



Land Use Bylaw 1002-18

Adopted October 16, 2018

Consolidated December 2, 2025



## AMENDMENTS

REVISION #	DATE	BYLAW #	DESCRIPTION
Rev 1	4-Dec-18	1004-18, 1008-18	Rezone Pt SE 18-49-7-W5M, Rezone Pt NW 1-50-8-W5M
Rev 2	5-Mar-19	1014-19, 1019-19	Rezone SE 31-50-7-W5M, Rezone Pt NW 18-48-8-W5M
Rev 3	2-Apr-19	1013-19, 1015-19, 1016-19, 1017-19	Rezone Pts NW 36-50-8-W5M, Rezone Pts SE 8-49-6-W5M, Rezone NW 26-47-5-W5M, Rezone Pt SW 9-49-6-W5M
Rev 4	16-Jul-19	1022-19, 1023-19, 1024-19	Rezone Pt SE 12-49-7-W5M, Rezone Pt SW 29-50-7-W5M, Rezone Pts NW 4-50-7-W5M
Rev 5	17-Sep-19	1029-19, 1035-19	Rezone Pt SE 4-48-3-W5M, Textual Amendment to Rural Industrial District
Rev 6	7-Apr-20	1050-20	Rezone Pt SW 13-50-6-W5M
Rev 7	19-May-20	1055-20	Textual Amendment to sections 9.3, 12.2.2, 12.3.2 and 13.2.2.
Rev 8	3-Jul-20	1036-19	Rezone Pt NE 30-49-8-W5M
Rev 9	3-Feb-21	1039-19, 1059-20	Rezone Pt NE 30-49-5-W5M, Rezone Pts SE 24-48-7-W5M
Rev 10	8-Apr-21	1069-20	Rezone Pt SW 8-48-8-W5M
Rev 11	1-Jun-21	1076-21	Rezone Pts NW 31-47-9-W5M
Rev 12	19-Jul-21	1043-19	Rezone Pt NE 32-49-8-W5M
Rev 13	21-Sep-21	1085-21	Rezone Pts NE, SE & SW 3-49-7-W5M
Rev 14	21-Jan-22	1064-20, 1074-21	Rezone Pt NW 29-49-6-W5M, Rezone Pt SE 7-50-8-W5M

## AMENDMENTS

REVISION #	DATE	BYLAW #	DESCRIPTION
Rev 15	15-Mar-22	1097-21, 1040-19	Update to Map 49-7C Storage Container Overlay, Rezone Pt NE-27-47-5-W5M
Rev 16	7-Jun-22	1107-22, 1108-22, 1067-20, 1068-20, 1070-20	Removal of Section 14.2 and Map 49-7C, Rezone Lot 5 Block 6 Plan 3504 KS and Lot 6, Block 6 Plan 992 0631 within NE 36-47-70 W5M Rezone Pt NW 2-48-7 W5M, Rezone Pt NW 30-50-8 W5M, Rezone Pt 26-48-4 W5M
Rev 17	21-Jun-22	1100-22, 1101-22	Rezone Pt SE 15-50-5-W5M, Rezone Pt NW 15-50-5-W5M & SW 15-50-5-W5M, Add DC Bylaw 1101-22
Rev 18	9-Aug-22	1116-22	Removal of minimum floor area for dwellings from AG, AGH, CR, CCR and HR Districts.
Rev 19	20-Sep-22	1102-22, 1096-21 1086-21	Addition of Airport Land District and 3 new definitions, Rezone Pt. NE 34-47-5 W5M, Rezone NW 4-49-8 W5M
Rev 20	12-Dec-22	1099-22, 1125-22	Rezone Pt NW 3-50-6-W5M, Rezone SE 33. NE 28 & Pt SE 28-47-9-W5M
Rev 21	25-May-23	1110-22, 1120-22, 1124-22, 1127-22	Rezone Pt SE 24-48-9-W5M, Rezone Pts SE 23-47-5-W5M, Rezone Pt NE 1-49-5-W5M, Rezone NW 5-48-8-W5M
Rev 22	20-Jun-23	1139-23	Rezone Lots 18 & 19, Block 16, Plan 1989KS within SE 5-50-10 W5M
Rev 23	26-Jul-23	1115-22, 1126-22	Rezone Pt SE 15-49-7-W5M, Rezone Pts SW 8-48-8-W5M
Rev 24	21-Sep-23	1082-21, 1128-22, 1134-23	Rezone Pt NW 29-49-7-W5M, Rezone Pt NW 10-50-5-W5M, Rezone Pt NE 30-47-4-W5M
Rev 25	29-Nov-23	1137-23	Rezone SE 31-47-4-W5M
Rev 26	28-May-24	1144-23, 1161-23, 1166-23, 1168-24, 1170-24	Rezone Pts SE 16-49-8-W5M, Rezone Pt NE 25-48-8-W5M, Rezone Pts NW 5-48-8-W5M, Rezone Pt SE 14-48-6-W5M, Rezone Lots 1 & 2 Block 1 Plan 822 0824 within SW 13-50-6-W5M



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REVISION #	DATE	BYLAW #	DESCRIPTION
Rev 27	28-Jun-24	1180-24, 1181-24, 1182-24	Rezone SE 1-49-9-W5M, Rezone NE 36-48-9-W5M and Rezone Pt NE 19-48-7-W5M
Rev 28	20-Sep-24	1160-23, 1186-24, 1187-24	Rezone Pt SW 8-48-8-W5M, Rezone Pt NE 14-48-8-W5M and Rezone Pt SE 21-49-5-W5M
Rev 29	10-Dec-24	1169-24, 1191-24	Rezone SW 4-48-4-W5M, Rezone Pt SE 10-49-6-W5M
Rev 30	4-Feb-25	1195-24, 1198-25	Rezone Lots 22, 23, & 24, Block 4, Plan 242 2408 within SE 5-50-10 W5M and Lots 11 & 12, Block 18, Plan 1989 KS within SE 5-50-10 W5M, and Rezone Lot A, Block 8, Plan 1989 KS within SE 5-50-10 W5M.
Rev 31	6-Mar-25	1199-25, 1157-23, 1176-24, 1201-25, 1200-25	Rezone Pt NE 34-47-5-W5M, Rezone Pts SW 23-48-8-W5M, Rezone Pts SW 13-49-6-W5M and Rezone Lot 8 Block 1 Plan 912 2189 within SE 18-49-7-W5M
Rev 32	6-May-25	1143-23, 1202-25, 1205-25	Rezone Pt SW 27-49-9-W5M, Rezone Lot 17 Block 16 Plan 982 0064 within NW 31-47-9-W5M and Rezone Pt SW 33-50-7-W5M
Rev 33	15-Jul-25	1212-25	Rezone Pt SW 28-47-4-W5M
Rev 34	7-Oct-25	1215-25	Rezone SW 9-50-8-W5M
Rev 35	4-Nov-25	1217-25	Rezone Pt SE 4-50-5-W5M
Rev 36	2-Dec-25	1218-25	Rezone NE 10-49-9-W5M & Repeal DC Bylaw 515-05

## AMENDMENTS

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# 1 INTRODUCTION

## 1.1 Title

- 1.1.1 This Bylaw shall be known as and may be cited as “Brazeau County Land Use Bylaw.”

## 1.2 Purpose

- 1.2.1 The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within Brazeau County to ensure health and safety of its inhabitants, and also achieve the orderly and economic development of land, and:

- (a) To divide Brazeau County into land use districts;
- (b) To prescribe and regulate the use of land or buildings within each district;
- (c) To establish a method of making decisions on applications for development permits and the issuance of development permits;
- (d) To provide the manner in which a notice of issuance for a development permit is given;
- (e) To establish the number of dwellings that may be allowed on a parcel;
- (f) To establish regulations to assist in the subdivision and development decision making process;
- (g) To establish procedures of appealing the decisions related to this Land Use Bylaw;

- (h) To establish general development standards and specific use regulations;
- (i) To establish parking, signage, and landscaping standards; and
- (j) To establish subdivision standards for Brazeau County.

## 1.3 Effective Date

- 1.3.1 This Land Use Bylaw comes into effect on the date of its third reading. At that time, the former Bylaw No. 939-17, and its amendments, shall cease to apply to new subdivision and development in Brazeau County.

## 1.4 Application

- 1.4.1 This Land Use Bylaw shall serve as a tool to implement policies established in the Municipal Development Plan (MDP), other statutory plans, and the *Municipal Government Act* (MGA), as amended from time to time.
- 1.4.2 All development hereafter in Brazeau County shall conform to the provisions of this Bylaw.

## 1.5 Previous Bylaws

- 1.5.1 Brazeau County Land Use Bylaw 939-17, except the Direct Control Bylaws set out in Section 17, is hereby repealed and this Bylaw shall apply to all lands within Brazeau County.

## 1.6 Application in Process

- 1.6.1 A completed application for a development permit or subdivision, which is received before adoption of this Bylaw shall be processed

in accordance with Brazeau County's Land Use Bylaw 1002-18 as amended unless requested by the applicant to be processed under this Bylaw.

## 1.7 Non-Conformity

- 1.7.1 In accordance with Section 643 of the MGA, if a development permit has been issued on or before the day on which a Land Use Bylaw or a Land Use Amendment Bylaw comes into force in a municipality and the Bylaw would make the development for which the permit was issued a non-conforming use or non-conforming building, the development permit continues to be in effect in spite of the coming into force of the Bylaw.
- 1.7.2 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- 1.7.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- 1.7.4 A non-conforming use of part of a parcel may not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings may be constructed on the parcel while the non-conforming use continues.
- 1.7.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:
- (a) To make it a conforming building;

- (b) For routine maintenance of the building, if the Development Authority considers it necessary; or
- (c) In accordance with a Land Use Bylaw that provides minor variance powers to the Development Authority for the purposes of this section.

- 1.7.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the Land Use Bylaw.
- 1.7.7 The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## 1.8 Severability

- 1.8.1 If any section, clause, or provision of this Land Use Bylaw, including anything shown on the land use district map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remainder of this Bylaw in whole or in part, other than the section, clause or provision, including anything shown on the land use district map, so declared to be invalid.

## 1.9 Compliance with Other Legislation

- 1.9.1 Notwithstanding that a development permit may not be required in certain instances under this Bylaw, in no way does this exempt the applicant from complying with:
- (a) Other requirements for approval by municipal Bylaw, the MGA, conditions, any other instrument affecting building or land, or other applicable regulation;

- (b) Any easement, covenant, agreement, or contract affecting the development; and
- (c) Requirements of the *Alberta Safety Codes Act*, and any regulations, including the Alberta Building Code.

1.9.2 The provisions and regulations of this Bylaw do not exempt any person from complying with the provisions or regulation of any other municipal, provincial, or federal statute.

## 1.10 Rules of Interpretation

### Bylaw Text

- 1.10.1 Words used in the present tense include the other tenses; words used in the singular include the plural and vice versa; and the word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual.
- 1.10.2 The words “shall,” and “must,” require mandatory compliance except where a variance has been granted pursuant to the MGA.
- 1.10.3 Words, phrases, and terms not defined in this section may be given their definition in the MGA. Other words shall be given their usual and customary meaning.
- 1.10.4 Where a regulation involves two (2) or more conditions, provisions, or events connected by the conjunction “and,” this means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly or in combination.
- 1.10.5 Where reference is made to other legislation, this refers to the legislation as may be amended from time to time.

### Land Use District Map

1.10.6 Where a district boundary line is shown on the land use district maps as approximately following:

- (a) A railway, pipeline, power line, utility right-of-way, or easement, it follows the centre line, unless otherwise clearly indicated on the land use maps;
- (b) The edge, shoreline, or high water mark of a river, lake, or other water body, or a topographic contour line, or a top of bank line, it follows that line. In the event of change, it moves with the edge or shoreline; or
- (c) A property line, it follows the property line.

1.10.7 A district boundary line follows the extension of any of the features listed above.

1.10.8 A district boundary line shall generally follow the centre of a road or lane, unless the district boundary line is shown clearly following the edge of the road or lane.

1.10.9 Where the application of the above interpretations does not determine the exact location of a district boundary line, a Development Officer shall fix the district boundary line in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. The Development Officer may defer the decision to MPC. This decision may be appealed to the Subdivision and Development Appeal Board (SDAB).

1.10.10 In the case of any conflict between information expressed in metric units and in imperial units, the metric shall govern.

1.10.11 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.

- 1.10.12 In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall govern.
- 1.10.13 Pursuant to Section 638.1 of the MGA, in the event of a conflict or inconsistency between a statutory plan or the Land Use Bylaw, and an *Alberta Land Stewardship Act* (ALSA) regional plan, the ALSA regional plan prevails to the extent of the conflict or inconsistency.

## 2 APPROVAL AND APPEAL AUTHORITIES

### 2.1 Development Authority

2.1.1 The Development Authority for Brazeau County is:

- (a) The person appointed by resolution of Council as Development Officer pursuant to the Designated Officer Bylaw and the Municipal Planning Commission Bylaw; and
- (b) The Municipal Planning Commission (MPC) established by Bylaw pursuant to the MGA.

2.1.2 The Development Authority shall carry out the powers and duties set out in regulations established under the MGA, this Bylaw, and the Municipal Planning Commission Bylaw, as amended from time to time.

2.1.3 The Office of the Development Officer is established through this Bylaw, and the Municipal Planning Commission Bylaw, and shall be filled by person(s) employed or contracted by the municipality.

2.1.4 The Development Officer shall perform such duties that are specified in the Municipal Planning Commission Bylaw and this Bylaw.

2.1.5 The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments to it. The Development Officer shall also keep a register of all applications for development, including the decisions made on those applications, and the reasons for those decisions.

2.1.6 For the purposes of Section 542 of the MGA, the Development Officer is hereby designated as authorized by the municipality to discharge the relevant powers and functions. The Development Officer shall inform MPC of the actions being carried out.

2.1.7 In accordance with Section 640(6) of the MGA, the Development Authority hereby is authorized to decide on an application for a development permit even if the proposed development does not comply with the land use bylaw or is a non-conforming building if:

- (a) The proposed development would not unduly interfere with the amenities of the neighbourhood or materially interferes with or affects the use, enjoyment or value or neighbouring parcels of land; and
- (b) The proposed development conforms with the use prescribed for that land or building in the land use bylaw.

Section 3.9 outlines the provisions governing the ability for the issuing of a development permit relating to this provision.

### 2.2 Development Officer

2.2.1 A Development Officer shall be responsible for the following:

- (a) Reviewing all applications for a development permit and establishing specific conditions related to each development permit application;
- (b) Referring an application to any municipal, provincial, federal, or inter-jurisdictional department or any other agency or body; and
- (c) Considering and approving a development permit that is consistent with a licence, permit, approval, or other

authorization granted by either the Alberta Energy Regulator (AER) or Natural Resources Conservation Board (NRCB).

- (d) Referring any development permit application decision to MPC.

## 2.3 Subdivision Authority

- 2.3.1 In accordance with Sections 623(1) and 623(2) of the MGA, the Subdivision Authority for Brazeau County is the MPC established by Bylaw pursuant to the MGA.

## 2.4 Subdivision and Development Appeal Board

- 2.4.1 The SDAB for Brazeau County, as established through the Brazeau County Subdivision and Development Appeal Board Bylaw, shall perform the duties and functions as described in the Bylaw and the MGA.
- 2.4.2 The SDAB shall review all appeal applications within its jurisdiction for development permit appeals, stop order appeals, and subdivision application appeals.

## 2.5 Municipal Planning Commission

- 2.5.1 The Municipal Planning Commission (MPC) is established by the Municipal Planning Commission Bylaw.
- 2.5.2 The MPC shall perform such duties as are specified within this Bylaw and as specified in the Municipal Planning Commission Bylaw.

- 2.5.3 The MPC shall:

- (a) Decide upon all development permit applications referred to it by the Development Officer; and
- (b) Perform such other duties as described in this Bylaw, the Municipal Planning Commission Bylaw, or as may be assigned to it by Council.

## 2.6 Decision-Making Structure

- 2.6.1 The Development Officer shall be responsible for making decisions on all development permit applications involving permitted uses. Any discretionary use, permitted use with a variance to a setback over fifty percent (50%) or a variance to any other development regulation shall be referred to the MPC.
- 2.6.2 The MPC shall be responsible for making decisions on all subdivision applications.
- 2.6.3 Any refusal of a development permit being recommended by a Development Officer shall be directed to MPC for making the decision.

## 3 DEVELOPMENT PERMIT PROCESS

### 3.1 Control of Development

- 3.1.1 No person shall commence or undertake development unless an application for it has been approved and a development permit has been issued, except as designated in Section 3.2 of this Bylaw.
- 3.1.2 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other safety code approvals or licences that may be required by other regulatory departments or agencies.
- 3.1.3 Development permits shall be in conformance with the Public Works Minimum Design Standards as required by the Development Authority.

### 3.2 Development Not Requiring a Development Permit

- 3.2.1 The following developments do not require a development permit but must otherwise comply with all other provisions of this Bylaw:
  - (a) Maintenance or repair of a building that does not involve structural alterations and does not change the use, intensity of use or footprint of the building, as long as it does not contravene Section 643 of the MGA;
  - (b) Alterations including tenant improvements in a multi-tenancy building;

- (c) Construction, maintenance, repair, or any combination of them, of public works, services and utilities completed by or on behalf of federal, provincial or municipal public authorities on land which is publicly owned or controlled;
- (d) Agricultural, Extensive Development;
- (e) Development specified in Section 618 of the MGA, which includes:
  - (i) A highway or road;
  - (ii) A well or battery within the meaning of the *Oil and Gas Conservation Act*;
  - (iii) A pipeline or an installation or structure incidental to the operation of a pipeline;
  - (iv) Any other action, person, or thing specified by the Lieutenant Governor in Council by regulation; or
  - (v) An area of Crown land designated by the Minister responsible for the *Public Lands Act* in a municipal district.
- (f) Accessory Structures:
  - (i) In all Districts:
    - (1) An Accessory Structure less than 16.8 m<sup>2</sup> (181 ft<sup>2</sup>) in floor area;
    - (2) Up to two (2) tarp structures under 40.0 m<sup>2</sup> (431 ft<sup>2</sup>) in size;
    - (3) Satellite dishes no greater than 0.9 m (3 ft) in diameter that are attached to a building;
    - (4) Decks (not covered); or

(5) Play structures less than 4.6 m (15.0 ft) in height.

(ii) In Agricultural Districts:

(1) The erection or construction of a farming operation identification sign;

(2) Inside of named subdivisions, the construction of any agricultural accessory structure to be used in conjunction with a farming operation with a floor area of no more than 225.0 m<sup>2</sup> (2,422 ft<sup>2</sup>) including but not limited to pole sheds, animal shelters, equipment storage, granaries, silos, tarp structures, and hay shelters; this does not include buildings with any residential occupancy;

(3) Within the Agricultural Holdings District, outside of named subdivisions, the construction of any agricultural accessory structure to be used in conjunction with a farming operation with a floor area of no more than 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>) including but not limited to pole sheds, animal shelters, equipment storage, granaries, silos, tarp structures, and hay shelters; this does not include buildings with any residential occupancy;

(4) Within the Agricultural District, outside of named subdivisions, the construction of any agricultural accessory structure to be used in conjunction with a farming operation, including but not limited to pole sheds, animal shelters, equipment storage, granaries, silos, tarp structures, and hay shelters; this does not include buildings with any residential occupancy;

(5) Stockpiling of soil; and

(6) The operation of an Animal Service Facility for the sole purpose of equine training and/or canine training, this does not include the treatment, boarding, commercial breeding or grooming of animals for retail sales of associated products.

(g) Care Facilities:

(i) Foster homes approved by the Province; and

(ii) Daycare or elder care centres, day nurseries, family day homes, childcare, kindergartens, nursery schools and play schools for six (6) or less persons.

(h) Demolition/Removal:

(i) Demolition or removal of a structure if a development permit has been approved for a new development on the same site and where demolition or removal is a condition of that permit; and

(ii) No development permit is required for the demolition or removal of a structure in the Agricultural Districts.

(i) Fencing, Entrance Features and Ornamental Gates:

(i) Ornamental gates or entrance features;

(ii) Within Residential Districts the erection or construction of fences, walls or other means of enclosure in the rear and side yards of up to 2.13 m (7 ft) and 0.9 m (3 ft) in front yards;

(iii) Within Agricultural Districts the erection or construction of any fences, walls or other means of enclosure less than 2.7 m (9 ft) in height provided that such fences, gates or



other means of enclosure do not impede vehicular sight lines upon roads; and

- (iv) Fencing within the Commercial, Rural Industrial, and Light Industrial Districts less than 2.4 m (8 ft) in height.

(j) Landscaping:

- (i) Clock towers, monuments, sculptures, federal, provincial or municipal flags, and similar aesthetic enhancements not in a Residential District; and
- (ii) Landscaping, retaining walls, pathways and driveways where the existing grade and surface drainage pattern is not significantly altered and will not create off-site impacts, provided that there is no reduction in the amount of landscaping required by this Bylaw.

(k) Man-made Water Features:

- (i) Man-made water features that include an area less than 1000.0 m<sup>2</sup> (10,764 ft<sup>2</sup>) within the Agricultural Districts and less than 500.0 m<sup>2</sup> (5,382 ft<sup>2</sup>) in all other Districts.

(l) Signs:

- (i) Non-illuminated signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) in sign area. Except for "No Trespassing", "No Hunting" or similar type warning signs, there shall be a limit of two (2) such signs per lot without a development permit; and
- (ii) Signs in relation to the function of local authorities, utility boards, or other public or quasi-public bodies.
- (iii) A sign requiring approval from Alberta Transportation.

(m) Site Grading:

- (i) Site grading must meet the requirements of Section 8.19 and requires a development permit unless:
  - (1) It is undertaken in accordance with an approved development agreement with Brazeau County for public utilities or roads;
  - (2) It is part of a development that includes an approved lot grading plan;
  - (3) It is undertaken in the Agricultural Districts; or
  - (4) It is undertaken in any other district, up to a maximum volume of 250.0 m<sup>3</sup> (8,828 ft<sup>3</sup>).

(n) Solar Collectors:

- (i) The erection and operation of a solar collector in all districts except within Hamlet boundaries.

(o) Storage Containers:

- (i) Within the Agricultural District.

(p) Telecommunication Towers

- (i) Any tower 14.9 m (49 ft) or less in size for non-commercial use. All larger towers must comply with the County Towers Policy.

(q) Temporary Structures:

- (i) A temporary polling station, election official's headquarters, candidate's campaign office, or any other temporary structure for a federal, provincial, or municipal election, referendum, or census; and

- (ii) A temporary structure, including a Surveillance Suite, required for the erection, maintenance, or alteration of an approved development if removed within thirty (30) days of project completion. If the temporary structure is intended to remain beyond thirty (30) days, a development permit shall be required and the temporary structure shall be considered an accessory structure and subject to the requirements of that District.
- (r) Trapping:
  - (i) All types of trapping regulated by the Province.
- (s) Tree Clearing:
  - (i) In all districts except where it is located within a setback from a Hazardous Area as identified within Section 8.12;
  - (ii) Except within 30 m (98 ft) of waterbodies, the crest or toe of slopes over thirty percent (30%) or within the flood plain of a named watercourse; and
  - (iii) Does not include a commercial logging operation, which is considered a natural resource extraction use and requires a development permit.
- (t) Utilities:
  - (i) Utility services underground or in a registered right of way; and
  - (ii) On-site private sewage disposal systems and water supply systems which shall be contained within the parcel boundaries.

### **3.3 Development Permit and Agreement Fees**

- 3.3.1 All fees and charges under and pursuant to development permit and subdivision applications, appeals, statutory plans, Bylaws, and this Bylaw, and any amendments to them shall be as established by Bylaw of Council.

### **3.4 Requirements for Development Permit Applications**

#### **General Requirements**

- 3.4.1 All applications for a development permit shall be made to the Development Authority in writing on the application provided by Brazeau County, and shall:
  - (a) Be signed by the registered owner or his or her agent where a person other than the owner is authorized by the owner to make the application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a statutory declaration;
  - (b) State the proposed use or occupancy of all parts of the land and buildings and provide any other information as may be required by the Development Authority;
  - (c) Estimated cost of the project, excluding land prices, and
  - (d) Include site plans in duplicate at a scale satisfactory to the Development Authority, showing the following:
    - (i) North arrow;

- (ii) Legal description of the parcel;
  - (iii) Location of principal structure and other structures including Accessory Structures, Fences, driveways, paved areas, and major landscaped areas, including buffering and screening areas where provided;
  - (iv) Outlines of the roof overhangs on all structures;
  - (v) Front, rear, and side yard setbacks;
  - (vi) Access and egress points to and from the parcel; and
  - (vii) On a vacant parcel in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal.
- (e) At the discretion of the Development Authority, site plans may also be required to show any or all of the following:
- (i) The provision of off-street loading and vehicle parking;
  - (ii) The exterior elevations of all buildings showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
  - (iii) A lot grading plan indicating, but not limited to the elevation of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;
  - (iv) Stormwater plan;
  - (v) The location of existing and proposed municipal and private local improvements as well as a cost and time estimation of the installation of these improvements; and
  - (vi) The lowest finished floor elevation in either the basement or main floor in the principal and Accessory Structures where applicable.
- (f) Be accompanied by an electronic copy, in a format acceptable to the Development Authority, of all plans and drawings;
- (g) Include a Real Property Report to verify compliance of all existing and proposed buildings with this Bylaw;
- (h) Include a current Certificate of Title from the Land Titles Office;
- (i) Indicate authorization by all registered owners where there is more than one registered owner;
- (j) Be signed with the corporate seal or include verification of corporate signing authority, where the registered owner is a corporation; and
- (k) Provide any other pertinent information required by the Development Officer respecting the parcel or adjacent lands.
- 3.4.2 As part of the development permit application, the Development Authority may require the applicant to provide written consent to enter upon the subject property to verify compliance of all existing and proposed development(s) with this Bylaw.
- 3.4.3 The Development Authority may require a complete Hydrological Ground Water Impact Report for any commercial, industrial, or multi-parcel development.
- 3.4.4 When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with an application for a development permit, the Development Officer may

return the application to the applicant for further details. The returned application shall not be determined to be in its final form until all required details have been submitted to the satisfaction of the Development Officer. Should the municipality deem the submitted application incomplete, the Development Officer may issue a notice acknowledging the application is incomplete.

- 3.4.5 Where an incomplete application has been submitted, and notice has been provided, the Development Authority shall hold the application for twenty (20) days. If the applicant fails to collect the incomplete application within this period, the Development Authority shall return a copy of the application by post and retain all fees associated with the application.

**Direct Control District Requirements**

- 3.4.6 In the case of a development permit application made pursuant to a Direct Control district, all requirements and procedures pertaining to the development permit application will be at the direction and to the satisfaction of Council.

- 3.4.7 In determining the development permit application requirements and procedures pursuant to a Direct Control district, Council may consider and be guided by the provisions outlined in this Section and may require the applicant to submit any or all of the following for the purpose of relating any proposal to the growth of Brazeau County:

- (a) An explanation of the intent of the project.
- (b) The features of the project that make it desirable to the general public and Brazeau County. This is to include an evaluation of how the project may contribute to the present and projected needs of Brazeau County as a whole.

- (c) An economic analysis of the proposal's anticipated economic impact on the municipality.
- (d) A detailed development scheme containing the following information:
  - (i) Location of all proposed buildings;
  - (ii) Elevation and architectural treatment of all buildings and associated structures;
  - (iii) Proposed servicing scheme and its relationship to Brazeau County's existing and/or proposed servicing plans;
  - (iv) Anticipated scheduling and sequence of development;
  - (v) Mechanisms by which conformance to the plan will be ensured, such as through a combination of caveats, easements, service agreements and performance bonds;
  - (vi) Details of all earthwork and tree removal;
  - (vii) All yard setbacks, parcel coverage, parcel areas, floor areas, sizes of parcels, and number of parking stalls; and
  - (viii) Such additional requirements as are determined necessary by Council with regard to the nature of the proposed development and the surrounding use(s) that may be affected.

### 3.5 Requirement for Special Applications

#### Natural Resource Extraction and Processing Requirements

3.5.1 All Natural Resource Extraction and Processing uses, or an expansion to an existing operation will be required to include plans and a description demonstrating the following:

- (a) Copies of all relevant provincial and federal approvals and permits;
- (b) Site plan of the proposed development area, showing the area and dimensions of the area of extraction as well as the proposed location of any stock pile;
- (c) Existing site conditions (including topography, vegetation, water courses, soil and water table profiles, etc.);
- (d) Site grading and drainage plan (when the extraction affects existing drainage patterns);
- (e) Setbacks to all municipal roads, and to all property boundaries;
- (f) Location and distances to all adjacent residences in the vicinity;
- (g) Copy of Development and Reclamation Plan including post-extraction conditions and the proposed end use;
- (h) The costs required to reclaim the site for post-extraction use;
- (i) Proposed extraction, operation, staging (including years, dates, proposed hours of operation), and the life span of the operation (if known);

- (j) Proposed access, hauling activities and routes (for developments requiring hauling of materials or equipment);
- (k) Traffic Impact Assessment if required by Alberta Transportation or the Brazeau County Public Works & Infrastructure Department;
- (l) The applicant may be required to host an open house, at the discretion of the Development Authority. The open house must be advertised in the local newspaper for at least two consecutive weeks prior to the meeting date;
- (m) The applicant shall be required to enter into a Time Extension Agreement to allow Brazeau County to process the application beyond the 40-day time limit stipulated by the MGA; and
- (n) The applicant may be required to provide additional information outlining potential mitigation measures to address impacts on adjacent landowners.

### 3.6 Notice of Proposed Development

3.6.1 The notices issued pursuant to Section 3.7 shall state:

- (a) The proposed use of the building or parcel.
- (b) That an application respecting the proposed use will be considered by the Development Authority.
- (c) That any person who objects to the proposed use of the parcel may deliver to the Development Authority a written statement of their objections indicating:

- (i) Their full name and address for service of any notice to be given to them in respect of the objection; and
- (ii) The reasons for their objections to the proposed use.
- (d) The date by which objections must be received by the Development Authority; and
- (e) The date, time, and place the application will be considered by the Development Authority

### 3.7 Referrals for Development Applications

3.7.1 The Development Officer may refer any development permit application to the MPC for their review, comment and/or decision.

3.7.2 The Development Officer:

- (a) May refer an application to adjacent landowners;
- (b) Shall refer applications for a discretionary use or variance over fifty percent (50%) to adjacent landowners.

3.7.3 The Development Authority may refer any development permit application to another municipal department or external agency for their review and comment. The following is a description of mandatory referrals to external agencies:

- (a) Crown land development: When the municipality receives a development permit application that is to be located on Crown land or near a regionally significant or natural area, a copy of the development permit application shall be forwarded to the appropriate government department for comment and recommendations;

- (b) Provincial highway network: The applicant shall be required to obtain an approval from Alberta Transportation, in the following circumstances:
  - (i) Subdivision applications within 1.6 km (1.0 miles) of a provincial highway;
  - (ii) Development permit applications within 300 m (0.19 miles) of a provincial highway; and
  - (iii) Development permit applications within 800 m (0.5 miles) of a provincial highway intersection.
- (c) Critical wildlife, vegetation, and physical environments: To support the preservation of land that is identified or determined by the municipality to be a critical wildlife habitat, vegetative area, or physical environment or both, the Development Authority may refer any development permit application that may adversely affect the subject or adjacent property to the appropriate government department for comments and recommendations;
- (d) Alberta Energy Regulator (AER): The applicant shall be required to obtain approval from the AER for developments within 100 m (328 ft) of sour gas, gas or oil facilities in accordance with AER regulations;
- (e) Alberta Environment and Parks (AEP): The applicant may be required to obtain an approval from AEP/Fisheries and Oceans Canada, subject to location of the subject property, at the discretion of Development Authority. All environmental audits and Environmental Impact Assessments shall be referred to AEP for review and comment;
- (f) Alberta Health: The applicant may be required to obtain an approval from Alberta Health, subject to location of the

subject property, at the discretion of Development Authority; and

(g) Inter-municipal referrals: The Development Authority may refer the application for subdivision, development permit, and rezoning to the adjacent municipalities subject to the following criteria:

- (i) All subdivision and development within 3.2 km (2 miles) of the corporate property line of an adjacent urban or rural municipality shall be in accordance with existing Intermunicipal Development Plans or fringe area policies;
- (ii) All subdivision and development applications on parcels within 800 m (0.5 miles) of the corporate property line of a rural municipality where the main use is a discretionary use; and
- (iii) Notwithstanding the above, subdivision and development proposals that may have an impact on another municipality or that will require services from another municipality or may have an adverse impact on the neighboring municipality.

3.7.4 At the discretion of the Development Authority, interested person(s) may be provided with an opportunity to make representation on the application as part of the development permit application review process.

3.7.5 Development permit applications for Natural Resource Extraction and Processing will be circulated, at a minimum, to the following recipients:

- (a) Alberta Environment and Parks (AEP);

- (b) Alberta Culture and Tourism – Historic Resources Management Branch;

- (c) Eagle Point – Blue Rapids Parks Council if within 800 m (2625 ft);

- (d) Adjacent municipalities if within 800 m (2625 ft) or within the referral area of any Intermunicipal Development Plans;

- (e) Adjacent land owners within an 800 m (2625 ft) radius;

- (f) Land owners adjacent to the proposed haul route (if applicable); and

- (g) Inter-office circulation.

3.7.6 The referral response time for Natural Resource Extraction and Processing development permit applications shall be no less than twenty eight (28) days.

## 3.8 Decision on Development Permit Applications

### Permitted Use Applications

3.8.1 Subject to Section 3.9.2, the Development Officer shall be the approving authority for all proposed development that is listed as a permitted use under a land use district contained in Part 9 – Land Use Districts of this Bylaw. Any development permit application may be referred to the MPC for decision at the discretion of the Development Officer.

3.8.2 Upon receipt of a completed application for a development permit for a permitted use, if the permitted use complies in all regards with this Bylaw the Development Officer shall approve the application, with or without conditions. The Development Authority may

approve the application with or without conditions if the application requires variances, subject to Section 3.9.

**Discretionary Use Applications**

3.8.3 Development permit applications for all discretionary uses under land use districts contained in Part 9 – Land Use Districts of this Bylaw shall be referred to the MPC for their review and decision.

3.8.4 In considering an application for Natural Resource Extraction and Processing, the Development Authority may have additional regard for:

- (a) The general purpose of the surrounding land uses;
- (b) The future use of the site as proposed in a reclamation plan;
- (c) The provisions of the Municipal Development Plan and any relevant statutory plan;
- (d) The hours of operation;
- (e) Relevant guidelines and conditions of operation and approval from the provincial authority, the federal authority, or both having jurisdiction;
- (f) Conservation and replacement of topsoil for future agricultural use, planting of native and/or agricultural plant species to suppress invasive plant species, and a Weed Management Plan for disturbed areas;
- (g) Conservation of designated historical resources;
- (h) Conservation of trees and maintenance of habitat;

- (i) Conservation of environmentally significant and sensitive areas;
- (j) Conservation of watercourses and waterbodies;
- (k) The safety and the potential nuisance effect on adjacent properties; and
- (l) Potential impacts, if applicable, on adjacent municipality uses.

**Direct Control District Applications**

3.8.5 Upon receipt of a completed application for a development permit pursuant to a Direct Control District, the Council may, and prior to making a decision, refer the application to the Development Authority or any municipal department or external agency for comment.

3.8.6 Prior to deciding upon the development permit application before it, Council may provide public notice, through means and to whom it considers necessary, that a decision on a development permit pursuant to a Direct Control District is to be made and that Council may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

3.8.7 The Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

**Temporary Use Approval**

3.8.8 Where a development is not required on a permanent basis, the Development Authority may approve the proposed development permit for a specified period of time. The expiry date of all



temporary development permits shall be clearly indicated on the notice of decision.

### 3.9 Variance Provisions

3.9.1 The Development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority, the proposed development would not:

- (a) Unduly interfere with the amenities of the neighborhood;
- (b) Materially interfere with or affect the use, enjoyment, or value of the neighboring properties; and
- (c) The proposed development conforms to the use prescribed for the land or building in this Bylaw.

3.9.2 In approving an application for a development permit the Development Authority shall adhere to the general purpose and intent of the appropriate land use district and to the following:

- (a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building that are not generally common to other land in the same land use district;
- (b) A Development Officer shall have discretion for approving up to a fifty percent (50%) variance for setbacks on permitted use development permits;
- (c) A Development Officer shall refer development permit applications for permitted uses with a variance to a setback over fifty percent (50%) or a variance to any other development regulation to the MPC;

- (d) The Municipal Planning Commission may approve an application for a development permit, with or without conditions for a discretionary use or a permitted use requiring a variance in excess of the Development Officer's authority in any district; and
- (e) Subject to Section 3.9.1, the Municipal Planning Commission may approve an application for a development permit for:
  - (i) A discretionary use;
  - (ii) A permitted use that requires a variance to a setback in excess of 50%;
  - (iii) Any use that requires a variance to a development regulation; or
  - (iv) A non-conforming building.

### 3.10 Deemed Refusal

3.10.1 In accordance with the MGA, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days of the completed application being received by the Development Authority, unless an agreement to extend the forty (40) day period herein described is established between the applicant(s) and the Development Authority.

### 3.11 Notice of Decision

3.11.1 A notice of decision shall be mailed to the applicant at the address provided on the application form or such other address as provided in writing by the applicant.

- 3.11.2 A development permit does not come into effect until fifteen (15) days after a notice of decision is communicated. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 3.11.3 The Development Authority, in its sole discretion, may cause a notice of decision to be:
- (a) Published in a newspaper circulating in the area; or
  - (b) Published on the County website; or
  - (c) Be mailed to the directly adjacent landowners.
- 3.11.4 Further to Subsection 3.11.3, the Development Authority may provide further notice if determined necessary.
- 3.11.5 The Development Authority may notify only the applicant and landowner of the subject property of development permits issued for permitted uses where the proposed development is in conformance with this Bylaw.
- 3.11.6 Where an application for a development permit has been refused, the notice of decision need only be sent by mail to the applicant.
- 3.11.7 Where an appeal is lodged against a notice of decision of the Development Authority, the Subdivision and Development Appeal Board, or the Alberta Court of Appeal, a development permit shall not come into effect until the appeal has been finally determined.

## 3.12 Development Permit Conditions

### General Conditions for All Development Permits

- 3.12.1 A Development Authority may impose conditions on the approval of a permitted use to ensure compliance with this Bylaw and Brazeau County's Minimum Design Standards for Development.
- 3.12.2 A Development Authority may impose such conditions as a Development Officer deems appropriate for the approval of a discretionary use or where a variance has been granted. This includes limitations on the hours of operation of any discretionary use.
- 3.12.3 A Development Authority may impose a condition on the approval of any use requiring the applicant to do any one or more of the following:
- (a) Pay any off-site levy or enter into an agreement with Brazeau County to construct or pay for the construction or upgrading of public roads, walks and utilities necessary to serve the development or both;
  - (b) Provide a guaranteed security to ensure that all on-site servicing, including surface drainage, is constructed to the satisfaction of the County;
  - (c) Require a guaranteed security to ensure the terms of any conditions are carried out.

### Conditions for Natural Resource Extraction and Processing Permits

3.12.4 The Development Authority should impose the following conditions for approval of development permit applications for Natural Resource Extraction and Processing:

- (a) Development Agreement (where applicable);
- (b) Time restrictions on the duration of the development (i.e. – development permits may be subject to renewal);
- (c) Screening of the operation from residential areas by means of berms, landscaping, or other means;
- (d) Hours of operation;
- (e) Dust control;
- (f) Noise control;
- (g) Road Use Agreement;
- (h) Safety and traffic signage; and
- (i) Weed Management Plan (where applicable).

## 3.13 Validity of Development Permits

3.13.1 A development permit is invalid where:

- (a) A time limit, established as a condition by the Development Authority, has elapsed or expired;
- (b) The permit has been suspended or cancelled pursuant to Section 3.16; or

- (c) The approved structure(s) has not commenced within twelve (12) months from the date of issuance and been completed within twenty-four (24) months; except for a residential and accessory structure(s) in the Agricultural District where a structure(s) must commence in twelve (12) months and be completed in five (5) years.

## 3.14 Extension of Development Permits

3.14.1 A one year extension may be granted to commence or complete construction of the structure(s).

3.14.2 Applicants can apply for two (2) one (1) year extensions.

## 3.15 Resubmission Interval

3.15.1 If an application for a development permit is refused by the Development Authority or on an appeal to the Subdivision and Development Appeal Board, the Development Authority may refuse to accept subsequent development permit applications for the same or similar use on the same parcel for a period of twelve (12) months from the date of refusal unless in the opinion of the Development Authority:

- (a) The reasons for refusal have been adequately addressed; or
- (b) The circumstances of the application have changed significantly.

## 3.16 Withdrawal, Suspension or Cancellation of Permits

3.16.1 The Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing, to the

holder of the permit if, after a development permit has been issued, the Development Authority becomes aware that:

- (a) The application for the development contains a misrepresentation;
- (b) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
- (c) The development permit was issued in error; or
- (d) The conditions of development approval are not complied with in a satisfactory manner.

3.16.2 If a person fails to comply with a Stop Order under Section 645 of the MGA, the Development Authority may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.

3.16.3 When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with an application for a development permit, the Development Officer may refuse to accept the application.

3.16.4 An application shall not be determined to be in its final form until all required details have been submitted to the satisfaction of the Development Officer. Should the municipality deem the submitted application incomplete, the Development Officer may issue a notice acknowledging the application is incomplete within 20 days of receipt of the application. If no notice is sent within 20 days, the application shall be deemed complete.

3.16.5 Where notice of an incomplete application has been sent by the Development Officer, the application shall be held for twenty (20) days in order to provide the opportunity for the required information

to be submitted. If the applicant fails to complete the application within this period, the Development Officer shall deem the application refused.

3.16.6 Upon mutual agreement of the Development Officer and the applicant, a time extension agreement may be entered in to allowing for additional time to submit any outstanding requirements of an incomplete application.

### 3.17 Certificate of Compliance

3.17.1 A Development Officer shall, upon application, issue a Certificate of Compliance stating whether the completed development conforms to the setbacks of this Bylaw as shown on a Real Property Report (RPR). The Certificate of Compliance will assess previous permits and the setbacks of buildings or other improvements shown on the RPR.

3.17.2 An application for a Certificate of Compliance shall include sufficient information to determine conformance with this Bylaw including:

- (a) Application fee required by the County Schedule of Fees Bylaw;
- (b) Legal description and property address; and
- (c) A minimum of two (2) original copies of a RPR prepared by an Alberta Land Surveyor, dated less than six (6) months from the date of application, showing the details of the development and the relation to the property boundaries. If the RPR is older than six (6) months, but newer than five (5) years, a statutory declaration must also be submitted by the land owner which states that nothing on the property has been changed since the RPR was prepared.

- 3.17.3 The Development Authority shall not issue a Certificate of Compliance if the necessary information with respect to the development has not been included with the application. The application shall be deemed incomplete until all the required information has been submitted.
- 3.17.4 In preparing the Certificate of Compliance, the Development Authority shall rely on a Real Property Report (RPR) and is not required to undertake independent site inspections. The Development Authority shall not be liable for any changes arising from the use of a Certificate of Compliance where the errors are the result of incorrect or incomplete information provided by the surveyor or an inaccurate or incomplete statutory declaration.
- 3.17.5 The Development Authority may accept locations of structures or improvements on lands shown on an RPR as compliant, without requiring a new development permit, provided there is a previously issued and valid development permit for the structure and the variance of the current location does not exceed 20% of the approved location.

## 4 SUBDIVISION PROCESS

### 4.1 Requirements for Subdivision Applications

#### 4.1.1 The applicant shall be responsible for the following:

- (a) All applicable fees according to the Schedule of Fees Bylaw. These include, but are not limited to, application, mapping, administration, and endorsement fee;
- (b) Payment of any Off-site Development Levy or Connection Fee; and
- (c) All legal, engineering, and evaluation costs related to the application and approval of the proposed subdivision.

#### Subdivision Application Requirements

#### 4.1.2 The Subdivision Authority should consider the subdivision of lands using bio-physical, site assessment, and siting criteria from the Municipal Development Plan,, to evaluate:

- (a) The capability [Land Suitability Rating System (LSRS), soil, water, topography, land ownership patterns etc.] of the land to support the proposal;
- (b) The type, size, scale, site design, density, and potential impact the proposed activities may have on the adjacent and vicinity lands;
- (c) Environmental factors, both on and off-site, including the air quality, surface water, and ground water hydrology;

- (d) The suitability of the building site, access, site servicing requirements, and the potential impacts on the municipal infrastructure;
- (e) Other factors that the Subdivision Authority deems appropriate; and
- (f) Compliance with provincial legislation and regulations.

#### 4.1.3 The Subdivision Authority may require the applicant to provide plans, studies, or reports or any or all of them to assist in the evaluation of the proposal.

#### 4.1.4 Notwithstanding the above, the applicant may be required to obtain approvals from provincial agencies.

#### 4.1.5 The applicant must provide at a minimum the following information:

- (a) A completed application for subdivision;
- (b) A legible hand drawn tentative plan for a subdivision of up to four (4) parcels;
- (c) A tentative plan prepared by an Alberta Land Surveyor for a subdivision of more than four (4) parcels;
- (d) Current Certificate of Title dated less than fourteen (14) days before the application date;
- (e) An administration fee as set by the Schedule of Fees Bylaw; and
- (f) Any other information deemed necessary by the Subdivision Authority.

- 4.1.6 Applications for new phases in a subdivision will not be considered until previous phases have received a Final Acceptance Certificate (FAC).
- 4.1.7 If the Subdivision Authority determines that the application is complete, a subdivision complete application letter will be issued to the applicant within 20 days of the decision.

## 4.2 Decision on Subdivision Applications

- 4.2.1 The County may use the recommendations of an environmental audit or Environmental Impact Assessment as a basis for comments to the Subdivision Authority in recommending to approve, approve with conditions, or refuse an application for subdivision.
- 4.2.2 An applicant for subdivision may appeal a decision from the Subdivision Authority to the SDAB or MGB in accordance with the MGA.

## 4.3 Subdivision Approval Conditions

- 4.3.1 The Subdivision Authority may amend, remove or add to any of the conditions listed within this section as needed on a case-by-case basis.
- 4.3.2 All subdivision conditions must be fulfilled within twelve (12) months of date of subdivision approval, unless an extension is granted as per Section 657(6) of the MGA.
- 4.3.3 The applicant shall enter into a development agreement, in a form satisfactory to the County, to do any or all of the things referenced in Section 655(1)(b) of the MGA. This development agreement may include, but is not limited to:

- (a) Suitable access to each parcel constructed to County standards;
- (b) Water;
- (c) Sewage disposal;
- (d) Public transportation operated by or on behalf of the municipality;
- (e) Irrigation;
- (f) Drainage;
- (g) Fuel;
- (h) Electric power;
- (i) Heat;
- (j) Waste management;
- (k) Telecommunications;
- (l) Traffic control signs;
- (m) Subdivision entrance signs;
- (n) Street names and rural addressing;
- (o) School Division bus signage installed at the entrance of the subdivision; and
- (p) Provisions that the County must approve all infrastructure, signage, street names, and rural addressing prior to installation or plan endorsement.

- 4.3.4 Pursuant to Section 662 of the MGA, road widening adjoining all municipal road allowances may be required and may be registered through caveat or road plan.
- 4.3.5 The Subdivision Authority may require a restrictive covenant be placed on any residential lots:
- (a) Restricting sub-grade development or any other restriction required as per any report prepared by a qualified registered professional as required by the County;
  - (b) Prohibiting clearing of vegetation outside of established building sites except where required for weed management, removal of hazardous trees, or selective removal of deadfall or any or all of them;
  - (c) Prohibiting the development of water wells unless a report prepared in accordance with Section 23 of the *Water Act* recommends that a water well may be approved for the residential site; and
  - (d) Restricting wastewater disposal systems to holding tanks only on certain lots based on assessment of an on-site Wastewater Treatment System Suitability report.
- 4.3.6 The applicant shall be required to adhere to Brazeau County's Minimum Design Standards as applicable.

#### **Reserve Lands**

- 4.3.7 The applicant for subdivision must provide municipal, school, or municipal and school reserve in accordance with the MGA and the MDP.
- 4.3.8 The applicant for subdivision must provide public utility lots and rights of way, if required, in accordance with the MGA and the MDP.

- 4.3.9 The Subdivision Authority may require the applicant to provide a landscaped buffer area where the Subdivision Authority feels it is necessary to limit any potential noise impact from a neighbourhood use.

## **4.4 Endorsement of Subdivision**

### **Plan of Subdivision**

- 4.4.1 The applicant shall prepare and present to County staff a plan of subdivision that:
- (a) Complies with Section 657 of the MGA;
  - (b) Complies with the *Land Titles Act*, RSA 2000, c. L-4 as amended;
  - (c) Is acceptable in all respects to the Registrar of the Land Titles Office of Alberta;
  - (d) Shows the boundaries of the proposed subdivision, including all approaches; and
  - (e) Shows any required reserve lands or public utility lots.

### **Endorsement**

- 4.4.2 The plan of subdivision shall not be endorsed by the Subdivision Authority if there are any outstanding:
- (a) Property taxes on the property of the proposed subdivision;
  - (b) Compensation of the items outlined in Subsection 4.1.1;
  - (c) Approvals, pursuant to Section 4.3; or
  - (d) Required statutory approvals.



## 5 DEVELOPMENT APPEALS PROCESS

### 5.1 Grounds for Appeals

5.1.1 In accordance with Section 685(1) of the MGA, the person applying for the development permit or affected by the stop order under Section 645 may appeal to the Subdivision and Development Appeal Board, if a Development Authority:

- (a) Fails or refuses to issue a development permit to a person;
- (b) Issues a development permit subject to conditions; or
- (c) Issues an order under Section 645 of the MGA.

5.1.2 In addition to an applicant under Subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the Subdivision and Development Appeal Board

5.1.3 No appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.

### 5.2 Procedure for Appeals

5.2.1 In accordance with Section 686(1) of the MGA, a person may appeal to a Subdivision and Development Appeal Board (SDAB) by filing a notice of the appeal, containing reasons, with the SDAB within twenty-one (21) days;

- (a) In the case of an appeal made by a person referred to in Section 685(1), after:

- (i) The date on which the person is notified of the order or decision or the issuance of the development permit;
- (ii) If no decision is made with respect to the application within the forty (40) day period or within any extension under Section 684 of the MGA, the date the period or extension expires; or
- (iii) In the case of an appeal made by a person referred to in Section 685(2) of the MGA, the date on which the notice of the issuance of the permit was given in accordance with the Land Use Bylaw.

5.2.2 The SDAB must hold an appeal hearing within thirty (30) days after receipt of a notice of appeal.

5.2.3 The SDAB must give at least five (5) days' notice in writing of the hearing:

- (a) To the appellant;
- (b) To the Development Authority whose order, decision, or development permit is the subject of the appeal; and
- (c) To those owners required to be notified under the Land Use Bylaw and any other person that the SDAB considers to be affected by the appeal and should be notified.

5.2.4 The SDAB must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:

- (a) The application for the development permit, the decision, and the notice of appeal; or
- (b) The order under Section 645 of the MGA.

## 5.3 Hearing and Decision

5.3.1 In accordance with Section 687(1) of the MGA, at a hearing under Section 686, the SDAB must hear:

- (a) The appellant or any person acting on behalf of the appellant;
- (b) The Development Authority from whose order, decision, or development permit the appeal is made, or a person acting on behalf of the Development Authority;
- (c) Any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person; and
- (d) Any other person who claims to be affected by the order, decision or permit and that the SDAB agrees to hear, or a person acting on behalf of that person.

5.3.2 The SDAB must give its decision in writing together with reasons for the decision within fifteen (15) days after concluding the hearing.

5.3.3 In determining an appeal, the Subdivision and Development Appeal Board:

- (a) Must act in accordance with any applicable *Alberta Land Stewardship Act* (ALSA) regional plan;
- (b) Must comply with the land use policies and statutory plans and the Land Use Bylaw in effect;
- (c) Must have regard to but is not bound by the subdivision and development regulations;
- (d) May confirm, revoke, or vary the order, decision, or development permit or any condition attached to any of

them or make or substitute an order, decision, or permit of its own; and

- (e) May make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the Land Use Bylaw if, in its opinion:
  - (i) The proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
  - (ii) The proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw.

## 5.4 Court of Appeal

5.4.1 Pursuant to Section 688 of the MGA, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:

- (a) A decision of the Subdivision and Development Appeal Board; and
- (b) The Municipal Government Board on a decision of an appeal under Section 619 of the MGA, an inter-municipal dispute under Division 11 of the MGA, or a subdivision appeal.

5.4.2 An application for leave to appeal must be filed with the Court of Appeal within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be given to:

- (a) Brazeau County;

- (b) The Municipal Government Board or the Subdivision and Development Appeal Board; and
- (c) Any other person(s) that the judge directs.

## 6 ENFORCEMENT

### 6.1 Contravention

6.1.1 A Development Authority may find that a development or use of land or buildings is not in accordance with:

- (a) The MGA or the regulations;
- (b) A development permit or subdivision approval; or
- (c) This Bylaw.

6.1.2 If this is the case, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or any or all of them to:

- (a) Stop the development or use of the land or buildings in whole or in part as directed by the notice;
- (b) Demolish, remove or replace the development; or
- (c) Take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the MGA, the regulations, a development permit, subdivision approval, or this Bylaw, as the case may be.

6.1.3 Where a notice is issued under Subsection 6.1.2, the notice may state the following and any other information considered necessary by the Development Authority:

- (a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the MGA the order is being carried out;

- (b) The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
- (c) A time frame in which the contravention must be corrected prior to Brazeau County pursuing further action; and
- (d) Advise the person of their right to appeal the notice to the Subdivision and Development Appeal Board.

### 6.2 Prohibitions

6.2.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development that is not permitted by this Bylaw.

6.2.2 No person shall contravene a condition of a permit issued under this Bylaw.

6.2.3 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a development permit. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by a Development Officer.

### 6.3 Non-Compliance

6.3.1 If, after a development permit has been issued, the Development Authority becomes aware that:

- (a) The application for the development contains a misrepresentation;
- (b) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;

- (c) The development permit was issued in error;
- (d) The application was withdrawn by way of written notice from the applicant; or
- (e) If the condition(s) imposed in the development permit have not been complied with.

The Development Authority may cancel, suspend, or replace as considered appropriate, the development permit by notice, in writing, to the holder of the permit.

- 6.3.2 A person whose development permit is cancelled, suspended or replaced under this subsection may appeal to the SDAB in accordance with Section 5 of the Bylaw within twenty-one (21) days of notice of such action.

## 6.4 Warning Notice

- 6.4.1 A Designated Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

## 6.5 Right of Entry

- 6.5.1 Where the Development Authority finds that a development is not in accordance with:
- (a) Part 17 of the MGA, regulations thereto, or any County Bylaw; or
  - (b) A development permit;

The Development Authority may take such action as specified in Sections 542 and 543 of the MGA.

- 6.5.2 A person making an application under this Bylaw, shall sign a consent authorizing the right of entry by the Designated Officer to such lands or buildings as may be required for investigation of the proposed application.

## 6.6 Stop Orders

- 6.6.1 The Development Authority may act under Subsection 6.6.2 pursuant to Section 645(1) of the MGA, if a Development Authority finds that a development, land use, or use of a building is not in accordance with:

- (a) This section or a Land Use Bylaw or regulations under this section; or
- (b) A development permit or subdivision approval.

- 6.6.2 If Subsection 6.6.1 applies, the Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:

- (a) Stop the development or use of the land or building in whole or in part as directed by the notice;
- (b) Demolish, remove, or replace the development; or
- (c) Carry out any other actions required by the notice so that the development or use of the land or building complies with this section, the Land Use Bylaw or regulations under this section, a development permit or a subdivision approval, within the time set out in the notice.

- 6.6.3 A person who receives a notice referred to in Subsection 6.6.2 may appeal to the SDAB within 21 days after the date on which the order is made, in accordance with Section 685 of the MGA.

## 6.7 Appeal to Stop Orders

- 6.7.1 The recipient of a stop order may appeal to the Subdivision and Development Appeal Board (SDAB).

## 6.8 Enforcement of Stop Orders

- 6.8.1 Pursuant to Section 646(1) of the MGA, if a person fails or refuses to comply with an order directed to the person under Section 645 or an order of an SDAB under Section 687, the County may, in accordance with Section 542, enter on the land or building and take any action necessary to carry out the order.
- 6.8.2 A municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in Subsection 6.8.1 against the certificate of title for the land that is the subject of the order.
- 6.8.3 If a municipality registers a caveat under Subsection 6.8.2, the municipality must discharge the caveat when the order has been complied with.

## 6.9 Offenses and Penalties

- 6.9.1 A person who contravenes or does not comply with a provision of the MGA, the *Subdivision and Development Regulation*, the Land Use Bylaw, a stop work order issued under this Bylaw, a development permit or subdivision approval, or a decision of the Subdivision and Development Appeal Board or who obstructs or hinders any person in the exercise or performance of their powers or duties is guilty of an offence and may be penalized as per Section 566 of the MGA.

## 7 LAND USE BYLAW AMENDMENT PROCESS

### 7.1 Procedure for Amendments

#### Application Requirements

- 7.1.1 A person may apply to amend this Bylaw, in writing, to the Development Authority by completing the proper form. All proposed amendments to this Bylaw shall be made in accordance with Section 692 of the MGA.
- 7.1.2 As part of the application referred to in Subsection 7.1.1, the applicant must provide the following information:
- (a) Reasons in support of the application;
  - (b) The use to be made of the land that is the subject of the application;
  - (c) Reference to all utility corridors; and
  - (d) The method of land servicing.

