

**BEAVER COUNTY**

**LAND USE BYLAW**

**BYLAW NO. 98-801, as amended**

**November 2020**

**BEAVER COUNTY  
LAND USE BYLAW  
BYLAW NO. 98-801, as amended**

**OFFICE CONSOLIDATION, November 5, 2020  
with amendments up to and including 20-1090.**

**NOTE:**

**All persons making use of this consolidation are reminded that it has no legislative sanction, that the amendments have been consolidated for convenience of reference only, and that the original Bylaw and amendments thereto should be consulted for all purposes of interpreting and applying the Land Use Bylaw.**

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# **PART 1 GENERAL ADMINISTRATIVE PROCEDURES**

## **1.1 TITLE**

1. The title of this Bylaw shall be Beaver County Land Use Bylaw.

## **1.2 PURPOSE**

1. The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the County to achieve the orderly and economic development of land, and for that purpose, amongst other thing,
  - (a) to divide the County into districts
  - (b) to prescribe and regulate for each district the purposes for which land and buildings may be used;
  - (c) to establish a method of making decisions on applications for development permits including the issuing of development permits;
  - (d) to provide the manner in which notice of the issuance of a development permit is to be given; and
  - (e) establish the number of dwelling units permitted on a parcel of land.

## **1.3 CONTROL OF DEVELOPMENT**

1. No development other than that designated in Section 1.4 must be undertaken within the County unless an application for it has been approved and a development permit has been issued and has come into effect under the provisions of this Bylaw.

## **1.4 DEVELOPMENT NOT REQUIRING A PERMIT**

1. The following development shall not require a development permit, although other permits under the Alberta Safety Codes Act or other legislation or regulations may be required:
  - (a) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation, including:
    - i) minor utilities, the definition of which shall be determined at the sole discretion of the Development Authority;
    - ii) private driveways and patios accessory to a dwelling;
    - iii) an unenclosed deck or a deck enclosed by a rail or parapet wall, with a floor less than 1 m (3.3 ft.) in elevation above grade;
    - iv) landscaping where the existing grade and surface drainage pattern is not materially altered;
  - (b) The completion of a building which was lawfully under construction at the date of the approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which the permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the approval;
  - (c) The use of any such buildings allowed under Section 1.4(b) of this Bylaw;

- (d) The erection or construction of gates, fences, or walls or other means of enclosure and the maintenance, improvement and other alterations of any such gates, fences, or walls, except as follows:
- i) In the Agricultural District, no gates, fences, or walls or other means of enclosure will be allowed where such gate, fences, or walls abut on a road or a highway used by vehicular traffic within the setback area shown in Figures 9.2 – 9.6;
  - ii) In the Country Residential District, a Development Permit will be required for gates, fences, or walls or other means of enclosure on corner lots or where abutting on a road or a highway used by vehicular traffic, and for gates, fences, or walls greater than 1.84 metres (6 feet) in height in front, rear, or side yards;
  - iii) In the Urban General District, a Development Permit will be required for gates, fences, or walls or other means of enclosure on corner lots or where abutting on a road or a highway used by vehicular traffic, and for gates, fences, or walls greater than 0.92 metres (3 feet) in height in front yards and greater than 1.84 metres (6 feet) in height in rear or side yards.
- (e) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued under this Bylaw, and which is not a dwelling or used as a dwelling;
- (f) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (g) The erection or construction of fencing for extensive agricultural uses;
- (h) The development of land for extensive agricultural purposes, excepting for:
- i) a dwelling;
  - ii) a garage;
  - iii) permanent farm buildings and dugouts located within 38.0 m (125 ft.) of the centreline of a rural County road, or within 63.7 m (209 ft.) of the centreline of a secondary road, or within 71.6 m (235 ft.) of the centreline of a primary highway;
- (i) The development of land for a confined feeding operation or a manure storage facility within the meaning of the Agricultural Operation Practices Act if the confined feeding operation or the manure storage facility is the subject of an approval, registration or authorization under Part 2 of that Act.
- (j) The demolition or removal of a building or improvement.
- (k) Change of hours of operation of any permitted use development in the Landfill and Composting District for which a development permit has been issued.
- (l) Change of sequence of development of cells within a landfill for which a development permit has been issued.
- (m) Solar Collectors, Structure and Ground Mount, will not require a Development Permit provided it meets the requirements under Section 7.27 Solar Collectors of this bylaw.
- (n) The use of recreational vehicles intended to be temporary occupied and not exceeding a period of six (6) months provided it meets the requirements under Section 7.28 Recreational Vehicle Uses.

## **1.5 NON-CONFORMING USES AND BUILDINGS**

1. A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with this Bylaw.
2. A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
3. A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
4. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
  - (a) to make it a conforming building;
  - (b) for the routine maintenance of the building, if the Development Authority considers it necessary; or
  - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 2.2.6 of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
5. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the Land Use Bylaw.
6. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## **1.6 DEVELOPMENT APPROVAL AUTHORITIES**

1. For the purposes of this Bylaw, the designated officer to be known as the Development Authority is hereby established.
2. The Development Authority shall consist of one (1) to be appointed by a resolution of Council. That person may delegate his authority and responsibilities to another person or persons as he sees fit at his discretion.
3. If the appointed person shall die, retire or resign, another person may be appointed by resolution of the Council.
4. Council may remove the person from the position of Development Authority by resolution at any time.
5. The Development Authority shall:
  - (a) receive and review development permit applications as to their completeness;
  - (b) refer a development permit application to any federal, provincial or any other agency or body deemed appropriate by the Development Authority to obtain comments on the application;
  - (c) consider and decide upon a development permit application for a permitted use and must approve such an application provided the application complies with the Bylaw;
  - (d) consider and decide upon an application for a discretionary use;

- (e) undertake other duties specified in this Bylaw or the Act;
  - (f) keep and maintain for the inspection of the public during office hours a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a reasonable charge;
  - (g) make available for inspection by the public during office hours a register of all applications for development permits and the decisions made thereon;
  - (h) collect fees according to a scale to be established by resolution of Council; and
  - (i) be declared to be the Designated Officer for the purposes of Section 542 of the Act.
6. Subdivision and Development Appeal Board: The Subdivision and Development Appeal Board as established by the County's Subdivision and Development Appeal Board Bylaw, shall perform such duties as are specified by bylaw.



## **PART 2 DEVELOPMENT APPLICATION PROCESS**

### **2.1 APPLICATION FOR DEVELOPMENT**

1. Any application for a development permit must be made to the Development Authority in writing, on the forms required by the Development Authority, and must contain the following information:
  - (a) the legal description of the parcel which is being developed;
  - (b) a site plan drawn with sufficient detail to allow the Development Authority to determine the following:
    - i) the setbacks from each boundary of the lot for each proposed development and/or building;
    - ii) all points of vehicular access and, if deemed necessary by the Development Authority, the direction of traffic flow;
    - iii) for any commercial, industrial or retail development, any parking provisions; and
    - iv) the proposed location of any wells, dugouts, or sewage disposal facilities;
  - (c) a statement of the proposed use by the person or entity who is actually going to be operating, controlling and using the development, provided that where the person or entity operating the development is not the registered owner of the land or a person or entity purchasing the parcel under terms of a written offer to purchase or written agreement for sale, written consent to the application must be provided from the registered owner;
  - (d) any other information which in the opinion of the Development Authority is necessary to evaluate the proposed development; and
  - (e) any application fee as established by resolution of Council.
2. The Development Authority may require that the site plan noted in Section 2.1.1(b) above be drawn to scale.
3. The Development Authority may require that the applicant obtain consent for the development from the adjacent landowners and any other landowners who, in the opinion of the Development Authority, may be affected by the proposed development.
4. An application is not considered to have been received until all requirements above have been submitted to the satisfaction of the Development Authority.
5. Notwithstanding Section 2.1.1, the Development Authority may approve or refuse an application for a development permit in the absence of the information required under Section 2.1 and any other relevant section of this Bylaw, if in his or her opinion, the development is of such a nature as to enable a decision to be made without all of the required information.

### **2.2 DECISION PROCESS**

1. In making a decision the Development Authority may
  - (a) approve the application
    - i) permanently, or
    - ii) for a limited period of time, and

- iii) unconditionally, or
    - iv) subject to such conditions as the Development Authority considers appropriate; or
  - (b) refuse the application.
2. Where the development permit is approved for a limited period of time, the Development Authority may impose as conditions of the approval of the permit that the County is not liable for any costs involved in the cessation or removal of the development upon the expiration of the time limited in the permit and may require the developer and/or registered owner to enter into an agreement guaranteeing the cessation or removal of the development upon expiration of the time limited in the permit, including providing security for any costs the County may be required to incur to enforce the agreement.
  3. The Development Authority may require that as a condition of a development permit's being issued, the applicant enter into an agreement with the County to do any or all of the following:
    - (a) to construct or pay for the construction of a road required to give access to the development; and/or
    - (b) to construct or pay for the construction of pedestrian walkways to serve the development or to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development; and/or
    - (c) to install or pay for the installation of public utilities other than telecommunications systems or works, that are necessary to serve the development; and/or
    - (d) to construct or pay for the construction of off-street or other parking facilities and loading and unloading facilities; and/or
    - (e) to pay an off-site levy imposed by bylaw; and/or
    - (f) to give security to ensure that the terms of the agreement under this Section are carried out.
  4. To ensure compliance with the development agreement, the municipality may register a caveat against the certificate of title of the parcel that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.
  5. In the case where a proposed specific use of land or a building is not provided for in any district in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district.
  6. The Development Authority, may approve an application for a development permit notwithstanding that the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority,
    - (a) the proposed development would not:
      - i) unduly interfere with the amenities of the neighborhood; or,
      - ii) materially interfere with or affect the use, enjoyment or value of neighboring properties; and
    - (b) the proposed development conforms with the use prescribed for the land or building in the Bylaw.

7. An application for a development permit is, at the option of the applicant, deemed to be refused if a decision is not made within 40 days after the Development Authority receives the application unless prior to the expiration of that period, the applicant has entered into an agreement with the Development Authority to extend the time during which the Development Authority must make his decision. Further extensions of time may be granted provided the agreement between the applicant and the Development Authority to further extend the time is made before the expiration of the time provided in the operative agreement.
8. Where an application for a development permit is refused by the Development Authority, the written decision must contain reasons for the refusal.

### **2.3 VALIDITY OF PERMITS**

1. When a development permit for a permitted use has been issued, and the provisions of this Bylaw are neither relaxed nor varied in the decision of the Development Authority, the permit comes into effect immediately upon its issuance, without requirement of publication.
2. For all other types of development permits, the permit does not become effective until the time for appealing the permit to the Subdivision and Development Appeal Board has expired, without an appeal being filed.
3. Where an appeal to the Subdivision and Development Appeal Board has been filed, within the time allowed for the filing of an appeal on that permit, the permit does not come into effect until one of the following events occurs:
  - (a) the Subdivision and Development Appeal Board makes its decision and the time for appealing that decision to the Court of Appeal expires, without an appeal being filed with the Court of Appeal;
  - (b) the decision of the Subdivision and Development Appeal Board is appealed to the Court of Appeal and the Court of Appeal makes its decision without directing the matter be reheard by the Subdivision and Development Appeal Board.

### **2.4 EXPIRY OF PERMITS**

1. Where a development authorized by a permit has not been commenced within 12 months from the date the permit becomes valid pursuant to the provisions of this Bylaw, and the Development Authority has not, prior to the expiration of the 12 month period granted an extension not exceeding a further 12 months, the permit shall be deemed to have expired at the expiration of the first 12 month period or the extension thereof and a new application shall be required for the development as if no permit had ever been issued.

### **2.5 NOTICE OF DECISIONS**

1. Where the Development Authority issues a permit for a permitted use which conforms in all respects with the provisions of this Bylaw, no notice or publication of the issuance of the permit to the public is required.
2. Where a development permit has been issued
  - (a) for a permitted use, where the provisions of the Bylaw have been varied or relaxed, or
  - (b) for a discretionary use, or
  - (c) for a non-conforming development,

the Development Authority

- i) must publish a notice, twice, in a newspaper circulating in the locality where the parcel subject to the proposed application is located, notice of the approval, indicating the proposed use, legal description, and name of applicant and registered owner of the parcel if at the time of the application they are different; and
  - ii) may immediately mail a notice in writing to all adjacent land owners who, in the opinion of the Development Authority, may be affected by the proposed development.
3. The Development Authority shall provide to the applicant and registered owner of the parcel at the time of the decision, a written copy of the Development Authority's decision either approving or refusing the application by regular mail or personal service.

## **2.6 SUBSEQUENT APPLICATIONS FOR DEVELOPMENT PERMIT**

1. When an application for a development permit for a discretionary use has been refused, or revoked upon appeal either to the Subdivision and Development Appeal Board or the Court of Appeal, the Development Authority shall not accept an application for the same use on the same parcel of land within a period of 12 months from the date of the refusal or revocation by the Subdivision and Development Appeal Board or the Court of Appeal, as applicable.

## **2.7 COMPLIANCE WITH OTHER REGULATIONS AND BYLAWS**

1. Nothing in this Bylaw affects the duty or obligation of a person to obtain any other permit, license, or authorization required by any Act, Regulation, or Bylaw.
2. Any proposed development and/or subdivision shall be in accordance with the policies and provisions contained within any Area Redevelopment Plan and the Community Plans for the Hamlets of Kinsella and Bruce as amended from time to time.
3. The Development Authority may refuse to issue a permit where the proposed development does not comply with any Federal, Provincial, or Municipal legislation or other municipal requirements, or with the conditions of any easement or development agreement affecting the parcel or building.

## **PART 3 DEVELOPMENT APPEAL PROCESS**

### **3.1 APPEAL PROCEDURE**

1. If the Development Authority:
  - (a) refuses a development permit application;
  - (b) fails to issue a development permit within 40 days of receipt of the application in a form satisfactory to the Development Authority or upon expiration of any extension of the period agreed to between the applicant and the Development Authority;
  - (c) approves a development permit application subject to conditions; or
  - (d) issues an Order under subsection 5.1.1 of this Bylaw;

the person applying for the permit or affected by the Order under subsection 5.1.1 may appeal to the Subdivision and Development Appeal Board.

2. In addition to the applicant under subsection 3.1.1, any person affected by an Order, decision or development permit made or issued by a Development Authority may appeal to the Subdivision and Development Appeal Board.
3. Notwithstanding subsections 3.1.1 and 3.1.2 above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
4. An appeal to the Subdivision and Development Appeal Board is commenced by filing a notice of the appeal, containing reasons, on the Subdivision and Development Appeal Board, together with the appeal fee as established by resolution of Council, within 14 days:
  - (a) in the case of an appeal made by a person referred to in subsection 3.1.1, after
    - i) the date on which the person is notified of the Order or decision or issuance of the development permit; or
    - ii) if no decision is made with respect to the application within the 40-day period or within any extension under subsection 2.2.7, the date the period or extension expire;

or

- (b) in the case of an appeal made by a person referred to in subsection 3.1.2, after the date on which the notice of the issuance of the permit was given in accordance with the provisions of this Bylaw.

### **3.2 PUBLIC HEARING**

1. The Subdivision and Development Appeal Board must hold an appeal hearing within 30 days of receipt of a notice of appeal.
2. The Subdivision and Development Appeal Board must give at least 5 days notice in writing of the hearing to:
  - (a) the appellant;
  - (b) the Development Authority whose Order, decision or development permit is the subject of the appeal;

- (c) those owners required to be notified under the provisions of this Bylaw and any other person who the Subdivision and Development Appeal Board considers to be affected by the Order, decision or permit; and
  - (d) such other persons as the Subdivision and Development Appeal Board specifies.
3. The Subdivision and Development Appeal Board must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal including:
- (a) the application for the development permit, the decision and the notice of appeal; or,
  - (b) the Order of the Development Authority under subsection 5.1.1 of this Bylaw.
4. At the hearing, the Board must hear:
- (a) the appellant or any person acting on behalf of the appellant;
  - (b) the Development Authority or a person acting on behalf of the Development Authority;
  - (c) any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person; and
  - (d) any other person who claims to be affected by the Order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear, or a person acting on behalf of that person.

### **3.3 APPEAL DECISION**

1. In determining an appeal, the Subdivision and Development Appeal Board:
- (a) must comply with the land use policies and statutory plans and, subject to clause (d), this Bylaw;
  - (b) must have regard to but is not bound by the subdivision and development regulations;
  - (c) may confirm, revoke, or vary the Order, decision or development permit or any condition attached to any of them or make or substitute an Order, decision, or permit of its own;
  - (d) may make an Order or decision, or issue or confirm the issue of a development permit even though the proposed development does not comply with this Bylaw if, in its opinion:
    - i) the proposed development would not:
      - (A) unduly interfere with the amenities of the neighborhood, or
      - (B) materially interfere with or affect the use, enjoyment or value of neighboring properties,
 and
    - ii) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
2. The Subdivision and Development Appeal Board must give its decision in writing together with reasons for the decision within 15 days of concluding the hearing.
3. A decision made by the Subdivision and Development Appeal Board is final and binding and may only be appealed upon a question of jurisdiction or law pursuant to the Act. An application for leave to appeal to the Court of Appeal must be made:

- (a) to a Judge of the Court of Appeal; and
  - (b) within 30 days after the issue of the Order, decision, permit, or approval sought to be appealed.
4. Notice of the application must be given to the Subdivision and Development Appeal Board and to any other persons that the judge directs.
  5. Neither the Development Authority, the Subdivision and Development Appeal Board, nor any member of the Board, is in any case liable for costs by any reason or in respect of any application, decision or appeal.

## **PART 4 BYLAW AMENDMENT PROCESS**

### **4.1 APPLICATION FOR AMENDMENT**

1. A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required as established by Council.
2. Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application therefor.
3. Except where the amendment is initiated by Council through the Development Authority, all applications for amendment to this Bylaw shall be made to the County and shall be accompanied by the following, namely:
  - (a) an application fee as determined by resolution of Council;
  - (b) a title search of the parcel affected issued within the last 30 days;
  - (c) a supporting written statement;
  - (d) a map, if the amendment is to change the District;
  - (e) any other information deemed necessary by the Development Authority;
  - (f) permission for right-of-entry by an authorized person of the County onto the parcel for inspection purposes.
4. An application may not be considered to have been received until all requirements above have been submitted to the satisfaction of Council.
5. Notwithstanding Section 4.1.4, Council may make a decision in the absence of all of the required information where in its opinion, the decision is of such a nature that the decision can be made in the absence of all required information.
6. During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
7. Council may request such information as it deems necessary to reach a decision on the proposed amendment.

### **4.2 PUBLIC HEARING**

1. All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the requirements of the Act regarding the holding of a public hearing.



## **PART 5 BYLAW ENFORCEMENT**

### **5.1 CONTRAVENTION AND PENALTIES**

1. If the Development Authority finds that a development, land use or use of a buildings is not in accordance with:

- (a) the Act or the Regulations, or
- (b) a development permit or subdivision approval, or
- (c) the Land Use Bylaw,

the Development Authority may, by written notice, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention, or all or any of them to:

- i) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
- ii) demolish, remove or replace the development; or
- iii) carry out any other actions required by the notice so that the development or use of the land or buildings complies with the Act, the Regulations, a development permit, a subdivision approval or this Bylaw;

within the time set out in the notice.

- 2. If a person fails or refuses to comply with an Order directed to him/her under subsection 5.1.1 or an Order of the Subdivision and Development Appeal Board within the time specified, the Development Authority or another designated officer appointed by Council may, in accordance with the Act, enter on the land or building and take any action necessary to carry out the Order.
- 3. Where the Development Authority or another designated officer appointed by the Council carries out an Order, the Council shall cause the costs and expenses incurred in carrying out the Order to be placed on the tax role as an additional tax against the parcel of land concerned and that amount shall be collected in the same manner as taxes on land.
- 4. A person who contravenes this Bylaw shall be considered to be guilty of an offence and liable upon summary conviction to a fine pursuant to the Act.
- 5. In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets pursuant to this Act in respect to any contravention of this Bylaw.
- 6. Violation Tickets
  - (a) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket pursuant to Section 2 of the Provincial Offences Procedures Act to any person alleged to have breached any provision of this Bylaw.
  - (b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the County.

- (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty pursuant to the Provincial Offences Procedures Act for each offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (d) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (e) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (f) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall be pursuant to the Provincial Offences Procedures Act for each offence.

## **PART 6 LAND USE DISTRICTS - USES AND REGULATIONS**

### **6.1 ESTABLISHMENT OF LAND USE DISTRICTS**

1. For the purpose of this Bylaw the County of Beaver No.9 is divided into the following districts:

Agricultural District - A  
Urban General District - UG  
Rural Commercial District - RC  
Rural Industrial District - RI  
Country Residential District - CR  
Landfill and Composting District - LC  
Low Impact Eco-Friendly Industrial District - IE  
Business/Light Industrial District – IL  
Medium Industrial District - IM

2. The boundaries of the districts listed in this Bylaw are as delineated in Part 10. LAND USE DISTRICT MAP.
3. Where uncertainty exists as to the boundaries of districts as delineated on the LAND USE DISTRICT MAP, the following rules shall apply:

RULE 1 Where a boundary is shown as following a road, highway, lane, watercourse or canal, it shall be deemed to follow the centre line there of.

