

BYLAW NO. 005-18
A BYLAW OF THE TOWN OF SMOKY LAKE
TO AMEND THE LAND USE BYLAW OF THE TOWN OF SMOKY LAKE

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Smoky Lake wishes to amend its Land Use Bylaw as it affects certain lands.

NOW THEREFORE the Council of the Town of Smoky Lake, duly assembled, enacts as follows.

1. Bylaw No. 011-06, the Land Use Bylaw of the Smoky Lake, as amended, is hereby further amended as follows:

a. Part Eight – Special Districts, is hereby amended to add the following:

“8.5 DC – Direct Control District

(1) General Purpose

To provide for the development of land uses under individually unique or special circumstances requiring site-specific controls where the application of conventional land use districts would be inappropriate or inadequate.

(2) Permitted and Discretionary Uses

(a) In approving a bylaw for a Direct Control District for a particular site, Council shall specify those uses that may be allowed.

(3) Subdivision Development Regulations

(a) In approving a bylaw for a Direct Control District for a particular site, Council shall establish the development standards that apply.

(4) Administrative Provisions

(a) This District shall only be applied where the following conditions are met:

- i. The development is, in the opinion of Council, considered appropriate for the site having regard for the policies and objectives of any statutory plans applicable to the site and surrounding area and its compatibility with the scale and character of surrounding development;

- ii. The use of any other District on the site would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of uses in the District be realized; and
- iii. The development is of a unique form or nature not contemplated or reasonably regulated by another District.

(b) In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following:

- i. Support rationale explaining why the proposed District is desirable for the site having regard for the conditions listed in Part 8.5(4)(a) above;
- ii. A list of uses proposed for the site;
- iii. An explanation of the methods used to obtain public input and written documentation of the opinions and concerns of surrounding property owners and residents and how the proposed development responds to those concerns;
- iv. Plans and elevations that would help substantiate the need for the District and establish the development standards that would apply to the site; and
- v. Any other information as required by the Development Authority to evaluate the proposed development and its potential impacts.

(c) In approving a bylaw for a Direct Control District for a particular site, Council may specify:

- i. The Development Authority for those uses to be decided upon; and
- ii. Those development standards for which a variance may be granted.

(5) Sites Subject to Direct Control

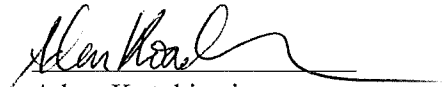
(a) The allowable uses and specific regulations for a particular site subject to Direct Control are described in the applicable bylaw (listed below, if any).”

b. The Land Use District Map, is hereby amended by classifying the following lands, which are currently classified Urban Reserve (UR) District to the Direct Control (DC) District:

- i. All that portion of Lot 5, Plan 772-3091, as shown on Schedule "A" of this Bylaw.

READ A FIRST TIME THIS 17th DAY OF JULY, 2018

Original Signed
Hank Holowaychuk
Mayor


Adam Kozakiewicz
Chief Administrative Officer

READ A SECOND TIME THIS ___ DAY OF ___, 2018

Hank Holowaychuk
Mayor

Adam Kozakiewicz
Chief Administrative Officer

READ A THIRD AND FINAL TIME THIS ___ DAY OF ___, 2018

Hank Holowaychuk
Mayor

Adam Kozakiewicz
Chief Administrative Officer

"Schedule A"

