

# **BRAZEAU COUNTY**

## **BYLAW NO: 834-14**

### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 782-12, 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. 782-12; 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, Lot 1, Plan 912 0793 be redistricted from Direct Control District (DC) to Direct Control District (DC), 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 Bylaw 834-14 and attached Schedule "A" form part of Land Use Bylaw 782-12, 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 Land Use Bylaw 782-12, as amended, is 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 The River Flats Area Structure Plan – Bylaw 615-08, and any amendment thereto, is applicable unless otherwise stated in this Bylaw.
- 1.5 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.
- 1.6 The development of any new structures or any addition to existing structures is prohibited unless otherwise stated in this Bylaw.
- 1.7 Any use of the Lands not listed in Section 2 of this Bylaw is prohibited unless otherwise stated in this Bylaw.
- 1.8 Proposals for development, use (including redesignation), and/or subdivision beyond that provided in this Bylaw shall require an amendment to this Bylaw.
- 1.9 All use and development upon the Lands shall be subject to approval by Alberta Transportation and in accordance with Alberta Transportation's licenses, permits, and approvals.

## **2.0 Land Use Regulations**

### **2.1 Purpose**

The purpose of this District is to restrict any further development on the lands that may be: 1) incompatible with surrounding land uses; 2) detrimental to the future recreational use of the Lands; and 3) located within the 1:50 or 1:100 year floodplain of the North Saskatchewan River.

This District recognizes that the existing uses and developments are not permanent, and includes development restrictions that are intended to facilitate the eventual transition in land use from commercial and industrial to recreational.

The purpose of this district is to allow for the existing uses and developments on the property which include an oilfield equipment storage facility, gravel pit operation, vehicle inspection facility and accessory buildings.

## 2.2 List of Uses

### 2.2.1 Discretionary Uses

- Accessory
- Business Support Services
- Contracting Services, Major
- Natural Resource Extraction
- Outdoor Storage Facility
- Service Station
- Sign(s)
- Surveillance Suite
- Work Camp

## 2.3 Minimum Requirements:

### 2.3.1 Setbacks

#### (a) Front Yard

- (i) 40 m (131 ft.) where abutting a highway.
- (ii) 40 m (131 ft.) where abutting a County road where road widening has not been dedicated;
- (iii) 25.0 m (82 ft.) where abutting a County road where road widening has been dedicated;

#### (b) Side Yard

- (i) 6.0 m (20 ft.);

#### (c) Rear Yard

- (i) 8.0 m (26 ft.);

## 2.4 Maximum Requirements:

### 2.4.1 Maximum Height

- (a) One Hundred percent (100%) of the height of the principle building for a freestanding sign
- (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 If applicable, 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 the Land Use Bylaw 782-12, 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 the Land Use Bylaw 782-12, as amended.
- (b) The purpose of this section of the Bylaw is to control the scope, duration, or term of development on the Lands. The Development Authority must consider the long term development objectives of the subject lands, pursuant to Bylaw 615-08 – River Flats Area Structure Plan and amendment thereto, when considering a Development Permit Application.

- (c) Proposed development of the Lands shall be restricted or prohibited once the existing natural resource extraction operations are concluded in order to facilitate recreational use of the Lands.
- (d) The Development Authority may restrict or prohibit the use or development of the Lands, at its sole and unfettered discretion, by:
  - (i) Approving a Development Permit application subject to renewal.
  - (ii) Refusing a Development Permit application.
- (e) The Development Authority may consider and/or request, but is not limited to, the following resources when evaluating the suitability for development of the Lands:
  - (i) The 1:50 and 1:100 floodplain elevations as established by Alberta Environment.
  - (ii) Brazeau County's Environmentally Sensitive Areas Study (1992)
  - (iii) Studies or reports prepared by a professional engineer.
  - (iv) Any other information required by this Bylaw and/or deemed necessary by the Development Authority respecting the lands.

#### **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 Section 10 of Land Use Bylaw 782-12, as amended.


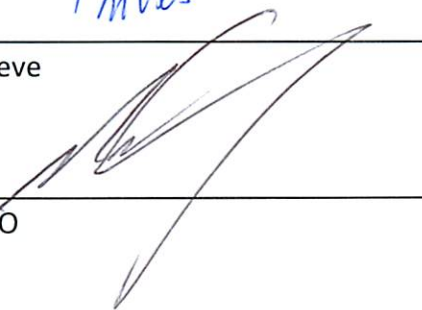
**5.0 Implementation**

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

READ a first time this 20<sup>th</sup> day of May, 2014

READ a second time this 2<sup>nd</sup> day of July, 2014










READ a third time and finally passed this 2<sup>nd</sup> day of July, 2014

  
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Reeve  
  
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CAO  




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**Proposed Rezoning**  
80.32 ac or 32.50 ha

-  REZONING AREA
-  PARCEL BOUNDARY
-  COUNTY COLD MIX
-  COUNTY GRAVEL
-  COUNTY PAVED
-  OTHER PAVED
-  OTHER GRAVEL
-  PROVINCIAL GRAVEL
-  PROVINCIAL PAVED

Scale: 1 : 5,000



This map is intended for advisory purposes only. It is based upon data sources deemed reliable but Brazeau County is not responsible for errors or omissions. This does not replace a legal land survey.

