, is defined as any statutory plan, or amendment thereto, that is given first reading by the Village’s or the County’s Council, which the other Council deems to be inconsistent with the provisions of an agreement under the ICF.

Disputes, as defined above, shall be addressed and shall be resolved through any of the following mechanisms, either singularly or in combination with each other:

- Administrative review;
 - Either municipality is within their purview to dispute any item, or agreement, within the context of this ICF. The municipality disputing the matter shall provide details of their concerns in writing to the other municipality who shall undertake an evaluation and provide a response in writing to the disputed items and/or agreements within twenty (20) days.
 - Following receipt of a response, the municipalities shall arrange a meeting within twenty (20) days to discuss the issue and attempt to resolve the matter.
 - Should the dispute be resolved at the administrative level, the municipality who originated the dispute shall provide notice to the other municipality that their dispute has been resolved following notification in writing that the appropriate actions to address the disputed matter have been undertaken.

- ILC meeting;
 - For disputes that cannot be solved at the administrative level, either municipality is within their purview to refer the matter to the ILC.
 - Upon referral of a dispute, the ILC shall schedule a meeting within twenty (20) days to allow for the administrative bodies of each municipality to present their positions on the matter.
 - After consideration of the matter by the ILC, the ILC may:
 - Provide suggestions and/or revisions to the administrative bodies to make the proposal acceptable;
 - Come to a consensus in support of, or in opposition of, the proposal which shall then be presented to each municipality’s Council; and/or
 - Conclude that no agreement can be reached.
 - If agreed to by the ILC, a facilitator may be employed to assist the committee toward a consensual resolution at an equal cost to each municipality.

- Municipal Council Review;
 - If a proposal cannot be satisfied at the ILC level, the matter is then referred to the municipal Councils of each municipality.
 - Upon receipt of the position of the ILC with respect to the disputed matter, each municipality’s Council shall establish their position on the proposal.
 - If both Councils are in agreement with the ILC proposal, the amendment process shall be carried out as per the terms of this ICF. However, if one, or neither Council supports the proposal, the matter shall be referred to the mediation process.

