

**VILLAGE OF BARONS  
IN THE PROVINCE OF ALBERTA**

**BYLAW #748**

BEING a bylaw of the Village of Barons in the Province of Alberta, to amend Bylaw No. 677 being the municipal Land Use Bylaw.

WHEREAS the Council of the Village of Barons desires to update standards and ensure consistency of policy within Land Use Bylaw No. 677, specifically regarding driveways and parking as well as amending removing the fee schedule, adding a fine structure for contraventions of the bylaw and redesignating land within the Village.

AND WHEREAS the general purpose of the proposed amendments described in Schedule 'A' and 'B' are to:

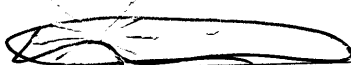
- To redesignate Lot 11-12, Block 4, Plan 2605x and All of Lot 39, and a portion of Lot 40, Block 4, Plan 9412794 from "*Public and Institutional – PI*" to "*Commercial – CO*";
- To limit the parking of recreational vehicles to driveways or approved parking pads within the residential district;
- To clarify the number of driveways per dwelling unit;
- To remove the fee schedule from Appendix B; and
- Provide clarification and a fine structure regarding contraventions of the Land Use Bylaw.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Village of Barons, in the Province of Alberta, duly assembled does hereby enact the following:

1. Bylaw No. 677 being the Land Use Bylaw, is hereby amended by Bylaw #748 to redesignate Lot 11-12, Block 4, Plan 2605x and All of Lot 39, and a portion of Lot 40, Block 4, Plan 9412794 from "*Public and Institutional – PI*" to "*Commercial – CO*" as indicated in the attached Schedule 'A'.
2. Bylaw No. 677 being the Land Use Bylaw, is hereby amended by Bylaw #748 to include the amendments as described in the attached Schedule 'B'.
3. That the aforementioned amendment to Land Use Bylaw 677, shall make use of formatting that maintains the consistency of the portions so the bylaw being amended,
5. Bylaw #748 shall come into effect upon third and final reading thereof.
6. Bylaw No. 677 is hereby amended and consolidated.

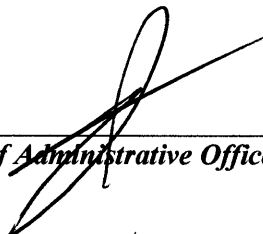
READ a **first** time this 13th day of December, 2022.

  
Mayor – Ed Weistra

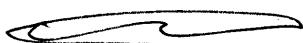
  
Chief Administrative Officer – Laurie Beck

READ a **second** time this 10<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
*Mayor – Ed Weistra*


  
\_\_\_\_\_  
*Chief Administrative Officer – Laurie Beck*

Presented for Consideration for a third and final reading this 10<sup>th</sup> day of January, 2023

  
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*Mayor – Ed Weistra*

  
\_\_\_\_\_  
*Chief Administrative Officer – Laurie Beck*

READ a **third** time and finally PASSED this 10<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
*Mayor – Ed Weistra*

  
\_\_\_\_\_  
*Chief Administrative Officer – Laurie Beck*

Appendix "A"



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'A'**



**FROM: PUBLIC AND INSTITUTIONAL - PI  
TO: COMMERCIAL - CO**

**LOT 11-12, BLOCK 4, PLAN 2605X AND LOTS 39-40, BLOCK 4, PLAN 9412794  
WITHIN NE 1/4 SEC 16, TWP 12, RGE 23, W 4 M**

**MUNICIPALITY: VILLAGE OF BARONS**

**DATE: NOVEMBER 22, 2022**

**Bylaw #:** \_\_\_\_\_

**Date:** \_\_\_\_\_



**OLDMAN RIVER REGIONAL SERVICES COMMISSION**

November 22, 2022



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 18th AVENUE NORTH, LETHBRIDGE, ALBERTA T1M 5E8  
TEL. 403-329-1344

\*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*

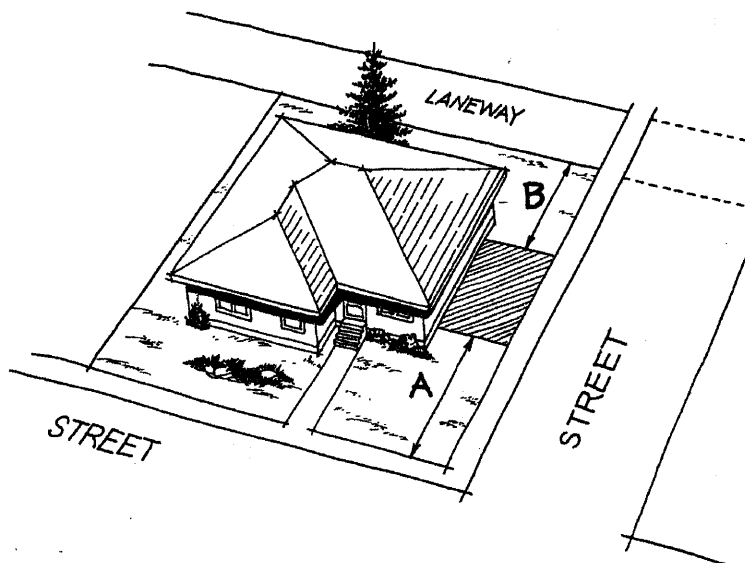
## Appendix "B"