#### Payment and Undertaking

- 7.1.3 A person making an application to amend this Bylaw shall:
- (a) Pay Brazeau County an application fee as set by the Schedule of Fee Bylaw.

#### Investigation by Development Authority

- 7.1.4 Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
- (a) Initiate or carry out any necessary investigation or analysis of the issues involved in or related to the amendment; and
  - (b) Prepare a detailed report including all maps and relevant material for Council to consider.

#### Procedure by Applicant

- 7.1.5 Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
- (a) The applicant wishes Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by Council; or
  - (b) The applicant wishes to withdraw the application for an amendment.

#### Review by Council

- 7.1.6 As soon as reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively determined by the applicant in Subsection 7.1.5 as the case may be, to Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.

**Proposed Amendments may originate from Development Authority**

- 7.1.7 The Development Authority may, at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Development Authority.

**Amendments Proposed in Council**

- 7.1.8 Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment, the proposal shall be referred to the Development Authority for necessary reports and recommendations.

## **7.2 Amendment Review Process**

- 7.2.1 Council may, after administrative review, give first reading to a Bylaw to amend this Bylaw.
- 7.2.2 Should first reading be given to a Bylaw to amend this Bylaw, Council shall:
- (a) Establish the date, time, and place for a public hearing on the proposed Bylaw;
  - (b) Outline the procedure to be followed by anyone wishing to be heard at the public hearing; and
  - (c) Outline the procedure by which the public hearing will be conducted.
- 7.2.3 Council may give a second and third reading to an application to amend this Bylaw.

## **7.3 Advertisement Requirements**

- 7.3.1 On first reading being given to a bylaw to amend this Bylaw, the administration shall:
- (a) Arrange for notice of the public hearing to be published in two (2) issues of a newspaper circulating in the County, the publication date of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in the MGA; or
  - (b) Mail a notice of the public hearing to any neighbouring land owners within the area of influence for such notice that shall be determined by Council resolution; or
  - (c) Do both of the above; or
  - (d) Given by a method provided for in a bylaw.
- 7.3.2 If the proposed amendment provides for a change of district for a parcel, the County shall mail, not less than fourteen (14) days preceding the date of the public hearing, notice to:
- (a) The applicant;
  - (b) The registered owner(s) of the land, if not the applicant, and the registered owner(s) of adjacent land;
  - (c) If the subject amendment lands are adjacent to lands in another municipality, notice to that municipality; and
  - (d) Any other authorities or persons who, in the opinion of the Development Authority, may be affected.
- 7.3.3 The notice of the public hearing shall contain the following information:



- (a) The date, time, and place of the public hearing;
- (b) The purpose of the proposed Bylaw; and
- (c) That a copy of the proposed Bylaw and any public documents applicable to the proposed Bylaw may be inspected at the County office during regular office hours.

## **7.4 Notification Hearing/Public Hearing**

- 7.4.1 Where a public hearing is to take place under the provisions of Subsections 7.2.2, 7.2.3, and 7.3.1, the Development Authority shall provide notice of public hearing for the proposed Bylaw amendment to the affected land owners as defined by Subsection 7.3.2.
- 7.4.2 Council shall hear anyone who has received the notice of public hearing and who is interested in speaking at the public hearing.

## **7.5 Decision by Council**

- 7.5.1 Council will review the application and recommendations and may:
  - (a) Request further information;
  - (b) Approve the proposed text amendment or redistricting as proposed;
  - (c) Approve the proposed text amendment or redistricting with modifications within the scope of the MGA; or
  - (d) Refuse the proposal.

## **7.6 Resubmission Interval**

- 7.6.1 Where an application for an amendment to this Bylaw has been defeated by Council, Council shall not consider another application for the same or substantially the same amendment within twelve (12) months of the date of the refusal unless Council otherwise directs.
- 7.6.2 Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the MGA [Section 692] regarding enactment of Bylaws.

## 8 DEVELOPMENT REGULATIONS

All development regulations shall be applicable in accordance with policies in this section unless otherwise granted by the Development Authority in accordance with Sections 2.1.7 and 3.9.

### 8.1 Abandoned Gas and Oil Wells

- 8.1.1 The purpose of establishing setbacks around abandoned well sites is to allow for the maintenance of the well site to occur, to protect the well site and to avoid damage to any construction or excavation equipment that may be used in construction of buildings or utilities on the site. Incorporating the setbacks and access area associated with a well site into a subdivision and development proposals may help in determining an effective subdivision design, the location of building sites, siting of underground utilities and grading of land.
- 8.1.2 The development must be in accordance with Alberta Energy Regulator Directive 79 and the *Subdivision and Development Regulation*.

### 8.2 Accessory Structures

- 8.2.1 An Accessory Structure is allowed without a principal building or use in all Districts except:
- (a) Compact County Residential District;
  - (b) Hamlet Residential District;
  - (c) Manufactured Home Park District; and

- (d) Tiny Dwelling District.

- 8.2.2 An Accessory Structure shall not be used for residential occupancy unless it is an approved secondary dwelling, a Secondary Suite, or a Surveillance Suite.
- 8.2.3 An Accessory Structure shall not be constructed over an easement or right of way.
- 8.2.4 Accessory Structures are permitted when accessory to a permitted use and discretionary when accessory to a discretionary use.
- 8.2.5 An Accessory Structure on a double fronting lot shall be sited as if a front yard setback is required on both lot lines abutting roads.

### 8.3 Access, Parking, and Loading

- 8.3.1 Parking regulations applicable in all Districts:
- (a) Vehicle access to municipal roads must be approved by the Director of Public Works and Infrastructure or designate;
  - (b) In the event that all or a portion of the required off-street parking cannot be provided on-site, the necessary additional off-street parking may, at the discretion of the Development Authority, be provided on lands within a distance of 100 m (328 ft) of the site, subject to the approval of the Development Authority and upon the terms and conditions as set out in an agreement made between the Developer, the Development Authority, and other affected parties; and
  - (c) On-site parking requirements for all applicable districts are described in Subsection 8.3.4.

8.3.2 Parking regulations applicable in all Commercial, Industrial and Exclusive Districts;

- (a) Parking facilities must be adequately lit and light must be directed in a manner that will not negatively impact neighbouring lands;
- (b) Additional storm drainage generated by a parking facility must be contained within the lot or directed to a County right-of-way; and
- (c) Loading spaces must be provided for all non-residential land uses to satisfaction of the Development Authority and must be located on-site unless otherwise approved as per Section 8.3.1(b).

8.3.3 Onsite parking standards for Apartment Buildings, include:

**Onsite Parking Standards for Apartments**

Studio	1 stall per unit
One bedroom	1.5 stalls per unit
Two or more bedrooms	2 stalls per unit
Guest Parking	0.1 stalls per unit

- (a) All at-grade parking is to be located at the side or rear of the building.

8.3.4 Onsite parking requirements for all applicable districts are the following:

Use	Parking Requirement
Bed and Breakfast, Guest Ranch	One (1) parking space per guest room.
Campground	Two (2) parking spaces per site and one (1) per employee in attendance.
Dwelling unit	Two (2) parking spaces.
Eating and Drinking Establishment	One (1) parking space per four (4) seats and one (1) parking space per employee in attendance.
Education Facility/ Day Care Facility	One (1) parking space per employee in attendance and a number of parking spaces equal to five percent (5%) of enrolment capacity.
Golf course	Four (4) parking spaces per hole and one (1) parking space per employee in attendance.
Home Occupation Medium	One (1) parking space per non-resident employee/business partner.
Home Occupation Major	One (1) parking space per non-resident employee/ business partner
Health Service/Health Services Facility	One (1) parking space per 46.5 m <sup>2</sup> (501 ft <sup>2</sup> ) floor area.
Hotel/Motel	One (1) parking space per guest room and one (1) parking space per employee on site.

Use	Parking Requirement
Industrial uses	One (1) parking space per employee in attendance.
Personal Service Facility	One (1) parking space per 46.5 m <sup>2</sup> (501 ft <sup>2</sup> ) floor area.
Private Club, Public and Quasi-Public Use, Community Hall, Funeral Home, Recreation Service, Indoor, and Recreation Service, Outdoor	One (1) parking space per four (4) seats and one (1) parking space per employee in attendance.
Place of Worship	One (1) parking space per three (3) seats.
Secondary Suite	One (1) space.
Social Care Facility	One (1) parking space per employee in attendance.
Retail, commercial, business use	One (1) parking space; per customer; per 46.5 m <sup>2</sup> (501 ft <sup>2</sup> ) floor area.

- (a) Additional Barrier Free Parking:
- (i) 1 unassigned stall per 20 units – minimum of 1 unit per use

- (b) Parking requirements not indicated above shall be assessed and assigned at the discretion of the Development Authority.

## 8.4 Adaptive Reuse of Dwelling on Industrial and Commercial Parcels

### 8.4.1 Dwellings shall:

- (a) Already exist on the site at the time the property is redistricted to either Rural Industrial, Light Industrial or Commercial;
- (b) Be converted from a residential use to accommodate a business function as a Surveillance Suite; and
- (c) Only be occupied by the landowner(s), business owner(s), employee(s), or a caretaker of the business together with their relatives.

## 8.5 Bed and Breakfasts

- 8.5.1 All Bed and Breakfasts must maintain the residential character of the Dwelling Unit.
- 8.5.2 No more than four (4) rooms for the purposes of guests within the Dwelling are permitted.
- 8.5.3 A Bed and Breakfast is for temporary accommodation only and shall not exceed fourteen (14) consecutive nights.

## 8.6 Building Design

- 8.6.1 In all residential districts, the exterior design, character, and appearance of all buildings and structures within a development must be architecturally compatible with adjacent developments.
- 8.6.2 The exterior design, character, and appearance of all buildings and structures within a development must be consistent with and reflect the purpose of the land use district in which the development is located.
- 8.6.3 The exterior of Dwelling Units or Accessory Structures, must be covered with a suitable material designed for that purpose and includes but is not limited to stucco, brick, plastic or aluminum siding. A suitable exterior material does not include OSB, plywood, unfinished concrete, tar paper, or vapour barrier. Wood, other than cedar, must be stained, painted or treated with an exterior clear coat.
- 8.6.4 Manufactured Homes must be skirted with a suitable exterior material designed for that purpose which does not include OSB, plywood, tar paper or vapour barrier. Wood, other than cedar, must be stained, painted or treated with a clear coat.

## 8.7 Cannabis Production and Distribution Facilities

- 8.7.1 Cannabis Production and Distribution Facilities shall provide a copy of the current license(s) as issued by the federal and/or provincial government to the Development Authority with the application or as a condition of the development permit approval.
- 8.7.2 Cannabis Production and Distribution Facilities shall meet security and premises requirements as required under federal and provincial legislation.
- 8.7.3 Cannabis Production and Distribution Facilities shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, noise, odour, dust, pollution, or any other related land use nuisance effects.
- 8.7.4 On site buffering measures shall be required for all Cannabis Production and Distribution Facilities. Buffers may include a combination of: setbacks, landscaping, and fencing to mitigate the impacts on adjacent lots.
- 8.7.5 Cannabis Production and Distribution Facilities shall include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 8.7.6 All activities related to the Cannabis Production and Distribution Facility shall occur within fully enclosed stand-alone building(s), including but not limited to, storage of waste materials, loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.
- 8.7.7 No outdoor storage of goods, materials, or supplies shall be permitted.
- 8.7.8 On site cannabis sales shall not be permitted from any Cannabis Production and Distribution Facility.
- 8.7.9 Hours of operation for Cannabis Production and Distribution Facilities shall be established at the discretion of the Development Authority.
- 8.7.10 The Development Authority shall impose a condition on any development permit issued for a Cannabis Production and Distribution Facility requiring that the development shall not commence until authorized by and compliant with federal and/or provincial legislation.

## 8.8 Cannabis Retail Sales

- 8.8.1 Cannabis Retail Sales establishments shall be prohibited from locating within 100.0 m (328.1 ft) of a public education facility, a provincial health care facility, a public park, or a parcel of land that is designated school reserve, or developed municipal and school reserve. The 100 m separation distance shall be measured from the closest point of the subject parcel boundary to the closest point of another parcel boundary, and shall not be measured from the edges of the structures.
- 8.8.2 Proximity of Cannabis Retail Sales establishments to places where children frequently gather shall be taken into consideration by the Development Authority when reviewing a development permit application.
- 8.8.3 Cannabis Retail Sales establishments shall comply with the following requirements, in addition to any other federal and/or provincial requirements:
- (a) Establishments shall be licensed by the federal and/or provincial government;
  - (b) A copy of the license(s) for the establishments as issued by the federal and/or provincial government shall be provided to the Development Authority with the development permit application or as a condition of the development permit approval.
- 8.8.4 Hours of operation for Cannabis Retail Sales establishments shall be from 10:00 am to 2:00 am and may be further restricted at the discretion of the Development Authority.
- 8.8.5 The Development Authority shall impose a condition on any development permit issued for Cannabis Retail Sales requiring that

the development shall not commence until authorized by and compliant with federal and/or provincial legislation.

## 8.9 Confined Feeding Operations

- 8.9.1 Confined Feeding Operations are approved by the Alberta Government and therefore shall adhere to all provincial regulations pertaining to Confined Feeding Operations.
- 8.9.2 When evaluating the location of a proposed Confined Feeding Operation the Province shall take into consideration the following guidelines as determined by Brazeau County. Brazeau County will be deemed to be an interested party in relation to all applications, hearings and appeals for Confined Feed Operations. Recommended setbacks for Confined Feeding Operations are:
- (a) Urban Centres (population > 500): 4.8 km (3 miles);
  - (b) Urban Centres (population < 500): 4.8 km (3 miles);
  - (c) Public Place: 1.6 km (1 mile);
  - (d) Country Residence (farm and non-farm): in accordance with the *Agricultural Operation Practices Act* (AOPA);
  - (e) Surface Water: Required distance of 15.2 m (50 ft) but recommend 91.4 m (300 ft) for enclosures, buildings and corrals, and 30.5 m (100 ft) for catch basins or lagoons; and
  - (f) Be sited in accordance with provincial regulations. If the Province requires larger setback distances, that distance shall apply.

## 8.10 Cynthia Solar Aquatics Sewage Treatment Plant

- 8.10.1 When considering a subdivision or development permit application involving land abutting the Cynthia Solar Aquatics Sewage (SAS) Treatment Plant, the Development Authority shall impose a minimum 30 m (98 ft) setback to the SAS from any development.

## 8.11 Demolition

- 8.11.1 Demolition is a permitted use in all districts.
- 8.11.2 Upon application for building demolition, the Development Authority may require a demolition plan, detailing the following:
- (a) Footprint of building and site plan of property on which the building is to be demolished;
  - (b) Measures to be taken to ensure that the demolition is done in a safe and efficient manner and what measures are to be taken to ensure the disturbance and nuisances (dust, noise, debris, traffic, etc.) as a result of the demolition are mitigated or minimal;
  - (c) Timelines for completion of demolition and site restoration project;
  - (d) Salvage operation and stockpiling of building demolition material and fill from excavation; and
  - (e) Site restoration and land reclamation upon building demolition (filling, grading, landscaping, etc.).

## 8.12 Fences

- 8.12.1 Fences shall be consistent with the character and quality of the design and materials of the principal building.
- 8.12.2 A Development Officer may require a fence to be installed where commercial or industrial development is proposed to abut residential development. Where noise is a potential nuisance, a Development Officer may specify that the fence be designed to attenuate noise.
- 8.12.3 A fence shall not be higher, measured from the ground level 0.6 m (2 ft) inside the property line of the site, than:
- (a) 2.1 m (7 ft) for the portion of a fence that does not extend beyond the foremost portion of the building abutting the front yard, nor beyond the foremost portion of the building where it abuts a side yard abutting a public road other than an alleyway;
  - (b) 0.9 m (3 ft) for the portion of a fence that does extend beyond the foremost portion or portions of the building abutting the front yard, provided that a Development Officer may allow a fence to be erected to not more than 2.1 m (7 ft) in height if, in the opinion of a Development Officer, it will not prejudice the safety or amenities of the adjoining lots; or
  - (c) 2.4 m (8 ft) in Commercial, Rural Industrial, and Light Industrial Districts.
- 8.12.4 Notwithstanding Subsection 8.12.3, a Development Officer may approve a higher fence or a fence with barbed-wire or other security features for public safety, privacy, security, or buffering reasons.

- 8.12.5 In the case of double fronting sites, fences shall be of a height satisfactory to a Development Officer having regard to the location of fences in the surrounding area and the requirement for screening.

### 8.13 Guest Ranches

- 8.13.1 A Guest Ranch shall be operated as an Accessory Use and shall not change the character of the principal use of the land.
- 8.13.2 The Development Authority shall consider the following in reviewing a development application for a Guest Ranch:
- (a) Impact of the proposed use on existing water and sewer systems;
  - (b) Consistency with other developments and land uses in the surrounding area;
  - (c) Potential traffic generation and parking needs;
  - (d) Buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of neighbouring parcels; and
  - (e) Amenities offered that would enhance the proposed land use.
- 8.13.3 Not more than twenty five (25) guests shall be accommodated at any one time on site.
- 8.13.4 Eating and cooking shelters and sleeping units may be allowed as accessory structures but shall not be used for permanent dwellings.

### 8.14 Hazardous Areas

- 8.14.1 No development shall be permitted within the 1:100 year flood plain of any permanent water course as established by AEP, unless a Flood Hazard Study is completed showing that developable areas can be safely created within a flood fringe area.
- 8.14.2 Notwithstanding Subsection 8.14.1, any development permit for a structure, excluding a permanent dwelling, within the 1:100 year flood plain of any permanent water course will be deemed discretionary.
- 8.14.3 A Water Table Study may be requested at the discretion of the Development Authority.
- 8.14.4 Development permit applications for proposed structures located adjacent to slopes greater than thirty percent (30%) may be required to provide written confirmation from a qualified registered professional engineer that the subject site is suitable for the proposed development. Such confirmation shall consider the effects of the development on the stability of the slope, including any potential mitigation measures, sediment controls for the site and proposed structure(s) and any other matters the professional engineer determines relevant.
- 8.14.5 A subdivision application may be subject to a Slope Stability Assessment at the discretion of the Development Authority that reviews the suitability of the subject site and considers the stability of the slope greater than thirty percent (30%).
- 8.14.6 When considering a subdivision application or development permit application involving land in or near an Environmentally Sensitive Area and or provincially identified Environmentally Significant Area, the Development Authority may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision.



8.14.7 An application for development or subdivision upon any hazardous area:

- (a) May be required to provide a written confirmation letter from a qualified registered professional engineer that the site is suitable for the proposed development; or
- (b) Shall incorporate alternate measures such as an increase in setbacks and/or enhanced building standards excluding the minimum setback of 6.1 m (20 ft) from a water body.

8.14.8 Buildings setbacks from hazardous areas shall be as follows:

- (a) Where a slope exceeds 3.0 m in rise, the minimum setback measured from the Top of Bank Line shall be 6.1 m (20 ft); or
- (b) A distance specified in a letter from a qualified registered professional engineer; and
- (c) At least 6.1 m (20 ft) from a water body or the high-water mark of the 1:100 year flood plain if known.

8.14.9 An application may be subject to a Slope Stability Assessment, Biophysical Assessment, Environmental Risk Assessment or an Environment Impact Assessment at the discretion of the Subdivision Authority and Development Authority.

8.14.10 Minimum development setbacks for land adjacent to Flood Hazard Areas shall be established in accordance with a site specific Flood Hazard Study.

## 8.15 Home Occupations

8.15.1 No adverse variation from the external appearance and residential character of land or buildings shall be permitted, in multi-lot subdivisions or hamlets.

8.15.2 Any home occupation may be required to enter into a road use agreement at the discretion of the development authority.

8.15.3 Home Occupations are responsible to conform to provincial legislation and regulation related to the storage of hazardous materials.

8.15.4 For the purposes of vehicles and employees, the limitations in Section 8.15 apply only to those parked, operated, or employed on the parcel of land for which a development permit has been issued.

### *Minor*

8.15.5 A Minor Home Occupation does not require a development permit if it meets the following criteria:

- (a) Have no more than two (2) Home Occupation vehicles used in conjunction with the Home Occupation, parked and maintained on the site.
- (b) There shall be no vehicles greater than 11,750 kg (25,904.3 lbs) gross vehicle weight (GVW) or more than 9.1 m (30 ft) in length used in conjunction with a Minor Home Occupation;
- (c) Be located within a structure with no exterior storage permitted;

- (d) Be operated by the resident(s) who permanently resides on the subject parcel and shall employ no non-resident, on-site employees; and
- (e) Clients and customers of a Minor Home Occupation shall only be permitted to visit the premises between the hours of 7:00 am to 8:00 pm.

#### *Medium*

8.15.6 A Medium Home Occupation requires a development permit and shall meet all the following criteria:

- (a) Located within a structure with no exterior storage permitted;
- (b) Shall not occupy more than thirty percent (30%) of the gross floor area of the principal dwelling, but may be located fully or partially in Accessory Structures;
- (c) Be operated by the resident(s) who permanently resides on the subject parcel, and may employ no more than two (2) non-resident on-site employees;
- (d) Clients and customers of a Medium Home Occupation shall be permitted to visit the premises between the hours of 7:00 am to 8:00 pm, or as established at the discretion of the Development Authority; and
- (e) The property of a Medium Home Occupation shall have no more than two (2) vehicles, used in conjunction with a Medium Home Occupation, parked and maintained on site.

- (f) No vehicle, used in conjunction with a Medium Home Occupation, shall have a gross vehicle weight greater than 22,600 kg (49,824.5 lbs).

#### *Major*

8.15.7 A Major Home Occupation requires a development permit and shall meet all the following criteria:

- (a) Outside storage of goods, materials, commodities or finished products shall be at the discretion of the Development Authority;
- (b) The parking of any commercial vehicles shall not exceed a maximum of six (6);
- (c) There shall be no vehicles over 53,500 kg (117,947 lbs) gross vehicle weight used in conjunction with a Major Home Occupation;
- (d) Excluding the permanent resident and the permanent resident's family who permanently reside on the subject parcel, a maximum of twelve (12) on-site employees may be permitted as part of the approval and operation of a Major Home Occupation; additional employees may be permitted at the discretion of the Development Authority;
- (e) A Major Home Occupation must not be located on a parcel less than 4.0 ha (9.9 ac) in size; and
- (f) Clients and customers of a Major Home Occupation shall only be permitted to visit the premises between the hours of 6:00 am to 8:00 pm or as established at the discretion of the Development Authority.

## 8.16 Landscaping

- 8.16.1 The Development Authority may require landscaping in Commercial and Industrial Districts if the subject parcel is adjacent or abutting a Residential District parcel.
- 8.16.2 Any landscaping or fencing with a height greater than 0.9 m (3 ft) shall not be located within Sight Triangles.
- 8.16.3 Landscaping and fencing must be completed within one (1) year after the completion of the development.
- 8.16.4 Preservation of natural tree stands along the perimeter of any development is encouraged and will be considered by the Development Authority when establishing landscaping provisions.
- 8.16.5 Adjacent to any apartment development, appropriate soft landscaped open space shall be provided as a communal amenity area to be used for preschool and school aged children in the amount of a minimum of 2.5 m<sup>2</sup> (27 ft<sup>2</sup>) per bedroom (excluding the master bedroom) within the apartment.

## 8.17 Natural Resource Extraction and Processing

- 8.17.1 Notwithstanding the Permitted and Discretionary uses prescribed within the various Land Use Districts in this Bylaw, Natural Resource Extraction and Processing is prohibited if proposed:
  - (a) Within hamlets, condominium plans, and multi-parcel residential subdivisions;
  - (b) Within 800 m (2625 ft) of hamlets, condominium plans, and multi-parcel residential subdivisions; and

- (c) With a total area, including associated activities and operations, of less than 5.0 ha (12.4 ac) on a parcel.

- 8.17.2 The Development Authority may request a letter from a qualified registered professional engineer, at its discretion, if the proposed Natural Resource Extraction and Processing development is located within 800 m (2625 ft) of an existing development sited on or adjacent to a sloping terrain.

- 8.17.3 All conditions on an approved Development Permit must be satisfied prior to commencing development or the Development Permit will be cancelled.

### Reclamation

- 8.17.4 Natural Resource Extraction and Processing developments must be reclaimed to the satisfaction of the federal or provincial authority having jurisdiction.

- 8.17.5 The Development Authority may require, as a condition of a development permit, that the owner provide a guaranteed security to ensure that reclamation is completed. The security may take the following forms:

- (a) Cash to a value equal to one hundred ten percent (110%) of the established reclamation costs; or
- (b) An irrevocable Letter of Credit having the value equivalent to one hundred ten percent (110%) of the established reclamation costs.

- 8.17.6 If a Natural Resource Extraction and Processing development has already received approval from AEP and security for reclamation has been submitted to the satisfaction of the Province, the security required by Subsection 8.17.5 is not required.

8.17.7 The owner or the applicant, based on the information provided in the reclamation plan, shall calculate and pay the reclamation security in accordance with provincial requirements. In the event the owner or applicant does not complete the required reclamation in the time specified in the approved reclamation plan and the cash or the Letter of Credit is insufficient for the County to complete the required work, should it elect to do so, then the owner or applicant shall pay such deficiency to Brazeau County immediately upon being invoiced. The County shall provide an accounting to the owner or applicant indicating how the proceeds of the Letter of Credit were applied, within sixty (60) days of completing the reclamation.

8.17.8 A Road Use Agreement, between Brazeau County and the applicant/owner of the natural resource extraction and/or processing use, incorporating haul routes, maintenance, signage, and other related clauses is required as a condition of a development permit.

## 8.18 Number of Dwellings per Parcel

8.18.1 In all land use districts, a maximum of one dwelling unit is allowed on a parcel of land, unless otherwise permitted by the Land Use Bylaw.

8.18.2 In the Agricultural District (AG):

- (a) A second dwelling unit is a permitted use on a parcel; and
- (b) Three (3) or more dwellings on a parcel greater than 6.1 ha (15 ac) is a discretionary use.

8.18.3 In the Agricultural Holdings District (AGH):

- (a) A second dwelling is a permitted use on a parcel greater than 4 ha (10 ac); and

- (b) A second dwelling is a discretionary use on a parcel less than 4 ha (10 ac).

8.18.4 In the Country Residential District (CR), on a parcel less than 2 ha (5 ac), a second dwelling is a discretionary use.

## 8.19 Secondary Suites

8.19.1 All Secondary Suites require a development permit in accordance with the provisions of this Bylaw.

8.19.2 A maximum of two Secondary Suites shall be permitted on AG parcels and AGH parcels over 4 ha (10 ac). A maximum of one Secondary Suite shall be permitted within all other Residential Districts.

8.19.3 A Secondary Suite within or attached to a Dwelling Unit shall comply with the following:

- (a) The maximum building height shall comply with the provisions of the district where the Secondary Suite is proposed.

8.19.4 The maximum floor area of the Secondary Suite shall not exceed fifty percent (50%) of gross floor area of the principal building.

8.19.5 A Secondary Suite within or attached to an Accessory Structure shall comply with the following:

- (a) The maximum building height shall comply with the regulations of the district where the Secondary Suite is proposed; and
- (b) The maximum floor area of the Secondary Suite shall not exceed seventy-five percent (75%) of the gross floor area of the Accessory Structure.

- 8.19.6 An application for a Secondary Suite shall comply with the yard setbacks of the district where the Secondary Suite is proposed.
- 8.19.7 A minimum of three (3) on-site parking spaces; two (2) for the principal building and one (1) for the Secondary Suite shall be provided.
- 8.19.8 Minimum floor area for each District does not apply to Secondary Suites.

## 8.20 Signs

- 8.20.1 Unless a sign is exempted by Section 3.2 from the requirement of a development permit, every application for sign is considered an Accessory Structure in each district of this Bylaw.
- 8.20.2 The Development Authority may, by notice in writing, direct the owner to correct the condition of any sign or remove any sign within thirty (30) days of receipt of the notice where, in the opinion of the Development Authority, that condition or sign constitutes a violation of this Bylaw or any permit hereunder, and has become unsightly or is unsafe.
- 8.20.3 The Development Authority may impose conditions regarding the quality, aesthetic character and finishing of sign construction.
- 8.20.4 Flashing, animated or interiorly illuminated signs shall not be permitted in developments where they might, in the opinion of the Development Authority, affect adjacent housing or residential areas or interfere with the interpretation of traffic signs or controls.
- 8.20.5 A development permit application for a sign shall include the following (in addition to the requirements of Section 3.4.1):
- (a) A plan showing the following construction details:
    - (i) Location of the proposed signage;
    - (ii) The distance to public roadways;
    - (iii) The distance to aerial power lines for freestanding signs (if applicable);
    - (iv) The overall sign design with dimensions and total area;
    - (v) The height of the top and the bottom of sign above the average ground level at the face of the building or sign;
    - (vi) The method of illumination (if applicable); and
    - (vii) Such other considerations as the Development Authority may deem to be relevant.
- 8.20.6 Neither the granting of a development permit for a sign, the approval of any plans, or any inspections made by the Development Authority shall relieve the owner or applicant from full compliance with this Bylaw, or other applicable legislation.
- 8.20.7 All signs shall be kept in a safe, clean and tidy condition. The Development Authority may require the owner or applicant to renovate or remove the signs if they are not properly maintained.
- 8.20.8 Unless otherwise allowed in this Bylaw, no person shall attach anything to an existing permitted sign unless a new development permit is issued.
- 8.20.9 A freestanding sign must not exceed 6 m (20 ft) in height and a maximum area of 2.4 m x 4.9 m (8 ft x 16 ft) or 11.2 m<sup>2</sup> (121 ft<sup>2</sup>) and, at the discretion of the Development Authority, may require a structural drawing be prepared by and bear the seal of a professional engineer.

8.20.10 Signs shall not be permitted within 305 m (1001 ft) of a highway or 800 m (2625 ft) from the intersection of two highways unless the applicant has obtained prior approval from Alberta Transportation, in which case setback distances do not apply.

8.20.11 All freestanding signs within the Commercial, Institutional, Rural Industrial, and Light Industrial Districts must be setback from the property line a minimum distance equal to fifty percent (50%) of the required setback.

8.20.12 Freestanding signs within the Natural Resource Extraction and Processing District must be setback:

- (a) A minimum distance of 10 m (33 ft) within the front yard where abutting a County road; and
- (b) In accordance with Alberta Transportation's setback requirements where abutting a highway.

8.20.13 The applicant shall install traffic signs within the Natural Resource Extraction and Processing District when required by the Development Authority.

## 8.21 Site Grading

8.21.1 Site grading is a permitted use requiring a development permit in all districts, except as provided for in Section 3.2.1(m).

8.21.2 No watercourse or drainage easement may be affected and water may not be directed onto an abutting parcel; adjacent lands may not be deprived of water as a result of altering drainage.

8.21.3 None of the topsoil or fill being brought onto the site may be contaminated with construction rubble or any hazardous substances.

8.21.4 It is consistent with the Public Works Minimum Design Standards, as required.

## 8.22 Solar Collectors

8.22.1 A solar collector is a permitted use in all districts, and shall be deemed discretionary where not installed on an existing structure in the Country Residential District.

8.22.2 A solar collector is discretionary within all Hamlet boundaries.

8.22.3 A solar collector may be located on a pole, wall or roof of a building in any district.

8.22.4 A solar collector that is mounted on a roof with a pitch of less than 4:12 may project a maximum of 2 m (7 ft) from the surface of the roof.

8.22.5 A solar collector mounted on a roof with a pitch of 4:12 or greater:

- (a) May project a maximum of 1.2 m (4 ft) from the surface of the roof; and
- (b) Must not extend beyond the outermost edge of the roof.

8.22.6 A solar collector that is mounted on a wall:

- (a) Must be positioned a minimum of 2.4 m (8 ft) above grade; and
- (b) May project a maximum of 0.6 m (2 ft) from the surface of that wall.

## 8.23 Storage Containers

### 8.23.1 Storage containers shall:

- (a) Be permitted uses in the Agricultural, Commercial, Rural Industrial, Light Industrial, Recreation, Crown Lands, Institutional and Natural Resource Extraction and Processing Districts;
- (b) Be permitted uses in the Agricultural Holdings and Country Residential Districts unless within a multi-lot subdivision or hamlet boundary where they shall be discretionary;
- (c) Be a discretionary use within Compact Country Residential, Hamlet Residential, Birchwood Country Condo, Manufactured Home Park and Tiny Dwelling Districts;
- (d) Not be stacked and intended for storage purposes only; and
- (e) Be positioned at the discretion of the Development Authority and not exceed the total number of storage containers established by the Development Authority.

## 8.24 Tiny Dwelling

8.24.1 A tiny dwelling shall require a development permit in accordance with the provisions of this Bylaw.

8.24.2 All tiny dwellings shall be in accordance with the dwelling unit density provisions of the appropriate land use district.

8.24.3 A tiny dwelling may be considered a primary dwelling unit within the Agricultural, Agricultural Holdings, Country Residential, Compact Country Residential, Hamlet Residential and Birchwood Country Condo Districts.

8.24.4 A tiny dwelling may be considered a secondary dwelling within Agricultural and Agricultural Holding Districts.

8.24.5 A tiny dwelling, whether considered a primary or secondary dwelling unit, shall comply with the following:

- (a) Shall be less than 74.3 m<sup>2</sup> (800 ft<sup>2</sup>) in total floor area;
- (b) Maximum building height shall comply with the provisions of the district where the dwelling is proposed;
- (c) Yard setbacks shall comply with the provisions of the district where the dwelling is proposed;
- (d) Shall contain cooking, eating, living, sleeping and sanitary facilities within the dwelling unit;
- (e) Shall be permanently constructed on a foundation or piling system;
- (f) Shall not be constructed with an attached garage or be connected to another dwelling unit; and
- (g) A minimum of (1) on-site parking space shall be provided. This shall be in addition to any parking requirements for the existing structures or operations on the subject lands.

## 9 LAND USE DISTRICTS

All development regulations shall be applicable in accordance with policies in this section unless otherwise granted by the Development Authority in accordance with Sections 2.1.7 and 3.9.

### 9.1 Establishment of Land Use Districts

9.1.1 For the purposes of this Bylaw, the County is divided into the following land use districts:

TEXT	DISTRICT NAME	ABBREVIATION
<b>Agricultural</b>	Agricultural	AG
	Agricultural Holdings	AGH
<b>Residential</b>	Country Residential	CR
	Compact Country Residential	CCR
	Hamlet Residential	HR
	Birchwood Country Condo	BCC
	Manufactured Home Park	MHP
	Tiny Dwelling	TD
<b>Commercial</b>	Commercial	C
<b>Industrial</b>	Rural Industrial	RI
	Light Industrial	LI
<b>Exclusive</b>	Recreational	R
	Crown Land	CL
	Direct Control	DC
	Public Institutional	I
	Urban Reserve	UR

TEXT	DISTRICT NAME	ABBREVIATION
	Natural Resource Extraction and Processing	NREP
	Airport Land	AL

### 9.2 District Boundaries

9.2.1 The boundaries of the districts listed in Subsection 9.1.1 are as delineated on the Land Use District Maps attached hereto and forming a part of this Bylaw.

9.2.2 Where uncertainty exists as to the boundaries of the districts as shown on the Land Use District Maps, the following rules apply:

(a) Where a boundary is shown as approximately following a surveyed parcel line, it is deemed to follow the surveyed parcel line.

9.2.3 In circumstances not covered by Section 9.2.1 or 9.2.2 above, the location of the district boundary is determined:

(a) Where dimensions are set out on the Land Use District maps, by the dimensions so set; or

(b) Where no dimensions are set out on the Land Use District maps with respect to such boundary, by measurement of and use of the scale shown on the Land Use District maps.

9.2.4 Roads are excluded from land use designation under this Bylaw.

9.2.5 Upon a road closure or change to private ownership of a railway line or portion thereof, where the land forming the closed road or railway line is to be consolidated with adjacent land, it reverts to the district of the land it is to be consolidated with.



- 9.2.6 In the event that Crown land is transferred to private ownership, the land must be re-districted to an appropriate land use district suitable for the proposed use.

### 9.3 Summary of Permitted (P) and Discretionary (D) Uses

LAND USE DISTRICTS	AG	AGH	CR	CCR	HR	BCC	MHP	TD	C	RI	LI	R	CL	DC	I	UR	NREP	AL
<b>AGRICULTURAL USE CLASSES</b>																		
Agricultural Intensive Class 1	D																	
Agricultural Intensive Class 2	P	P											P					
Agricultural, Extensive	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agricultural, Support Service	P	D								P	D							
Animal Service Facility	P	D							D	P	D							
Guest Ranch	P	D										P	P					
Land Farm										D			D					
<b>RESIDENTIAL USE CLASSES</b>																		
Assisted Living									D						P			
Bed and Breakfast	P	P	P	D	D	D												
Dwelling, Apartment					D													
Dwelling, Semi-Detached				D	P													
Dwelling, Single-Detached	P	P	P	P	P	P												
Dwelling, Tiny	P	P	D	D	D	P		P										
Dwelling, Townhouse					P													
Group Home	P	P	D		D	D									P			

LAND USE DISTRICTS	AG	AGH	CR	CCR	HR	BCC	MHP	TD	C	RI	LI	R	CL	DC	I	UR	NREP	AL
Home Occupation, Major	D	D																
Home Occupation, Medium	P	P	P	D	D	D	D											
Home Occupation, Minor	P	P	P	P	P	D	P	P										
Manufactured Home	P	P	D		P	P	P											
Manufactured Home Park							P											
Secondary Suite	P	P	P	P	P	P												
<b>COMMERCIAL USE CLASSES</b>																		
Automotive and Equipment Sales, Service and Rental									P	P	P						D	
Business Support Service							P		P	D	D							
Cannabis Retail Sales									D		D							
Crematory										D	D				D			
Day Care Facility									P	D	D							
Day Care Home	D	D	D	D	D	D	D	D										
Financial, Office and Professional Service									P		D							
Funeral Home									P		D				P			
Health Service									P		D				P			
Hotel									P			D						D
Motel									P			D						D

LAND USE DISTRICTS	AG	AGH	CR	CCR	HR	BCC	MHP	TD	C	RI	LI	R	CL	DC	I	UR	NREP	AL
Personal Service Facility									P	P	D							
Recycling Depot									D	P	P							
Eating and Drinking Establishment							D		P			P						D
Retail							D		P		D	D						
Service Station									P	P	P	P						
Warehouse Sales or Storage									D	P	P							D
<b>INDUSTRIAL USE CLASSES</b>																		
Auction Facility	D									P	D							
Automotive and Equipment Repair									D	P	P							
Automotive and Equipment Body Repair									D	P	P							
Bulk Oil and Chemical Storage										D								
Cannabis Production and Distribution Facilities	D									D	D							
Contracting Services, Major	D								D	P	D		D				D	
Contracting Services, Minor	D	D							P	P	P		D				D	
Industrial Use, General										P	P		D				D	
Industrial Use, Heavy										D								
Natural Resource Extraction													D				D	
Natural Resource Processing													D				D	

LAND USE DISTRICTS	AG	AGH	CR	CCR	HR	BCC	MHP	TD	C	RI	LI	R	CL	DC	I	UR	NREP	AL
Outdoor Oilfield Storage Facility	D									P	D		D					
Outdoor Storage	P	D							P	P	P		P				D	D
Outdoor Storage, Temporary	P	D							P	P	P		P				P	
Personal Storage Facility									P	P	P							
Taxidermy	D	D	D	D	D				D	P	P							
Waste Management Facility										D								
Work Camp	D									D			D				D	

## RECREATIONAL USE CLASSES

Cabin	P	P				P						P	D					
Campground, Major												P	P					
Campground, Minor	D											P	P		D			
Park	P	P	P	P	P	P	P	D		P	P	P	P		P	P		P
Private Club						P	P		P			D			P			D
Recreation Service, Indoor									D	D	D	P			P			
Recreation Service, Outdoor												P	P		D			

## INSTITUTIONAL USE CLASSES

Cemetery															P			
Community Hall							P	D				D			P			

LAND USE DISTRICTS	AG	AGH	CR	CCR	HR	BCC	MHP	TD	C	RI	LI	R	CL	DC	I	UR	NREP	AL
Education Facility															P			
Health Services Facility									D						P			
Place of Worship	D	D				D	D		P						P			
Social Care Facility	D	D							D						P			
PUBLIC SERVICE USE CLASSES																		
Aerodrome	D												D		P			P
Airport	D												D		P			P
Public and Quasi-Public Use	P	P	P	P	P	P	P	P	P	D	D	P	P		P			P
Public Utility Facility	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P
OTHER USE CLASSES																		
Accessory Structure	P	P	P	P	P	P	P		P	P	P	P	P		P		P	P
Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	P
Aviation Related Business																		D
Hangar																		P
Surveillance Suite	P	P					P		P	P	P	P	P		P		P	D
Terminal Facility																		P

## 10 AGRICULTURAL DISTRICTS

### 10.1 AG - Agricultural

#### *Purpose*

- 10.1.1 The purpose of the Agricultural District is to preserve agricultural lands and to provide for a range of agricultural operations and compatible uses while recognizing the need to accommodate smaller agricultural holdings and provide a reasonable opportunity for the subdivision of land for non-agricultural uses.



#### *District Characteristics*

- 10.1.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Aerodrome
Accessory Use	Agricultural Intensive Class 1
Agricultural Intensive Class 2	Airport
Agricultural, Extensive	Auction Facility
Agricultural, Support Service	Cannabis Production and Distribution Facilities
Animal Service Facility	Campground, Minor
Bed and Breakfast	Contracting Services, Major
Cabin	Contracting Services, Minor
Dwelling, Single-Detached	Day Care Home
Dwelling, Tiny	Home Occupation, Major
Group Home	Outdoor Oilfield Storage Facility
Guest Ranch	Place of Worship
Home Occupation, Medium	Social Care Facility
Home Occupation, Minor	Taxidermy
Manufactured Home	Work Camp
Outdoor Storage	

Permitted Uses	Discretionary Uses
Outdoor Storage, Temporary	
Park	
Public and Quasi-Public Use	
Public Utility Facility	
Secondary Suite	
Surveillance Suite	
Surveillance Suite, Temporary	

## 10.1.3 Development Regulations:

Item	Regulation
Parcel Area	<p>Min. 0.4 ha (1.0 ac) for an existing farmstead parcel</p> <p>6.1 ha (15 ac) for an agricultural parcel</p> <p>Max. 6.1 ha (15 ac) for existing farmstead parcel</p> <p>No maximum limit for an agricultural parcel</p>

Item	Regulation
Parcel Width	<p>Min. 30.5 m (100 ft)</p> <p>10.1 m (33 ft) frontage for a panhandle/flag lot</p>
Front Yard Setback	<p>Min. 10.1 m (33 ft) where abutting an internal road</p> <p>25 m (82 ft) where abutting a County road where road widening has not been dedicated</p> <p>20.1 m (66 ft) where abutting a County road where road widening has been dedicated</p> <p>40 m (131 ft) where abutting a highway</p> <p>25 m (82 ft) where not abutting any road</p> <p>Setback at the discretion of Development Authority for panhandle/flag lots</p>
Rear Yard Setback	<p>Min. 7.9 m (26 ft)</p> <p>10.1 m (33 ft) where abutting an internal road</p> <p>25 m (82 ft) where abutting a County road where road widening has not been dedicated</p> <p>20.1 m (66 ft) where abutting a County road where road widening has been dedicated</p>



Item		Regulation
		40 m (131 ft) where abutting a highway
Side Yard Setback	Min.	6.1 m (20 ft)
		10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
Floor Area	Max.	74.2 m <sup>2</sup> (799 ft <sup>2</sup> ) maximum for a Cabin

## 10.2 AGH - Agricultural Holdings

### *Purpose*

- 10.2.1 The purpose and intent of the Agricultural Holdings District is to provide for a residential use on parcels which can accommodate residential, traditional agricultural pursuits, home occupation uses, and larger accessory structures. It also recognizes the emerging trends towards new agricultural uses which may be successfully developed on smaller parcels of land.



### *District Characteristics*

- 10.2.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Agricultural, Support Service
Accessory Use	Animal Service Facility
Agricultural Intensive Class 2	Contracting Services, Minor
Agricultural, Extensive	Day Care Home
Bed and Breakfast	Guest Ranch
Cabin	Home Occupation, Major
Dwelling, Single-Detached	Outdoor Storage
Dwelling, Tiny	Outdoor Storage, Temporary
Group Home	Places of Worship
Home Occupation, Medium	Social Care Facility
Home Occupation, Minor	Taxidermy
Manufactured Home	
Park	
Public and Quasi-Public Use	
Public Utility Facility	
Secondary Suite	
Surveillance Suite	

Permitted Uses	Discretionary Uses
Surveillance Suite, Temporary	

## 10.2.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 1.62 ha (4 ac) Max. 6.07 ha (14.99 ac)
Parcel Width	Min. 30.5 m (100 ft) 10.1 m (33 ft) frontage for the access of a panhandle/flag lot
Front Yard Setback	Min. 10.1 m (33 ft) where abutting an internal road 25 m (82 ft) where abutting a County road where road widening has not been dedicated 20.1 m (66 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway Setback at the discretion of Development Authority for pan handle/flag lots

Item	Regulation
Rear Yard Setback	Min. 8 m (26 ft) 10.1 m (33 ft) where abutting an internal road 25 m (82 ft) where abutting a County road where road widening has not been dedicated 20.1 m (66 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Side Yard Setback	Min. 6.1 m (20 ft) 10.1 m (33 ft) where abutting an internal road 25 m (82 ft) where abutting a County road where road widening has not been dedicated 20.1 m (66 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway

Item		Regulation
Floor Area	Max.	74.2 m <sup>2</sup> (799 ft <sup>2</sup> ) maximum for a Cabin

## 11 RESIDENTIAL DISTRICTS

### 11.1 CR - Country Residential

#### *Purpose*

- 11.1.1 The purpose of the Country Residential District is to provide for low density multi-lot, single-detached country residential development and is appropriate in a rural setting.



#### *District Characteristics*

- 11.1.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Day Care Home
Accessory Use	Dwelling, Tiny
Bed and Breakfast	Group Home
Dwelling, Single-Detached	Manufactured Home
Home Occupation, Minor	Taxidermy
Home Occupation, Medium	
Park	
Public and Quasi-Public Use	
Public Utility Facility	
Secondary Suite	

#### 11.1.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 0.80 ha (2.0 ac) Max. 1.61 ha (3.99 ac) or higher at the discretion of the Development Authority

Item		Regulation
Parcel Width	Min.	30.5 m (100 ft)
		10.1 m (33 ft) frontage for a panhandle/flag lot
Front Yard Setback	Min.	10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
		Setbacks to parcel boundaries that are adjacent to another parcel will be considered a side yard setback for pan handle/flag lots
Rear Yard Setback	Min.	8 m (26 ft)
		10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
Side Yard Setback	Min.	6.1 m (20 ft)

Item		Regulation
		10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
Floor Area	Max.	233.0 m <sup>2</sup> (2,508 ft <sup>2</sup> ) for an accessory structure
Height	Max.	9.1 m (30 ft) for all structures
Accessory Structures		Side and rear yard setbacks not adjacent to a road are reduced by fifty percent (50%)

## 11.2 CCR - Compact Country Residential

### *Purpose*

- 11.2.1 The Compact Country Residential District provides opportunity to accommodate higher density residential development that should be serviced by municipal water and sewer.



### *District Characteristics*

- 11.2.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Bed and Breakfast
Accessory Use	Day Care Home

Permitted Uses	Discretionary Uses
Home Occupation, Minor	Dwelling, Semi-Detached
Park	Dwelling, Tiny
Public and Quasi-Public Use	Home Occupation, Medium
Public Utility Facility	Taxidermy
Secondary Suite	
Dwelling, Single-Detached	

- 11.2.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 464.5 m <sup>2</sup> (5,000 ft <sup>2</sup> )
	Max. 8053.2 m <sup>2</sup> (1.99 ac)
Site Coverage	Max. Fifty percent (50%)
Parcel Width	Min. 15.2 m (50 ft)
	7.6 m (25 ft) for semi-detached parcels only
Front Yard Setback	Min. 10.1 m (33 ft) where abutting an internal road

Item	Regulation
	<p>25 m (82 ft) where abutting a County road where road widening has not been dedicated</p> <p>20.1 m (66 ft) where abutting a County road where road widening has been dedicated</p> <p>40 m (131 ft) where abutting a highway</p> <p>Setbacks to parcel boundaries that are adjacent to another parcel will be considered a side yard setback for panhandle/flag lots</p>
Rear Yard Setback	<p>Min. 7.6 m (25 ft)</p> <p>10.1 m (33 ft) where abutting an internal road</p> <p>25 m (82 ft) where abutting a County road where road widening has not been dedicated</p> <p>20.1 m (66 ft) where abutting a County road where road widening has been dedicated</p> <p>40 m (131 ft) where abutting a highway</p> <p>1 m (3 ft) for accessory structures if not abutting an alleyway</p>

Item	Regulation
	<p>3 m (10 ft) for accessory structures if abutting an alleyway.</p>
Side Yard Setback	<p>Min. 1.5 m (5 ft)</p> <p>4.6 m (15 ft) where abutting an internal road</p> <p>25 m (82 ft) where abutting a County road where road widening has not been dedicated</p> <p>20.1 m (66 ft) where abutting a County road where road widening has been dedicated</p> <p>40 m (131 ft) where abutting a highway</p> <p>1 m (3ft) for accessory structures</p> <p>3 m (10 ft) for accessory structures abutting an internal road</p>
Side Yard Setback Single-Detached; Tiny Dwelling	<p>Min. 3.7 m (12 ft) for at least one side yard</p>
Side Yard Setback – Semi-Detached	<p>Min. 0 m (0 ft) for one side yard</p>
Floor Area	<p>Min. 55.7 m<sup>2</sup> (600 ft<sup>2</sup>) for an attached dwelling unit</p>



Item		Regulation
Height	Max.	9.1 m (30 ft) for all structures
Housing Density	Max.	Twenty (20) parcels per hectare (8 per acre)

## 11.3 HR - Hamlet Residential

### *Purpose*

- 11.3.1 The purpose of the Hamlet Residential District is to accommodate residential development within designated hamlets.



### *District Characteristics*

- 11.3.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Bed and Breakfast
Accessory Use	Day Care Home

Permitted Uses	Discretionary Uses
Dwelling, Semi-Detached	Dwelling, Apartment
Dwelling, Single-Detached	Dwelling, Tiny
Dwelling, Townhouse	Group Home
Home Occupation, Minor	Home Occupation, Medium
Manufactured Home	Taxidermy
Park	
Public and Quasi-Public Use	
Public Utility Facility	
Secondary Suite	

- 11.3.3 Development Regulations:

Item	Regulation
Parcel Area	Min 1858.1 m <sup>2</sup> (20,000 ft <sup>2</sup> ) for non-serviced single-detached parcels 1393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) for single-detached parcels served by municipal water only

Item	Regulation	
Parcel Area	Min.	<p>929.0 m<sup>2</sup> (10,000 ft<sup>2</sup>) for single-detached parcels served by municipal sewer only</p> <p>464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>) for fully serviced single-detached and semi-detached parcels</p> <p>185.8 m<sup>2</sup> (2,000 ft<sup>2</sup>) for interior townhouse dwelling units</p> <p>278.7 m<sup>2</sup> (3,000 ft<sup>2</sup>) for end townhouse dwelling units</p> <p>0.2 ha (0.5 ac) for apartment buildings</p>
	Max.	<p>At the discretion of the Development Authority.</p> <p>No maximum parcel area for apartment buildings</p>
Site Coverage	Max.	Fifty percent (50%)
Parcel Width	Min.	<p>15.2 m (50 ft) for serviced single-detached parcels</p> <p>30.5 m (100 ft) for non-serviced and partially serviced parcels</p> <p>7.6 m (25 ft) for serviced semi-detached parcels</p> <p>6.1 m (20 ft) for serviced interior townhouse dwelling units</p>

Item	Regulation	
		<p>9.1 m (30 ft) for serviced end townhouse dwelling units</p> <p>22.6 m (74 ft) for apartment buildings</p>
Front Yard Setback	Min.	6.1 m (20 ft)
Rear Yard Setback	Min.	<p>7.6 m (25 ft)</p> <p>1 m (3 ft) for accessory structures if not abutting an alleyway</p> <p>3 m (10 ft) for accessory structures if abutting an alleyway</p> <p>9.1 m (30 ft) for apartment buildings</p>
Side Yard Setback	Min.	<p>1.5 m (5 ft)</p> <p>4.6 m (15 ft) where abutting an internal road</p> <p>1 m (3 ft) for accessory structures</p> <p>3 m (10 ft) for accessory structures abutting an internal road</p>
Side Yard Setback – Apartment Building	Min.	3.7 m (12 ft)

Item		Regulation
Side Yard Setback – Semi-Detached and Townhouse	Min.	0 m (0 ft) for one side yard
Floor Area	Min.	55.7 m <sup>2</sup> (600 ft <sup>2</sup> ) for a townhouse dwelling unit
Height	Max.	15 m (49 ft) for apartment buildings 9.1 m (30 ft) for all structures other than apartment buildings
Density	Max.	Eighty (80) units per hectare (32 per acre) if apartment buildings are part of the development calculations Twenty (20) parcels per hectare (8 per acre)

## 11.4 BCC - Birchwood Country Condo

### *Purpose*

- 11.4.1 The purpose of the BCC District is to accommodate rural and seasonal residential, recreational, and associated common property development within Birchwood Country Condo District.



### *District Characteristics*

- 11.4.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Bed & Breakfast

Permitted Uses	Discretionary Uses
Accessory Use	Day Care Home
Cabin	Group Home
Dwelling, Single-Detached	Home Occupation, Minor
Dwelling, Tiny	Home Occupation, Medium
Manufactured Home	Place of Worship
Park	
Private Club	
Public and Quasi-Public Use	
Public Utility Facility	
Secondary Suite	

- 11.4.3 Development Regulations:

Item	Regulation
Parcel Area	Min. At the discretion of the Development Authority. Max. At the discretion of the Development Authority.

Item		Regulation
Site Coverage	Max.	Fifty percent (50%).
Parcel Width	Min.	At the discretion of the Development Authority.
Front Yard Setback	Min.	5 m (16 ft).
Rear Yard Setback	Min.	3 m (10 ft); 1.5 m (5 ft) for accessory structures.
Side Yard Setback	Min.	1.5 m (5 ft); 3 m (10 ft) where abutting a flanking roadway; 1.5 m (5 ft) for accessory structures where abutting a flanking roadway.
Height	Max.	9.1 m (30 ft) for dwellings; 5.8 m (19 ft) for an accessory structure;

### *Special Requirements*

- 11.4.4 Notwithstanding Section 8.12, development, at the discretion of the Development Authority, may be permitted within the 1:100 year flood plain where the developer can demonstrate, to the standards and guidelines of Alberta Environment & Parks, that structures can be developed as floodproofed.
- 11.4.5 Notwithstanding Section 8.12, development of moveable Accessory Structures may be permitted without a letter from a

qualified registered professional engineer where, in the discretion of the Development Authority, the development does not affect the use and enjoyment of neighbouring lands or cause detriment to the amenities of the neighbourhood.

- 11.4.6 The applicant must submit written acknowledgement from the Board of Directors of Birchwood Country Condo Association for a proposed development at the time of submitting an application for a development permit to the County.
- 11.4.7 Notwithstanding Section 8.12, the Development Authority may require an engineered foundation for an application for any permanent structures.

## 11.5 MHP - Manufactured Home Park

### *Purpose*

- 11.5.1 The purpose of the Manufactured Home Park District is to provide for Manufactured Home park development.



### *District Characteristics*

- 11.5.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Day Care Home
Accessory Use	Eating and Drinking Establishment

### Permitted Uses

### Discretionary Uses

Business Support Services for the operation of MHP. The office can be a stand-alone building or form part of a Manufactured Home Dwelling.

Home Occupation, Medium

Community Hall

Place of Worship

Home Occupation, Minor

Retail

Manufactured Home

Manufactured Home Park

Park

Private Club

Public and Quasi-Public Use

Public Utility Facility

Surveillance Suite

- 11.5.3 Development Regulations:

Item	Regulation	
Parcel Area	Min.	0.8 ha (2 ac)
Parcel Width	Min.	30.5 m (100 ft)

Item		Regulation
Front Yard Setback	Min.	10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
		Setback at the discretion of Development Authority for panhandle/flag lots
Rear Yard Setback	Min.	8 m (26 ft)
		10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
Side Yard Setback	Min.	6.1 m (20 ft)
		10.1 m (33 ft) where abutting an internal road
		25 m (82 ft) where abutting a County road where road widening has not been dedicated
		20.1 m (66 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway

Item		Regulation
Height	Max.	One (1) storey for Manufactured Homes
		Up to the height of the principal building for Accessory Structures.
		7.6 m (25 ft) or two (2) storeys - the lesser thereof - for a Private Club
Density	Max.	Twenty (20) unit sites per hectare (8 per acre)

#### 11.5.4 Unit Site Development Regulations:

Item		Regulation
Unit Site Area	Min.	370 m <sup>2</sup> (3,983 ft <sup>2</sup> )
Unit Site Coverage	Max.	Fifty percent (50%) Fifteen percent (15%) for accessory structures and uses.
Front Yard Setback	Min.	3 m (10 ft)
Rear Yard Setback	Min.	3 m (10 ft)
Side Yard Setback	Min.	1.5 m (5 ft) 3 m (10 ft) abutting a flanking roadway



Item		Regulation
Floor Area	Min.	74.3 m <sup>2</sup> (800 ft <sup>2</sup> ) for a Manufactured Home
Height	Min.	One (1) storey for a Manufactured Home Up to the height of the principal building for Accessory Structures. 7.6 m (25 ft) or two (2) storeys - the lesser thereof - for a Private Club

### *Special Regulations*

#### 11.5.5 Landscaping Requirements

- (a) A minimum of ten percent (10%) of a Manufactured Home park area must be designated as common open space recreation area. No portion of any unit site shall encroach upon this open space;
- (b) Common storage areas, separate from the unit sites, shall be required for the storage of seasonal recreational equipment and other equipment and must be enclosed and screened by trees, landscape features, fencing, or any combination thereof.

