

## COUNTY OF ST. PAUL NO. 19

### BY-LAW NO. 2014-18

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A By-law to amend Land Use Bylaw No. 1486 of the County of St. Paul No. 19, in the Province of Alberta.

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**WHEREAS** the Municipal Government Act, R.S.A. 2000, as amended ("the Act") allows Municipal Council to establish and amend its Land Use Bylaw;

**NOW THEREFORE** the Council of the County of St. Paul No. 19, duly assembled, enacts as follows:

1. The Land Use Bylaw of the County of St. Paul No. 19, Bylaw No. 2013-50, is hereby amended as follows:

#### **7.32 SINGLE LOT SUBDIVISIONS FOR COUNTRY RESIDENTIAL DEVELOPMENT**

- (1) In the Agriculture (A) District, up to four (4) parcels for country residential use may be subdivided out of each quarter section provided the quarter section is a minimum of 60 ha (148 ac) in size and provided, further, that the total area of such parcels does not exceed 8 ha (20 ac). If the quarter section is less than 60 ha (148 ac) in size but more than 45 ha (111 ac) in size, the total area of such parcels may not exceed 6 ha (15 ac). If the quarter section is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, the total area of such parcels may not exceed 4 ha (10 ac). If the quarter section is less than 30 ha (74 ac) in size, the total area of such parcel may not exceed 2 ha (5 ac). Such country residential parcels may include any combination of farmsteads and vacant parcels, and may include one (1) fragmented parcel.
  - a. 80 Acre Split Exceptions - If a quarter section has been previously subdivided into two (2) 80 acre halves, only one (1) country residential parcel to a maximum size of 4 ha (10 ac) may be subdivided from each half (excepting farmstead parcels).
    - i. **Notwithstanding subsections 7.32(1), 7.32(1)(a) and 7.32(5), one parcel not exceeding 12.14ha (30 acres) may be subdivided out of the W ½ of SW 16-58-7-W4M for country residential use.**
- (2) The development of more than the number of country residential parcels in a quarter section indicated in subsections (1) above shall be considered to be multi-lot country residential development and shall not be allowed within the Agriculture (A) District. Rather, an appropriate amendment to this Bylaw shall be required, normally to a Country Residential District.
- (3) A fragmented parcel, as defined in this bylaw, less than 8 ha (20 ac) in size, shall be considered a parcel for country residential use for the purposes of Subsection (1) above. Subdivision of fragmented parcels larger than 8 ha (20 ac) in area shall be considered to be agricultural parcels.
- (4) A farmstead parcel, as defined in this bylaw, shall be considered a parcel for country residential use for the purposes of Subsection (1) above. Farmstead parcels shall be 8.09 ha (20 ac) or less in size, unless a larger size is approved by the Subdivision Authority.

- (5) Notwithstanding subsection (3) and (4) above a country residential use parcel shall not be less than 0.4 ha (1 ac) in size and not more than 4 .04 ha (10 acres) in size for vacant agricultural parcels and 8.09 ha (20 ac) in size for existing yard sites. However, the total area of all single lot country residential use parcels on a quarter section, including the area of any fragmented parcel which is used for country residential purposes, shall not exceed the number of hectares indicated in section 1 above. The use of more land within one quarter section for country residential use shall be considered multi-lot country residential development, even if it is for only one lot, and will require amendment to the Land Use Bylaw before such development can be approved by the County.
- (6) In the case of a fragmented parcel used or intended to be used as a country residential site, the adequacy of the parcel shall be determined by the Subdivision Authority. Fragmented parcels which do not have a building site which would meet the yard and setback requirements of this Bylaw, which building site is readily accessible from a constructed road or highway, shall not be approved by the Subdivision Authority.
- (7) Where parcels which have been registered for use as country residences prior to the passage of this Bylaw are non-conforming in terms of size, the Development Authority may consider the approval of a development permit application.
- (8) Development for country residential purposes, whether for single detached dwellings or for manufactured home units, shall be prohibited:
  - a. on sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition;
  - b. on sites where necessary services are not provided at the sole expense of the developer; or
  - c. on sites on which adequate storm water drainage is not provided.
- (9) The Subdivision Authority shall consider the minimum distance separation between dwellings and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act as a guide for evaluating all single lot subdivisions for country residential development in proximity to confined feeding operations.
- (10) Where there is an existing sewage disposal system or dwelling on a single lot country residential parcel about to be subdivided, the Subdivision Authority shall require certification that the system is operating in accordance with Provincial regulations prior to giving final approval to the subdivision.

Read a first time in Council this 8<sup>th</sup> day of March, A.D. 2011.

Advertised the 22<sup>nd</sup> day of March, A.D. 2011, and the 29<sup>th</sup> day of March, A.D.

2011 in the St. Paul Journal and Elk Point Review.

Read a second time in Council this 12<sup>th</sup> day of April, A.D. 2011.

Read a third time in Council this 10<sup>th</sup> day of May, A.D. 2011.

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Reeve

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Chief Administrative Officer