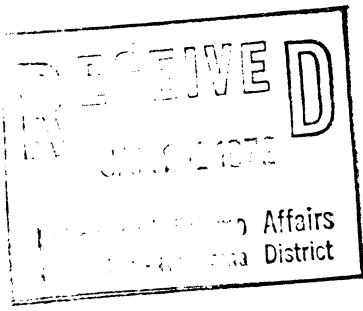


BAND COUNCIL RESOLUTION



6 21

Chronological No. 1971-72/77467-58.
H.Q. Reference

774/3-10/8-19-10.

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.

COUNCIL OF THE ERMINESKIN	BAND	FOR HEADQUARTERS USE ONLY
AGENCY EDMONTON/HOBBEMA DISTRICT		
PROVINCE ALBERTA		
PLACE HOBBEMA		
DATE 19 Jan. 72		
DAY MONTH YEAR		

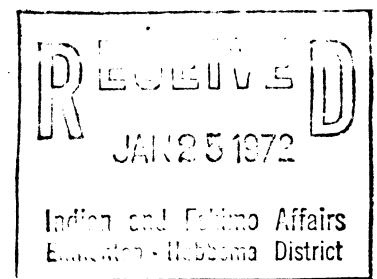
DO HEREBY RESOLVE:
and request the Department of Indian Affairs and Northern Development approve By-law #5, Ermineskin Indian Reserve Zoning Bylaw, to regulate the use of land, location, spacing and use of buildings, and structures within the Townsite on the Ermineskin Indian Reserve #138, in the Province of Alberta.

<i>[Signature]</i> (Councillor)	<i>[Signature]</i> (Chief) (Councillor)
..... (Councillor)	<i>[Signature]</i> (Councillor) (Councillor)
..... (Councillor)	<i>[Signature]</i> (Councillor) (Councillor)
..... (Councillor)	<i>[Signature]</i> (Councillor) (Councillor)

FOR HEADQUARTERS USE ONLY					
1. TRUST ACCT	2. CURRENT BALANCES		3. Expenditure	4. Authority Indian Act Sec.	5. Source of Funds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital	B. Revenue			
\$	\$	\$			
6. Recommended			7. Approved		
Date			Date		
Authorized Officer			Assistant Deputy Minister,		

ERMINESKIN
INDIAN RESERVE

ZONING BYLAW



The Council of the Ermineskin Band of Indians at a meeting held on 16 day of Dec. , 1971 passed the following Bylaw pursuant to paragraphs (g), (h) and (r) of Section 80 of The Indian Act.

BYLAW NO. 71 - 5

A Bylaw to regulate the use of land, location, spacing and use of buildings and structures within the Townsite on the Ermineskin Indian Reserve #138 in the Province of Alberta.

Section 1 - TITLE AND AREA RESTRICTED

This Bylaw may be cited as the Zoning Bylaw and shall apply to the Townsite on the Ermineskin Indian Reserve #138 shown on the schedule attached hereto and forming part of this Bylaw.

Section 2- SCOPE

No building or structure shall hereafter be built within the designated Townsite, except in conformity with the provisions of this Bylaw.

Section 3 - DEFINITIONS

In this Bylaw: .

"Ancillary Building" shall mean a detached building or structure not being used as a dwelling, which is subordinate to and on the same lot as the main building and shall include a private garage, teepees and other tents.

"Council" shall mean The Council of the Ermineskin Band of Indians.

"Dwelling" shall mean any building used exclusively for human habitation and supported on a permanent foundation.

"Dwelling, Duplex" shall mean a building divided into two separate dwelling units each of which has separate entrances.

"Floor Area" shall mean the total of the floor areas of every room and passageway contained in the dwelling but not including the floor areas of basements, attached garages, sheds, open porches, verandahs, or breezeways.

"Frontage" shall mean the horizontal distance between the side lot lines measured along a public street. Where a lot abuts two

streets, the lesser dimension shall be deemed the lot frontage.
"Lot" shall mean a parcel of land which fronts or abuts on a public street.

"Lot Line" shall mean any boundary line of a lot.

"Home Occupation" shall mean an occupation carried on by the occupant of a dwelling on his premises as a secondary use usually of a personal service nature, e. g. barber, hairdresser.

"Private Garage" shall mean a building or structure used to shelter and store private motor vehicles, but not to service motor vehicles.