#### 11.5.6 Parking and Access Requirements

- (a) Refer to Section 8.3 under Development Regulations;
- (b) All sites exceeding 2.0 ha (5 ac) in size or fifty (50) units must provide a minimum of two (2) accesses to public roads;
- (c) All unit sites must be accessed via an internal road;

- (d) All sites must provide, adjacent to each internal road, a pedestrian walkway no less than 1 m (3 ft) in width.

## 11.6 TD - Tiny Dwelling

### *Purpose*

- 11.6.1 The purpose of the Tiny Dwelling District is to provide for the development of comprehensively planned residential areas comprising primarily of Tiny Dwellings, according to an approved site plan.



### *District Characteristics*

- 11.6.2 The following uses shall be permitted or discretionary with or without conditions at locations indicated on the applicable site plan, provided the application complies with the regulations of this district and this Bylaw.

#### Permitted Uses

Accessory Use

#### Discretionary Uses

Park

#### Permitted Uses

Accessory Structure

Dwelling, Tiny

Home Occupation, Minor

Public and Quasi-Public Use

Public Utility Facility

#### Discretionary Uses

Community Hall

Day Care Home

### 11.6.3 Minimum Requirements

#### ITEM

#### Minimum

Comprehensive Site Plan Area

0.8 ha (2 ac).

Parcel Size (each dwelling unit)

370 m<sup>2</sup> (3,983 ft<sup>2</sup>)

Front Yard Setback

As established on the site plan, in accordance with the requirements of this Bylaw.

Rear Yard Setback

5 m (9.8 ft) from the nearest dwelling unit to the property boundary of the comprehensive site plan area

Side Yard Setback

1.5 m (4.9 ft) between buildings located on the same site

3 m (9.8 ft) between the nearest building and the

ITEM	Minimum
	property boundary of the comprehensive site plan area.

## 11.6.4 Maximum Limits

ITEM	Maximum
Height	7.5 metres Two (2) storeys for a Dwelling, Tiny;  For accessory buildings: Up to the height of the principal building ;  7.5 m (25 ft) or two (2) storeys - the lesser thereof - for a private club;
Density	As per comprehensive site plan.
Floor Area	74.3 m <sup>2</sup> (800 ft <sup>2</sup> ) for a Dwelling, Tiny

## 11.6.5 Unit Site Maximum Limits

ITEM	Maximum
Unit Site Coverage	Fifty percent (50%);  Fifteen percent (15%) for accessory buildings and uses.

## 11.6.6 Site Plan Requirements

- (a) An approved site plan shall be required prior to the subdivision and/or development of land in this district, and all development shall conform to the site plan;
- (b) The site plan shall include the following:
  - (i) Dimensions for the planning area and individual units;
  - (ii) Minimum setback dimensions; and
  - (iii) Number of dwelling units contained within the planning area.
- (c) Notwithstanding 11.6.2, the Development or Subdivision Authority may adopt additional guidelines as a further basis on which to evaluate the site plan. Only those standards where relaxation will not alter the intent of the site plan may be granted a variance; all other changes shall require an amendment to the site plan.

*Other Regulations*

## 11.6.7 Landscaping Requirements

- (a) Refer to Section 8.13 under development regulations;
- (b) A minimum of ten percent (10%) of a Tiny Dwelling development must be designated as common open space recreation area. No portion of any unit site shall encroach upon this open space; and
- (c) Common storage areas, separate from the unit sites, shall be required for the storage of seasonal recreational equipment and other equipment and shall be enclosed and screened by trees, landscape features, fencing, or any combination thereof.

#### 11.6.8 Parking and Access Requirements

- (a) Refer to Section 8.3 under Development Regulations;
- (b) All sites exceeding 2.0 ha (5 ac) in size or fifty (50) units must provide a minimum of two (2) accesses to public roads;
- (c) All unit sites must be accessed via an internal road; and
- (d) All sites must provide, adjacent to each internal road, a pedestrian walkway no less than 1.0 m (3.3 ft.) in width.

#### 11.6.9 Home Occupations

Refer to Section 8.12 under Development Regulations.

#### 11.6.10 Minimum Design Standards

The Tiny Dwelling development shall adhere to all requirements of the Brazeau County Minimum Design Standards in effect at the time a development permit application is submitted.

## 12 BUSINESS DEVELOPMENT DISTRICTS

### 12.1 C - Commercial

#### *Purpose*

- 12.1.1 The purpose of the Commercial District is to accommodate a range of retail and service commercial uses primarily along highway corridors and growth areas.



#### *District Characteristics*

- 12.1.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Animal Service Facility
Accessory Use	Assisted Living
Automotive and Equipment Sales, Service and Rental	Automotive and Equipment Body Repair
Business Support Service	Automotive and Equipment Repair
Contracting Service, Minor	Cannabis Retail Sales
Day Care Facility	Contracting Services, Major
Eating and Drinking Establishment	Health Services Facility
Financial, Office and Professional Service	Recreation Service, Indoor
Funeral Home	Recycling Depot
Health Service	Social Care Facility
Hotel	Taxidermy
Motel	Warehouse Sales or Storage
Outdoor Storage	
Outdoor Storage, Temporary	
Personal Service Facility	
Place of Worship	

Permitted Uses	Discretionary Uses
Private Club	
Public and Quasi-Public Use	
Public Utility Facility	
Retail	
Service Station	
Surveillance Suite	
Surveillance Suite, Temporary	

## 12.1.1.3 Development Regulations:

Item	Regulation
Parcel Area	<p>Min. 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>) for fully serviced parcels</p> <p>929 m<sup>2</sup> (10,000 ft<sup>2</sup>) for parcels served by municipal sewer only</p> <p>1393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for parcels served by municipal water only</p> <p>Max. 1858.1 m<sup>2</sup> (20,000 ft<sup>2</sup>) for non-serviced parcels</p> <p>At the discretion of the Development Authority</p>
Site Coverage	Max. Fifty percent (50%) for Service Stations

Item	Regulation
	Sixty percent (60%) for other uses
Parcel Width	<p>Min. 15.2 m (50 ft) for serviced parcels</p> <p>10.1 m (33 ft) frontage for panhandle/flag lot</p> <p>25 m (82 ft) for non-serviced parcels</p>
Front Yard Setback	<p>Min. 8 m (26 ft) where abutting an internal or hamlet road</p> <p>20.1 m (66 ft) where abutting a County road where road widening has not been dedicated</p> <p>12.2 m (41 ft) where abutting a County road where road widening has been dedicated</p> <p>40 m (131 ft) where abutting a highway</p>
Rear Yard Setback	<p>Min. 5 m (16 ft)</p> <p>10.1 m (33 ft) where abutting an internal or hamlet road</p> <p>20.1 m (66 ft) where abutting a County road where road widening has not been dedicated</p> <p>12.5 m (41 ft) where abutting a County road where road widening has been dedicated</p> <p>40 m (131 ft) where abutting a highway</p>
Side Yard Setback	Min. 3 m (10 ft)

Item		Regulation
		3 m (10 ft) where abutting an internal or hamlet road
		20.1 m (66 ft) where abutting a County road where road widening has not been dedicated
		12.5 m (41 ft) where abutting a County road where road widening has been dedicated
		40 m (131 ft) where abutting a highway
Floor Area	Min.	26 m <sup>2</sup> (280 ft <sup>2</sup> ) for a Hotel or Motel unit
Height	Max.	9.1 m (30 ft)

## 12.2 RI - Rural Industrial

### *Purpose*

- 12.2.1 The purpose of the Rural Industrial District is to accommodate a range of general industrial and heavy industrial land uses appropriate on rural serviced or non-serviced lands in potential nodes or along highways that are designated by approved Area Structure Plans or area redevelopment plans.



### *District Characteristics*

- 12.2.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Bulk Oil and Chemical Storage
Accessory Use	Business Support Service
Agricultural, Support Service	Cannabis Production and Distribution Facilities
Animal Service Facility	Crematory
Auction Facility	Day Care Facility
Automotive and Equipment Body Repair	Industrial Use, Heavy
Automotive and Equipment Repair	Land Farm
Automotive and Equipment Sales, Service and Rental	Public and Quasi-Public Use
Contracting Services, Major	Recreation Service, Indoor
Contracting Services, Minor	Waste Management Facility
Industrial Use, General	Work Camp
Outdoor Oilfield Storage Facility	
Outdoor Storage	
Outdoor Storage, Temporary	
Park	



Permitted Uses	Discretionary Uses
Personal Storage Facility	
Public Utility Facility	
Recycling Depot	
Service Station	
Surveillance Suite	
Surveillance Suite, Temporary	
Taxidermy	
Warehouse Sales or Storage	
Personal Service Facility	

## 12.2.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 0.4 ha (1 ac) Max. At the discretion of the Development Authority
Site Coverage	Max. Fifty percent (50%) for Service Stations Sixty percent (60%) for other uses
Parcel Width	Min. 15.2 m (50 ft) for serviced parcels 30.5 m (100 ft) for non-serviced and partially serviced parcels

Item	Regulation
Front Yard Setback	Min. 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 8 m (26 ft) abutting an internal or hamlet road 40 m (131 ft) abutting a highway
Rear Yard Setback	Min. 5 m (16 ft) 10.1 m (33 ft) abutting an internal or hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Side Yard Setback	Min. 3 m (10 ft) 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Height	Max. At the discretion of the Development Authority

## 12.3 LI - Light Industrial

### *Purpose*

- 12.3.1 The purpose of the Light Industrial District is to accommodate a range of general and light industrial uses within designated hamlets and growth areas.



### *District Characteristics*

- 12.3.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Agricultural, Support Service
Accessory Use	Animal Service Facility
Automotive and Equipment Body Repair	Auction Facility
Automotive and Equipment Repair	Business Support Service
Automotive and Equipment Sales, Service and Rental	Cannabis Production and Distribution Facilities
Contracting Services, Minor	Cannabis Retail Sales
Industrial Use, General	Contracting Services, Major
Outdoor Storage	Crematory
Outdoor Storage, Temporary	Day Care Facility
Park	Financial, Office and Professional Service
Personal Storage Facility	Funeral Home
Public Utility Facility	Health Service
Recycling Depot	Outdoor Oilfield Storage Facility
Service Station	Personal Service Facility

Permitted Uses	Discretionary Uses
Surveillance Suite	Public and Quasi-Public Use
Surveillance Suite, Temporary	Recreation Service, Indoor
Taxidermy	Retail
Warehouse Sales or Storage	

## 12.3.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 464.5 m <sup>2</sup> (5000 ft <sup>2</sup> ) Max. At the discretion of the Development Authority
Site Coverage	Max. Fifty percent (50%) for Service Stations Sixty percent (60%) for other uses
Parcel Width	Min. 15.2 m (50 ft) for serviced parcels 30.5 m (100 ft) for non-serviced and partially serviced parcels
Front Yard Setback	Min. 8 m (26 ft) abutting an internal or hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated

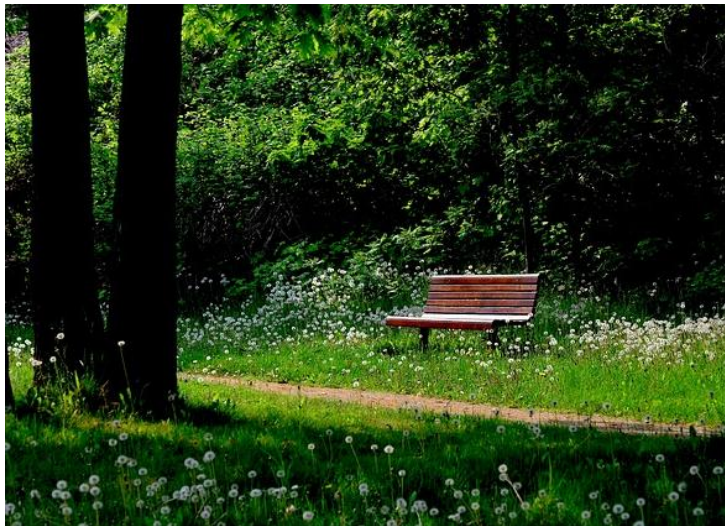
Item	Regulation
	12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Rear Yard Setback	Min. 5 m (16 ft) 10.1 m (33 ft) abutting an internal or hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Side Yard Setback	Min. 3 m (10 ft) 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Height	Max. 9.1 m (30 ft)

## 13 EXCLUSIVE DISTRICTS

### 13.1 R - Recreation

#### *Purpose*

- 13.1.1 The purpose of the Recreation District is to accommodate a range of public and private rural recreational uses.



#### *District Characteristics*

- 13.1.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
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Accessory Structure	Community Hall
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Permitted Uses	Discretionary Uses
Accessory Use	Hotel
Cabin	Motel
Campground, Major	Private Club
Campground, Minor	Retail
Eating and Drinking Establishment	
Guest Ranch	
Park	
Public and Quasi-Public Use	
Public Utility Facility	
Recreation Service, Indoor	
Recreation Service, Outdoor	
Service Station	
Surveillance Suite	
Surveillance Suite, Temporary	

## 13.1.3 Development Regulations:

Item		Regulation
Parcel Area	Min.	0.4 ha (1 ac)
Site Coverage	Max.	Thirty percent (30%) Fifty percent (50%) for Service Stations
Parcel Width	Min.	30.5 m (100 ft) 10.1 m (33 ft) frontage for a panhandle/flag lot
Front Yard Setback	Min.	10.1 m (33 ft) where abutting an internal or hamlet road 20.1 m (66 ft) where abutting a County road where road widening has not been dedicated 12.5 m (41 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Rear Yard Setback	Min.	8 m (26 ft) 10.1 m (33 ft) where abutting an internal or hamlet road 20.1 m (66 ft) where abutting a County road where road widening has not been dedicated 12.5 m (41 ft) where abutting a County road where road widening has been dedicated

Item		Regulation
		40 m (131 ft) where abutting a highway
Side Yard Setback	Min.	6.1 m (20 ft) 10.1 m (33 ft) where abutting an internal or hamlet road 20.1 m (66 ft) where abutting a County road where road widening has not been dedicated 12.5 m (41 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Height	Max.	9.1 m (30 ft)

## 13.2 CL - Crown Lands

### *Purpose*

- 13.2.1 The purpose of the Crown Lands District is to provide for coordinated land use and development of lands owned by the Crown.



### *District Characteristics*

- 13.2.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Aerodrome

Permitted Uses	Discretionary Uses
Accessory Use	Airport
Agriculture, Extensive	Cabin
Agricultural, Intensive Class 2	Contracting Services, Major
Campground, Major	Contracting Services, Minor
Campground, Minor	Industrial Use, General
Guest Ranch	Land Farm
Outdoor Storage	Natural Resource Extraction
Outdoor Storage, Temporary	Nature Resource Processing
Park	Outdoor Oilfield Storage Facility
Public & Quasi-Public Use	Work Camp
Public Utility Facility	
Recreation Service, Outdoor	
Surveillance Suite	
Surveillance Suite, Temporary	

### *Special Regulations*

- 13.2.3 In accordance with Section 618(2) of the MGA, the Crown and its agencies are exempt from the provisions of this Bylaw.
- 13.2.4 These regulations apply only to private use of Crown Lands, unless the Crown has asserted immunity.
- 13.2.5 An applicant for a development permit for this district must submit proof of disposition from the appropriate provincial department.
- 13.2.6 If land within this district is transferred to private ownership:
- (a) The owner shall make an application to change the zoning of the lands so the land is no longer subject to the provisions of the Crown Lands District; and
  - (b) The land is subject to the provisions of the newly designated land use district as per Section 9.2.
- 13.2.7 The development standards found in Section 8 apply to the developments governed by this District. To the extent that there are no development standards, the Development Authority may impose development standards at its discretion.



## 13.3 I - Institutional

### *Purpose*

- 13.3.1 The purpose of the Institutional District is to accommodate a range of public and private uses which provide cultural, medical, social, religious, and educational services.



### *District Characteristics*

- 13.3.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Campground, Minor
Accessory Use	Crematory

Permitted Uses	Discretionary Uses
Aerodrome	Recreation Service, Outdoor
Airport	
Assisted Living	
Cemetery	
Community Hall	
Education Facility	
Funeral Home	
Group Home	
Health Service	
Health Services Facility	
Park	
Place of Worship	
Private Club	
Public and Quasi-Public Use	
Public Utility Facility	
Recreation Service, Indoor	
Social Care Facility	
Surveillance Suite	



**Permitted Uses****Discretionary Uses**

Surveillance Suite, Temporary

## 13.3.3 Development Regulations:

Item		Regulation
Parcel Area	Min.	464.5 m <sup>2</sup> (5000 ft <sup>2</sup> )
Site Coverage	Max.	Thirty percent (30%)
Parcel Width	Min.	15.2 m (50 ft) for serviced parcels 30.5 m (100 ft) for non-serviced and partially serviced parcels
Front Yard Setback	Min.	10.1 m (33 ft) abutting an internal road 7 m (23 ft) abutting a hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Rear Yard Setback	Min.	8 m (26 ft) 10.1 m (33 ft) where abutting an internal road 7 m (23 ft) where abutting a hamlet road

**Item****Regulation**

20.1 m (66 ft) abutting a County road where road widening has not been dedicated

12.5 m (41 ft) abutting a County road where road widening has been dedicated

40 m (131 ft) where abutting a highway

Side Yard Setback

Min.

3 m (10 ft)

10 m (33 ft) where abutting an internal road

7 m (23 ft) where abutting a hamlet road

20.1 m (66 ft) abutting a County road where road widening has not been dedicated

12.5 m (41 ft) abutting a County road where road widening has been dedicated

40 m (131 ft) where abutting a highway

Height

Max.

9.1 m (30 ft)

*Special Regulations*

## 13.3.4 Development Permit Exemption:

- (a) Under the discretion of the Development Authority, Development Permits are not required for Parks and Public and Quasi-Public Uses.

13.3.5 Landscaping Requirements:

- (a) In addition to Section 8.14 under Development Regulations, the Development Authority may require the applicant to provide a 2.1 m (7 ft) wide landscaped buffer along rear and side parcel boundaries adjacent to residential land uses.
- (b) Landscaping requirements within the front yard shall be at the discretion of the Development Authority.

## 13.4 UR - Urban Reserve

### *Purpose*

- 13.4.1 The purpose of the Urban Reserve District is to identify land which in the future will probably be converted to urban use, but which can be used for agricultural purposes. An Area Structure Plan (ASP) approved by council must be prepared before the land will be considered for reclassification to another use.



### *District Characteristics*

- 13.4.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

### Permitted Uses

Park

### Discretionary Uses

Uses may be allowed at the discretion of the Municipal Planning Commission which are compatible with the long-term plans for the land as set out in the Municipal Development Plan and any Area Structure Plan for the land.

Public Utility Facility

### *Special Regulations*

- 13.4.3 No more than one dwelling unit shall be established on a lot.
- 13.4.4 All development standards, including minimum requirements and maximum limits, shall be at the discretion of the Development Authority as set out in the long term plans.

## 13.5 NREP – Natural Resource Extraction and Processing

### *Purpose*

- 13.5.1 The purpose of the Natural Resource Extraction and Processing District is to provide for the exploration, extraction, processing and stockpiling of on-site natural resources on lands, and the post-extraction reclamation of the land, in accordance with specified regulations. As well, this district provides for the development of industrial uses related to Natural Resource Extraction and Processing. This district is intended to be used to designate lands that contain potentially productive natural resources and to prevent incompatible uses upon such lands.



### *District Characteristics*

- 13.5.2 The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Contracting Services, Major
Accessory Use	Contracting Services, Minor
Outdoor Storage, Temporary	Industrial Use, General
Public Utility Facility	Natural Resource Extraction
Surveillance Suite	Natural Resource Processing
Surveillance Suite, Temporary	Outdoor Storage
	Work Camp

- 13.5.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 5.0 ha (12.35 ac)
Operations	Min. The setbacks for all associated operations, including but not limited to, excavation, stockpiling, berming, crushing, and/or operation of an asphalt plant shall be in

Item	Regulation
	accordance with the applicable provincial and/or federal regulations
Front Yard Setback	Min. 40 m (131 ft) where abutting a County road where road widening has not been dedicated 25 m (82 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) abutting a highway
Rear Yard Setback	Min. 8 m (26 ft) 10.1 m (33 ft) where abutting an internal road 40 m (131 ft) where abutting a County road where road widening has not been dedicated 25 m (82 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Side Yard Setback	Min. 6.1 m (20 ft) 10.1 m (33 ft) where abutting an internal road 40 m (131 ft) where abutting a County road where road widening has not been dedicated

Item	Regulation
	25 m (82 ft) where abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Height	Max. 10.1 m (33 ft)

### *Special Regulations*

- 13.5.4 Natural Resource Extraction and Processing shall be subject to the regulations of the Land Use Bylaw and any amendments thereto, and to the relevant guidelines and conditions of operation and approval from the provincial or federal authority having jurisdiction of these operations.
- 13.5.5 The Development Authority may require applicants for Natural Resource Extraction and Processing to submit an approved plan(s) or study(s), if required by the County or other governing authority as outlined in Section 3.5, to determine appropriate conditions of approval in order to minimize the impact on adjacent developments and on the environment.
- 13.5.6 In addition to Section 8.16 under Development Regulations, the Development Authority may require landscaping or screening along the front, rear, or side yard boundaries adjacent to public, residential, or other incompatible land uses. An applicant must ensure restricted and noxious weeds are taken care of yearly to prevent the spread of weeds to neighbouring lands.

## 13.6 DC – Direct Control

### *Purpose*

- 13.6.1 The purpose of the Direct Control District is to authorize and allow Council to exercise particular and specific direction and control over the use and development of land and buildings in particular areas of the County.

### *Use of Land and Buildings*

- 13.6.2 Council may regulate and control the use of land and buildings in areas designated Direct Control, by this Bylaw, in any manner it considers necessary. The determination of appropriate uses and applicable development requirements within a Direct Control area must be as established and prescribed by Council upon review and consideration of a development proposal, or delegated in the Bylaw to a Development Authority.

### *Development Considerations*

- 13.6.3 Council may regulate the following in consideration of a development within the Direct Control District:
- (a) Minimum requirements at the discretion of the Development Authority;
  - (b) Maximum limits;
  - (c) Parking;
  - (d) Landscaping and screening;
  - (e) Utilities and servicing;
  - (f) Environmental impacts;
  - (g) Public consultation; and
  - (h) Other matters deemed relevant by Council.
- 13.6.4 Council may impose terms and conditions, including performance bonding, with or without a caveat registered against the Certificate of Title.
- 13.6.5 The purpose and regulations of each Direct Control District shall be detailed in Section 17.1 of this Bylaw.

## 13.7 AL – Airport Land District

### *Purpose*

- 13.7.1 To accommodate airports or aerodromes for the safe movement and storage of aircraft, and uses compatible with aircraft operations. To allow for development necessary or integral to the operation of an airport or aerodrome. This district is not intended to control aeronautics.



### *District Characteristics*

- 13.7.2 The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations of this district and this Bylaw.

Permitted Uses	Discretionary Uses
Accessory Structure	Aviation Related Business
Accessory Use	Eating and Drinking Establishment
Aerodrome	Hotel
Airport	Motel
Hangar	Outdoor Storage
Park	Private Club
Public and Quasi-Public Use	Surveillance Suite
Public Utility Facility	Warehouse Sales or Storage
Terminal Facility	

### 13.7.3 Development Regulations:

Item	Regulation
Parcel Area	Min. 464.5 m <sup>2</sup> (5000 ft <sup>2</sup> )
Front Yard Setback	Min. 10.1 m (33 ft) abutting an internal road 7 m (23 ft) abutting a hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated

Item		Regulation
		40 m (131 ft) abutting a highway
Rear Yard Setback	Min.	8 m (26 ft) 10.1 m (33 ft) where abutting an internal road 7 m (23 ft) where abutting a hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Side Yard Setback	Min.	3 m (10 ft) 10 m (33 ft) where abutting an internal road 7 m (23 ft) where abutting a hamlet road 20.1 m (66 ft) abutting a County road where road widening has not been dedicated 12.5 m (41 ft) abutting a County road where road widening has been dedicated 40 m (131 ft) where abutting a highway
Height	Max.	9.1 m (30 ft)

## 13.7.4 Unit Site Development Regulations:

Item		Regulation
Unit Site Area	Min.	As designated by the airport owner or Crown lease holder.
Unit Site Width	Min.	As designated by the airport owner or Crown lease holder.
Front Yard Setback	Min.	0 m (0 ft) where abutting an 8 m (26 ft) allowance between the unit site and taxiway 8 m (26 ft) where abutting the taxiway or roadway
Rear Yard Setback	Min.	4 m (13 ft)
Side Yard Setback	Min.	4 m (13 ft)
Height	Max.	Up to the height of the principal building for Accessory Structures.

*Special Regulations*

## 13.7.5 The operation of any land use within this district must not create or cause excessive:

- (a) smoke, dust, steam, or other emissions;
- (b) toxic and noxious matters;



- (c) radiation, fire, or explosive hazards; and
- (d) accumulation of any material or waste edible by, or attractive to, birds as in the case of feedlots and waste transfer sites.

13.7.13 All development must comply with the Airport Protection Overlay contained within this Bylaw.

13.7.6 Uses and developments on lands zoned Airport Land District must comply with all other authorities, including federal, provincial and municipal, each within their jurisdiction.

13.7.7 The Development Authority will not accept or process any development permit application occurring within this district unless the application is authorized in writing by the Airport owner.

13.7.8 The Development Authority will not accept or process any development permit application occurring at the Town of Drayton Valley Industrial Airport (YDC), unless the application has been signed by the Town of Drayton Valley.

13.7.9 A copy of the unit site map must be provided to Brazeau County when any change is made to the site layout or the addition of sites. The updated unit site map must be provided prior to any development permit application submissions for development on altered or new sites.

13.7.10 The airport owner is responsible for clearly marking the unit site locations.

13.7.11 The Development Authority may refer a development permit application to the airport/aerodrome operator or manager, Transport Canada, and NAV Canada for comments on the proposed development.

13.7.12 No development shall conflict with the safe operations of the airport.

## 14 OVERLAYS

### 14.1 Airport Protection Overlay

#### *Purpose*

- 14.1.1 The purpose of the Airport Protection Overlay (Airport Protection Overlay Land Use Map) is to encourage compatible land use planning in the vicinity of the Airport with respect to height obstructions, electrical disturbances, bird hazards, Noise Exposure Forecasts, and visibility restrictions. This section applies to all lands within the Airport Protection Overlay.

#### *Regulations*

- 14.1.2 All developments within the Airport Protection Overlay shall be reviewed in accordance with “Transport Canada’s Guide – TP 1247E, Land Use in the Vicinity of Airports” as updated from time to time.
- 14.1.3 No development shall be approved which may jeopardize the safe use of the Airport.
- 14.1.4 Subdivision and development within the Airport Protection Overlay must be consistent with any approved Area Structure Plan for the area where it is located, if applicable.
- 14.1.5 The regulations of the underlying district shall apply.
- 14.1.6 Notwithstanding Subsection 14.1.5 of this section the following criteria shall be applied to subdivision and development near the Airport within the Airport Protection Overlay:
- (a) Development shall not exceed height restrictions detailed within the Airport Protection Overlay (Airport Protection

Overlay Land Use Map) of 16.2 m (53 ft) in structural height, measured from the grade of the runway, within 2500 m of the end of the runway and 321 m from the side of the runway in accordance with the Detailed Airport Regulations on file at the County;

- (b) Structures of a height considered hazardous by the Development Authority shall have clearance lights of a size and design necessary to ensure aviation safety;
  - (c) Residential Use will be discretionary on Airport lands or within hangars associated with Airport lands. Residential Use is prohibited at Airport Facilities operated by the Town of Drayton Valley.
  - (d) The use or operation of development shall not cause any objectionable or dangerous condition as follows:
    - (i) Radiation or interference of Airport telecommunications or electronics systems;
    - (ii) An accumulation of any materials or waste which is edible and attractive to birds;
    - (iii) Emissions of steam, smoke, dust or other atmospheric conditions that restricts visibility;
    - (iv) The use of extensive exterior lighting; and
    - (v) Fire and explosive hazards.
- 14.1.7 The following uses shall be prohibited in the Airport Protection Overlay:
- (a) Public Utility Facility that involves persistent storm water retention areas; and
  - (b) Waste Management Facility.

- 14.1.8 All buildings within the Airport Protection Overlay shall comply with the acoustical requirements of the Alberta Building Code as required.
- 14.1.9 Development permit applications for the following shall be forwarded to Transport Canada for technical comment prior to issuance of a development permit:
- (a) Development directly adjacent to the runway; and
  - (b) Large structures, such as, but not limited to, a warehouse or hangar, within 10 km (6.2 miles) of a radar.
- 14.1.10 Applications shall be analyzed on a case-by-case basis and may be refused, notwithstanding that a land use class is listed as permitted, if the Development Authority determines that such use class may interfere with the operation of the Airport.
- .

## 15 DEFINITIONS

15.1.1 All other words, phrases, and expressions have the meaning assigned to them in Part 17 of the MGA and the *Subdivision and Development Regulation*.

**“ABUT or ABUTTING”** means immediately contiguous to, or physically touching, and when used with respect to lots or sites, means to share a common property line.

**“ACCESSORY STRUCTURE”** means a building or structure that is naturally or normally incidental, subordinate, and exclusively devoted to the principal use, building or structure and located on the same lot or site.

**“ACCESSORY USE”** means a use that is naturally or normally incidental, subordinate, and exclusively devoted to the principal use, building or structure and located on the same lot or site.

**“ADJACENT”** means land that abuts a site and land that would abut if not for a road, alleyway, walkway, watercourse, utility lot, pipeline right of way, power line, railway, or similar feature.

**“AERODROME”** Any area of land, water (including the frozen surface thereof) or other supporting surface used or designed, prepared, equipped or set apart for use either in whole or in part for the arrival and departure, movement or servicing of aircraft and includes any buildings, installations and equipment in connection therewith.

**“AGRICULTURAL, EXTENSIVE”** means the use of land or buildings for the raising or production of crops, livestock, or poultry; but not restricting the generality of the foregoing, does not include the off-site removal and export of logs or trees, confined feeding operations, slaughter/rendering facility, livestock Auction Facility, intensive hog operations, intensive poultry or fowl operations, sod farm, plant nurseries, equestrian boarding or residences. This use does not include Cannabis Production and Distribution other than cultivation authorized under either Part 1 or Part 2 of the *Access to Cannabis for Medical Purposes Regulations* under the *Controlled Drugs and Substances Act* (Canada).

**“AGRICULTURAL, SUPPORT SERVICE”** means development providing products or services directly related to the agricultural industry. Without restricting the generality of the foregoing, this shall include such facilities as grain elevators, feed mills, bulk fertilizer distribution plants, bulk agricultural chemical distribution plants, bulk fuel plants, farm implement dealerships (not including automotive, equipment and vehicle services), and crop spraying.

**“AGRICULTURAL, INTENSIVE CLASS 1”** means the commercial use of parcels of land for confined feeding operations, game farms, fur farms, apiaries, aquaculture and similar uses.

**“AGRICULTURAL, INTENSIVE CLASS 2”** means the commercial use of parcels of land for uses such as greenhouses, market gardens, sod farms, nurseries, tree farms, etc. This use does not include Cannabis Production and Distribution other than cultivation authorized under either Part 1 or

Part 2 of the *Access to Cannabis for Medical Purposes Regulations* under the *Controlled Drugs and Substances Act* (Canada).

**“AIRPORT”** means an area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft and includes any building, installation or equipment in connection therewith for which an Airport license has been issued by Transport Canada.

**“ALLEY”** means a public thoroughfare which provides a secondary means of access to a parcel at its rear or side property line,

**“ALTER or ALTERATION”** means:

- (a) any structural change to a building that results in an increase or decrease in the area or the volume of the building;
- (b) any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this Bylaw;
- (c) structural change to a sign; or
- (d) to discontinue or change the use of the site or building with a use defined as being distinct from the discontinued use.

**“ANIMAL SERVICE FACILITY”** means development for the purposes of treatment, boarding, training, commercial breeding or grooming of animals

and includes Retail sales of associated products. This may include such uses as veterinary clinics, grooming, overnight boarding, commercial kenneling of 5 or more dogs, impounding or quarantining facilities, and animal shelters.

**“ANTENNA”** means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by private, federally licensed amateur radio operators. This definition does not include satellite dish or telecommunications tower. Examples include radio antennas used for commercial fleet dispatch and ham (or hobby) radio towers, mast, or aerials.

**“APPLICANT”** means the landowner, or an agent, person, acting on the landowner's behalf.

**“AREA STRUCTURE PLAN”** means a statutory plan adopted by the County under the provisions of the MGA.

**“ASSISTED LIVING”** means a facility where meals, lodging and continuing nursing care are provided for compensation and include uses such as nursing homes and medical receiving facilities.

**“AUCTION FACILITY”** means development intended for the auctioning of livestock, goods and equipment, including the temporary storage of such livestock, goods and equipment.

**“AUTOMOTIVE AND EQUIPMENT SALES, SERVICE AND RENTAL”** means development used for the retail sale or rental of new or used automobiles, Recreational Vehicles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light vehicles or crafts, together with incidental maintenance services and sale of parts. This use includes automobile dealerships, rental agencies, automobile rental agencies, equipment rental agencies and motorcycle dealerships.

**“AUTOMOTIVE AND EQUIPMENT BODY REPAIR”** means development used as a facility where automobiles, trucks, other vehicles, and equipment undergo body repair, sandblasting and painting or both.

**“AUTOMOTIVE AND EQUIPMENT REPAIR”** means development used for the servicing and repair of motor vehicles including heavy equipment, automobiles, light trucks, utility vehicles, motorcycles, snowmobiles and similar vehicles; and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops and towing/recovery services.

**“AVIATION RELATED BUSINESS”** means a service or operation that would benefit from, but does not necessarily require, direct access to the Airport to operate, and includes such uses as flight training schools, aircraft maintenance shops and aircraft manufacturing and assembly.

**“BASEMENT”** means a portion of a residential building which is situated partly or completely below Grade.

**“BED AND BREAKFAST”** means a secondary use of a single-detached dwelling whereby temporary accommodation, with or without meals, is provided to the public for remuneration.

**“BULK OIL AND CHEMICAL STORAGE”** means a development where refined oil or crude oil or liquid or solid chemical is stored. This may include building tanks and containment vessels and their associated systems for the oil and gas, water and wastewater, mining and specialty chemical products.

**“BUSINESS SUPPORT SERVICE”** means development used to provide support services to uses permitted or discretionary in a land use district. Such businesses may include but are not limited to the provision of support functions such as: printing, duplicating, binding or photographic processing; secretarial services; office maintenance or custodial services; security; and the sale, rental, repair, or servicing of office equipment, furniture and machines; and the sale, rental, repair or servicing of computers, cellular phones and fax machines.

**“BYLAW”** means the Brazeau County Land Use Bylaw.

**“CABIN”** means a seasonal residential building that may contain one (1) dwelling unit or components thereof. Park Models placed on a permanent foundation shall be deemed a Cabin unless proof of meeting the Alberta Code is provided.

**“CAMPGROUND”** means a development for recreational use with sites designated for lodgings in tents, Recreational Vehicles, Cabins, or other similar accommodations. A major campground shall accommodate more than twenty (20) sites, be in operation more than six (6) months per year, or both.

**“CANNABIS”** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis. This excludes industrial hemp licensed or exempt by the federal government under the *Industrial Hemp Regulations*, as amended, or other applicable Acts or regulations at the time of application.

**“CANNABIS RETAIL SALES”** means a retail store licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend the premises.

**“CANNABIS PRODUCTION AND DISTRIBUTION FACILITY”** means an enclosed building licensed and/or authorized for one or more of the following activities as it relates to cannabis: the production, cultivation and growing of cannabis, the processing of raw materials, the making, testing, manufacturing, assembling, destruction and/or altering in any way the chemical or physical properties goods or products, the storage or shipping of materials, goods and products, or the distribution and sale of materials goods and products to Cannabis Retail stores.

**“CARETAKER”** means a person, or persons that are part of the caretaker’s family unit, providing surveillance and or maintenance of a property.

**“CEMETERY”** means development of a parcel of land primarily as landscaped open space for the entombment of deceased human beings or pets.

**“COMMUNITY HALL”** means a development that uses lands and buildings for activities through facilities such as auditoriums, banquet halls, or gymnasiums.

**“CONDOMINIUM”** means a condominium as defined by the *Condominium Property Act*.

**“CONTRACTING SERVICES, MAJOR”** means a development used for commercial and industrial service support and construction that requires Outdoor Storage or fleet storage of more than four (4) vehicles or both. Typical industries include, but are not limited to forestry, oil and gas, civil construction, building construction, wood processing, landscaping, and electrical.

**“CONTRACTING SERVICES, MINOR”** means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles.

**“COUNCIL”** means the Council of Brazeau County.

**“COUNTY”** means Brazeau County.

**“COUNTY ROAD”** means Township and Range roads.

**“CREMATORY”** means a facility used for the preparation of the dead for burial, the purification and reduction of the human body by heat and the keeping of bodies other than in a Cemetery and the holding of associated services.

**“DAY CARE FACILITY”** means a development that provides daytime personal care and education to children as a standalone facility but does not include overnight accommodation.

**“DAY CARE HOME”** means a facility that provides care for children operated in connection with a residential use, where children’s care is offered by the resident of the residential use and no overnight care is provided. This category includes facilities where children’s care is an Accessory Use to the primary residential use.

**“DEMOLITION”** means the dismantling or intentional destruction of a building, followed by the removal of debris of a building.

**“DESIGN FLOOD LEVEL”** means modelled water elevations of a flood hazard area based on the one percent flood (100-year flood), which is the

current design standard in Alberta. Design flood levels do not change as a result of development or obstruction of flows within the flood fringe.

**“DEVELOPMENT”** is development as defined by the MGA.

**“DEVELOPMENT AUTHORITY”** means the authority established pursuant to the MGA through the County’s Development Authority Bylaw.

**“DEVELOPMENT OFFICER”** means the officer established pursuant to the MGA through the County’s Development Authority Bylaw.

**“DEVELOPMENT PERMIT”** is a document, with any necessary attachments, that is issued pursuant to the Land Use Bylaw and authorizes a development.

**“DISCRETIONARY USE”** means one (1) or more uses of land or buildings that may be allowed in a given district at the discretion of the Development Authority, with or without conditions.

**“DISTRICT”** means land use district within the Land Use Bylaw. A district may also be referred to as a zone.

**“DOUBLE FRONTING LOT”** means a lot which abuts two roads. Double fronting lots include corner lots.

**“DWELLING UNIT”** means a residential unit containing one (1) or more habitable rooms that constitute a self-contained living accommodation unit



having sleeping, cooking and toilet facilities and is intended as a permanent residence.

**“DWELLING, APARTMENT”** means a building comprised of three (3) or more attached dwelling units, with shared entrance facilities.

**“DWELLING, TOWNHOUSE”** means a building comprised of three (3) or more attached dwelling units, with each unit having a separate entrance. A townhouse does not include an apartment building.

**“DWELLING, SEMI-DETACHED”** means a structure comprised of two attached dwelling units, either side by side or one above the other, with each unit having a separate entrance. A single-detached dwelling with a Secondary Suite is not a semi-detached dwelling.

**“DWELLING, SINGLE-DETACHED”** means a residential building containing one (1) dwelling unit, excluding a basement suite, which is supported on a permanent foundation and physically separated from any other dwelling. Single-Detached Dwellings include RTM & Modular Construction.

**“DWELLING, TINY”** means a permanent residential building containing one (1) dwelling unit which can be constructed either on site or be pre-built and assembled at the residential site. The dwelling shall be supported on a permanent foundation or piling system and physically separated from any other dwelling units. The dwelling shall include cooking, eating, living, sleeping and sanitary facilities, but does not include Manufactured Homes,

Recreational Vehicles, Cabins, park-model trailers or construction site trailers.

**“EATING AND DRINKING ESTABLISHMENT”** means a development where prepared food and beverages are offered for sale to the public for consumption within the confines of the building or off the site.

**“EDUCATION FACILITY”** is a facility developed for instruction, training and education purposes, and may include administration offices, dormitories, and Accessory Uses and Accessory Structures.

**“EMPLOYEE”** is a person who performs any work for or supplies any services to an employer for wages.

**“ENVIRONMENTALLY SENSITIVE AREA”** means lands identified within the County’s MDP Figure 4: Future Land Use Strategy. These areas represent lands that have particular constraints to development due to environmental features such as watercourses, steep slopes, wetlands, significant flora or fauna, wildlife habitats.

**“ENVIRONMENTALLY SIGNIFICANT AREA (ESA)”** are areas that are important to the long-term maintenance of biological diversity, physical landscape features and/or other natural processes, both locally and within a larger spatial context as defined by the Province.

**“EQUIPMENT”** are tools, appliances, vehicles, office machines, furniture, light construction equipment, weigh scale, scale office, or other similar items that are essential to complete a job, project, or task.

**“FAMILY”** means one or more individuals who are related through marriage or common law, blood relationship, legal adoption, or legal guardianship.

**“FARMSTEAD”** means the original residential site on a parcel of land with other improvements used in connection with the raising or production of crops, livestock, poultry or other agricultural pursuits.

**“FENCE”** means a free standing structure designed to restrict or prevent movement across a boundary or to provide screening.

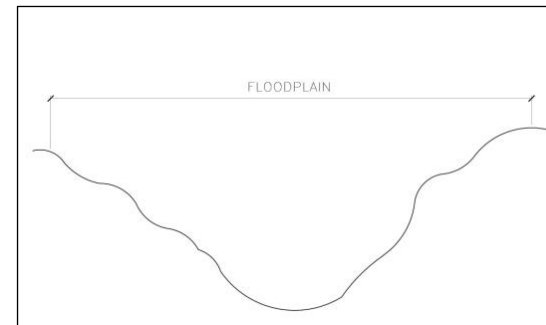
**“FINANCIAL, OFFICE AND PROFESSIONAL SERVICE”** means the provision of professional, management, administrative, consulting, and financial services in an office setting. Typical uses include the offices of lawyers, accountants, engineers, architects, travel agents, real estate and insurance firms, clerical, and secretarial agencies, and banks.

**“FLANKING ROADWAY”** means the road or an alleyway adjacent to a side property line.

**“FLOOD FRINGE”** means the land along the edges of the flood hazard area that has relatively shallow water (less than 1 metre deep) with lower velocities (less than 1 m/s).

**“FLOOD HAZARD AREA”** means the area of land that will be flooded during the design flood event. The flood hazard area is divided into two zones: (i) the floodway and (ii) the flood fringe.

**“FLOOD PLAIN”** is a plain formed of sediment dropped by a river.



*Illustration: Flood Plain*

**“FLOODPROOF”** means design modifications on buildings and land such that prevent damages from occurring in floods. Floodproofing may include adding fill to raise the elevation of a building site, structural measures such a foundation walls or columns to raise a building, or combinations of fill and structural measures. Floodproofing includes the use of setbacks to maintain a floodway and allow for erosion.

**“FLOODWAY”** means the area within which the entire design flood can be conveyed while meeting certain water elevation rise, water velocity and water depth criteria. Typically the floodway includes the river channel and some adjacent overbank areas.

**“FLOOR AREA”** means for residential buildings, the total area of all floors in a building measured from the exterior side of exterior walls that are entirely above grade and excluding floor levels if any portion is below grade. Basements, cellars, garages, sheds, carports, and open porches in all residential buildings are all excluded. For commercial buildings, the total floor area of all floors in a building is measured from the exterior side of exterior walls but excludes hall areas.

**“FOOD TRUCK”** means a large wheeled vehicle from which food is sold that typically contains cooking facilities where food is prepared. A Food Truck use would be considered a Temporary Use in accordance with Section 3.8.8.

**“FOUNDATION”** means the lower portion of a building, usually constructed of concrete or masonry, which includes footings that transfer the weight of a building to the ground.

**“FUNERAL HOME”** means development used for the preparation of the deceased for burial and the provision of funeral services.

**“GRADE”** means for a structure the ground elevation established for the purpose of regulating the structure height. For structure height, the grade shall be the level adjacent to the walls of the structure if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevations of the ground at the four corners of the structure or as provided in the building plans; for drainage, the grade shall be the ground elevation established in a lot drainage plan attached to the

application for a development permit for the purpose of controlling the flow of surface water on the parcel. For calculating the grade, the walk out portion of the structure is exempt.

**“GROUP HOME”** means a dwelling that provides accommodation for a maximum of 10 persons who by reason of their emotional, mental and physical condition require a supervised group living arrangement for their well-being. Group Homes may include foster homes but do not include substance abuse treatment centres, temporary shelter services or detention and correction services.

**“GROSS FLOOR AREA”** means the total area of all floors in a building measured from the exterior side of exterior walls including accessory structures.

**“GUEST RANCH”** means the Accessory Use of a working farm or ranch that offers visitors temporary overnight accommodation, with or without meals, for payment of a fee and may include an on-site program that allows guests to participate in a range of farming or ranching activities. A Guest Ranch does not include a Hotel, Motel, Bed and Breakfast, or boarding/lodging facility.

**“HANGAR”** means a structure intended for the storage of aircraft, as well as provides an enclosed location for aircraft maintenance and repair.

**“HAZARDOUS AREA”** means an area, which in the opinion of the Subdivision Authority or Development Authority, is unstable. This may

include lands prone to flooding, shoreline erosion or slope instability hazards or any hazard that may result in life loss or injury, property damage, social or economic disruption or environmental degradation. This includes, but is not limited to, lands in proximity to the flood fringe or floodway, high water table, water bodies, water courses, and areas with slopes greater than thirty percent (30 %) grade.

**“HEALTH SERVICE”** means a building or structure where a professional health practitioner(s), including but not limited to doctors, dentists, optometrists, acupuncturists, naturopaths, chiropractors, physiotherapists and counsellors, excluding veterinarians, provide diagnosis and treatment to the general public without overnight accommodations. Health Service includes such uses as x-ray and other diagnostic services as well as minor operating rooms and uses accessory to the provision of Health Services.

**“HEALTH SERVICES FACILITY”** means a provincially-licensed or approved establishment used for the medical, dental, or professional healing treatment of human beings that includes overnight accommodations.

**“HOME OCCUPATION, MAJOR”** means the accessory use of a structure by a permanent resident of the subject parcel to conduct a business activity which does not change the residential character of the dwelling or accessory structure(s), or both, and does not employ more than twelve (12) onsite employees. A Major Home Occupation may have Outdoor Storage of vehicles used for the business but the storage and screening of other equipment, goods, materials, commodities or finished products shall be at the discretion of the Development Authority. This use does not

include Cannabis Retail Sales or Cannabis Production and Distribution Facility.

**“HOME OCCUPATION, MEDIUM”** means the accessory use of a structure by a permanent resident of the subject parcel to conduct a business activity which does not change the residential character of the dwelling or accessory structure(s), or both, does not employ more than two (2) non-residents concurrently, and does not exhibit outdoor activity and storage of materials or equipment. This use does not include Cannabis Retail Sales or Cannabis Production and Distribution Facility.

**“HOME OCCUPATION, MINOR”** means the accessory use of a structure by a permanent resident of the subject parcel to conduct a business activity which does not change the residential character of the dwelling or accessory structure(s), or both, does not employ any non-residents, and does not exhibit outdoor activity and storage of materials or equipment. This use does not include Cannabis Retail Sales or Cannabis Production and Distribution Facility.

**“HOTEL”** means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory Eating and Drinking Establishments, meeting rooms, personal service shops, and general Retail shops.

**“INDUSTRIAL HEMP”** means, as defined by the *Industrial Hemp Regulations*, cannabis plants and plant parts, of any variety, that contains 0.3% THC or less in the leaves and flowering heads.

**“INDUSTRIAL HEMP PRODUCTION”** means the use of land, buildings or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, export and/or import industrial hemp, including indoor and outdoor production and related research, under the *Industrial Hemp Regulations*, as amended. This does not include Cannabis Retail Sales establishments or Cannabis Production and Distribution Facilities.

**“INDUSTRIAL USE, GENERAL”** means industrial uses which do not create a significant adverse impact or nuisance beyond the boundaries of the site and may include indoor display, office, technical or administrative support, or sales operation accessory to the general industrial use. General uses include the following: the manufacturing or assembly of goods, products or equipment; the cleaning, servicing, repairing or testing of materials, goods and equipment associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use; the storage or shipping of materials, goods and equipment, including petro-chemical products and supplies; or, the training of personnel in general industrial operations.

**“INDUSTRIAL USE, HEAVY”** means those industrial uses which require large tracts of land and may have a significant detrimental effect as a result of its normal operations on adjacent or nearby sites by way of noise, vibration, smoke, emissions, odour or other element. This category

includes, but is not limited to, large scale manufacturing or processing of raw or finished materials including pulp and paper mills, asphalt or gravel crushing plants, oil refineries, and industrial waste recycling.

**“INTERMUNICIPAL DEVELOPMENT PLAN”** means a statutory plan adopted by Council and the council of one or more other municipalities.

**“INTERNAL ROAD”** means a public roadway providing access to lots within a multi-parcel subdivision or hamlet.

**“LAND FARM”** means a site used for the treatment of soils contaminated by hydrocarbons and non-hazardous organic oilfield waste, whereby the soil in question is safely remedied through aeration or cultivation.

**“LANDSCAPING”** means the preservation of or change to the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in landscape architecture.

**“MAN-MADE WATER FEATURE”** means the excavation of land which results in man-made features that entrap or convey water with a depth of no less than one (1) meter and includes excavation for a water supply and borrow pits. This use includes but is not limited to ponds for water supply or fire protection and dugouts.

**“MANUFACTURED HOME”** means a dwelling unit that is a pre-fabricated module and is intended for occupancy.

**“MANUFACTURED HOME PARK”** means a parcel containing four (4) or more Manufactured Homes, regardless of tenure, but does not include industrial or construction camps. A Manufactured Home Park may contain an office for its operation and a community hall.

**“MGA”** means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto.

**“MOTEL”** means commercial development for the provision of rooms or suites for temporary lodging where each room or suite has its own exterior access, and may include accessory Eating and Drinking Establishments.

**“MULTI-LOT SUBDIVISION”** means subdivision in a quarter section containing more than four (4) parcels.

**“MUNICIPAL DEVELOPMENT PLAN”** means the Municipal Development Plan (MDP) adopted by Council.

**“MUNICIPAL PLANNING COMMISSION”** means the Municipal Planning Commission (MPC).

**“MUNICIPALITY”** means Brazeau County.

**“NATURAL RESOURCE EXTRACTION”** means the extraction of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite and salt found on or under the site, or accessible from the site, and associated equipment.

**“NATURAL RESOURCE PROCESSING”** means the processing of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite and salt, and associated equipment.

**“NON-CONFORMING BUILDING”** has the meaning in Section 643 of the MGA.

**“NON-CONFORMING USE”** has the meaning in Section 643 of the MGA.

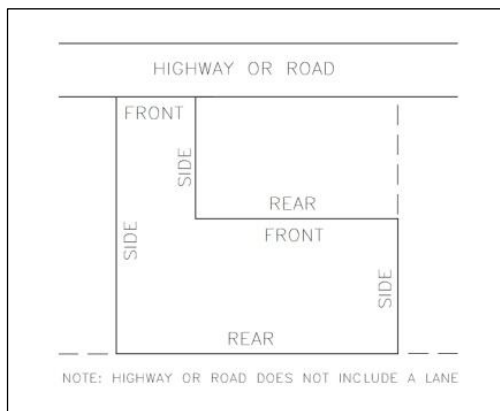
**“OCCUPANCY”** means the use or intended use of a building or part thereof for the shelter or support of persons or property.

**“OUTDOOR OILFIELD STORAGE FACILITY”** means a development used for Outdoor Storage, distribution or shipment of raw materials, partially processed or finished goods, manufactured products, or equipment associated with the oil and industry. Typical uses include pipe yards, vehicle or equipment service and storage, and compounds but does not include the storage of dangerous goods.

**“OUTDOOR STORAGE”** means the use of land for storage of equipment, goods and materials in open air where such storage of goods and materials does not involve the use of permanent structures or the material alteration of the existing state of the land but does not include the storage of dangerous goods.

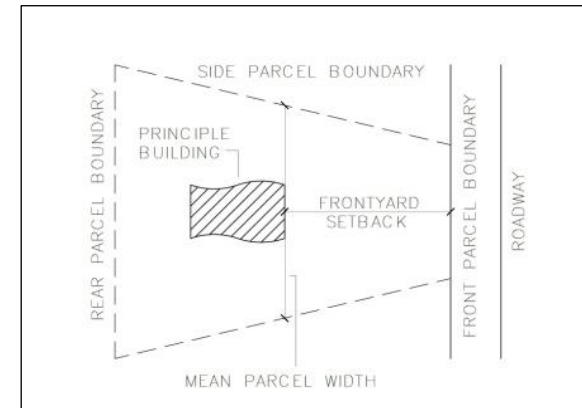
**“OUTDOOR STORAGE, TEMPORARY”** means land used for the temporary (90 days) Outdoor Storage of goods and materials and may include the collection and distribution of goods and materials, excluding dangerous or hazardous goods and materials. One extension of 30 days may be granted at the discretion of the Development Officer. Only one (1) Outdoor Storage, Temporary, will be allowed per calendar year.

**“PANHANDLE/FLAG LOT”** means any parcel which gains road access through the use of a narrow strip of land which is an integral part of the parcel.



*Illustration: Panhandle/Flag lot*

**“PARCEL WIDTH”** means the distance between the side parcel boundaries of a parcel measured at the front setback line. For irregular and pie parcels, parcel width shall be the average of the distances measured at the front and rear setback lines.



*Illustration: Parcel Width*

**“PARK”** means development of a public character including natural open space, improved parkland and active and passive recreational areas, and any Accessory Structures or facilities, serving the needs of a municipality, area or region.

**“PERMITTED USE”** means the use of land or a building provided for in the Land Use Bylaw for which a development permit must be issued or conditionally issued by the Development Authority upon application having been made to the County.

**“PERSONAL SERVICE FACILITY”** means commercial development for the provision of personal services to an individual who is related to the care and appearance of the person or the cleaning or repair of personal effects or both including, but not limited to cosmetology, esthetics, clothing repair and/or cleaning, but not including Health Services.

**“PERSONAL STORAGE FACILITY”** means commercial development for the provision of individual storage containment buildings for the purpose of storing non-dangerous goods and materials indoors. A Personal Storage Facility may include the storage of unoccupied recreational vehicles, boats, snowmobiles and other similar recreational goods.

**“PLACE OF WORSHIP”** means a development used for worship and related religious, philanthropic or social activities.

**“PUBLIC AND QUASI-PUBLIC USE”** means a use of land or building for the purposes of but not limited to public administration and services and may also include a building for the purpose of assembly, culture, recreation or other community activity.

**“PUBLIC UTILITY”** has the meaning in Section 616 of the MGA.

**“PUBLIC UTILITY FACILITY”** means a development which is owned or leased by the federal, provincial or municipal government for public utility related activities.

**“PRINCIPAL BUILDING”** means a building which, in the opinion of the Development Authority:

- (a) Is the primary or main building among one or more buildings situated on the site;

- (b) Constitutes by reason of its use, the primary purpose for which the site is used; or

- (c) Occupies the majority area of a site.

**“PRINCIPAL USE”** means the primary purpose, in the opinion of the Development Authority, for which a building or site is used. No more than one (1) principal use may be located upon a site unless specifically permitted otherwise in the Land Use Bylaw. At the discretion of the Development Authority, multi-user buildings may have one (1) principal use per bay or delineated unit. Examples include strip malls, multi-bay commercial buildings, and other similar buildings.

**“PRIVATE CLUB”** means an indoor development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private Clubs may include rooms for eating, drinking, and general assembly.

**“PROPERTY LINE, FRONT”** means the property line adjacent to a public roadway other than an alley. Where more than one property line is adjacent to a public roadway, the Development Authority may consider the lot to have to or more front property lines for the purposes of this Bylaw.

**“PROPERTY LINE, REAR”** means the property line opposite to and farthest from the front property line



**“PROPERTY LINE, SIDE”** means a property line other than the front and rear property lines.

**“RECREATION SERVICE, INDOOR”** means facilities within an enclosed building for sports, active recreation and performing and cultural arts. Typical uses include but are not limited to arenas, athletic clubs, health and fitness clubs, gymnasiums, swimming pools, rifle and pistol ranges, bowling alleys, and racquet clubs. This does not include gaming facilities.

**“RECREATION SERVICE, OUTDOOR”** means development providing facilities that are available to the public for sports and active recreation conducted outdoors. Typical facilities would include, but not limited to golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, miniature golf establishments, Scout/Guide camps, religious outdoor retreat camps and parks, paint ball parks, gymkhana/rodeos, trail riding.

