

MUNICIPAL DISTRICT OF BRAZEAU NO. 77

BY-LAW NO. 202-94

A BY-LAW OF THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77, IN THE PROVINCE OF ALBERTA, TO AMEND BY-LAW NO. 109-90, BEING THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77 LAND USE BY-LAW.

WHEREAS, Council deems it expedient and proper, under the authority of the Planning Act being Chapter P-9 of the Revised Statutes of Alberta 1980, and amendments thereto, to make certain amendments to By-Law No. 109-90; and

WHEREAS, the public participation requirements of Sections 139 and 140 of the Planning Act, R.S.A. 1980, Chapter 9 and amendments thereto, have been complied with;

NOW THEREFORE, COUNCIL OF THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. That the Municipal District Land Use By-Law be amended in accordance with schedule "A" attached hereto and forming part of this By-Law.
2. This By-Law comes into effect upon the date of it finally being passed by Council.

READ a first time this 12 day of MAY, A.D., 1994.

READ a second time this 9th day of June, A.D., 1994

READ a third time and finally passed this 9th day of June, A.D., 1994



REEVE

MUNICIPAL MANAGER

SCHEDULE "A"
ATTACHED HERETO AND FORMING
PART OF BY-LAW NO. 202-94

1. That section 40 of the Municipal District Land Use By-Law be amended to read as follows:
"SECTION 40 DWELLINGS PERMITTED PER PARCEL
 - (1) Subject to subsections (2) and (3) *and* (4), no person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel.
 - (2) The Development Officer or Municipal Planning Commission shall issue a development permit to a person that would permit the construction or location of a second dwelling unit on a lot if the lot has an area of at least 32.5 hectares (80.0 acres).
 - (3) The Development Officer or Municipal Planning Commission may issue a development permit that would permit the construction or location of more than one dwelling unit on a lot if the second or additional dwelling unit is:
 - (a) to be occupied by a person who is employed full time for at least six months each year in an agricultural pursuit; or
 - (b) contained in a building designed for, or divided into, two or more dwelling units and is located in a district which permits such multiple family units; or
 - (c) a mobile unit forming part of a mobile home park for which a development permit has been issued; or
 - (d) a building as defined in the Condominium Property Act that is the subject of a condominium plan to be registered in a Land Titles Office under the Planning Act, and has been approved by the **Municipal District**.
 - (4) ***The Development Officer or Municipal Planning Commission may, in a Development Permit, exempt any person or land from the operation of subsection (1).***
2. That Section 72 (A1 - Agricultural One District) of the Municipal District Land Use By-Law allow for Home Occupation as a "Discretionary Use".
3. That Section 73 (A2 - Agricultural Two District) of the Municipal District Land Use By-Law allow for Home Occupation as a "Discretionary Use".
4. That Section 46 (Home Occupations) of the Municipal District Land Use By-Law sub-section (k) be deleted in its entirety.