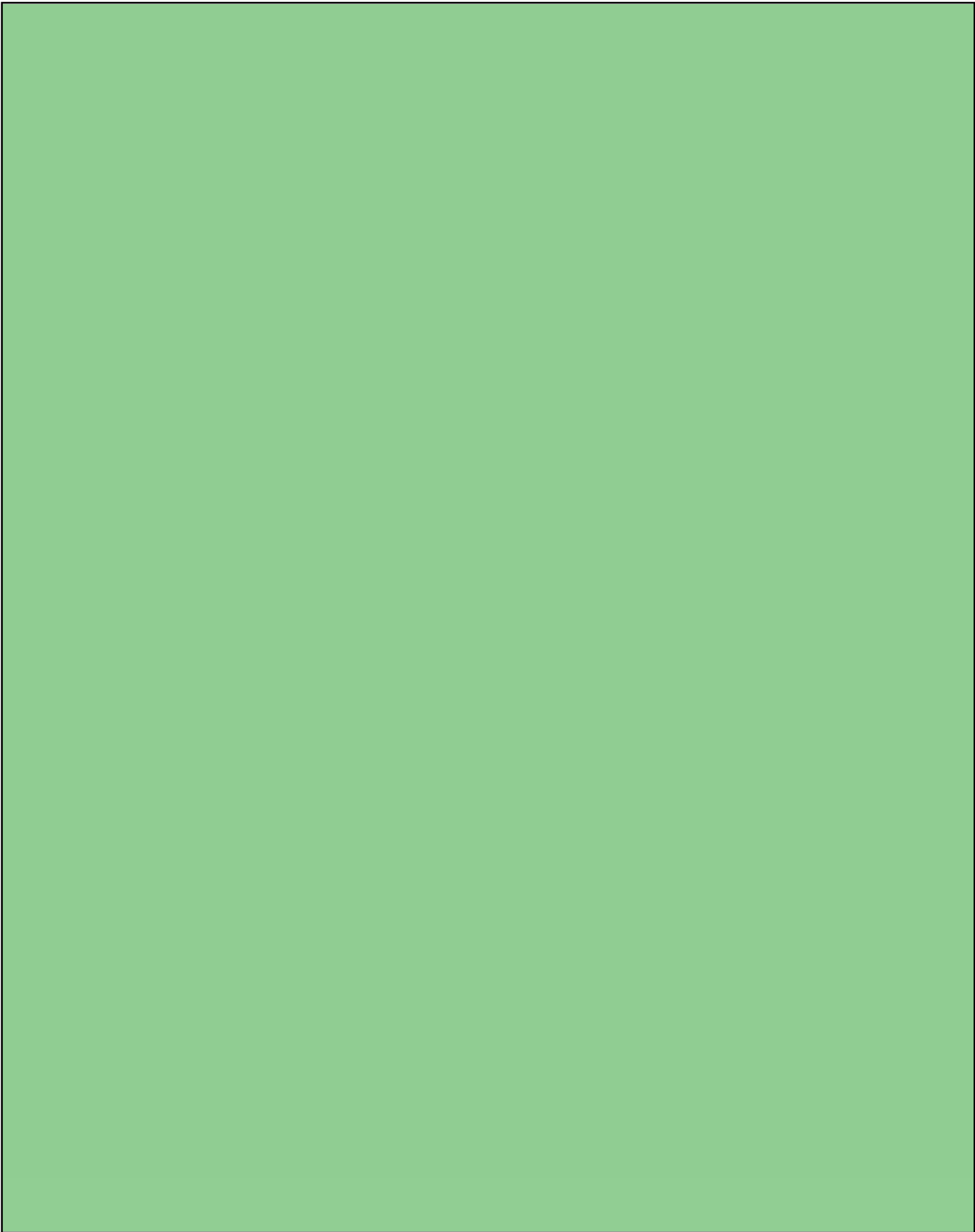
- Mediation;
 - For the mediation process to begin, each municipal Council shall agree that it is necessary.
 - Each municipal Council shall appoint an equal number of elected officials to take part in the mediation process.
 - Together, the municipalities shall engage and equally share the costs of an impartial and independent mediator. At such time that a mediator has been engaged, the municipalities shall establish and approve a mediation schedule inclusive of the date, time and location of the mediation meetings as well as a deadline for the completion of the mediation process.
 - If agreed to by both municipalities, any members of the ILC or administrative bodies from either municipality may act as information resources either in or out of the mediation room, as determined by the mediator.
 - All participants of the mediation process shall keep the details of the mediation proceedings confidential.
 - Upon conclusion of the mediation, the mediator shall submit a report to each municipal Council.
 - Should an agreement be reached through mediation, the agreement shall be referred to each municipality's Council for review and consideration. Should the municipal Councils be in favor of the mediated agreement, the agreement may be approved by resolution of Council. The mediated agreement is binding only at such time when each municipality has formally passed a resolution of Council to adopt the agreement.

- MGB Appeal Process;
 - If an agreement cannot be reached through mediation, the matter shall then be referred to the MGB.
 - Each of the municipality's are within their purview to file an appeal with the MGB.
 - Notice of an appeal with the MGB shall be given pursuant to the legislation.

- Arbitration; and
 - The Arbitration Act of Alberta shall be adhered to for any arbitration proceedings commenced in relation to this ICF.

- Court of Queen's Bench.
 - Each of the municipality's are within their purview to file an appeal with the Court of Queen's Bench.
 - Notice of an appeal with the Court of Queen's Bench shall be given pursuant to the legislation.

In the event of a dispute, the regulations set forth under the MGA shall prevail.



4 COST SHARING

In the event that either municipality initiates the commencement of a new project and/or service that may require a cost and/or revenue sharing agreement, the initiating municipality’s Chief Administrative Officer (herein referred to as the “CAO”) shall notify the other municipality’s CAO. Once either municipality has received written notification of a new project, an ILC meeting must be scheduled and held within thirty (30) days of the date the notice was received unless both municipalities’ CAO’s agree in writing otherwise.

For the purpose of this ICF, the ILC shall be utilized to address and develop future shared service, cost sharing, and/or revenue sharing agreements. In the event the ILC is unable to reach an agreement, the dispute resolution process, as outlined in this ICF, shall be followed.