RULE 2 Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

RULE 3 In circumstances not covered by Rules 1 or 2 the location of the district boundary shall be determined:

- (a) where dimensions are set out on the LAND USE DISTRICT MAP, by the dimensions so set, or
  - (b) where no dimensions are set out on the LAND USE DISTRICT MAP with respect to such boundary, by measurement of and use of the scale shown on the LAND USE DISTRICT MAP.
4. Where the application of the above rules does not determine the exact location of the boundary of a district, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
  5. The Development Authority shall maintain a list of the Council’s decisions with respect to boundaries or portions thereof fixed by it.

## 6.2 AGRICULTURAL DISTRICT - A

The general purpose of this district is to permit activities associated with primary agricultural production, and to preserve valuable agricultural land from inappropriate development.

### 1. District Boundaries

This district comprises all the land in the County of Beaver within the area so designated on the Land Use District Map (Part 10).

### 2. Permitted Uses

- (a) Community Recreation
- (b) Extensive Agriculture
- (c) Government Services
- (d) Home Occupations - Type I
- (e) One Family Dwellings
- (f) Public Parks
- (g) Recreational Vehicle Uses
- (h) Single Lot Country Residential Use (in the form of a farmstead separation or a fragmented parcel, or undeveloped single lot country residential subdivision)
- (i) Solar Collectors, Structure and Ground Mount (equal to or less than 10m<sup>2</sup> floor area)
- (j) Buildings and Uses Accessory to Permitted Uses

### 3. Discretionary Uses

- (a) Airports
- (b) Animal hospital and shelter
- (c) Auctioneering establishments
- (d) Bed and Breakfast Establishments
- (e) Daytime Child Care
- (f) Family Care Facilities
- (g) Fire and Protective Services
- (h) General Commercial Uses
- (i) General Industrial Uses - Type I and Type II
- (j) Group Care Facilities
- (k) Highway Commercial Uses
- (l) Home Occupations - Type II
- (m) Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- (n) Intensive Agricultural Uses
- (o) Kennels
- (p) Landfills - Class III
- (q) Local Industrial Uses
- (r) Motels
- (s) Natural Resource Extraction Uses
- (t) Pet Cemeteries
- (u) Recreation Uses
- (v) Recycling Depots
- (w) Renewable and Alternate Energy Facility
- (x) Second or Additional Dwellings
- (y) Signs
- (z) Solar Collectors, Ground Mount (over 10m<sup>2</sup> floor area)
- (aa) Solar Farms
- (bb) Storage Sites
- (cc) Surface Impoundment
- (dd) Utility and Transportation Uses
- (ee) Veterinarians

- (ff) Other similar uses as approved the Development Authority
- (gg) Buildings and Uses Accessory to Discretionary Uses

#### 4. Regulations

- (1) No more than three titled parcels as a combination of agricultural uses (such as Extensive Agriculture, Confined Feeding Operations, etc.), country residential uses, or fragmented parcels shall be permitted on any quarter section within this District. Land subdivided for school sites, community halls, churches, and cemeteries is excluded from the maximum number of subdivisions permitted in a quarter section.
- (2) Minimum Lot Size - Permitted Uses
  - (a) for single lot country residential uses – 1.2 hectares (3 acres), or 0.4 ha (1 acre) for lots created prior to January 14, 2004
  - (b) for other permitted uses - one half of the subject quarter section, except where a subdivision has been registered in Land Titles within the subject quarter section, the minimum lot size shall be the subject quarter section less the area of the subdivision.
- (3) Minimum Lot Size - Discretionary Uses
  - (a) As required by the Development Authority.
- (4) Minimum Yard Dimensions
  - (a) Minimum Front Yard Building Setbacks
    - i) Rural Road - 38.0 m (125 ft.) from the centre line of the road right-of-way;
    - ii) Secondary Road - 63.7 m (209 ft.) from the centre line of the road right-of-way;
    - iii) Highway - 71.6 m (235 ft.) from the centre line of the road right-of-way;or as shown in Figures 9.2 through 9.5 where there is an intersection or curve.
  - (b) Minimum Side Yard Building Setback - 6.1 m (20 ft.) or greater if determined to be necessary by the Development Authority;
  - (c) Minimum Rear Yard Building Setback - 7.6 m (25 ft.) or greater if determined to be necessary by the Development Authority.
- (5) A surface impoundment may be approved as a portion of a development permit for an intensive agricultural use and shall to the extent reasonably possible, comply with the Provincial or National Code of Practice published for that particular type of development.
- (6) The Development Authority, may at his discretion, send a copy of any application for a development permit to a neighboring municipality where he feels that municipality may be affected by the application.
- (7) The Development Authority may refuse to issue a permit for a development where that development would restrict the efficient future growth of urban centres located within the County.
- (8) Within the areas shown on Maps 10.1 and 10.2 as an Airport Vicinity Area, the Development Authority shall consider the potential impact of any proposed development over 10 m (32.8 ft.) in height on the operations of the airport. Conditions of any approval may take the potential impact into account.

- (9) Notwithstanding any provision of this Bylaw to the contrary, except as noted in Subsection (10) below, no dwelling shall be located so as to be within the setback suggested between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.
- (10) Notwithstanding Subsection (9) above, the owner(s) or operator(s) of a confined feeding operation may locate and reside within dwellings which do not meet the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act. Such dwellings shall satisfy all other provisions of this Bylaw.
- (11) Notwithstanding any other provision in this Bylaw to the contrary, specifically Section 7.19.1(b), two country residential subdivisions may be allowed on the NW 3-51-17-W4.

## 6.3 URBAN GENERAL DISTRICT – UG

The general purpose of this district is to allow a wider variety of urban-type uses within the larger unincorporated hamlets of the County. Any future developments should be in accordance with the urban expansion policies of the Municipal Development Plan and the Community Plans for the Hamlets of Bruce and Kinsella.

### 1. District Boundaries

The district comprises all the land in the County of Beaver within the area so designated on the Land Use District Map (Part 10).

### 2. Permitted Uses

- (a) Community Recreation
- (b) Government Services
- (c) Home Occupations - Type I
- (d) One Family Dwellings
- (e) Public Parks
- (f) Solar Collectors, Structure and Ground Mount (equal to or less than 10m<sup>2</sup> floor area)
- (g) Buildings and Uses Accessory to Permitted Uses

### 3. Discretionary Uses

- (a) Abattoir
- (b) Bed and Breakfast Establishments
- (c) Daytime Child Care
- (d) Duplexes
- (e) Extensive Agriculture
- (f) Family Care Facilities
- (g) Fire and Protective Services
- (h) General Commercial Uses
- (i) General Industrial Uses - Type I
- (j) Group Care Facilities
- (k) Highway Commercial Uses
- (l) Home Occupations - Type II
- (m) Indoor Participant Recreation Uses
- (n) Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- (o) Local Industrial Uses
- (p) Manufactured Home Parks
- (q) Recycling Depots
- (r) Signs
- (s) Solar Collectors, Ground Mount (over 10m<sup>2</sup> floor area)
- (t) Utility and Transportation Uses
- (u) Veterinarians
- (v) Other similar uses as approved by the Development Authority
- (w) Buildings and Uses Accessory to Discretionary Uses

### 4. Regulations

- (1) Minimum Lot Size

- (a) One Family Dwellings

	<u>Width (m)</u>	<u>Area (sq. m)</u>
Unserviced	30.5 (100 ft.)	1858.1 (20,000 sq. ft.)
Both services	15.2 (50 ft.)	557.4 (6,000 sq. ft.)
Sewerage only	30.5 (100 ft.)	929.0 (10,000 sq. ft.)
Water only	30.5 (100 ft.)	1393.5 (15,000 sq. ft.)

(b) All other uses as required by the Development Authority.

(2) Minimum Floor Area

(a) One Family Dwellings – 74.4 sq. m. (800 sq. ft), provided that:

- i) with bi-level and/or split level dwellings, the first floor above ground level shall be no less than 55.7 sq. m (600 sq. ft.)
- ii) with manufactured homes, additions shall not be included in the calculation of floor area.

(b) Duplexes - 111.5 sq. m (1200 sq. ft.)

(c) All other uses as required by the Development Authority.

(3) Minimum Yard Dimensions

(a) Residential: Front yard - 7.6 m (25 ft.)  
Rear yard - 7.6 m (25 ft.)  
Side yard - 10% of lot width but not less than 1.5 m (5 ft.) each  
Side yard on corner lots - 4.6 m (15 ft.) on each side adjacent to road

(b) Commercial: Retail stores built adjacent to existing similar uses may be built without front or side yards where there is lane access. Where there is no lane access one side yard of at least 4.6 m (15 ft.) shall be provided.

Retail stores built adjacent to existing residential uses must have a minimum side yard of 1.5 m (5 ft.).

All other commercial uses must have a minimum side yard of 1.5 m (5 ft.).

(c) All other uses as required by the Development Authority.



## 6.4 RURAL COMMERCIAL DISTRICT - RC

The general purpose of this district is to regulate the development of commercial uses in accordance with the policies established in the Municipal Development Plan.

### 1. District Boundaries

This district comprises all the land in the County of Beaver within the area so designated on the Land Use District Map (Part 10).

### 2. Permitted Uses

- (a) Solar Collectors, Structure and Ground Mount (equal to or less than 10m<sup>2</sup> floor area)

### 3. Discretionary Uses

- (a) Airports
- (b) Community Recreation
- (c) Extensive Agriculture
- (d) Fire and Protective Services
- (e) General Commercial Uses
- (f) General Industrial Uses - Types I and II
- (g) Government Services
- (h) Highway Commercial Uses
- (i) Home Occupations - Types I and II
- (j) Indoor Participant Recreation Uses
- (k) Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- (l) Local Industrial Uses
- (m) One Family Dwellings
- (n) Recycling Depots
- (o) Residential/Security Caretaker Unit
- (p) Service and Retail Establishments
- (q) Solar Collectors, Ground Mount (over 10m<sup>2</sup> floor area)
- (r) Storage Sites
- (s) Utility and Transportation Uses
- (t) Other similar and compatible uses as approved by the Development Authority
- (u) Buildings and Uses Accessory to Discretionary Uses

### 4. Regulations

As required by the Development Authority.

## **6.5 RURAL INDUSTRIAL DISTRICT - RI**

The general purpose of this district is to regulate the development of those industries which require large tracts of land and which could have a significant impact on the community and the environment and which may not be appropriate within an urban district. This district shall not contain a biomedical waste facility.

### **1. District Boundaries**

This district comprises all of the land in the County of Beaver within the area so designated on the Land Use District Map (Part 10).

### **2. Permitted Uses**

- (a) Renewable and Alternate Energy Facility
- (b) Solar Collectors, Structure and Ground Mount
- (c) Solar Farms

### **3. Discretionary Uses**

- (a) Airports
- (b) Animal hospital and shelter
- (c) Auctioneering establishments
- (d) Extensive Agriculture
- (e) Fire and Protective Services
- (f) General Commercial Uses
- (g) General Industrial Uses - Types I, II and III
- (h) Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- (i) Intensive Agricultural Uses
- (j) Landfills - Class III
- (k) Natural Resource Extraction
- (l) Recreation Uses
- (m) Recycling Plants
- (n) Storage Sites
- (o) Surface Impoundment
- (p) Utility and Transportation Uses
- (q) Veterinarians
- (r) Other similar and compatible uses as approved by the Development Authority
- (s) Buildings and Uses Accessory to Discretionary Uses
- (t) Residential/Security Caretaker Unit

### **4. Regulations**

- (1) As required by the Development Authority.
- (2) Applications for industrial developments shall adhere to Section 7.16.

## **6.6 COUNTRY RESIDENTIAL DISTRICT - CR**

The general purpose of this district is to regulate the development of country residences in accordance with the policies set out in the Municipal Development Plan. In all cases, the primary use of land will be residential in nature. Where a non-residential use is approved, it will be developed in a manner that retains the residential character of the property and surrounding land.

### **1. District Boundaries**

This district comprises all the land in Beaver County within the area so designated on the Land Use District Map 10.2.

### **2. Permitted Uses**

- (a) Home Occupations - Type I
- (b) One Family Dwellings
- (c) Public Parks
- (d) Solar Collectors, Structure and Ground Mount (equal to or less than 10m<sup>2</sup> floor area)
- (e) Buildings and Uses Accessory to Permitted Uses

### **3. Permitted Uses (for lots greater than 2.8 ha (6.9 ac.) in size)**

- (a) Recreational Vehicle Uses

### **4. Discretionary Uses (for lots equal to or less than 2.8 ha (6.9 ac.) in size)**

- (a) Accessory Storage Buildings
- (b) Bed and Breakfast Establishments
- (c) Daytime Child Care
- (d) Family Care Facilities
- (e) Home Occupations - Type II
- (f) Recreational Vehicle Uses
- (g) Second or Additional Dwellings
- (h) Solar Collectors, Ground Mount (over 10m<sup>2</sup> floor area)
- (i) Other similar uses as approved by the Development Authority
- (j) Buildings and Uses Accessory to Discretionary Uses

### **5. Discretionary Uses (for lots between 2.8 ha (6.9 ac.) and 7.3 ha (18.0 ac.) in size)**

- (a) Accessory Storage Buildings
- (b) Bed and Breakfast Establishments
- (c) Daytime Child Care
- (d) Extensive Agriculture
- (e) Family Care Facilities
- (f) Home Occupations - Type II
- (g) Local Industrial Uses
- (h) Recreation Uses
- (i) Second or Additional Dwellings
- (j) Solar Collectors, Ground Mount (over 10m<sup>2</sup> floor area)
- (k) Other similar uses as approved by the Development Authority
- (l) Buildings and Uses Accessory to Discretionary Uses

### **6. Discretionary Uses (for lots equal to or greater than 7.3 ha (18.0 ac.) in size)**

- (a) Accessory Storage Buildings
- (b) Bed and Breakfast Establishments
- (c) Community Recreation

- (d) Daytime Child Care
- (e) Extensive Agriculture
- (f) Family Care Facilities
- (g) Fire and Protective Services
- (h) General Commercial Uses
- (i) General Industrial Uses - Type I
- (j) Government Services
- (k) Group Care Facilities
- (l) Highway Commercial Uses
- (m) Home Occupations - Type II
- (n) Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- (o) Intensive Agricultural Uses
- (p) Kennels
- (q) Local Industrial Uses
- (r) Motels
- (s) Natural Resource Extraction Uses
- (t) Recreation Uses
- (u) Recycling Depots
- (v) Second or Additional Dwellings
- (w) Signs
- (x) Solar Collectors, Ground Mount (over 10m<sup>2</sup> floor area)
- (y) Storage Sites
- (z) Surface Impoundment
- (aa) Utility and Transportation Uses
- (bb) (ab) Veterinarians
- (cc) (ac) Other similar uses as approved the Development Authority
- (dd) (ad) Buildings and Uses Accessory to Discretionary Uses

## 7. Regulations

- (1) Minimum Lot Size
  - (a) for single lot country residential uses – 1.2 hectares (3 acres). Notwithstanding the above, multi-lot country residential development less than 1.2 hectares (3 acres) in size may be encouraged in proximity to urban centers, as identified in, and to the standards indicated by, the applicable Intermunicipal Development Plans.
  - (b) All other uses as required by the Development Authority.
- (2) Minimum Floor Area
  - (a) one family dwellings - 74.4 sq. m. (800 sq. ft.), provided that:
    - i) with bi-level and/or split level dwellings, the first floor above ground level shall be no less than 55.7 sq. m (600 sq. ft.)
    - ii) with manufactured homes, additions shall not be included in the calculation of floor area.
  - (b) All other uses as required by the Development Authority.
- (3) Maximum Floor Area
  - (a) accessory buildings and accessory storage buildings – 223 sq. m. (2400 sq.ft.).
- (4) Minimum Yard Dimensions
  - (a) from internal roads:

- i) one family dwellings
    - Front Yard - 7.6 m (25 ft.)
    - Rear Yard - 7.6 m (25 ft.)
    - Side Yard - 20 % of mean parcel width provided that no side yard need exceed 6.1 m (20 ft.)
  - ii) All other uses as required by the Development Authority.
- (b) from Rural roads - 38.0 m (125 ft.) from the centre line of road allowances;
- (c) from Secondary roads - 63.7 m (209 ft.) from the centre line of road allowances.
- (5) Accessory Storage Buildings on Residential Lots
  - (a) Accessory storage buildings on residential lots may be allowed prior to construction of a residence but must be of a residential nature. Exterior finish will be consistent with the proposed principal building and the form and character of the residential and accessory buildings in the surrounding neighbourhood. Examples include a garage or other enclosed building to store materials related to the construction of a residence or to store equipment related to the residential use of a property (e.g. tools, lawn mowers, recreational vehicles, etc.).
- (6) Storage of Recreational Vehicles
  - (a) Personal recreational vehicles (quads, motorcycles, boats, camping trailers, motor homes, etc.) may be stored on country residential lots, however the recreational vehicle must be in good repair, placed on the lot in an orderly fashion, and not unduly interfere with the enjoyment of neighbouring properties.
  - (b) No commercial storage will be allowed.

## **6.7 LANDFILL AND COMPOSTING DISTRICT - LC**

The general purpose of this district is to regulate landfill and composting development within the County. The interpretation of definitions of uses in this district shall be consistent with their use in the Alberta Environmental Protection and Enhancement Act, and the Waste Control Regulation made under that Act.

### **1. District Boundaries**

This district comprises all of the land in the County of Beaver within the area so designated on the Land Use District Map (Part 10).

### **2. Permitted Uses**

- (a) Compost Facilities - Class I
- (b) Compost Facilities - Class II
- (c) Extensive Agriculture
- (d) Landfills - Class II
- (e) Landfills - Class III
- (f) Recycling Plants
- (g) Renewable and Alternate Energy Facility
- (h) Solar Collectors, Structure and Ground Mount
- (i) Solar Farms
- (j) Storage Sites
- (k) Buildings and Uses Accessory to Permitted Uses

### **3. Discretionary Uses**

- (a) General Industrial Uses - Types I, II and III
- (b) Landfills – Class I
- (c) Oilfield Waste Related Facilities
- (d) Other similar and compatible uses as approved by the Development Authority
- (e) Buildings and Uses Accessory to Discretionary Uses

### **4. Referrals**

When an application for a development permit in the Landfill and Composting District has been received, the Development Authority shall advise in writing, by regular mail, the adjacent landowners. The Development Authority may consider comments from the adjacent landowners and any other agencies whose interest or jurisdiction may be affected.

### **5. Regulations**

- (1) Prior to a decision on any application, the developer shall obtain operating approval from Provincial Authorities.
- (2) On any application for development, the Development Authority shall, in addition to the requirements of Section 2.1.1 of this Bylaw, request the following information be provided:
  - (a) Construction and engineering blueprints,
  - (b) Site plans drawn to scale,
  - (c) Estimated water demand and anticipated source,
  - (d) Transportation routes to be used (rail and road),
  - (e) Any accessory works required (pipeline, railway, spurs, etc.),
  - (f) Storage facilities and nature of goods to be stored,
  - (g) Landscaping details,
  - (h) Hours of operation,
  - (i) Plans proposed to mitigate such nuisance factors as:

- i) blowing litter,
- ii) dust,
- iii) excessive noise,
- iv) debris carried by trucks onto adjacent public roads, and
- v) damage to adjacent public roads,
- (j) A contribution to the costs incurred by the County for any such damage to public roads, and
- (k) A process by which members of the public who may be concerned about the operation of the landfill have access to all public documents (other than of a financial nature) respecting the operation of the landfill,

and/or any such other information as may be reasonably required by the Development Authority.

- (3) The Development Authority may require an Environmental Impact Assessment be prepared by the applicant, at its cost, where there is uncertainty as to potential impacts or potential significant risk from the proposed development.
- (4) The Development Authority may, without in any way restricting his or her discretion, impose conditions requiring that the applicant/developer:
  - (a) implement the mitigating actions to reduce the factors listed in Subsection 5. (2)(i) above as items i) to v), and
  - (b) provide the contribution to costs indicated in Subsection 5. (2)(j) above; and
  - (c) implement the recommendations of the Environmental Impact Assessment indicated in Subsection 5. (3) above to minimize the impact or risk from the proposed development.
- (5) All other regulations and requirements shall be established at the discretion of the Development Authority.

## **6.8 LOW IMPACT ECO-FRIENDLY INDUSTRIAL DISTRICT - IE**

The general purpose of this district is to conserve and enhance the natural function of ecosystem processes while allowing for limited development of low impact uses that promote sustainability. Wetland function will be maintained and/or enhanced while allowing alternate renewable energy generation methods such as solar collectors and solar farms.

### **1. District Boundaries**

This district comprises all of the land in Beaver County within the area so designated on the Land Use District Map 10.4.

