



BYLAW # 24-1154

**BEAVER COUNTY**

# LAND USE BYLAW



# BYLAW PAGE



# SUMMARY OF AMENDMENTS

| Revision # | Date | Bylaw # | Description |
|------------|------|---------|-------------|
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# PART 1

# GENERAL

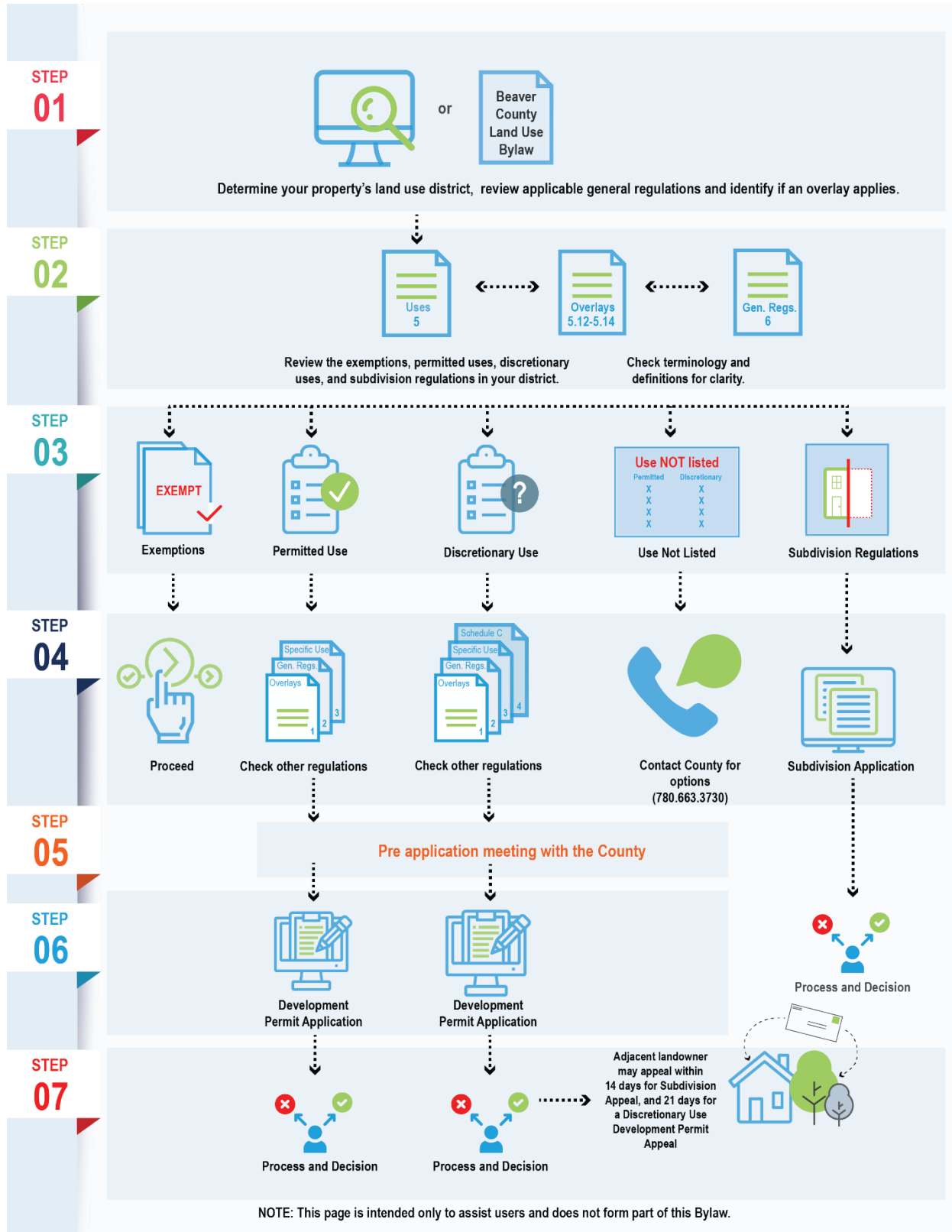
# ADMINISTRATIVE

# PROCEDURES





# How to Use the Beaver County Land Use Bylaw



# 1.0 General Administrative Procedures

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## 1.1 Title

- 1.1.1. The title of this bylaw shall be the Beaver County Land Use Bylaw and is referred to as “this Bylaw”.
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## 1.2 Purpose

- 1.2.1. 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 development of land, and for that purpose, amongst other things:
- a. provide direction for the orderly, economical, and beneficial development, and use of land for residents of Beaver County, and
  - b. regulate and control development or, where necessary, prohibit development without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.
- 1.2.2. This Bylaw:
- a. implements policies of Beaver County’s Municipal Development Plan and other Statutory Plans;
  - b. divides the County into land use districts;
  - c. outlines permitted and discretionary uses for each land use district;
  - d. prescribes the subdivision and development regulations for each land use district, generally and specifically;
  - e. outlines the number of dwelling units permitted on a parcel of land;
  - f. establishes criteria for the Development Authority to make decisions on applications for development permits, including the issuing of development permits and conditions;
  - g. sets out the method to appeal a decision made by the Development Authority in regard to this Bylaw;
  - h. identifies the manner in which the notice of the issuance of a development permit is given and to whom; and
  - i. describes the procedure to make amendments to this Bylaw.
- 1.2.3. This Bylaw shall be applied in a manner that is consistent with the County’s adopted Statutory Plans, such as the Municipal Development Plan, the *Matters related to Subdivision and Development Regulation*, and provincial land use policies.