**“RECREATIONAL VEHICLE”** means a licensed vehicle or portable structure, designed to be moved by a vehicle, to provide sleeping accommodation for travel and recreation purposes. Recreational Vehicles include, but are not limited to, motor homes, campers, and holiday trailers. Recreational Vehicles do not include manufactured homes or provide for the attachment or use of any projections including, but not limited to, decks and carports.

**“RECYCLING DEPOT”** means development used for buying or temporary storage of, or both, but not limited to, beverage containers, newsprint and

similar domestic materials for reuse, where all storage is contained in an enclosed building or fenced compound.

**“RESIDENTIAL CHARACTER”** means the overall appearance of a residential neighborhood defined through the type of commonly used architectural features and landscapes on private property. Residential character may include, but not limited to, building materials, roof lines, colors, typical setbacks and nature of special architectural elements.

**“RETAIL”** means a development used for retail sale of consumer goods on a daily basis in an enclosed building including, but not limited to, food stores, liquor stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter. This use does not include Cannabis Retail Sales other than in licensed pharmacies.

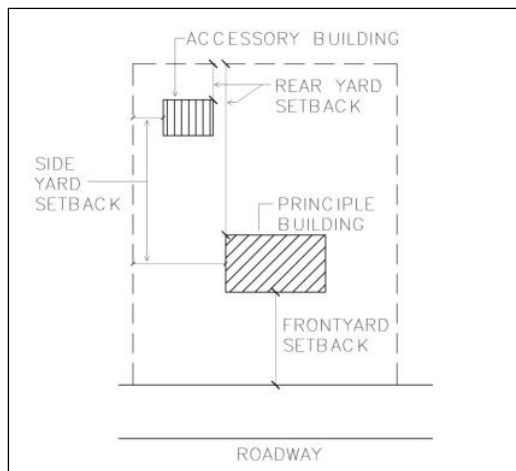
**“SATELLITE DISH”** means a parabolic device and its support structure designed to receive or transmit frequencies transmitted by satellites.

**“SCREENING”** means a fence, earth berm, or hedge used to visually or physically or both separate areas.

**“SECONDARY SUITE”** means an accessory dwelling unit located within a principal dwelling unit or within an accessory structure and has a separate entrance from the principal dwelling or Accessory Structure. A tiny dwelling shall not be considered as a Secondary Suite.

**“SERVICE STATION”** means a development used for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. A Service Station may be self-service, full service, a key lock, a card lock, or other similar operation and may include vehicle-washing facilities as an Accessory Use but does not provide auto repair or servicing.

**“SETBACK”** means the minimum distance that a structure is to be separated from a property line or any other features specified by the Land Use Bylaw. No building or portion of a building above the general ground level of the graded lot shall be within a setback, unless otherwise permitted in the Land Use Bylaw.



*Illustration: Setbacks*

**“SETBACK, FRONT”** means that portion of a parcel extending from one side property line to an opposite side property line between the front property

line and a plane parallel at a distance required by the land use district and from where legal access is gained.

**“SETBACK, REAR”** means that portion of a parcel extending from one side property line to an opposite side property line between the rear property line and a plane parallel at a distance required by the land use district.

**“SETBACK, SIDE”** means that portion of the parcel extending from the front setback to the rear setback between the side property line and a plane parallel at a distance required by the land use district.

**“SHORELINE”** means the line or contour depicting the mean high water mark of a permanent watercourse or water body.

**“SIGN”** means an object or device, whether illuminated or non-illuminated, used for the purpose of identification, advertisement, direction or attracting attention to any person, object, event, or place, and which does not resemble or conflict with a traffic sign under the *Traffic Safety Act*.

**“SIGN AREA”** means the total surface area of a sign and, in the case of a sign comprised of individual letters or symbols, must be calculated as the area of a rectangle enclosing the letters or symbols.

**“SITE”** means one (1) or more parcels for which an application is submitted and may include roads, alleyways, walkways, and any other land surface upon which subdivision and/or development is proposed.

**“SITE AREA”** means the total area of a site.

**“SITE COVERAGE”** means the area of a site occupied by principal and accessory structures.

**“SITE GRADING”** means the reshaping of land that substantially affects drainage patterns of the site or may cause an adverse impact on neighbouring properties or roadways.

**“SITE PLAN”** means a detailed, dimensional plan at a reproducible scale providing information and graphic depiction of all physical development relationships to occur on a site.

**“SIGHT TRIANGLE”** means that triangle formed between the intersection of two curb lines and points located 4.5 m from this intersection along the intersecting curb lines.

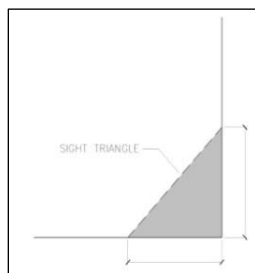


Illustration: *Sight Triangle*

**“SOCIAL CARE FACILITY”** means an individual facility that provides accommodation for individuals who by reason of their emotional, mental, physical and social condition benefit from receiving professional care and supervision. Social Care Facilities may include substance abuse treatment centres, and temporary shelter services.

**“SOLAR COLLECTOR”** means a structure and accessories designed to convert solar radiation into electrical or thermal energy.

**“STORAGE CONTAINER”** means a container used as an accessory structure for the storage of goods and materials.

**“STRUCTURE”** means anything constructed or placed on, in, over or under land, but does not include a highway or public roadway or a bridge that forms part of a highway or public roadway.

**“STRUCTURE HEIGHT”** means the vertical distance between the highest finished grade and the highest point of a structure. Church spires, belfries, monuments, fire and hose towers, observation towers, transmission towers, chimneys, flag poles, radio towers/mast/aerials, water towers, elevator housings, solar collectors, are not considered as part of the structure height.

**“SUBDIVISION AND DEVELOPMENT APPEAL BOARD”** means the subdivision and development appeal body established by bylaw.

**“SUBDIVISION AND DEVELOPMENT REGULATION”** means the *Subdivision and Development Regulation* AR 43/2002 and amendments thereto.

**“SURVEILLANCE SUITE”** means the provision of surveillance for the maintenance, security and safety of the primary establishment. A Surveillance Suite can be either attached to the primary establishment, an existing dwelling, or be a Manufactured Home.

**“SURVEILLANCE SUITE, TEMPORARY”** means the temporary provision, determined by the Development Authority, of surveillance for the maintenance, security and safety of the primary establishment. A temporary Surveillance Suite can be either attached to the primary establishment, an existing dwelling, or be a Manufactured Home.

**“TAXIDERMY”** means a development for the preservation and mounting of animal skins in lifelike forms for profit or for personal use in a detached building not containing a dwelling unit.

**“TELECOMMUNICATIONS TOWER”** means any tower used to provide a broad range of communication services through the transmitting, receiving or relaying of voice and data signals such as radio, cellular, broadcast, Personal Communication Services (PCS) and wireless data that are regulated by the federal government. For the purposes of the Land Use Bylaw, this excludes Antenna. Examples include cell phone towers and wireless internet towers.

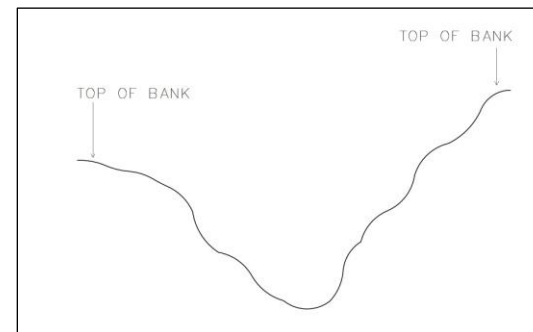
**“TEMPORARY”** means such period of time as determined by the Development Authority.

**“TEMPORARY STRUCTURE”** means a structure, without a foundation, for which the sole purpose is incidental to the completion of a development, for which a permit has been issued under the Land Use Bylaw, and is removed when a determined time period has ceased or activity or use has been completed.

**“TERMINAL FACILITIES”** means a development which provides services to or handling of aircraft passengers and air freight, usually located adjacent to the runway. Services provided within these facilities may include but not be limited to airport operations and administration, food and personal services, and freight and baggage handling.

**“TOP OF BANK”** means:

- (a) The point closest to the boundary of the active flood plain of a stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 30% at any point for a minimum distance of 6 metres measured perpendicularly from the break; and
- (b) For a flood plain of a stream where the slope of the land beyond the edge is flatter than 30% at any point for a minimum distance of 6 metres measured perpendicularly from the edge.



*Illustration: Top of Bank*

**“USE”** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**“VEHICLE”** means a mobile machine that transport passengers or cargo.

**“WAREHOUSE SALES OR STORAGE”** means development for the use of an indoor storage facility where a range of goods are displayed or stored or both for wholesale or retail sales.

**“WASTE MANAGEMENT FACILITY”** means a site used primarily for the storage, processing, treatment and disposal of solid or liquid wastes or both, which may have an adverse environmental impact on adjacent sites by virtue of potential emissions or appearance or both. Typical uses may include landfills, garbage transfer and compacting stations, recycling facilities (not including Recycling Depots), incinerators, sewage lagoons and similar uses.

**“WATER BODY”** means a permanent and naturally occurring body of water, or a naturally occurring river, stream, watercourse or lake.

**“WATER COURSE”** means any location where water flows continuously, but does not include man-made water features.

**“WEIGH SCALE OFFICE”** means a scale used to weigh vehicles that is often supported by a building that functions as an office for processing of vehicles being weighed.

**“WORKS”** means the construction or installation of roads, landscaping, trails, amenities, public utilities or municipal services or any of them.

**“WORK CAMP”** means a complex used to provide housing on a temporary basis, which may consist of mobile units that provide sleeping, eating, and other basic living facilities associated with a project.

**“YARD”** means that portion of a site located between the property line and nearest exterior wall of the principal building.

**“YARD, FRONT”** means that portion of the lot extending across the full width of a lot from the front property line to the nearest portion of the building.

**“YARD, REAR”** means that portion of the lot extending across the full width of a lot from the rear property line to the nearest portion of the building.

**“YARD, SIDE”** means that portion of the lot extending from the front yard to the rear yard and lying between the side property line and the nearest portion of the building.



**45-9**

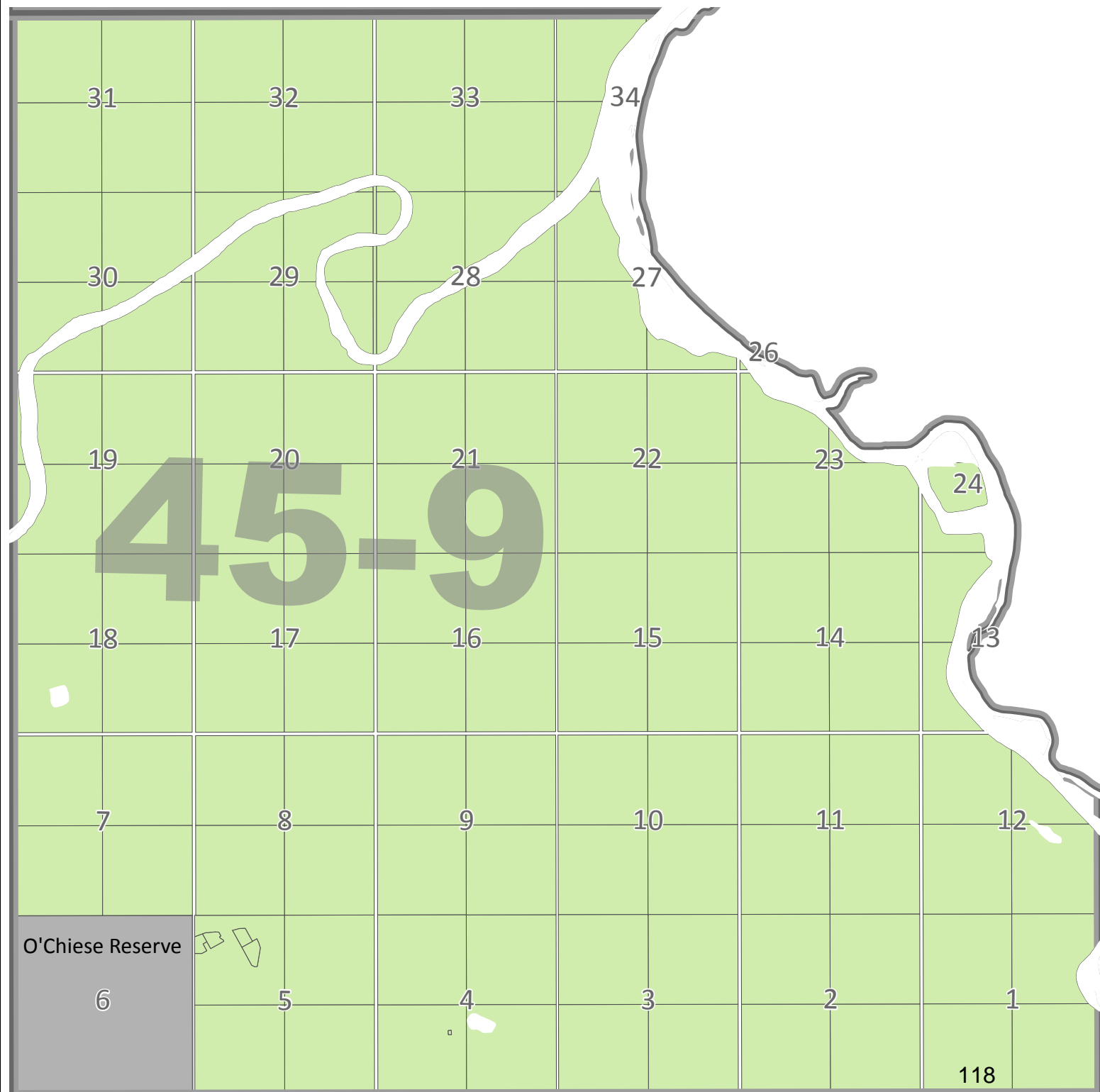
## Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



**CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION**  
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.

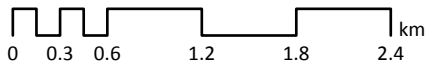




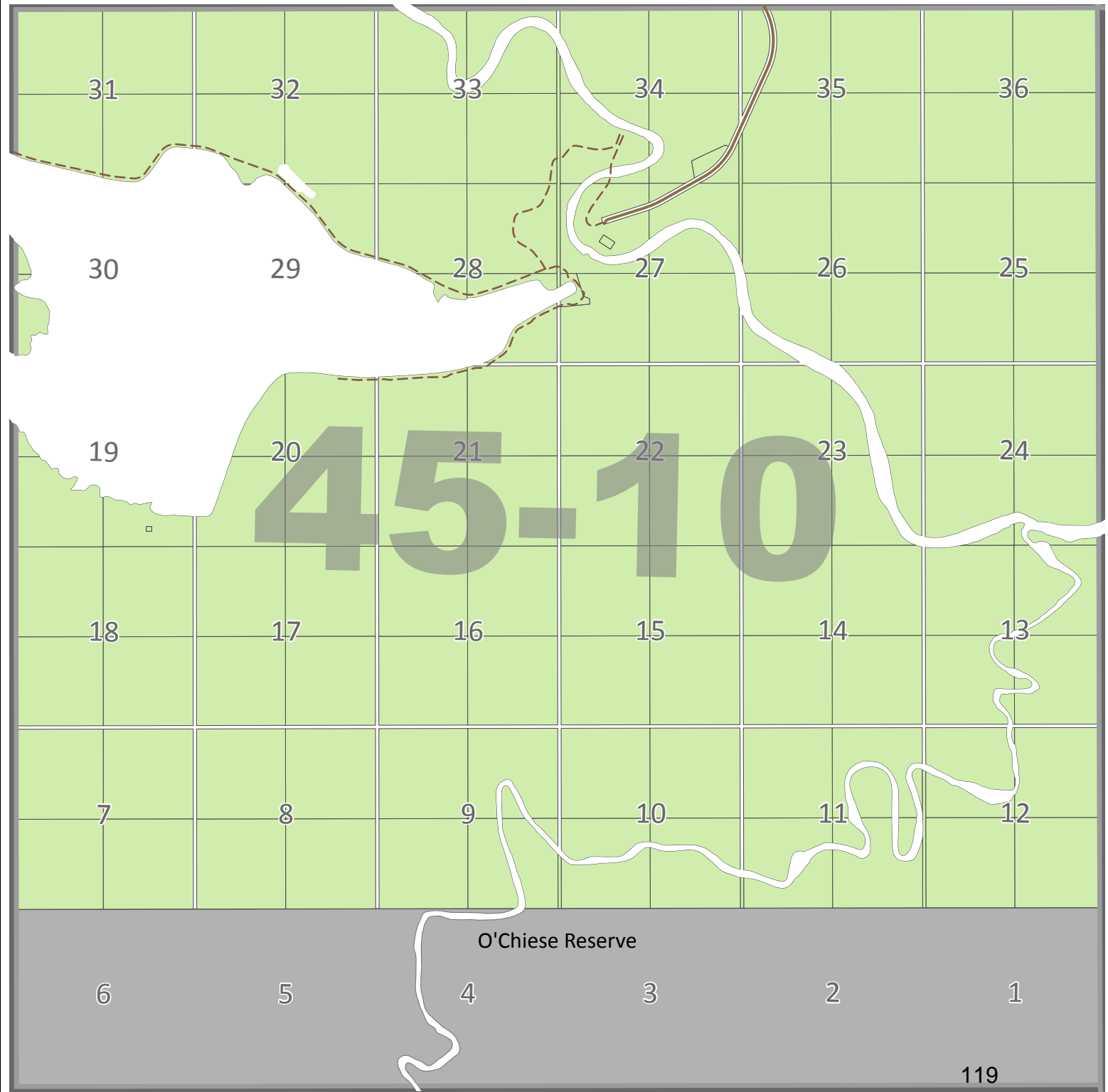
# 45-10 Land Use Map

## ZONING CODES

- Agricultural
- Agricultural Holdings
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Town/Village Boundaries
- Provincial Park



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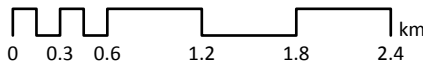




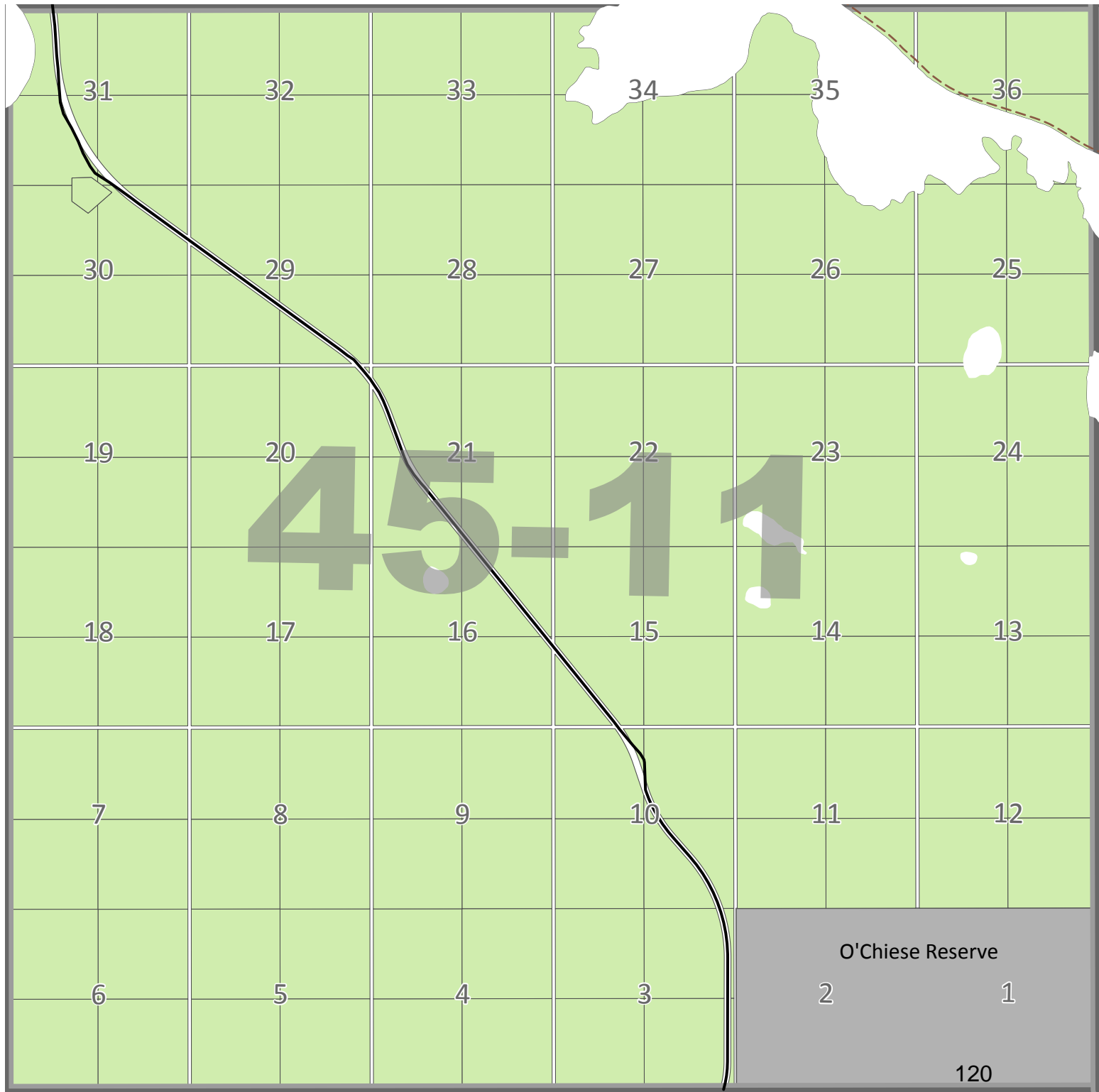
# 45-11 Land Use Map

## ZONING CODES

- Agricultural
- Agricultural Holdings
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Town/Village Boundaries
- Provincial Park



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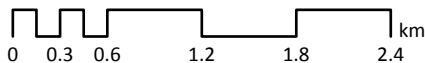


**46-9**

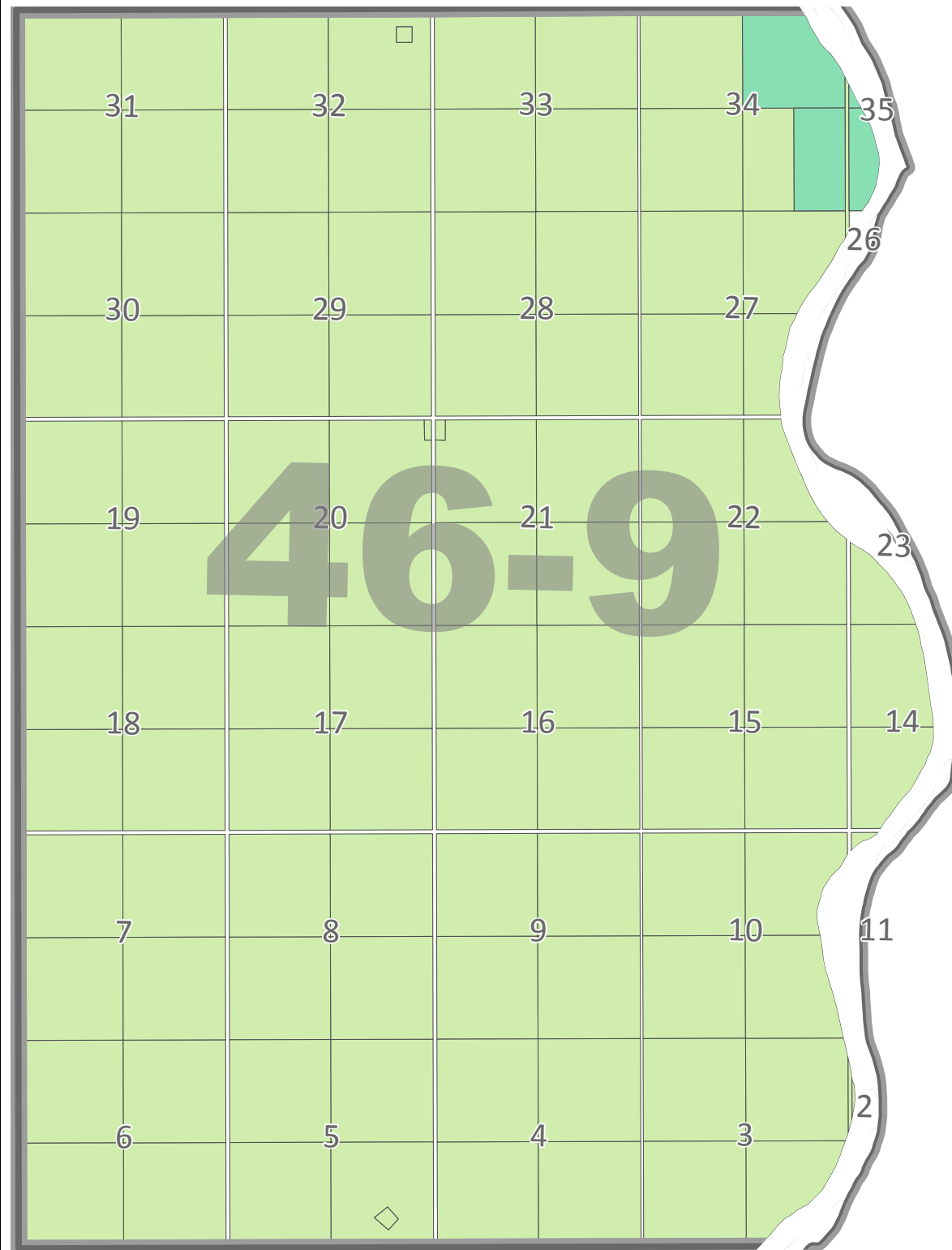
## Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park





















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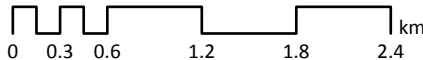




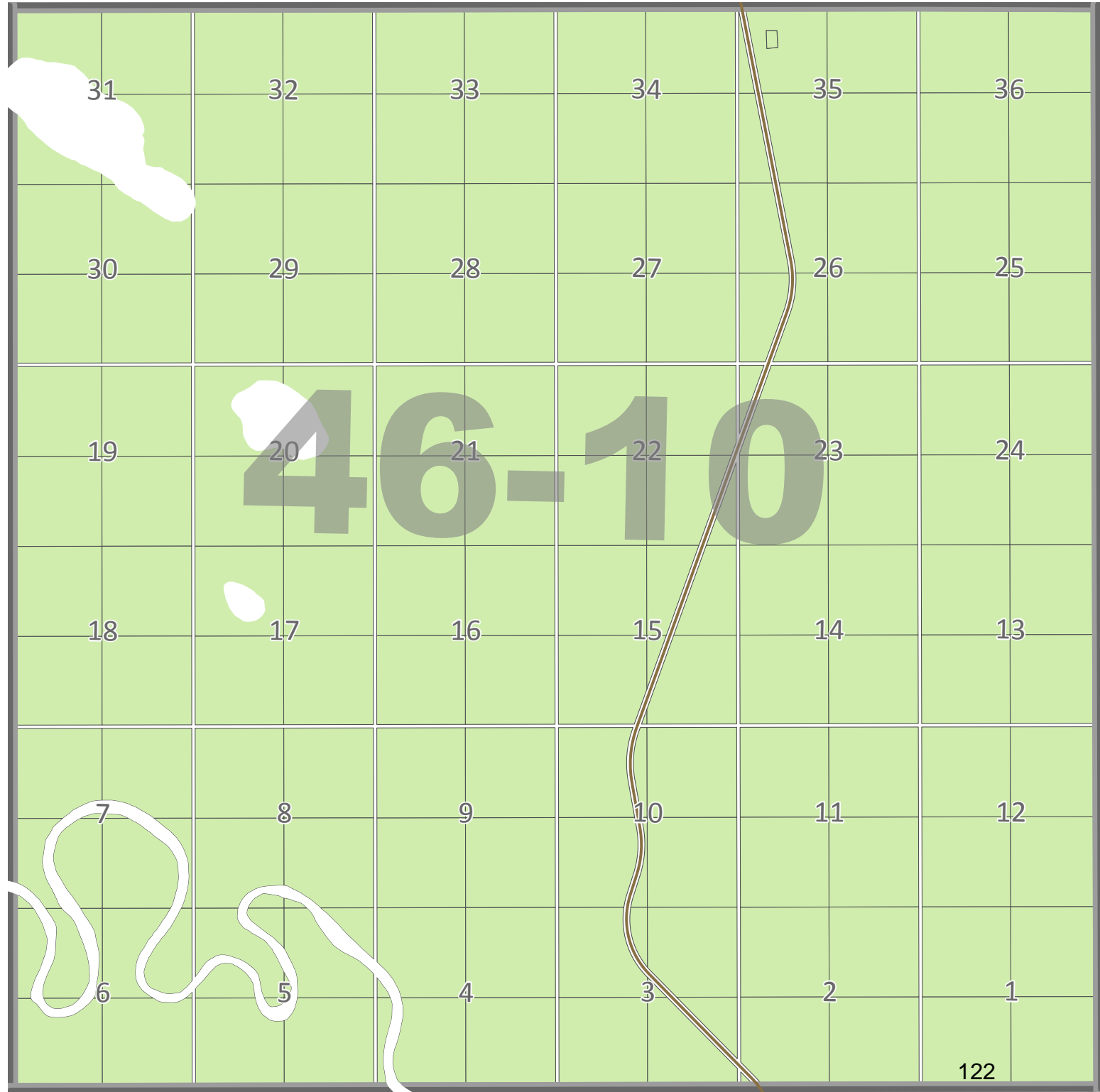
# 46-10 Land Use Map

## ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



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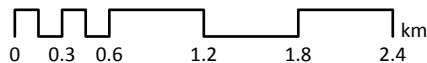




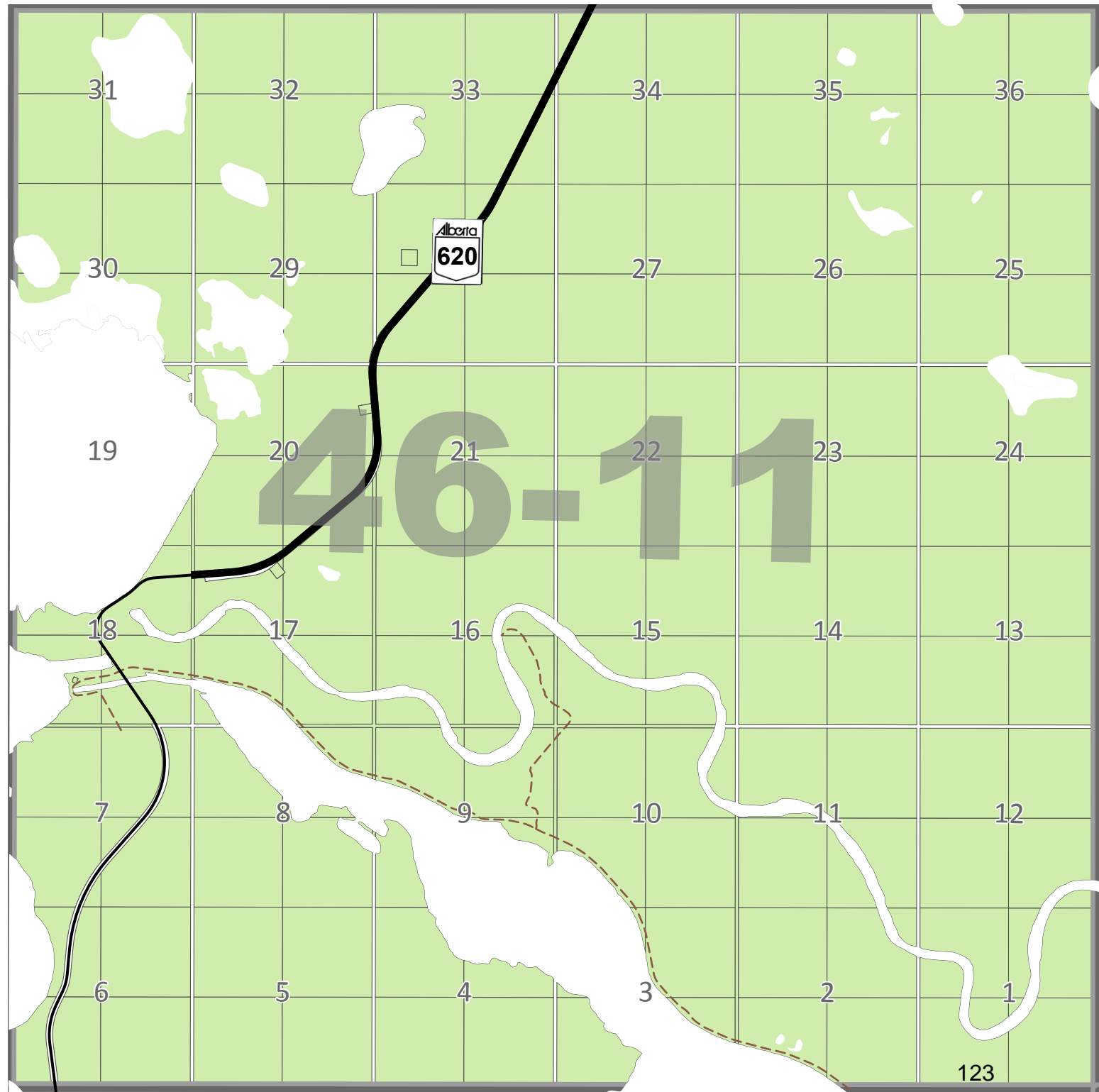
## 46-11 Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



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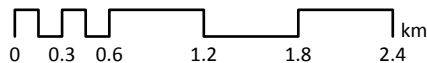


**47-3**

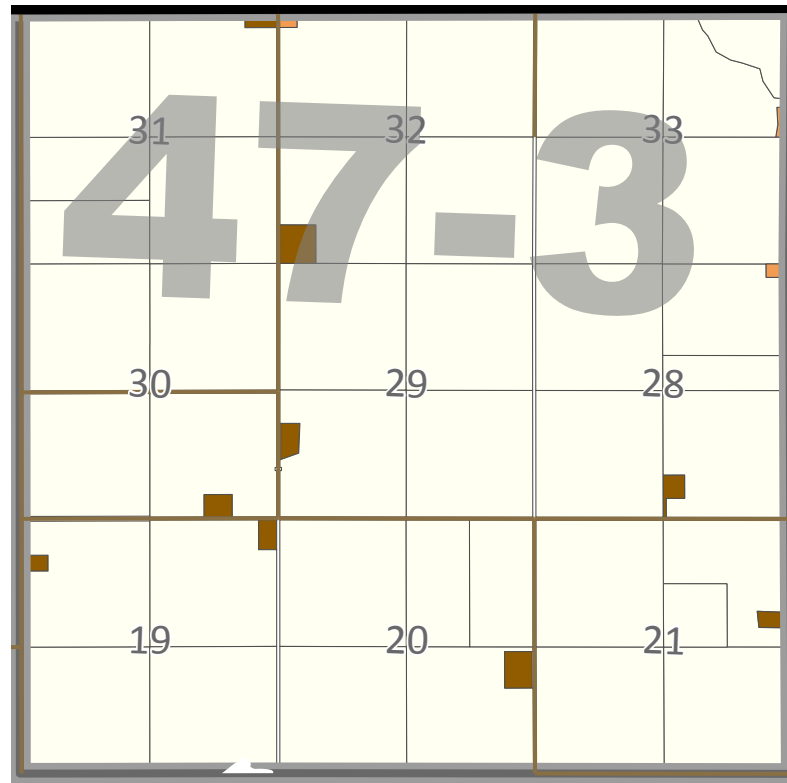
## Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



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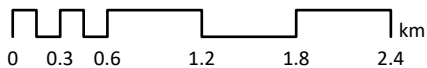


**47-4**

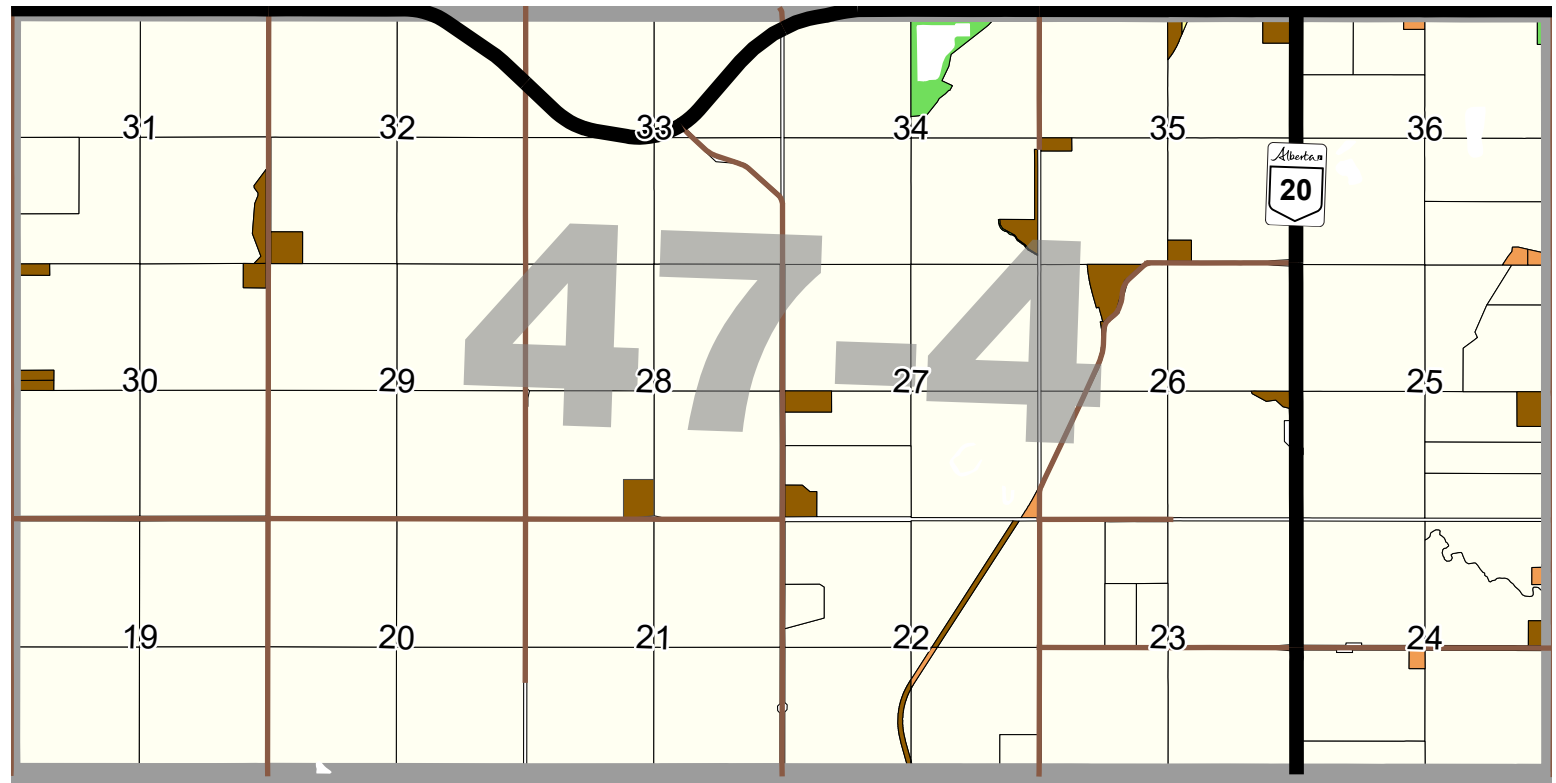
## Zoning Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
- Airport Land District
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing



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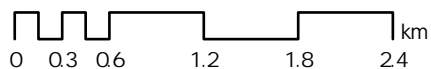


47-5

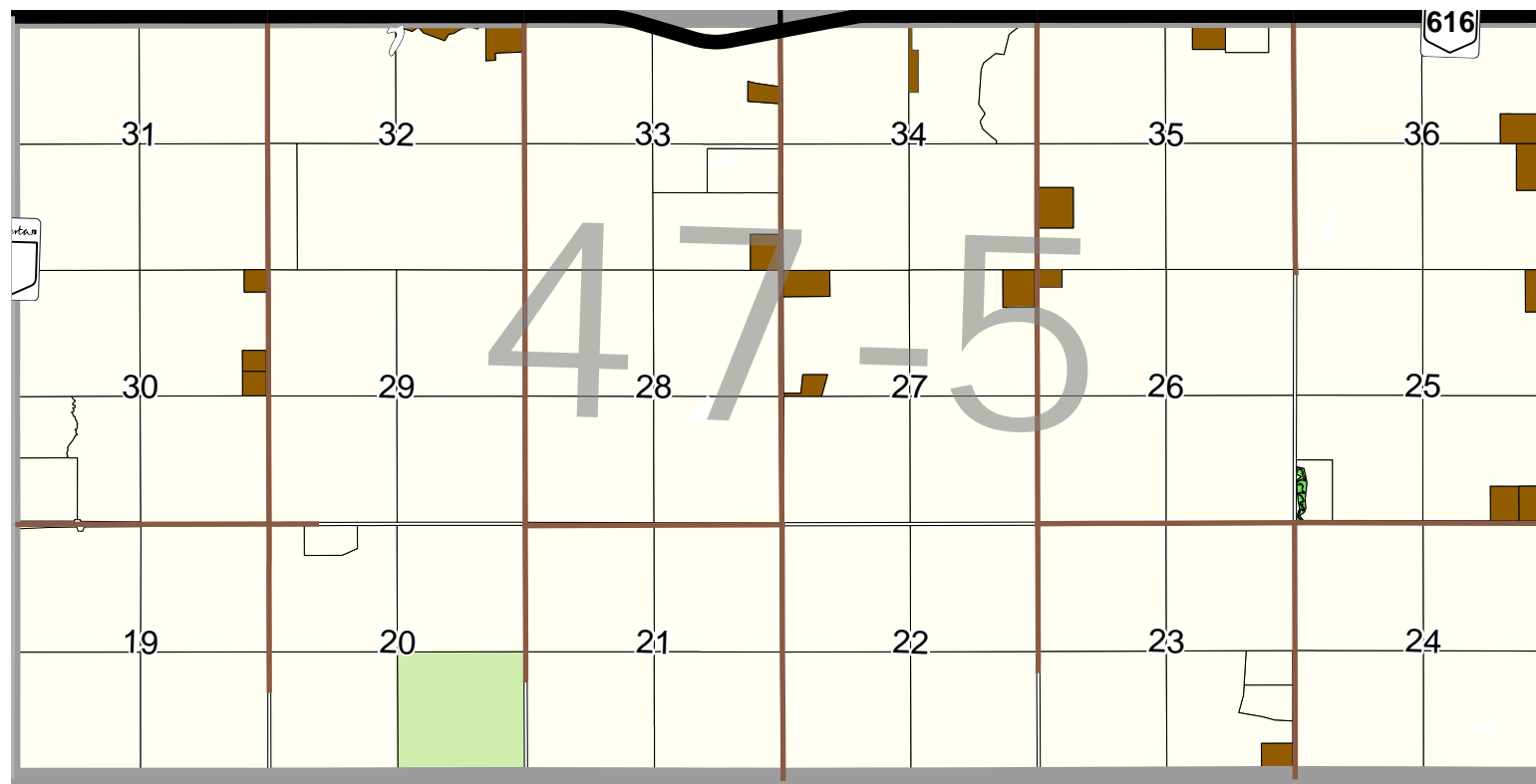
## Zoning Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
- Airport Land District
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Provincial Park



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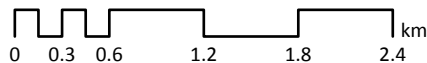


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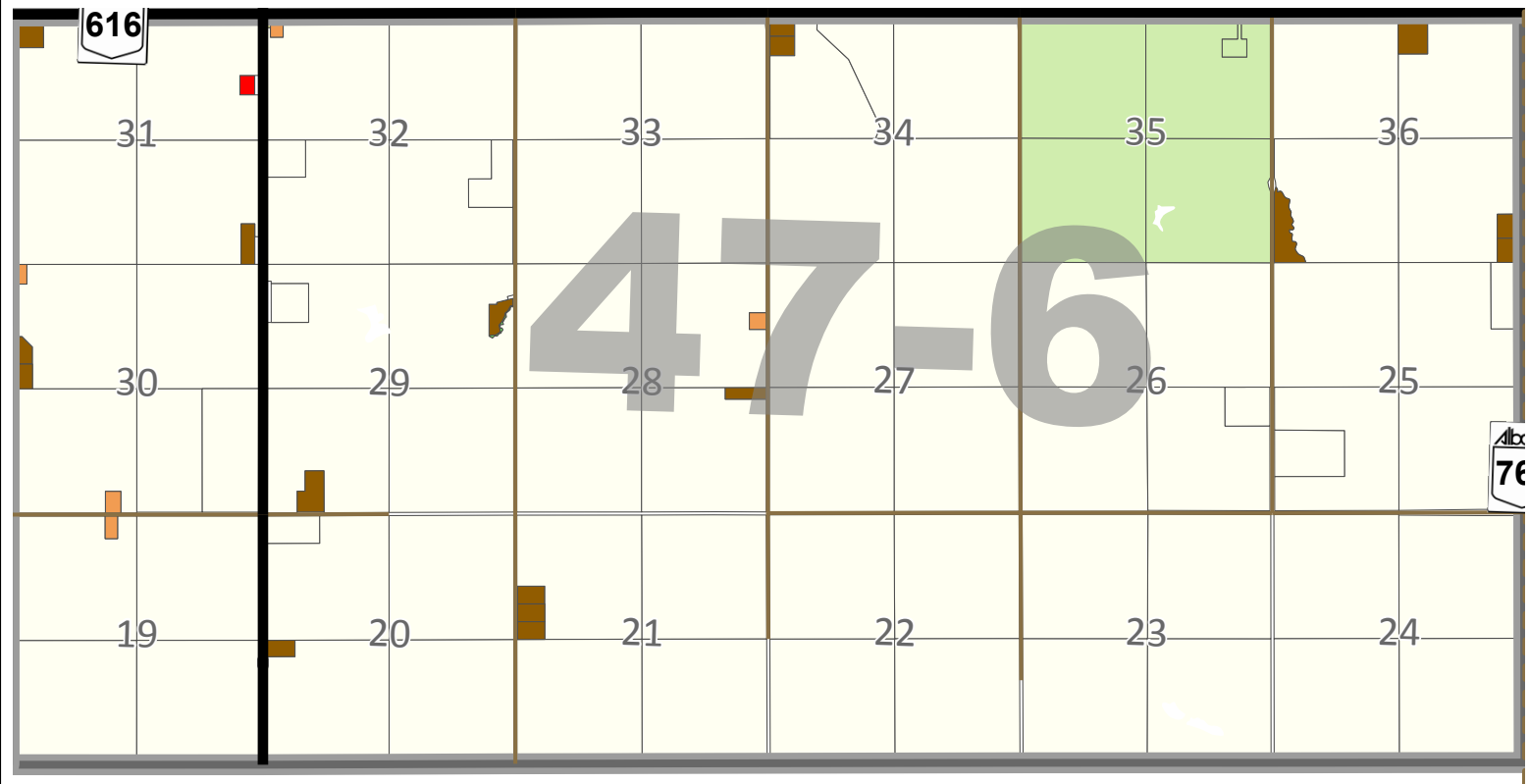
## Land Use Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Town/Village Boundaries
- Provincial Park



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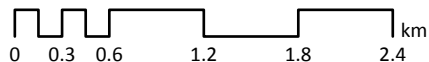




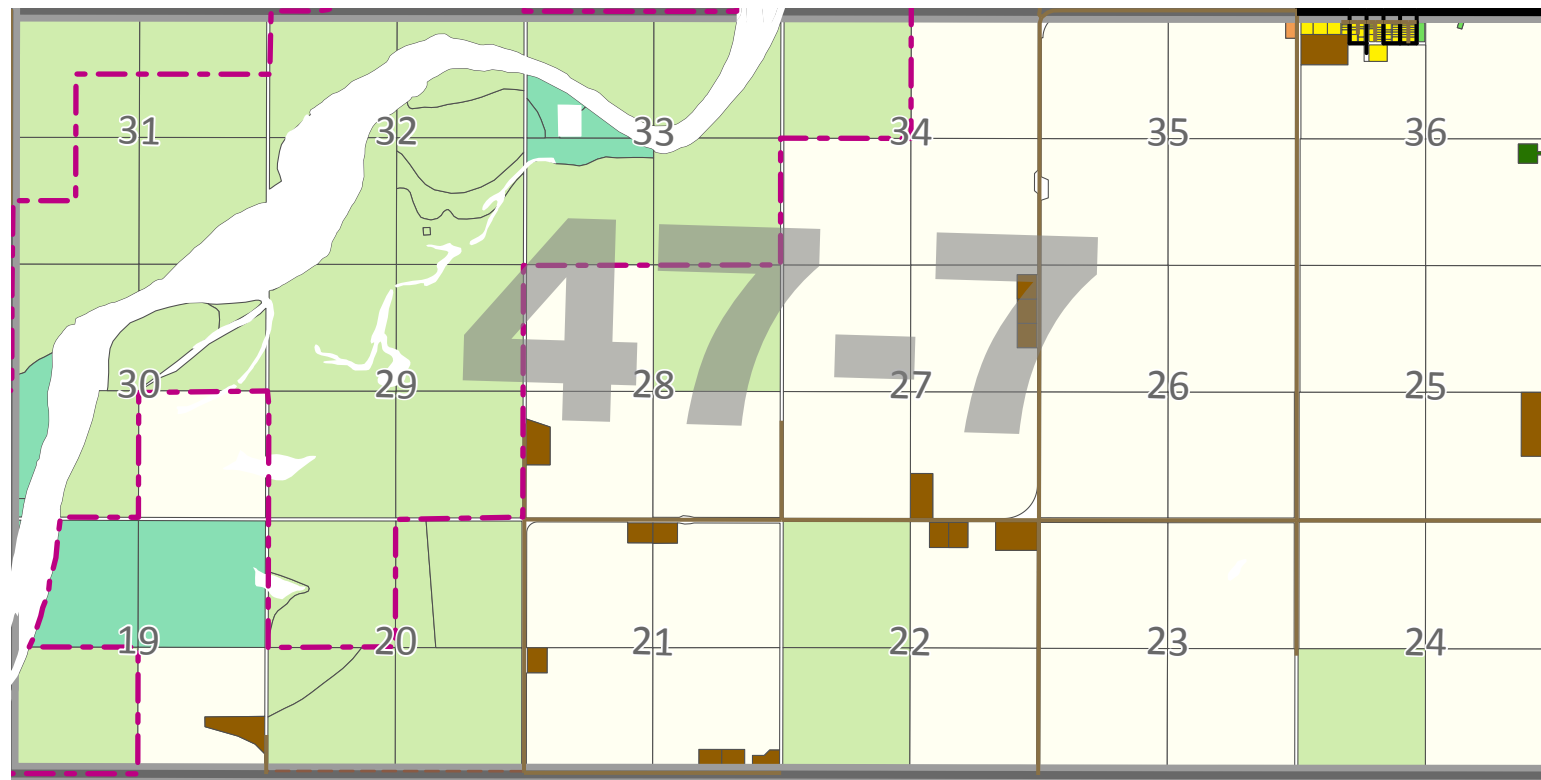
# 47-7 Land Use Map

## ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Township Grid
-  Provincial Park



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**47-8**

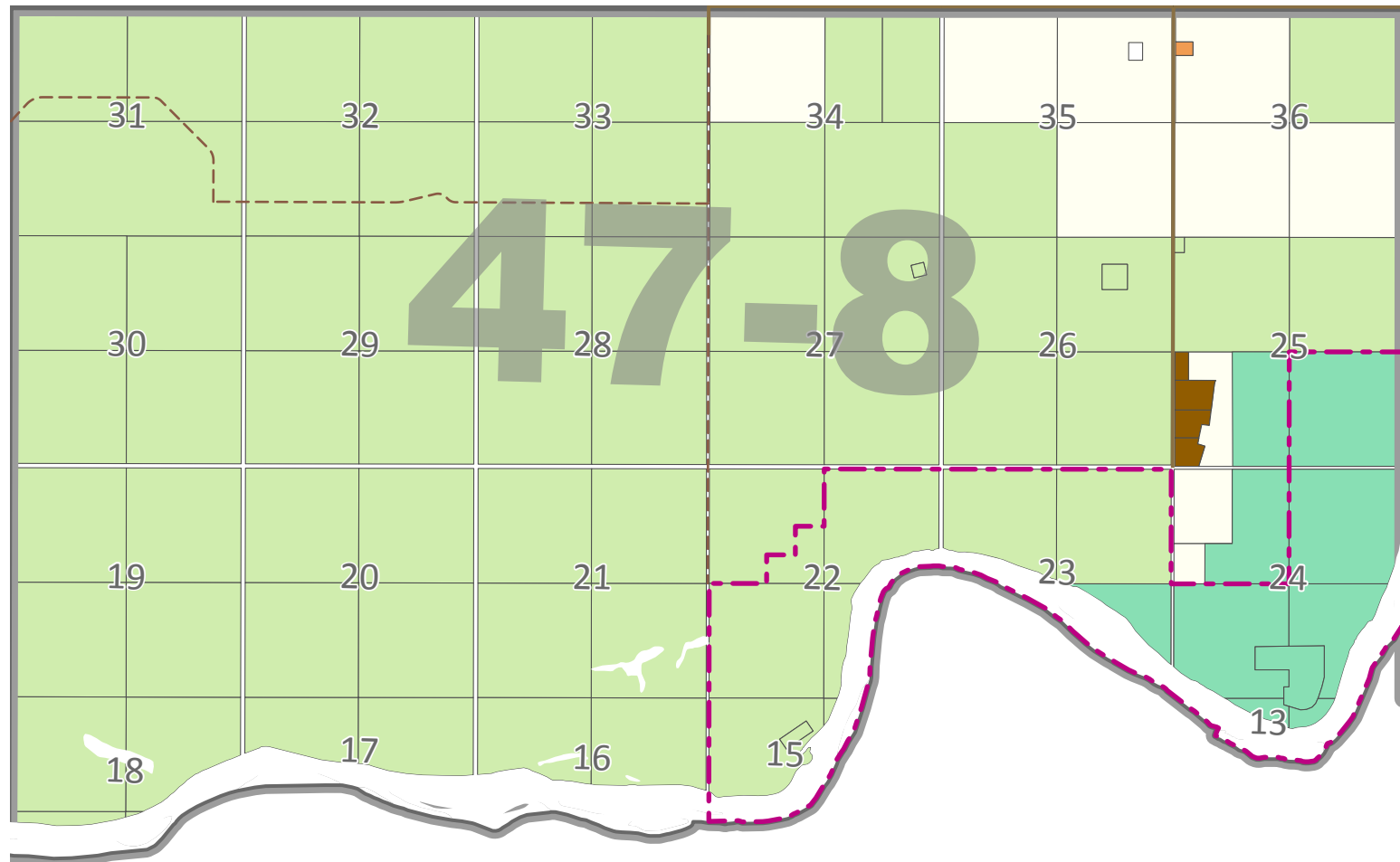
## Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



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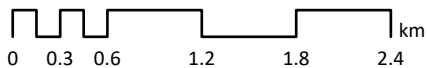


**47-9**

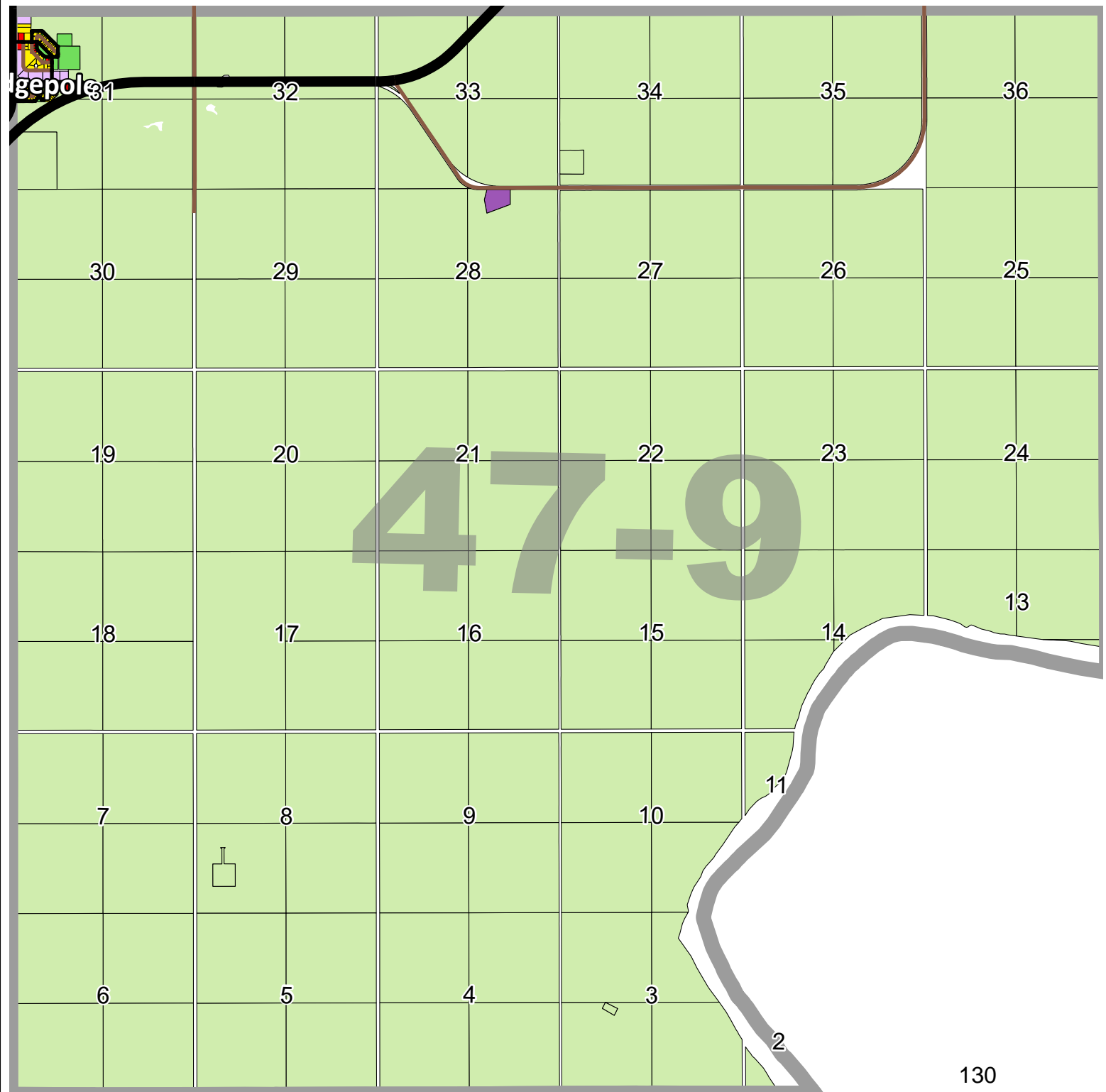
## Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Provincial Park