### **2. Permitted Uses**

- (a) Extensive Agriculture
- (b) Natural Areas
- (c) Recreation, Extensive
- (d) Solar Collectors, Structure and Ground Mount
- (e) Solar Farm
- (f) Signs
- (g) Utility and Transportation Uses
- (h) Buildings and Uses Accessory to Permitted Uses

### **3. Discretionary Uses**

- (a) Renewable and Alternate Energy Facility
- (b) Buildings and Uses Accessory to Discretionary Uses

### **4. Regulations**

- (1) Minimum Yard Dimensions
  - (a) Minimum Front Yard Setbacks
    - i) from Rural roads - 38.0 m (125 ft.) from the centre line of road right-of-way;
    - ii) Secondary Road - 63.7 m (209 ft.) from the centre line of the road right-of-way;
    - iii) Highway - 71.6 m (235 ft.) from the centre line of the road right-of-way;or as shown in Figures 9.2 through 9.6 where there is an intersection or curve.
  - (b) Minimum Side and Rear Yard Building Setback as required by the Development Authority.
  - (c) Notwithstanding (a) and (b) above, the setback requirements for Solar Farms shall be as required by the Development Authority.



## **6.9 BUSINESS/LIGHT INDUSTRIAL DISTRICT - IL**

The general purpose of this district is to provide for light and business industrial uses that do not adversely affect adjacent land uses or cause any external, objectionable or dangerous conditions outside of any building or the industrial business site. This district is typically applied to sites adjacent to roadways on the periphery of industrial areas or on arterial or collector roadways within an industrial area servicing as a buffer to heavier industrial land uses. This district shall not contain a biomedical waste facility.

### **1. District Boundaries**

This district comprises all of the land in Beaver County within the area so designated on the Land Use District Map 10.4

### **2. Permitted Uses**

- (a) Accessory uses
- (b) Auctioneering establishment (indoor storage only)
- (c) Automotive and equipment sale, repair, rental, and storage
- (d) Broadcasting studio
- (e) Business support service
- (f) Commercial school
- (g) Commercial storage (indoor storage only)
- (h) Contractor service, general
- (i) Custom workshop
- (j) Drive-in business
- (k) EIP industrial, general
- (l) EIP manufacturing, small scale
- (m) EIP retail, convenience
- (n) Equipment rentals
- (o) Fleet services
- (p) Food and beverage products
- (q) Food service, mobile catering
- (r) Food service, restaurant
- (s) Food services, specialty
- (t) Funeral services
- (u) Government services
- (v) Green houses and plant nursery
- (w) Highway Commercial Use
- (x) Pet care service
- (y) Professional and/or administrative offices
- (z) Protective services
- (aa) Renewable and Alternate Energy Facility
- (bb) Recreation, indoor
- (cc) Specialty food service
- (dd) Solar Collectors, Structure and Ground Mount
- (ee) Utility and transportation services
- (ff) Veterinary service
- (gg) Warehouse sales

### **3. Discretionary Uses**

- (a) Animal hospital and shelter
- (b) Custodial quarters
- (c) Farm and industrial machinery sale, rental, and service
- (d) Marijuana facility
- (e) Vehicle and equipment storage

#### **4. Regulations**

- (1) As required by the Development Authority.
- (2) Applications for industrial developments shall adhere to Section 7.16.

## 6.10 MEDIUM INDUSTRIAL DISTRICT – IM

The general purpose of this district is to provide for a variety of general industrial uses including warehousing, manufacturing, assembling and fabricating activities and other industrial land uses which may require an outside storage component necessary to the operation of the business. This district may also contain large scale or specialized operations, where there are no significant external, objectionable or dangerous conditions beyond the outer limits of the site. This district shall not contain a biomedical waste facility.

### 1. District Boundaries

This district comprises all of the land in Beaver County within the area so designated on the Land Use District Map 10.4

### 2. Permitted Uses

- (a) Accessory building
- (b) Accessory uses
- (c) Agricultural support service
- (d) Agriculture, product processing
- (e) Air Supported and Fabric Covered Structures
- (f) Animal hospital and shelter
- (g) Auctioneering establishment
- (h) Business Support service
- (i) Commercial storage (indoor storage only)
- (j) Contractor service, general
- (k) Custodial quarters
- (l) Custom workshop
- (m) Drive-In business
- (n) EIP manufacturing, small scale
- (o) EIP retail, convenience
- (p) Farm and industrial machinery sale, rental, and service
- (q) Kennel
- (r) Marijuana facility
- (s) Municipal shop and storage yard
- (t) Pet care service
- (u) Professional and/or Administrative Offices which provide a direct service to the industrial uses within this area
- (v) Protective services
- (w) Recycling depot
- (x) Renewable and Alternate Energy Facility
- (y) Solar Collectors, Structure and Ground Mount
- (z) Temporary storage
- (aa) Utility and transportation services
- (bb) Veterinary service
- (cc) Warehouse sales

### 3. Discretionary Uses

- (a) Auto body
- (b) Automotive and equipment sale, repair, rental, and storage
- (c) Communication tower
- (d) EIP industrial, general
- (e) EIP manufacturing, large scale
- (f) Fuels and chemicals Sale and Storage
- (g) Outside sale and storage
- (h) Recycling oil depot

#### **4. Regulations**

- (1) As required by the Development Authority.
- (2) Applications for industrial developments shall adhere to Section 7.16.

## **PART 7      LAND USE PROVISIONS**

### **7.1    SUBDIVISION OF LAND**

Where the development of land involves a subdivision of land, the Development Authority may make the approval of the development permit conditional upon

- (a) the necessary subdivision receiving final approval by the County's Subdivision Authority, and
- (b) the expiry of all appeal periods relating to the subdivision approval without an appeal being filed, or
- (c) the final determination and exhaustion of all appeals.

### **7.2    NUMBER OF DWELLINGS ON A LOT**

1. The Development Authority may permit a second or additional dwelling on a lot only if such a dwelling, in the opinion of the Development Authority, would not:
  - (a) unduly interfere with the amenities or change the character of the neighbourhood, and;
  - (b) materially interfere with or affect the use and enjoyment of the adjacent properties.
2. A second or additional dwelling is not an accessory development.
3. A second or additional dwelling is prohibited in any district in which it is not expressly listed as a permitted or discretionary use.
4. Where the second dwelling is proposed to be constructed or located on a lot of 32.4 ha (80 ac.) or more, the Development Authority may issue a permanent development permit for the second dwelling but the owner shall not be entitled to rely on the issuance of that permit as a basis for obtaining subdivision of the lot in the future.

### **7.3    SITE CONDITIONS**

1. The Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar goods or materials.
2. The Development Authority in considering an application may impose conditions requiring the retention of trees, or additional planting of such a type and extent that is considered necessary on any application for development.
3. The Development Authority may impose a minimum buffer strip from the top of the bank of any river, creek or watercourse and may disallow any structures of any kind from being permitted within this strip. The Development Authority may require a soil analysis and engineering report from the applicant in order to determine the appropriate depth of the buffer strip.
4. No buildings, fences, trees, haystacks, or other structures that obscure visibility shall be permitted at the intersection of two rural roads (Figure 9.5).

### **7.4    EXISTING SUBSTANDARD LOTS**

1. Development on existing substandard lots may be considered by the Development Authority. Compliance with the Provincial Regulations will be required.

## **7.5 SANITARY FACILITIES**

1. All buildings erected, place or moved into districts established by this Bylaw, to be used for a residential, commercial or industrial purpose, shall be provided with sanitary facilities to the satisfaction of Provincial Regulations.

## **7.6 PROTECTION FROM EXPOSURE HAZARDS**

1. The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 9,092.2 l (2000 gal.) shall be in accordance with the requirements of the Development Authority but in no case be less than a minimum distance of 121.9 m (400 ft.) from assembly, institutional, commercial or residential buildings.
2. AA or LPG containers with a water capacity of less than 9,092.2 l (2000 gal.) shall be located in accordance with regulations under the Alberta Safety Codes Act.
3. Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Alberta Safety Codes Act.
4. Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial Regulations or Acts.

## **7.7 SOUR GAS FACILITIES**

1. No development shall be permitted within 0.1 km (328 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy and Utilities Board (A.E.U.B.).
2. In the case of Level 2 sour gas facility as determined by the A.E.U.B.:
  - (a) No permanent dwelling shall be permitted within 0.1 km (328 ft.) of the facility.
  - (b) No rural public facility shall be permitted within 0.5 km (1640 ft.) of the sour gas facility.
3. the case of a Level 3 or Level 4 sour gas facility as determined by the A.E.U.B.:
  - (a) No permanent dwelling shall be permitted within 0.1 km (328 ft.) of the facility.
  - (b) No country residential development having a density of more than 8 dwellings per quarter section shall be permitted within 0.5 km (1640 ft.) of the facility.
  - (c) No rural public facility shall be permitted within 1.5 km (4921 ft.) of the facility.

## **7.8 OBJECTS PROHIBITED OR RESTRICTED IN YARDS**

1. No person shall keep or permit in any residential area:
  - (a) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district; or
  - (b) any excavation, storage or piling up of materials required during construction unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

2. The matters of pollution and adverse effects on other properties by holdings created shall be such that no use be allowed which may be unreasonably offensive to a neighbouring owner or municipality. The word “offensive” here implies sight, smell and/or anything which may unreasonably adversely affect a neighbouring owner or municipality.

## **7.9 HIGHWAYS, SECONDARY, AND RURAL ROADS**

1. No development permit shall be issued for development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a highway until a permit under regulations made in accordance with the Public Highways Development Act, has been issued by Alberta Transportation and Utilities.
2. Standard Development Setback
  - (a) No development may occur within 71.6 m (235 ft.) of the centre line of a highway right-of way.
  - (b) No development may occur within 63.7 m (209 ft.) of the centre line of a secondary road right-of-way.
  - (c) No development may occur within 38.0 m (125 ft.) of the centre line of a rural road right-of-way.
3. Development Setback at Intersections and Curves
  - (a) At the intersection of a secondary road with a rural road, no development shall be permitted within the areas as illustrated in Figure 9.2.
  - (b) At the intersection to two secondary roads, no development shall be permitted within the area as illustrated in Figure 9.3.
  - (c) Where a secondary road intersects a highway, all regulations pertaining to development adjacent to the highway shall apply to development adjacent to the secondary road where it intersects.
  - (d) In the inside of a road curve, no development shall be permitted within the areas as illustrated in Figure 9.4.
4. Access/Egress Setback (As illustrated in Figures 9.2, 9.3 and 9.4)
  - (a) No vehicle access/egress may be located within 304.8 m (1000 ft.) of the intersection of two highways.
  - (b) No vehicle access/egress may be located within 304.8 m (1000 ft.) of the intersection of a highway and a secondary road.
  - (c) No vehicle access/egress may be located on a secondary road within 152.4 m (500 ft.) of the intersection of a secondary road and a rural road.
  - (d) No vehicle access/egress may be located on a rural road within 91.4 m (300 ft.) of the intersection of a rural road and a secondary road.
  - (e) No access/egress to a secondary road shall be located within 152.4 m (500 ft.) of the beginning or end of a road curve of greater than 20 degrees unless in the opinion of the Development Authority it would not pose a traffic safety problem or impede visibility.
  - (f) Access/egress to a secondary road shall not be permitted where it would be:
    - i) less than 152.4 m (500 ft.) from an existing access/egress on the same side of the road;
    - ii) less than 152.4 m (500 ft.) from a bridge;
    - iii) less than 152.4 (500 ft.) from an at-grade railway crossing;

- iv) at a point where the gradient of the road is in excess of 3 percent when the existing surveyed road has been constructed to secondary road standards; in the case of an existing surveyed road not constructed to secondary road standards access/egress will be permitted only if construction to secondary road standards is expected within two years and the grade will then be less than 3 percent.

5. The dumping of rocks and/or any other refuse within any road right-of-way is prohibited.

## **7.10 ACCESS AND PARKING**

1. In all districts, approaches and exits onto public roadways shall only be permitted at locations approved by the Development Authority (see Section 7.9).
2. In all districts off-street parking spaces shall be provided in numbers as determined by the Development Authority.
3. Unless otherwise approved by the Development Authority a parking space shall not be less than 2.5 m (8 ft., 6 in.) in width nor less than 5.5 m (18 ft.) in length and shall be located on the same lot as the principal building or use.
4. Off-street loading spaces shall be provided in numbers as determined by the Development Authority.
5. Unless otherwise approved by the Development Authority, a loading space shall be located on the same lot as the principal building or use.
6. In all districts, if not otherwise provided for, in regulating the facilities for off-street parking, the owner of the land to be developed may, subject to the approval of the Development Authority, provide the required off-street parking on land other than that to be developed.

## **7.11 SIGNS**

1. No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to an exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.
2. No signs or advertising structures shall be erected on or affixed to private property without the prior consent or the registered owner or tenant.
3. No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
4. Notwithstanding the generality of (1) above, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such signs shall be illuminated and provided that any necessary permits have been obtained in accordance with the Highway Development Control Regulations:
  - (a) Signs for the purpose of identification direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character or to a hotel, apartment, club or similar institution, not exceeding 1.1 sq. m (12 sq. ft.) and limited to one sign per lot.
  - (b) Temporary advertisement relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political or similar character not exceeding 1.9 sq. m (20 sq. ft.) provided that all such temporary advertisements shall be removed by the advertiser within 15 days of the completion of the event or works to which such advertisements relate.

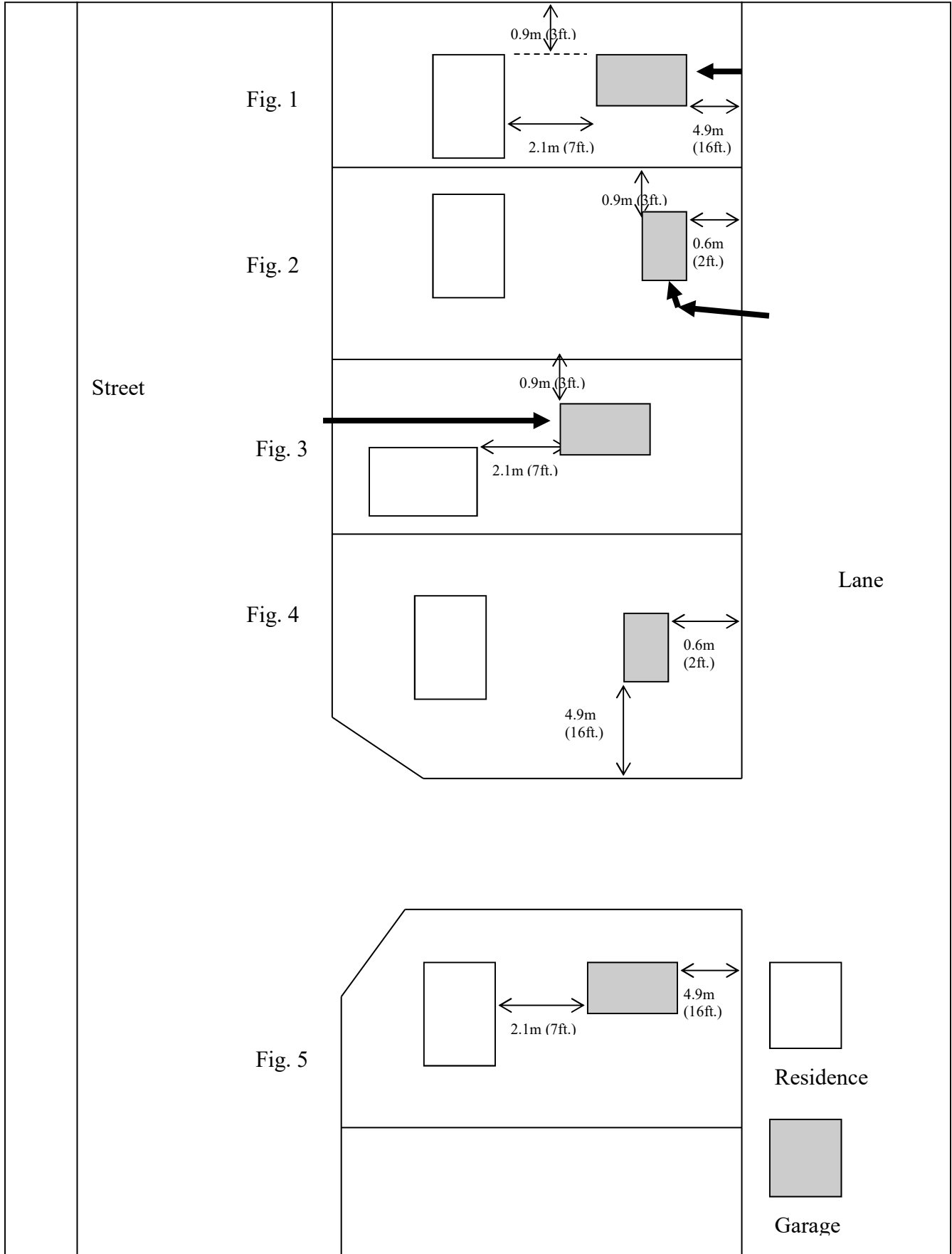


- (c) Advertisements or signs in relation to the function of Local Authorities, Utility Boards or other public or quasi-public bodies.
- 5. No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
- 6. All advertisements shall be kept in a safe, clean and tidy condition, and may by resolution of Council, be required to be renovated or removed.
- 7. No signs or advertising structures other than those specified under (4) above shall be permitted in the Country Residential District.
- 8. No signs or advertising structures of any kind shall be permitted within 0.8 km (0.5 mi.) of any highway unless the prior approval of Alberta Transportation and Utilities has been obtained.

## **7.12 ACCESSORY BUILDINGS IN THE URBAN GENERAL DISTRICT**

- 1. An accessory building shall not be used as a dwelling.
- 2. The siting of a detached garage or other accessory building shall be in accordance with Figure 7.1

**Figure 7.1**  
**SITING OF ACCESSORY BUILDINGS**



3. The siting of an accessory building on an irregular shaped lot shall be as required by the Development Authority.
4. The Development Authority may refuse an application for a development permit where the accessory building is located between the principal building and the road or highway the principal building is fronting as determined by the Development Authority.
5. The Development Authority may refuse an application for a development permit where the height of an accessory building exceeds 4.9 m (16 ft.).
6. Where a structure is attached to the principal building by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building and is not an accessory building.

### **7.13 HISTORICAL AND ARCHAEOLOGICAL SITES**

1. Historical sites or archaeological sites identified pursuant to The Alberta Historical Resources Act shall be protected in accordance with guidelines established by Alberta Culture, and the policies established in the General Municipal Plan.

### **7.14 SERVICE STATIONS, GAS BARS, and BULK FUEL AND OIL SALES**

1. Service stations, gas bars, and bulk fuel and oil sales establishments shall be located in such a manner that:
  - (a) no entrance or exit thereto for motor vehicles is within 61.0 m (200 ft.) of an entrance to or exit from a fire hall, school, playground, library, church, hospital, children's or seniors' lodge or other similar public or quasi-public institutions.
  - (b) no part of a building, pump or other accessory building shall be within 6.1 m (20 ft.) of a side or rear property line.
  - (c) service stations, gas bars, and bulk fuel and oil sales establishments shall have a minimum front yard of not less than 12.2 m (40 ft.), except that gasoline pumps may be located as close as 6.1 m (20 ft.) to the front property line; and
  - (d) underground storage tanks shall be set back from adjacent buildings in accordance with all regulations passed pursuant to the Alberta Safety Codes Act.
2. Lot Size and Coverage
  - (a) The minimum lot area shall be 743.2 sq. m. (8,000 sq. ft.) and the maximum building coverage shall be 25 percent. For service stations or gas bars including a car wash the minimum lot area shall be 1114.8 sq. m. (12,000 sq. ft.).
  - (b) Where a service station or a gas bar forms part of a shopping centre or auto dealership development, the minimum lot area and maximum building coverage may be varied at the discretion of the Development Authority.
3. Site and Building Requirements
  - (a) All parts of the site to which vehicles may have access shall be hardsurfaced and drained to the satisfaction of the Development Authority.
  - (b) No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
  - (c) The site of the buildings shall be maintained in a clean and tidy condition and free from all debris.

