

# BYLAW 1656-21

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*A **BYLAW** of the County of Stettler No. 6, in the Province of Alberta, in accordance with the Municipal Government Act Chapter M-26 Revised Statutes of Alberta 2000 and amendments thereto, to provide for the amendment of the Land Use Bylaw No. 1443-10 as amended.*

**WHEREAS** Section 639 of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that every municipality must pass a Land Use Bylaw; and

**WHEREAS** the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, permit a Council by bylaw to amend the Land Use Bylaw,

**WHEREAS** Council deems it necessary and expedient to amend the Land Use Bylaw 1443-10,

**NOW THEREFORE BE IT RESOLVED** that the Council of the County of Stettler, duly assembled enacts as follows:

1. That Section 5 “Other Legislative Requirements” is amended by revising Section 5.1 to read as follows:

*“Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any statutory plan, easement, covenant, agreement or contract affecting the development.”*

2. That Section 8 “Land Use and Building Definitions” is amended by revising the definition of “Duplex” to read as follows:

*““Duplex” means a building containing two dwelling units and each above grade and having a separate exterior entrance, but does not include a secondary suite.”*

3. That Section 31 “Validity of a Development Permit” is amended by adding the following text as a new subsection 31.2:

*“A development, once begun, shall not be abandoned, or left for an extended period of time in what the Development Officer considers to be an unsightly or unsafe condition.”*

4. That Section 34 “The Appeal Process” is amended by revising Section 34.1 to read as follows:

*“An appeal to the Subdivision and Development Appeal Board shall be commenced by serving written Notice of the Appeal on the Subdivision and Development Appeal Board within twenty-one (21) days after:*

- (a) *in the case of an appeal made by a person referred to in Section 33.1, the date on which:*
  - (i) *the person is notified of the decision, or*
  - (ii) *if no decision is made with respect to the Application for a Development Permit, the expiry of the forty (40) day period, and any extension thereto, referred to in Section 33.1 (d);*
- (b) *in the case of an appeal made by a person referred to in Section 33.2, 33.3 or 33.4 the date on which the person is notified of the decision or order.”*

5. That the Hamlet Commercial (HC) District is amended by including the following text under subsection 99.3 “Discretionary Uses” as a new use where they would appear in alphabetical order:

*“Assisted Living Facility”  
“Campground”*

6. That the Hamlet Commercial (HC) District is amended by including the following text under subsection 99.4 Lot Width as a new clause:

*“Except in the Hamlet of Gadsby, minimum lot width: 25 ft. (7.62 m)”*

7. That the Hamlet Commercial (HC) District is amended by revising the text under subsection 99.4 “Side Yard” bullet point one to read as follows:

*“Road frontage: See Front Yard, except in the Hamlet of Botha and the Hamlet of Gadsby where the minimum side yard requirement where it abuts a road or street shall be NIL, unless otherwise required by the Alberta Building Code.”*

8. That the Hamlet Industrial (HI) District is amended by including the following text under subsection 100.2 “Permitted Uses” as a new use where it will appear in alphabetical order:

*“Repair Services”*

9. That the Hamlet Industrial (HI) District is amended by including the following text under subsection 100.3 “Discretionary Uses” as new uses where they will appear in alphabetical order:

*“Agricultural Operation”*

*“Recreational Facility – Outdoor”*

10. That the Hamlet Industrial (HI) District is amended by including the following text under subsection 100.4 Lot Area bullet point one to read as follows:

*“1.0 acre (0.4047 ha) except in the Hamlet of Gadsby: minimum parcel area: 4.843 ft<sup>2</sup> (450 m<sup>2</sup>), parcel frontage: 49.2 ft. (15.0 m)”*

11. That the Hamlet Industrial (HI) District is amended by including the following text under subsection 100.4 Front Yard bullet point three to read as follows:

*“Notwithstanding the above, in the Hamlet of Gadsby front yard: 21.3 ft (6.5 m)”*

12. That the Hamlet Industrial (HI) District is amended by including the following text under subsection 100.4 Rear Yard bullet point two to read as follows:

*Internal Lot:*

- *All buildings except Ancillary Building: 10 ft (3.05 m), except 25 ft (7.62 m) where abutting a residential district*
- *Ancillary Building: See Section 43*
- *Notwithstanding the above, in the Hamlet of Gadsby rear yard: Nil except for 19.7 ft (6.0 m) where adjacent to a residential district or abutting a public road other than a lane or abutting railway right of way”*

