

BYLAW NO. 107-08

**BEING A BYLAW OF
CLEAR HILLS COUNTY
IN THE PROVINCE OF ALBERTA**

**TO REPEAL THE CLEAR HILLS COUNTY LAND USE BYLAW NO. 27
AND ALL AMENDMENTS THERETO,
AND ENACT THE CLEAR HILLS COUNTY LAND USE BYLAW NO. 107-08**

WHEREAS Section 639 of the Municipal Government Act empowers the Municipality to adopt a Land Use Bylaw, which provides a framework for regulating or prohibiting and controlling the use and development of land and buildings within Clear Hills County; and

WHEREAS, the Council of Clear Hills County has deemed it necessary to repeal the current Clear Hills County Land Use Bylaw, as adopted through Bylaw 27-98 and all amendments thereto, and adopt a new Clear Hills County Land Use Bylaw

WHEREAS, the Council of Clear Hills County has held public hearings pursuant to section 230, of the Municipal Government Act;

NOW THEREFORE, THE COUNCIL OF CLEAR HILLS COUNTY IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. That the existing Clear Hills County Land Use Bylaw No 27 and all amendments thereto are hereby repealed;
2. That this bylaw shall be known as Clear Hills County's Land Use Bylaw;
3. That the attached Schedule A is hereby adopted as Clear Hills County Land Use Bylaw;
4. The adoption of this bylaw 107-08 is effective upon the date of the passing of the third and final reading of this bylaw.

First reading given on the 22nd day of January, 2008.



Frances Davis, Reeve



Ray Coad, Chief Administrative Officer

Public Hearings held March 26, April 2 and April 9, 2008.



Second reading given on the 13th day of May, 2008.




Frances Davis, Reeve



Ray Coad, Chief Administrative Officer

Third and final reading given on the 27th day of May, 2008.



Frances Davis, Reeve



Ray Coad, Chief Administrative Officer



Bylaw 107-08 Clear Hills County

Schedule A

- 1. That the attached document be adopted as Clear Hills County Land Use Bylaw**



Frances Davis, Reeve



Ray Coad, Chief Administrative Officer

Effective this day 27th of May 2008.

A

**CLEAR HILLS COUNTY
NOTICE OF PUBLIC HEARING
PROPOSED LAND-USE BYLAW NO. 107-08**

Pursuant to the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta, notice is hereby given that the Council of Clear Hills County will hold a series of public hearings prior to the second reading of Bylaw No. 107-08 for adoption of the new Clear Hills County Land Use Bylaw as drafted. This Bylaw 107-08 upon adoption shall replace the existing Clear Hills County Land Use Bylaw No 27 and all amendments thereto. The purpose of this Bylaw 107-08 is to provide a framework for Clear Hills County to prohibit or regulate and control the use and development of land and buildings within the County and is in accordance with the Municipal Government Act.

The Public Hearings are to be held at on March 26 at the David Thompson Hall, on April 2 at the Eureka River Hall and on April 9 in the Council Chambers of Clear Hills County. The proposed bylaw may be viewed at Clear Hills County Administration Office during regular office hours. Please forward written submissions to the Development Authority prior to March 21, 2008. If you have any questions regarding the hearing, or the bylaw, please call the County's Development Officer at 685-3925.



CLEAR HILLS COUNTY LAND USE BYLAW

Bylaw NO.107- 08



MAY 2008
(Including amendments to Sept 25, 2007)



Prepared by

MACKENZIE MUNICIPAL SERVICES AGENCY

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BYLAW NO. 107/08

CLEAR HILLS COUNTY

LAND USE BYLAW

The Council of Clear Hills County hereby enacts the Clear Hills County Land Use Bylaw in accordance with the Municipal Government Act, RSA 2000, c.M-26.

Effective Date: _____, 2008

(Including Amendments to September 25, 2007)

CLEAR HILLS COUNTY

LAND USE BYLAW No. 107/08

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- SCHEDULE D-M: ZONING DISTRICT DETAIL MAPS**

CLEAR HILLS COUNTY

LAND USE BYLAW NO 107/2008

PART ONE: ADMINISTRATION

SECTION 1 GENERAL POLICY STATEMENT

Clear Hills County is an agricultural community, and one which strongly desires the retention and maintenance of the agricultural sector. Thus it should be realized that the first priority use for all lands capable of agricultural production should be for farming. The normal sights, sounds and smells of agricultural operations are part of the County's rural character. In accordance with the principle that agriculture and activities associated with agriculture in all its forms has priority in rural areas, no legitimate activity, related to the production of food should be curtailed solely because of objections of near-by landowners.

The occupation of food production includes, but is not limited to, the use of irrigation pumps and equipment, aerial and ground seeding and spraying, tractors and motors, the raising of livestock and poultry, and the application of such inputs as chemical and natural fertilizers, and pesticides including insecticides, herbicides and fungicides. When conducted in accordance with generally accepted agricultural practices, these activities may occur on holidays, Sundays and weekdays, at night and in the day, and noise, odours, dust and fumes caused by them are permitted as part of the activities directed to the production of food. This policy statement is a reminder to those who wish to move to the country that they must recognize that agriculture has priority and that agricultural activities shall be permitted in the County.

SECTION 2 PURPOSE

The purpose of this Bylaw is to regulate and control the use, conservation and development of land and buildings within the county to achieve orderly, planned and economic development of land, including:

- 1) The division of Clear Hills County into land use districts
- 2) The establishment and prescription for each land use district, the uses for which land and building may be used and regulated.
- 3) To establish the office of one or more Development Officers and the Municipal Planning Commission
- 4) To establish a procedural framework for decision making on subdivision referrals, stop orders, land use bylaw amendments and applications for development permits including the issuance of development permits.
- 5) To establish the size and density for each land use district

SECTION 3 APPLICATION

The provisions of this bylaw shall apply to all land districts and buildings within the boundaries of Clear Hills County.

SECTION 4 CONFORMITY

No person shall commence any development unless it is in accordance with the terms and conditions of this bylaw.

SECTION 5 DEFINITIONS

"ABATTOIR" means a facility used for the slaughtering of animals and the processing of meat products.

"ACT" means the Province of Alberta Municipal Government Act, R.S.A 2000, c.M-26 and amendments thereto.

"ADJACENT LAND" means land or a portion of land that is contiguous to the parcel of land that is subject to a development application and/or subdivision application. This shall include lands or a portion of land which would be contiguous if they were not separated by a public roadway, river, utility right of way, or reserve land.

"AUC" means the Alberta Utilities Commission.