## 7.15 CONFINED FEEDING OPERATIONS

1. Confined feeding operations and manure storage facilities for which an approval, registration or authorization is required pursuant to the Agricultural Operations Practices Act, are not regulated by this Bylaw but by that Act.
2. The Development Authority may require that as a condition of an approval, registration or authorization, the applicant enter into an agreement with the County to do any or all of the following:
  - (a) To construct or pay for the construction of a road required to give access to the development; and/or
  - (b) To maintain or pay for the maintenance of any and all roads that service the development, to the most reasonable extent possible, taking into consideration all other traffic using the road(s).
3. Notwithstanding the minimum distance separation (MDS) guidelines adopted pursuant to the Agricultural Operation Practices Act, no confined feeding operation or manure storage facility shall be permitted on the south side of Highway #14 and west of Range Road 201, as outlined in Map 11 of Beaver County's Municipal Development Plan No. 98-800, as amended.
4. Notwithstanding the minimum distance separation (MDS) guidelines adopted pursuant to the Agricultural Operation Practices Act, no confined feeding operation or manure storage facility shall be permitted near the boundaries of a hamlet, village or town as outlined in Maps 3 to 8, inclusive, of Beaver County's Municipal Development Plan No. 98-800, as amended. For purposes of calculating the MDS, the restricted area outlined in Maps 3 to 8, inclusive, shall be considered an urban fringe. For purposes of siting confined feeding operations near hamlets, villages or towns, the MDS shall be calculated from the boundary of the restricted areas as shown in Maps 3 to 8.
5. Notwithstanding the minimum distance separation (MDS) guidelines adopted pursuant to the Agricultural Operation Practices Act, no confined feeding operation or manure storage facility shall be permitted near the County's recreation areas as outlined in Maps 9 and 10 of Beaver County's Municipal Development Plan No. 98-800, as amended. For purposes of calculating the MDS, the restricted area outlined in Maps 9 and 10 shall be considered an urban fringe. For purposes of siting confined feeding operations near the recreation areas, the MDS shall be calculated from the boundary of the restricted areas as shown in Maps 9 and 10.
6. Notwithstanding the minimum distance separation (MDS) guidelines adopted pursuant to the Agricultural Operation Practices Act, no confined feeding operation or manure storage facility shall be permitted near Beaverhill Lake, as outlined in Map 12 of Beaver County's Municipal Development Plan No. 98-800, as amended. For purposes of calculating the MDS, the restricted area outlined in Map 12 shall be considered an urban fringe. For purposes of siting confined feeding operations near Beaverhill Lake, the MDS shall be calculated from the boundary of the restricted areas as shown in Map 12.
7. Notwithstanding the restriction areas as outlined in Subsections 3 to 6 above, a reduced setback may be granted to confined feeding operations and/or manure storage facilities within the restriction areas, provided the confined feeding operation and/or manure storage facility meet a separation distance equivalent to no less than a 99% annoyance-free frequency, as calculated by the Odor from Feedlots Setback Estimation Tool (OFFSET)
8. Notwithstanding the establishment of CFO restriction areas as outlined in Subsections 4 to 6 above, confined feeding operations and seasonal feeding and bedding sites, as defined by the Agricultural Operation Practices Act, that existed on January 1, 2002, may be allowed to expand, but shall be limited to a size not exceeding the maximum number of animals for operations requiring a registration under the Act. In the case of manure storage facilities that existed on January 1, 2002, expansion may also be allowed, but only to the extent required for an agricultural operation, the expansion of the confined feeding operation or seasonal feeding and bedding site, or to achieve longer-term storage requirements for an existing confined feeding operation, as the case may be. All expansions under this Section shall meet all other requirements of the Municipal Development Plan No. 98-800, as amended, this Land Use Bylaw, the Agricultural Operation Practices Act, and any other applicable legislation.

## 7.16 INDUSTRIAL DEVELOPMENT

1. When an application for a development permit for the establishment of an industry has been made the Development Authority may request advisory comment from any agencies whose interest or jurisdiction may be affected or who has expertise relating to the application for the development permit
2. On any application for industrial development, in addition to the requirements of Section 2.1 of this Bylaw, the Development Authority may request the following information be provided:

- Construction and Engineering Blue Prints
- Site Plans drawn to scale
- Information relating to the type of industry
- Hours of operation
- Estimated water demand and anticipated source
- Type of effluent and method of treatment
- Transportation routes to be used (rail and road)
- Traffic patterns
- Reason for specific location
- Any accessory works required (pipeline, railway, spurs, etc.)
- Anticipated residence location of employees
- Number of expected employees
- Waste management plans
- Storage facilities and nature of goods to be stored
- Landscaping details
- and/or any such other information as may be reasonably required by Development Authority

3. All site regulations and requirements shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.
4. A Development Authority may require an Environmental Impact Assessment be prepared by the applicant, at his cost, where there is uncertainty as to potential impacts or potential significant risk from the proposed development.

## 7.17 MOTELS

1. Site Requirements

- (a) Minimum Lot Area per Rentable Unit

- i) One storey - 139.4 sq. m (1500 sq. ft.)
- ii) Two storey - 92.9 sq. m (1000 sq. ft.)

- (b) Minimum Required Yards

- i) Front - 7.6 m (25 ft.)
- ii) Side - 3.0 m (10 ft.)
- iii) Rear - 3.0 m (10 ft.)

- (a) Minimum Required Parking - one per rentable unit plus 1 for every 2 employees

- (b) Minimum Floor Area - 26.5 sq. m (285 sq. ft.) per rentable unit

## 2. Space Between Buildings

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.7 m (12 ft.) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.

## 3. Driveways

Each rentable unit shall face on to or abut a driveway not less than 6.1 m (20 ft.) in width and shall have unobstructed access thereto.

## 4. Entrances and Exits

Not more than one motor vehicle entrance and one motor vehicle exit to a road or highway, each of a minimum width of 7.6 m (25 ft.) measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted not less than 9.1 m (30 ft.) in width.

## 5. Maintenance of Site and Buildings and Business

The owner, tenant, operator or person in charge of a motel shall at all times:

- (a) maintain the lot and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
- (b) maintain garbage facilities to the satisfaction of the Development Authority; and
- (c) maintain an appropriate fence where required by the Development Authority, no less than 7.6 m (30 ft.) in height around the boundaries of the lot and shall landscape and keep the lot landscaped.

# 7.18 MANUFACTURED HOMES

## 1. All accessory structures, such as porches and additions shall be:

- (a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes; and
- (b) considered as part of the principal building, but only if fully enclosed; and
- (c) erected only after obtaining a development permit.

## 2. A manufactured home shall be skirted from the floor level to the ground level and shall match the existing finish of the manufactured home.

## 3. The hitch and wheels are to be removed from the manufactured home;

## 4. The following regulations apply to manufactured home parks:

- (a) The stalls shall be located at least 3.0 m (10 ft.) from a lot boundary. This strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- (b) All roads shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 m (30 ft.).
- (c) All parks shall be provided with safe, convenient, all season pedestrian access of at least 0.9 m (3 ft.) in width for intended use between individual manufactured homes, the park roads and all community facilities provided for park residents.

- (d) Visitor parking space shall be provided at a ratio of at least one space for every two manufactured homes and shall be located at convenient location throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (e) Any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screened either individually on the stall or communally.
- (f) The design of the park shall be to the satisfaction of the Development Authority.
- (g) All municipal utilities shall be provided underground to stalls.
- (h) 5% of the gross lot area shall be devoted to recreational use. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined.
- (i) All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
- (j) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park residents and for the management and maintenance of the park.
- (k) Park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of stalls.
- (l) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (m) Street lighting shall be to the same standard as that in a conventional residential neighborhood.
- (n) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.
- (o) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (p) Manufactured homes shall be separated from each other by at least 6.1 m (20 ft.) side-to-side and 3.0 m (10 ft.) from either front, side or rear stall line provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing.
- (q) The minimum lot area shall be 2.0 ha (5.0 ac.).
- (r) The maximum permissible density for a manufactured home park shall be 20 8 manufactured homes per gross developable hectare (8 per gross developable acre) of the area actually being developed at each stage of the development.
- (s) The minimum size for a manufactured home stall shall be 371.6 sq. m. (4000 sq. ft.).
- (t) No accessory building, use or parking space shall be located in the front yard of a manufactured home stall.

## 7.19 SUBDIVISIONS FOR SINGLE LOT COUNTRY RESIDENTIAL USES

1. In determining the suitability of an application for a subdivision for a farmstead, fragmented parcel, or undeveloped country residential site, the Subdivision Authority shall have regard for the following criteria:

- (a) The policies for “Single Lot Separations for Country Residential Use” established in the Municipal Development Plan.
- (b) A maximum of two single lot country residential subdivisions per quarter section, as either a farmstead, fragmented parcel, and/or an undeveloped country residential site, shall be allowed. Land subdivided for school sites, community halls, churches, and cemeteries is excluded from the maximum number of subdivisions permitted in a quarter section.
- (c) The area of the farmstead subdivision or undeveloped single lot country residential subdivision shall not normally be more than 4.0 hectares (10 acres). However, the Subdivision Authority may approve a larger lot under the following circumstances:
  - i) where the location of wells, dugouts, shelter belts, fences, farmstead buildings, watercourses or other natural features makes it appropriate;
  - ii) where the “squaring” off of the farmstead subdivision will form regular dimensions or will make the farming operation on the balance of the quarter section more economically feasible;
  - iii) where it can be shown by the applicant that a farming operation or specialty agricultural operation can be viable.
  - iv) The regulatory requirements for surface sewage disposal as required by the Alberta Private Sewage Disposal Regulations may be a reason for a larger farmstead lot.

The waiver of the maximum 4 hectare (10 acre) parcel size does not entitle the applicant/owner of the subdivision to further subdivision of the lot in the future.

- (d) A subdivision of a farmstead or undeveloped single lot country residential site may be permitted provided that the proposed site meets the following conditions:
  - i) the site exhibits characteristics such as wells, dugouts, shelter belts, fences, ancillary farm buildings, watercourses or other natural features suitable for a single lot country residential use; and
  - ii) there is adequate physical road access to the lot.

2. For fragmented parcels:

- (a) The minimum lot size shall be 0.4 ha (1.0 ac.).
- (b) No fragmentation to establish a separate lot shall be permitted unless:
  - i) the proposed lot has a suitable building site; and
  - ii) there is adequate physical road access to the lot.
- (c) Country residential uses may be permitted on fragmented parcels provided that, in addition to the requirements of subsection (b) above, the proposed lot is not within the minimum distance separation (MDS) of a confined feeding operation.



## 7.20 KENNELS

1. The subdivision of land in the Agricultural and Country Residential Districts for the exclusive purpose of establishing a boarding or private kennel shall not be permitted.
2. In determining the total number of animals, animals less than six months of age shall not be included.
3. All exterior exercise areas (exterior runs) shall be enclosed with a fence acceptable to the Development Authority, no lower than 2 m (6.6 ft.) in height and with lockable gates(s).
4. All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building.
5. All facilities shall be visually screened from existing dwellings on adjoining lots.
6. No animals, regardless of age, shall be allowed outdoors between the hours of 10:00 p.m. to 7:00 a.m. daily.
7. All animal facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
8. Where possible, existing vegetation should be maintained in order to provide a visual and/or acoustic buffer to adjacent land uses.
9. The operation of a kennel shall at no time unduly interfere with the general enjoyment of adjoining parcels.
10. No kennel structure shall be allowed within 150 m (492 ft.) of any dwelling unit located on adjoining lands, or within 75 m (246 ft.) of the boundary of any adjoining parcel.

## 7.21 HOME OCCUPATIONS

1. General:

All home occupations shall comply with the following general regulations:

- (a) no variation from the external appearance and residential character of land or buildings shall be permitted;
  - (b) no structural change to any building for the purpose of accommodating a home occupation shall be permitted;
  - (c) no offensive noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home occupation;
  - (d) a permit may be revoked at any time if, in the opinion of a Development Authority, the operator of a home occupation has violated any provisions of this Bylaw or the conditions of a permit; and
  - (e) at all times the privacy and enjoyment of adjacent dwellings shall be preserved and the home occupation shall not adversely affect the amenities of the neighborhood.
2. In addition to subsection 1. above, a **Home Occupation - Type I** shall:
    - (a) be exclusively conducted and operated within the principal building and there shall be no exterior storage or operation;
    - (b) (not generate any customer vehicular or pedestrian traffic to the lot on which the home occupation is being operated; and

- (c) not involve the parking or maintenance of a commercial vehicle on or about the lot.
3. In addition to subsection 1. above, a **Home Occupation - Type II** shall:
- (a) be primarily conducted and operated within the principal building;
  - (b) not involve the sale or display of any goods on the lot other than those goods constituting the finished principal product of the home occupation;
  - (c) not generate more than one client to the site from which the occupation is being operated at any given time;
  - (d) provide one on-site parking space in addition to any other requirements of this Bylaw;
  - (e) not generate any pedestrian or vehicular traffic in excess of that which is characteristic of the neighborhood within which it is located;
  - (f) not have any person other than residents of the lot engaged in the home occupation on the lot;
  - (g) not have any exterior storage or operation. Storage of equipment, materials, or products used in the home occupation may be allowed in an accessory building;
  - (h) not have more than one commercial vehicle of a capacity up to three quarters of a ton, to be used in conjunction with the home occupation, parked or maintained on or about the lot.
4. Notwithstanding subsection 3. above, a Home Occupation - Type II in an Agricultural District on a lot greater than 4 ha (9.9 ac) in size shall be subject to the following:
- (a) exterior storage and operation of the home occupation may be permitted if, in the opinion of the Development Authority, the exterior storage and operation area is adequately screened and sited behind the principal building at a minimum distance of 30 m (100 ft.) from any property line;
  - (b) not more than one person other than residents of the lot shall be engaged in the home occupation; and
  - (c) not more than two commercial vehicles or two commercial vehicles each with one accessory trailer, to be used in conjunction with the home occupation, shall be parked or maintained on or about the lot.

## **7.22 LOCAL INDUSTRIAL USES**

Local industrial uses shall comply with the following:

1. The owner's principal residence shall be located on the lot and the local industrial use shall be operated by the land owner, although non-resident employees may be permitted to the extent as determined appropriate by the Development Authority, but at no time shall the number of employees on the lot exceed 5.
2. A local industrial use shall not generate offensive or objectionable effects, as determined by the Development Authority, that may be detectable beyond the site.
3. A local industrial use shall be appropriately screened by a natural features, by man-made barriers, or by a combination thereof.
4. A minimum yard of 30 m (98.4 ft.) from any property line shall be provided.

## **7.23 BED AND BREAKFAST ESTABLISHMENTS**

1. A bed and breakfast establishment shall comply with the following regulations:
  - (a) A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of four (4) sleeping bedrooms.
  - (b) Cooking facilities shall not be located within the sleeping bedrooms.
  - (c) In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
  - (d) A bed and breakfast establishment shall comply with all of the requirements for a Home Occupations - Type II described in this Bylaw, except for the number of clients permitted on a site.
  - (e) The Development Authority may establish as a condition of the approval of any development permit for a Bed and Breakfast Establishment any other conditions the Development Authority deems appropriate to maintain the character or amenity of the area in which the Bed and Breakfast Establishment is located.

## **7.24 RESIDENTIAL SECURITY/CARETAKER UNITS**

1. A residential security/caretaker unit shall comply with the following regulations:
  - (a) Only one residential security/caretaker unit may be located on a parcel of land. It may be located within the building in which the business is being conducted, or may be detached from that building. In all cases, it shall be a self-contained dwelling unit and the residential space shall not exceed 750 square feet.
  - (b) Any detached residential security/caretaker unit shall be located a minimum of 3 meters from any other building on the parcel, and shall be located no closer to the front of the parcel than the front line of the principal building in which the business is being operated.
  - (c) The Development Authority may impose any other setback, design, or landscape conditions he or she deems appropriate for each situation considering, but not restricted to, the type of business being operated, the condition and design of the existing buildings, and the amenities of the neighbourhood.
  - (d) The duration of a development permit issued for a residential security/caretaker unit shall be limited to the operation of the specific business for which the applicant of the permit applied.

## **7.25 PET CEMETERIES**

1. The disposal of dead domestic animals must comply with the applicable Federal and Provincial legislation. Regulations include, but are not limited to, the following
  - a) setback distances from water sources, livestock facilities, residences, road allowances, etc.
  - b) type of pit cover
  - c) depth of pit
  - d) proximity of pits to each other
  - e) weight of dead animals
  - f) storage of dead animals prior to burial.
2. Development of the cemetery shall adhere to setback restrictions from registered utility rights-of-way.
3. Access to the cemetery from a public road must meet the specifications and requirements of the Development Authority.

4. Adequate onsite parking shall be provided. No parking shall be allowed on a public roadway.
5. Directional or advertising signage shall comply with this Bylaw.
6. In addition to the requirements of Section 2.1 of this Bylaw, the Development Authority may request the following information be provided:
  - a) site plans
  - b) hours of operation
  - c) traffic patterns
  - d) reason for specific location
  - e) number of expected employees
  - f) storage facilities and nature of goods to be stored
  - g) landscaping details.
7. The Development Authority may refer an application for a pet cemetery to adjacent landowners or any other agency whose interest or jurisdiction may be affected or who has expertise relating to the application for a development permit.

## **7.26 FENCES**

1. No fences will be permitted within an intersection in accordance with Figures 9.2 – 9.6 (shaded area indicates restricted area).
2. For the purpose of determining the height of a fence, the measurement will be taken from 0.5 metre (1.6 feet) inside the subject property boundary. The height measurement includes the materials used in constructing the fence, but does not include the posts or supporting material used to anchor the fence.
3. The Development Authority may vary the height of a fence to a maximum of 2.4 metres (8 feet) to provide additional security, safety, privacy, or screening from roads or adjacent development.
4. Where the Development Authority determines that the location or height of a proposed fence will negatively affect sightlines or safety on a road or abutting driveway, the Development Authority will refuse the application.
5. Electric fences will not be permitted on any parcel within the Country Residential District or Urban General District.

## **7.27 SOLAR COLLECTORS**

1. Approval from the Alberta Utilities Commission (AUC) and any other provincial or federal agency or utility company may be required prior to the operation of any grid-connected solar energy system.
2. Solar Collectors must be located such that they do not create undue glare on neighbouring parcels or public roadways.
3. The following regulations apply to solar collectors not requiring a development permit:
  - (a) Solar Collectors, Structure Mount subject to meeting the following requirements:
    - i. roof-mounted solar collectors may project a maximum of 1.22 m (4 ft.) from the surface of the roof;
    - ii. must not extend beyond the outermost edge of the roof; and
    - iii. shall be located as to not impede access to the roof structure for emergency purposes.

- (b) Solar Collectors, Ground Mount and associated equipment which covers a total area equal to or less than 10.0 m<sup>2</sup> (107.0 ft<sup>2</sup>) and/or must not exceed 2.44 m (8 ft.) in height above existing grade.
  - (c) In addition to (a) and (b) above, the solar collector is utilized (primarily) for private or on-site use, although contribution to the grid may be possible.
4. The following regulations apply to Solar Farms:
- (a) Setback requirements shall be as required by the Development Authority.
  - (b) A landscaping plan may be required for a solar farm indicating efforts made by the owner/operator to control weeds and soil erosion
  - (c) If the solar farm has been decommissioned, the owner/operator shall return the project location to the same or better land capability it had before the project started. A decommissioning and or mitigation plan may be required.

## **7.28 RECREATIONAL VEHICLE USES**

1. A development permit is required for recreational vehicles continuously occupied for more than six (6) months within the Agricultural and Country Residential Districts.
2. The maximum number of permits issued for Recreational Vehicle Uses for a parcel of land shall be two (2).
3. In all cases where a development permit for recreational vehicles is being issued, the terms of recreational vehicle occupancy may be specified in the conditions of the development permit.
4. Occupied recreational vehicles shall have the sewage and wastewater disposed of in a manner satisfactory to the Development Authority. A Stop Order may be issued requiring the private sewage disposal system to be improved, or requiring the recreational vehicle to be removed if sewage is not disposed of satisfactory.
5. No modifications such as an attached canopy, deck, lean-to or any other attached accessory building shall be made to the recreational vehicle unless engineered drawings are submitted to the Development Authority and approved by an Accredited Safety Codes Agency.
6. No building(s) or vegetation shall be located within 3.05 m (10 ft.) from the recreational vehicle.
7. No recreational vehicle shall be affixed to a foundation or slab.

## PART 8 INTERPRETATION

### 8.1 DEFINITIONS

1. In this Bylaw
  - (1) “**ACCESSORY BUILDING**” means an enclosed building which is subordinate or incidental to an existing principal building on a site and which is not attached above grade to the principal building. Examples include garages, shops, air supported and fabric covered structures, shipping containers and sheds greater than 18 sq. m. (192 sq. ft.) in size.
  - (2) “**ACCESSORY STORAGE BUILDING**” means an enclosed building which is subordinate or incidental to the principal building on the site but is constructed in advance of the principal building. Examples include small sheds to store tools, lawn mowers and small equipment, garages, and may include shops provided the purpose is to complement the intended primary use of the site.
  - (3) “**ACCESSORY USE**” means a use which is subordinate or incidental to the principal use of the site and located on the same lot as a principal use.
  - (4) “**ACT**” means The Municipal Government Act, 1994, as amended.
  - (5) “**ADJACENT LAND**” means land that is contiguous to a particular parcel of land and includes:
    - (a) land that would be contiguous if not for a highway, road, river or stream,
    - (b) and other land identified in this Bylaw as adjacent for the purpose of satisfying Section 2.5 of this Bylaw.
  - (6) “**AGRICULTURAL OPERATION**” means an agricultural operation as defined in the Agricultural Operation Practices Act.
  - (7) “**AGRICULTURE, PRODUCT PROCESSING**” means a premise for the purpose of processing agricultural products including: mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments and biological treatments of plant matter; or cutting, curing, smoking, aging, wrapping or freezing of meat. This may include accessory uses, including but not limited to office, sales, technical, administrative support, storage or warehousing.
  - (8) “**AGRICULTURAL SUPPORT SERVICE**” means the use of land, buildings and structures for the purposes of supply of goods, materials or services directly and primarily to the agricultural industry. This may include, but is not limited to, the sale, cleaning, and storage of seed, feed, fertilizer and chemical products and the repair of agricultural equipment.
  - (9) “**AIR SUPPORTED AND FABRIC COVERED STRUCTURES**” means an accessory building where the outer shell is supported by artificially produced and constantly maintained air pressure above local atmospheric level or the outer shell is made of artificial fabric spanned across rigid trusses
  - (10) “**AIRPORT**” means
    - (a) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and
    - (b) includes any building, installation or equipment in connection therewith, operated by the Department of National Defence or for which an airport license has been issued by the Ministry of Transport.