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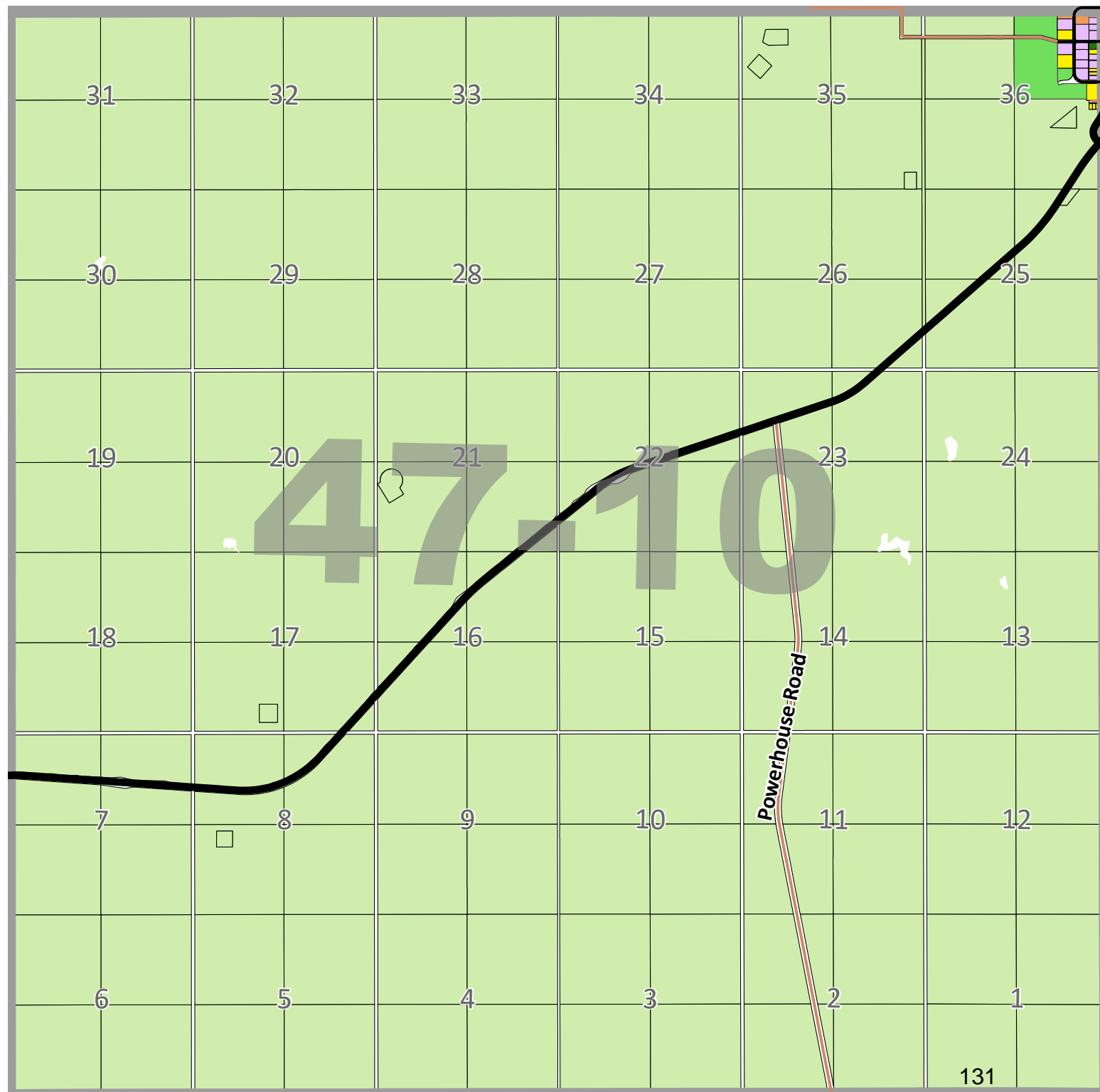
## 47-10 Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Provincial Park



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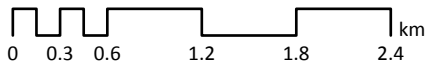




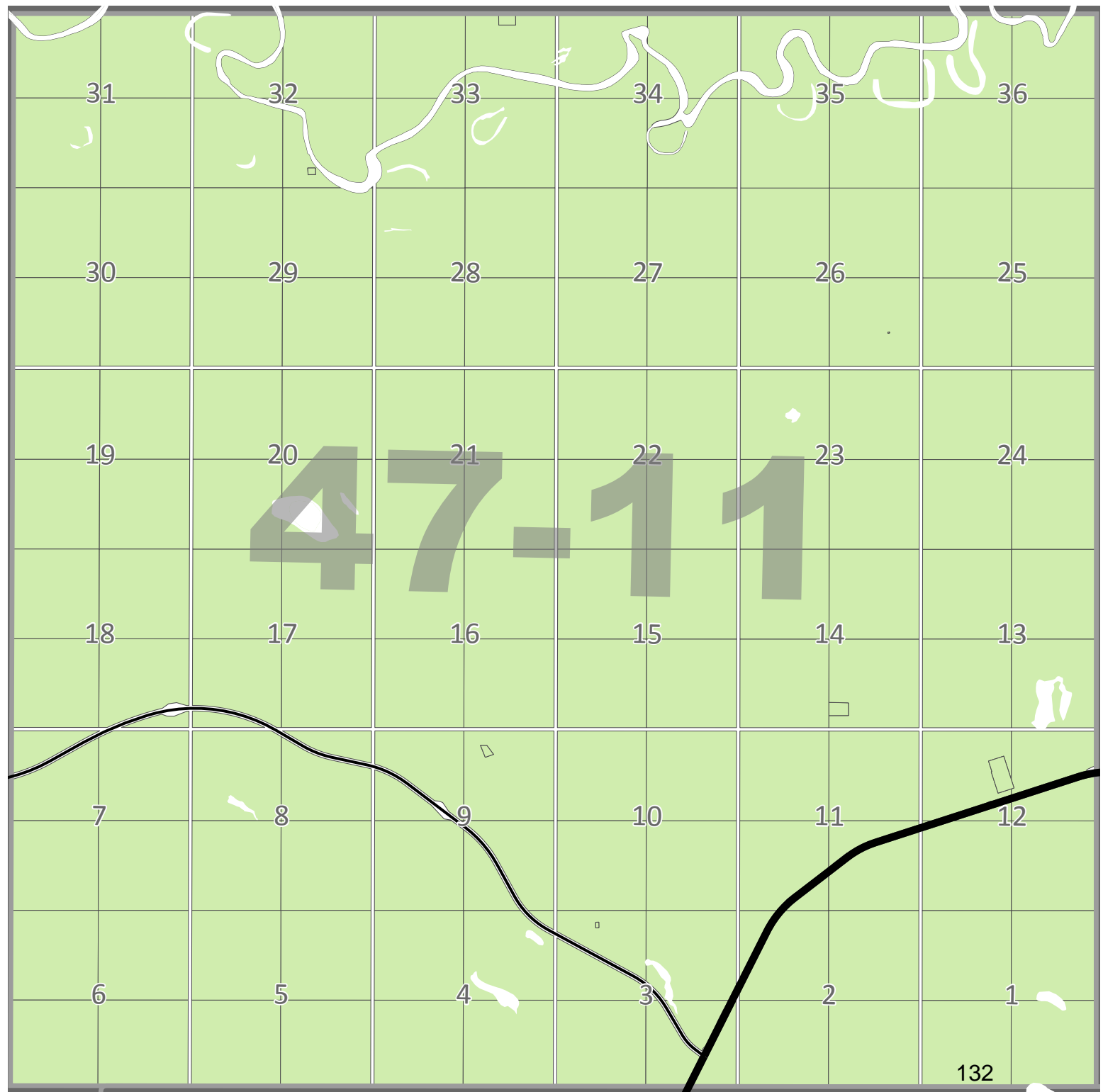
## 47-11 Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



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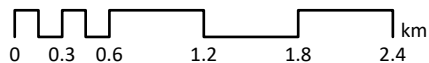


**48-3**

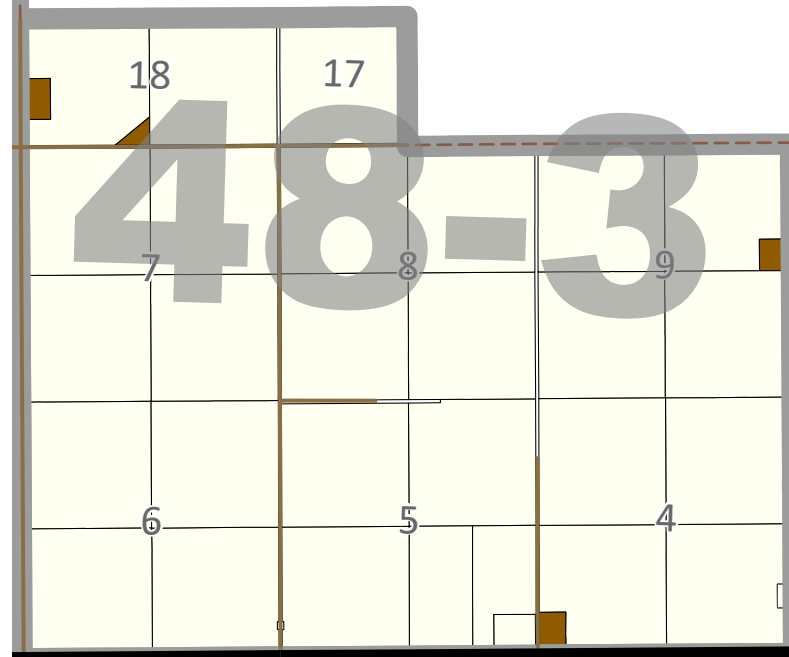
## Zoning Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Provincial Park
- Town/Village Boundaries



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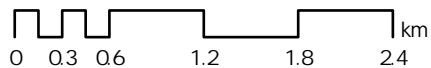


48-4

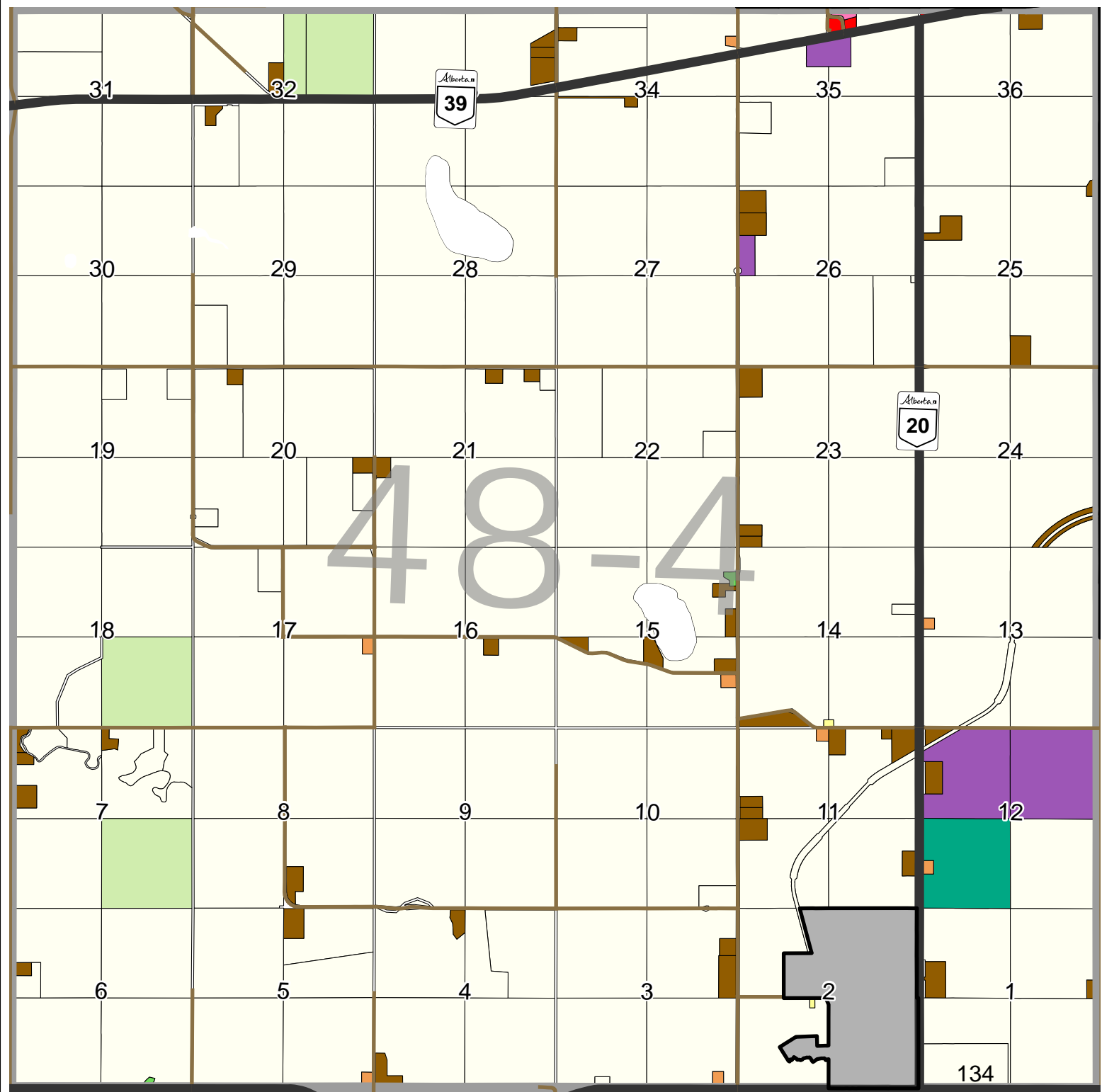
## Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Provincial Park



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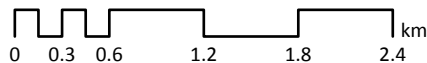


**48-5**

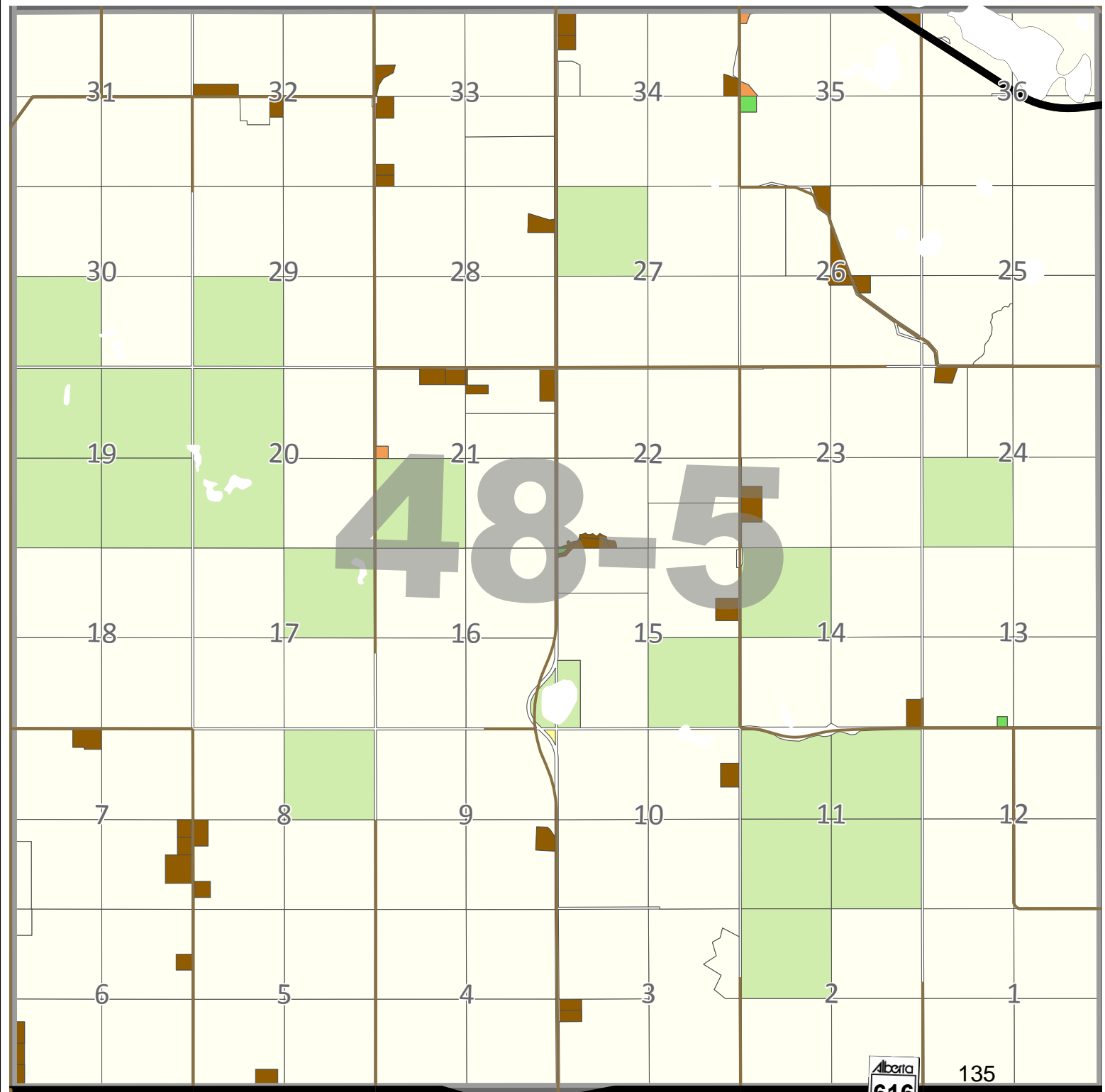
## Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
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**48-6**

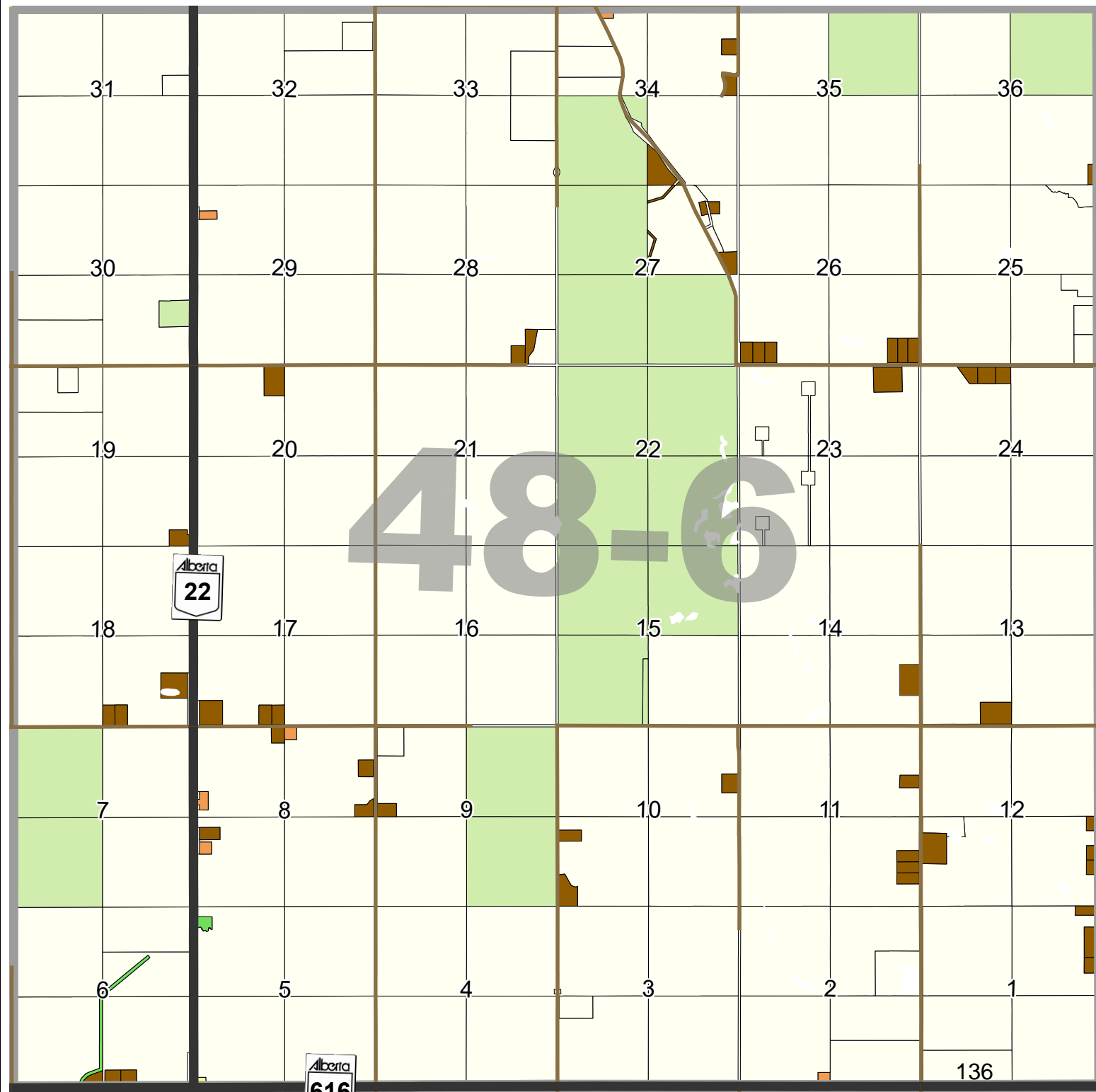
## Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
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









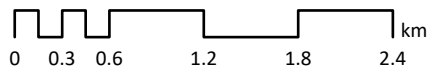


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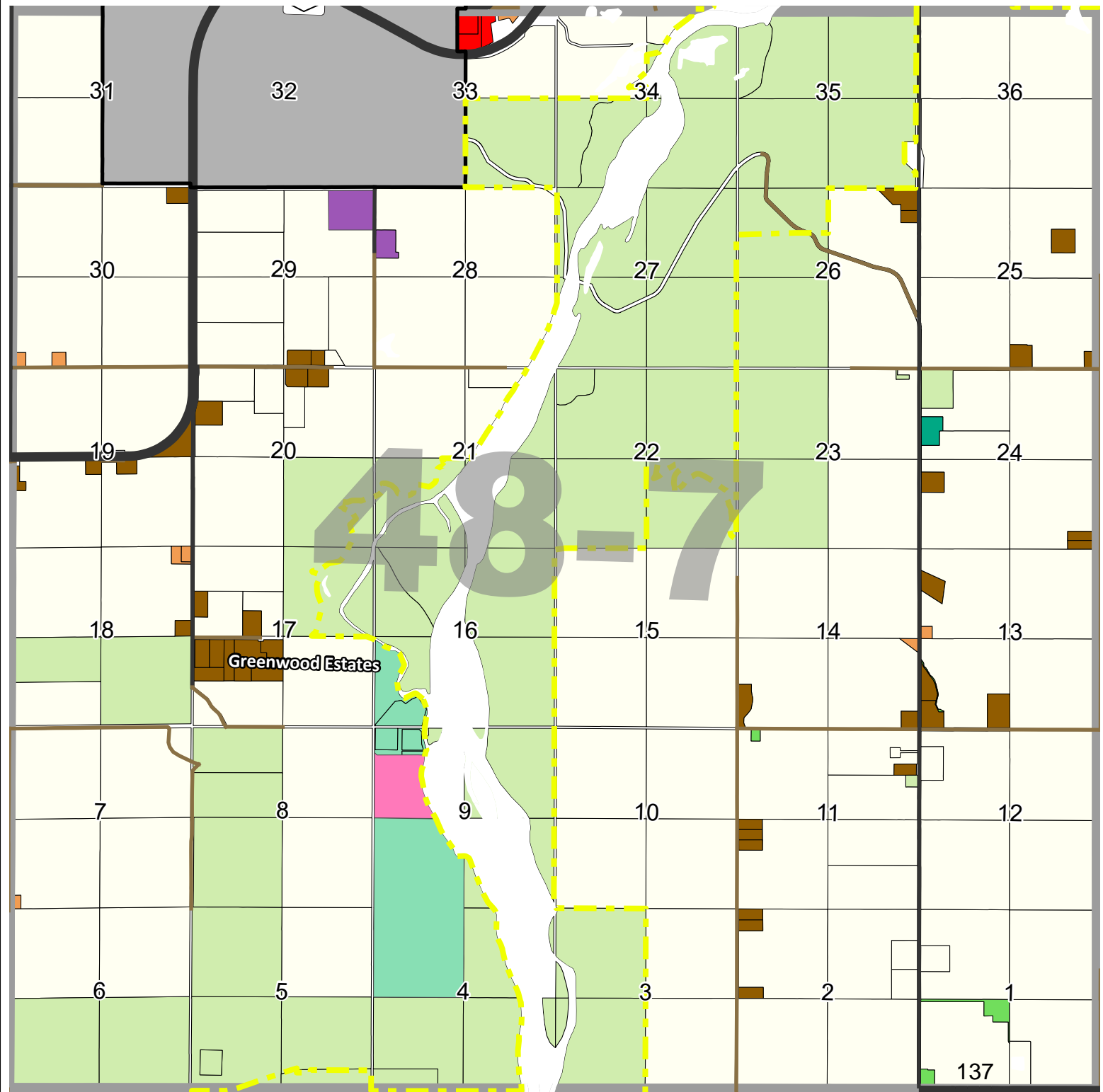
## Zoning Map

### ZONING CODES

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-  Agricultural Holdings
-  Airport Land District
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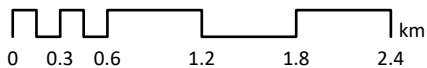


48-8

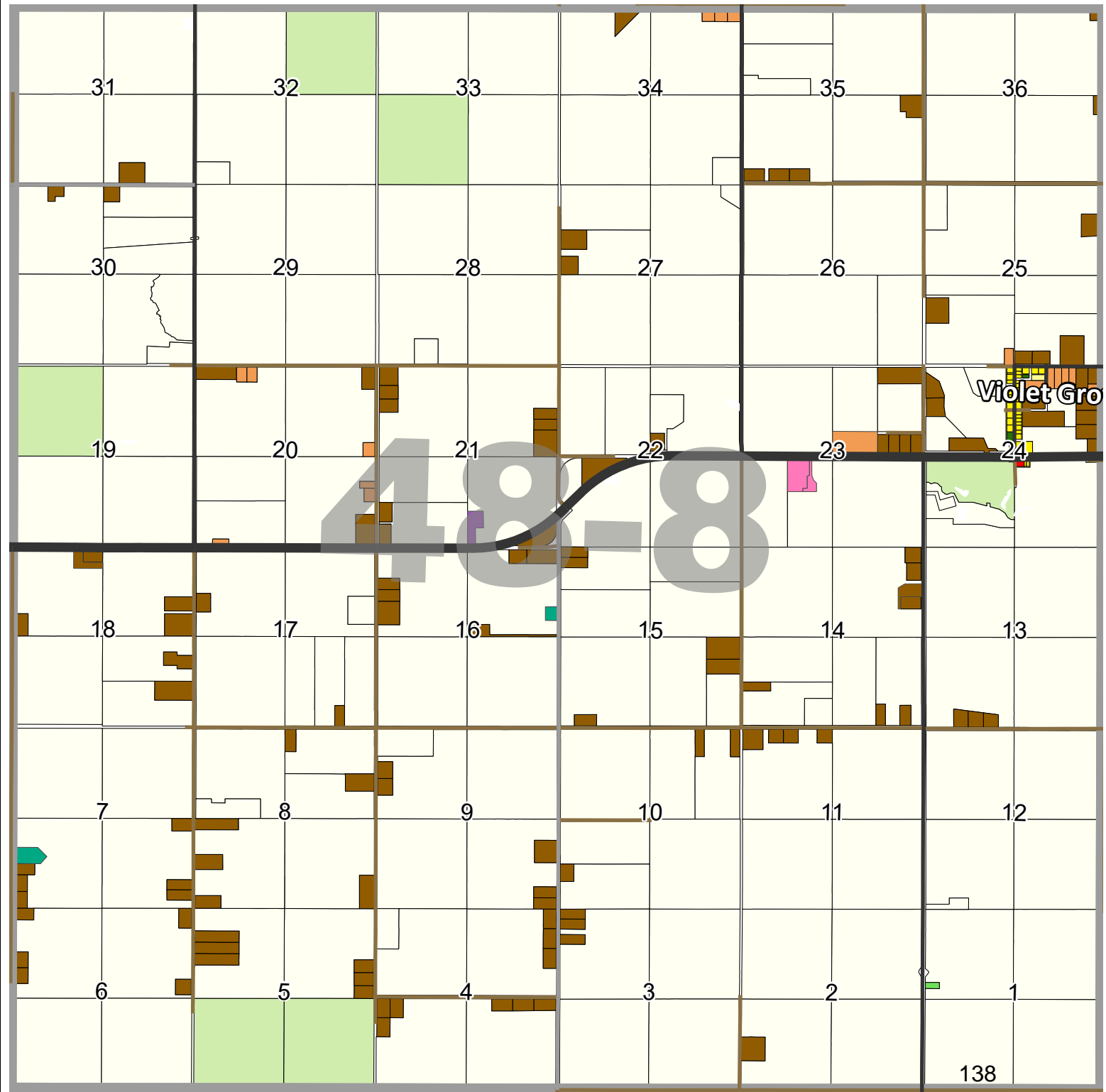
## Zoning Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
- Airport Land District
- Country Residential
- Compact Country Residential
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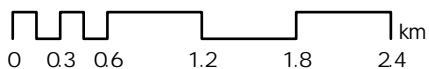


48-9

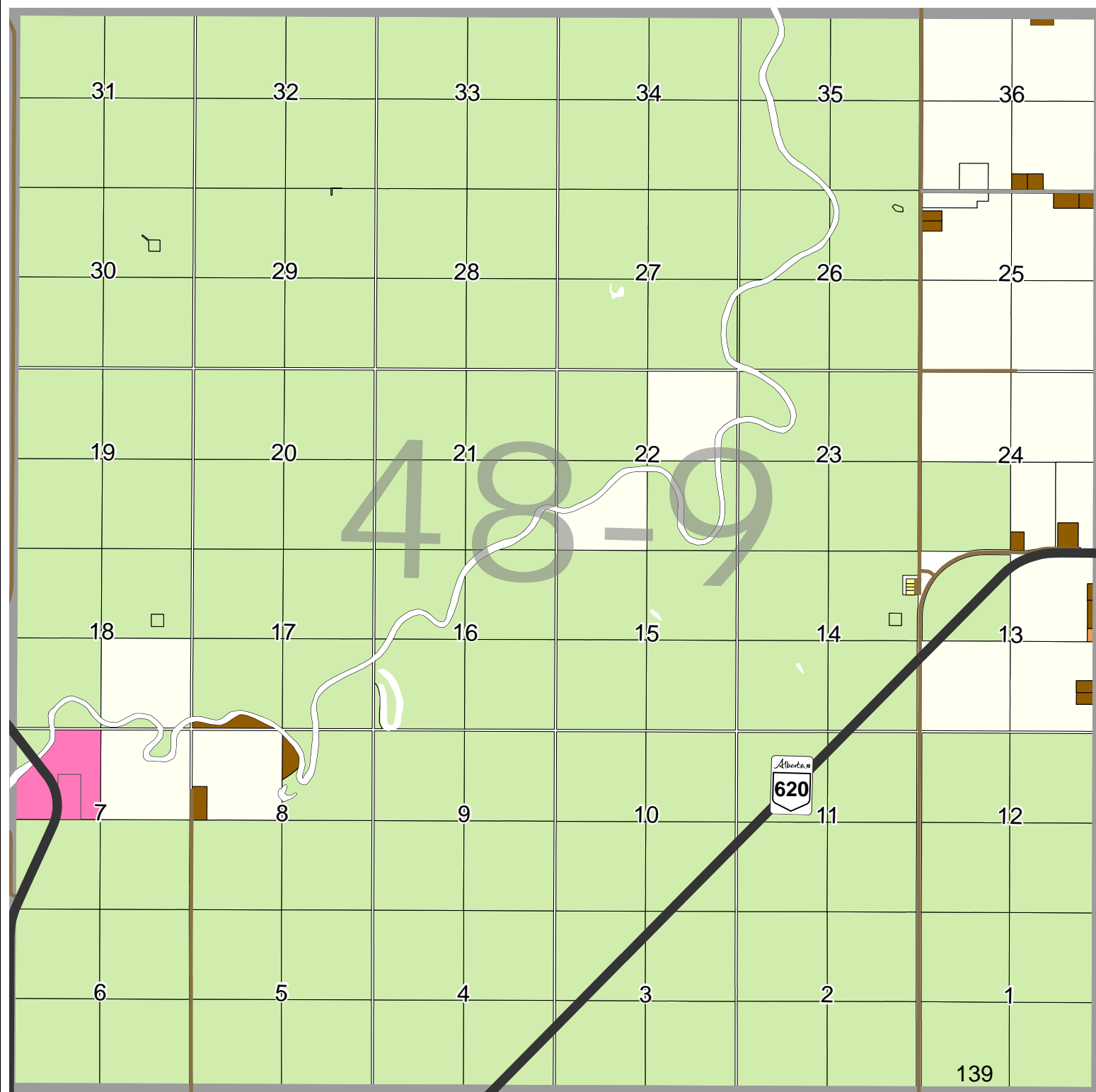
## Zoning Map

### ZONING CODES

-  Agricultural
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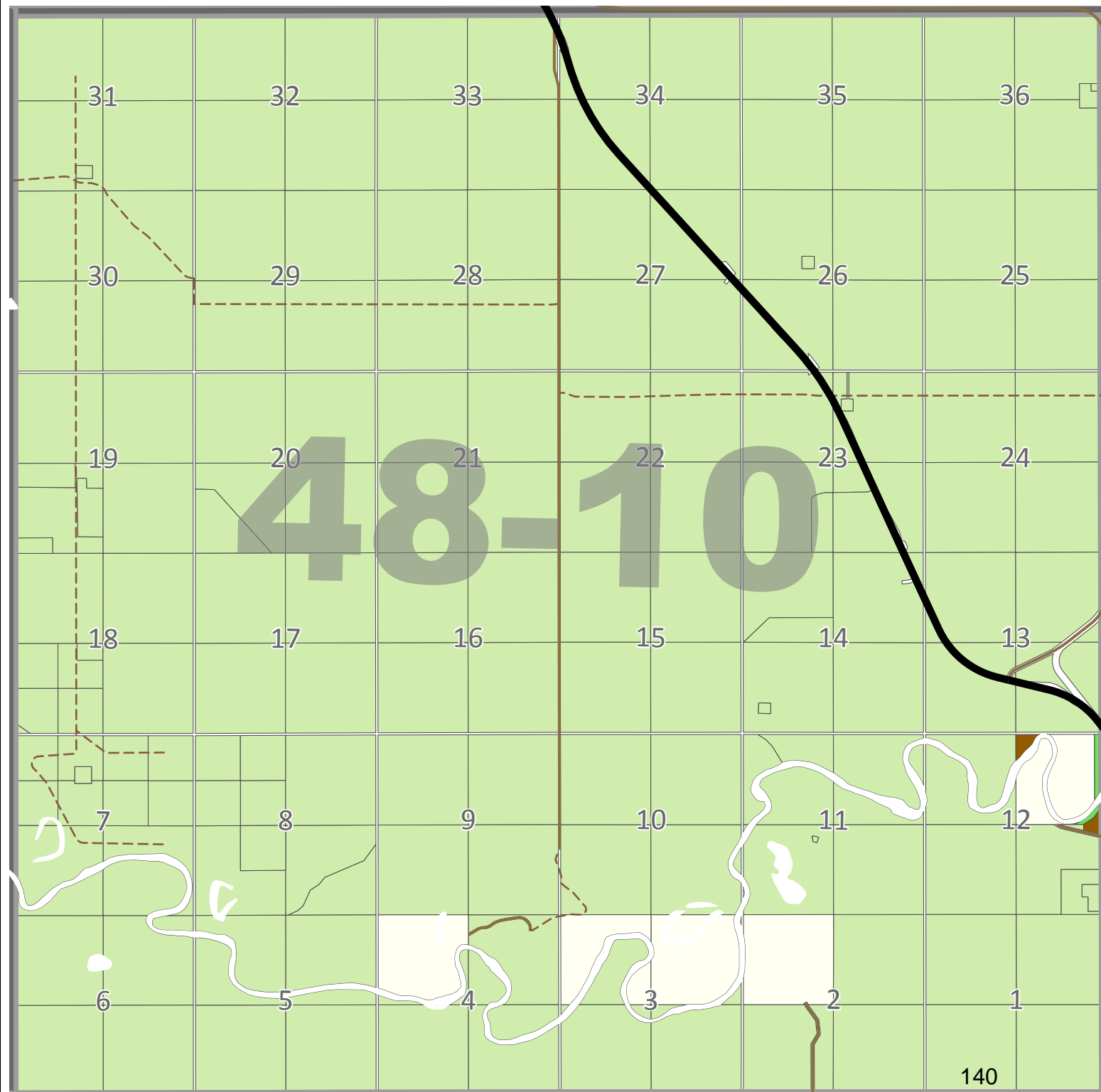
# 48-10 Land Use Map

## ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
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-  Birchwood Country Condominium
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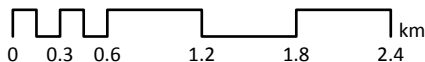


**48-11**

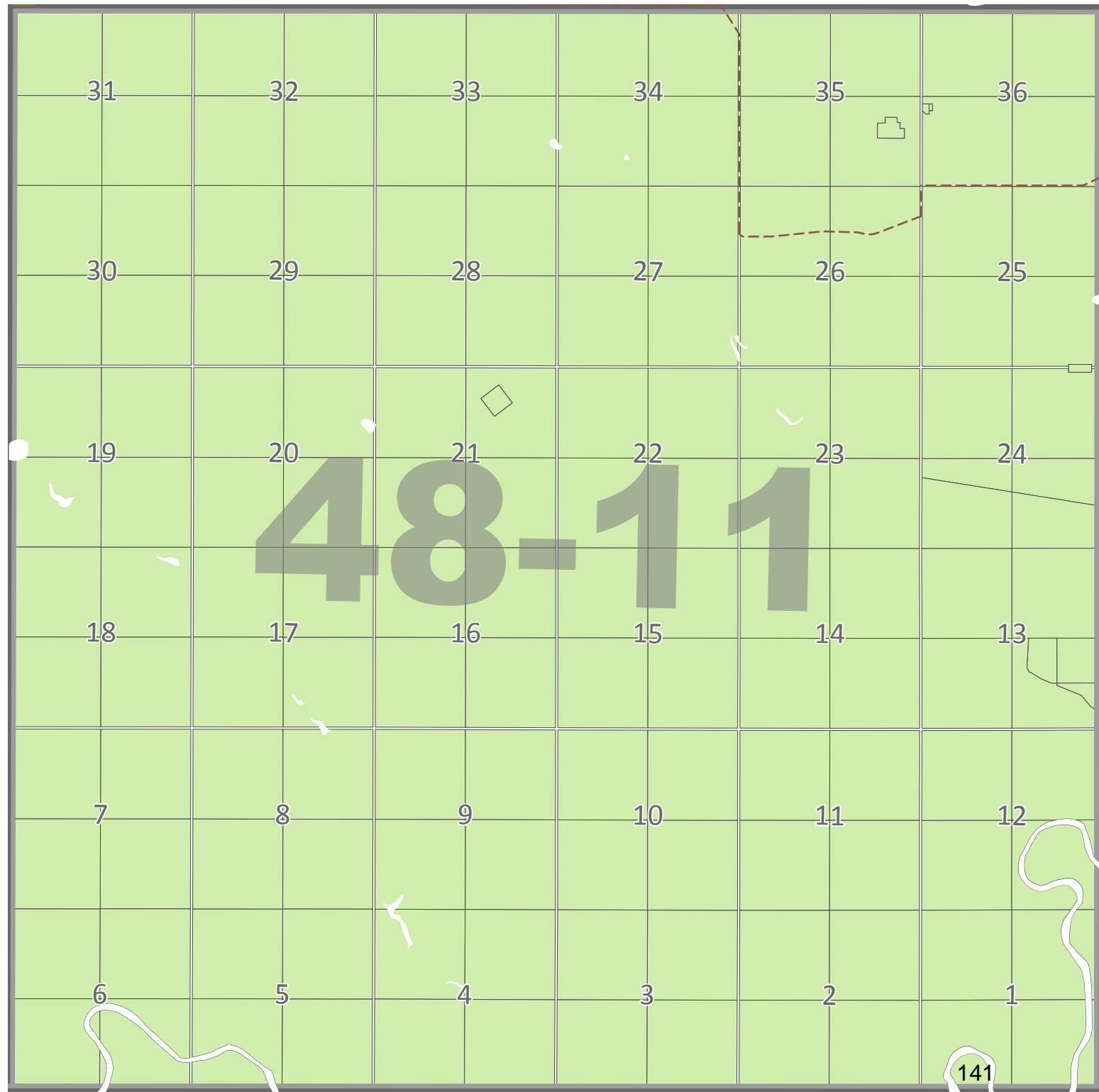
## Land Use Map

### ZONING CODES

-  Agricultural
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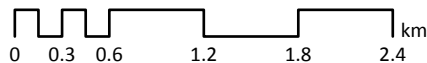


**49-4**

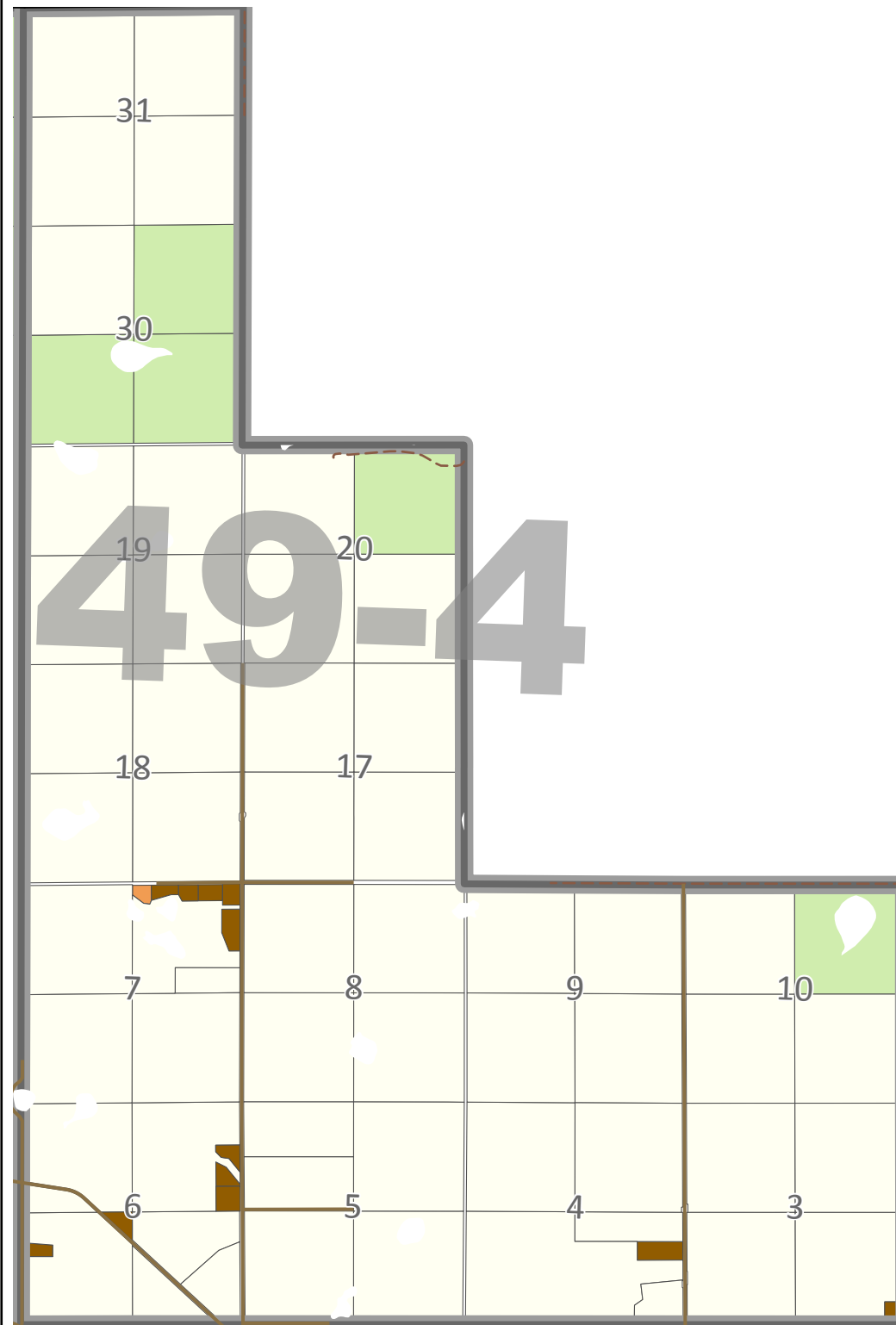
## Land Use Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
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















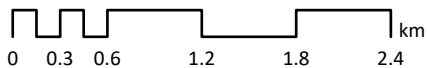


49-5

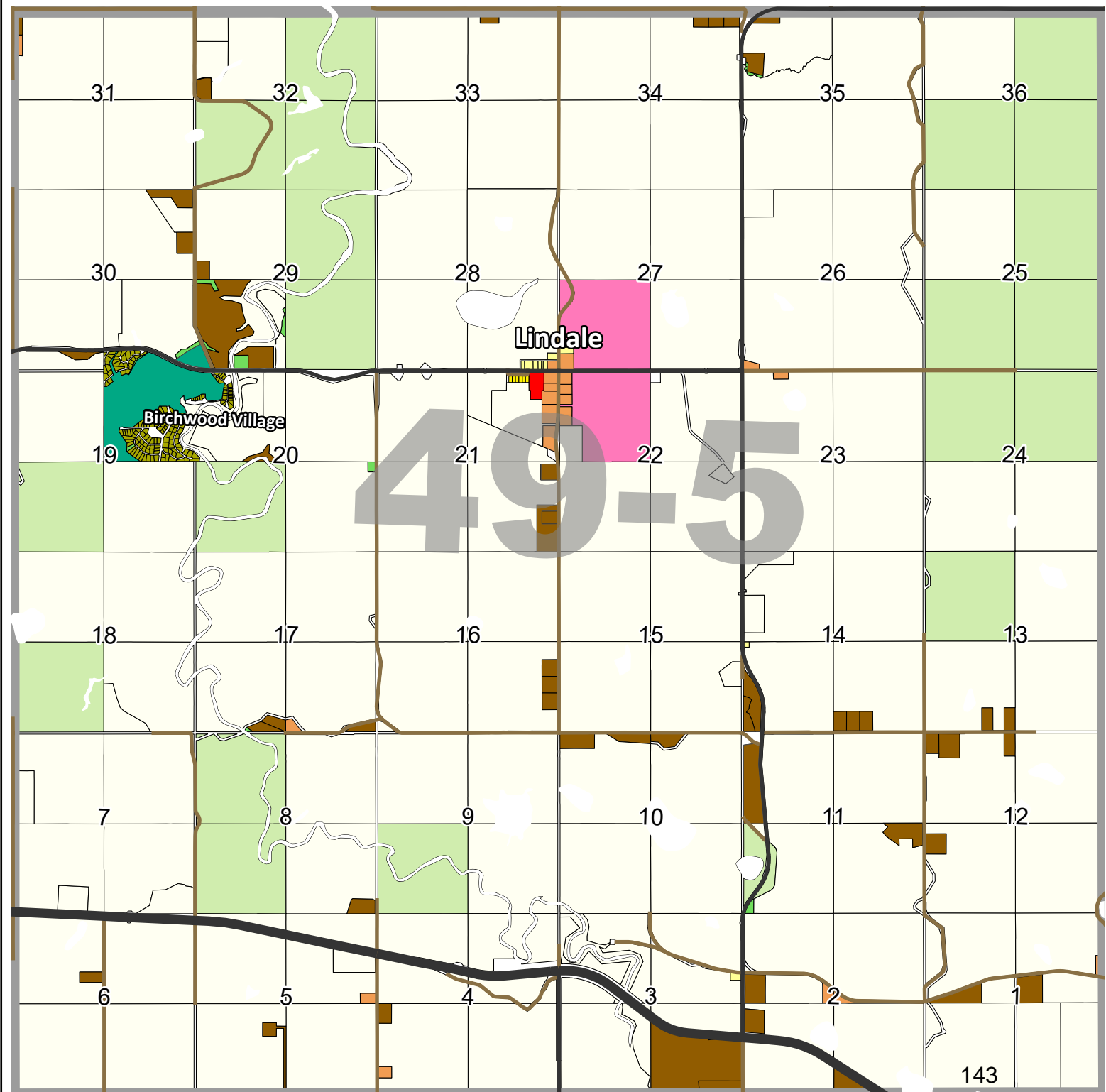
## Zoning Map

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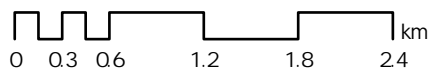


49-6

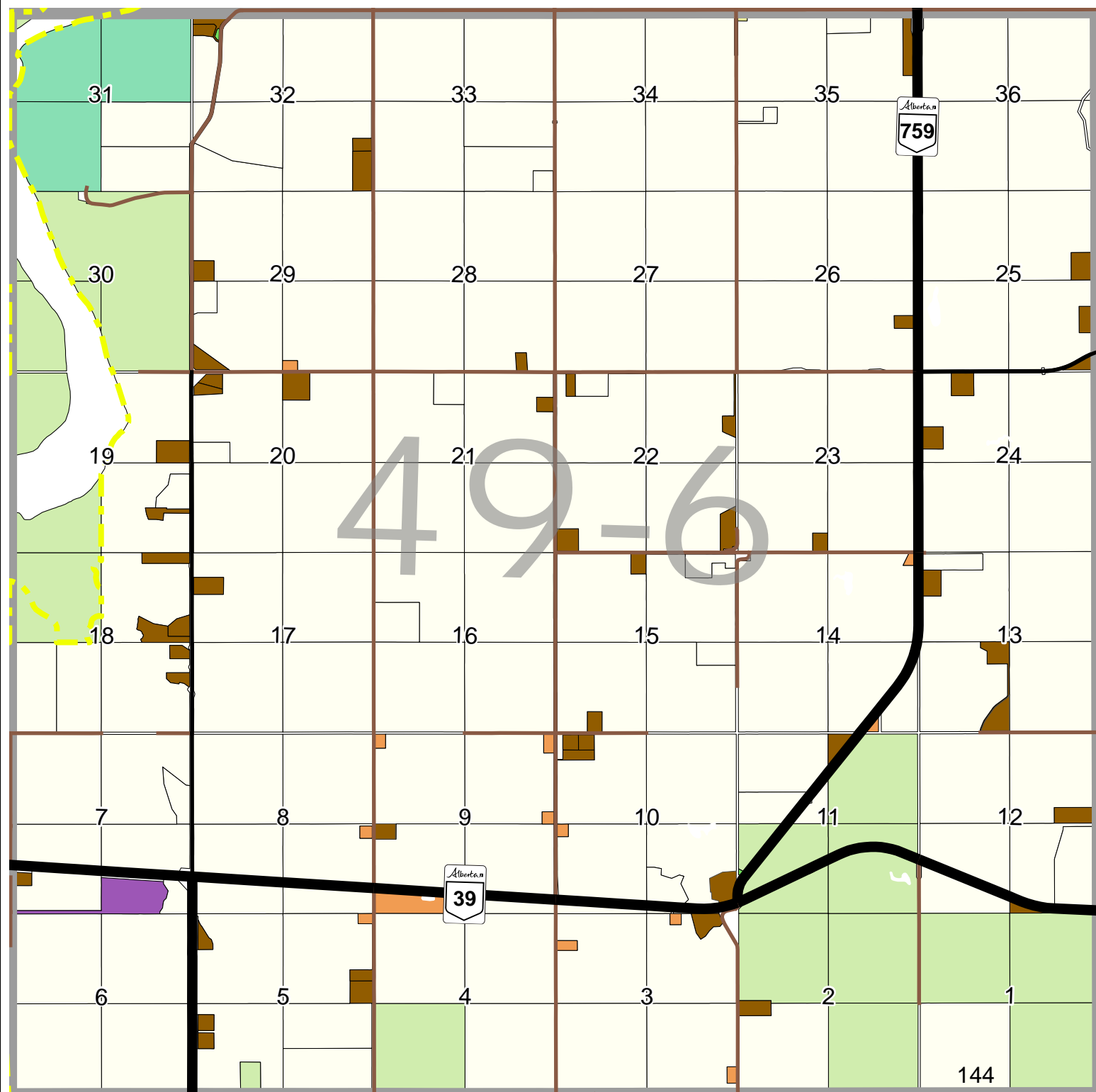
## Zoning Map

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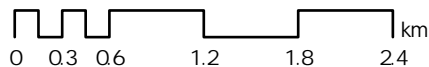


49-7

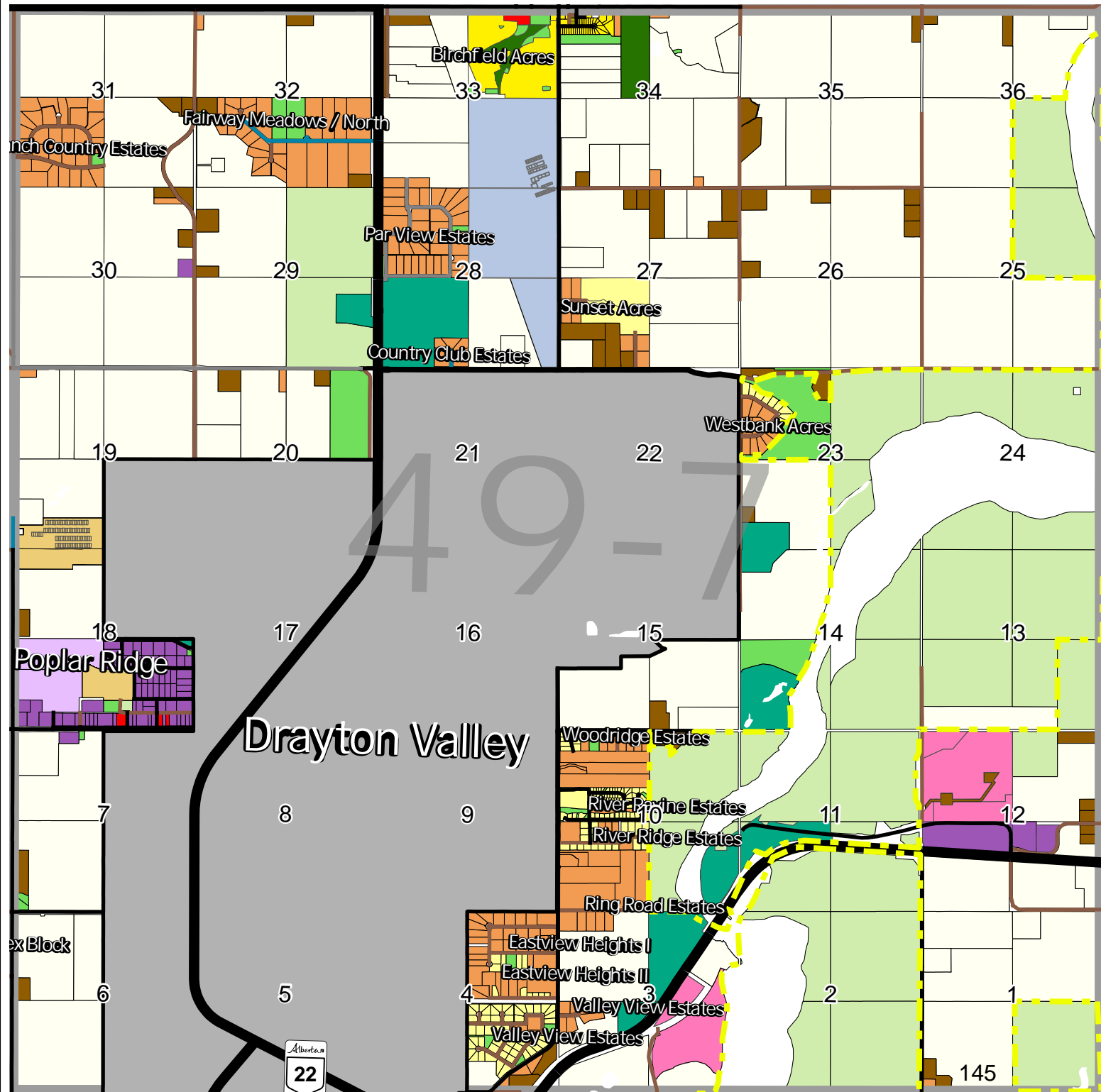
## Zoning Map

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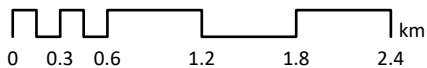