1. That Schedule 6, Section 4 be amended by deleting the strikethrough and adding the verbiage in red:

### **SECTION 4 DRIVEWAYS, OFF-STREET PARKING REQUIREMENTS AND DESIGN STANDARDS**

- 4.1 *Vehicular access for corner ~~lots~~ parcels shall generally be limited to locations along a minor street or cul-de-sac.*
- 4.2 *In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 6.1 m (20 ft) in width.*
- 4.3 *Only one driveway per ~~lot~~-parcel or dwelling unit should be permitted for single unit residential developments, including manufactured homes.*
- 4.4 *Driveways shall be a minimum of 3.0 m (10 ft) and a maximum of 6.1 m (20 ft) in width, unless otherwise approved by the Municipal Planning Commission on the basis of merit.*
- 4.5 *Driveways shall be a minimum of 3.0 m (10 ft) from the entrance to a lane (see Figure 6.4.1 Dimension B), and 4.6 m (15 ft) from the intersection of two public roadways (see Figure 6.4.1 Dimension A).*
- 4.6 *Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than 25 percent of the total lot area require a development permit.*
- 4.7 *Parking of a recreational vehicle on a residential parcel shall be limited to an approved front driveway or an approved parking pad in the side or rear yard. Parking a recreational vehicle in the front yard without an approved driveway or pad is prohibited.*
- 4.8 *Refer to Schedule 5 (General and Use Specific Standards of Development), Section 8.*

Figure 6.4.1



2. That Administrative, Section 10.3 be deleted and Appendix B be deleted:

**SECTION 10 FORMS, NOTICES AND FEES**

- 10.1 *For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution or bylaw as may be applicable, the preparation and use of such fee schedules, forms or notices as in its discretion it may deem necessary. Any such fee schedules, forms or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued.*
- 10.2 *Application forms and notices are included in Appendix A.*
- ~~10.3 *Fees are included in Appendix B.*~~
- 10.4 *Refund of application fees requires approval of the Village Council.*
- 10.5 *In any case, where the required fee is not listed in the fee ~~schedule~~ bylaw, such fee shall be determined by the Development Officer or Municipal Planning Commission and shall be consistent with those fees listed ~~in the schedule~~ for similar developments.*
- 10.6 *If development is commenced without a valid development permit an additional fee, in the amount prescribed under the fee ~~schedule~~ bylaw, shall be payable upon application for the development permit.*

3. That Administrative, Section 49 and 52 be amended by deleting the strikethrough and adding the verbiage in red:

**SECTION 49 ENFORCING THE BYLAW AND NOTICE OF VIOLATION**

- 49.1 *The Development Authority or a Community Peace Officer may enforce the provisions of the Bylaw, or the conditions of a Development Permit, pursuant to the MGA and the Provincial Offences Procedure Act (POPA), as amended.*
- 49.2 *Enforcement may be by offence notice or a violation ticket pursuant to POPA, or any other authorized action to ensure compliance. The enforcement powers granted to the Development Authority under the Bylaw are in addition to any enforcement powers that the Village or any of its designated officers may have under POPA. The Development Authority may exercise all such powers concurrently.*
- 49.3 *Any person who contravenes, causes or permits a contravention of the Bylaw commits an offence.*
- 49.4 *It is an offence for any person to commence or continue development when:*
- (a) a Development Permit is required but has not been issued,*
  - (b) a Development Permit has expired,*
  - (c) a Development Permit has been revoked or suspended, or*
  - (d) a condition of a Development Permit has been contravened.*
- 49.5 *It is an offence for a person to prevent or obstruct the Development Authority or a Community Peace Officer from carrying out any official duty under the Bylaw or the MGA.*
- ~~49.1 *Where the Development Officer or Municipal Planning Commission finds that a development or use of land or buildings is not in accordance with the MGA, the*~~

~~Subdivision and Development Regulation, a development permit or subdivision approval, or this bylaw, the Development Officer may issue a notice of violation to the registered owner or the person in possession of the land or buildings or to the person responsible for the contravention.~~

~~49.2 Such notice shall state the following:~~

- ~~(a) nature of the violation;~~
- ~~(b) corrective measures required to comply; and~~
- ~~(c) time period within which such corrective measures must be performed.~~

## **SECTION 52 PENALTIES AND RIGHT OF ENTRY**

- 52.1 *Any person who contravenes any provision of this bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the MGA and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year or to both fine and imprisonment.*
- 52.2 *Pursuant to POPA the following fine amounts are established for use on offence notices and violation tickets:*
- (a) failure to obtain a Development Permit \$100*
  - (b) failure to comply with Development Permit Conditions \$1,000*
  - (c) failure to comply with District Regulations \$500*
  - (d) failure to comply with any other condition of the Bylaw \$500*
- 52.3 *In accordance with section 49.4, persons contravening this Bylaw shall be liable for a penalty in accordance with 52.2 and \$1000 for a second or subsequent contraventions.*
- 52.4 *Each time that an offence notice is issued may be considered to be a separate contravention.*
- 52.5 *Payment of a fine does not release the offender from the requirement to comply with the requirements of the Bylaw.*
- 52.6 *In accordance with section 542 of the MGA, a designated officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this bylaw or MGA authorizes anything to be inspected, remedied or enforced or done by a municipality:*
- (a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;*
  - (b) request anything to be produced to assist in the inspection, remedy, enforcement or action; and*
  - (c) make copies of anything related to the inspection, remedy, enforcement or action.*
- 52.7 *If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the MGA, the municipality under the authority of section 543 of the MGA may obtain a court order.*