- (11) "**ANIMAL HOSPITAL AND SHELTER**" means development used for the temporary accommodation and care or impoundment of animals and livestock within an enclosed building and may have outdoor corrals or pens.
- (12) "**AUCTIONEER ESTABLISHMENTS**" means a development intended for the auctioning of livestock, goods, and/or equipment, including the temporary storage of such livestock, goods, and/or equipment, but does not include garage sales, flea markets, or sale of such items on an irregular basis.
- (13) "**AUTHORIZED AGENT**" means a person who has been given written permission by an owner to act on their behalf.
- (14) "**AUTO BODY**" means a premise where automobiles, trucks, and other vehicles undergo body repair and painting.
- (15) "**AUTO WRECKING**" means the demolishing of motor vehicles and selling or otherwise disposing of the parts or salvage thereof.
- (16) "**AUTOMOTIVE AND EQUIPMENT SALE, REPAIR, RENTAL, AND STORAGE**" means the sale, servicing, rental, mechanical repair, and/or storage of automobiles, light trucks, and utility and recreational vehicles, motorcycles, snowmobiles, and similar vehicles, and the sale, installation, servicing, rental, or storage of related accessories and parts. This includes automobile, light truck, and recreational vehicle dealerships, rental agencies, and motorcycle dealerships, transmission shops, muffler shops, tire shops, body shops, and automotive glass and upholstery shops. This does not include auto wrecking
- (17) "**BED AND BREAKFAST ESTABLISHMENT**" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public.
- (18) "**BIOMEDICAL WASTE**" means waste that is generated by: (i) Human health care facilities, (ii) Medical research and teaching establishments, (iii) Clinical testing or research laboratories, and (iv) Facilities involved in the production or testing of vaccines, and contains or may contain pathogenic agents that may cause disease in humans exposed to the waste.
- (19) "**BROADCAST STUDIO**" means a premise used for the production and/or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.
- (20) "**BUILDING**" includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road.
- (21) "**BUSINESS SUPPORT SERVICE**" means a premise used to provide support services to other businesses. This may include one or more of the following:
- (a) the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office security;
  - (b) the sale, rental, repair, or servicing of office equipment, furniture and machines; and
  - (c) the sale, rental, repair or servicing of computers, cellular phones and fax machines.
- (22) "**COMMERCIAL SCHOOL**" means development used for training and instruction in a specific trade, skill, or service. This use class does not include schools defined as Public Education or Private Education. Typical uses include secretarial, business, hairdressing, beauty culture, dancing, or music schools, driver training

- (23) "**COMMERCIAL STORAGE**" means a building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature. This does not include temporary or outdoor storage.
- (24) "**COMMUNICATION TOWER**" means an antenna and/or a supporting structure intended for the transmission and/or receiving of radio communication, including but not limited to radio and television transmission, two-way radio, land-mobile systems, fixed-point microwave and amateur radio systems, in excess of 15 m (50 feet) in height measured from grade.
- (25) "**COMMUNITY RECREATION**" means recreational, social or multi-purpose uses without fixed seating and with an occupancy seating of fewer than 300 people, primarily intended for local community purposes. Typical uses include community halls, community centres and community league buildings operated by local residents' organizations.
- (26) "**COMPOST FACILITY - CLASS I**" means a waste management facility where waste, not including biomedical and hazardous waste, is decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter.
- (27) "**COMPOST FACILITY - CLASS II**" means a waste management facility where only vegetative matter or manure are decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter.
- (28) "**CONFINED FEEDING OPERATION**" means a confined feeding operation as defined in the Agricultural Operation Practices Act.
- (29) "**CORNER LOT**" means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane.
- (30) "**CONTRACTOR SERVICE, GENERAL**" means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer, or similar services of a construction nature which require on-site storage space for materials, construction equipment, or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal general contractor services use only. This use class does not include professional, financial, and administrative offices.
- (31) "**COUNCIL**" means the Council of Beaver County
- (32) "**COUNTRY RESIDENTIAL USE, SINGLE LOT**" means a one family dwelling on a lot resulting from a subdivision for a farmstead, fragmented parcel, or undeveloped country residential site
- (33) "**CUSTODIAL QUARTERS**" means:
- (a) dwelling unit, within the Equity Industrial Park Area Structure Plan area, primarily in an industrial district where the occupant of the dwelling unit performs a custodial or security function that is necessary for the operation of the development with which the custodial quarters are combined;
  - (b) must not be approved on a site unless another development has been approved for that site; and
  - (c) must be located in the same building as the principal use unless otherwise authorized by the Development Authority.
- (34) "**CUSTOM WORKSHOP**" means the use of premises for the production or manufacture/processing of clothing, articles, and/or craft objects. This use may include the provision of classes or workshops to members of the public; however, this shall be accessory to the principal use.



(35) **“DAYTIME CHILD CARE”** means daytime personal care and education of children licensed by the Provincial government but does not include overnight accommodation. Typical uses include day-care centres, day nurseries, kindergartens, nursery schools, and play schools.

(36) **“DEVELOPMENT” means**

- (a) (an excavation or stockpile and the creation of either of them, or
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

This definition shall include the demolition or removal of a building or the placement of an already constructed or partially constructed building on a lot.

(37) **“DEVELOPMENT AUTHORITY”** means the Development Authority established by this Bylaw.

(38) **“DEVELOPMENT PERMIT”** means a document authorizing a development issued pursuant to a land use bylaw or the land use regulations.

(39) **“DISCRETIONARY USE”** means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made.

(40) **“DRIVE-IN BUSINESS”** means an establishment with facilities for on-site service to customers who remain in their motor vehicles, but does not include a drive-in theatre. This also includes any business which has a drive through as an accessory component. Typical uses include oil change garages, and fast food restaurants.

(41) **“DUPLEX”** means a dwelling containing two dwelling units sharing a common wall, and located side by side or one above the other.

(42) **“DWELLING”** means any building used exclusively for human habitation, which may be supported on a permanent foundation or base extending below ground level. This definition shall include one family dwellings, duplexes, and manufactured homes.

(43) **“DWELLING UNIT”** means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate dwelling unit.

(44) **“EIP INDUSTRIAL, GENERAL”** means development, within the Equity Industrial Park Area Structure Plan area, used principally for one or more of the following:

- (a) the processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products;
- (b) the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, building or household use;
- (c) terminals for the storage or trans-shipping of materials, goods and equipment;

- (d) the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or
- (e) the training of personnel in general industrial operations.

Any indoor display, office, technical, administrative support, or retail sale operations shall be accessory to the general industrial uses listed above.

**This does not include other uses that are defined separately, including a biomedical waste facility.**

This includes only those developments where activities and uses may be carried on indoor and/or outdoors and where no significant nuisance factor is created or apparent beyond the boundaries of the site.

Any development, where, in the opinion of the Development Officer, there is significant risk of interfering with the safety and amenity of adjacent sites because of the nature of the site, materials, or process, cannot be successfully mitigated, shall not be considered an EIP general industrial use.

- (45) **"EIP MANUFACTURING, LARGE SCALE"** means a use, within the Equity Industrial Park Area Structure Plan area, that is engaged in manufacturing, assembly, fabrication, packaging, or other industrial processing of products, primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line. This term includes but is not limited to:
  - (a) processing and packaging of alcohol beverages;
  - (b) chemical manufacturing;
  - (c) stonework or concrete product manufacturing;
  - (d) fabrication of metal products;
  - (e) manufacturing of agricultural, construction, or mining machinery;
  - (f) motor vehicle manufacturing;
  - (g) lumber milling;
  - (h) permanent concrete/batch plant.
- (46) **"EIP MANUFACTURING, SMALL SCALE"** means a use, within the Equity Industrial Park Area Structure Plan area, that is engaged in small scale, on-site production of goods by hand manufacturing, primarily involving the use of hand tools including, but not limited to woodworking, wool processing and small-scale welding.
- (47) **"EIP RETAIL, CONVENIENCE"** means a premise, within the Equity Industrial Park Area Structure Plan area, used for the retail sale of goods from premises which do not exceed 235 m<sup>2</sup> (2,530 ft<sup>2</sup>) in gross floor area. This includes but is not limited to a small food store, a drug store or variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, or the rental of videos, alcohol sales, and cannabis retail sales.

- (48) "**EQUIPMENT RENTALS**" means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items. This use class does not include the rental of motor vehicles or industrial equipment.
- (49) "**EXTENSIVE AGRICULTURE**" means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation, but not including intensive agriculture or confined feeding operations.
- (50) "**FAMILY CARE FACILITY**" means a facility which provides resident service in a dwelling of from four (4) to six (6) individuals who are not related to the residents of the household. These individuals may be handicapped, aged, disabled, or in need of adult supervision, and are provided service and supervision in accordance with their individual needs. This category includes boarding homes for children, group homes and family homes.
- (51) "**FARM AND INDUSTRIAL MACHINERY SALE, RENTAL, AND SERVICE**" means development used for the sale, rental, or service of heavy vehicles, machinery, or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations, and agricultural production
- (52) "**FARMSTEAD**" means the habitable dwelling or other improvements used in connection with an agricultural operation and situated on a lot used in connection with such agricultural operation.
- (53) "**FLEET SERVICES**" means a premise that uses a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long-term lease. This includes, but is not limited to ambulance services, taxi services, bus lines (including school buses), and messenger and courier services. This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg.
- (54) "**FLOOR AREA**" means the total of the floor areas of every room and passageway contained in a building, but not including the floor areas of basements, attached garages, sheds, open porches, decks, or breezeways..
- (55) "**FOOD AND BEVERAGE PRODUCTS**" means a commercial facility in which food or beverage products or both are manufactured, produced or otherwise prepared for human consumption but not consumed on the premises. This may include a retail component; however, this retail component shall be accessory to the principal use. Typical uses may include a bakery, pre-packaged foods, water bottling and catering facilities. This does not include food service, mobile catering. The impact of this use shall not extend beyond the boundaries of the building.
- (56) "**FOOD SERVICE, MOBILE CATERING**" means the delivery and sale of food to the public using a fleet of vehicles.
- (57) "**FOOD SERVICE, RESTAURANT**" means a premise where the primary purpose is the sale of prepared foods and beverages to the public for consumption on or off the site. This use typically has a varied menu, with a fully equipped kitchen and preparation area.
- (58) "**FOOD SERVICE, SPECIALTY**" means a premise where limited types of prepared foods and beverages are offered for sale to the public for consumption on or off the site. This use relies primarily on walk-in clientele. Typical uses are coffee, donut, bagel, sandwich or dessert shops.
- (59) "**FRAGMENTED PARCEL**" means a part of a lot that is separated from the balance of a lot by a permanent water body or watercourse or by a physical barrier such as a road, highway, or a railway.
- (60) "**FRONT LINE**" means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line.

- (61) **"FRONT YARD"** means a yard extending across the full width of a lot from the front line of the lot to the nearest wall of the principal building situated on the lot.
- (62) **"FUELS AND CHEMICALS SALE AND STORAGE"** means lands, buildings, or structures where refined or crude oil, other petroleum products, or liquid or solid chemicals, such as fertilizer, are for sale and storage. This includes the sale of fuel, lubricants, and other automotive fluids, including key lock retail sales, and the sales and storage of other chemicals, such as fertilizer.
- (63) **"FUNERAL HOME"** means premises for the preparation of the dead for burial or cremation, and the holding of memorial services. This includes funeral homes and undertaking establishments
- (64) **"GARAGE"** means a building constructed for the primary purpose of storing motor vehicles.
- (65) **"GENERAL COMMERCIAL USE"** means commercial development, outside the Equity Industrial Park Area Structure Plan area, which provides services to the farm and hamlet population. Such development would include retail and warehouse sales and services; entertainment services; food services including restaurants, specialty, mobile catering; financial, professional and/or administrative offices; equipment rentals; drive-in businesses; pet care services; alcohol sales, and cannabis retail sales.
- (66) **"GENERAL INDUSTRIAL USE"** means development, outside of the Equity Industrial Park Area Structure Plan area, with the following activities:
- (a) the processing of raw materials, including agricultural products;
  - (b) the manufacturing, repairing or assembling of goods, products or equipment, including clothing, articles, and/or craft objects; food and beverage products; and automotive related activities;
  - (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, and contractor services, where such operations create impacts that would make them incompatible in non-industrial districts;
  - (d) the storage or transshipping of materials, goods and equipment, including petro-chemical products and supplies; fuels and chemicals sale and storage; municipal shop and storage yard; outside sale and storage yard; vehicle and equipment storage; commercial storage and temporary storage;
  - (e) the training of personnel in general industrial operations;
  - (f) the supplying of goods, materials, or services directly and primarily to the agricultural industry including agricultural support services; farm and industrial machinery sale, rental and service;
  - (g) A biomedical waste facility is not considered a general industrial use;
  - (h) it may include any indoor display, office, technical, administrative support areas or any sales operation accessory, business support services, custom workshops, to the general industrial uses. General Industrial Uses shall be further classified as follows:
    - i. **General Industrial Use - Type I** means those developments where activities and uses are primarily carried on within an enclosed building and no significant nuisance factor is created or apparent outside an enclosed building. Any development, even though fully enclosed, where, in the opinion of the Development Authority, there is significant risk of interfering with the safety or amenity of adjacent sites because of the nature of the site, material or processes, shall not be considered a General Industrial Use -Type I

- ii. **General Industrial Use - Type II** means those developments in which all or a portion of the activities and use are carried on outdoors, without any significant nuisance factor such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the safety and amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated, shall be considered a General Industrial Use - Type III.
- iii. **General Industrial Use - Type III** means those developments which may have a significant detrimental effect on the safety, use, amenity, or enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods.

In determining the significance of a detrimental effect or nuisance factors, the following criteria shall be considered:

- (a) the expected magnitude and consequence of the effect or nuisance;
  - (b) the expected extent, frequency and duration of exposure to the effect or nuisance;
  - (c) the use and sensitivity of adjacent or nearby sites relative to the effect or nuisance;
  - (d) the conclusions of an Environment Impact Assessment, if applicable, and requested at the sole discretion of the Development Authority;
  - (e) adherence to relevant provincial environment legislation or widely recognized performance standards; and
  - (f) the reliability and record of the proposed methods, equipment and techniques in controlling or mitigating detrimental effects or nuisances.
- (67) **“GOVERNMENT SERVICES”** means a premise providing for crown corporation, municipal, provincial or federal government services directly to the public. This does not include protective and emergency services, detention and correction services, minor utility services, major utility services, and public education. Typical uses include County, Provincial and Federal Offices, courthouses and postal offices.
- (68) **“GREEN HOUSES AND PLANT NURSERY”** means a commercial development, within the Equity Industrial Park Area Structure Plan area, for the growing, acclimating, propagating, harvesting, displaying, and selling of fruits, vegetables, bedding, household, and ornamental plants directly to the consumer, and may include accessory uses related to the storing, displaying, and selling of gardening, nursery, and related products. The green house, plant nursery, and market garden use does not include a marijuana facility.
- (69) **“GROUP CARE FACILITY”** means a facility which provides resident service in a dwelling to seven (7) or more individuals who may or may not be related to the residents of the household. These individuals may be handicapped, aged, disabled, or in need of adult supervision, and are provided service and supervision in accordance with their individual needs. This category includes boarding homes for children, group homes and family homes.
- (70) **“HAMLET”** refers to the unincorporated communities of Bruce and Kinsella.
- (71) **“HIGHWAY”** means highway as defined pursuant to the Public Highways Development Act.

- (72) **“HIGHWAY COMMERCIAL USE”** means a commercial development established near highways or secondary roads which provides the most common and regular service requirements of the highway traveling public. Such development would include service stations, gas bars, bulk fuel and oil sales, restaurants, motels and campsites.
- (73) **“HOME OCCUPATION”** means any occupation, trade, profession or craft carried on by a resident of a dwelling as a use secondary to the residential use of the land or building and which does not change the external appearance or primary residential character of the dwelling. Home Occupations are further classified as follows:
- (a) **Home Occupation - Type I** means an office for a person who occupies the dwelling as a principal residence. Typical uses include self-employed persons providing professional, financial and office support services, telephone mail order or other sales services not involving any production, manufacturing and repairs, or parking of a commercial vehicle on site;
  - (b) **Home Occupation - Type II** means an occupation, trade, or craft for gain or support conducted primarily within the dwelling. Typical uses include dressmaking, millinery, homecrafts and handicrafts, delivery services, mobile food vendors or caterers, the manufacture of novelties and souvenirs, individual instruction to students, mobile repairs and installation, janitorial services, mobile entertainment services, the carrying out of minor household appliance repair, and babysitting of not more than three children.
- (74) **“INDOOR PARTICIPANT RECREATION USE”** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs, health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges; bowling alleys; soccer and racquet clubs.
- (75) **“INSTITUTIONAL USE”** includes but is not limited to hospitals, educational facilities (both public and private), churches, libraries and senior citizen housing.
- (76) **“INTENSIVE AGRICULTURE”** means an agricultural operation which, due to the nature of the operation, can use smaller tracts of land, but not including confined feeding operations. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, sod farms, bee keeping, tree farms, stud farms, horse training facilities, fish farms, marijuana facility and other similar uses, provided that they are not of the scale or intensity to be considered confined feeding operations that require a registration or approval under the Agricultural Operation Practices Act.
- (77) **“INTERNAL ROAD”** means a road included in a registered plan of subdivision for multi-lot country residential use.
- (78) **“KENNEL”** means any building or facility in which more than 3 dogs are maintained, boarded, bred, trained, cared for, kept for commercial purposes or boarded overnight for a period greater than 24 hours. A kennel may provide for the incidental sale of products relating to the services provided by the use. A kennel may include outside enclosures, pens, runs or exercise areas. This use class does not include pet care services, animal hospitals and shelters or veterinary services.
- (79) **“LAKE”** means a permanent body of water, free from large quantities of aquatic vegetation, and characterized by relatively large open water (limnetic) and deep water (profundal) zones compared with the shore (littoral) zone; and, as designated by the Council of the County of Beaver.
- (80) **“LANDFILL”** means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, salt cavern or a disposal well, or a biomedical waste facility

- (81) **“LANDFILL - CLASS I(a)”** means a landfill for the disposal of waste and that has:
- (a) two liners of which at least one is a synthetic liner,
  - (b) a leachate collection and removal system,
  - (c) a leak detection system between the two liners, and
  - (d) a groundwater monitoring system.
- (82) **“LANDFILL - CLASS I(b)”** means a landfill for the disposal of waste and that has:
- (a) a synthetic or clay liner,
  - (b) a leachate collection and removal system, and
  - (c) a groundwater monitoring system.
- (83) **“LANDFILL - CLASS II”** means a landfill for the disposal of waste, not including hazardous waste.
- (84) **“LANDFILL - CLASS III”** means a landfill for the disposal of waste:
- (a) that is solid, and
  - (b) that, on disposal in a landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect,
  - (c) and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal, and dry timber or wood that has not been chemically treated, but does not include hazardous waste.
- (85) **“LIVESTOCK”** means livestock as defined in the Agricultural Operation Practices Act.
- (86) **“LOCAL INDUSTRIAL USE”** means farm support businesses and minor service, storage, repair and minor manufacturing activities in the rural area. Typical uses include limited contractor services; custom workshops; auto body, auto wrecking, automotive and equipment repair; outdoor sale and storage; vehicle and equipment storage; and household repair services at a scale and size compatible with adjacent development.
- (87) **“LOT”** means
- (a) a quarter section;
  - (b) a river lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office;
  - (c) a settlement lot shown on an official plan referred to in the Surveys Act that is file or lodged in a Land titles Office;
  - (d) a part of a parcel described in a certificate of title, if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
  - (e) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision.

- (88) **"MANUFACTURED HOME"** means a structure that conforms to CSA provisions, is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as dwelling accommodation for one or more persons. This definition shall include a building that would otherwise be considered to be a one family dwelling if the roof pitch were greater than 1:4, if the depth of eaves were greater than 30.4 cm (12 in.), or if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (12 in.), or if the ratio noted above is more than 2.5:1, the building shall be considered to be a manufactured home.
- (89) **"MANUFACTURED HOME PARK"** means any lot on which two or more occupied manufactured homes are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park, which complies with relevant government regulations governing manufactured home parks.
- (90) **"MANURE STORAGE FACILITY"** means a manure storage facility as defined in the Agricultural Operation Practices Act.
- (91) **"MAY"** is an operative word meaning a choice is available, with no particular direction or guidance intended.
- (92) **"MARIJUANA FACILITY"** means any building in which an activity authorized by a license issued under the Federal Government or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, processing, labeling and packaging, storing, and transporting of marijuana. This does not include the cannabis retail sales.
- (93) **"MUNICIPAL SHOP AND STORAGE YARD"** means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment.
- (94) **"MUNICIPALITY"** means Beaver County, unless the context of the text requires otherwise.
- (95) **"NATURAL AREAS"** means areas identified for the conservation, preservation and/or enhancement of natural features, biodiversity, and ecological processes.
- (96) **"NON-CONFORMING BUILDING"** means a building
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and
  - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.
- (97) **"NON-CONFORMING USE"** means a lawful specific use
- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
  - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.
- (98) **"ODOR FROM FEEDLOTS SETBACK ESTIMATION TOOL"** (a.k.a. OFFSET Tool) means the model developed by the University of Minnesota in 2001 to calculate the separation distance required to achieve desired odor annoyance-free frequencies. Average odor impacts are estimated for a variety of animal facilities and manure storages, recognizing that the amount of odor emitted from a particular farm is a function of animal species, housing types, manure storage and handling methods, the size of the odor sources, and the implementation of odor control technologies.