COST SHARING



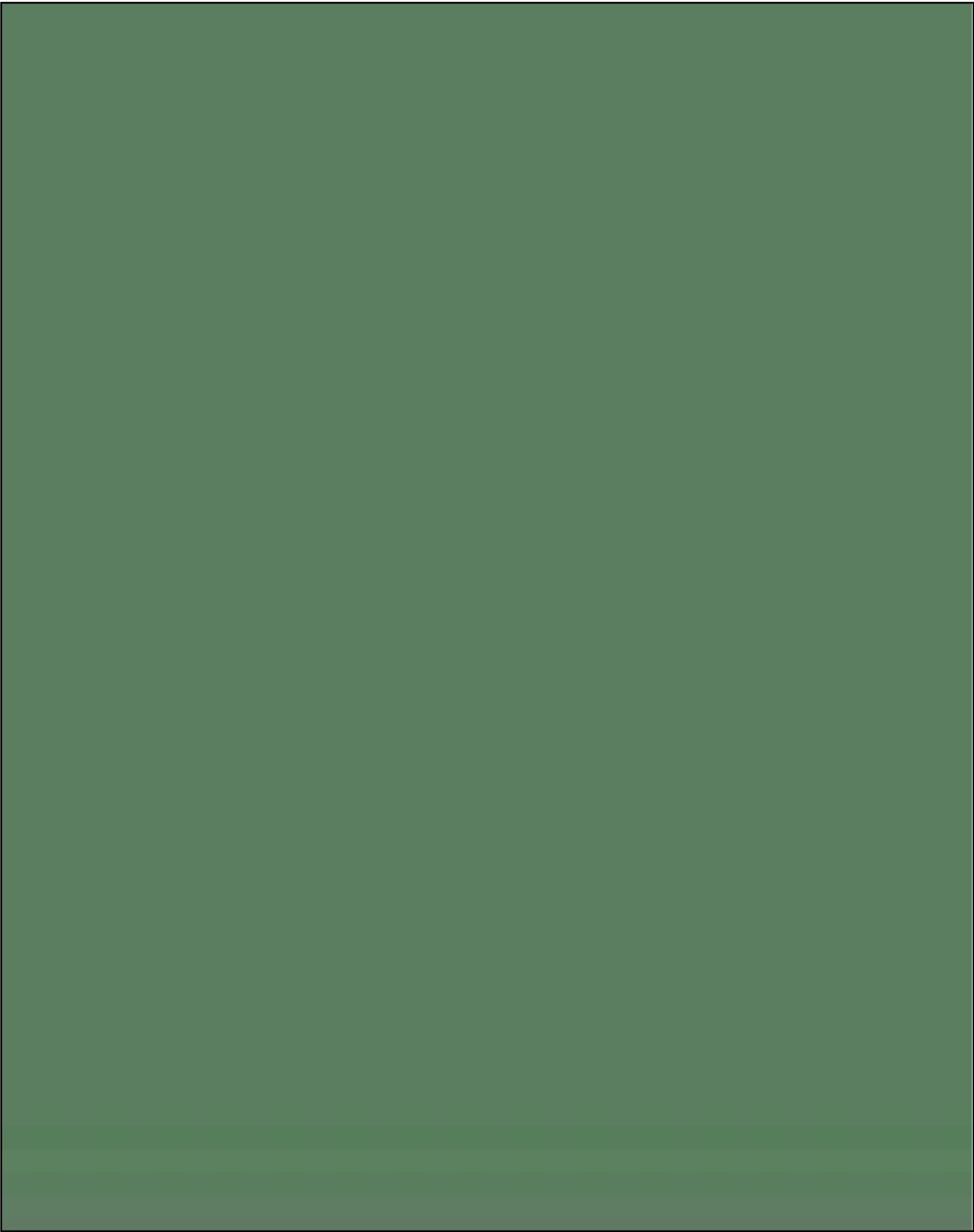
5 TERM AND INDEMNITY

In accordance with the MGA, this ICF constitutes a permanent agreement between the Village and the County and shall come into force upon adoption of the ICF bylaw or by resolution of Council.