"Yard" shall mean an open, uncovered and unoccupied space between a main building and the lot line.

"Front Yard" shall mean a yard extending across the full width of the lot between the front lot line and the nearest wall of the main building.

"Rear Yard" shall mean a yard extending across the full width of the lot between the rear lot line and the nearest wall of the main building.

"Side Yard" shall mean a yard extending from the front yard and the rear yard between the side lot line and the nearest wall of the main building.

Section 4 - GENERAL PROVISIONS FOR ALL ZONES

1. Ownership

The land in the designated Townsite as shown on attached Schedule 1 shall remain in Band ownership and shall not be conveyed to individual members.

2. Buildings to be Moved

No building or structure shall be moved to any lot in the Townsite unless every portion of the building or structure meets all of the requirements of the zone in which it is to be located.

3. Noxious or Offensive Uses

No business, trade or calling shall be permitted in any zone which may be noxious or offensive by reason of the emission or production of odour, smoke, dust, refuse matter, wastes or noise.

4. Continuance of Use

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

5. Building in Front Yard

No buildings or structures shall be erected in the front yard.

6. Building in Side or Rear Yard

A shed, private garage or any other ancillary building may be erected in a side yard or rear yard provided that it be distant not less than four feet from the side lot line.

Section 5 - ZONES

Classification of Zones: For the purpose of this Bylaw, the following zones are established and the lands included in each zone are shown on Schedules attached hereto.

Zones:

- Residential R1
- R2
- Institutional
- Commercial
- Open Space

Section 6 - RESIDENTIAL R1 ZONE

a) Permitted Uses:

- Single Family Dwelling
- Duplex
- Home Occupation
- Ancillary Building

b) Regulations

- Minimum width of lot: 50 feet
- Minimum front yard: 20 feet
- Maximum front yard: 30 feet
- Minimum side yard: 5 feet
- Minimum side yard on a corner lot 15 feet from the side street
- Minimum lot area: 6000 sq. feet
- Not more than one dwelling is permitted on one lot.

c) Parking

- No commercial vehicle heavier than one ton is permitted to be parked in a residential lot.

Section 7 - RESIDENTIAL R2 ZONE

a) Permitted Uses:

- Apartment
- Duplex
- Home Occupation
- Ancillary Building
- Senior Citizens' Home

b) Regulations

- Minimum width of lot: 60 feet
- Minimum front yard: 20 feet

- Maximum front yard: 30 feet
- Minimum side yard: 5 feet
- Minimum side yard on a corner lot: 15 feet from the side street
- Minimum lot area: 7200 sq. feet

c) Parking

- A minimum of one off street parking space shall be provided for each dwelling unit.

d) Site Cover

- Maximum site cover shall be 35% of the lot area.

Section 8 - INSTITUTIONAL ZONE

a) Permitted Uses:

- Hospital
- School
- Band Hall
- Theatre
- Living accommodation when within or attached to the same structure as an institutional use.
- Community Centre
- Church
- Fire Hall
- Library

b) Regulations

- Minimum front yard: 25 feet
- Minimum side yard: 15 feet
- Minimum distance between buildings: 20 feet

Section 9 - COMMERCIAL

a) Permitted Uses:

- Store
- Office
- Service station and repair shop
- Funeral home
- Restaurant
- Living accommodation when within or attached to the same structure as a commercial use.

b) Regulations

- Minimum front yard: 25 feet
- Minimum side yard: 10 feet, except for a service station where one side yard shall be at least 40 feet and the other shall be not less than 5 feet provided that where the use is located on a flanking street, the 40 feet setback shall be provided on the side of the building abutting the flankage street.
- Minimum distance between buildings: 20 feet