- (99) **“OILFIELD WASTE RELATED FACILITY”** means a facility that is approved by the Alberta Energy and Utilities Board to treat, dispose of, store or recycle oilfield waste.
- (100) **“ONE FAMILY DWELLING”** means a dwelling consisting of one dwelling unit, and shall include a manufactured home.
- (101) **“OWNER”** means
- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
  - (b) in the case of other land, the person shown as the owner of the lot on the municipality’s assessment roll.
- (102) **“OUTSIDE SALE AND STORAGE”** means land that is used for the sales and storage of products, goods or equipment in an area that is open or exposed to the natural elements; and where such storage of products, goods or equipment is accessory to the Principal Use of the site.
- (103) **“PERMITTED USE”** means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made if the proposal satisfies the regulations of this Bylaw or provides the requirements as established by the Development Authority where, in this Bylaw, the Development Authority is given the authority and responsibility to establish requirements or regulations.
- (104) **“PET CARE SERVICE”** means a use:
- (a) where animals are washed, groomed, or trained;
  - (b) where the animals shall not be boarded overnight; and
  - (c) that may involve the incidental sale of products relating to the services provided by the use.
- (105) **“PET CEMETERY”** means that portion of land used for the burial of domesticated animals (cats, dogs, birds, iguanas, and other animals that can be defined as pets) and may include horses and other livestock in limited numbers.
- (106) **“PRINCIPAL BUILDING”** means a building in which is conducted the main or principal use of the lot on which it is erected.
- (107) **“PRINCIPAL USE”** means the main purpose for which a building or lot is used.
- (108) **“PROFESSIONAL AND/OR ADMINISTRATIVE OFFICES”** means development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices, and similar financial uses.
- (109) **“REAR LINE”** means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road.
- (110) **“REAR YARD”** means a yard extending across the full width of a lot from the nearest wall of the principal building situated on the lot to the rear line of the lot.

- (111) **“RECREATION, EXTENSIVE”** means the use of land primarily for recreational uses, for profit or not, which generally utilize undeveloped tracts of land and which generally do not require building, facility or structures. Examples of such uses are cross-country ski trails, walking or riding paths, natural wildlife park, gardens, playground or sports fields without viewing stands or bleachers and may include accessory campsites or other accessory buildings for use by extensive recreation users only.
- (112) **“RECREATION USE”** means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto, and includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, camping and other similar uses, and may include a refreshment stand incidental to the primary use.
- (113) **“RECREATIONAL VEHICLE”** means a structure that conforms to CSA provisions; is a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels to provide temporary living accommodation for travel and recreational purposes and includes such vehicles as a motor home, a camper, a travel trailer, a tent trailer and a boat but does not include a manufactured home. RVs do not meet Part 9 of the Alberta Building Code and shall not be used as a permanent dwelling.
- (114) **“RECREATIONAL VEHICLE USE”** means the use of recreational vehicles intended to be occupied for more than six (6) months to provide temporary living accommodation beyond travel and recreational purposes, not for permanent use.
- (115) **“RECYCLING DEPOT”** means a development, for the buying and temporary storage of bottles, cans, newspapers, and other similar household goods for reuse where all storage is contained within an enclosed building or designated compound site.
- (116) **“RECYCLING, OIL DEPOT”** means a development, within the Equity Industrial Park Area Structure Plan area, specifically intended for temporary storage of used automotive petroleum products and containers excluding any dangerous or hazardous materials or containers. Materials temporarily stored onsite shall be limited to residential products.
- (117) **“REGISTERED OWNER”** means:
- (a) in respect of unpatented land, the Crown, and
  - (b) in respect of other land, the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land.
- (118) **“RENEWABLE AND ALTERNATE ENERGY FACILITY”** means a facility or development, either stand alone or adjoining another development, that either generates energy using natural or renewable resources, such as, wind, geothermal, bio-fuels, or biomass, or generates energy using an energy generation process that reduces the amount of harmful emissions to the environment, when compared to conventional systems, such as district heating or cogeneration.
- (119) **“RENTABLE UNIT”** means a separate unit of a motel used or intended to be used for the temporary dwelling accommodation of one or more persons.
- (120) **“RESIDENTIAL SECURITY/CARETAKER UNIT”** means a self-contained, accessory dwelling unit, reserved for the exclusive use of an on-site caretaker or security person. The on-site caretaker and/or security person shall not be the owner or a shareholder of the owner of either the parcel of land or the business being conducted on the parcel. The use of the parcel as a business must be the primary activity on the property, and not the residential occupation of the parcel.

- (121) **“RESOURCE EXTRACTION INDUSTRY”** means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal and other minerals including petroleum and natural gas, and which may include the processing of these through primary treatment into a raw marketable form.
- (122) **“RURAL ROAD”** means any public road other than a highway, a secondary road, a service road to a highway or a secondary road, or an internal road in a subdivision or hamlet.
- (123) **“SECONDARY ROAD”** means a road designated as such by Ministerial Order pursuant to the Public Highways Development Act and described by plates published in the Albert Gazette pursuant to Alberta Regulation 164/69 as 500, 600, 700 and 800 series.
- (124) **“SHALL”** is an operative word which means the action is obligatory.
- (125) **“SHOULD”** is an operative word with means that, in order to achieve local goals and objectives it is strongly advised that the action be taken.
- (126) **“SIDE LINE”** means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side line.
- (127) **“SIDE YARD”** means a yard extending from the front wall of the principal building situated on a lot to the rear wall of the principal building and lying between the side line of the lot and the nearest wall of the principal building.
- (128) **“SOLAR COLLECTOR”** means a device or combination of devices used to collect sunlight and is part of a system used to convert radiant energy from the sun into thermal or electrical energy. Types of solar collector devices and structures include:
- (a) **“STRUCTURE MOUNT”** means an installation of panels to collect solar energy that are mounted on a structure such as a roof or wall and are used to service uses located on the parcel upon which the panels are located.
  - (b) **“GROUND MOUNT”** means an installation of panels to collect solar energy that is a stand-alone assembly mounted on racking on or in the ground. The total combined area of ground coverage is less than 0.40 ha (1.0 ac) and may be located on one or more parcels of land.
  - (c) **“SOLAR FARM”** means an installation of solar panels to collect solar energy that are stand-alone assemblies mounted on racking on the ground. The total combined area of ground coverage is 0.40 ha (1.0 ac) or greater and may be located on one or more parcels of land.
- (129) **“STORAGE SITE”** means a waste management facility, where waste, other than biomedical or hazardous waste, is
- (a) stored,
  - (b) sorted, compacted, shredded, ground or processed, or
  - (c) collected and held for removal to another waste management facility.
- (130) **“SUBDIVISION AND DEVELOPMENT APPEAL BOARD”** means a subdivision and development appeal board established and appointed by the Council in accordance with the Subdivision and Development Appeal Board Bylaw adopted pursuant to the Act.
- (131) **“SUBSTANDARD LOT”** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;

- (132) **“SURFACE IMPOUNDMENT”** means a facility that consists of an excavation or diked areas that is formed primarily of earthen material and is used for the storage of waste.
- (133) **“TEMPORARY”** means a development lasting for only a limited period of time.
- (134) **“TEMPORARY STORAGE”** means development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land for a period up to one (1) year. Typical uses include pipe yards, or vehicle or heavy equipment storage compounds.
- (135) **“URBAN SERVICES”** means municipal water supply and distribution systems, municipal sanitary sewage collection and disposal systems, paved roads, and storm sewers.
- (136) **“UTILITY AND TRANSPORTATION SERVICES”** means public utility infrastructure which is likely to have some impact on the environment or adjacent land uses by virtue of appearance, noise, size, traffic generation or operational characteristics. This includes any one (1) or more of the following:
- (a) vehicle, equipment and material storage and maintenance yards;
  - (b) systems for the distribution of gas, whether artificial or natural;
  - (c) facilities for the storage, transmission, treatment, distribution, or supply of water;
  - (d) facilities for the collection, treatment, movement, or disposal of sanitary sewage;
  - (e) storm sewer drainage facilities;
  - (f) systems for electrical distribution and lighting; and
  - (g) systems for telephone, telecommunications, and cable television distribution.
- (137) **“VEHICLE AND EQUIPMENT STORAGE”** means a development used for the outdoor storage of recreational vehicles and other equipment and does not involve the erection of permanent structures.
- (138) **“VETERINARY SERVICE”** means development used for the care and treatment of animals where the veterinary services primarily involve outpatient care and minor medical procedures involving care for fewer than four (4) days. All animals shall be kept within an enclosed building. This use class includes pet clinics, animal veterinary clinics, and veterinary offices. This use class does not include animal hospitals and shelters.
- (139) **“WAREHOUSE SALES”** means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This use class includes developments where principal goods being sold are items such as furniture, carpet, major appliances, fertilizer, and building materials.
- (140) **“YARD”** means a part of a lot upon or over which no principal building is erected.

and all other words and expressions have the meanings respectively assigned to them in the Act.

