

## **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.

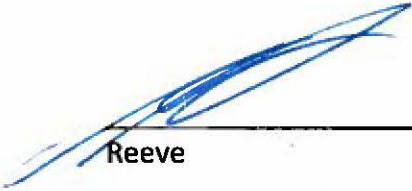
**5.0 Implementation**

- 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.



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Reeve



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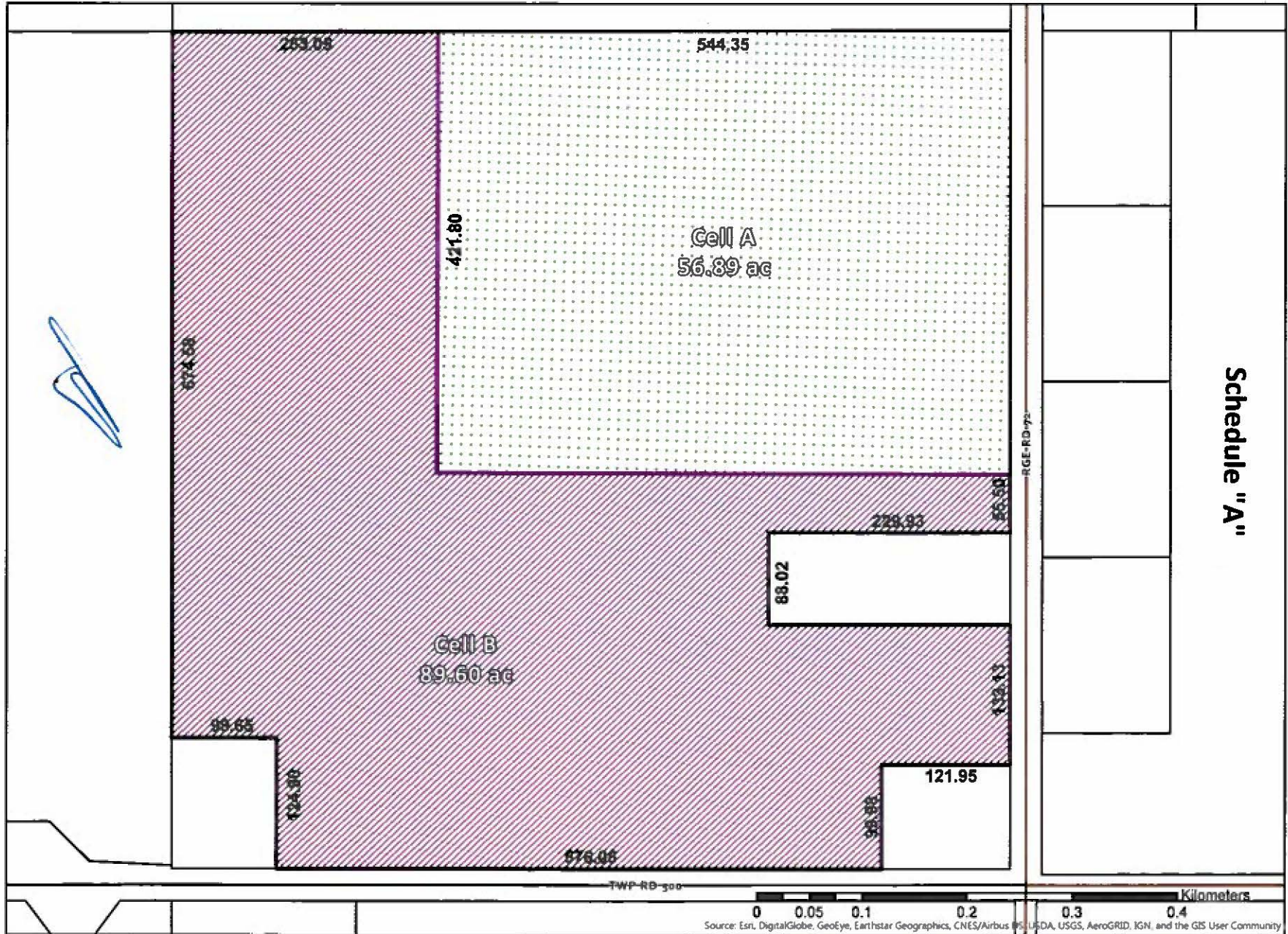
**SE-03-50-07-W5**  
Proposed Amendment

- PARCEL BOUNDARY
- TYPE**
- Provincial Paved
- - Provincial Gravel
- TYPE**
- County Paved
- County Cold Mix
- County Gravel
- TYPE**
- - Other Cold Mix
- - Other Gravel
- - Other Paved



Scale 1:3,300

PRODUCED BY BRAZEAU COUNTY  
This map is intended for advisory purposes only. It is based upon GIS. Brazeau County is not responsible for errors or omissions.  
Project: 190 63 178 178 0000



Schedule "A"