

**BYLAW 1700/25
AMENDMENT TO LAND USE BYLAW 1385/17
STURGEON COUNTY, ALBERTA**

A BYLAW OF STURGEON COUNTY, ALBERTA FOR THE PURPOSE OF AMENDING LAND USE BYLAW 1385/17.

WHEREAS, the *Municipal Government Act*, RSA 2000 c.M-26, any regulations thereunder, and any amendments or successor legislation thereto, authorize Council to establish and amend Land Use Bylaw 1385/17.

AND WHEREAS, the Council of Sturgeon has deemed it desirable to amend Land Use Bylaw 1385/17.

NOW THEREFORE, the Council of Sturgeon County, duly assembled, enacts as follows:

1. Title

- 1.1. This Bylaw may be referred to as the “Amendment to Land Use Bylaw 1385/17– Resource Extraction Regulations”.

2. Purpose

- 2.1. The purpose of this Bylaw is to amend regulations associated with resource extraction setbacks.

3. Application

- 3.1. Land Use Bylaw 1385/17 is amended as follows:
 - a. Amend subsection 11.2.4(c)(iii) as follows:
 - ~~iii. Notwithstanding the above prescribed setbacks, the operating area of a natural resource extraction and secondary processing use has no defined setback from an existing dwelling located on the subject parcel.~~
 - Notwithstanding the above prescribed setbacks, the operating area of a natural resource extraction use has no defined setback from:
 - (a) a dwelling located on the subject parcel,
 - (b) a dwelling on a property within the defined setback under the ownership of the applicant,
 - (c) a dwelling where the landowner has provided written consent to the development authority confirming agreement to a reduced setback, and/or
 - (d) a dwelling or expansion to a dwelling constructed after redistricting of the subject parcel to Resource Extraction (RE).

- b. Add subsection 11.2.4(c)(iv):
 - iv. Notwithstanding the above prescribed setbacks, the operating area for secondary processing use has no defined setback from a dwelling located on the subject parcel.

- c. Add subsection 11.3.4(b)(iii) as follows:
 - iii. Notwithstanding subparagraph 11.2.4(c)(i), the operating area of a natural resource extraction use has no defined setback from:
 - (a) a dwelling located on the subject parcel,
 - (b) a dwelling on a property within the defined setback under the ownership of the applicant,
 - (c) a dwelling where the landowner has provided written consent to the development authority confirming agreement to a reduced setback, and/or
 - (d) a dwelling or expansion to a dwelling constructed after redistricting of the subject parcel to Resource Extraction – Direct Control (RE-DC).

4. Severability

4.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

5. Effective Date

5.1. This Bylaw shall come into force upon being passed.

Read a first time this ___ day of _____ 20__.

Read a second time this ___ day of _____ 20__.

Read a third time this ___ day of _____ 20__.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

DATE SIGNED