It is understood and agreed to that the County shall indemnify and hold harmless the Village, its employees, and/or agents from any and all claims, actions, and costs whatsoever that may arise directly or indirectly out of any act of omission of the County, its employees and/or agents in the performance of the duties as outlined in this ICF.

It is understood and agreed to that the Village shall indemnify and hold harmless the County, its employees, and/or agents from any and all claims, actions, and costs whatsoever that may arise directly or indirectly out of any act of omission of the Village, its employees and/or agents in the performance of the duties as outlined in this ICF.

**5
TERM AND INDEMNITY**



6 SCHEDULE A

6.1 Current Agreements

Included below is a list of the current mutually beneficial agreements referenced throughout this ICF, as amended by the Village and the County, from time to time.

- Urban Road Maintenance Agreement (November 6, 2019);
- Planning and Development Services Sharing Agreement (April 9, 2019);
- Disaster Services Mutual Aid Agreement (January 22, 1997);
- Fire Services Agreement (December 17, 2019);
- Natural Gas Agreement (July 13, 1994);
- Terms of Reference (September 20, 2018);
- Work Together Agreement (September 20, 2018);
- Alberta Central East Water Corporation Agreements;
- Vermilion River Regional Waste Management Services Commission Agreements;
- East Central 9-1-1 Call Answer Society Agreements; and
- Northern Lights Library System Agreements.

6.2 Future Agreements

The Village and the County are committed to continuously working together for the provision of Bylaw Enforcement and Policing Services, pursuant to the Police Act. The pursuit of mutually beneficial initiatives, such as Enhanced RCMP Policing, shall be explored and engaged in a cooperative manner as municipal partners. Should an Enhanced RCMP Policing Agreement be entered into by either municipality, the reference to said agreement shall constitute part of this ICF.



CHIEF ADMINISTRATIVE OFFICER REPORT

MEETING DATE: MARCH 23RD, 2020

ADDRESSING SERVICE NEEDS

- **ACE Water Line**
 - Temporary line has now been installed and is fully functional. The water restriction for residents has been lifted.
 - As of Tuesday March 17th, the water restriction has also been lifted for bulk water customers (agricultural, commercial and industrial).
 - Local notices were posted on our website, Facebook and on local advertising boards within the Village.

PLANNING FOR GROWTH AND CHANGE

- **Intermunicipal Collaboration Framework & Intermunicipal Development Plan**
 - Received confirmation from the County that they agreed to the Village's proposed changes to the ICF including the new format on March 18th. At that time, CVR also inquired as to when I would have the IDP draft re-formatted and required changes made. I have advised that I will begin to work on this at the conclusion of our audit and will let them know when it has been prepared in the coming weeks.

SAFE, CARING & ACTIVE COMMUNITY

- **Coronavirus (COVID-19) Pandemic**
 - Closed the office as of 8:00am on Tuesday March 17th in an effort to protect staff and the public from the transmission of COVID-19. Administrative staff remains on site and working. For Council's reference, all other local government organizations within the area have also shut their doors to the public.
 - Public Works staff have been reporting to work as per usual but have been advised not to enter any residential homes until further notice. Unless an emergency situation arises, they have been instructed not to report to the administration office every morning (standard protocol) as a means of promoting "social distancing". Being that the Village is a local government organization, I am making sure that we adhere to all Provincial and Alberta Health Services guidelines at this time as a means of protecting the health and safety of our staff and our residents.
 - I have been posting to our website and Facebook to keep residents up to date and informed as much as possible.

PURSuing OPERATION & ORGANIZATIONAL EXCELLENCE

- **2019 Audit**
 - Continuing to carry out the work and gathering reports in order to complete the Villages 2019 financial audit. The audit testing is set to begin next week.

- **Staff Meetings**

- For the time being, staff meetings have been cancelled until we have further information regarding the COVID-19 outbreak.