49-8

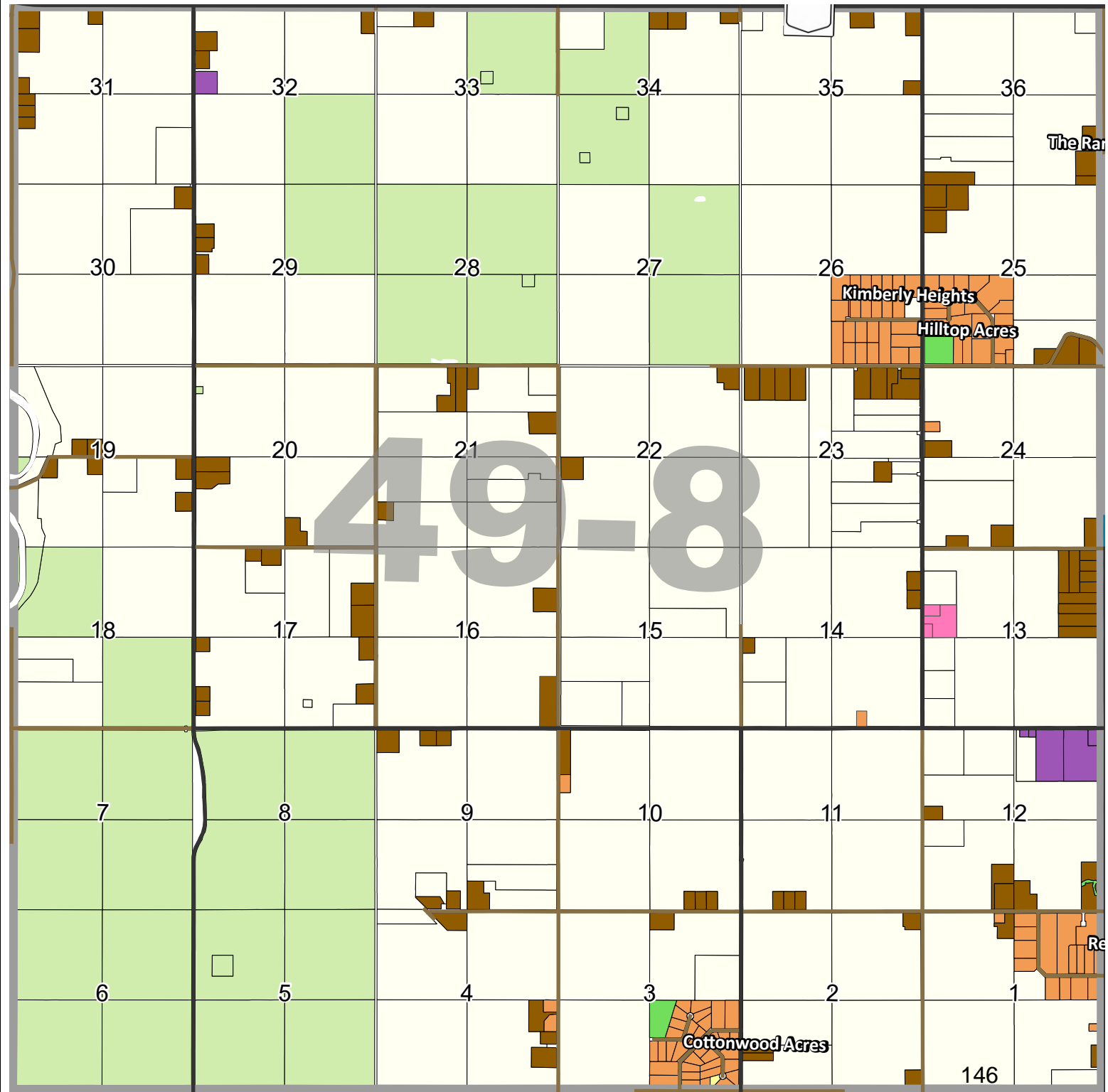
## Zoning Map

### ZONING CODES

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- Agricultural Holdings
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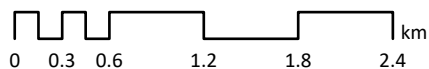


**49-9**

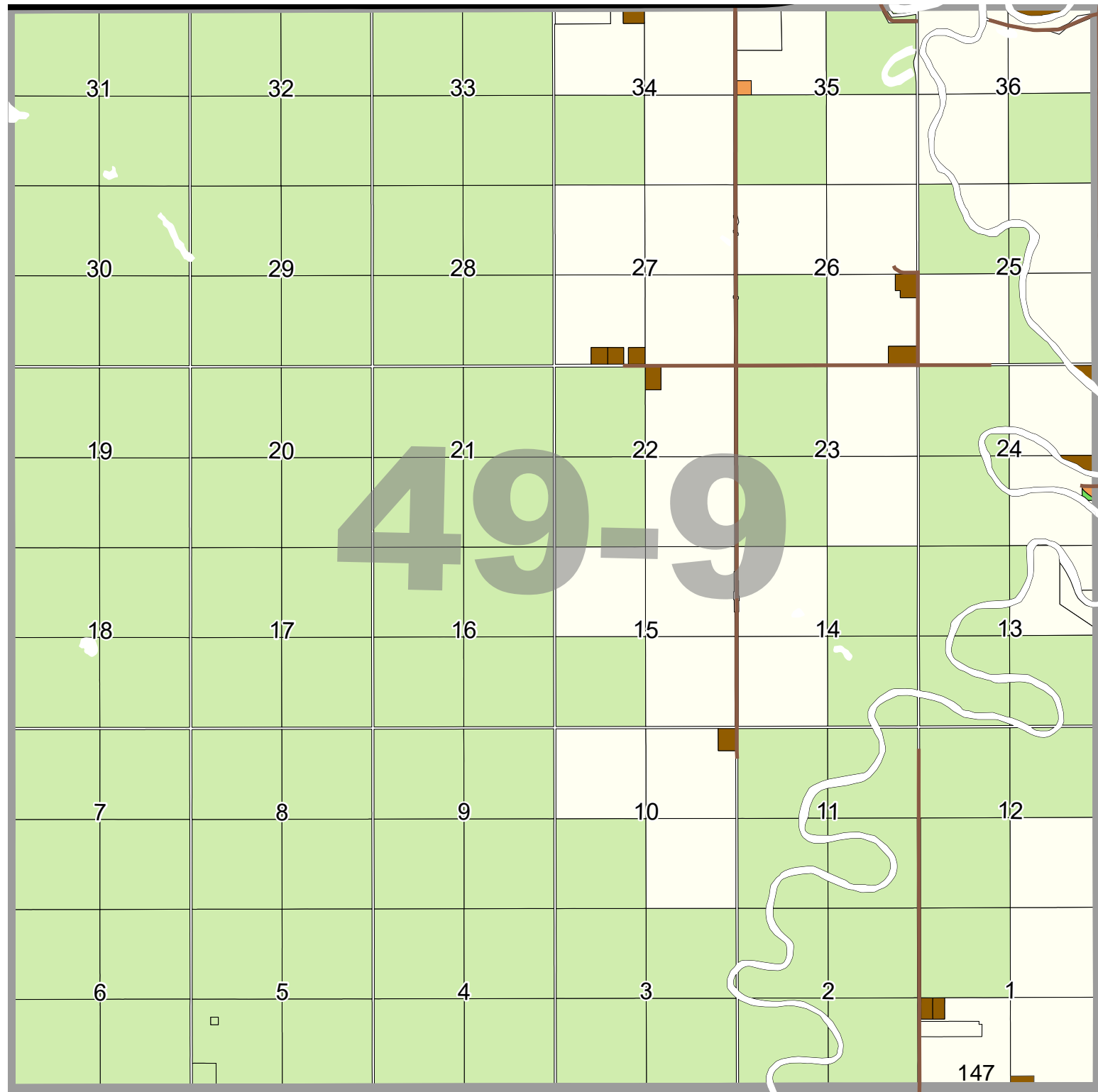
## Zoning Map

### ZONING CODES

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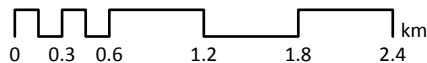




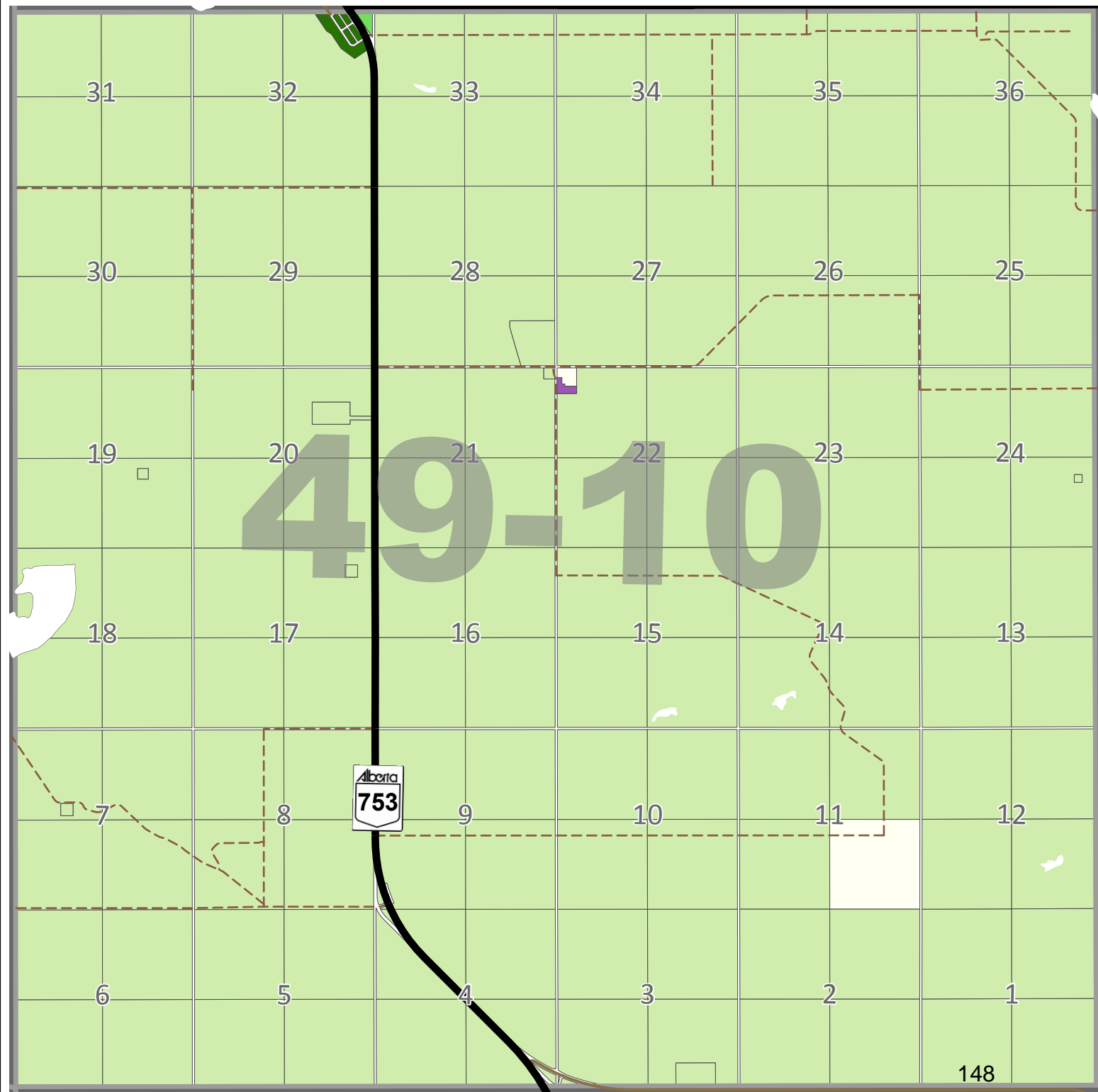
## 49-10 Land Use Map

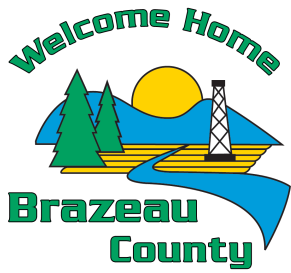
### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
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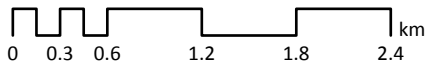




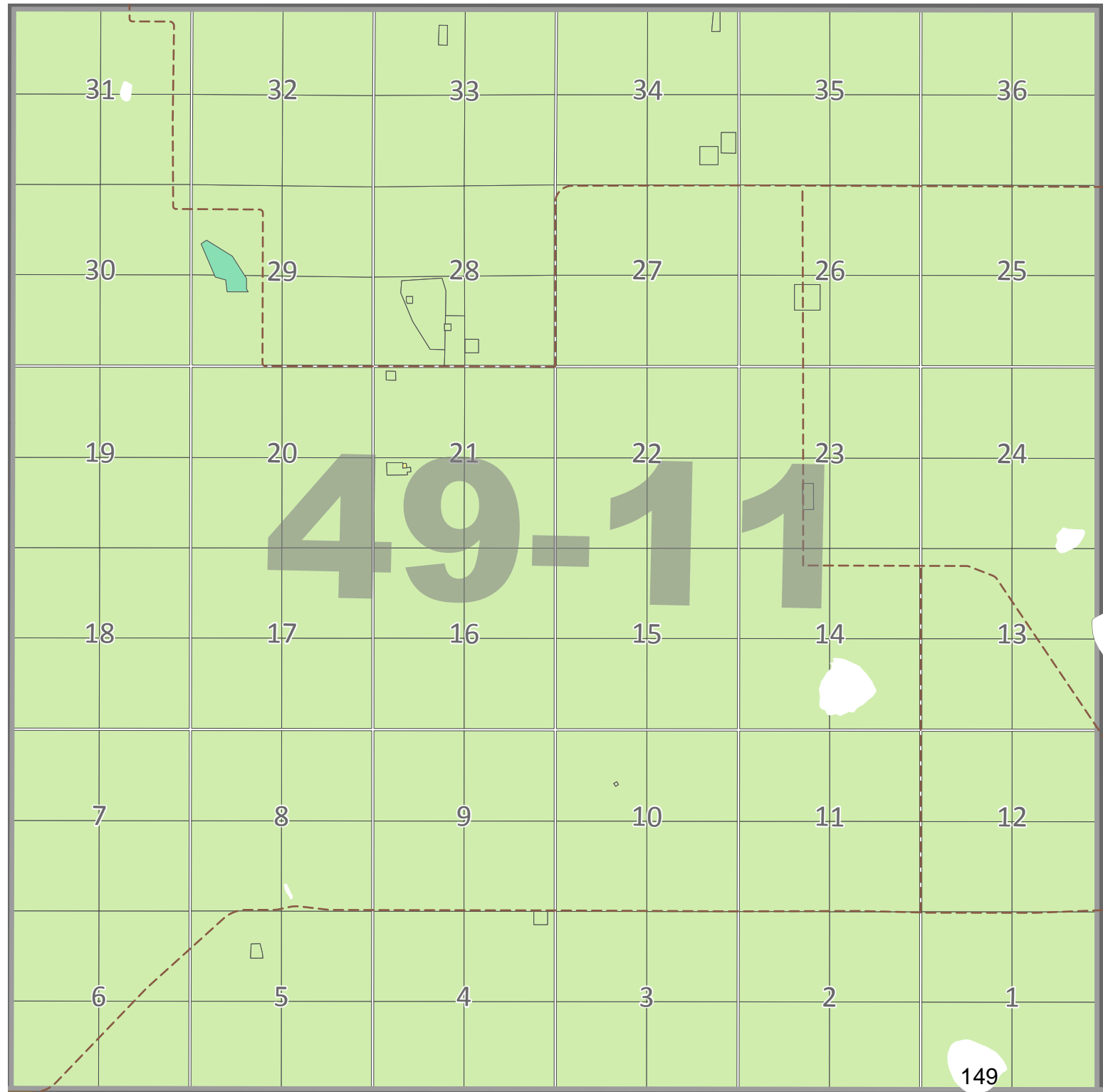
# 49-11 Land Use Map

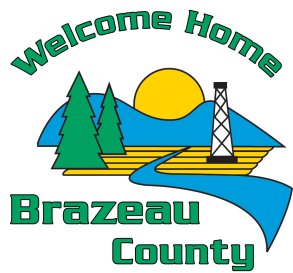
## ZONING CODES

- Agricultural
- Agricultural Holdings
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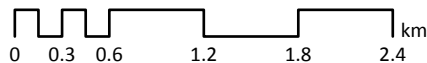


**50-4**

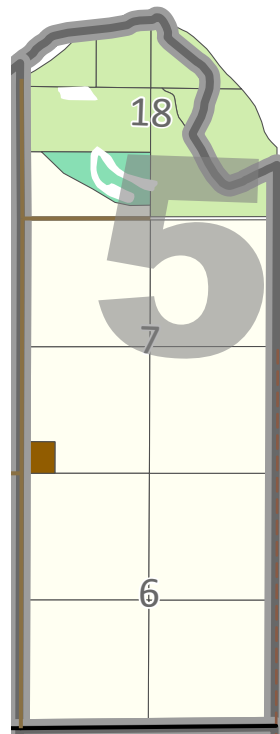
## Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
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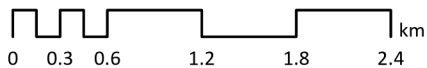




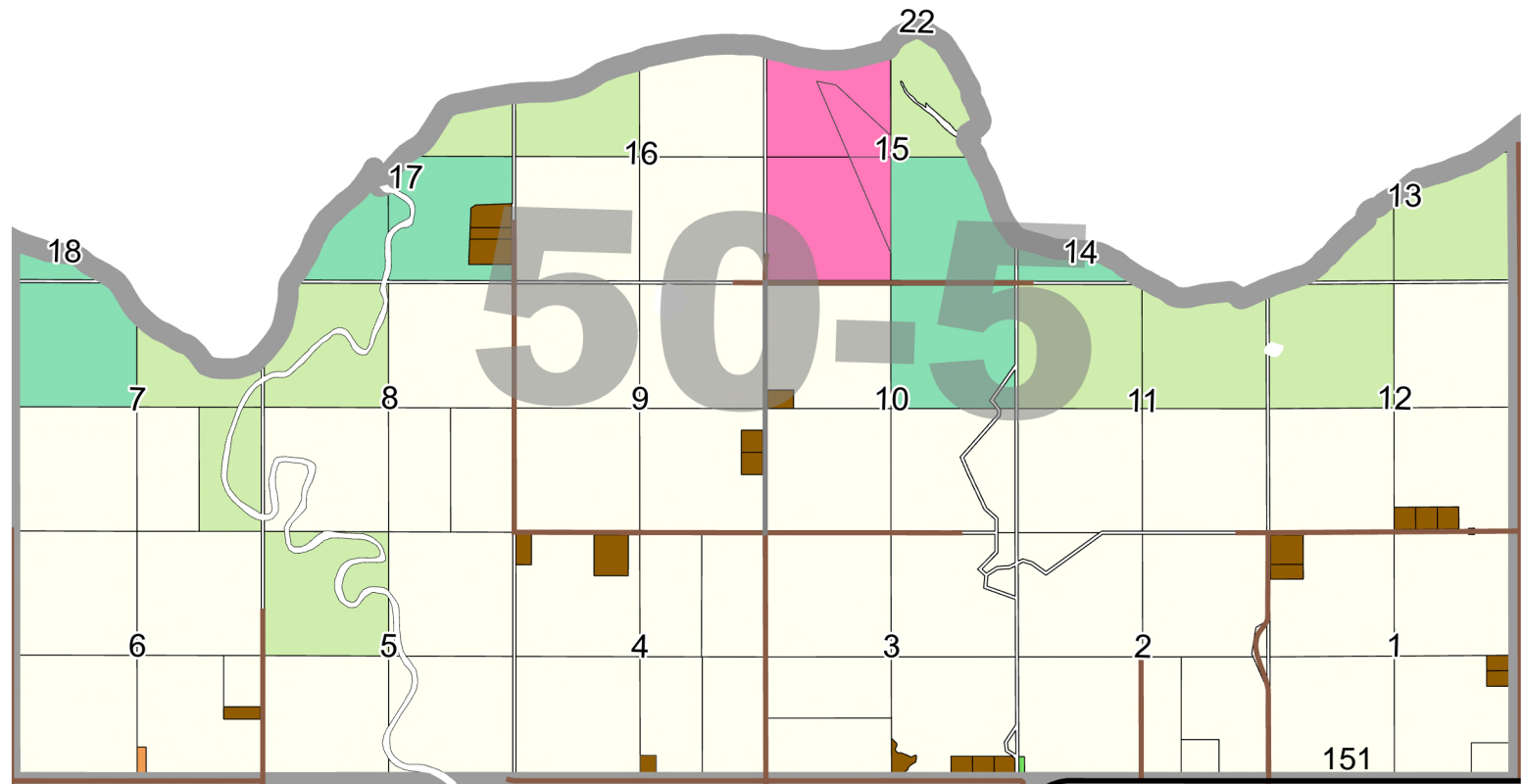
## 50-5 Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
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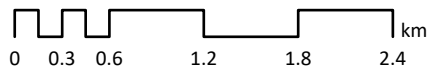




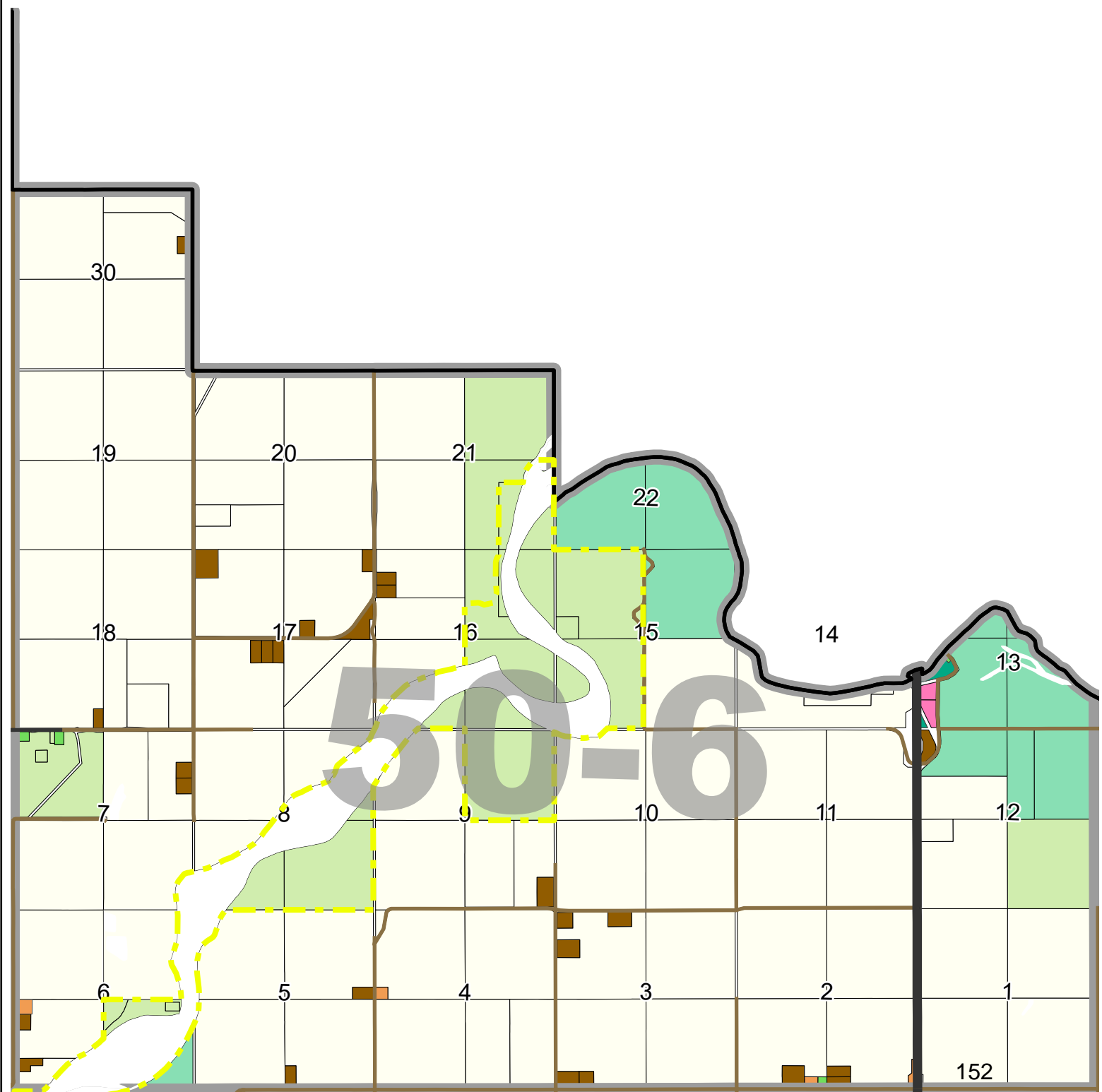
## 50-6 Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
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50-7

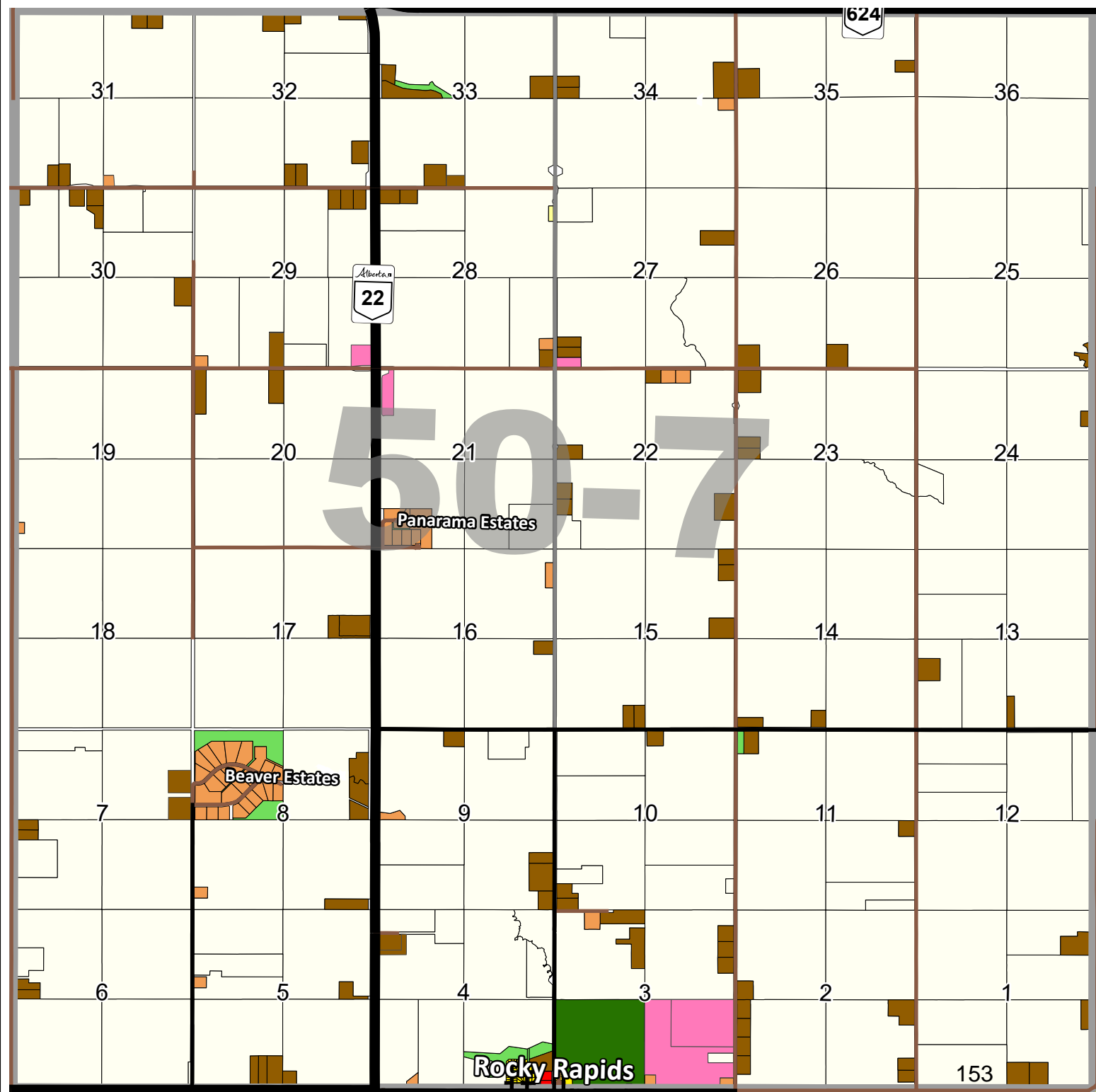
## Zoning Map

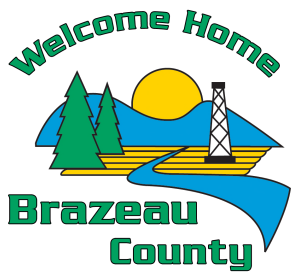
### ZONING CODES

-  Agricultural
-  Agricultural Holdings
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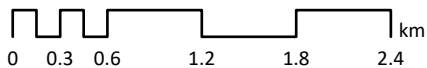




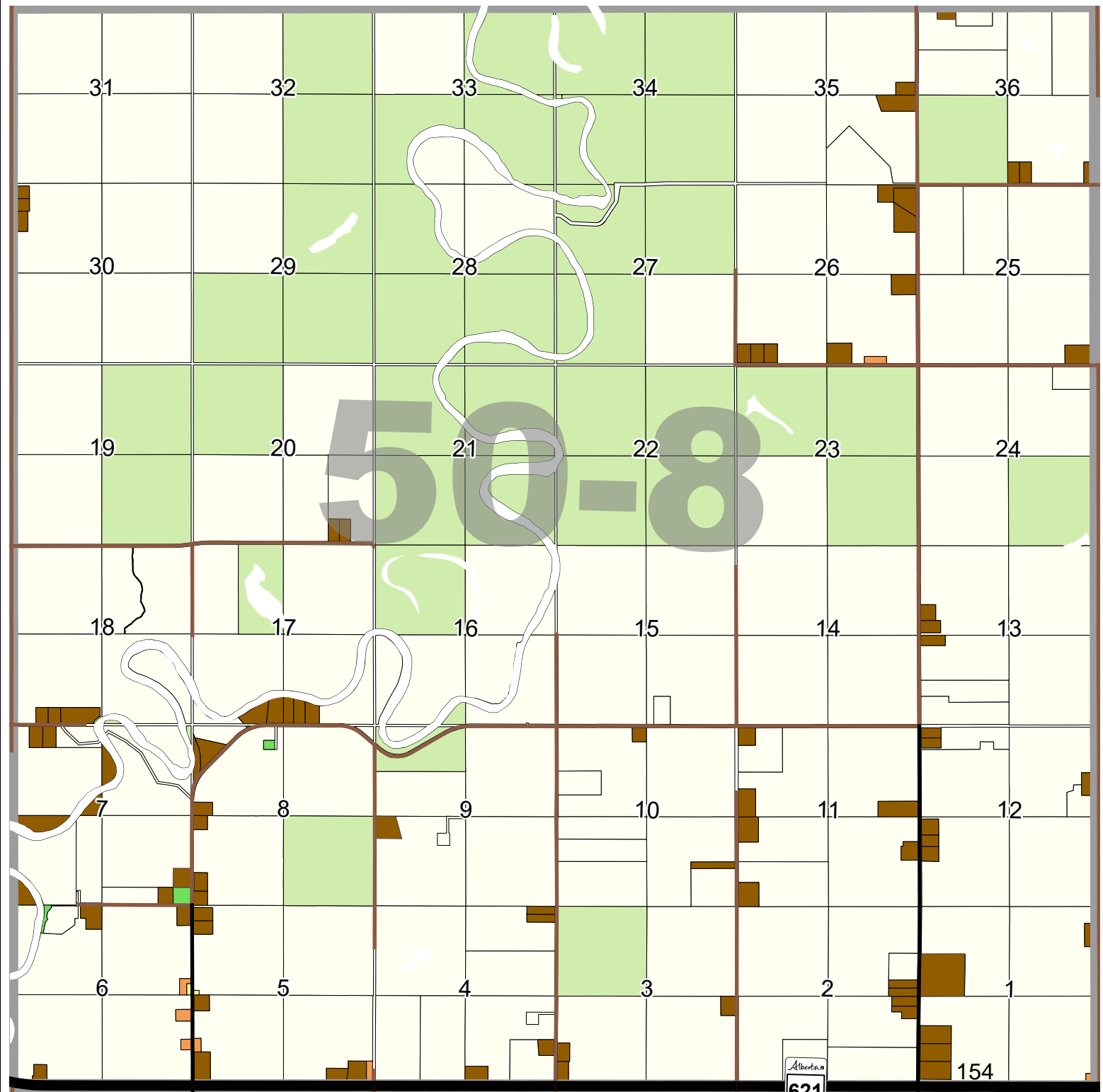
## 50-8 Zoning Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
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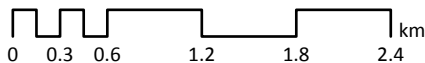




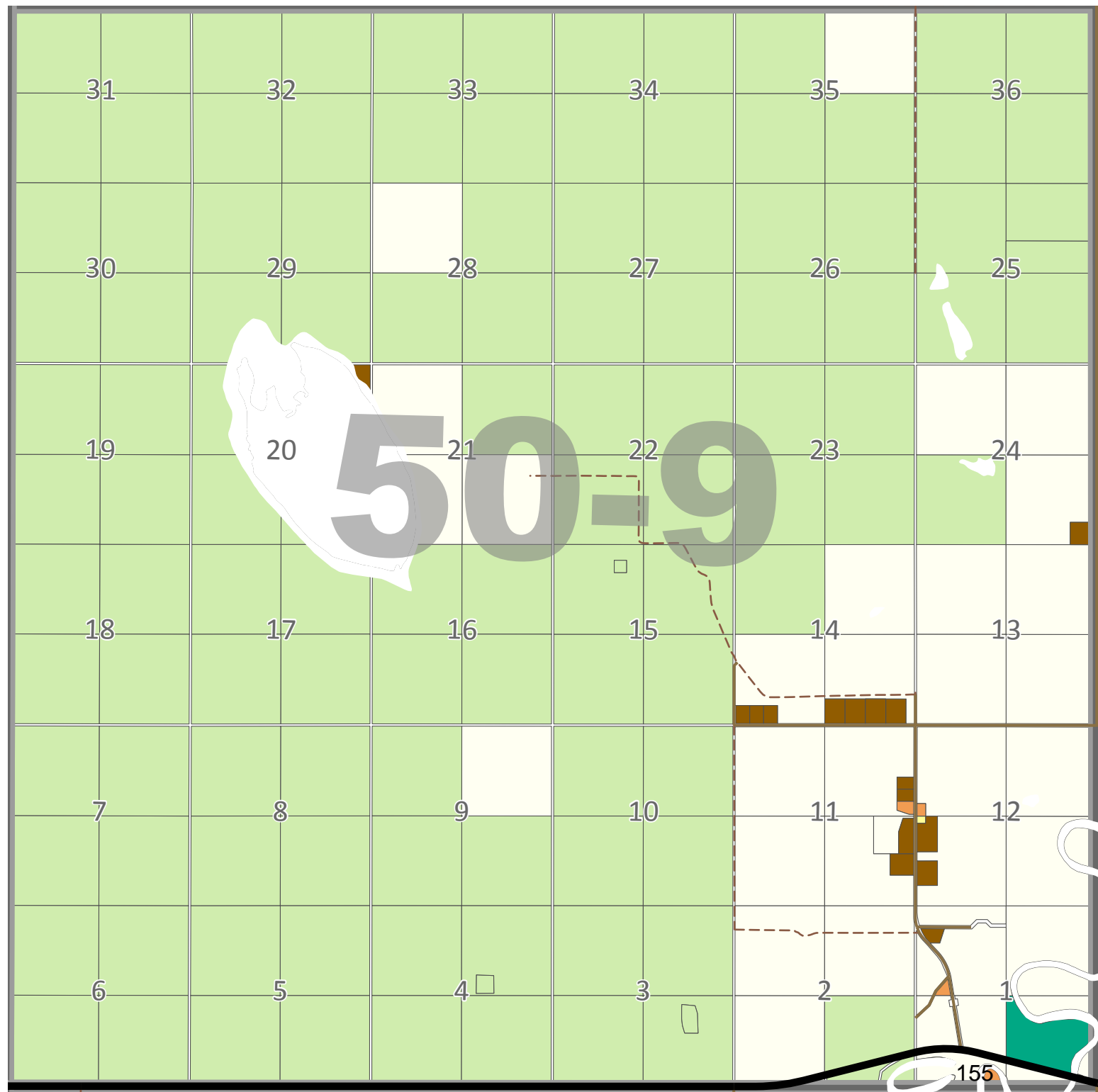
## 50-9 Land Use Map

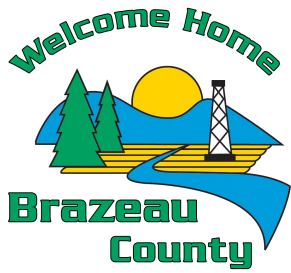
### ZONING CODES

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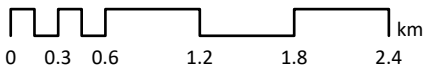




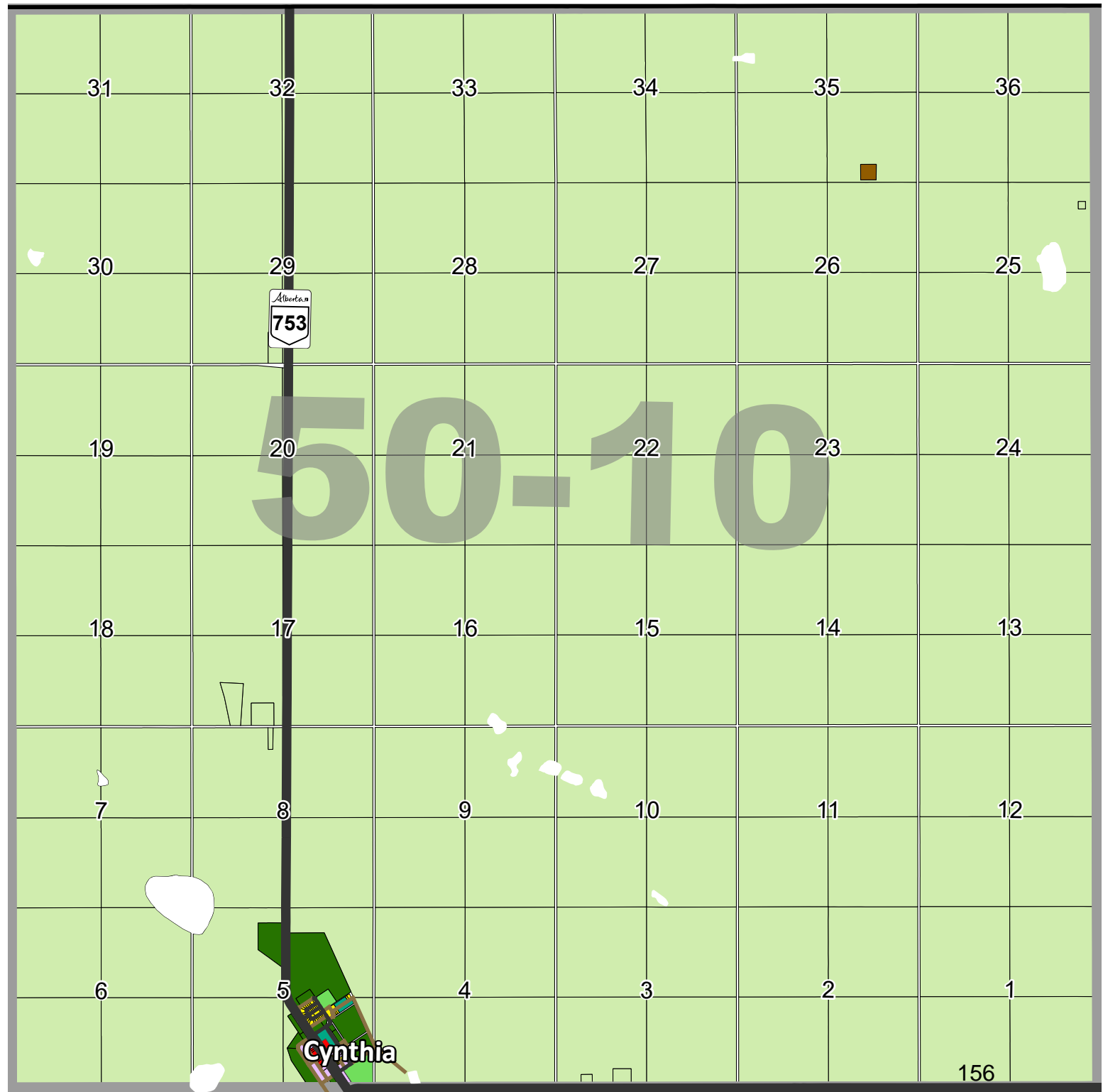
## 50-10 Zoning Map

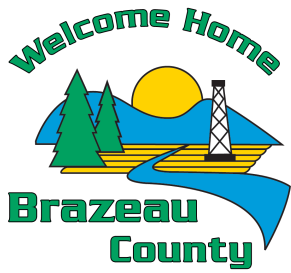
### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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.

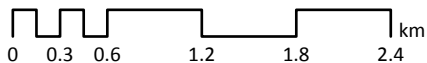




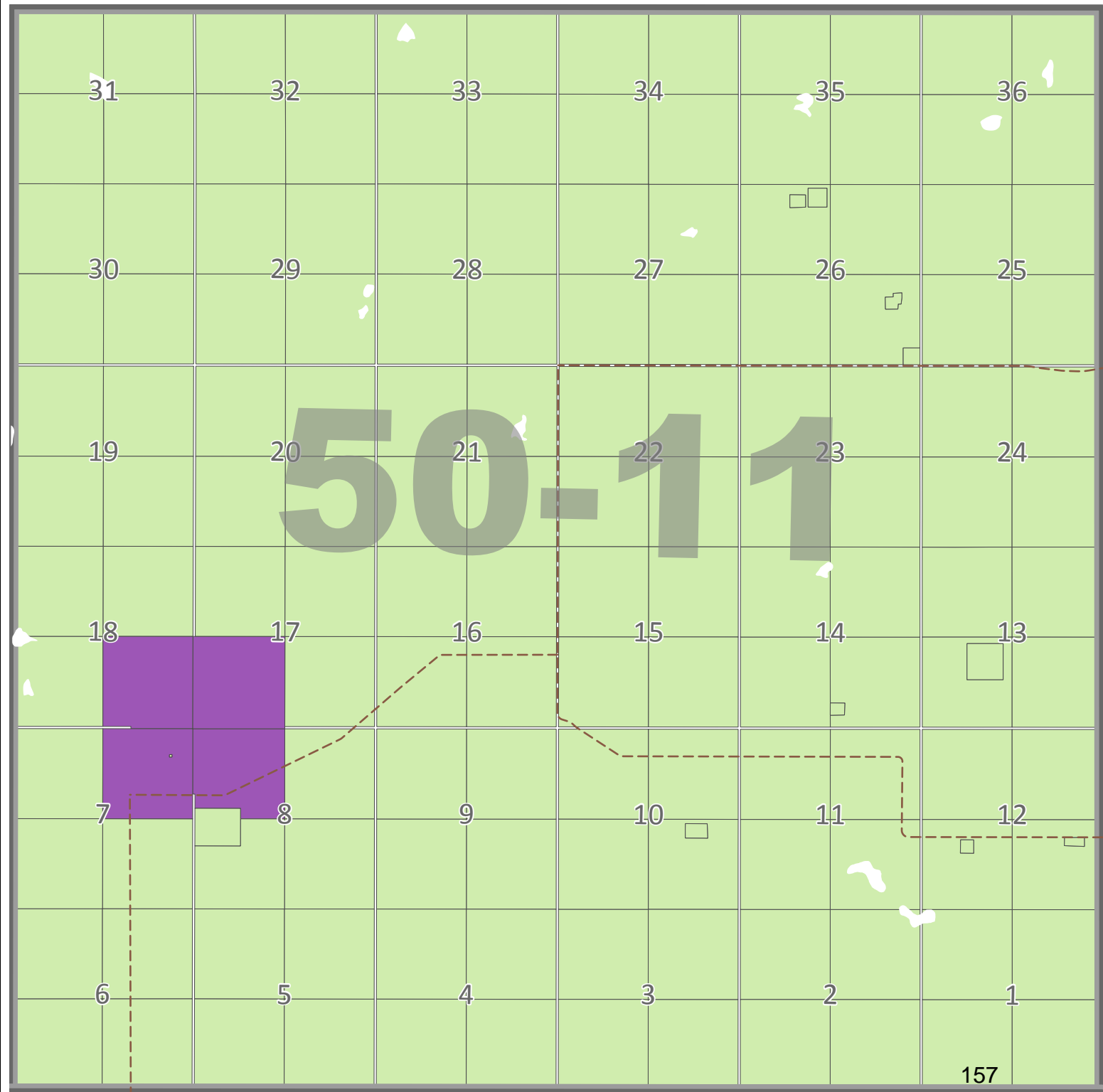
## 50-11 Land Use Map

### ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



**CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION**  
 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.

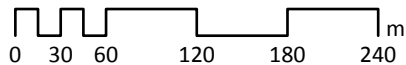




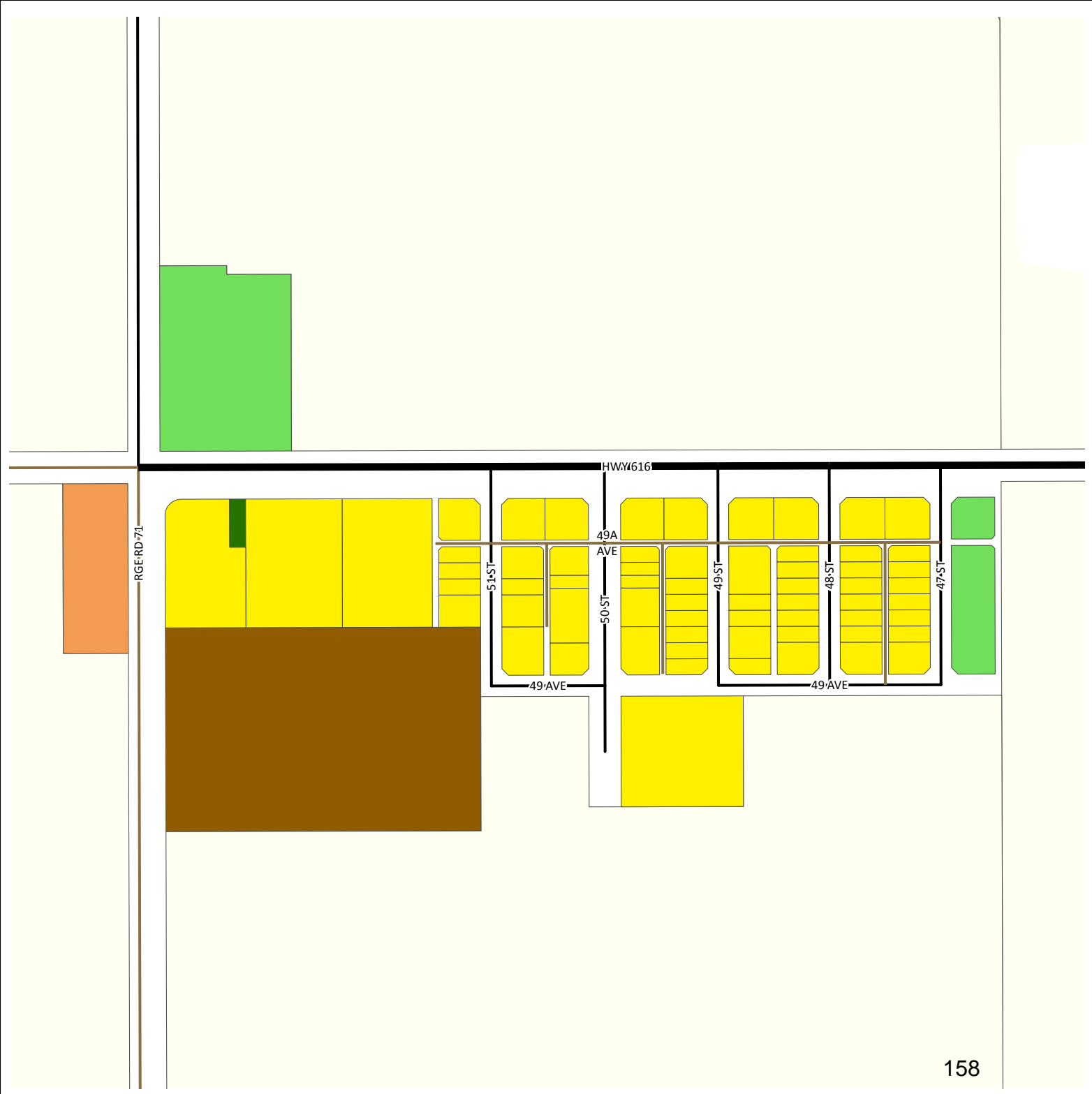
## Buck Creek (PART OF 47-7) Land Use Map

### ZONING CODES

- Agricultural
- Agricultural Holdings
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Town/Village Boundaries
- Provincial Park



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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# Cynthia (PART OF 50-10) Zoning Map

## ZONING CODES

- Agricultural
- Agricultural Holdings
- Airport Land District
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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.





