

BRAZEAU COUNTY

BYLAW NO: 892-15

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 a Pt. of the NE 3-49-7-W5M & Pt. of the SE 3-49-7-W5M be redesignated from Agricultural (AG) District to Direct Control (DC) 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 Bylaw 892-15 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. The current Land Use Bylaw in place at the time of application 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. Council delegates Development Authority for Permitted Use Development Permits for the Lands to the Director of Planning and Development.

- 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. Subdivision of the Lands is prohibited unless otherwise stated in this Bylaw.
- 1.10. 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 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 provide for outdoor storage on the Lands.

2.2 List of Uses

2.2.1 Permitted Uses

- Accessory
- Outdoor Storage Facility

2.3 Minimum Requirements:

2.3.1 Setbacks

- (a) Front Yard:
 - (i) 40.0 m (131 ft) where abutting a County road where road widening has not been dedicated;
 - (ii) 25.0 m (82 ft) where abutting a County road where road widening has been dedicated;
 - (iii) 10.0 m (33 ft) where abutting an internal road;

- (iv) 40.0 m (131 ft) where abutting a highway;
- (b) Rear Yard:
 - (i) 8.0 m (26 ft);
 - (ii) 40.0 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;
 - (iv) 10.0 m (33 ft) where abutting an internal road;
 - (v) 40.0 m (131 ft) where abutting a highway.
- (c) Side Yard:
 - (i) 6.0 m (20 ft);
 - (ii) 40.0 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;
 - (iv) 10.0 m (33 ft) where abutting an internal road;
 - (v) 40.0 m (131 ft) where abutting a highway.

2.4 Maximum Requirements:

2.4.1 Maximum Height

(a) 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 may provide the County with the name of the authorized agency contracted for the pertinent building, electrical, gas and plumbing inspections and permits if requested by the County.

3.1.3 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.
- 3.3.3 At the discretion of the Development Authority, screening may be required along the parcel boundaries and may include the construction of a 2.0 m (6.6 ft.) high solid screened fence (chain link fence with privacy slats, solid wood, metal, etc.), the planting of trees, shrubs, and/or other vegetation and the construction of a landscaped berm.

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 exceeding 3.0 m² (32.3 ft.²) 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 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 A.E.R. setbacks unless lesser distance is agreed to in writing by A.E.R.; and, A.E.R. 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

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.

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.
- (b) The term of any Development Permits issued on the lands shall be limited to a maximum of five (5) years.

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.
- (c) Proposed development of the Lands shall be restricted or prohibited once the existing outdoor storage facility has ceased 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.

4.2 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 19th day of January, 2016

READ a second time this 1st day of March, 2016

READ a third time and finally passed this 1st day of March, 2016












Reeve

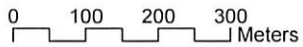


CAO



Municipal Address: 7210 HWY 22
Pt. NE 3 & Pt. SE-3-49-7-W5M

-  DIRECT CONTROL BYLAW892-15
-  PARCEL BOUNDARY
-  COUNTY COLD MIX
-  COUNTY GRAVEL
-  COUNTY PAVED
-  OTHER GRAVEL
-  OTHER PAVED
-  PROVINCIAL GRAVEL
-  PROVINCIAL PAVED



Scale: 1 : 10,000

Dec 17th, 2015
Taylor van den Brink

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.