ATTACHMENTS

- 1) Chief Administrative Officer Action List



Village of Marwayne
 Box 113, 210 2nd Ave S
 Marwayne, AB T0B 2X0
 780-847-3962 P
 780-847-3324 F
 marwayne@mcsnet.ca
 marwayne.ca

CHIEF ADMINISTRATIVE OFFICER ACTION LIST

Item	Description	Resolution #	Staff Responsible	Status	Notes
Planning for Growth and Change					
Assessment Review Board	Estimated costs for the required documents and contributions from each community will be brought back to each council for ratification before proceeding towards engagement of a Law firm.	2018-11-2V: Be it resolved the Council of the Village of Marwayne agrees in principle to participate in the establishment of a Regional Subdivision and Development Appeal Board, and a Regional Assessment Review Board for the Vermilion River Regional Alliance municipalities.	Doug Rodwell (City of Lloydminster) to hire RMRF legal. Legal – Estimates maximum \$10,000 cost shared at 50% costs x \$0.72/per capita. Sharon Williams – Kitscoty Project coordinator	In progress	Council reviewed 6/10/19, no feedback. Waiting on other municipalities now. Jordan tried pushing the project along again on July 22nd, Aug 21st, Oct 16th. Email sent on January 15, 2020 to all neighboring CAO's to get a status update on the development of the agreements. Municipal Affairs has advise we may get an extension, but that they would like copies of the agreements as soon as possible. Spoke to Sharon from Village of Kitscoty on January 15 and she has advised that draft agreements will be circulated by the end of the week. Submitted our request for an extension to Jeff Nixon on January 15, 2020. Extension has been approved to May 20, 2020 and meeting has been scheduled for February 4th, 2020 in Kitscoty with subsequent meeting to be held on March 3rd in Lloydminster. CAOs to bring to Council and reconvene on March 20th with outcomes.
Marwayne Sustainability Plan Version 3	Version 2.0 completed in July 2013 in partnership with the AG society (CDO position).		Council / CAO / V3	Deferred to 2021	Due for revision in 2019-2020. Included in CAO report for January 20, 2020 for Council direction. Defer to 2021 in order to focus on MDP, ICF and IDP.

Ratepayer Amalgamation of Properties	Jill Applegate bought the vacant lot		CAO	Complete	Jordan was working with Jill since June 2019 on acquiring property from the messy estate. Bylaw has been passed #575-19. Land titles is the next step. Paperwork created using land titles online software on January 3 rd , 2020 and mailed off for processing. Used SPIN > DRR > Create DRR. May also contact Merlynn at 780 643 1392. Received approval on February 11, 2020 - lots have been consolidated.
Municipal Development Plan	\$30,879 in ACP grants available to do a new MDP. Applied for another extension for the ACP grant with a deadline to spend the funds and receive deliverables of February 29, 2020.	2019-11-10V	CAO in conjunction with Nick from V3	In progress	Met with Council on Monday December 2, 2019. Requested questionnaires to be returned within two weeks for processing (all submitted). Draft to be finalized in January 2020. Administration has completed everything on our end with respect to advertising for the open house on March 9th. V3 has finalized the materials and Council is now able to move forward with adoption pending the scheduling of a public hearing.
Residential Development	Some lots on Center Street are 25ft. Actively trying to sell serviced residential lots.	2017-11-24-V	Karen Lapointe Remax Agent 780-205-1800. karenlapointe@remax.net. Merlynn @ land titles 780-643-1392		In September 2019, renewed agreement with Remax for listing residential properties for development. Multiple downtown lots on one title and registered prior to 1950. Village must separate the lots. Plan cancellation bylaw must be passed for each plan and then registered at land titles.
2020 Economic Development Committee Project	October 28, 2019 was the last EDC Meeting		CAO	In progress	Need design quotes and AB transportation rules for roadside signage. Schedule meeting in early 2020 - looking at June due to ongoing pandemic.

