

BRAZEAU COUNTY

BYLAW NO: 502-2005

BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 474-04.

WHEREAS, Council of Brazeau County deems it expedient and proper, under the authority of and in accordance with the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, to make certain amendments to the Land Use Bylaw No. 474-04; and,

WHEREAS, the public participation requirements of Section 692 of the Municipal Government Act, RSA 2000, Chapter M-26, have been complied with;

NOW THEREFORE, the Council of Brazeau County, duly assembled, enacts as follows:

- (1) Section 6.3 (3): Add "Medium Home Occupation" to the list of discretionary uses within the Hamlet Residential District (HR);
- (2) Section 6.3 (7): Add (7) (c) to the Hamlet Residential District (HR) as follows:
 - (c) "Medium Home Occupation - 1 parking space per non-resident employee/business partner;"
- (3) Section 6.3 (8): Replace Subsection 8 of the Hamlet Residential District (HR) with the following:

"Home Occupations

- a) On-street parking is not permitted for a home occupation;
- b) The display or placement of an exterior sign on the premises of a home occupation must be restricted to one (1) identification sign no larger than 1.5 m² (16 ft²) in sign area;
- c) Medium home occupations shall be limited to those activities which do not interfere with the rights of neighbouring residents to a quiet enjoyment of their property by way of noise, dust, smoke, steam, fumes, exhaust, odour, heat, glare, vibration, the generation of excessive traffic, excessive on street parking, late calling of clients, the loss of visual character and privacy, or any other objectionable effect;
- d) In determining the likelihood or potential for the creation of an objectionable effect from a medium home occupation, the Development Authority shall consider:
 - i. The ability to detect the objectionable effect through normal sensory perception at the parcel boundary of the site on which the medium home occupation is located;
 - ii. The intensity of the objectionable effect;
 - iii. The time of day and time of week when the objectionable effect occurs; and
 - iv. The frequency of occurrence of the objectionable effect;
- e) Any retail sales shall be ancillary to the industrial or service aspect of the medium home occupation business;
- f) A medium home occupation shall only be allowed in combination with a single-detached dwelling, modular home or mobile home. A medium home occupation shall not be allowed on the same parcel as a bed and breakfast or another home occupation;
- g) A medium home occupation shall not be allowed if, in the opinion of the Development Authority, it would be more appropriately located in a commercial or industrial district;
- h) The exterior design, character and appearance of an accessory building in which a home occupation operates must be architecturally compatible with the nature of the residential area. These accessory buildings shall have:
 - i. A minimum roof pitch of 4:12 (rise:run) and use a roof type similar to that of a residential building;

- ii. A minimum roof overhang or eaves of 0.4 m (1.31 ft) from each external wall;
- iii. A maximum length to width ratio of 2.5:1 (length:width);
- iv. A maximum floor area of 223 m² (2400 ft²) or no greater than three times the main floor area of the principal building, whichever is less;
- v. Siding and exterior finishing typically used for residential construction including but not limited to stucco, vinyl, wood and masonry;
- vi. Windows on the building elevations visible from the front or side yard abutting a road that match the character of windows used in residential construction;
- vii. Architectural features or adjacent landscaped areas that serve to visually break up the appearance of building elevations that are longer than 10 m (33 ft)."

(4) Section 9.4 (3): amend to add the following:

(3) "(a) Where a development permit for a medium home occupation in the Hamlet Residential District is approved, the Development Authority must mail a notice and copy of the permit to all landowners whose property or portion of their property is within 200 feet of the perimeter of the parcel subject to the permit."

2. This Bylaw shall take effect upon the final passing thereof.

READ a first time this 26th day of April, 2005.

READ a second time this 17th day of May, 2005

READ a third time and finally passed this 17th day of May, 2005.



Reeve



County Manager