



TOWN OF HINTON BYLAW NO. 1088-10

BYLAW OF THE TOWN OF HINTON IN THE PROVINCE OF
ALBERTA TO AMEND BYLAW No. 1088 THE LAND USE BYLAW IN
THE SAID TOWN

WHEREAS

The Land Use Bylaw for the Town of Hinton was adopted on the 6th day of September 2016, By-Law No. 1088, which was initiated under the Authority of Section 639 of the Municipal Government Act, R.S.A. 2000, Chapter M-26 current as amended from time to time.

AND WHEREAS

Authority for Amendments is provided for by Part 17 of the Municipal Government Act, R.S.A. 2000, Chapter M-26 current as amended from time to time.

NOW THEREFORE the Municipal Council of the Town of Hinton in session duly assembled hereby enacts as follows:

1. That Land Use Bylaw No. 1088 is hereby amended by the following changes:

Attachment 1 - list of amendments of housekeeping changes.

2. This Bylaw shall take effect on the day of final passing thereof.
3. This Bylaw was advertised in the Hinton Voice on January 9, 2020 and January 16, 2020, and the Public Hearing was held on January 21, 2020.

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER 2019.

READ A SECOND TIME THIS 21ST DAY OF JANUARY 2020.

READ A THIRD TIME THIS 21ST DAY OF JANUARY 2020.


MAYOR


LEGISLATIVE CLERK

Edits Overview - Amendment to Land Use Bylaw No. 1088

Red Line Version - LUB #1088 Amendment - January 2020

Page	Policy	Amendment	Rationale
6, 7, 8	2-11	Update name of department from a) Planning and Development To: b) Development Services	Department renamed from "Planning and Development" to "Development Services" in August 2019
11	2-17	Direct Control Development Permit Applications: Add "... except where Council delegates the decision and the format for public notice to the Development Authority for ancillary/Accessory Uses subject to the Uses being in accordance with the provisions of the Land Use Bylaw. "	Added to allow the Development Authority to approve Development Permit applications in a Direct Control district for such things as, but not limited to, fences, decks, accessory buildings.
11, 40, 68, 74, 79		Update "Home Based Business" to " Home-Based Business "	Grammatical/Typographical error
12	2-21	Delete: A Discretionary Use in a Direct Control District: f) May consider and approve the application providing it meets the direction set out by Council, where Council has delegated the decision to the Development Authority; or g) Shall refer the Development Permit application to Council with the appropriate recommendation.	Direct Control Districts do not have Permitted or Discretionary Uses. Each proposed Use must be approved by Council or by the Development Authority as delegated by Council.
13	2-23	Private Water & Sewer Systems Add: Well Water & Septic Systems a) No Development Permit shall be issued for a private water and/or sewer system until the Applicant has received notification and approval by Alberta Environment and Parks. Service Connections to Municipal Services b) No Development Permit for site servicing shall be issued for the connection and/or replacement of underground municipal services (water and sewer) from private property to municipal infrastructure until a work plan (including sketch and size and type of proposed line) for each service connection is submitted for review and approval by Hinton.	Provides clarity for the Development Authority.
16	2-34	Amend Notice of Decision Public Notice from b) All decisions on Development Permit application shall be published in a locally circulated newspaper ... to b) All decisions on Development Permit applications for Discretionary Uses shall be published in a locally circulated newspaper ...	The MGA requires that Discretionary Use Development Permit approvals be advertised (to allow for the appeals procedure) but does not require that Permitted Use Development Permit approvals be advertised (there is no avenue for appeal for these).
17	2-44	Add new section 2-44: Appeal of Decisions on Direct Control Development a) any decisions made by Town Council with respect to a Direct Control District are not subject to appeal to the IMARSDAB; and b) any decisions made by the Development Authority with respect to a Direct Control District are limited to whether the Development Authority followed the directions of Council, and if the IMARSDAB finds that the Development Authority did not follow the directions, it may, in accordance	Provides clarity.

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		with the directions, substitute its' decision for the Development Authority's decision.	
21	3-5	Siting of Accessory Building/Structures Add: c) Not be located in a front yard; d) Be located 0.9 metres or 6.0 metres away from the rear property line (to avoid blocking or partial blocking of the travel portion of the lane), providing there is no encroachment of any part of the Accessory Building/Structure onto any easements or any adjacent property;	Provides clarity
23, 80		Update "Mixed Use" to "Mixed-Use"	Grammatical/Typographical error
24	3-13	Building Relocation and/or Demolition Development Permit Add: h) A Development Deposit may be required.	Major demolition projects may require a Development Deposit to ensure all Conditions of the Development Permit are met
35, 36		Change "stall" to "stalls" and stalls to "stall" as indicated	Grammatical/Typographical error