Ure/Industrial Land	Purchased in 2019, need to move forward with a plan for it. Can use IDP ACP grant funds to hire CVR planning to create a multi-lot scoped ASP. Bob at AB Hub might have ideas to move forward and would attend a council meeting.		Council/CAO/Public Works for lot clean up		Need to clean up buildings and have them cleared so that the land is ready for development. Can begin to carry out in the spring when access is simpler. Look at the implications of subdividing the land for potential commercial buyers.
<i>Item</i>	<i>Description</i>	<i>Resolution #</i>	<i>Staff Responsible</i>	<i>Status</i>	<i>Notes</i>
Addressing Service Needs					
Westview Park	Playground inspection received 11/9/2018 with 15 non compliance issues identified.	15-Aug-16	Keri Debnam – Volunteer Keri.debnam@hotmail.com. CAO and Foreman	In progress	Completed the CVR grant claim on October 8, 2019. Jordan received report 11/14, signage and parts ordered. Last item required is more sand for the playground - CAO obtained quote from Feldspar in Lloydminster and will order the required 150 yards as soon as the weather gets nicer to ensure we meet all of the requirements identified in the report.

Raw Water Wells

Marwayne connected to ACE in February 2019. Kitscoty is taking the lead on decommissioning because they were connected 4 months before Marwayne. Regional utility operator Carry Grant uncertain of expenses, Keeping the power lines connected to the wells is at the expense of approximately \$200/month.

Discussed on January 6, 2020 with Council. Given the go ahead to proceed.

CAO/Utility Operator Carry Grant/Kathryn Stacey – AEP - Supplied forms to cancel the wells

In progress

If a farmer wants the wells, license gets cancelled and they have to submit new application. Offered to CVR in August 2019 but received response in December 2019 that they are not interested in the wells at this time. Decommissioning is the next step. CAO contacted Sharon at the Village of Kitscoty for pricing on filling in the wells - they used McAllister Drilling and their costs were approximately \$11 000. They also utilized their own staff to assist in the project to save on additional costs as much as possible. Discussed the next steps at the January 14th staff meeting - CAO to contact McAllister for a quote and proceed with decommissioning/sale of wells. Quote has been obtained, currently waiting on minor ball and landowner as to whether or not they are interested in purchasing the wells prior to moving forward with the project in the spring.

Minister of Service Alberta	Jordan requested information on what we are doing for broadband in October 31, 2019 letter.	Correspondence brought to November 4 Council Meeting.	Cheryle delegated this to George Rogers at VRRRA on 11/4/2019		Waiting on George. Broadband moving forward in Vermilion as per VRRRA AGM on January 23, 2020. Cheryle provided study and USB to CAO on January 24, 2020. Waiting on new quote from Vermilion as we were advised the cost would be decreasing. Check budget to see what funds we can set aside moving forward. Will incorporate upon receipt from our assessment at the end of February 2020. CVR and Lloydminster have pulled out of VRRRA.
Item	Description	Resolution #	Staff Responsible	Status	Notes
Pursuing Operation & Organizational Excellence					
Marwayne Seniors Society	Need their 2018-2019 financials. Only have a record of content insurance for 2018.	10-06-19	CAO and treasurer for seniors - OLLIE	Complete	Requested insurance documents on 6/13. Provided new proof of insurance for 2019. Jordan wrote a letter on August 19, 2019 to arrange an annual meeting. In the MOA, the seniors are required to provide us with financials. Jordan attempted to schedule this for a November council meeting with no luck. Still awaiting financials. Spoke to Council on January 6, 2020 - Cheryle provided Vern Tupper's contact in hopes that the CAO can obtain required information from him. Spoke to Vern on February 11th and he advised that he will bring in the financials, insurance, 2020 plans - received February 28th. CAO reviewed in March and added to their file.

Item	Description	Resolution #	Staff Responsible	Status	Notes
Safe and Caring Community					
Community Peace Officer	All villages came together to fund a joint CPO position. CVR reallocated funds to hire 2 enhanced police officers. Waiting for the 2 enhanced officers to be hired before terminating the CPO agreement. ICF deadline is April 2020 – Jordan asked on 6/20 and 9/20, to which no answer was provided.		CAO/Council	Complete	Should discuss next steps with other Villages or hold a regional CAO meeting to figure out our next steps in closing off this grant. Spoke to Bernice Gonzalez from CVR on January 31st who advised that the remaining grant funds were used towards the enhanced officer program which is intended to benefit all Villages - advised that this agreement needs to be included as part of our ICF agreement. No response from CVR to date. Unwilling to justify their actions, ongoing topic of discussion. As of March 17th, CVR agreed to the proposed changes and the ICF has been finalized to include the enhanced officer agreement. Further details on the disposition of the asset to come at the annual regional CAO meeting later this year.
	Lots 2& 3, Block 7, Plan 3914. Two lots: Conocophillips site Lot 3: Tier 2 Guideline Adjustment and		Karen Gervais from AB Environment 403-755-2280 or		Conoco phillips tier 2 guideline adjustment and management plan. Suncore remedial action plan. CAO submitted letters to them in May 2019 as per description information. Suncore had until October

