

## MUNICIPAL DISTRICT OF BRAZEAU NO. 77

### BY-LAW NO. 369-99

#### A BYLAW OF THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77 IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW 328-98, BEING THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77 MUNICIPAL DEVELOPMENT PLAN BYLAW.

WHEREAS, the Council of the Municipal District of Brazeau No. 77 deems it expedient and proper, under the authority and in accordance with the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, with amendments thereto, to make certain amendments to Bylaw 328-98; and

WHEREAS the public participation requirements of Section 692 of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, with amendments thereto, have been complied with;

NOW THEREFORE, the Council of the Municipal District of Brazeau No. 77, duly assembled, and pursuant to the authority conferred upon it by the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, with amendments thereto, enacts as follows:

1. That Bylaw 328-98 entitled "Municipal District of Brazeau No. 77 Municipal Development Plan", be amended as follows:
  - A. Policy 2.1 shall be amended to read as follows:

*The Municipal District shall maintain two Agricultural Districts referred to as Agricultural-A (AG-A) and Agricultural-B (AG-B) Districts (as per the Land Use Bylaw) as a means of preserving agricultural land.*
  - B. Policy 2.6 shall be amended to read as follows:

*The maximum number of parcels that may be permitted per unsubdivided quarter section in the Agricultural-A District shall be one (1), not including the remnant parcel and one(1) fragmented parcel and; three (3) parcels per unsubdivided quarter section, not including the remnant parcel and fragmented parcels, in the Agricultural-B District.*
  - C. Policy 2.7 shall be amended to read as follows:

*The size of a parcel created by subdivision in both Agricultural-A and Agricultural-B Districts shall be not less than 1.61 ha. (4.0 ac) and no greater than 6.07 ha. (15.0 ac.) subject to the discretion of the Municipal Planning Commission based on the need to accommodate related farm buildings, improvements and farming operations.*
  - D. Policy 2.9 shall be amended to read as follows:

*In general, one (1) dwelling unit shall be permitted per parcel. A second dwelling unit may be permitted on parcels 4.05 ha. (10.0 ac.) or greater in size.*

- E. Policy 2.10 shall be amended to read as follows:

*The Municipal District may permit an additional separate residence, to accommodate a person(s) related by birth or marriage to the resident(s) of another dwelling unit on the same parcel for medical reasons. The additional residence must either be a portable unit or structure capable of being converted for use as an accessory building or, in the alternative, removed from the subject lands, once the medical care is no longer required.*

- F. Policy 2.12 shall be amended to read as follows:

*The Municipal District shall not permit an intensive livestock operation to locate within the plan area of the "Brazeau Intermunicipal Fringe Plan for Drayton Valley" or within 1.61 km. (1.0 mile) of the boundary of the Village of Breton unless approved by the Village of Breton.*

- G. Policy 2.13 shall be amended to read as follows:

*The Municipal District shall require that the operator of a proposed new or expanding Intensive Livestock Operation provide documented evidence, in a form satisfactory to the Municipal District, of the acknowledgement and acceptance by neighbouring property owners of any set back restrictions imposed on their property by the set back requirements for the proposed operation.*

- H. Policy 4.1 – the word "shall" on the first line of the policy statement is to be replaced with the word may.

- I. Policy 4.3 shall be amended to read as follows:

*For subdivision of lands within hamlets, the Municipal District shall require the applicant service such lands by an extension to either municipal water or sanitary sewage systems or to both. Where it is not feasible to service the lands by an extension to an existing municipal water or sanitary sewage system, the applicant shall provide a technical report, which follows Alberta Environmental Protection's Guidelines of the Evaluation of Groundwater Supply for Unserviced Residential Subdivisions Using Privately owned Domestic Water Wells or, in the case of on-site sewage collection and disposal system, the Guidelines for the Evaluation of Water Table Conditions and Soil Percolation Rate for Unserviced Residential Subdivisions.*

- J. Policy 8.1 shall be deleted in its' entirety.

- K. Policy 9 – Objectives – second Objective "Provide direction for the revision of the Drayton Valley airport regulation" shall be deleted in its entirety.

- L. Policy 9.8 shall be amended to read as follows:

*The Municipal District shall encourage compatible uses on lands surrounding the Drayton Valley Airport.. The Municipal District may from time to time review the area of land regulated by the Airport and Vicinity District taking into account air traffic volumes at that airport.*

M. Policy 11.1 shall be amended to read as follows:

*The municipal District, by Bylaw 363-99 has adopted a "Brazeau Intermunicipal Fringe Plan for Drayton Valley" (hereinafter referred to as the "Fringe Plan"). This Fringe Plan shall govern the future land use, manner of, and the proposals for future development, the coordination of land use, future growth patterns and other infrastructure and the provision of required transportation systems within the Fringe Plan area. Such Fringe Plan shall remain in effect until such time as both the Municipal District of Brazeau No. 77 and the Town of Drayton Valley have jointly adopted an Intermunicipal Development Plan. The Fringe Plan is attached hereto and shall form part of the Municipal District of Brazeau No. 77 Municipal Development Plan. The policies contained in the Fringe Plan shall prevail over the lands within the plan area as established by the Fringe Plan. The Municipal District will introduce the Fringe Plan Policies in its Land Use Bylaw regulations by way of a Fringe Plan Overlay.*

N. Policy 11.2 shall be deleted in its entirety.

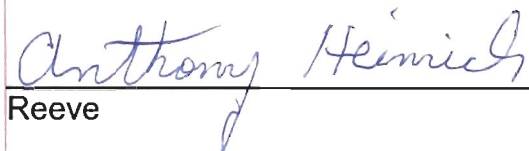
O. Policy 11.3 shall be deleted in its entirety.

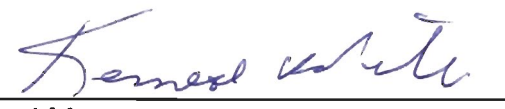
2. That this Bylaw shall come into force and effect upon third reading by Council.

**READ** a first time this 24<sup>th</sup> day of November, 1999.

**READ** a second time this 15<sup>th</sup> day of December, 1999.

**READ** a third time and finally passed this 15<sup>th</sup> day of December, 1999.

  
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Reeve

  
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Municipal Manager