

**TOWN OF OYEN  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 916-24**

**BEING** a bylaw of the Town of Oyen in the Province of Alberta, to amend Bylaw No. 891-22, being the municipal Land Use Bylaw.

**WHEREAS** the Town of Oyen Council wishes to establish a new Land Use District, being "DIRECT CONTROL - DC".

**AND WHEREAS THE PURPOSE** of proposed Bylaw No. 916-24 is to provide a means to regulate and control the use and development of land and buildings within a specific area of the municipality where the circumstances relating to the development of a site are such that regulation and control by use of another land use district in the Land Use Bylaw is inadequate or inappropriate given planning goals, development patterns, greater public interest, innovative design, site characteristics, or as deemed appropriate by Council.

**AND WHEREAS** the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Oyen in the Province of Alberta duly assembled does hereby enact the following:

1. That Part VI, Land Use District Regulations is amended to add a new land use district titled "DIRECT CONTROL - DC" and accompanying regulations as follows:

**DIRECT CONTROL - "DC"**

**INTENT:** To provide a means to regulate and control the use and development of land and buildings within a specific area of the municipality where the circumstances relating to the development of a site are such that regulation and control by use of another land use district in this bylaw is inadequate or inappropriate given planning goals, development patterns, greater public interest, innovative design, site characteristics, or as deemed appropriate by Council.

**1. USES**

As prescribed in the applicable area specific Direct Control bylaw adopted by Council.

## **2. LOT SIZE, SETBACKS, SITE COVERAGE AND BUILDING HEIGHT REQUIREMENTS**

As prescribed in the applicable area specific Direct Control bylaw adopted by Council.

## **3. STANDARDS OF DEVELOPMENT**

The standards of the Land Use bylaw shall apply to land designated Direct Control, unless indicated otherwise in the applicable area specific Direct Control bylaw adopted by Council.

## **4. OTHER STANDARDS AND ADDITIONAL REQUIREMENTS**

- (a) The schedules of the Land Use Bylaw shall apply to land designated Direct Control, unless indicated otherwise in the applicable area specific Direct Control bylaw adopted by Council.
- (b) Additional requirements regulating development and subdivision may be established in the applicable area specific Direct Control bylaw adopted by Council.

## **5. DEVELOPMENT APPLICATION PROCEDURE**

- (a) Upon receipt of a complete application for a development permit in a Direct Control District, the Development Officer shall:
  - (i) refer the application to Council for a decision, except where the decision making authority has been delegated to the Development Authority; and
  - (ii) notify persons likely to be affected in accordance with Section 28 Notification of Persons Likely To Be Affected of the Administrative section of the Land Use Bylaw.
- (b) Before Council issues a decision on an application for a use or development in the Direct Control District, Council shall hear any persons that claim to be affected by the decision and any comments received from persons notified of the application.
- (c) Upon completing the requirements in subsection (b), Council may approve the application with or without conditions or refuse the application with reasons.
- (d) Notice of the issuance of a decision shall be in accordance with Section 29 Notice of Decision for Development Permits of the Administrative section of

the Land Use Bylaw.

## **6. DELEGATION OF AUTHORITY**

- (a) Council may delegate the authority to decide upon a development permit application to the Development Authority as prescribed in the area specific Direct Control bylaw adopted by Council.
- (b) Where authority to decide upon a development permit application has been delegated to the Development Authority, the procedures of Section 5 above shall be followed.

## **7. APPEAL PROCEDURE**

- (a) In accordance with the provisions of the Municipal Government Act, if a decision with respect to a development permit application in a Direct Control district is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- (b) In accordance with the provisions of the Municipal Government Act, if a decision with respect to a development permit application in a Direct Control district is made by the Development Authority, the appeal to the Subdivision and Development Appeal Board shall be limited to whether the Development Authority followed the instructions properly as delegated by Council.

## **8. AREA SPECIFIC DIRECT CONTROL DISTRICTS AND ADOPTING BYLAWS**

- (a) Any parcel designated Direct Control - DC as illustrated on the Land Use Districts Map in Part VIII, is designated for that purpose.
- (b) The following is a reference list of the Direct Control bylaws (also referred to as the area specific Direct Control bylaws) adopted by Council, which designate specified parcels of land to Direct Control - DC. Upon designation of a parcel to Direct Control - DC, the reference list will be updated and the area specific Direct Control bylaw inserted following this section.

| <b>Bylaw No.</b> | <b>Legal Description</b> | <b>Date of Adoption</b> |
|------------------|--------------------------|-------------------------|
|                  |                          |                         |

9. That Part VI, Land Use Districts is amended to include the land use district name and symbol titled "DIRECT CONTROL- DC".
10. That the Table of Contents of the Land Use Bylaw is updated accordingly.
11. That Bylaw No. 891-22, being the municipal Land Use Bylaw, is hereby amended.
12. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this \_\_\_\_ day of \_\_\_\_\_, 2024.

READ a **second** time this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

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**Mayor**

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**Chief Administrative Officer**