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COMMERCIAL DEVELOPMENT

ZONING

BY LAW

KEHEWIN BAND

WHEREAS THE CHIEF AND COUNCIL of the Kehewin Band are interested in the continuing economic welfare of the Members of the Kehewin Band;

AND WHEREAS THE CHIEF AND COUNCIL have approved an economic development project that will be for the use and benefit of all the Members of the Kehewin Band;

AND WHEREAS it is necessary that the Chief and Council to zone a portion of the Reserve to be used solely for commercial purposes for the use of this economic development project;

AND WHEREAS this economic development project consists of a Hydroponic Plant and other related commercial activities;

AND WHEREAS Section 81 (1) (g) and (q) of the Indian Act give the Chief and Council the power to zone all or portions of the Reserve and to regulate the construction of various types of buildings;

BE IT THEREFORE RESOLVED that the Council of the Kehewin Band hereby enact BY LAW #5.

SECTION 1 - DEFINITIONS

In this By Law, the following terms shall mean:

- a. **BODY:** Shall mean a Government, or other legal entity that is recognized in law.
- b. **BUILDING OR STRUCTURE:** Shall mean anything that is built or constructed.
- c. **COUNCIL:** Shall mean the Chief and Council elected by the Peoples of the Kehewin Band.
- d. **ECONOMIC DEVELOPMENT PROJECT:** Shall mean related to the Hydroponic Plant and any commercial services related to the Support of the said plant, and any commercial conveniences provided for the clients of the Hydroponic Plant.
- e. **RESERVE:** Shall mean Kehewin Reserve No. 123.
- f. **WRITTEN AUTHORIZATION:** Shall mean a form approved by Council in which any terms, conditions, restrictions, or specifications are set out in which a person, corporation, or other body is authorized to build or use any of the land specified under this By Law.

SECTION 2 - TITLE AND AREA RESTRICTION

This By Law may be cited as the Commercial Zoning By Law and shall apply to the part of Section 21, Township 59, Range 6, West of the 4th Meridian, as indicated on RSA Plan 1799, the map appended hereto and marked "Schedule A."

Nothing in this By Law shall affect the continuance of uses which were established prior to the enactment of this By Law.

SECTION 3 - SCOPE

This area shall be zoned strictly for the use of this land as a commercial Hydroponic facility, and any other related commercial Hydroponic activity that has been approved by the Council of the Kehewin Band and has been included in the economic development project.

SECTION 4 - GENERAL PROVISIONS

1. OWNERSHIP: The land in the designated area shall remain for the use and benefit of all Kehewin Band Members and shall not be conveyed to individual or corporate ownership.
2. BUILDINGS OR STRUCTURES: No person, corporation or any other body shall erect any buildings or structures without the written authorization of Council. All buildings and structures within the defined area must be consistent with the purposes for which this land has been set aside.
3. USE OF LAND: Any person, corporation or other body requesting use of land in this zone, may apply in writing for the written authorization of Council for approval of use of land. Council may grant such approval in writing, providing the use of the land is for the purposes for which this land has been zoned.

SECTION 5 - WRITTEN AUTHORIZATION

The Council of the Kehewin Band may authorize any person, corporation or other body to use the land and/or erect buildings or structures, if such use is consistent with the economic development project, and in writing, impose any terms, conditions, restrictions, or specifications on such person, corporation or other body, that is necessary to ensure that the lands are used

for the use and benefit of the Members of the Kehewin Band.

SECTION 6 - ENFORCEMENT

The Chief and Council, or any other person appointed by Council in writing, shall have the responsibility for ensuring that the provisions of this By Law are carried out.

SECTION 7 - VIOLATIONS

Any person, corporation or other body found violating any section of this By Law shall be liable of an offence under Summary Conviction of a fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment for a term not exceeding thirty (30) days or both.

Badwa
CHIEF

W. H. Remondy
WITNESS

Eric Badwa
COUNCILLOR

[Signature]
COUNCILLOR

Johnny Paul
COUNCILLOR

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COUNCILLOR

COUNCILLOR

W. H. Remondy
WITNESS

Dated at Keheuin Resurrection #123 in the Province of

Alberta this 6th day of October A.D., 1987.