Brownfield Contaminated Lots

Management Plan sitting on Alberta Environment desk since March 2017. As of March 2018 it is in the queue and nowhere near being reviewed. Suncore Site Lot 2: Remedial Action Plan. In regards to Lots 2 & 3, Block 7, Plan 3194ET, the Village of Marwayne will not execute the Environmental Indemnity agreement with Ranek Enterprises to facilitate the sale of these lots as this would be in direct contrast to the "polluter pays" principles in the Environmental Protection and Enhancement Act and the protections that are offered there and under the MGA for municipalities that acquire contaminated property under tax sale. The Village of Marwayne withdraws offering the above lots for sale.

09-Dec-13

karen.gervais@gov.ab.ca (talked to on 2/21/18, 3/6/18, 5/14/18. Emailed for update on 12/3 - no anticipated date. Paul Gordon from Suncor 604-933-2664 or pgordon@suncore.com. Talked to on 3/23/18 and 5/10/18. Donna Szemesi from ConocoPhillips 403-260-1820 or donna.j.szemesi@cop.com. Talked to on 2/12/18. Rob Hoffman from Canadian Fuels Association 403-266-7567 or robhoffman@canadianfuels.ca. Talked to on 4/26/18

31, 2019 to respond to our demands for full remediation. No reply. Meeting scheduled for January 23rd with Conoco Phillips to review the remediation plans. Wrote and mailed letters May 30, 2019. They replied in July 2019 and have until October 2019 to reply with results. Never got anything after October 31, 2019. Cancelled their meeting with CAO for January 22, 2020 - awaiting to reschedule for a later date. The Village's approach will now be to push for full remediation of Lots 2 and 3 and its undeveloped road and back alley, so that it can offer the lands for sale knowing that it meets tier 1 guidelines for commercial lands, thereby reducing the overall risk while rendering the lands more attractive to prospective purchasers on a pure as-is, where is basis. Risk management can be an effective remediation process over a long period of time, but the Village as the affected landowner, is not agreeable to this slow process. Canadian Fuels Association – advocate for full closure of regulatory liability, support Risk Management when Tier 1 or 2 constraints. Only can work with Suncor.



CHIEF ADMINISTRATIVE OFFICER REPORT

MEETING DATE: MARCH 23RD, 2020

CONFIDENTIAL

MATERNITY LEAVE

Council,

Please find below a formal proposal in regards to my impending maternity leave beginning on or before May 1st, 2020. Although we briefly discussed the details of a flexible maternity leave arrangement during the initial hiring process, so as to alleviate the need for the Village to hire an interim CAO, I feel as though it is important to formally solidify the expectations in writing as a means of protecting each of our best interests.

As a new CAO and soon to be young mother, I believe it is important to take the necessary time at home with my baby while remaining committed to the success of the Village's day to day operations. Furthermore, with the uncertainty of the COVID-19 outbreak as well as childcare availability, I want to ensure that we explore all options, within reason.

As you will see, I have highlighted the allowances and requirements under the Alberta legislation as well as varying scenarios to allow for a flexible work/life balance following the birth of my first child.

LEGISLATED REQUIREMENTS

Overview

- Employees are eligible for maternity and parental leave if they have been employed at least 90 days with the same employer;
- Employees can take time off work without pay for maternity or parental leave without risk of losing their job;
- Employers must grant maternity or parental leave to employees and give them their same, or equivalent, job back when they return to work;
- Employees on maternity or parental leave are considered to be continuously employed, for the purposes of calculating years of service;
- The length of maternity leave is 16 weeks and the maximum length of parental leave is 62 weeks; and
- Leave can start anytime within the 13 weeks leading up to the estimated due date and no later than the date of birth.

