

**BYLAW #433-03  
FOR THE VILLAGE OF VILNA  
IN THE PROVINCE OF ALBERTA**

**A BY-LAW OF THE VILLAGE OF VILNA, IN THE PROVINCE OF ALBERTA, PURSUANT TO PROVISIONS OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26.1 OF THE REVISED STATUTES OF ALBERTA 1994 AND AMENDMENTS THERETO, TO PROVIDE FOR THE AMENDMENT OF THE LAND USE BYLAW #392-98.**

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000 (“the Act”) authorizes the Council of the Village of Vilna to amend the Land Use Bylaw #392-98;

**AND WHEREAS** the Council of the Village of Vilna deems it necessary to amend the Land Use Bylaw #392-98;

**AND WHEREAS** the purpose of the Commercial District is to permit development of retail service businesses as permitted uses and warehousing/secondary commercial businesses as discretionary uses at approved locations;

**AND WHEREAS** the purpose of the Residential R2 District is to allow for the development of a variety of low, medium and high density residential development together with other uses which may be compatible with the neighboring residences, including manufactured homes;

**AND WHEREAS** the purpose of the Direct Control District is to provide Council with direct control over the use and design of development in areas of unique character or special concern;

**AND WHEREAS** the Village wishes to identify the zoning of the former rail-line and siding land;

**NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE VILLAGE OF VILNA, DULY ASSEMBLED, ENACTS TO AMMEND BYLAW #392-98 AS FOLLOWS:**

**1.** The Land Use Bylaw of the Village of Vilna, Bylaw # 392-98, is hereby amended as follows:

**a.** **Section 1.4.1** is deleted in its entirety and replaced with the following:

**1.4.1** For the purpose of this Bylaw, the Village of Vilna is divided into the following Districts:

R1 - Residential District

R2 - Residential District

C - Commercial District

M - Industrial District

P - Public District

I - Institutional District

UR - Urban Reserve District

DC - Direct Control District

b. **Section 2.1(1)** is amended as follows:

**2.1(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 Bylaw, for all Districts except for the Direct Control (DC) District. For the Direct Control (DC) District, the Council shall be the Development Authority.

c. **Section 3.4.5** is deleted in its entirety and replaced with the following:

**3.4.5** 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, with exception whereby the Development Authority must:

(a) refer to the Council for its consideration and decision all applications for a development permit in the Direct Control (DC) District; and

d. **Section 4.2.2** is deleted in its entirety and replaced with the following:

**4.2.2** Notwithstanding subsection 1, above, 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, or in respect of the issuance of a development permit in the Direct Control (DC) District by Council.

e. **Part 3.0** is amended by adding the following thereto:

**3.8 Direct Control (DC) District**

The general purpose of this district is to provide Council with direct control over the use and design of development in areas of unique character or special concern.

1. PERMITTED USES

None

2. DISCRETIONARY USES

a. Recreational uses

b. Public utilities

c. Buildings and uses accessory to discretionary uses.

3. REGULATIONS

1. All regulations shall be established by Council, who shall evaluate any proposal for development with respect to its compliance with:

a. the regulations of this Bylaw;

b. the regulations of adjacent Districts; and

c. the satisfaction of any Provincial regulations or requirements.

However, Council shall not be bound by any of these matters.

- 2. Zone the former rail-line right-of-way to Direct Control (DC) District and Commercial (C) District as follows:
  - i. Plan 25373 - **Direct Control District**
    - a) With exception to the siding land south and equal and parallel to Block 2, between alley and First Street (51<sup>st</sup> Street) east of Main Street (50 Street) along Railway Avenue (50 Avenue) – **Commercial District**
  - ii. Plan 2401097 - **Direct Control District**
  - iii. Plan 25372 - **Direct Control District**
- 3. Rezone the following Residential R2 District property from R2 to Commercial District to permit development of retail service businesses:
  - i. Plan 1887CL, Lot 14 & 15, Block 3 5031 – 52 Avenue
- 4. **Schedule “A”** the Land Use District Map, is hereby amended by placing the lands identified on Schedule “A” attached hereto into the Direct Control (DC) and Commercial (C) Districts.
- 5. All other sections of the Bylaw #392-98 shall remain unchanged.
- 6. This Bylaw shall take effect on the date of final passing.

**Bylaw #433-03** presented for First Reading in Council assembled this 12<sup>th</sup> day of August 2003.

Original signed by:

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Carol Trider,  
Mayor

Original signed by:

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Twila Petrushka  
Administrator

**Bylaw #433-03** presented for Second Reading in Council assembled this 9<sup>th</sup> day of September 2003.

**Bylaw #433-03** presented for Third and Final Reading in Council assembled this 9<sup>th</sup> day of September 2003.

Original signed by:

\_\_\_\_\_  
Carol Trider,  
Mayor

Original signed by:

\_\_\_\_\_  
Twila Petrushka  
Administrator