## **8.2 METRIC AND IMPERIAL MEASUREMENTS**

**Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures.**

Figure 9.1  
SECONDARY ROAD BOUNDARIES

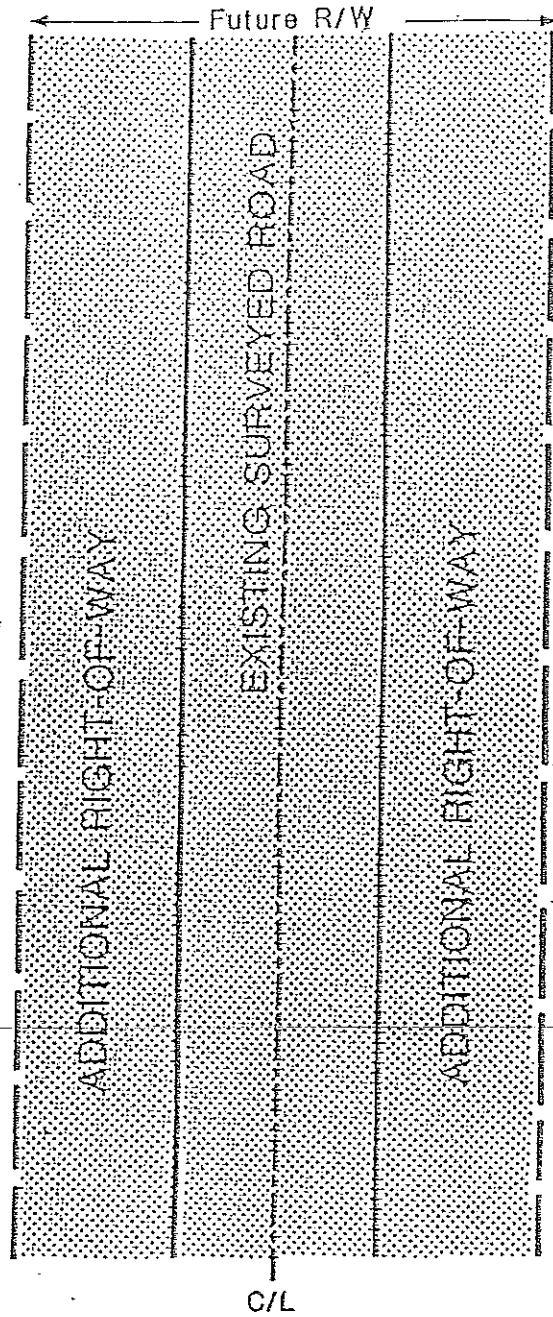


Figure 9.2  
 INTERSECTION BETWEEN SECONDARY AND RURAL ROADS

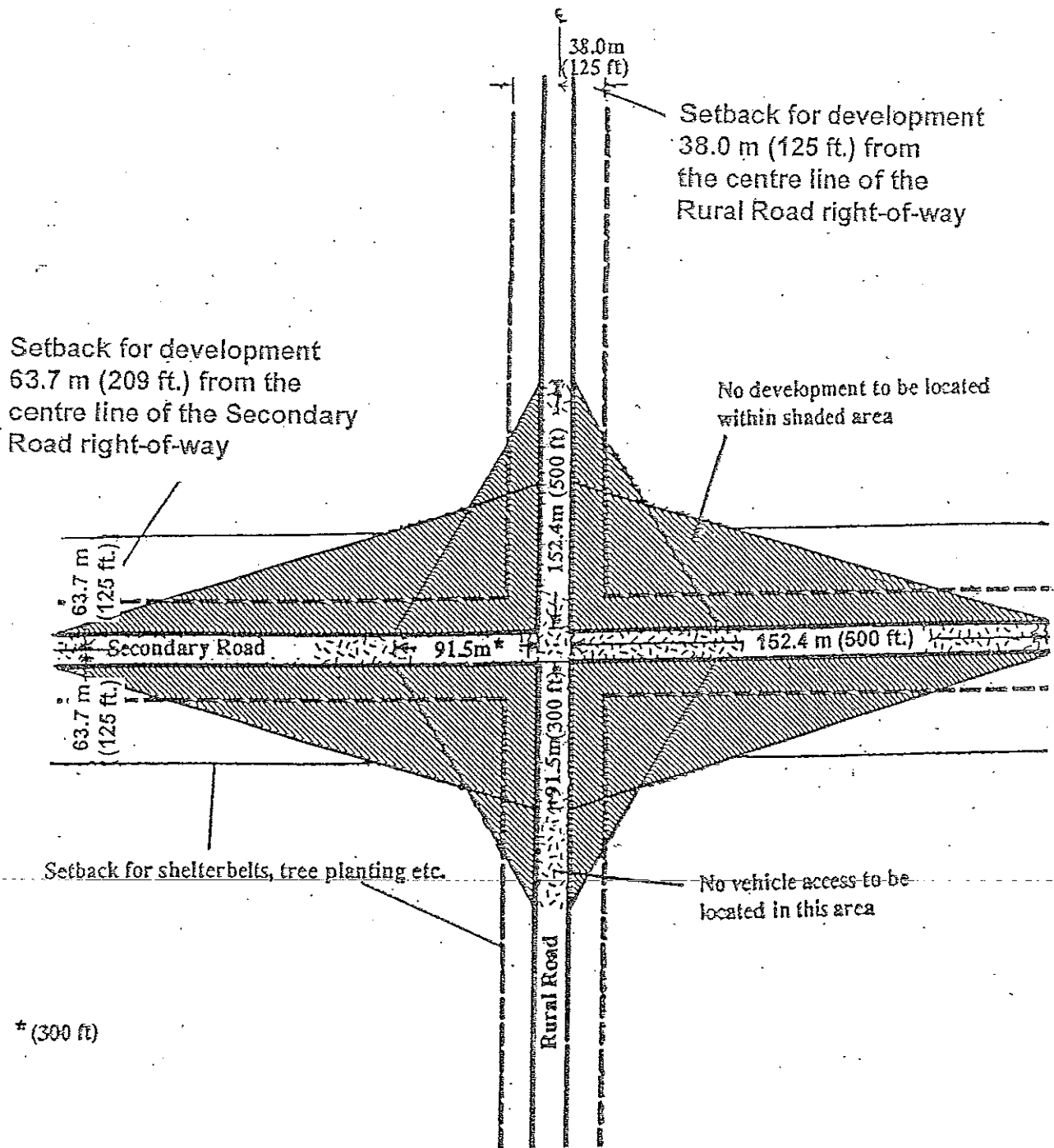


Figure 9.3  
 INTERSECTION BETWEEN TWO SECONDARY ROADS

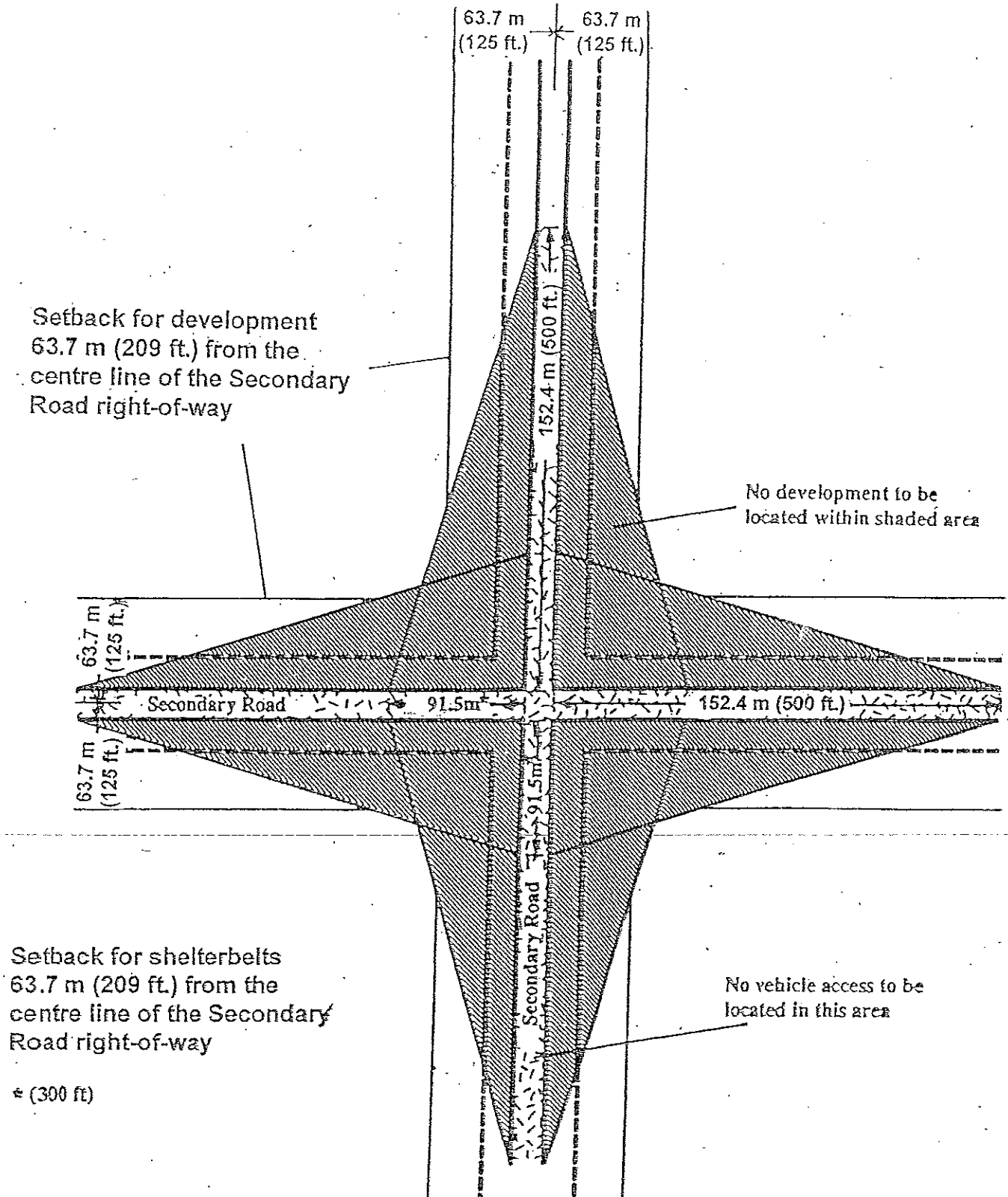




Figure 9.4  
 DEGREE OF CURVATURE GREATER THAN 20 DEGREES

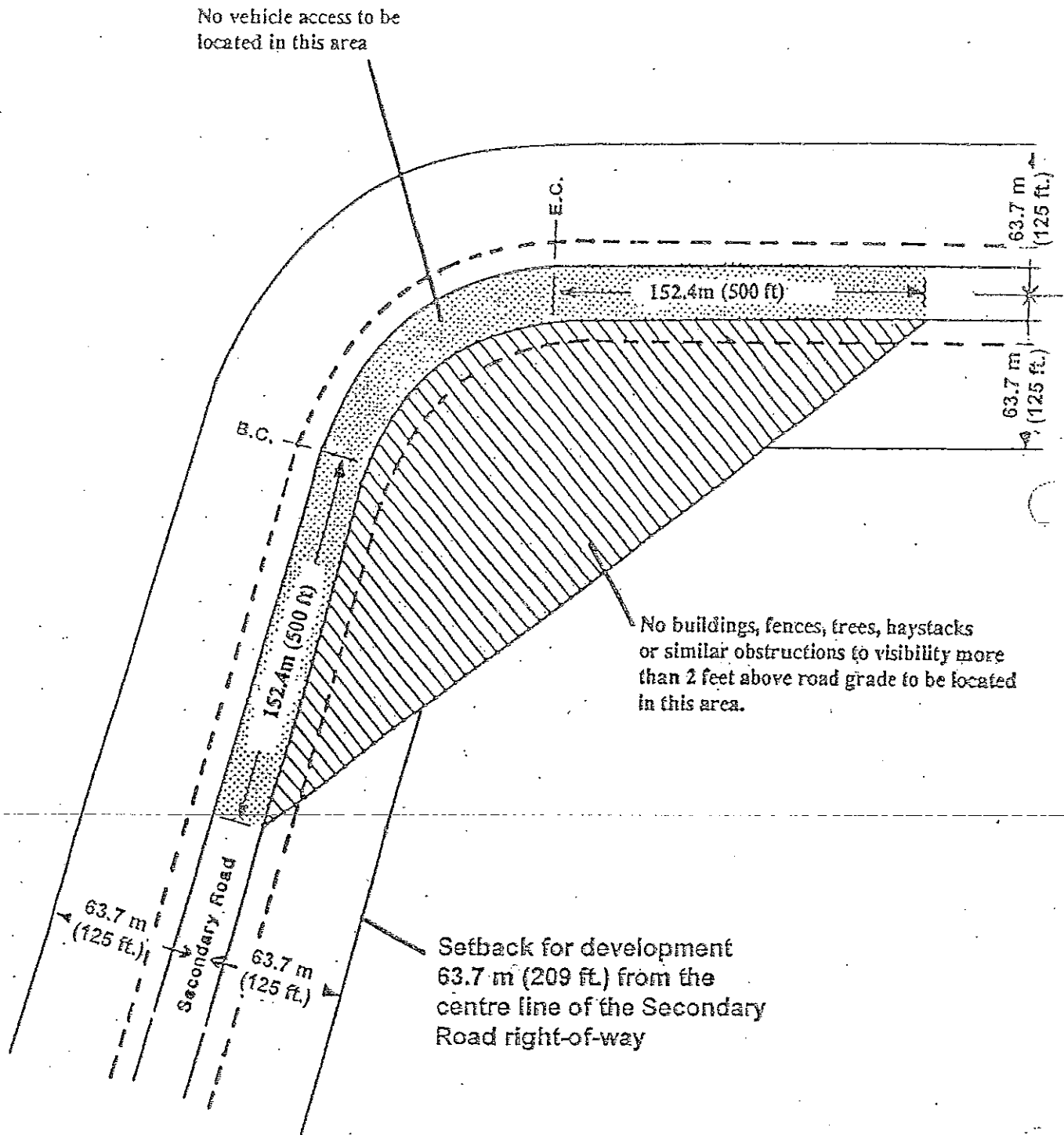


Figure 9.5  
**LOCATION OF BUILDINGS AT RURAL ROAD INTERSECTIONS**

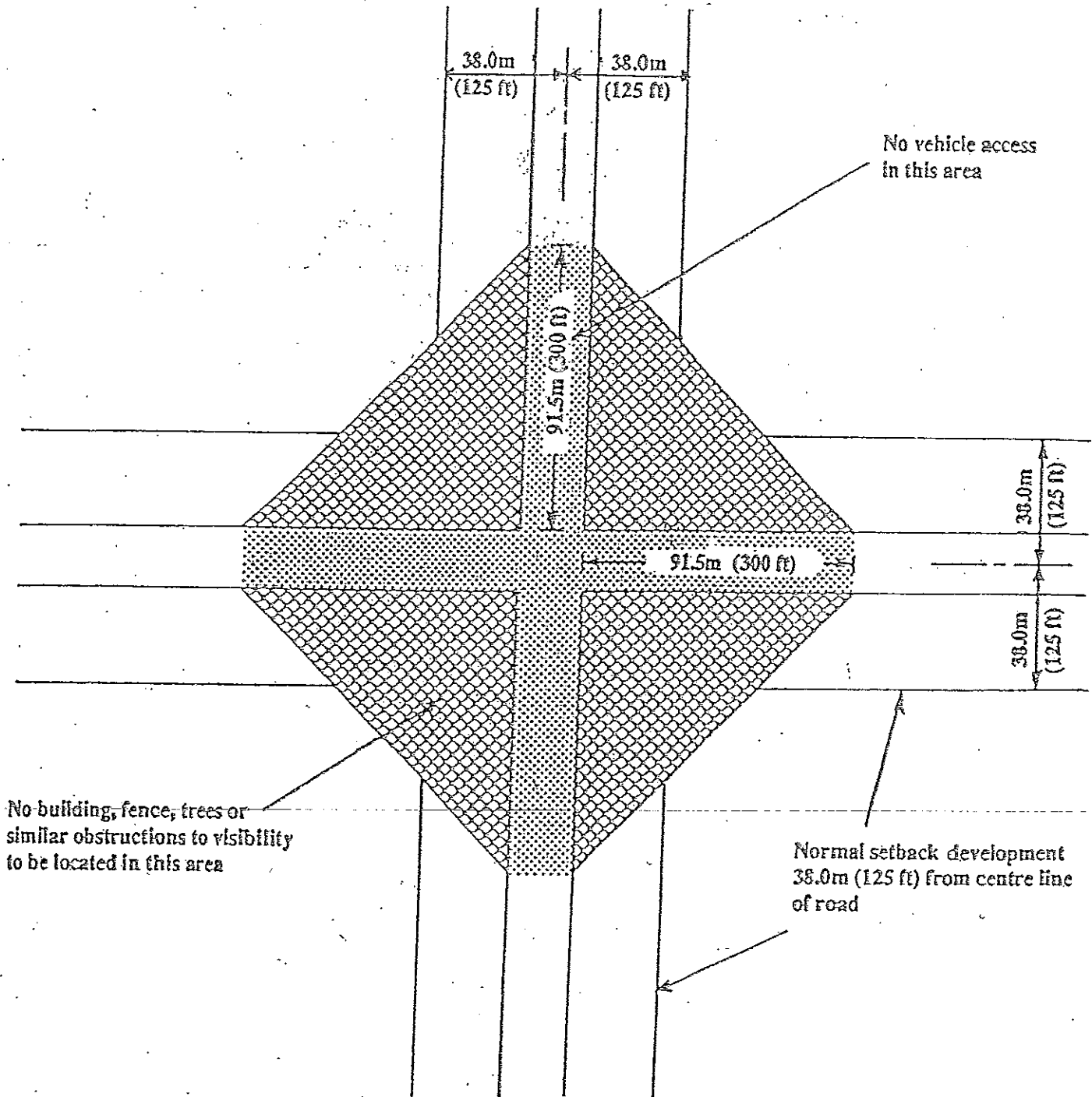
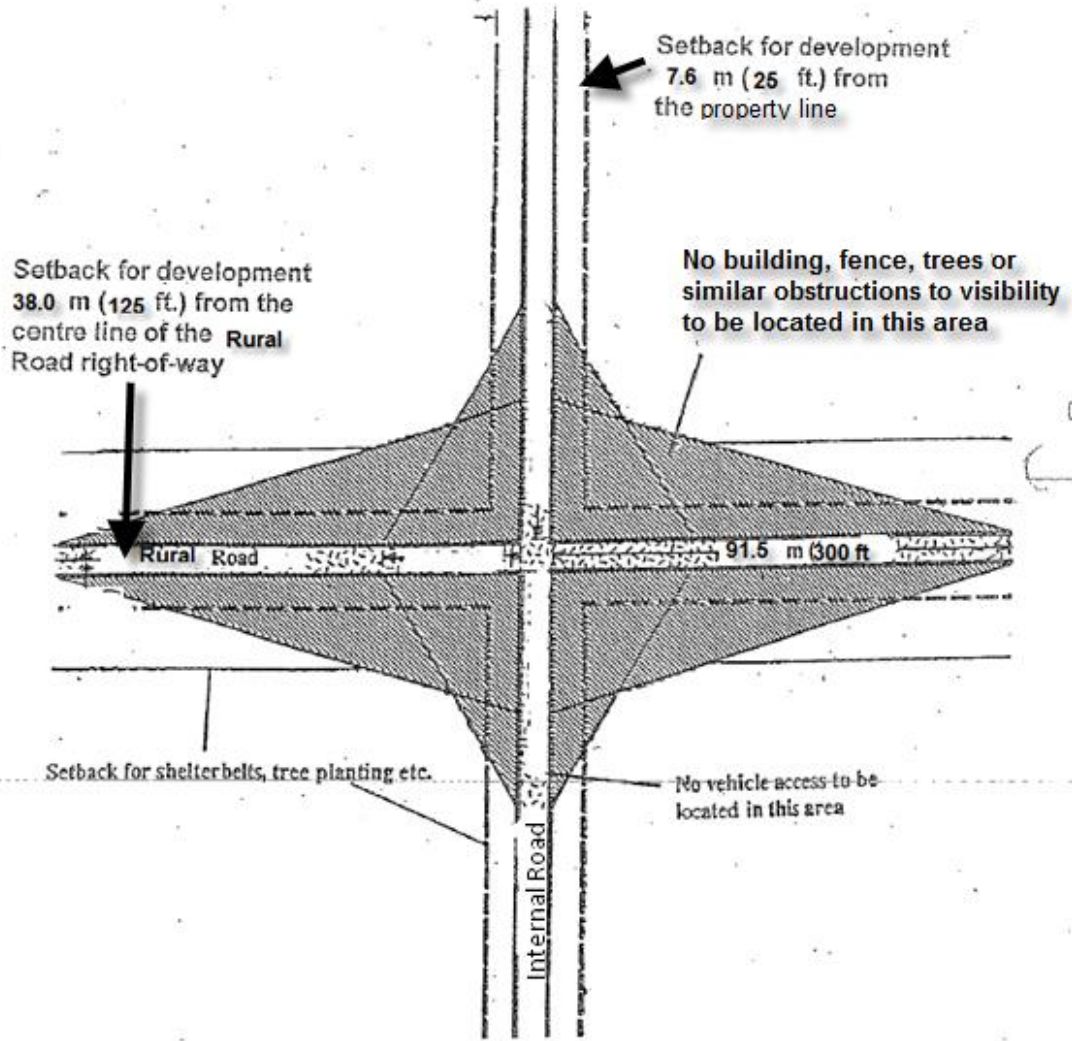


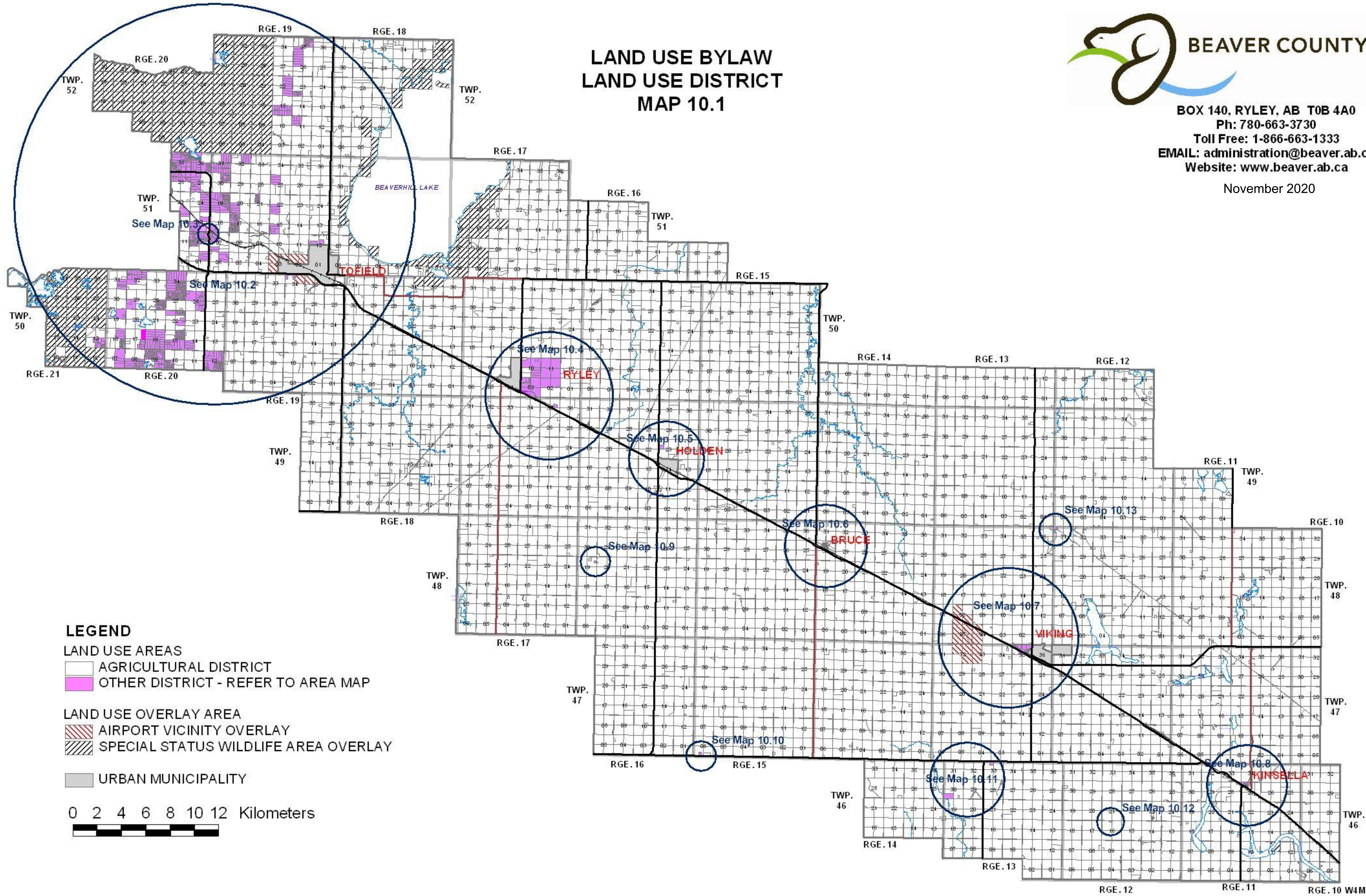
Figure 9.6

INTERSECTION BETWEEN RURAL ROADS AND INTERNAL ROADS







# LAND USE BYLAW LAND USE DISTRICT MAP 10.1





**LEGEND**

**LAND USE AREAS**

-  AGRICULTURAL DISTRICT
-  OTHER DISTRICT - REFER TO AREA MAP

**LAND USE OVERLAY AREA**

-  AIRPORT VICINITY OVERLAY
-  SPECIAL STATUS WILDLIFE AREA OVERLAY

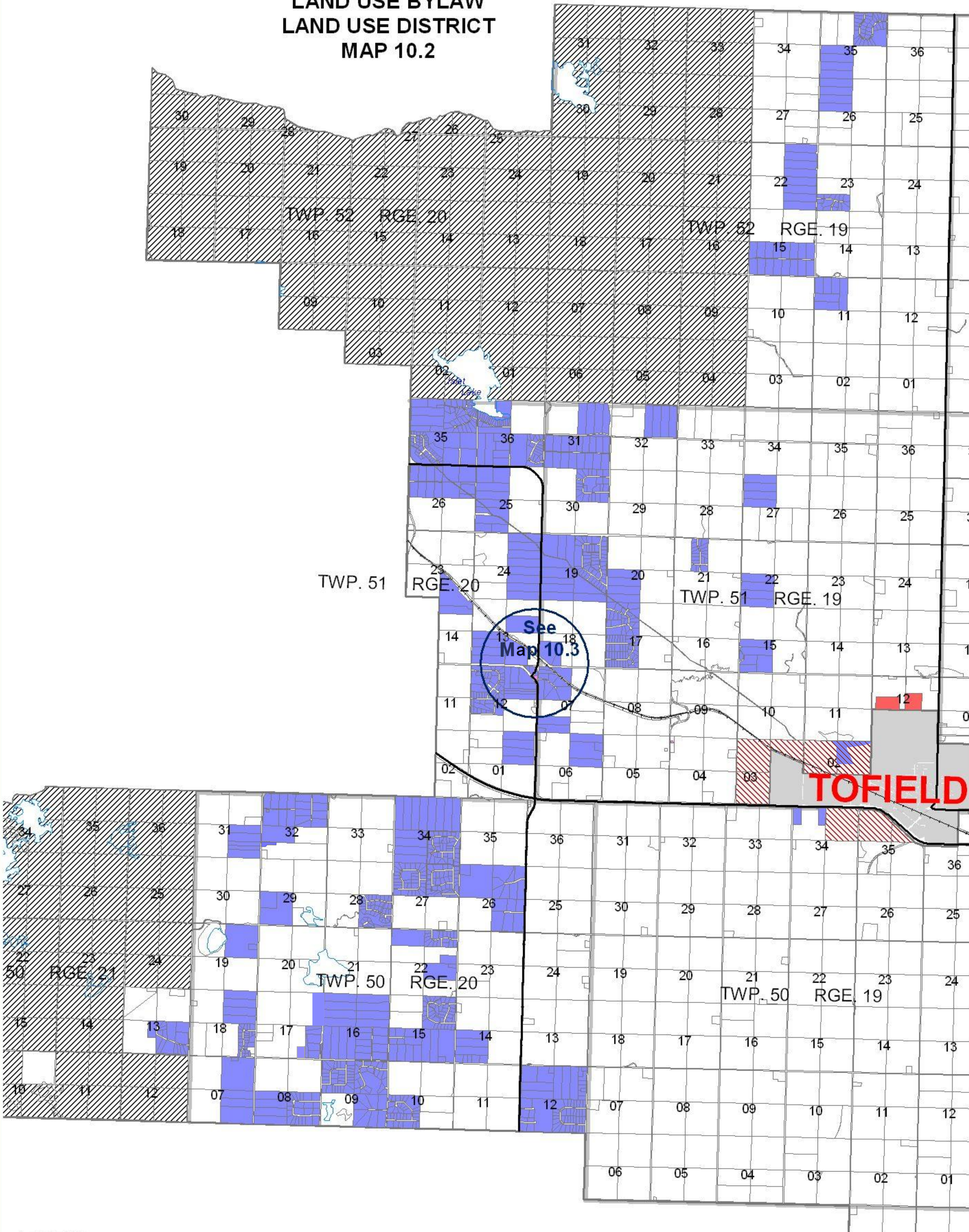
-  URBAN MUNICIPALITY

0 2 4 6 8 10 12 Kilometers









**LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.2**


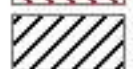


**LEGEND**

**LAND USE AREAS**

-  AGRICULTURAL DISTRICT
-  COUNTRY RESIDENTIAL DISTRICT
-  OTHER DISTRICT - REFER TO MAP 10.3
-  RURAL INDUSTRIAL DISTRICT

**LAND USE OVERLAY AREA**

-  AIRPORT VICINITY OVERLAY
-  SPECIAL STATUS WILDLIFE AREA OVERLAY

 URBAN MUNICIPALITY



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**JANUARY 2020**



# LAND USE BYLAW LAND USE DISTRICT MAP 10.3



BEAVER COUNTY

BOX 140, RYLEY, AB T0B 4A0

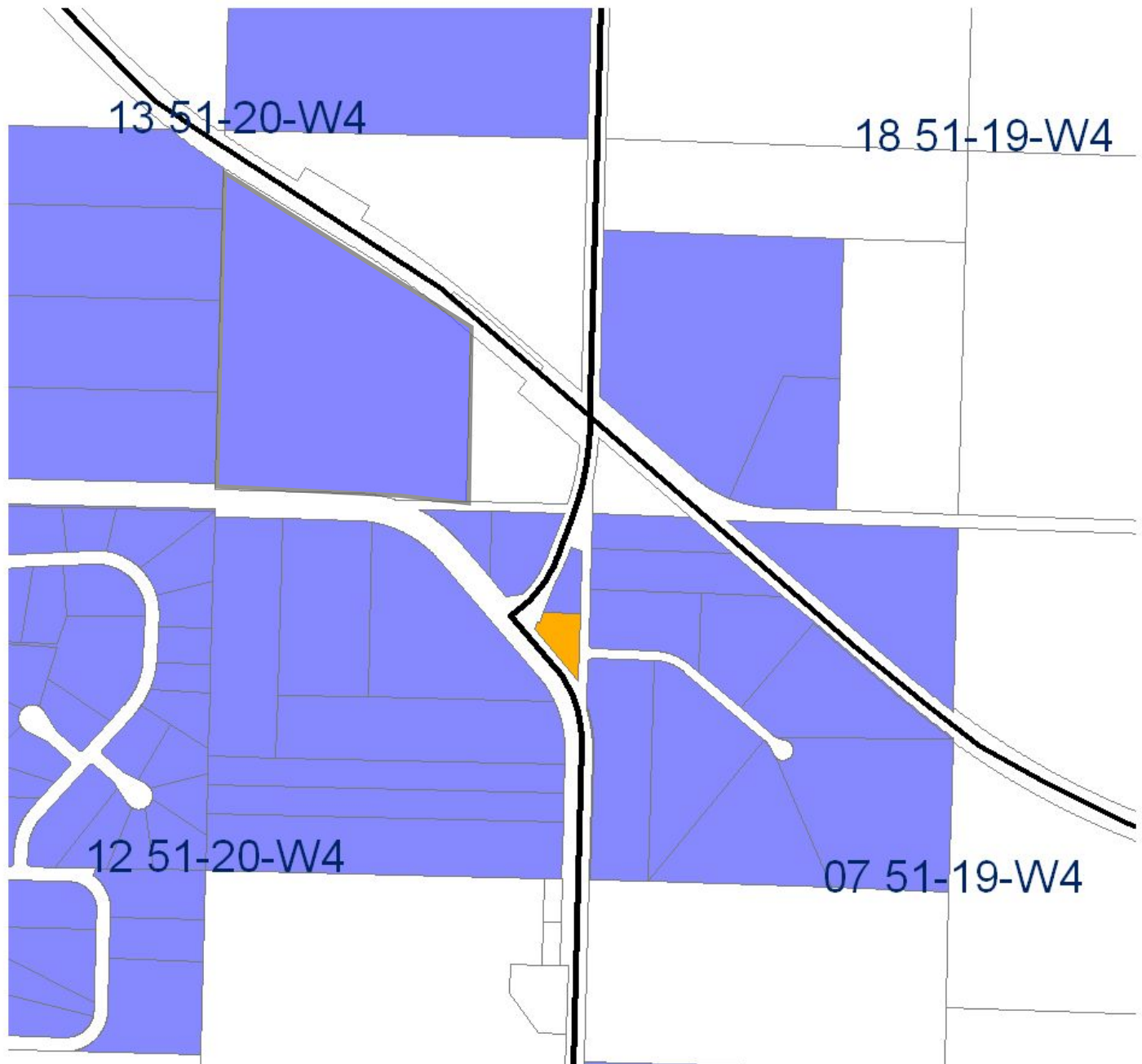
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January 2020



