

BYLAW 2015-03

A BYLAW OF THE VILLAGE OF ALLIANCE TO AMEND LAND USE BYLAW 2010-03

WHEREAS under the provisions of Section 692 of the Municipal Government Act, being chapter M-26 of the revised statutes of Alberta 2000, with amendments in force as of February 2013, a Municipal Council may amend its Land Use Bylaw; and

WHEREAS Council of the Village of Alliance has determined that certain clauses of Land Use Bylaw 2010-03 of the Village of Alliance should be amended for clarification;

NOW THEREFORE,

The Council of the Village of Alliance in the Province of Alberta, duly assembled enacts as follows:

1. Section 7.1 **R1-RESIDENTIAL DISTRICT** shall be amended with an addition as follows:

7.1 (8) Projection into Yards

1. Except as provided in this Section and **Section 7.3** of this Bylaw, and except for fences as noted in **Section 7.7(1)** of this Bylaw, no portion of a building shall be located or project into a required minimum yard.
2. **Required Minimum Front Yards**
 - a) The following features may project into a required minimum front yard:
 - i. steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - ii. canopies over entrances to buildings, provided such projections are cantilevered and do not encroach more than 1.0 m (3.3 ft.) in the required front yard;
 - iii. decks, so long as they do not encroach more than 3.0 m (9.8 ft.) into the required front yard
 - iv. exterior balconies on apartments provided that:
 - a. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - b. they do not project more than 2.0 m (6.6 ft.) into the required minimum front yard; and
 - c. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

3. Required Minimum Side Yards

- a) The following features may project into a required minimum side yard; except where a side yard of 3 m (9.8 ft.) is required for vehicular passage:

- i. steps and chimneys, provided such projection does not exceed fifty percent (50%) of the width of the required minimum side yard;
- ii. patios, which can project to the side line;
- iii. eaves, gutters, sills, bay or oval windows, or other similar projections, provided such projections do not encroach more than 0.6 m (2.0 ft.) into the required side yard;
- iv. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- v. exterior balconies on apartments provided that:
 - a. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - b. they do not project more than 1.0 m (3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line; and
- vi. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

2. Whereas section **7.1 (8) Other Requirements** has been replaced with **Projection into Yards**; Other Requirements will now be **7.1 (9)** of the Land Use Bylaw.

3. Section 7.2 **R2 – RESIDENTIAL DISTRICT** shall be amended with an addition as follows:

7.2 (8) Projection into Yards

1. Except as provided in this Section and **Section 7.3** of this Bylaw, and except for fences as noted in **Section 7.7(1)** of this Bylaw, no portion of a building shall be located or project into a required minimum yard.
2. **Required Minimum Front Yards**
 - a) The following features may project into a required minimum front yard:
 - v. steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - vi. canopies over entrances to buildings, provided such projections are cantilevered and do not encroach more than 1.0 m (3.3 ft.) in the required front yard;
 - vii. decks, so long as they do not encroach more than 3.0 m (9.8 ft.) into the required front yard
 - viii. exterior balconies on apartments provided that:
 - a. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - b. they do not project more than 2.0 m (6.6 ft.) into the required minimum front yard; and
 - c. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

3. Required Minimum Side Yards

- a. The following features may project into a required minimum side yard; except where a side yard of 3 m (9.8 ft.) is required for vehicular passage:
 - i. steps and chimneys, provided such projection does not exceed fifty percent (50%) of the width of the required minimum side yard;
 - ii. patios, which can project to the side line;
 - iii. eaves, gutters, sills, bay or oval windows, or other similar projections, provided such projections do not encroach more than 0.6 m (2.0 ft.) into the required side yard;
 - iv. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
 - v. exterior balconies on apartments provided that:
 - a. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - b. they do not project more than 1.0 m (3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line; and
 - c. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

4. Whereas section **7.2 (8) Other Requirements** has been replaced with **Projection into Yards**; Other Requirements will now be **7.2 (9)** of the Land Use Bylaw.

5. Section 7.3 **C1 – CENTRAL COMMERCIAL DISTRICT** shall be amended with an additions as follows:

7.3 (8) Projection into Yards

1. Except as provided in this Section and **Section 7.3** of this Bylaw, and except for fences as noted in **Section 7.7(1)** of this Bylaw, no portion of a building shall be located or project into a required minimum yard.

2. Required Minimum Front Yards

- a) The following features may project into a required minimum front yard:
 - i. steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - ii. canopies over entrances to buildings, provided such projections are cantilevered and do not encroach more than 1.0 m (3.3 ft.) in the required front yard;
 - iii. decks, so long as they do not encroach more than 3.0 m (9.8 ft.) into the required front yard

- iv. exterior balconies on apartments provided that:
 - a. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - b. they do not project more than 2.0 m (6.6 ft.) into the required minimum front yard; and
 - c. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

3. Required Minimum Side Yards

- a) The following features may project into a required minimum side yard; except where a side yard of 3 m (9.8 ft.) is required for vehicular passage:
 - i. steps and chimneys, provided such projection does not exceed fifty percent (50%) of the width of the required minimum side yard;
 - ii. patios, which can project to the side line;
 - iii. eaves, gutters, bay or oval windows, or other similar projections, provided such projections do not encroach more than 0.6 m (2.0 ft.) into the required side yard;
 - iv. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
 - v. exterior balconies on apartments provided that:
 - a. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - b. they do not project more than 1.0 m (3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line; and
 - vi. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

6. Whereas section **7.3 (8) Other Requirements** has been replaced with **Projection into Yards**; Other Requirements will now be **7.3 (9)** of the Land Use Bylaw.

READ a first time this 27 day of March, 2015.

Mayor Sue Thomas

CAO Laura Towers

Read a second time this 22 day of April 2015.

Read a third time and passed into law on this 22 day of April 2015

Mayor Sue Thomas

CAO Laura Towers