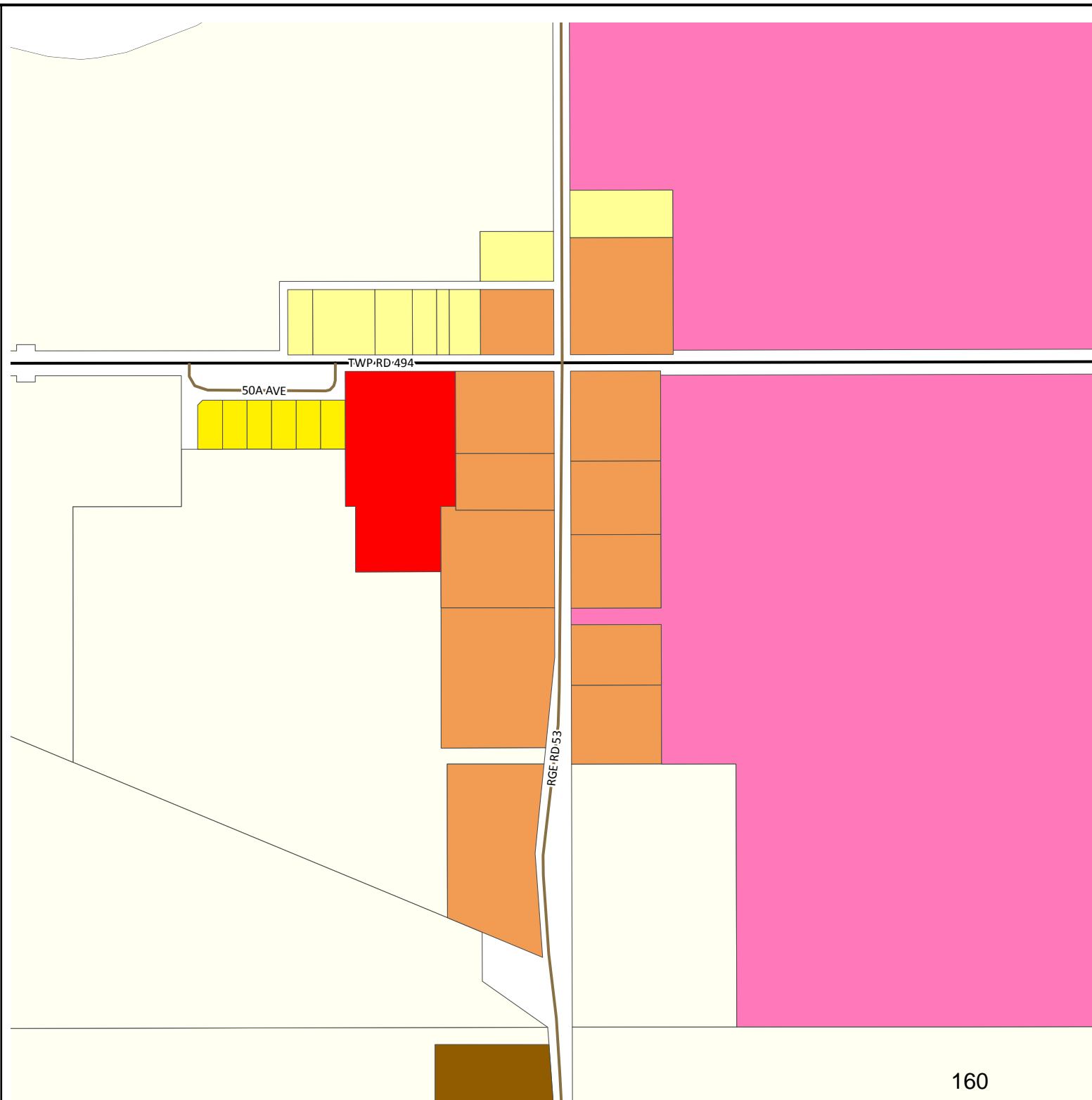
# Lindale (PART OF 49-5) Land Use Map

## ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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







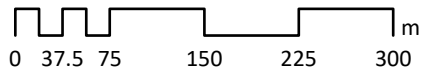




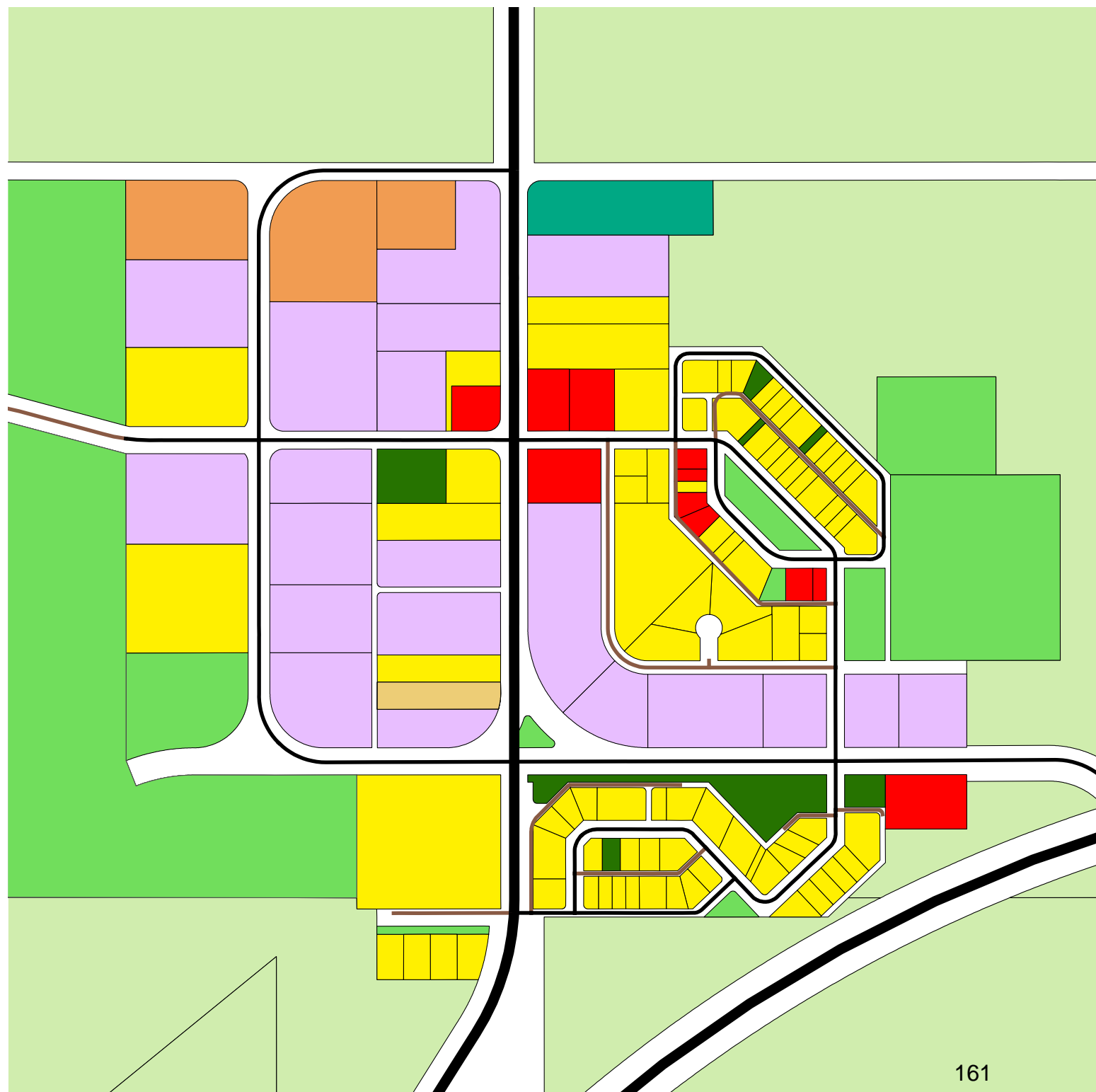
# Lodgepole (PART OF 47-10) Land Use Map

## ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Airport Land District
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing



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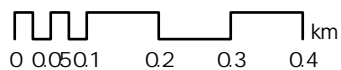




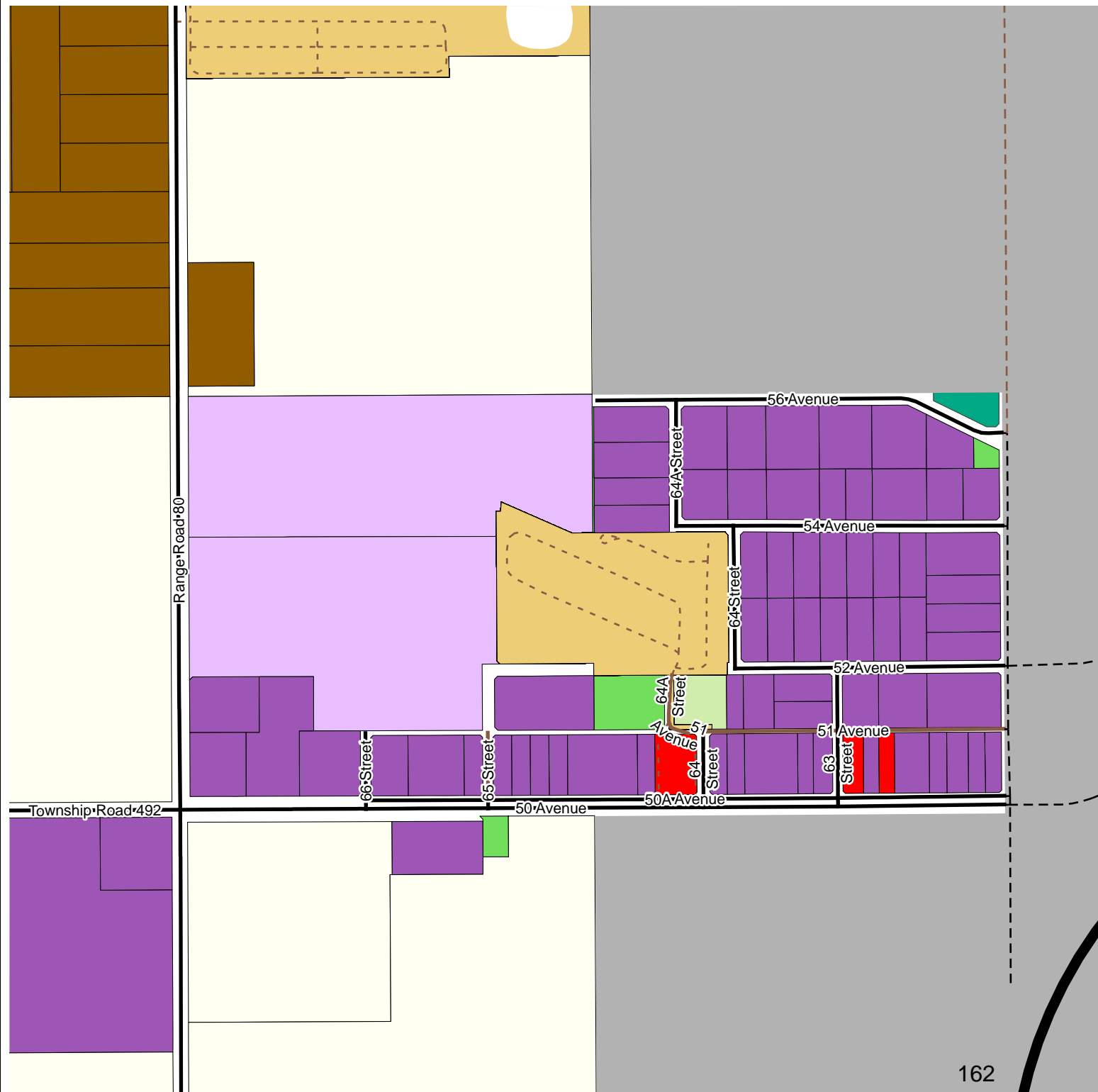
# Poplar Ridge (PART OF 49-7) Zoning Map

## ZONING CODES

- Agricultural
- Agricultural Holdings
- Airport Land District
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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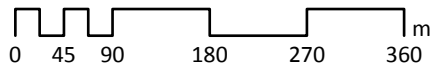




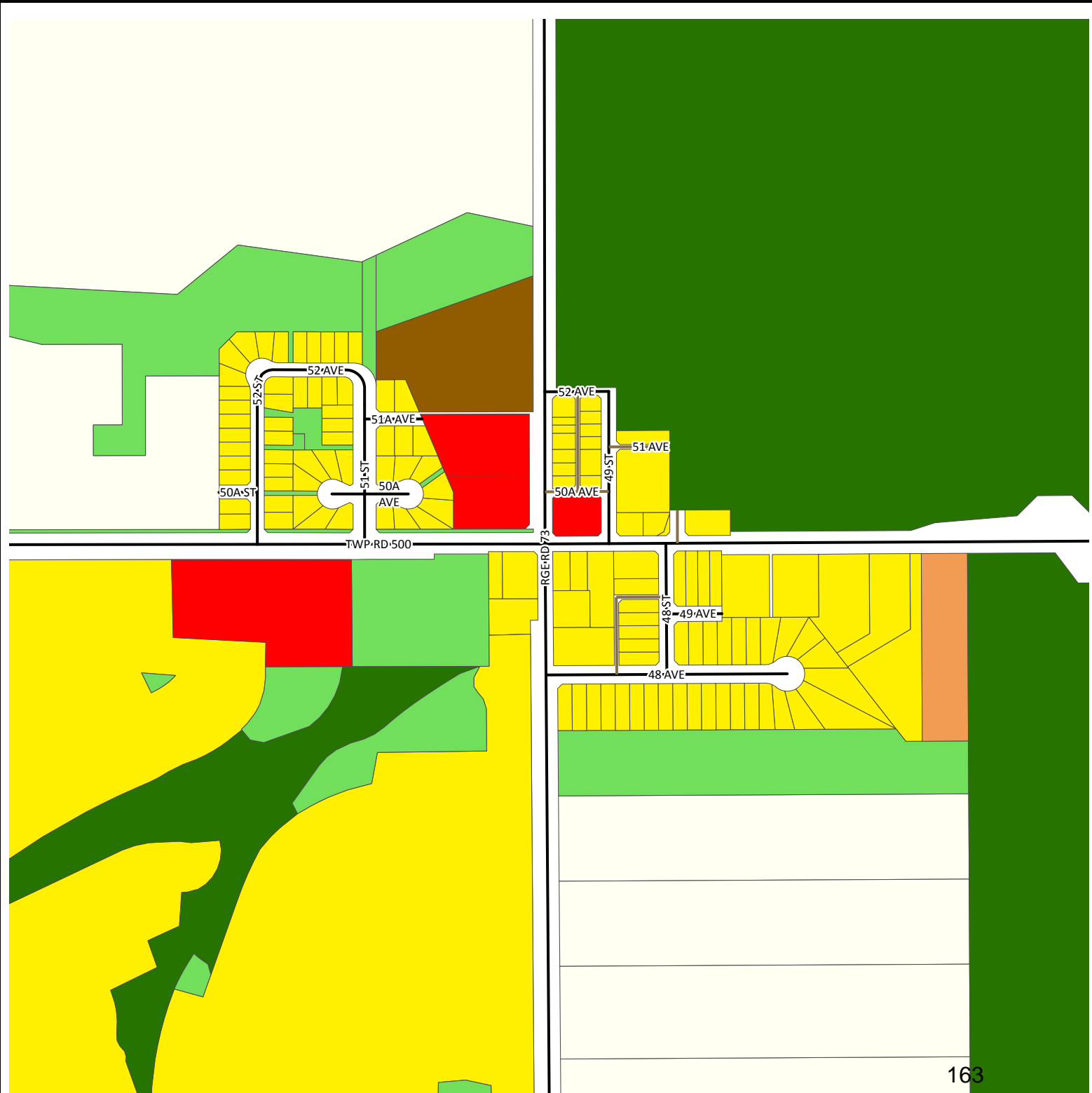
# Rocky Rapids (PART OF 50-7) Land Use Map

## ZONING CODES

-  Agricultural
-  Agricultural Holdings
-  Country Residential
-  Compact Country Residential
-  Hamlet Residential
-  Birchwood Country Condominium
-  Manufactured Home Park
-  Commercial
-  Rural Industrial
-  Light Industrial
-  Recreation
-  Crown Land
-  Direct Control
-  Institutional
-  Urban Reserve
-  Natural Resource Extraction & Processing
-  Town/Village Boundaries
-  Provincial Park



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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## Violet Grove (PART OF 48-8)

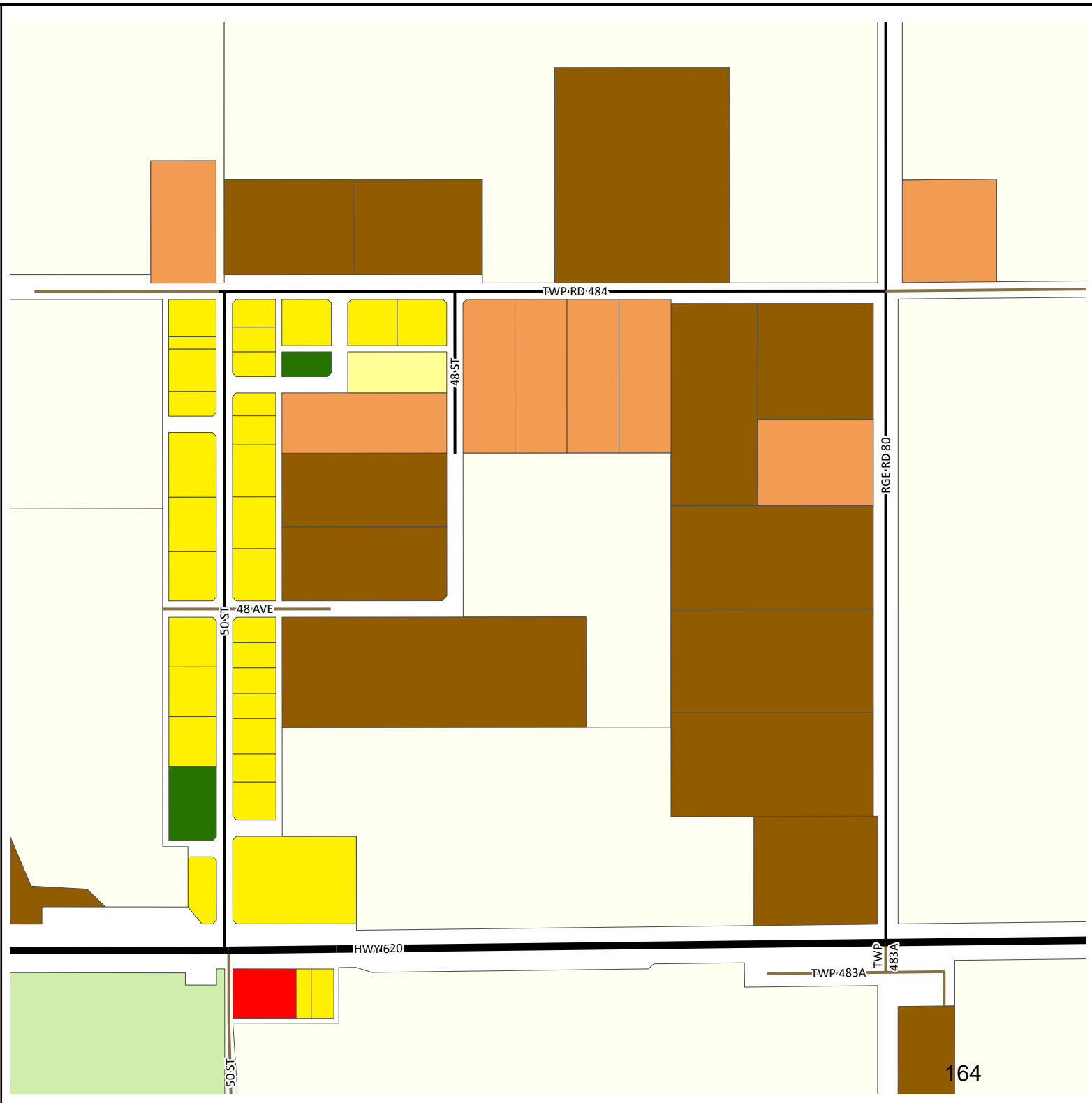
### Land Use Map

#### ZONING CODES

- Agricultural
- Agricultural Holdings
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Town/Village Boundaries
- Provincial Park



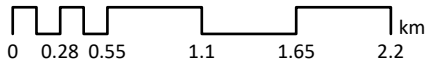
CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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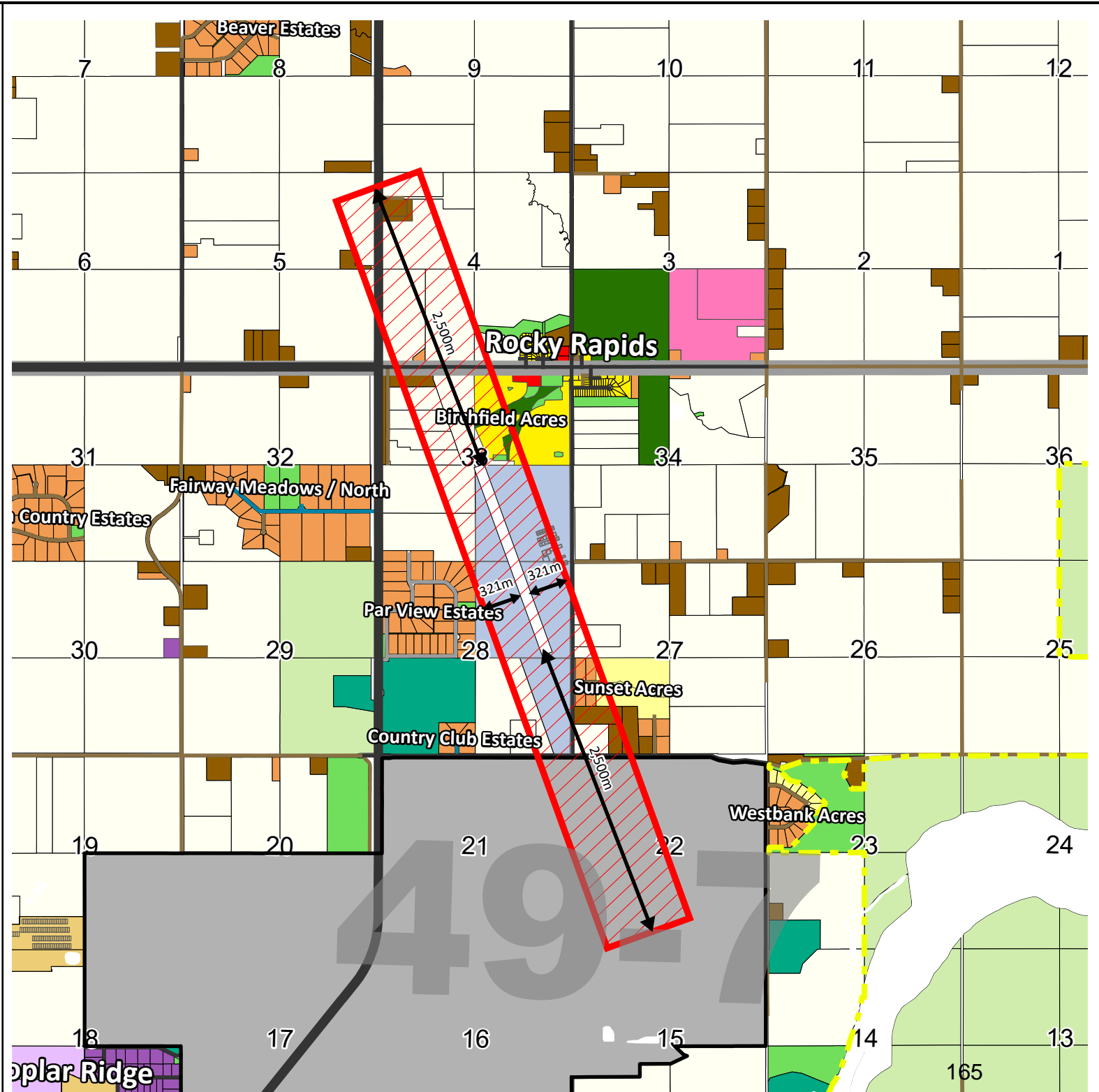


**Airport Protection Overlay  
(PART OF 49-7)  
Zoning Map**

- Agricultural
- Agricultural Holdings
- Airport Land District
- Country Residential
- Compact Country Residential
- Hamlet Residential
- Birchwood Country Condominium
- Manufactured Home Park
- Commercial
- Rural Industrial
- Light Industrial
- Recreation
- Crown Land
- Direct Control
- Institutional
- Urban Reserve
- Natural Resource Extraction & Processing
- Provincial Park
- Town/Village Boundaries



CONTACT BRAZEAU COUNTY FOR ZONING VERIFICATION  
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.



## 17 APPENDICIES

### 17.1 Direct Control Districts

DC #	DATE	BYLAW #	DESCRIPTION
DC-1	Sept - 2005	515-05	NE-10-49-9-5 (repealed 2-Dec-25)
DC-2	Mar - 2009	662-08	SE-29-50-7-5
DC-3	Feb - 2009	677-09	SW-27-50-7-5
DC-4	Nov - 2010	738-10	Replaced by DC-13
DC-5	Oct - 2010	741-10	E-3-49-7-5
DC-6	July - 2011	763-11	Replaced by DC-15
DC-7	Aug - 2011	765-11	NW-21-50-7-5
DC-8	Oct - 2011	775-11	SW-23-48-8-5 (repealed and replaced by DC-19 Bylaw 1157-23)
DC-9	Aug - 2013	816-13	NE-35-48-4-5
DC-10	Mar - 2015	862-15	Replaced by DC-14
DC-11	Dec - 2015	887-15	SW-27-49-5-5 & NW-22-49-5-5
DC-12	May - 2017	936-17	SE 3-50-7-W5M
DC-13	Nov - 2017	961-17	NW 13-49-8-W5M

DC #	DATE	BYLAW #	DESCRIPTION
DC-14	Apr - 2018	983-18	NW 12-49-7-W5M
DC-15	May - 2018	986-18	Pt. NW 7-48-9-W5M
DC-16	Sep - 2018	994-18	NW 9-48-7-W5M
DC-17	Jun - 2022	1101-22	SW 15-50-5-W5M & Pt NW 15-50-5-W5M
DC-18	May - 2024	1170-24	Lots 1 & 2 Block 1 Plan 822 0824 within SW 13-50-6-W5M
DC-19	Jan-2025	1157-23	Pts SW 23-48-8-W5M

# **BRAZEAU COUNTY**

## **BYLAW 662-08**

**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 a portion of SE 29-50-07-W5M be re-districted from Agriculture District (AG) to Direct Control District (DC), as shown on the attached Schedule "A" ("the Lands"); and
  2. 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.
  - 1.8 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 provide a mechanism to legalize the existing industrial use and development on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Permitted Uses**

- Landscaping
- Fencing
- Signs
- Accessory Buildings (existing at the time of adoption of this Bylaw)

#### **2.2.2 Discretionary Uses**

- Contracting Services, Major (existing at the time of adoption of this Bylaw)
- Surveillance Suite

### **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 or where abutting a Highway.

##### **(b) Side Yard**

- (i) 3.0 m (10 ft.).
- (ii) 40.0 m (131 ft.) where abutting a County road where road widening has not been dedicated or where abutting a Highway.

##### **(c) Rear Yard**

- (i) 5.0 m (16 ft.).

### **2.4 Maximum Requirements:**

#### **2.4.1 Site Coverage:**

- (a) 60%

#### **2.4.2 Maximum Height**

- (a) 9.0 m (30 ft.) or three (3) storeys - the lesser thereof - for the principle building.
- (b) Accessory buildings will be equal to or less than the height of the principle building.
- (c) Fencing/screening will be at the discretion of the Development Authority.
- (d) Free-standing signs shall 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 Public Highways Development 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. These requirements may include, but are not limited to, submission of a Storm Water Drainage Plan.

### **3.6 Development Permits**

#### **3.6.1 Development Permit Applications**

- (a) The Owner shall submit Development Permit applications for all existing uses and structures on the Lands not previously approved by the Development Permit process.
- (b) 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.

## **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**

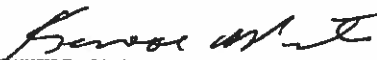
5.1 This Bylaw shall take effect upon the final passing thereof.

READ a first time this 3<sup>rd</sup> day of February, 2009

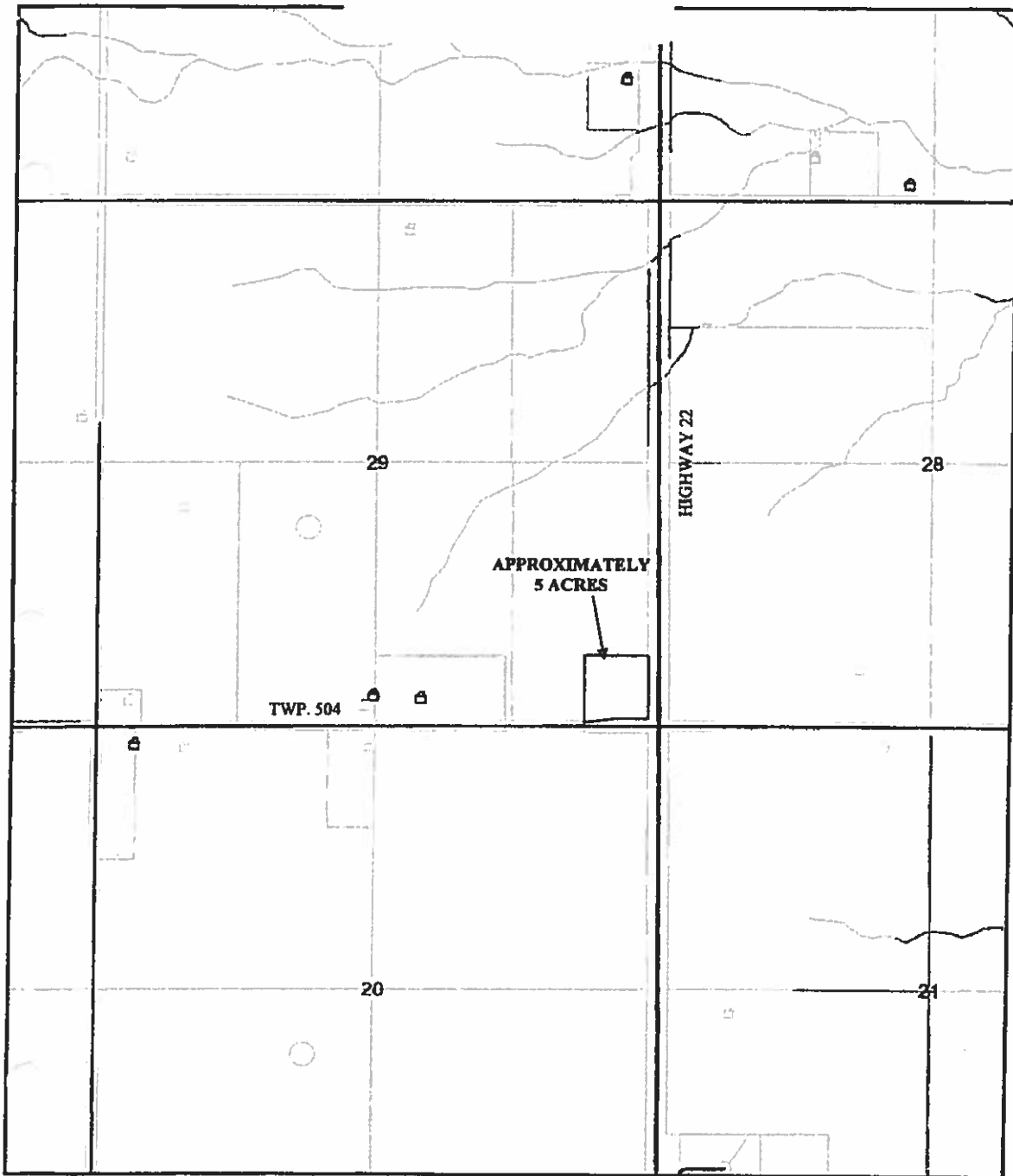
READ a second time this 17<sup>th</sup> day of March, 2009

READ a third time and finally passed this 17<sup>th</sup> day of March, 2009

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
County Manager

# SCHEDULE "A"



# BRAZEAU COUNTY

## BYLAW 677-09

**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

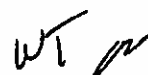
**WHEREAS**, the public participation requirements of Section 692 of the *Municipal Government Act*, RSA 2000, Chapter M-26, have been complied with;

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

1. That Lot 1, Plan 932 1371 (Part of SW 27-50-7-W5M) be re-districted from Agriculture District (AG) to Direct Control District (DC), as shown on the attached Schedule "A" ("the Lands") to this By-law and the appropriate Land Use District Map be amended accordingly.
2. That Direct Control District By-law 677-09 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 a mechanism to legitimize the existing business and developments on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Permitted Uses**

- Single Family Dwelling Unit
- Equipment Rentals (Portable outhouse rentals)
- Commercial Service Vehicles
- Accessory Buildings

#### **2.2.1 Discretionary Uses**

- Major home occupation (existing at the time of adoption of this Bylaw)

### **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.

##### **(b) 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.

##### **(c) Rear Yard**

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

### **2.4 Maximum Requirements:**

#### **2.4.1 Maximum Height**

- (a) 8.5 m (28 ft.) or three (3) storeys - the lesser thereof - for the principle building.
- (b) Accessory buildings will be equal to or less than the height of the principle building.
- (c) Fencing/screening will be at the discretion of the Development Authority.
- (d) Free-standing signs shall 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

WT

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 Public Highways Development 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.

**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 24<sup>th</sup> day of February, 2009

READ a second time this 7<sup>th</sup> day of April, 2009

READ a third time and finally passed this 7<sup>th</sup> day of April, 2009

  
\_\_\_\_\_  
Reeve

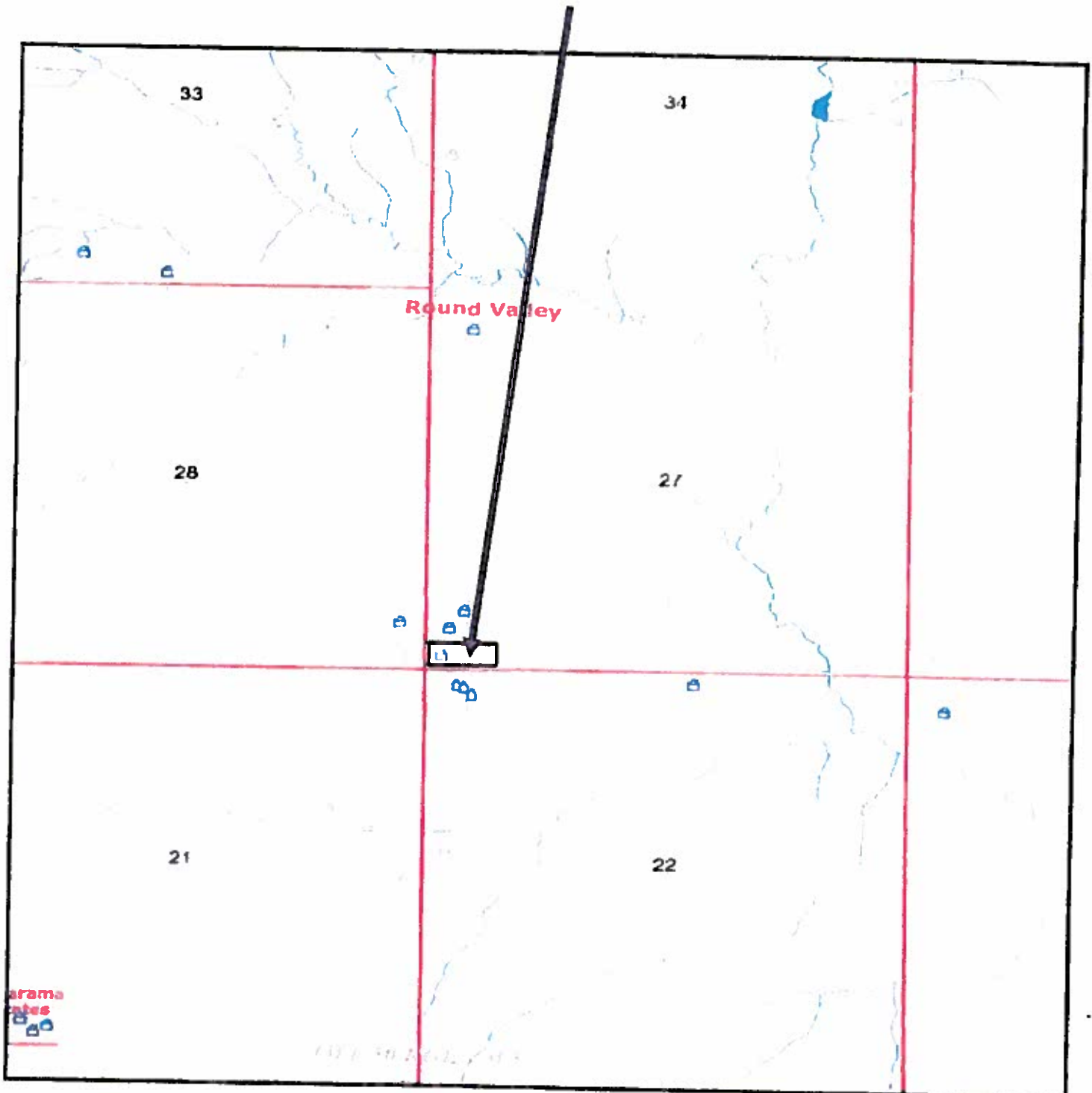
  
\_\_\_\_\_  
County Manager

## SCHEDULE "A"

**Lot 1, Plan 932 1371**

**Part of SW 27-50-7-W5M**

**Area to be redesignated from  
Agriculture District (AG) to  
Direct Control District (DC)**



# **BRAZEAU COUNTY**

## **BYLAW NO: 741-10**

**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, Plan 913 0793, Lot 1, within SW 3-49-7-W5M be re-districted from Agriculture District 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 741-10 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.
- 1.8 The River Flats Area Structure Plan – Bylaw 615-08, and any amendments thereto, is applicable unless otherwise stated in this Bylaw.

## **2.0 Land Use Regulations**

### **2.1 Purpose**

The purpose of this bylaw 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 and 1:100 year floodplain of the North Saskatchewan River.

This District recognizes that the 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 provide for equipment storage use on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Permitted Uses**

- Outdoor Storage Facility

### **2.3 Minimum Requirements:**

#### **2.3.1 Setbacks**

##### **(a) Front Yard**

- (i) 40.0 m (131 ft.) where abutting a highway

##### **(b) Side Yard**

- (i) 6.0 m (20 ft.)
- (ii) 10.0 m (33 ft.) where abutting an internal road.

##### **(c) Rear Yard**

- (i) 8.0 m (26 ft.)

### **2.4 Maximum Requirements:**

#### **2.4.1 Maximum Number of Buildings: 0**

#### **2.4.2 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 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 Public Highways Development 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 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 consider, 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 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 12<sup>th</sup> day of October, 2010

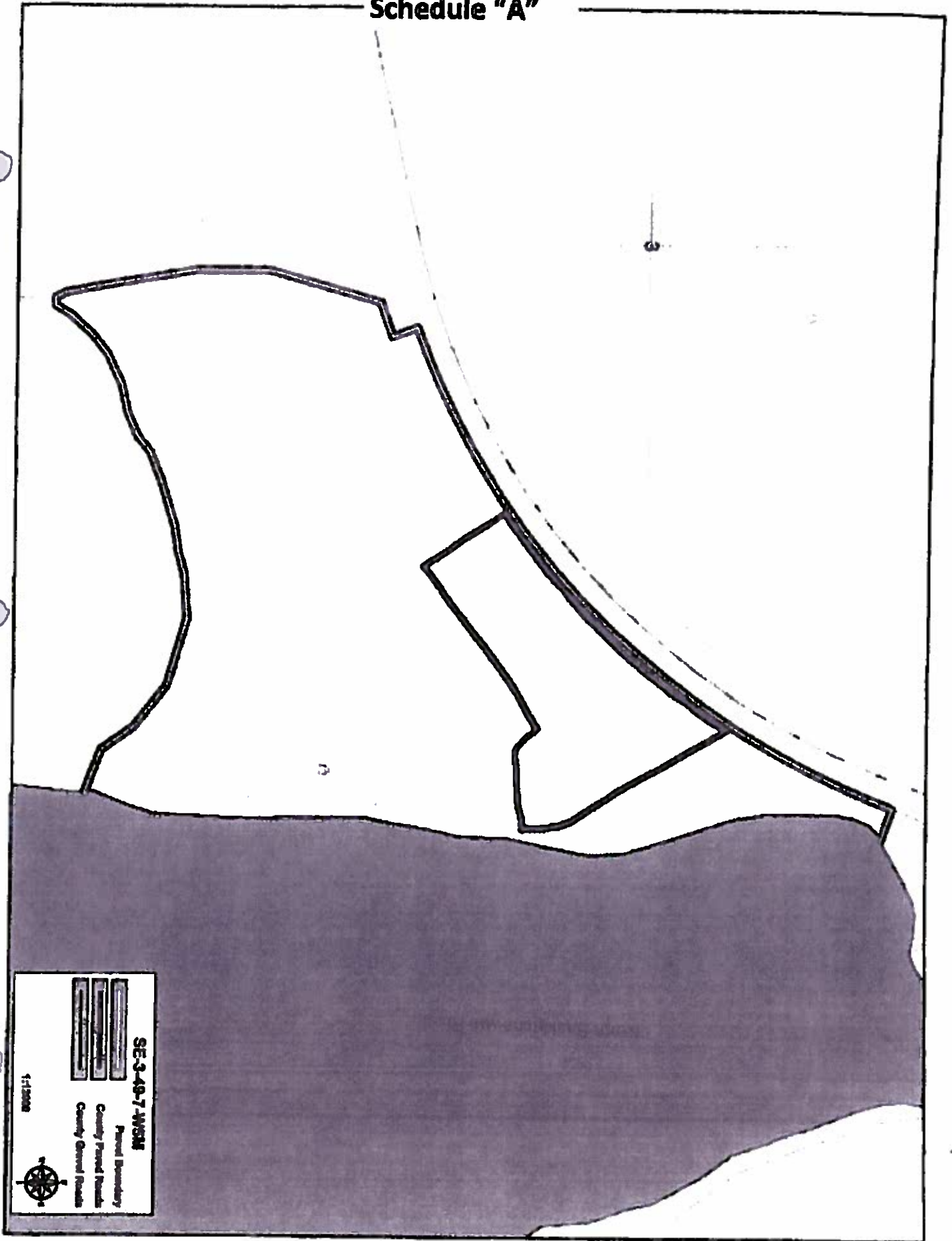
READ a second time this 23<sup>rd</sup> day of November, 2010

READ a third time and finally passed this 23<sup>rd</sup> day of November, 2010

  
Reeve

  
CAO

# Schedule "A"



# **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~~ 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

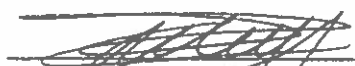
5.1 This Bylaw shall take effect upon the final passing thereof.

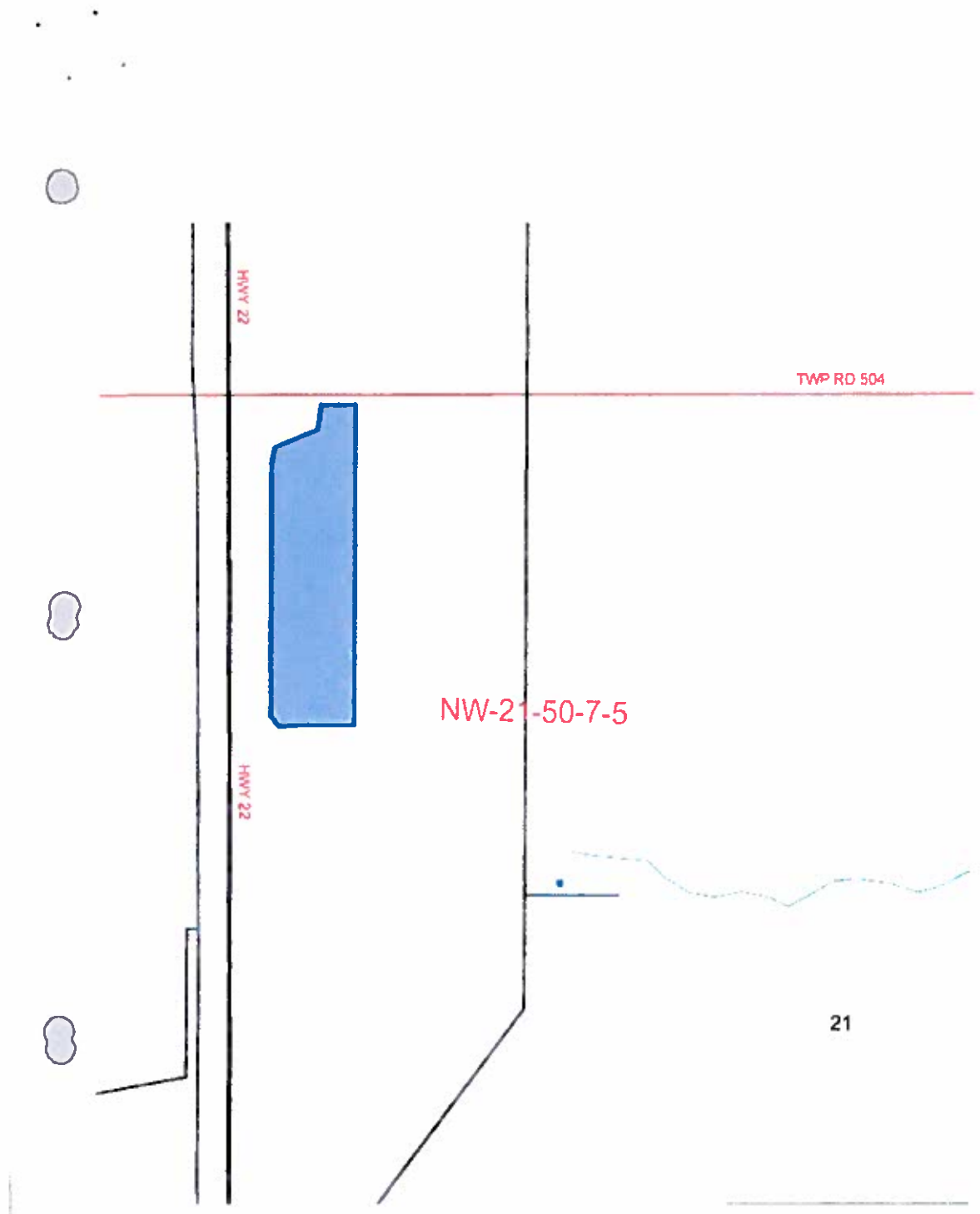
READ a first time this 2<sup>nd</sup> day of August, 2011

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

  
Reeve

  
Chief Administrative Officer



# **BRAZEAU COUNTY**

## **BYLAW NO: 816-13**

**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 3, Block 2, Plan 032 1351 within NE 35-48-4-W5M be redistricted from Highway Commercial (HWY C) to Direct Control (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 816-13 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 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 redesignation), 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 Operation on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Discretionary Uses**

- Accessory
- Business support services
- Oilfield Support Services

### **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);

##### **(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) 9.0 m (30 ft.) or three (3) storeys - the lesser thereof - for the principal building;
- (b) Accessory buildings will be equal to or less than the height of the principal building.

**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 shall 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. – commercial/industrial), 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 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.

#### **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 2 day of July, 2013

READ a second time this 6<sup>th</sup> day of August, 2013

READ a third time and finally passed this 6<sup>th</sup> day of August, 2013

  
\_\_\_\_\_  
Reeve

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

# Schedule 'A'



**NE 35-48-04-WSM**  
**Lot 2 Block 2 Plan 032 LSI1**

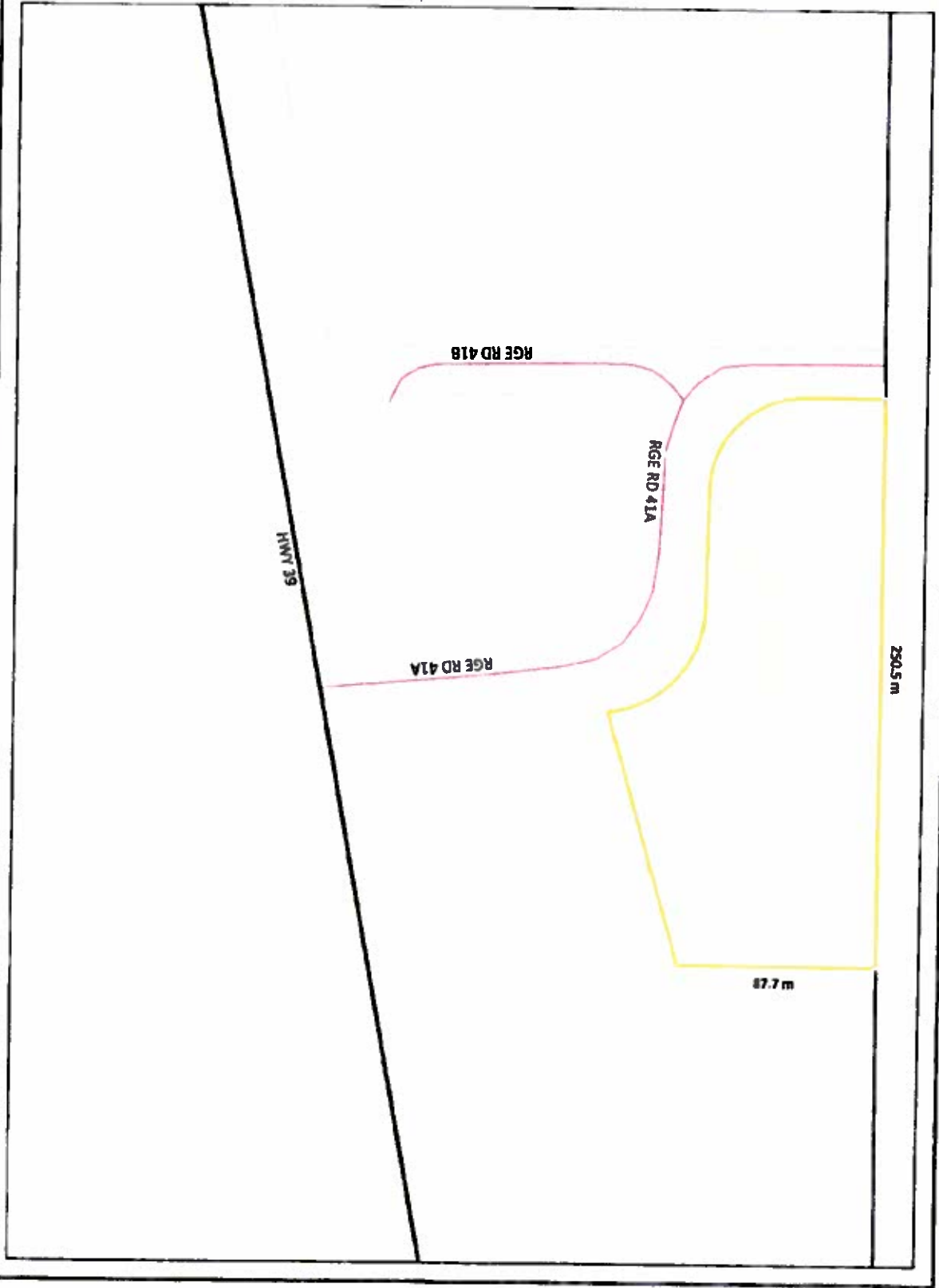
Proposed Rezoning & from  
 H (Heavy Commercial (HWC))  
 to District Central (DC)

5.5 Acres or 2.23 Hectares

- PROPOSED REZONING
- PARCEL BOUNDARY
- COUNTY CDD M & K
- CITY/STY/NAVAL
- COUNTY PLANNED
- COUNTY PLANNED/NAVAL
- OTHER GRANT
- OTHER PLANNED
- PROPOSED GRANT
- PROPOSED PLANNED

Scale 1:1,500

This map is intended for informational purposes only. It is not intended to be used for any other purpose. The user assumes all responsibility for any use of this map.



# **BRAZEAU COUNTY**

## **BYLAW NO: 887-15**

**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, Pt. SW 27-49-5-W5M and Pt. NW 22-49-5-W5M be redistricted 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 887-15 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. For the purposes of this Bylaw, the Lands shall be divided into Development Cells. Cell A, Cell B, and Cell C, the boundaries and descriptions of which shall be as indicated in Schedule "A", attached hereto and forming part hereof, unless otherwise approved by Council.
- 1.3. The current Land Use Bylaw in place at the time of application is applicable unless otherwise specified in this Bylaw.

- 1.4. 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.
- 1.5. 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 will require approval of a development permit.
- 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. Multiple principal uses may be approved on a parcel at the discretion of the development authority within Cells A and B only.
- 1.9. Proposals for development, use (including redesignation), and/or subdivision beyond that provided in this Bylaw shall require an amendment to this Bylaw.
- 1.10. Subdivision of the Lands is prohibited unless otherwise stated in this Bylaw.

## **2.0 Land Use Regulations**

### **2.1 Purpose**

The purpose of this District is to provide for storage, operation of industrial business, residential, and agricultural uses on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Cell A (residential and business)**

##### **Permitted Uses**

- Accessory
- Home Occupation, "Minor"
- Home Occupation, "Medium"
- Manufactured Home
- Modular Home
- Secondary Suite
- Single-detached Dwelling
- Secondary Single-detached Dwelling

##### **Discretionary Uses**

- Contracting Services, Major
- Industrial, General
- Office
- Oilfield Support Services
- Sign(s)
- Surveillance Suite

**Cell B (residential and business)**

**Permitted Uses**

- Accessory
- Home Occupation, "Minor"
- Home Occupation, "Medium"
- Manufactured Home
- Modular Home
- Secondary Suite
- Single-detached Dwelling
- Secondary Single-detached Dwelling

**Discretionary Uses**

- Contracting Services, Major
- Industrial, General
- Landscaping Materials Sales
- Office
- Oilfield Storage Facility
- Oilfield Support Services
- Outdoor Storage Facility
- Personal Storage Facility
- Sign(s)
- Surveillance Suite

**Cell C (agricultural)**

**Permitted Uses**

- Accessory
- Agricultural, retail
- Agricultural, specialty
- Agricultural, support service
- Bed and breakfast
- Family care unit
- Home Occupation, "Minor"
- Home Occupation, "Medium"
- Manufactured Home
- Modular Home
- Outdoor storage facility, temporary
- Public and quasi-public use
- Public utility facility
- Secondary Suite
- Single-detached Dwelling
- Secondary Single-detached Dwelling

**Discretionary Uses**

- Communication Tower
- Outdoor Storage Facility
- Recreational use

## **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;
  - (v) Setback at the discretion of Development Authority for pan handle/flag lots.
- (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.

### **2.3.2 Floor Area**

- (a) 74.3 m<sup>2</sup> (800 ft<sup>2</sup>) for a dwelling

## **2.4 Maximum Requirements:**

### **2.4.1 Maximum Height**

- (a) 8.5 m (28 ft.) or three (3) storeys - the lesser thereof - for a dwelling
- (b) 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.
- 3.3.3 At the discretion of the Development Authority, screening may be required along the parcel boundaries adjacent to residential land uses 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 m<sup>2</sup> (32.3 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 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**

#### **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.

## **4.0 Definitions**

- 4.1** **"The Lands"** means the lands as identified in Schedule "A" attached hereto.
- 4.2** **"Landscaping Materials Sales"** means land and/or buildings used for the bulk storage and sales of materials used primarily for landscaping which includes stone (and other aggregates), sand and soils.
- 4.3** Terms not defined above have the same meaning as defined in Section 10 of Land Use Bylaw 782-12, as amended.



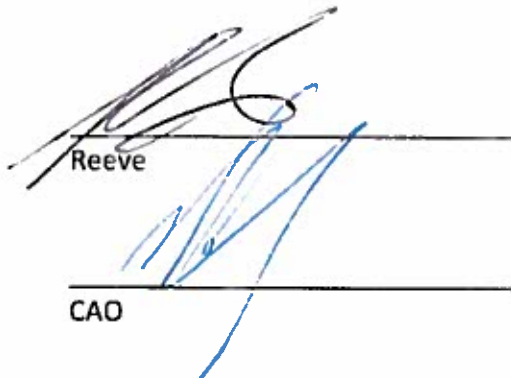
## 5.0 Implementation

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

READ a first time this 3 day of November, 2015

READ a second time this 1 day of December, 2015

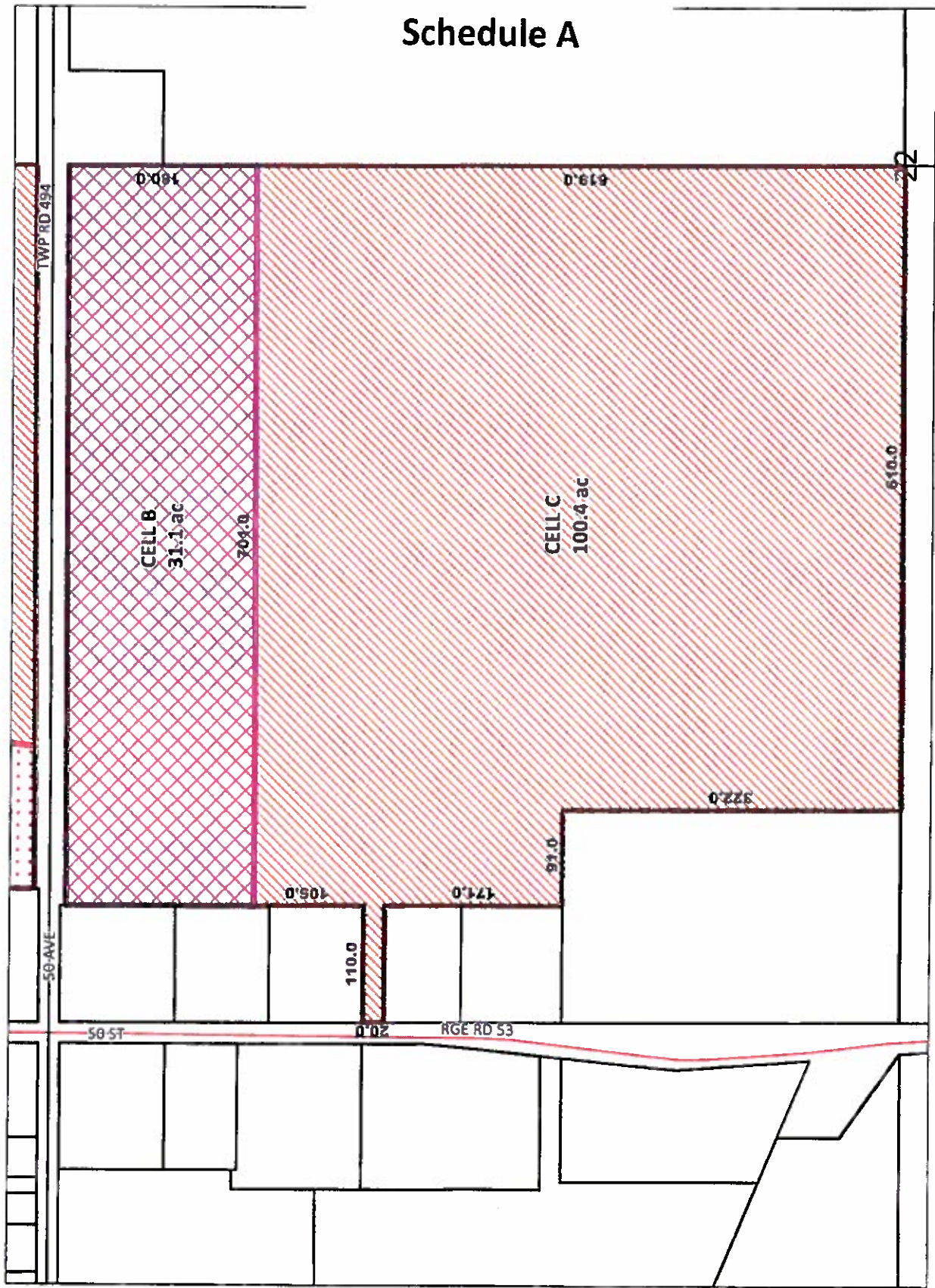
READ a third time and finally passed this 1 day of December, 2015



Reeve












CAO

# Schedule A



NW-22-49-05-W5M

**Proposed Rezoning**  
(Dimensions Approximate)

-  CELL B
-  CELL C
-  PARCEL BOUNDARY
-  COUNTY PAVED
-  COUNTY COLD M/B
-  COUNTY GRAVEL
-  OTHER PAVED
-  OTHER COLD M/B
-  OTHER GRAVEL
-  PROVINCIAL GRAVEL
-  PROVINCIAL PAVED

Scale 1 : 3,300



\*This map is intended for advisory purposes only. It is not a legal document and should not be used for any legal or financial purposes without the assistance of a professional.





SW-27-49-05-W5M

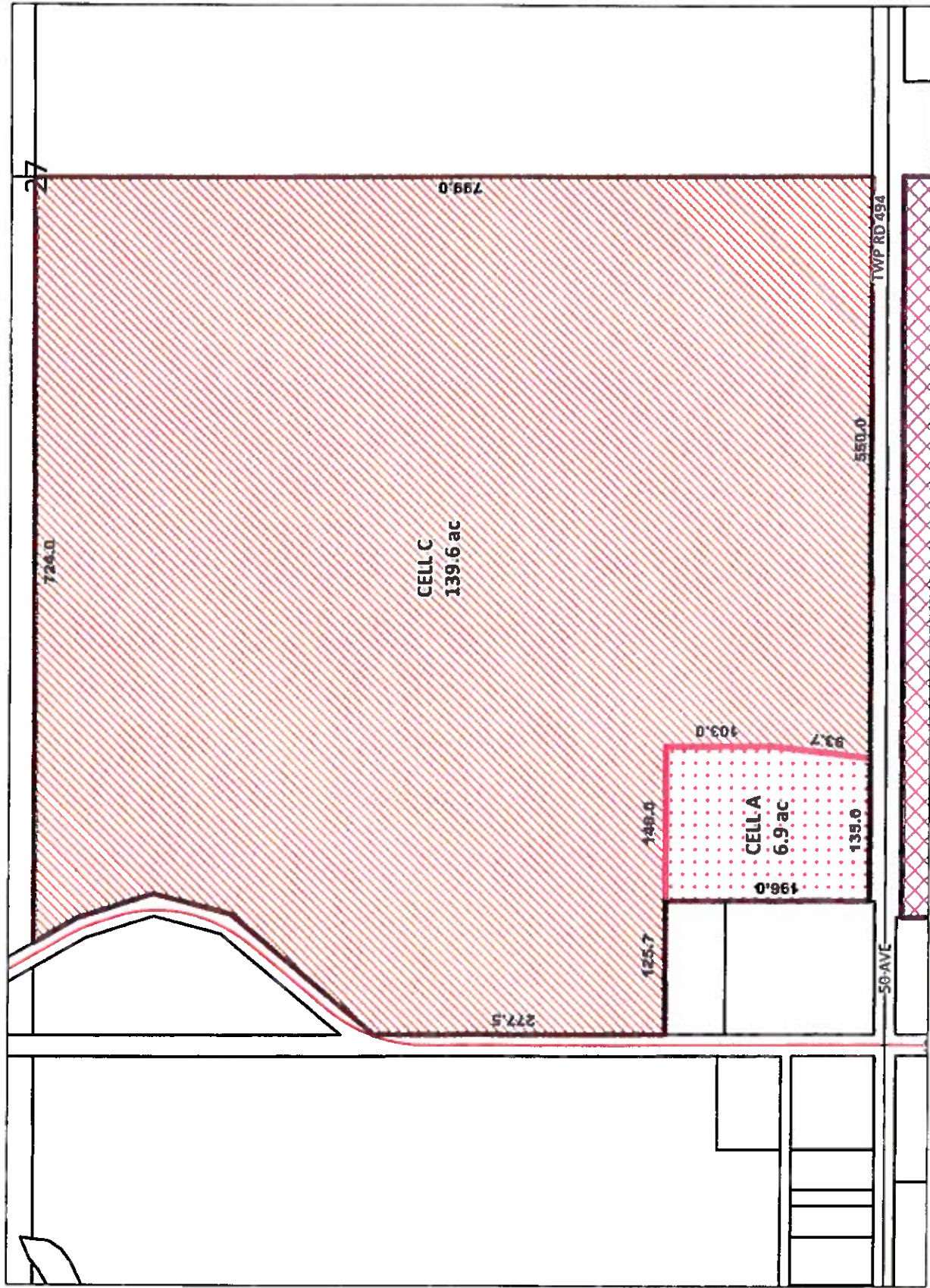
**Proposed Rezoning**  
(Dimensions Approximate)

- CELL A
- CELL C
- PARCEL BOUNDARY
- COUNTY PAVED
- COUNTY COLD MIX
- COUNTY GRAVEL
- OTHER PAVED
- OTHER COLD MIX
- OTHER GRAVEL
- PROVINCIAL GRAVEL
- PROVINCIAL PAVED

Scale 1:3,300



This map is intended for advisory purposes only. It is based upon data shown as shown and is not intended to be used as a legal document.