## LEGEND

### LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  COUNTRY RESIDENTIAL DISTRICT
-  RURAL COMMERCIAL DISTRICT

0 200 400 600 800 1000 Meters



# LAND USE BYLAW LAND USE DISTRICT MAP 10.4



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SEPTEMBER 2018



## LEGEND – LAND USE AREA

-  AGRICULTURAL DISTRICT
-  LANDFILL & COMPOSING DISTRICT
-  RURAL INDUSTRIAL DISTRICT
-  BUSINESS/LIGHT INDUSTRIAL DISTRICT
-  MEDIUM INDUSTRIAL DISTRICT
-  LOW IMPACT ECO-FRIENDLY INDUSTRIAL DISTRICT
-  URBAN MUNICIPALITY

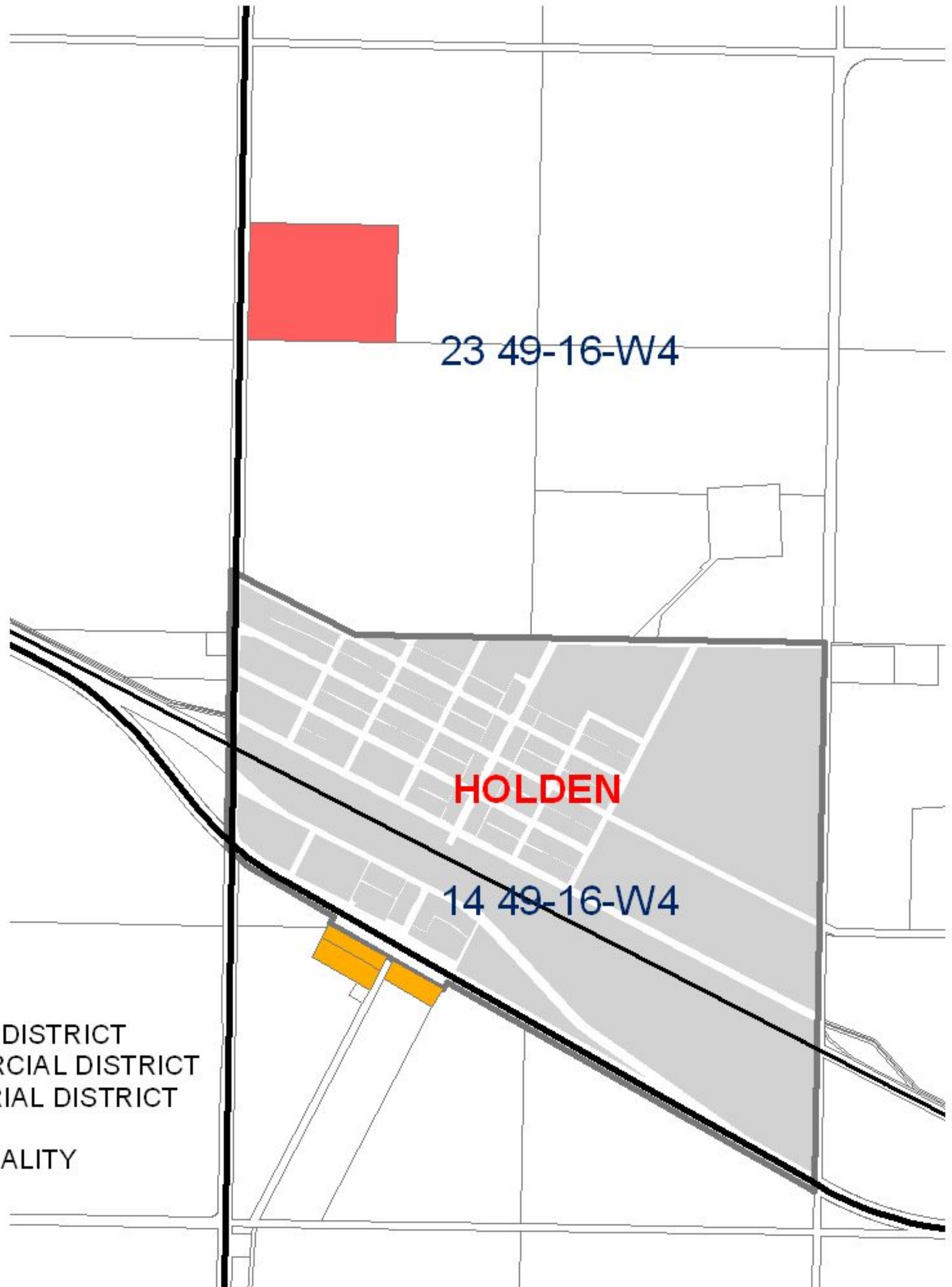
0 1 2 3 Kilometers

# LAND USE BYLAW LAND USE DISTRICT MAP 10.5



BEAVER COUNTY

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OCTOBER 2010



## LEGEND

### LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  RURAL COMMERCIAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT
-  URBAN MUNICIPALITY

0 0.5 1 1.5 2 Kilometers





**LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.6**



**BEAVER COUNTY**

BOX 140, RYLEY, AB T0B 4A0

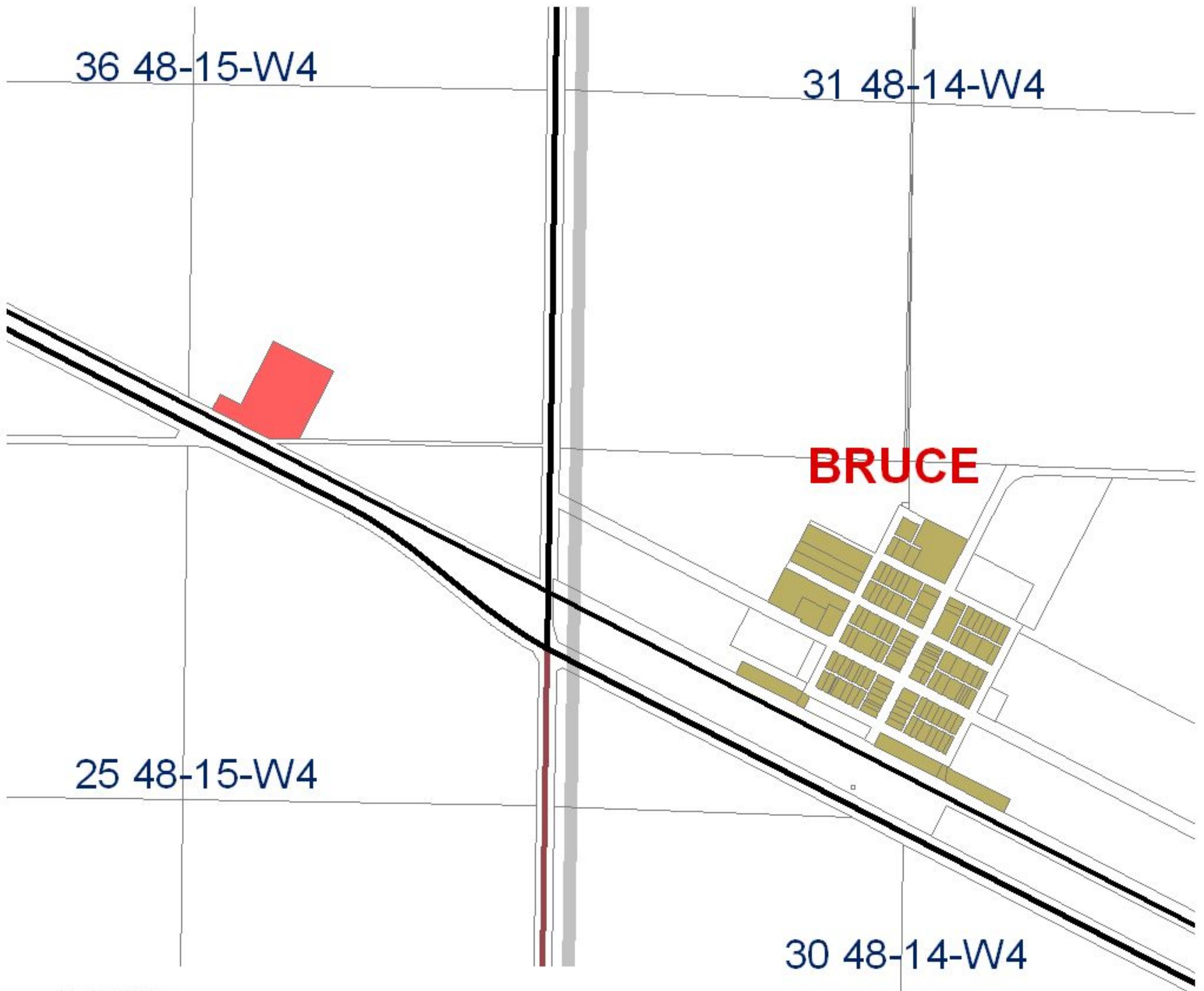
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OCTOBER 2010



**LEGEND**

**LAND USE AREAS**

-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT
-  URBAN GENERAL DISTRICT

-  URBAN MUNICIPALITY





LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.7

TWP. 48 RGE. 13

TWP. 48  
RGE. 12

TWP. 47 RGE. 13

TWP. 47  
RGE. 12

VIKING

LEGEND

LAND USE AREAS

- AGRICULTURAL DISTRICT
- RURAL INDUSTRIAL DISTRICT

LAND USE OVERLAY AREA

- AIRPORT VICINITY OVERLAY

- URBAN MUNICIPALITY



BOX 140, RYLEY, AB T0B 4A0  
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# LAND USE BYLAW LAND USE DISTRICT MAP 10.8

Sec 33  
46-11  
-W4

Sec 34 46-11-W4

Sec 28  
46-11  
-W4

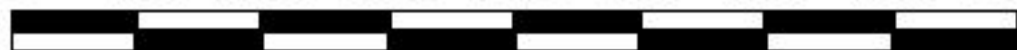
Sec 27 46-11-W4

## LEGEND

### LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT
-  URBAN GENERAL DISTRICT

0 100 200 300 400 500 600 700 800 Meters



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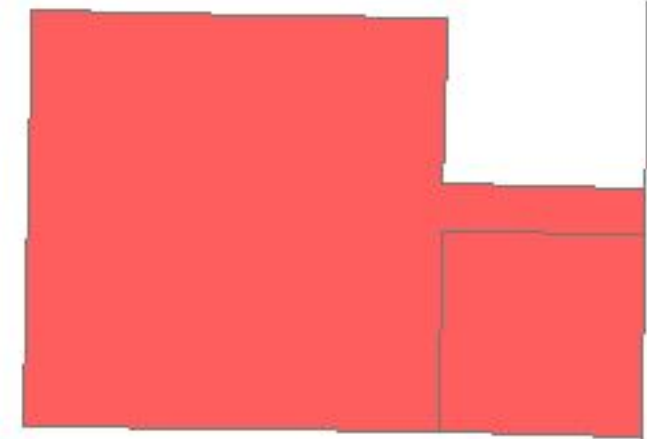
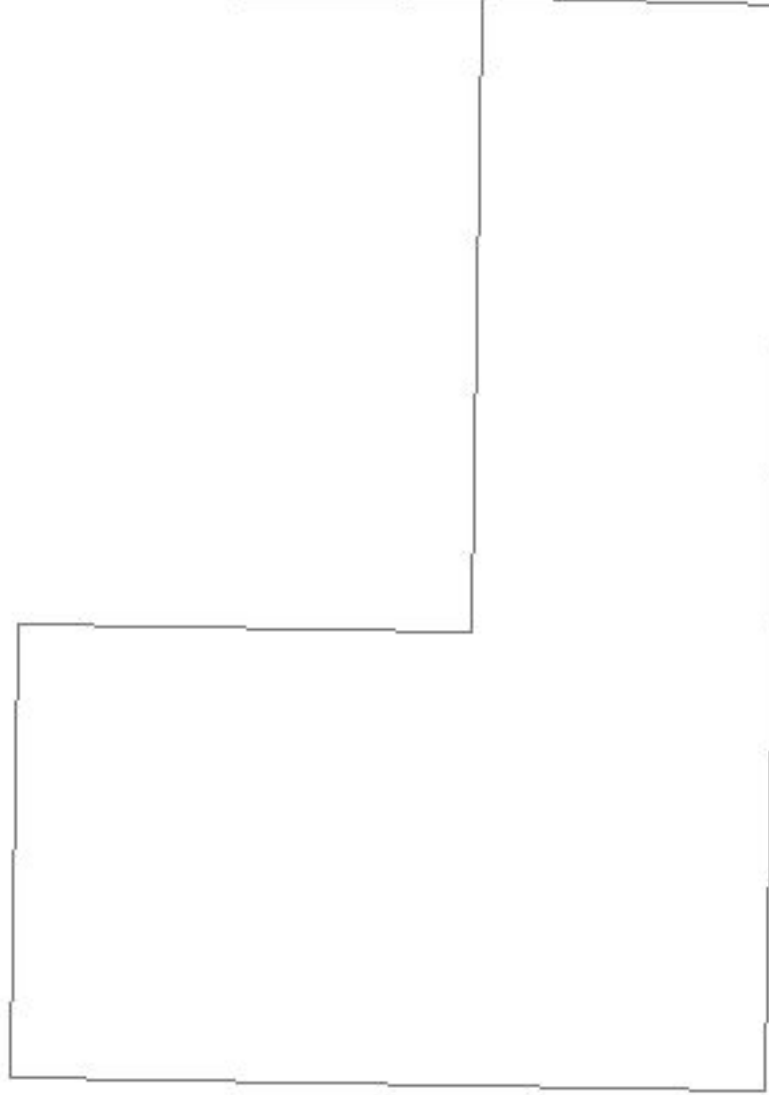
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LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.9



NE of Sec 19 48-16-W4

**LEGEND**

LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT

0 100 200 300 400 500 Meters



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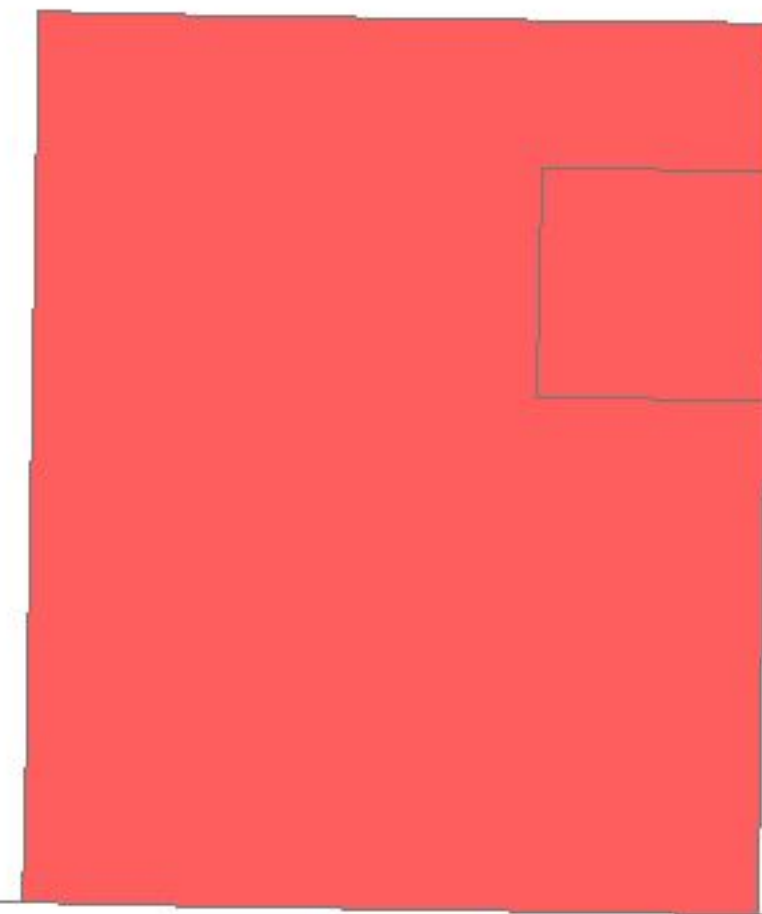
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LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.10

SW of Sec 06 47-15-W4



Flagstaff County



BEAVER COUNTY

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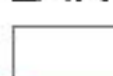

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LEGEND

LAND USE AREAS

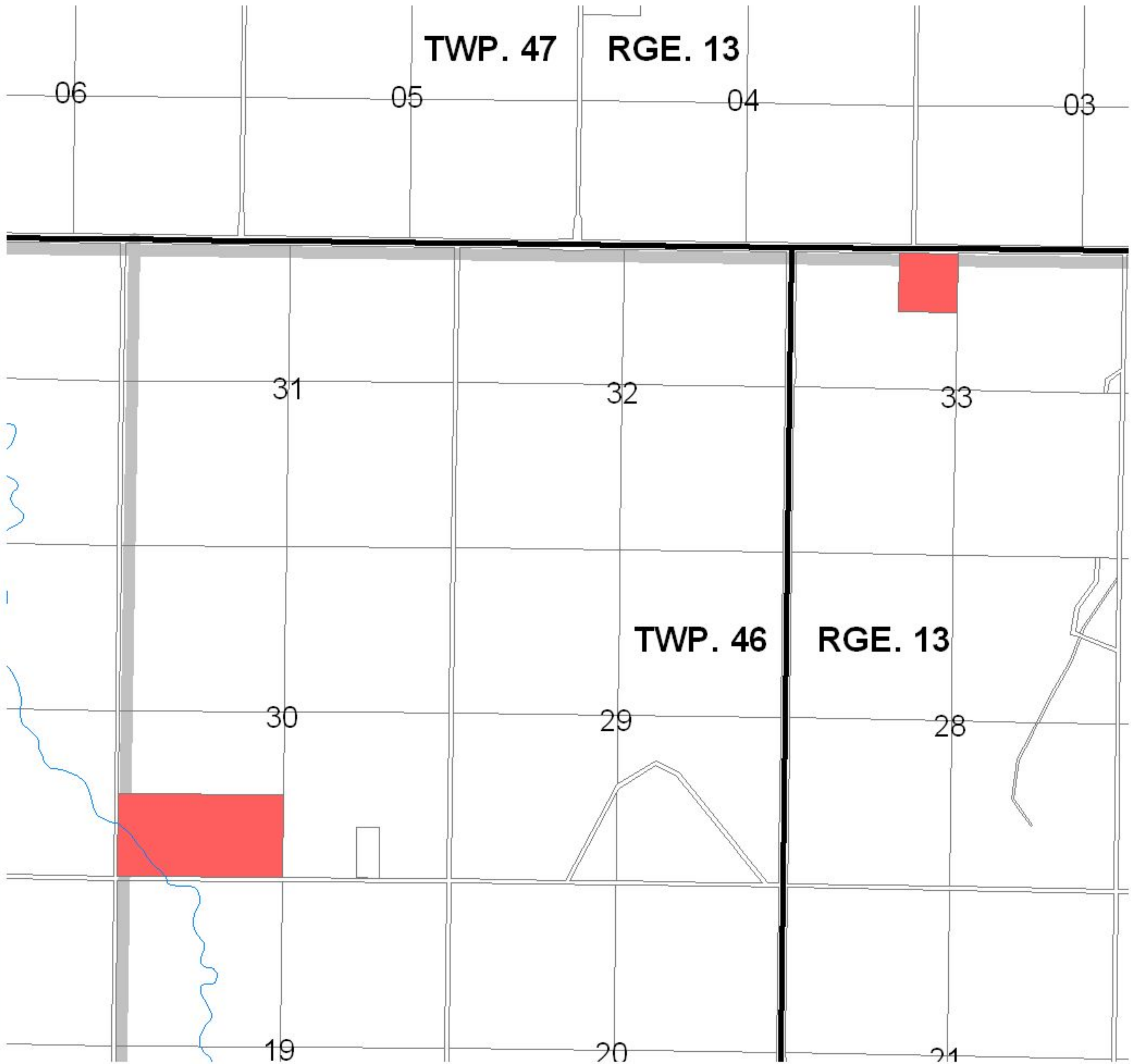
-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT

0 100 200 300 400 500 Meters







LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.11



**LEGEND**

LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT



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**LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.12**



NW of Sec 16 46-12-W4

**LEGEND**

**LAND USE AREAS**

-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT



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LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.13



NW of Sec 31 48-12-W4

**LEGEND**

LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  RURAL INDUSTRIAL DISTRICT

0 80 160 240 320 400 Meters



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