

# BRAZEAU COUNTY

BYLAW NO: 765-11

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

**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 Land Use Bylaw No. 474-04; As amended; 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. That part of NW 21-50-7-W5M be re-districted from Agriculture (AG) to Direct Control District, as shown on attached Schedule 'A' ("the Lands") to this Bylaw and the appropriate Land Use District Map be amended accordingly.
2. That Direct Control District By-law ~~764~~ 765-11 and attached Schedule "A" form part of Land Use By-law 474-04, as amended.
3. That the regulations of this Direct Control District comprise:
  - 1.0 General Regulations
  - 2.0 Land Use Regulations
  - 3.0 Development Regulations
  - 4.0 Definitions
  - 5.0 Implementation

## **1.0 General Regulations**

- 1.1 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule "A" attached hereto and forming part hereof.
- 1.2 PART I and PART III of Land Use Bylaw 474-04, as amended, are applicable unless otherwise specified in this Bylaw.
- 1.3 That Council is the Development Authority for the issuance of Development Permits for the Lands subject to this Bylaw.
- 1.4 All use and development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw; and all licenses, permits and approvals (municipal, provincial and/or federal) pertaining to the Lands.
- 1.5 The development of any new structures or any addition to existing structures will require approval of a development permit.
- 1.6 Any use of the Lands not listed in Section 2 of this Bylaw is prohibited unless otherwise stated in this Bylaw.

- 1.7 Proposals for development, use (including re-designation), and/or subdivision beyond that provided in this Bylaw shall require an amendment to this Bylaw.

## 2.0 Land Use Regulations

### 2.1 Purpose

The purpose of this District is to provide for an Industrial Service Contracting use on the Lands.

### 2.2 List of Uses

#### 2.2.1 Permitted Uses

- Accessory Building(s)
- Outdoor Storage Facility
- Sign(s)

### 2.3 Minimum Requirements:

#### 2.3.1 Setbacks

##### (a) Front Yard

- (i) 25.0 m (82 ft.) where abutting a County road where road widening has been dedicated (north boundary)

##### (b) Side Yard

- (i) 40.0 m (131 ft.) where abutting a highway (west boundary)
- (ii) 6.0 m (20 ft.) (east boundary)

##### (c) Rear Yard

- (i) 8.0 m (26 ft.)

### 2.4 Maximum Requirements:

#### 2.4.1 Maximum Site Coverage: 60% of the total area of the parcel.

#### 2.4.2 Maximum Height

- (a) 9.0 m (30 ft.) or three (3) storeys - the lesser thereof - for the principle building.
- (b) Fencing/screening will be at the discretion of the Development Authority.

## 3.0 Development Regulations

### 3.1 Utilities / Servicing

- 3.1.1 The Owner shall apply to Alberta Municipal Affairs for the pertinent building, electrical, gas and plumbing permits to ensure compliance with the Alberta Building, Electrical, Plumbing and Gas Standards and Regulations.

- 3.1.2 The Owner must provide the County with the name of the authorized agency contracted for the pertinent building, electrical, gas and plumbing inspections and permits.
- 3.1.3 The site shall have an approved private sewage disposal system.
- 3.1.4 Potable water shall be provided by water wells, licensed and approved for the applicable use (i.e. – residential or commercial), by Alberta Environment.
- 3.1.5 The Owner is responsible for all solid waste disposal. Garbage and waste material shall be stored in appropriate containers (i.e. - weather-proof and animal-proof containers), and disposed of at an approved disposal site to the satisfaction of the Development Authority.

### 3.2 Alberta Transportation

- 3.2.1 The Owner must obtain all necessary permits and/or approvals from Alberta Transportation as per the Highways Development and Protection Act or any current legislation which replaces this act.

### 3.3 Landscaping

- 3.3.1 Landscaping must not impede sight triangles of intersections of roads and approaches.
- 3.3.2 The Owner shall be responsible for the control of any weeds on the lands in accordance with the applicable provincial regulations.

### 3.4 Signage

- 3.4.1 Signage shall be considered concurrently with a Development Permit application and may be free-standing or integrated into building architecture.
- 3.4.2 There shall be no flashing or animated signs.
- 3.4.3 Signage not exceeding 1.5 m<sup>2</sup> (16 ft.<sup>2</sup>) in sign area for the purpose of: 1) identification, direction or warning; or 2) relating to a person, partnership, or company operating a profession, business. Signage is subject to approval of a Development Permit.

### 3.5 Safety and Environmental Regulations

- 3.5.1 Any storage and disposal of oils, fluids or other hazardous substances (including fuel) shall be in accordance with provincial regulations and requirements set out by Alberta Environment, the Environmental Protection and Enhancement Act, and the Alberta Fire Code.
- 3.5.2 All development must comply with the applicable E.R.C.B. setbacks unless lesser distance is agreed to in writing by E.R.C.B.; and, E.R.C.B. must be contacted by the owner to ensure that no active or abandoned well sites are located on the subject lands.
- 3.5.3 Additional requirements may be deemed appropriate by the Development Authority upon review and consideration of a development proposal.

**3.6 Development Permits**

**3.6.1 Development Permit Applications**

- (a) The Owner shall submit Development Permit applications for all proposed uses and structures, or expansion of uses or structures, on the Lands.

**3.6.2 Development Permit Terms and Issuance**

- (a) The Development Authority may consider approval of Development Permit applications in accordance with PART III of the Land Use By-law 474-04, as amended.

**3.6.3 Development Permit Conditions**

- (a) The Development Authority may, through Development Agreements or conditions of Development Permit approval, stipulate any criteria or condition necessary to ensure all development of the Lands conforms to the requirements of this Bylaw and PART III of the Land Use By-law 474-04, as amended.
- (b) The Developer must enter into a road use agreement with the Brazeau County Public Works Department before development commences.

**4.0 Definitions**

4.1 "The Lands" means the lands as identified in Schedule "A" attached hereto.

4.3 Terms not defined above have the same meaning as defined in PART I – Section 1.6 of Land Use Bylaw 474-04, as amended.


**5.0 Implementation**


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

READ a first time this 2<sup>nd</sup> day of August, 2011

READ a second time this 13<sup>th</sup> day of September, 2011

READ a third time and finally passed this 13<sup>th</sup> day of September, 2011

  
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Reeve

  
\_\_\_\_\_  
Chief Administrative Officer

HWY 22

TWP RD 504



NW-21-50-7-5

HWY 22

21