## **BRAZEAU COUNTY**

### **BYLAW NO: 936-17**

#### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 923-16, 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. 923-16; 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 the remainder of SE 3-50-7-W5M be redistricted from Agricultural District (AG) to Direct Control District (DC), as shown on attached Schedule 'A' ("the Lands") to this Bylaw and the appropriate Land Use District Maps be amended accordingly under Land Use Bylaw No. 923-16.
2. That Direct Control District Bylaw 936-17 and attached Schedule "A" form part of Land Use Bylaw No. 923-16, 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 Provisions of Land Use Bylaw No. 923-16, as amended, are applicable unless otherwise specified in this Bylaw.
- 1.3 That Council is the Development Authority for the issuance of all 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 any licenses, permits or 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 redesignation), or subdivision beyond those provided for under 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 motorized outdoor spectator uses, outdoor recreation uses, camping facilities and compatible agricultural use on surrounding lands.

### **2.2 List of Uses**

#### **2.2.1 Cell A (Drayton Valley Speedway)**

##### **Discretionary Uses**

- Accessory
- Campground, Minor
- Campground, Major
- Eating and Drinking Establishment
- Public and Quasi-Public Use
- Recreation Service, Outdoor
- Motorized Outdoor Spectator Use

#### **2.2.2 Cell B [Agricultural (AG)]**

##### **Discretionary Uses**

- Accessory
- Agricultural Intensive Class 2

- Agricultural, Extensive
- Manufactured Home
- Modular Home
- Public and Quasi-Public Use
- Public Utility Facility
- Secondary Suite
- Single Detached Dwelling
- Surveillance Suite

## 2.3 Minimum Requirements:

### 2.3.1 Setbacks

- (a) Front Yard (East Boundary) - 25.0 m (82 ft);
- (b) Side Yard (North and South Boundaries) - 6.0 m (20 ft.);
- (c) Rear Yard (West Boundary) - 8.0 m (26 ft.).

Setbacks shall be measured from the edge of the district boundary rather than the property line.

### 2.3.2 Parking

- (a) The Development Authority shall require that a Parking Outline Plan must be submitted as part of a development permit application.
- (b) Campground areas shall provide an onsite parking requirement of two (2) parking spaces per site and one (1) per employee in attendance.
- (c) Eating and Drinking Establishment areas shall provide one (1) parking space per four (4) seats and one (1) parking space per employee in attendance.
- (d) Motorized Outdoor Spectator Use areas shall provide one (1) parking space per four (4) seats and one (1) parking space per employee in attendance.
- (e) All other parking regulations shall be as required by section 8.3 of Land Use Bylaw No. 923-16, as amended.



**2.4 Maximum Requirements:**

**2.4.1 Maximum Height**

- (a) 15.25 m (50 ft.) for all improvements, including accessory structures and signage.
- (b) Exterior fencing/screening will be at the discretion of the Development Authority or in accordance with an approved Landscaping Plan.

**3.0 Development Regulations**

**3.1 Public Events Management Criteria**

- 3.1.1 The Owner shall prepare a Schedule of Public Events which will detail all planned events allowing admittance for more than 200 persons.
- 3.1.2 The Owner shall provide the County Planning and Development Department the Schedule of Public Events for each Calendar Year no later than March 31 of that corresponding year which will be disseminated to affected agencies including other County departments and law enforcement agencies. Amendments or additions to the Schedule of Public Events are allowed provided 30 days' notice is provided, in writing, to the County. Cancellations require no prior notice.
- 3.1.3 All publically accessed permanent structures, including but not limited to stages, bathrooms, permanent accessory buildings, spectator seating, towers, and bleachers must be built to the appropriate Alberta Safety Codes Standards and will require a development permit for siting of the accessory.
- 3.1.5 The Owner is responsible for all services including fire safety, sanitary facilities, and 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.
- 3.1.5 Development Authority retains the ability to impose conditions or restrictions as they deem necessary during the issuance of a permit to address safety, traffic, or other events management concerns.



### **3.2 Motorized Outdoor Spectator Facility Requirements**

- 3.2.1 Setbacks for race tracks, spectator seating and towers associated with a Motorized Outdoor Spectator Use is 200m from schools, multi-parcel residential development, hospitals, parks, playgrounds, churches and other institutional uses;
- 3.2.2 In deciding on an application, including establishing any conditions of approval, the Development Authority shall have regard to the potential impact on existing and proposed uses in the vicinity of the proposed site.
- 3.2.3 The Development Authority shall consider the site, natural features, and the quality of the land on which the development is proposed, as such, expansion of Motorized Outdoor Spectator Uses shall be discouraged on good quality agricultural land and environmentally sensitive areas.
- 3.2.4 Motorized Outdoor Spectator Use facilities may include associated accessory uses that cater to the public which may include public washrooms, food sales, parking and viewing areas, which shall be reviewed and considered at the discretion of the Development Authority on site specific basis.

### **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 A Landscaping Plan demonstrating how visual and noise impacts to adjacent residentially designated lands will be mitigated must be submitted as part of a development permit application.

### **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 3.0 m<sup>2</sup> (32 ft.<sup>2</sup>) in sign area does not require a permit under this bylaw unless located within 300m of the centerline of a Provincial Highway or 800m of the centerline of an intersection of two (2) Provincial Highways.

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 Alberta Energy Regulator (AER) setbacks unless lesser distance is agreed to in writing by AER; and, AER 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

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

The Development Authority may consider approval of Development Permit applications in accordance with the Land Use Bylaw No. 923-16, as amended.

3.6.3 Development Permit Conditions (Other)

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 No. 923-16, as amended.



#### 4.0 Definitions

- 4.1 "The Lands" means the lands as identified in Schedule "A" attached hereto.
- 4.2 "Motorized Outdoor Spectator Use" means a development or facility to allow Off Highway Vehicle, derby or motorcycle racing held on enclosed off-road circuits or open courses consisting of trails, lanes, or racetracks, and also may consist of artificially made dirt tracks consisting of steep jumps and obstacles. Accessory uses to a Motorized Outdoor Spectator Use may include a pit/paddock, test track, mechanics area, concession or food sales, bleachers/viewing areas and public washroom facilities or other similar events related to entertainment, sports, recreation and amusement.
- 4.3 Terms not defined above have the same meaning as defined in Section 15 of Land Use Bylaw No. 923-16, as amended.

#### 5.0 Implementation

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

READ a first time this 28<sup>th</sup> day of March, 2017,

READ a second time this 16<sup>th</sup> day of May, 2017,

READ a third time and finally passed this 16<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
Reeve  
\_\_\_\_\_  
CAO



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## **BRAZEAU COUNTY**

### **BYLAW NO: 961-17**

#### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 939-17, 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. 939-17; 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, Pt. NW 13-49-8-W5M, be redistricted from Agricultural and Direct Control to Direct Control, 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 961-17 and attached Schedule "A" form part of Land Use Bylaw 939-17, 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 For the purposes of this Bylaw, the Lands shall be divided into Development Cells: Cell A and Cell B, the boundaries and descriptions of which shall be as indicated in Schedule "A", attached hereto and forming part hereof, unless otherwise approved by Council.

- 1.3 The current Land Use Bylaw in place at the time of application is applicable unless otherwise specified in this Bylaw.
- 1.4 That Council is the Development Authority for the issuance of Development Permits for the Lands subject to 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 will require approval of a Development Permit.
- 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 Multiple principal uses may be approved on a parcel at the discretion of the development authority within Cell B only.
- 1.9 Proposals for development, use (including redesignation), and/or subdivision beyond that provided in this Bylaw shall require an amendment to this Bylaw.
- 1.10 Subdivision of the Lands is prohibited unless otherwise stated in 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 Cell A (residential)**

##### **Permitted Uses**

- Accessory Structure
- Accessory Use
- Agricultural Intensive Class 2
- Agricultural, Extensive
- Cabin
- Dwelling, Single-Detached
- Dwelling, Tiny
- Manufactured Home

- Public Utility Facility
- Secondary Suite

Discretionary Uses

- Animal Service Facility
- Outdoor Storage
- Outdoor Storage, Temporary
- Taxidermy

Cell B (industrial business)

Permitted Uses

- Accessory Structure
- Accessory Use
- Public Utility Facility

Discretionary Uses

- Agricultural, Support Service
- Automotive and Equipment Body Repair
- Automotive and Equipment Repair
- Contracting Services, Major
- Contracting Services, Minor
- Industrial Use, General
- Outdoor Oilfield Storage Facility
- Outdoor Storage
- Outdoor Storage, Temporary
- Surveillance Suite
- Surveillance Suite, Temporary
- Warehouse Sales or Storage

2.3 Minimum Requirements:

2.3.1 Setbacks

(a) Front Yard

- (i) 20.1 m (66 ft.) where abutting a County road where road widening has been dedicated); (West Boundary)

(b) Side Yard

- (i) 6.1 m (20 ft.); (North and South Boundaries)

(c) Rear Yard

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

2.3.2 Floor Area

- (a) 74.3 m<sup>2</sup> (800 ft<sup>2</sup>) for a dwelling

2.4 Maximum Requirements:

2.4.1 Maximum Height

- (a) At the discretion of the Development Authority.

**3.0 Development Regulations**

3.1 Utilities / Servicing

- 3.1.1 The owner shall apply 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 site shall have an approved private sewage disposal system.
- 3.1.3 Potable water shall be provided by water wells, licensed and approved for the applicable use (i.e. – residential or commercial), by Alberta Environment and Parks.
- 3.1.4 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 County Road Use Agreements

- 3.2.1 Any commercial or industrial use class or business may be required to enter into a road use agreement at the discretion of the Director of Public Works and Infrastructure or his designate.
- 3.2.2 All commercial or industrial use class or business are responsible to conform to Provincial legislation and regulation related to the transportation and storage of hazardous materials.

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 Cell 'B' boundaries adjacent to residential land uses in Cell 'A' and to adjacent properties uses to the north and south.
- 3.3.4 Landscaping may include the construction of a 2.4 m (8 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 m<sup>2</sup> (32.3 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 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 and Parks, the Environmental Protection and Enhancement Act, and the Alberta Fire Code.
- 3.5.2 All development must comply with the applicable Alberta Energy Regulator (AER) setbacks unless lesser distance is agreed to in writing by AER.; and, AER 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, except for those which are exempt under Section 3.2 of Bylaw 939-17.

##### 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 in place at the time of application.

#### 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 in place at the time of application.

### 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 15 of Land Use Bylaw 939-17, as amended.

### 5.0 Implementation

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

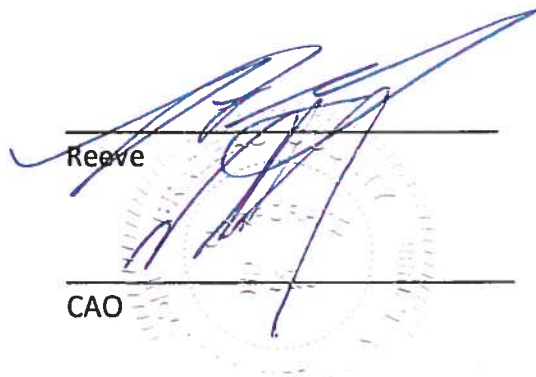
### 6.0 Repeal

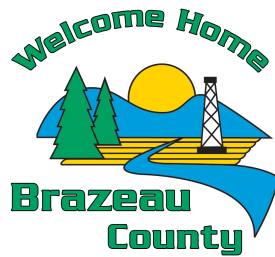
- 6.1 That Bylaw 738-10, being an existing Direct Control (DC) District Bylaw designating the Lands, is hereby repealed and replaced by this bylaw.

**READ** a first time this 19th day of September, 2017,

**READ** a second time this 7th day of November, 2017,

**READ** a third time and finally passed this 7th day of November, 2017.

  
\_\_\_\_\_  
Reeve  
  
\_\_\_\_\_  
CAO



N



BYLAW 961-17  
SCHEDULE A

Pt. NW 13-49-8-W5M  
Proposed Amendment  
(dimensions approximate)



CELL A



CELL B

PARCEL BOUNDARY

TYPE

Provincial Paved

Provincial Gravel

TYPE

County Paved

County Cold Mix

County Gravel

TYPE

Other Cold Mix

Other Gravel

Other Paved

2015 Imagery

Scale 1:1,400

PRODUCED BY BRAZEAU COUNTY

This map is intended for advisory purposes only.  
It is based upon data deemed reliable but  
Brazeau County is not responsible for errors or omissions.

Projection:  
NAD 83 UTM 11N GCS80

RGE RD 81

143.2 m

CELL A

+/- 1.43 ha  
(3.54 ac)

100.1 m

CELL B

+/- 6.14 ha  
(15.17 ac)

75.8 m

CELL A

+/- 0.92 ha  
(2.29 ac)

122.0 m

# BRAZEAU COUNTY

## BYLAW NO: 983-18

### BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 939-17, 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. 939-17; 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 Pt. of the NW 12-49-7-W5M be redesignated from Direct Control District (DC) 862-15 to Direct Control District (DC) 983-18, 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 983-18 and attached Schedule "A" form part of Land Use Bylaw 939-17, 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 For the purposes of this Bylaw, the Lands shall be divided into Development Cells. Cell A, Cell B, Cell C, and Cell D, the boundaries and descriptions of which shall be



as indicated in Schedule "A", attached hereto and forming part hereof, unless otherwise approved by Council.

- 1.3 The current Land Use Bylaw in place at the time of application, is applicable unless otherwise specified in this Bylaw.
- 1.4 That Council is the Development Authority for the issuance of Development Permits for the Lands subject to 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 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, uses (including Redesignation), or subdivision beyond that provided in this Bylaw shall require an amendment to this Bylaw.
- 1.8 Subdivision of the Lands is prohibited unless otherwise stated in this Bylaw.

## **2.0 Land Use Regulations**

### **2.1 Purpose**

The purpose of this District is to provide for an oilfield equipment storage site/laydown yard, residential use, natural resource extraction and processing and a helipad. This is to accommodate the use of the lands for business and resource development purposes while still accommodating a residential site. This bylaw allows for multiple principal uses on the parcel, but only one principal use in each development cell. At the discretion of the Development Authority, multiple principal uses may be approved.

### **2.2 List of Uses**

#### **2.2.1 Cell A (Laydown Yard)**

##### **Discretionary Uses**

- Accessory
- Oilfield Support Services
- Outdoor Storage Facility
- Parking, Non-Accessory
- Surveillance Suite
- Natural Resource Processing



Cell B (Gravel Operation)

Discretionary Uses

- Accessory
- Natural Resource Extraction
- Natural Resource Processing
- Surveillance Suite

Cell C (Residential Sites)

Permitted Uses

- Accessory
- Home Occupation, "Minor"
- Home Occupation, "Medium"
- Manufactured Home
- Modular Home
- Secondary Suite
- Single-detached dwelling
- Secondary single-detached dwelling

Discretionary Uses

- Home Occupation, "Major"

Cell D (Helipad)

Discretionary Uses

- Accessory
- Airport
- Aerodrome
- Antenna or Antenna Support Structure
- Telecommunication Tower

2.3 Minimum Requirements for all Cells:

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) 15.0 m (50 ft) where abutting an internal road (service road);

(b) Side Yard

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

(iv) 15.0 m (50 ft) where abutting an internal road (service road);

(c) Rear Yard

(i) 8.0 m (26 ft.);

(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;

(iv) 15.0 m (50 ft) where abutting an internal road (service road);

2.3.2 Floor Area (Cell C Only)

(a) 74.3 m<sup>2</sup> (800 ft<sup>2</sup>) for a dwelling

2.4 Maximum Requirements:

Cell A

2.4.1 Maximum Height

(a) 9.0 m (30 ft) for a freestanding sign

2.4.2 At the discretion of the Development Authority, screening may be required along the rear and side parcel boundaries adjacent to non-residential land uses and may include the construction of a 1.83 m (6 ft) high solid screened fence (chain link fence with privacy slats, solid wood, metal, etc.);

2.4.3 Landscaping will be required to the satisfaction of the Development Authority having regard to adjacent land uses and may include solid screen fencing (chain link fence with privacy slats, wood, metal, etc.), the planting of trees, shrubs and/or other vegetation and the construction of a landscaped berm. Fencing/screening will be at the discretion of the Development Authority.

Cell B

2.4.4 In addition to the Development Regulations of the Land Use Bylaw in effect at the time of application, and at the discretion of the Development Authority, landscaping or screening may be required along the west and northern development boundaries.

2.4.5 Restricted and noxious weeds are to be taken care of yearly to prevent the spread of weeds to neighbouring lands uses.

Cell C

- 2.4.6 8.5 m (28 ft) for a dwelling;
- 2.4.7 One hundred (100%) percent of the height of the principal building for a freestanding sign.

Cell D

- 2.4.8 9.0 m (30 ft) for an accessory building;
- 2.4.9 One hundred (100%) percent of the height of the accessory building for a freestanding sign.

### 3.0 Development Regulations

#### 3.1 Utilities / Servicing

- 3.1.1 The Owner shall apply 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 site shall have an approved private sewage disposal system.
- 3.1.3 Potable water shall be provided by water wells, licensed and approved for the applicable use (i.e. – residential or commercial), by Alberta Environment & Parks.
- 3.1.4 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 and Stormwater Management

- 3.3.1 A stormwater management and site grading plan must be submitted and approved by Alberta Environment, Brazeau County/Drayton Valley Fire Services, Alberta Transportation and Brazeau County if required at the discretion of Brazeau County.
- 3.3.2 Landscaping must not impede sight triangles of intersections of roads and approaches.



3.3.3 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 shall be free-standing.

3.4.2 There shall be no flashing or animated signs.

3.4.3 The general standards for signs in the Land Use Bylaw in effect at the time of application shall be applicable to signs in this direct control district.

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 & Parks, the Environmental Protection and Enhancement Act, and the Alberta Fire Code.

3.5.2 All development must comply with the applicable AER setbacks unless lesser distance is agreed to in writing by AER; and, AER 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 in effect at the time of application.

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 in effect at the time of application.



#### 4.0 Definitions

- 4.1 "Development Cell" means a designated area of land containing uses as defined and prescribed by this Bylaw.
- 4.2 "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 the glossary of the Land Use Bylaw in effect at the time of application.

#### 5.0 Implementation

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

#### 6.0 Repeal

- 6.1 That Bylaw 862-15 being an existing Direct Control (DC) District Bylaw designating the Lands is hereby repealed.

READ a first time this 20 day of February, 2018

READ a second time this 3 day of April, 2018

READ a third time and finally passed this 3 day of April, 2018

  
\_\_\_\_\_  
Reeve  
\_\_\_\_\_  
Interim CAO



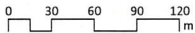
NW-12-49-07-W5

**Proposed Rezoning**

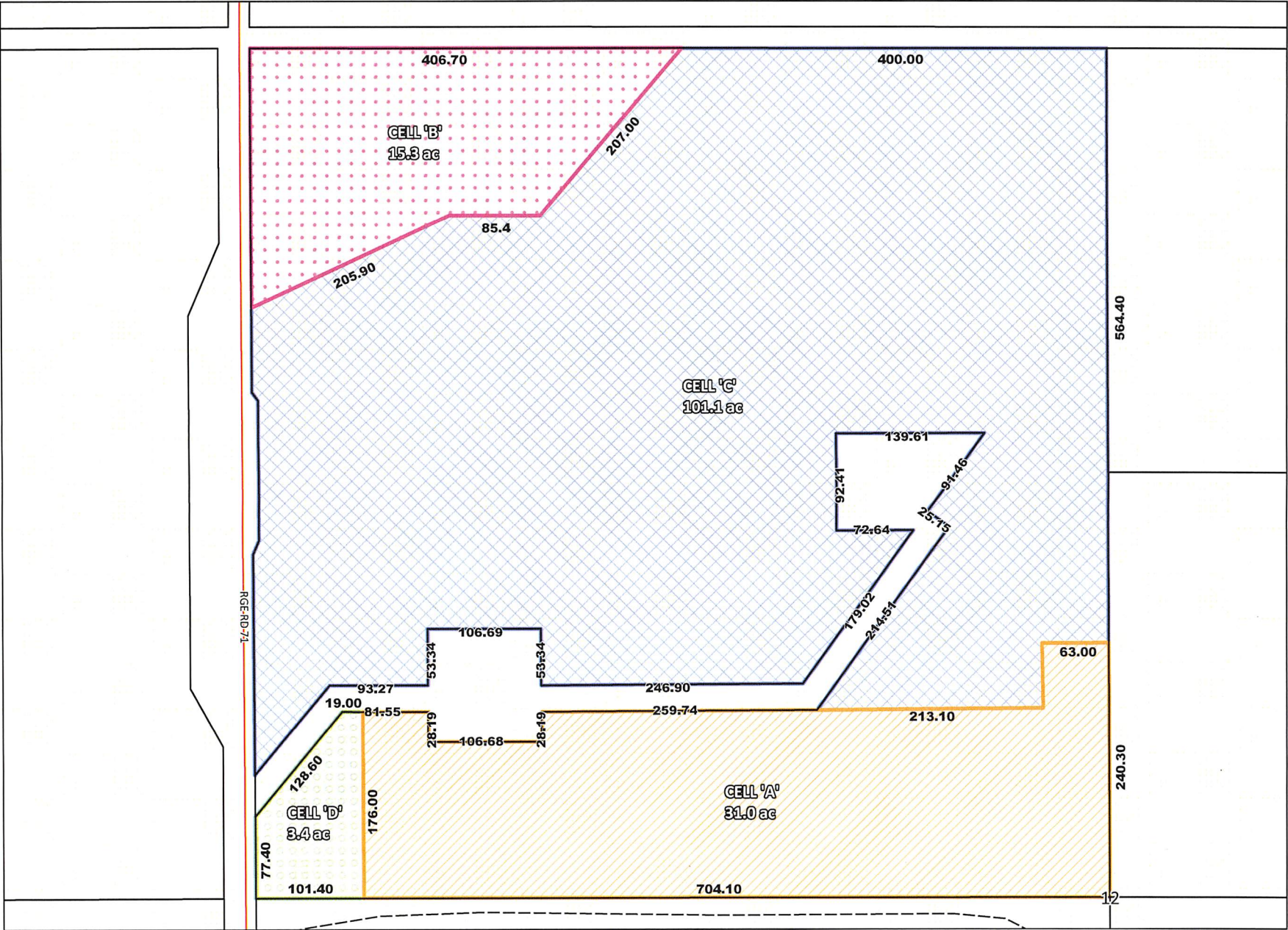
(Dimensions Approximate)

- CELL "A"
- CELL "B"
- CELL "C"
- CELL "D"
- PARCEL BOUNDARY
- COUNTY PAVED
- COUNTY COLD MIX
- COUNTY GRAVEL
- OTHER PAVED
- OTHER COLD MIX
- OTHER GRAVEL
- PROVINCIAL PAVED
- PROVINCIAL GRAVEL

Scale: 1 : 3,300



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.





# **BRAZEAU COUNTY**

## **BYLAW NO: 986-18**

### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 939-17, 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. 939-17; 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 Pt. NW 7-48-9-W5M be re-districted from Agricultural (AG) and Direct Control (DC) Districts 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 986-18 and attached Schedule "A" form part of Land Use Bylaw 939-17, 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 For the purposes of this Bylaw, the Lands shall be divided into Development Cells: Cell A and Cell B, the boundaries and descriptions of which shall be as indicated in

Schedule "A", attached hereto and forming part hereof, unless otherwise approved by Council.

- 1.3 The current Land Use Bylaw in place at the time of application is applicable unless otherwise specified in this Bylaw.
- 1.4 That Council is the Development Authority for the issuance of Development Permits for the Lands subject to 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 will require approval of a Development Permit.
- 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 Multiple principal uses may be approved on a parcel at the discretion of the development authority within Cell A only.
- 1.9 Proposals for development, use (including redesignation), and/or subdivision beyond that provided in this Bylaw shall require an amendment to this Bylaw.
- 1.10 Subdivision of the Lands is prohibited unless otherwise stated in 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**

Cell A (industrial business)

Permitted Uses

- Accessory Structure
- Accessory Use
- Contracting Services, Major

- Contracting Services, Minor
- Industrial Use, General
- Outdoor Oilfield Storage Facility
- Outdoor Storage
- Outdoor Storage, Temporary
- Public Utility Facility
- Surveillance Suite
- Surveillance Suite, Temporary

#### Discretionary Uses

- Agricultural, Support Service
- Automotive and Equipment Body Repair
- Automotive and Equipment Repair
- Warehouse Sales or Storage

#### Cell B (agricultural)

##### Permitted Uses

- Accessory Structure
- Accessory Use
- Agricultural Intensive Class 2
- Agricultural, Extensive
- Cabin
- Dwelling, Single-Detached
- Dwelling, Tiny
- Manufactured Home
- Public Utility Facility
- Secondary Suite

##### Discretionary Uses

- Animal Service Facility
- Outdoor Storage
- Outdoor Storage, Temporary
- Taxidermy

## 2.3 Minimum Requirements:

### 2.3.1 Setbacks

#### (a) Front Yard

- (i) 40 m (131 ft.) where abutting a highway;

(b) Side Yard

(i) 6.1 m (20 ft.);

(c) Rear Yard

(i) 8.0 m (26 ft.);

2.3.2 Floor Area

(a) 74.3 m<sup>2</sup> (800 ft<sup>2</sup>) for a dwelling

2.4 Maximum Requirements:

2.4.1 Maximum Height

(a) At the discretion of the Development Authority.

**3.0 Development Regulations**

3.1 Utilities / Servicing

3.1.1 The owner shall apply 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 site shall have an approved private sewage disposal system.

3.1.3 Potable water shall be provided by water wells, licensed and approved for the applicable use (i.e. – residential or commercial), by Alberta Environment and Parks.

3.1.4 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 County Road Use Agreements

3.2.1 Any commercial or industrial use class or business may be required to enter into a road use agreement at the discretion of the Director of Public Works and Infrastructure or his designate.



- 3.2.2 All commercial or industrial use class or business are responsible to conform to Provincial legislation and regulation related to the transportation and storage of hazardous materials.

### 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 Cell 'A' boundaries adjacent to agricultural land uses in Cell 'B' and to adjacent properties uses to the east.
- 3.3.4 Landscaping may include the construction of a 2.4 m (8 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 m<sup>2</sup> (32.3 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 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 and Parks, the Environmental Protection and Enhancement Act, and the Alberta Fire Code.
- 3.5.2 All development must comply with the applicable Alberta Energy Regulator (AER) setbacks unless lesser distance is agreed to in writing by AER.; and, AER 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, except for those which are exempt under the Land Use Bylaw currently in place.

#### 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 in place at the time of application.

#### 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 in place at the time of application.

## 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 the Land Use Bylaw currently in place.

## 5.0 Implementation

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



## **6.0 Repeal**

- 6.1 That Bylaw 763-11, being an existing Direct Control (DC) District Bylaw designating the Lands, is hereby repealed and replaced by this bylaw.

**READ** a first time this 3 day of April, 2018,

**READ** a second time this 15 day of May, 2018,

**READ** a third time and finally passed this 15 day of May, 2018.



Reeve



Interim CAO



N









**BYLAW 986-18  
SCHEDULE A**  
Pt. NW 7-48-9-W5M  
(dimensions approximate)

 **CELL A**  
[APPROX.  
3.36HA (8.29 AC)]

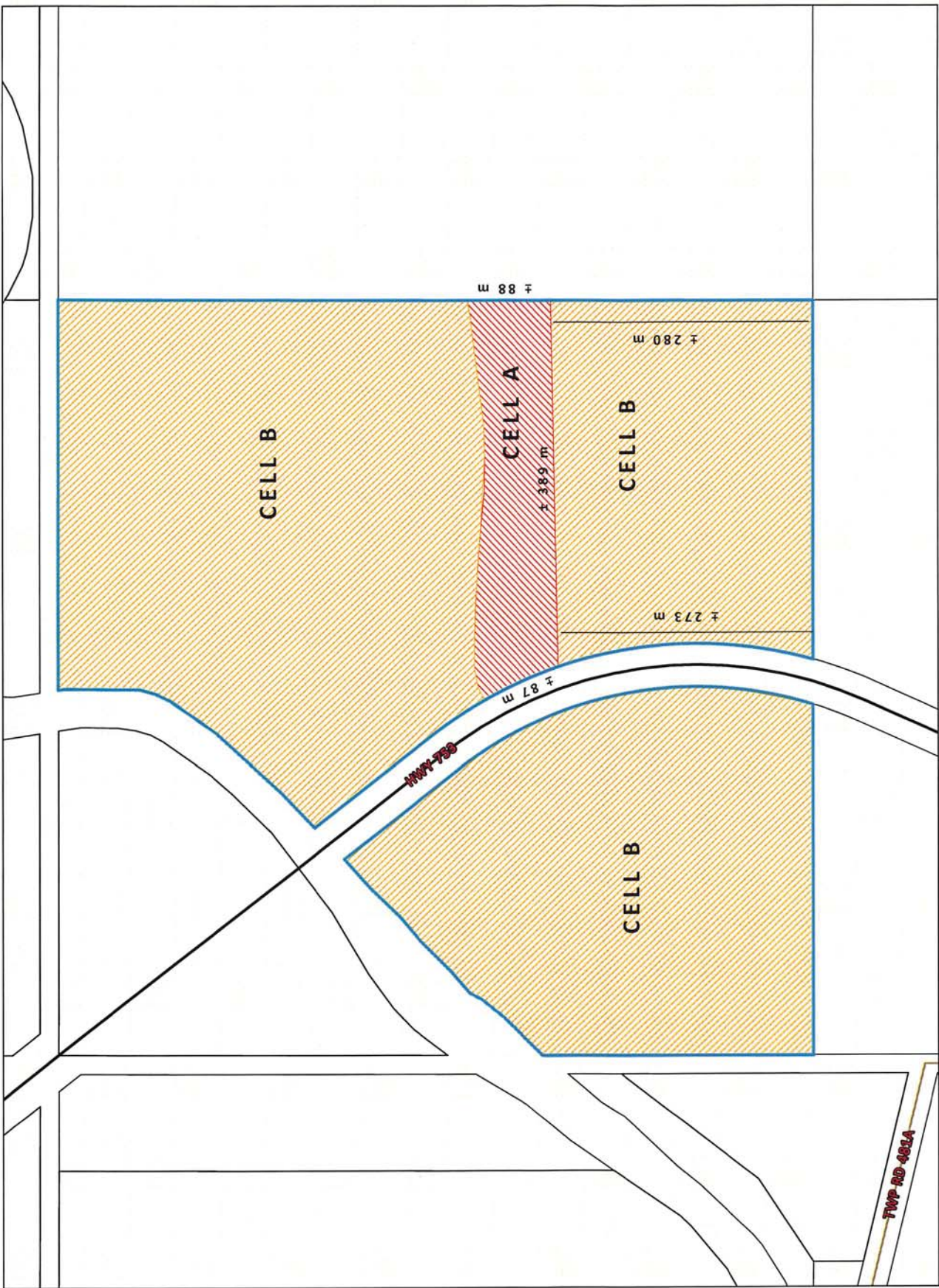
 **CELL B**

 **PARCEL  
BOUNDARY**

- TYPE**
-  Provincial Paved
  -  Provincial Gravel
- TYPE**
-  County Paved
  -  County Cold Mix
  -  County Gravel
- TYPE**
-  Other Cold Mix
  -  Other Gravel
  -  Other Paved

2017 Imagery  
Scale 1:3,700

PRODUCED BY BRAZEAU COUNTY  
This map is based on 2017 aerial imagery and is not intended to be used for legal purposes. Brazeau County is not responsible for errors or omissions.  
NAD 83 UTM 18N 52Q 80



## **BRAZEAU COUNTY**

### **BYLAW NO: 994-18**

#### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 939-17, 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. 939-17; 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, Pt. NW 9-48-7-W5M, be redistricted from Crown Land (CL) 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 994-18 and attached Schedule "A" form part of Land Use Bylaw 939-17, 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 For the purposes of this Bylaw, the Land shall be divided into Development Cells: Cell A and Cell B, the boundaries and descriptions of which shall be as indicated in Schedule "A", attached hereto and forming part hereof, unless otherwise approved by Council.
- 1.3 The current Land Use Bylaw in place at the time of application is applicable unless otherwise specified in this Bylaw.
- 1.4 That Council is the Development Authority for the issuance of Development Permits for the Lands subject to 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 will require approval of a development permit.
- 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.

## **2.0 Land Use Regulations**

### **2.1 Purpose**

The purpose of this District is to provide for natural resource extraction and processing, agricultural and oil and gas uses on the lands. This is to accommodate the use of the lands for resource development purposes, while still accommodating existing grazing and oil and gas leases.

### **2.2 List of Uses**

#### **2.2.1 Cell A (Natural Resource Extraction and Processing) Permitted Uses**

- Accessory Structure
- Accessory Use
- Outdoor Storage, Temporary
- Public Utility Facility



- Surveillance Suite
- Surveillance Suite, Temporary

#### Discretionary Uses

- Contracting Services, Major
- Contracting Services, Minor
- Industrial Use, General
- Natural Resource Extraction
- Natural Resource Processing
- Outdoor Storage
- Work Camp

#### Cell B (Crown Land)

##### Permitted Uses

- Accessory Structure
- Accessory Use
- Agricultural, Extensive
- Agricultural, Intensive Class 2
- Outdoor Storage
- Outdoor Storage, Temporary
- Park
- Public & Quasi-Public Use
- Public Utility Facility
- Surveillance Suite, Temporary

##### Discretionary Uses

- Contracting Services, Major
- Contracting Services, Minor
- Industrial Use, General
- Land Farm
- Outdoor Oilfield Storage Facility
- Work Camp

## 2.3 Minimum Requirements for all cells:

### 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; (West boundary)



(b) Side Yard

- (i) 6.1 m (20 ft.); (North and South boundaries)

(c) Rear Yard

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

2.4 Maximum Requirements:

2.4.1 Maximum Height

- (a) 10.1 m (33 ft), or 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 site shall have an approved private sewage disposal system.

3.1.3 Potable water shall be provided by water wells, licensed and approved for the applicable use (i.e. – residential or commercial), by Alberta Environment and Parks.

3.1.4 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.

3.2.2 Any natural resource extraction or processing, or industrial use class may be required to enter into a road use agreement at the discretion



of the Director of Public Works or his designate.

**3.3 Stormwater Management and Landscaping**

3.3.1 A stormwater management and site grading plan must be submitted and approved by Alberta Environment and Parks, Brazeau County/Drayton Valley Fire Services, Alberta Transportation and Brazeau County if required at the discretion of Brazeau County.

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 shall be free-standing.

3.4.2 There shall be no flashing or animated signs.

3.4.3 Signage exceeding 3.0 m<sup>2</sup> (32 ft.<sup>2</sup>) in sign area 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 and Parks, the Environmental Protection and Enhancement Act, and the Alberta Fire Code.

3.5.2 All development must comply with the applicable Alberta Energy Regulator (AER) setbacks unless lesser distance is agreed to in writing by AER.; and, AER 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, except those which are exempt under the Land Use Bylaw currently in place.

#### 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 in place at the time of application.

#### 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 in place at the time of application.

### 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 the Land Use Bylaw currently in place.





## 5.0 Implementation

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

READ a first time this 21 day of August, 2018,

READ a second time this 18 day of September, 2018,

READ a third time and finally passed this 18 day of September, 2018.

Reeve

CAO



# Schedule A

## Bylaw 994-18

### File No.: 18A-007

Rezoning Area CL to DC  
Pt NW 9-48-7-W5M  
+/- 56.87 ac (+/- 23.01 ha)

CELL A

CELL B

Note: All measurements are  
+/- and in metres

#### PARCEL BOUNDARY

##### TYPE

— Provincial Paved

— Provincial Gravel

##### TYPE

— County Paved

— County Cold Mix

— County Gravel

##### TYPE

— Other Cold Mix

— Other Gravel

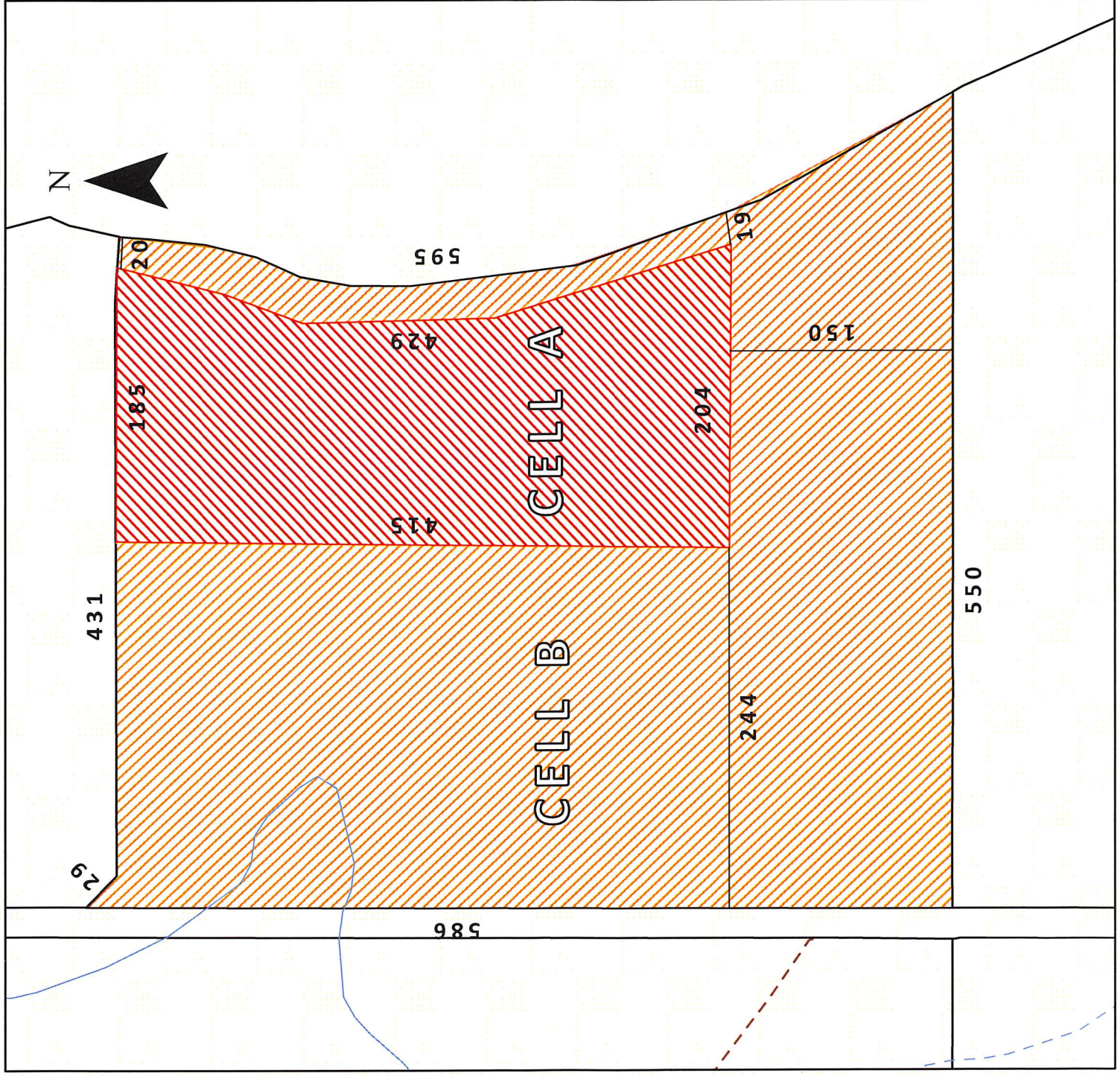
— Other Paved

242

2017 Imagery Scale 1:3,813

PRODUCED BY BRAZEEAU COUNTY

This map is intended for advisory purposes only.  
It is based upon data deemed reliable but  
Brazeeau County is not responsible for errors or omissions.



## **BRAZEAU COUNTY**

### **BYLAW NO: 1101-22**

#### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 1002-18, 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. 1002-18; 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, all of Pt NW 15-50-5-W5M & SW 15-50-5-W5M ("the Lands"), be redistricted from Agricultural (AG) to Direct Control (DC), as shown on attached Schedule 'A' to this Bylaw, and that the appropriate Land Use District Map be amended accordingly.
2. That Direct Control District Bylaw 1101-22 and attached Schedule "A" form part of Land Use Bylaw 1002-18 Rev 15, 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 For the purposes of this Bylaw, the Land shall be divided into Development Cells: Cell A and Cell B, the boundaries and descriptions of which shall be as indicated in Schedule "A", attached hereto and forming part hereof, unless otherwise approved by Council.
- 1.3 The current Land Use Bylaw, as amended, is applicable unless otherwise specified in this Bylaw.
- 1.4 That Council is the Development Authority for the issuance of Development Permits for the Lands subject to 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 will require approval of a Development Permit issued by Brazeau County.
- 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.

## **2.0 Land Use Regulations**

### **2.1 Purpose**

The purpose of this District is to provide for natural resources extraction and processing and agricultural uses on the lands. This is to accommodate the use of the lands for resource development purposes.

### **2.2 List of Uses**

#### **2.2.1 Cell A – Natural Resource Extraction and Processing (NREP) Permitted Uses**

- Accessory Structure
- Accessory Use
- Outdoor Storage, Temporary
- Public Utility Facility
- Surveillance Suite



- Surveillance Suite, Temporary

#### Discretionary Uses

- Contracting Services, Major
- Contracting Services, Minor
- Industrial Use, General
- Natural Resource Extraction
- Natural Resource Processing
- Outdoor Storage
- Work Camp

#### 2.2.2 Cell B – Agricultural (AG)

##### Permitted Uses

- Accessory Structure
- Accessory Use
- Agricultural Intensive Class 2
- Agricultural, Extensive
- Agricultural, Support Service
- Animal Service Facility
- Bed and Breakfast
- Cabin
- Dwelling, Single-Detached
- Dwelling, Tiny
- Group Home
- Guest Ranch
- Home Occupation, Medium
- Home Occupation, Minor
- Manufactured Home
- Outdoor Storage
- Outdoor Storage, Temporary
- Park
- Public and Quasi-Public Use
- Secondary Suite
- Surveillance Suite
- Surveillance Suite, Temporary

#### Discretionary Uses

- Aerodrome
- Agricultural Intensive Class 1
- Airport
- Auction Facility
- Cannabis Production and Distribution Facilities
- Campground, Minor
- Contracting Services, Major
- Contracting Services, Minor
- Day Care Home
- Home Occupation, Major
- Outdoor Oilfield Storage Facility
- Place of Worship
- Social Care Facility
- Taxidermy
- Work Camp

### 2.3 Minimum Requirements for all Cells:

#### 2.3.1 Setbacks

##### (a) Front Yard

- i. 25 m (82 ft) where abutting a County road where road widening has not been dedicated; (West boundary)

##### (b) Side Yard

- i. 6.1 m (20 ft)
- ii. 25 m (82 ft) where abutting a County road where road widening has not been dedicated
- iii. 20.1 m (66 ft) where abutting a County road where road widening has been dedicated; (North and South boundaries)

##### (c) Rear Yard

- i. 7.9 m (26 ft). (East boundary)

### 2.4 Maximum Requirements for all Cells:

#### 2.4.1 Maximum Height

- (a) 10.1 m (33 ft), or 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 not exceed 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 the requirement set out in the current Land Use Bylaw, as amended, and may be subject to the approval of a Development

Permit).

3.4.2 There shall be no flashing or animated signs.

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

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 current Land Use Bylaw, 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 current Land Use Bylaw, as amended.



#### **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 the current Land Use Bylaw, as amended.


#### **5.0 Implementation**

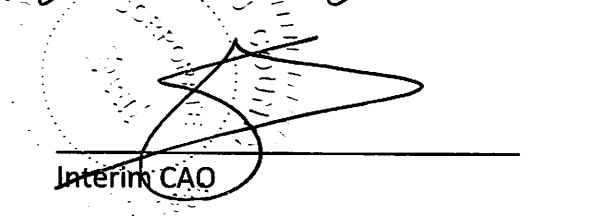
5.1 This Bylaw shall take effect upon the final passing thereof.

**READ** a first time this 17<sup>th</sup> day of May, 2022,

**READ** a second time this 21<sup>st</sup> day of June, 2022,

**READ** a third time and finally passed this 21<sup>st</sup> day of June, 2022.

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Interim CAO



# Schedule A

Bylaw 1101-22

File: 22A-003

Rezoning Area

AG to DC

Pt NW 15-50-5-W5M

and

SW 15-50-5-W5M

+/- 260.77 ac

(+/- 105.53 ha)

Shown Thus

Cell A 

Cell B 

Note:

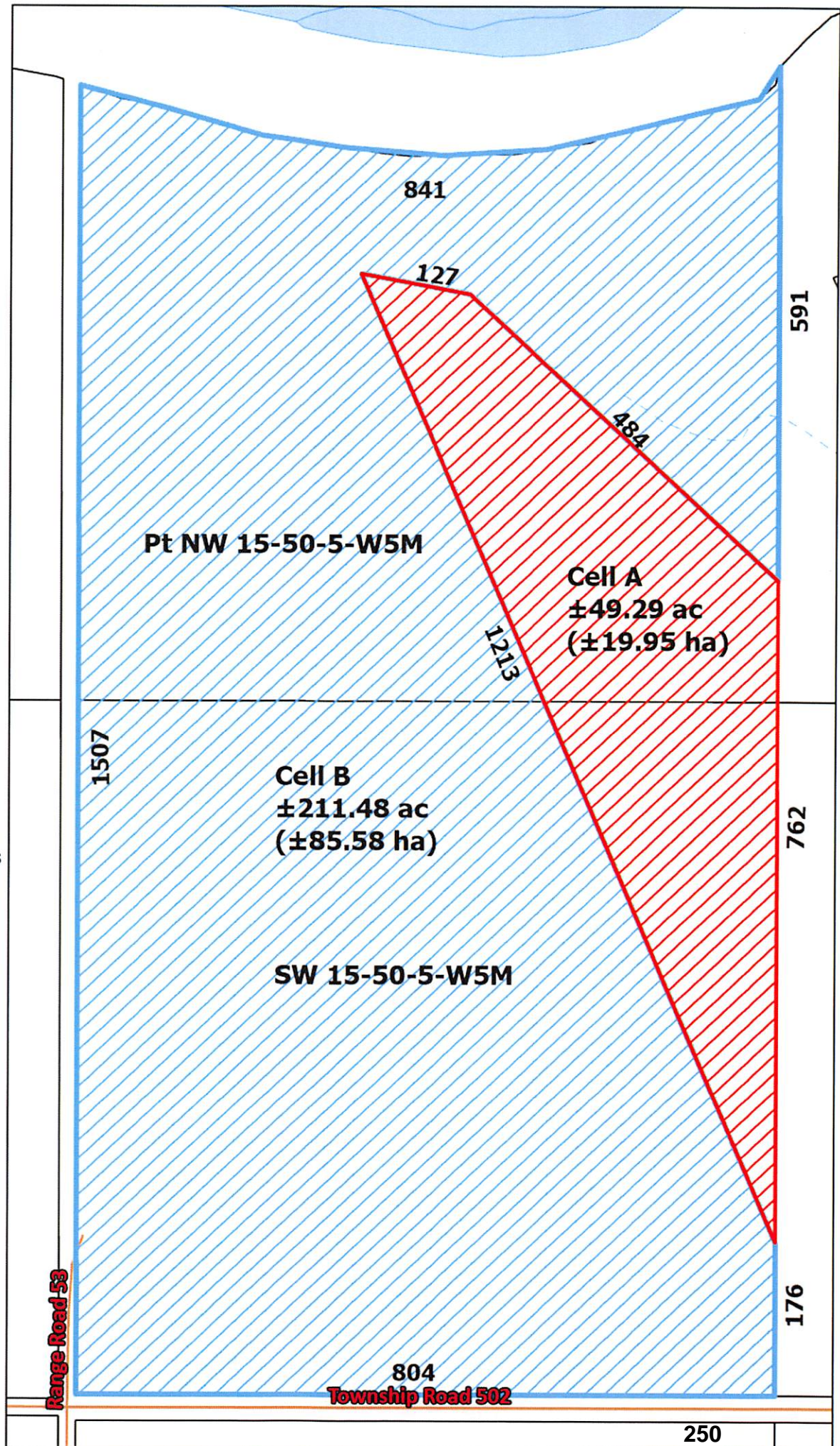
All measurements  
are +/- and in metres

2020 Imagery

Scale: 1:6,200

PRODUCED BY BRAZEAU COUNTY

This map is intended for advisory purposes only.  
It is based upon data deemed reliable but  
Brazeau County is not responsible for errors or omissions.





## **BRAZEAU COUNTY**

### **BYLAW NO: 1170-24**

#### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 1002-18, 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. 1002-18; 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 Lots 1 & 2 Block 1 Plan 822 0824 within SW 13-50-6-W5M, be redistricted from Agricultural Holdings (AGH) to Direct Control (DC), as shown on attached Schedule 'A' ("the Lands") to this Bylaw and the appropriate Land Use District Map within Land Use Bylaw 1002-18 be amended accordingly.
2. That Direct Control District Bylaw 1170-24 and attached Schedule "A" form part of Land Use Bylaw 1002-18, 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 1002-18, 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 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 redesignation), 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 Natural Resource Extraction use on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Discretionary Uses**

- Accessory Structure
- Accessory Use
- Outdoor Storage, Temporary
- Public Utility Facility
- Surveillance Suite
- Surveillance Suite, Temporary
- Contracting Services, Major
- Contracting Services, Minor
- Industrial Use, General
- Natural Resource Extraction
- Natural Resource Processing
- Outdoor Storage

- Work Camp

## 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; and
- iii. 40.0 m (131 ft) abutting a highway.

#### (b) Side Yard

- i. 6.1 m (20 ft.);
- ii. 10.1 m (33 ft) where abutting and internal road;
- iii. 40.0 m (131 ft) where abutting a County road where road widening has not been dedicated);
- iv. 25.0 m (82 ft) where abutting a County road where road widening has been dedicated; and
- v. 40.0 m (131 ft) abutting a highway.

#### (c) Rear Yard

- i. 8.0 m (26 ft.);
- ii. 10.1 m (33 ft) where abutting and internal road;
- iii. 40.0 m (131 ft) where abutting a County road where road widening has not been dedicated);
- iv. 25.0 m (82 ft) where abutting a County road where road widening has been dedicated; and
- v. 40.0 m (131 ft) abutting a highway.

## 2.4 Maximum Requirements:

### 2.4.1 Maximum Height

- (a) 10.1 m (33 ft.)

### **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 and Fencing**

- 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 Fencing/screening will be at the discretion of the Development Authority.

### 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 3.0 m<sup>2</sup> (32 ft.<sup>2</sup>) in sign area, except for “No Trespassing”, “No Hunting” or similar type warning signs, shall be limited to two (2) such signs per lot without requiring 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 Alberta Energy Regulator (AER) setbacks unless lesser distance is agreed to in writing by AER; and AER 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 1002-18, 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 1002-18, as amended.

### **3.7 Special Regulations**

- 3.7.1 Natural Resource Extraction and Processing shall be subject to the regulations of Land Use Bylaw 1002-18, as amended, and to the relevant guidelines and conditions of operation and approval from the provincial or federal authority having jurisdiction of these operations.
- 3.7.2 The Development Authority may require applicants for Natural Resource Extraction and Processing to submit an approved plan(s) or study(ies), if required by the County or other governing authority as outlined in Section 3.5 of Land Use Bylaw 1002-18, as amended, to determine appropriate conditions of approval in order to minimize the impact on adjacent developments and on the environment.
- 3.7.3 In addition to Section 8.16 of Land Use Bylaw 1002-18, as amended, under Development Regulations, the Development Authority may require landscaping or screening along the front, rear, or side yard boundaries adjacent to public, residential, or other incompatible land uses. An applicant must ensure restricted and noxious weeds are taken care of yearly to prevent the spread of weeds to neighbouring 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 15 of Land Use Bylaw 1002-18, 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 April, 2024,

**READ** a second time this 9<sup>th</sup> day of May, 2024,

**READ** a third time and finally passed this 9<sup>th</sup> day of May, 2024.

  
\_\_\_\_\_  
Reeve  
\_\_\_\_\_  
Acting Chief Administrative Officer



# Schedule A

Bylaw 1170-24

File: 23A-020

Rezoning Area

AGH to DC

Lots 1 & 2 Block 1 Plan 822 0824

within SW 13-50-6-W5M

+/- 11.24 ac (+/- 4.55 ha)

Shown Thus



Note: All measurements are  
+/- and in metres

Scale: 1:2,300

PRODUCED BY BRAZEAU COUNTY

This map is intended for advisory purposes only. It is based upon data deemed reliable but Brazeau County is not responsible for errors or omissions. Accuracy of the cadastral fabric is +/- 3m in rural areas.

Projection:  
NAD 83 UTM 11N GCS80

HWY759

179

145

Lot 1 Block 1  
Plan 822 0824

298

Lot 2 Block 1  
Plan 822 0824

RR60A

220

113

49

TR502

258

## **BRAZEAU COUNTY**

### **BYLAW NO: 1157-23**

#### **BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 1002-18, 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. 1002-18; 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, portions of Parts of SW 23-48-8-W5M, be re-districted from Agricultural Holdings (AGH) and Direct Control (DC) Districts to Direct Control (DC) and Agricultural (AG) Districts, 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 (DC) District Bylaw 1157-23 and attached Schedule "A" form part of Land Use Bylaw 1002-18, 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 For the purposes of this Bylaw, the Land shall be divided into Development Cells: Cell A and Cell B, the boundaries and descriptions of which shall be as indicated in Schedule "A", attached hereto and forming part hereof.
- 1.3 That all of Part of SW 23-48-8-W5M not included in the Direct Control (DC) District (Cells A and B), shown on the attached Schedule 'A' is returned to the Agricultural (AG) District.
- 1.4 Land Use Bylaw 1002-18, as amended, is applicable unless otherwise specified in this Bylaw.
- 1.5 That Council is the Development Authority for the issuance of Development Permits for the Lands designated Direct Control (DC) subject to this Bylaw.
- 1.6 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.
- 1.7 The development of any new structures or any addition to existing structures will require approval of a development permit.
- 1.8 Any use of the Lands not listed in Section 2 of this Bylaw is prohibited unless otherwise stated in this Bylaw.
- 1.9 Proposals for development, use (including redesignation), 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 Oilfield Support Services and Agricultural Holdings (AGH) uses on the Lands.

### **2.2 List of Uses**

#### **2.2.1 Cell A – Oilfield Support Services**

##### **Permitted Uses**

- Accessory Structures
- Oilfield Support Services
- Signs(s)

## Cell B – Agricultural Holdings (AGH)

### Permitted Uses

- Accessory Structure
- Accessory Use
- Agricultural Intensive Class 2
- Agricultural, Extensive
- Bed and Breakfast
- Cabin
- Dwelling, Single-Detached
- Dwelling, Tiny
- Group Home
- Home Occupation, Medium
- Home Occupation, Minor
- Manufactured Home
- Park
- Public and Quasi-Public Use
- Public Utility Facility
- Secondary Suite
- Surveillance Suite
- Surveillance Suite, Temporary

### Discretionary Uses

- Agricultural, Support Service
- Animal Service Facility
- Contracting Services, Minor
- Day Care Home
- Guest Ranch
- Home Occupation, Major
- Outdoor Storage
- Outdoor Storage, Temporary
- Places of Worship
- Social Care Facility
- Taxidermy

## 2.3 Minimum Requirements for all Development Cells:

### 2.3.1 Setbacks

#### (a) Front Yard

- (i) 40.0 m (131 ft). where abutting a highway; (North Boundary)

(b) Side Yard

- (i) 6.0 m (20 ft.); (East and West Boundaries)

(c) Rear Yard

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

**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 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 Alberta Energy Regulator (AER) setbacks unless lesser distance is agreed to in writing by AER; and, AER 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 1002-18, 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 1002-18, as amended.

## 4.0 Definitions

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

4.2 **"OILFIELD SUPPORT SERVICES"** means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or shipping of such materials, goods and equipment, including petrochemical products and supplies provided such storage is in accordance with all applicable provincial and federal statutes. This definition applies to oil and gas industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations, but excludes "Bulk Oil and Chemical Storage".

4.3 Terms not defined above have the same meaning as defined in Section 15 of Land Use Bylaw 1002-18, as amended.

## 5.0 Implementation

5.1 That Bylaw 775-11 being an existing Bylaw designating a portion of the Lands is hereby repealed and replaced by this Bylaw.



- 5.2 This Bylaw, and the redesignation of the Lands, shall take effect upon the registration of the subdivision plan, which corresponds with the Lands shown in the attached Schedule 'A', by the Land Titles Office.

READ a first time this 5 day of September, 2023,

READ a second time this 3 day of October, 2023,

READ a third time and finally passed this 3 day of October, 2023.

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
CAO



# Schedule A

## Bylaw 1157-23

### File: 23A-013

Rezoning Area  
AGH/DC to DC/AG  
Pts SW 23-48-8-W5M  
+/- 16.74 ac  
(+/- 6.77 ha)

DC Cells  
Shown Thus

Cell A 

Cell B 

Note: All measurements  
are +/- and in metres

Scale: 1:3,300

PRODUCED BY BRAZEAU COUNTY

This map is intended for advisory purposes only. It is based upon data deemed reliable but Brazeau County is not responsible for errors or omissions. Accuracy of the cadastral fabric is +/- 3m in rural areas.

Projection:  
NAD 83 UTM 11N GCS80