13. That the Hamlet Industrial (HI) District is amended by including the following text under subsection 100.4 Building Height bullet point three to read as follows:

*“Notwithstanding the above, in the Hamlet of Gadsby all buildings 32.8 ft (10 m)”*

14. That the Hamlet Residential (HR) District is amended by including the following text under subsection 101.3 Discretionary Uses as a new use which will appear in alphabetical order:

*“Assisted Living Facility”*

15. That the Hamlet Residential (HR) District is amended by including the following text under subsection 101.4 Lot Area at the end of bullet point two:

*“In the Hamlet of Gadsby the following minimum lot area shall also apply*

- *Duplex & Multi Family 250 m<sup>2</sup> (2690 ft<sup>2</sup>)”*

16. That the Hamlet Residential (HR) District is amended by including the following text under subsection 101.4 Lot Width to read as follows:

*“50 ft (15.24 m)*

*Notwithstanding the above, in the Hamlet of Botha and the Hamlet of Gadsby the following minimum lot widths shall apply:*

- *Detached Dwelling, manufactured/modular homes 12.8 m (42.0 ft)*
- *Duplex 7.5 m (24.6 ft) per unit for interior lots, and 10.5 m (34.5 ft) per unit for corner lots*
- *Multi-Attached: Fourplex 15.25 m (50 ft) for interior lots, and 18.25 m (60 ft) for corner lots*
- *Multi-Attached: Row housing 6.0 m (19.7 ft) per unit for interior units, 7.5 m (24.6 ft) per unit for end units, and 9.0 m (29.5 ft) per unit for corner lots”*

17. That the Hamlet Residential (HR) District is amended by including the following text under subsection 101.4 Front Yard bullet point one to read as follows:

*“County road inside a hamlet or multi-lot subdivision boundary – all buildings 25 ft (7.62 m), except in the Hamlet of Botha and the Hamlet of Gadsby where the minimum front yard requirement is 6.0 m (19.7 ft)*

18. That the Hamlet Residential (HR) District is amended by including the following text under subsection 101.4 Rear Yard bullet point two to read as follows:

- *“Internal Lot:*
  - *All buildings except Ancillary Building: 25 ft (7.62 m)*
  - *Ancillary Building: see Section 43*
  - *Notwithstanding the above, in the Hamlet of Gadsby the following minimum rear yard setback shall apply:*
  - *All buildings except Ancillary Buildings: 24 ft (7.5 m)”*

19. That the Hamlet Residential (HR) District is amended by including the following text under subsection 101.4 Site Coverage (maximum) to read as follows:

*“N/A, except in the Hamlet of Botha and the Hamlet of Gadsby where the maximum site coverage is 55% and the calculation excludes patios and decks.”*

20. That the land use designations of the following properties are changed from Residential (R) District to Hamlet Residential (HR) District:

Lots 1-2 Block 1 Plan 153Z	Lots 1-3 Block 4 Plan 153Z	Lot 11 Block 5 Plan 153Z
Lots 3-5 Block 1 Plan 153Z	Lot 4 Block 4 Plan 153Z	Lots 12-16 Block 5 Plan 153Z
Lots 6-10 Block 1 Plan 153Z	Lots 5-10 Block 4 Plan 153Z	Lots 17-18 Block 5 Plan 153Z
Lots 11-12 Block 1 Plan 153Z	Lots 11-12 Block 4 Plan 153Z	Lot 19 Block 5 Plan 153Z
Lots 13-15 Block 1 Plan 153Z	Lots 13-14 Block 4 Plan 153Z	Lot 20 Block 5 Plan 153Z
Lots 16-17 Block 1 Plan 153Z	Lot 15 Block 4 Plan 153Z	Lots 1-3 Block 6 Plan 153Z
Lots 18-19 Block 1 Plan 153Z	Lot 16 Block 4 Plan 153Z	Lots 4-7 Block 6 Plan 153Z
Lots 20-21 Block 1 Plan 153Z	Lot 17 Block 4 Plan 153Z	Lot 8 Block 6 Plan 153Z
Lots 22-24 Block 1 Plan 153Z	Lot 18 Block 4 Plan 153Z	Lot 9 Block 6 Plan 153Z
Lots 1-4 Block 2 Plan 153Z	Lot 19 Block 4 Plan 153Z	Lot 10 Block 6 Plan 153Z
Lots 5-7 Block 2 Plan 153Z	Lot 20 Block 4 Plan 153Z	Lot 11 Block 6 Plan 153Z
Lot 8 Block 2 Plan 153Z	Lots 21-22 Block 4 Plan 153Z	Lots 12-14 Block 6 Plan 153Z
Lots 9-10 Block 2 Plan 153Z	Lots 23-24 Block 4 Plan 153Z	Lots 15-16 Block 6 Plan 153Z
Lots 25-26 Block 2 Plan 153Z	Lots 1-3 Block 5 Plan 153Z	Lot 17 Block 6 Plan 153Z
Lots 27-31 Block 2 Plan 153Z	Lot 4 Block 5 Plan 153Z	Lots 18-21 Block 6 Plan 153Z
Lots 1-6 Block 3 Plan 153Z	Lot 5 Block 5 Plan 153Z	Lots 8-14 Block 7 Plan 153Z
Lots 7-10 Block 3 Plan 153Z	Lots 6-10 Block 5 Plan 153Z	Lots 15-22 Block 7 Plan 153Z