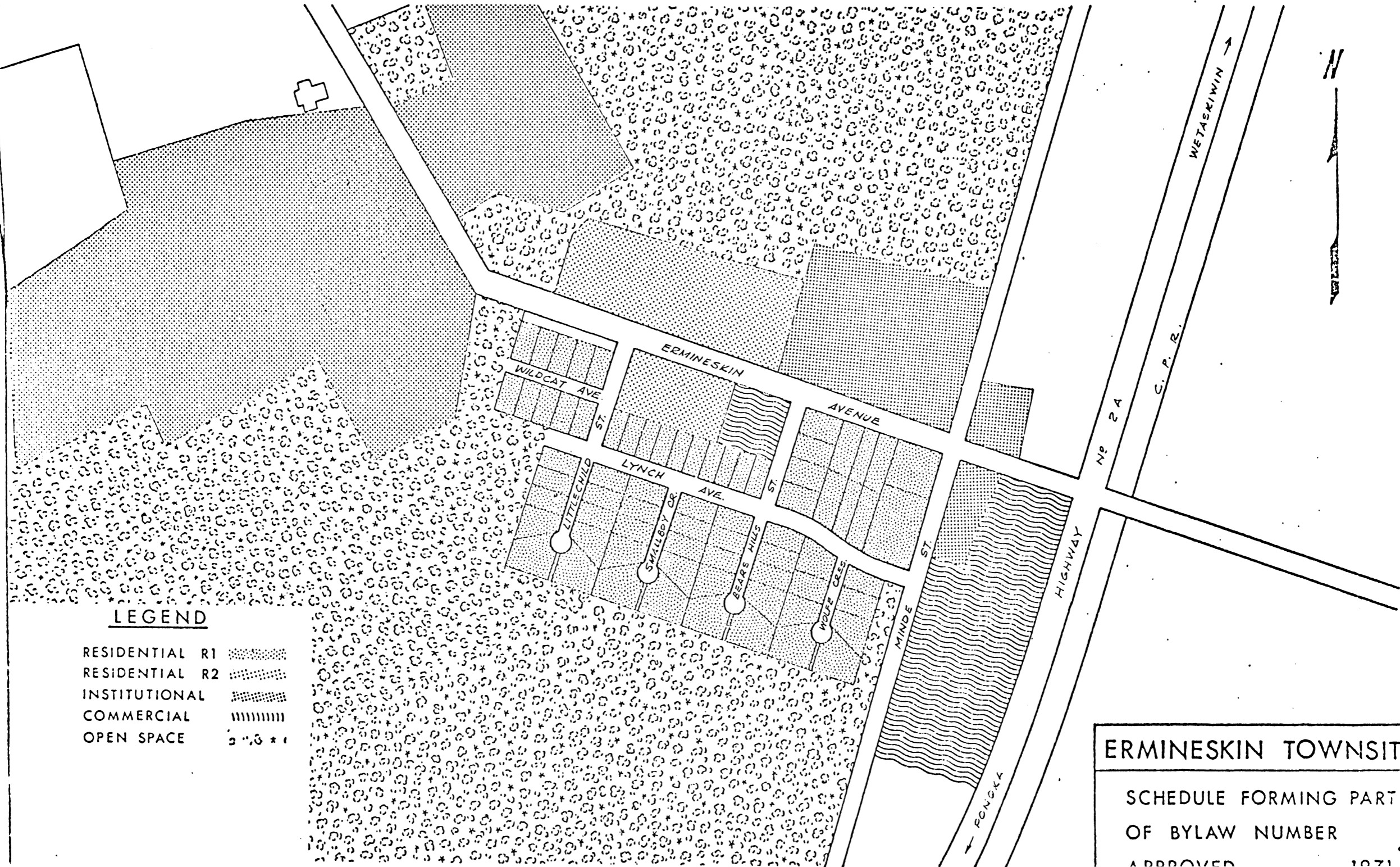
Section 10 - OPEN SPACE

a) Permitted Uses:†

- A play area
- A sport field
- A recreation area
- Ancillary structures

Section 11 - ENFORCEMENT

1. The Band Manager shall maintain the original of this Bylaw in an up-to-date manner including amendments and have these documents available for examination in his office.
2. The Band Manager and/or any other person named in writing by the Council for this purpose shall be ex-officio officer for the enforcement of this Bylaw.
3. While all the regulations contained herein become legally in force on the enactment of this Bylaw, the regulations and provisions of this Bylaw can be altered, added to, or deleted by passing a new amending Bylaw.
4. A person who violates a provision of this Bylaw shall be guilty of an offense and shall be liable on summary conviction to a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days, or both fine and imprisonment, as specified in clause (r) Section 80 of The Indian Act.



LEGEND

- RESIDENTIAL R1
- RESIDENTIAL R2
- INSTITUTIONAL
- COMMERCIAL
- OPEN SPACE

ERMINESKIN TOWNSITE

SCHEDULE FORMING PART
OF BYLAW NUMBER

APPROVED 1971