

VILLAGE OF BERWYN

BYLAW NO. 666

LAND USE BYLAW AMENDMENT

A BYLAW OF THE VILLAGE OF BERWYN IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE VILLAGE OF BERWYN LAND USE BYLAW NO. 601, AS AMENDED.

WHEREAS Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS the Council of the Village of Berwyn, in the Province of Alberta, has adopted the Village of Berwyn Land Use Bylaw No. 601, as amended, and;

WHEREAS the Council of the Village of Berwyn, in the Province of Alberta, deems it necessary to amend the Village of Berwyn Land Use Bylaw, to revise provisions related to the variance power granted to the Development Authority. and;

NOW
THEREFORE, Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Village of Berwyn Council, duly assembled, hereby enacts as follows:

1. Section 2.2 is amended by adding the following wording as clause 12 and 13:
 - 12) Notwithstanding subsection 4, the Development Officer may decide on an application for a development permit even though the proposed development does not comply with this Bylaw or is a non-conforming building if, in the opinion of the Development Officer:
 - 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.
 - 13) The Development Officer may suspend or revoke an approved development permit, if following the issuance of the development permit, it becomes known to the Development Officer that:
 - a) the application for the development permit contains a misrepresentation;
 - b) facts have not been disclosed which should have been disclosed at the time of consideration of the application for the development permit; or

c) the development permit was issued in error.

by issuing a notice to the applicant at the address given in the application.

2. Section 3.2 is amended by the following:

3.2(3) The existing wording in the sentence is amended by replacing "...after its issuance unless and appeal is lodged" with "...after the decision date unless an appeal is lodged."

7) A development permit granted pursuant to this Bylaw for a permitted use, where the provisions of this Bylaw have been relaxed or varied, becomes effective twenty-one (21) days after the decision date unless an appeal is lodged.

3. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction then the invalid portion shall be severed.

4. This Bylaw shall take force and effect on the date of its final passage.

First Reading given on the 12 day of December, 2019.


Ken Montie, Mayor


Greg Gayton, Chief Administrative Officer

Second Reading given on the 27 day of February 2020.


Ken Montie, Mayor


Greg Gayton, Chief Administrative Officer

Third Reading and Assent given on the 27 day of February, 2020.


Ken Montie, Mayor


Greg Gayton, Chief Administrative Officer