21. That the land use designations of the following properties are changed from General Village (G) District to Hamlet Residential (HR) District:

Lots 11-14 Block 2 Plan 153Z	Lots 22-24 Block 6 Plan 153Z	Lots 3-5 Block 8 Plan 153Z
Lots 15-23 Block 2 Plan 153Z	Lots 25-30 Block 6 Plan 153Z	Lots 6-7 Block 8 Plan 153Z
Lot 24 Block 2 Plan 153Z	Lot 23 Block 7 Plan 153Z	Lot 8 Block 8 Plan 153Z
Lots 11-13 Block 3 Plan 153Z	Lots 24-26 E Block 7 Plan 153Z	Lots 9-10 Block 8 Plan 153Z
Lots 14-17 Block 3 Plan 153Z	Lots 24-26 W Block 7 Plan 153Z	Lot 20 Block 8 Plan 153Z
Lots 22-31 Block 3 Plan 153Z	Lots 1-2 Block 8 Plan 153Z	

22. That the land use designations of the following properties are changed from General Village (G) District to Hamlet Industrial (HI) District:

Lots 11-14 Block 8 Plan 153Z  
Lota 15-19 Block 8 Plan 153Z  
Lot 38 RLY Plan 153Z

23. That the land use designations of the following properties are changed from General Village (G) District to Public Service (PS) District:

Lots 1-3 Block 7 Plan 153Z  
Lots 4-6 Block 7 Plan 153Z  
Lot 7 Block 7 Plan 153Z  
Block A Plan 153Z

24. That the land use designations of the following properties are changed from Commercial (C) District to Hamlet Commercial (HC) District:

Lot 18-21 Block 3 Plan 153Z  
Lot 27 Block 7 Plan 153Z  
Lot 28-30 Block 7 Plan 153Z

25. That Bylaw No. 419/17 and all amendments thereto, being the Village of Gadsby Land Use Bylaw is hereby repealed.

**READ A FIRST TIME** this 14<sup>th</sup> day of April, 2021 on a motion of Councillor Stulberg.

**PUBLIC HEARING** scheduled for the 12<sup>th</sup> day of May, 2021 at 1:00 PM,

**RESCHEDULED** to \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2021

**NOTICE OF INTENTION** mailed to adjacent landowners on \_\_\_\_\_, 2021.

**NOTICE OF INTENTION** published in the \_\_\_\_\_ and \_\_\_\_\_, 2021 issues of the Stettler Independent.

**MOVED BY** Councillor \_\_\_\_\_ that Bylaw 1656-21 be given 2<sup>nd</sup> reading at this time.

CARRIED

**READ A SECOND TIME** this \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2021 on a motion of Councillor  
CARRIED

**MOVED BY** Councillor \_\_\_\_\_ that Bylaw 1656-21 be given 3<sup>rd</sup> reading at this time.  
CARRIED

**READ A THIRD TIME** this \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2021 on a motion of Councillor

In Favour: Councillors  
Opposed: Councillors  
CARRIED

**DATED** this \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2021

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Reeve

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Chief Administrative Officer