

## BYLAW 785

A BYLAW OF THE TOWN OF KILLAM IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF AMENDING BYLAW NO. 736, BEING THE LAND USE BYLAW, AS AMENDED

WHEREAS it is deemed advisable to amend the Land Use Bylaw

NOW THEREFORE, the Council of Town of Killam, duly assembled, pursuant to the authority conferred upon it by the *Municipal Government Act, R.S.A. 2000, c.M-26* and amendments thereto, enacts as follows:

That Bylaw 736, being the Land Use Bylaw, as amended, be amended as follows:

### 1. Part One, Section 2 Interpretation

That the following definitions be added:

(18a) **Landscaping** means the preservation and/or maintenance of the natural features of a site through the placement of, or addition of, soft landscaping elements such as trees, shrubs, plants and walkways using wood chips for surfacing, but may exclude hard surfacing materials such as brick and asphalt, and permanent features such as hard surfaced walkways, walls and fences.

(27a) **Utility, minor** means development for public or private utility infrastructure purposes that is commonly required to support land uses and activities in the Town and has a minor impact on adjacent land uses by virtue of appearance, scale or effect. Typical uses include but are not limited to municipal sanitary dumping stations, natural gas and power transmission lines for local service, telephone exchanges and service lines, fibre optic cable, water and sewer lines, and associated appurtenances.

(27b) **Utility, major** means development for public or private utility infrastructure purposes that may be or may have been required to support land uses and activities in the Town and may have an impact on adjacent land uses by virtue of appearance or scale. Typical uses may include but may not be limited to active or inactive sewage lagoons, sewer and/or water treatment plants, and waste transfer stations.

(27c) **Recreational uses** means activities of a passive, self-propelled nature such as walking, bird watching, picnicking, skiing, and tobogganing but excluding motorized activities including but not limited to dirt bikes, quads, 4 X4s, and snowmobiles.

(30a) **Travel Trailer Parks & Campsites** means a site that has been developed for the seasonal short-term use of motor homes, 5<sup>th</sup> wheel trailers, tent trailers, and similar recreational vehicles for individuals travelling to and from various destinations, and is not used for year round storage or for accommodation for residential use

### 2. Part Three, Establishment of Districts

That in Section (1), following "A Agricultural", the "RE Estate Residential" and "PU Utilities" land use districts be added

3. Part Seven, Land Use District Regulations

That the following Land Use Districts be added:

**Section 47 Estate Residential (RE)**

**1. Purpose**

The purpose of this district is to provide opportunities for a residential uses and a residential lifestyle on properties 1800 m<sup>2</sup> (19,500 ft<sup>2</sup>) in size or larger, supported by full or partial municipal servicing. The district also provides for a limited range of accessory uses that compliment, but remain subordinate to, a large lot residential lifestyle.

**2. Permitted Uses**

- a) Dwelling, single family
- b) Accessory building or use

**3. Discretionary Uses**

- a) Dwelling, modular unit
- b) Home occupation
- c) Accessory use
- d) Utility, minor

**4. Subdivision Regulations**

- a) The minimum lot width is 40m
- b) The minimum lot area is 1800 m<sup>2</sup>

**5. Development Regulations & Standards**

- a) Maximum site coverage for all principal and accessory buildings is 40%
- b) Maximum building height is 10m
- c) Minimum front yard setback is 20m where the lot is fronting onto a Township or Range Road; 10m where the lot is fronting onto an internal subdivision road
- d) Minimum side yard setback is 10m where the sideyard abuts a Township or Range Road; 5m in all other cases
- e) Minimum rear yard setback is 20m, where the rearyard abuts a Township or Range Road; 10m in all other cases
- f) Lots not serviced by a municipal sewer system must be serviced by a Private Sewage Disposal System (PSDS) approved under a Safety Codes Permit issued by a Safety Codes Officer, and installed by a registered installer.

**6. Other Regulations**

- a) Accessory buildings must be similar in architectural style and finish to the primary residential dwelling
- b) Development within 0.8 km (i.e. 800m) of the boundary of a highway is subject to a requirement for roadside development approval from Alberta Transportation.
- c) In addition to the district-specific regulations listed above, the regulations in Part Six – General Regulations of the Land Use Bylaw also apply
- d) Domestic pets, such as dogs and cats, are allowed but the keeping of larger animals commonly associated with agricultural uses, including but not limited to horses, cattle, poultry, and hogs, is not allowed.

**Section 48 Utilities (PU)**

The purpose of this district is to provide for public and private utilities needed to serve land uses and related activities in the Town of Killam.

**1. Permitted Uses**

- a) Utility, minor
- b) Accessory building or use

**2. Discretionary Uses**

- a) Landscaping
- b) Recreational uses
- c) Utility, major

**3. Subdivision Regulations**

- a) The minimum lot width is 20m
- b) The minimum lot area is 1800 m<sup>2</sup>

**4. Development Regulations & Standards**

- a) Maximum site coverage is to the satisfaction of the Development Authority
- b) Maximum building height is to the satisfaction of the Development Authority, and given the Development Authorities consideration of the vertical scale of a proposed development in relation to adjacent land uses
- c) Minimum front yard setback is 20m where the lot is fronting onto a Township or Range Road; 10m where the lot is fronting onto an internal subdivision road
- d) Minimum side yard setback is 10m where a side yard abuts a Township or Range Road; 5m in all other cases
- e) Minimum rear yard setback is 20m, where a rear yard abuts a Township or Range Road; 10m in all other cases
- f) Lots may be serviced by a Private Sewage Disposal System (PSDS) approved under a Safety Codes Permit issued by a Safety Codes Officer, and installed by a registered installer.

**5. Other Regulations**

- a) Development within 0.8 km of the boundary of a highway is subject to a requirement for roadside development approval from Alberta Transportation.
- b) In addition to the district-specific regulations listed above, the regulations in Part Six – General Regulations of the Land Use Bylaw may also apply

**4. Part Eight, Land Use District Map**

That 16.5 hectares (40.69 acres) more or less in SW 16-44-13-W4M be redistricted from R1 Residential to RE Estate Residential and PU Utility as shown on Schedule A attached to and forming part of this Bylaw.

**5. Part Eight, Land Use District Map**

That approximately 0.03 hectares (0.09 acres) of Lot R1, Block 1, Plan 4078 TR be districted to PU Utility as shown on Schedule A attached to and forming part of this Bylaw.

This bylaw comes into effect on the date of the third reading and upon being signed.

READ a first time this 15th day of May, 2008

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2008

READ a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Harry (Bud) James,  
Mayor

\_\_\_\_\_  
Wendy Ramberg,  
Chief Administrative Officer (CAO)

\_\_\_\_\_  
Date Signed

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Dated Signed