Wages

- Employees are eligible for maternity/parental benefits under the federal EI program; and
- Employers aren't required to pay wages or benefits during leave, unless stated in an employment contract.

Rules & Restrictions

- Birth mothers *must* take a minimum of 6 weeks after the birth of their child for health reasons unless they can provide a medical certificate from the doctor stating the return will not endanger their health;
- Employees must give their employer's written notice at least 4 weeks before they intend to return to work or if they intend not to return to work after their leave ends; and
- Employers can't discriminate against, lay off or terminate an employee, or require them to resign, because of pregnancy or childbirth.

RETURNING TO WORK

• **Option 1 (preferred)**

- 12 week leave from the date of delivery – out of office
- 8 week flexible schedule
 - 2 days at the office – Tuesday & Friday
 - 3 days working from home – Monday, Wednesday & Thursday
- 8 week flexible schedule
 - 3 days at the office – Monday, Wednesday & Friday
 - 2 days working from home – Tuesday & Thursday
- 24 week flexible schedule
 - 4 days in the office – Monday, Tuesday, Thursday & Friday with 1 day working from home – Wednesday

• **Option 2**

- 10 week leave from the date of delivery – out of office
- 8 week flexible schedule
 - 2 days at the office – Tuesday & Friday
 - 3 days working from home – Monday, Wednesday & Thursday
- 8 week flexible schedule
 - 3 days at the office – Monday, Wednesday & Friday
 - 2 days working from home – Tuesday & Thursday
- 26 week flexible schedule
 - 4 days in the office – Monday, Tuesday, Thursday & Friday with 1 day working from home – Wednesday

- **Option 3**

- 10 week leave from the date of delivery – out of office
- 18 week flexible schedule
 - 3 days at the office – Monday, Wednesday & Friday
 - 2 days working from home – Tuesday & Thursday
- 24 week flexible schedule
 - 4 days in the office – Monday, Tuesday, Thursday & Friday with 1 day working from home – Wednesday

KEY CONSIDERATIONS & CONTEXT

- **Minimum Leave**

- Although I have highlighted my desired options for maternity leave, I may require additional time off as per the recommendations of my OBGYN. Should the case arise, I will provide Council with the appropriate documentation to support my absence as well as remain committed to ensuring the responsibilities of my position are fulfilled during that time.

- **Accompaniment**

- As previously discussed, and upon my return to work, my child will (on most days), accompany me to the office. As such, my work hours may fluctuate on a day to day basis outside of the normal 8am – 12pm & 1pm – 4:30pm accordingly.

- **Meetings**

- I will attend meetings as required as per my employment contract outside of the hours listed above except during the initial minimum maternity leave absence period.
- If my presence is absolutely necessary, I will make arrangements to attend via teleconference.

- **Salary**

- With regard to my salary, I propose either of the following scenarios for Council's consideration.
 - **Option 1**
 - I could file the required paperwork and record of employment with the province to be eligible for EI benefits during the initial maternity leave absence period. Hours of work during this period would be minimal (only as necessary), billed to the Village hourly and submitted as an expense voucher upon my return. At which time the maternity leave

portion of my leave has ended, my salary would be reinstated accordingly. As per my employment contract, my benefits would also continue during this time.

- *Option 2*
 - I could remain continuously employed during the initial maternity leave absence period. Hours of work during this period would remain as per my employment contract (37.5 hrs/week), but would vary to include evening/weekends as required. Furthermore, I would also continue to receive benefits during this time.

SUMMARY

I have provided the above proposal for Council's consideration as a means of simultaneously balancing my work and familial obligations as I embark on this next chapter of my life. As such, I am happy to discuss any of the arrangements set forth above and will negotiate where possible.

If no formal agreement can be reached, I may consider taking a one year unpaid maternity leave to begin on or before May 1st, 2020. If this situation arises, I would be happy to assist in finding a suitable interim CAO to fill the vacancy and fulfill the duties of my position until such time that my leave has concluded and I am scheduled to return to work.

Thank you.