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## 1.3 Application of this Bylaw

- 1.3.1. Except as permitted in this Bylaw, no person shall commence a development unless a development permit for that development has been issued and the appeal period has expired.

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## 1.4 Previous Bylaws

- 1.4.1. The Beaver County Land Use Bylaw No. 98-801 and amendments thereto are hereby repealed.

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## 1.5 Effective Date

- 1.5.1. This Bylaw comes into force upon the date of final reading and upon signature.

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## 1.6 Applications in Progress

- 1.6.1. A development permit application or a subdivision application received and deemed complete prior to the effective date of this Bylaw shall be processed in accordance with Bylaw No. 98-801.
- 1.6.2. No application to amend Bylaw No. 98-801 shall be accepted after this Bylaw comes into effect.

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## 1.7 Severability

- 1.7.1. If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions of this Bylaw.

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## 1.8 Compliance with Other Legislation

- 1.8.1. A person applying for, or in possession of, a subdivision approval or development permit is not relieved from the responsibility of determining and complying with, or carrying out development in accordance with:
- a. Statutory Plans;
  - b. other Municipal Bylaws;
  - c. the *Municipal Government Act, RSA 2000 c. M-26*;
  - d. the *Alberta Safety Codes Act, RSA 2000, c. S-1*, and related regulations such as the *National Building Code – 2023 Alberta Edition*;
  - e. the *Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12*;
  - f. the *Natural Resources Conservation Board Act, RSA 2000, c. N-3*;
  - g. the *Water Act*;
  - h. any other applicable federal, provincial, or other municipal legislation; and



- i. the conditions of any caveat, restrictive covenant, easement, or other instrument affecting a building or land.

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## 1.9 Interpretation of this Bylaw

- 1.9.1. In this Bylaw, the term "use" or "to use" refers to any activity carried out directly or indirectly on any land, building, or structure by the owner or occupant, or by someone authorized by the owner or occupant (such as a trustee, tenant, servant, or agent) for the purpose of utilizing the land, building, or structure, unless the context suggests otherwise.

### WORDS

- 1.9.2. The words "**shall**", "**will**" and "**must**" indicate the action is mandatory.
- 1.9.3. The word "**should**" indicate the direction to strive to achieve the outlined action but is not mandatory and at the discretion of the Development Authority.
- 1.9.4. The word "**may**" indicate the action is discretionary, meaning the action can be implemented if the County chooses to do so.
- 1.9.5. Any reference to "**the MGA**" or "**the Act**" in this Bylaw shall mean the *Municipal Government Act, RSA 2000 c. M-26*, as amended from time to time.
- 1.9.6. Any reference to "**the SDR**" in this Bylaw shall mean the *Matters related to Subdivision and Development Regulation*.
- 1.9.7. Any reference to "**the MDP**" in this Bylaw shall mean the Beaver County's current Municipal Development Plan Bylaw.
- 1.9.8. Any reference to the "**municipality**" or "**the County**" in this Bylaw shall mean Beaver County, unless otherwise noted.
- 1.9.9. The term "**Council**" in this Bylaw shall mean the Council of Beaver County in the Province of Alberta, unless otherwise noted.
- 1.9.10. Any reference to the "**Development Authority**" in this Bylaw shall mean a person or persons appointed pursuant to subsection 2.1.
- 1.9.11. Any reference to "**the IDP**" in this Bylaw shall mean any Intermunicipal Development Plan applied to the County.



- 1.9.12. Words, phrases, and terms not defined in this Bylaw may be given their definition in the *MGA*, the *Alberta Safety Codes Act*, or the *Interpretation Act*. Other words shall be defined by their usual and customary meaning, or as outlined in Section 14.0: Definitions.

## MEASUREMENTS

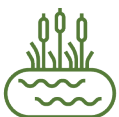
- 1.9.13. Measurements listed shall adhere and comply to the stated Metric measurements. Imperial measurements are included in this Bylaw for reference only. If there is a discrepancy in this Bylaw between the two measurements, the Metric measurements shall be referenced and adhered to.
- 1.9.14. Any measurement greater than the exact regulation prescribed in this Bylaw shall be considered in excess of the requirement and shall not be rounded down.
- 1.9.15. The following notations may be used in place of whole words within this Bylaw:
- a. “**m**” shall mean metre(s);
  - b. “**m<sup>2</sup>**” shall mean square metre(s);
  - c. “**km**” shall mean kilometre(s);
  - d. “**mi**” shall mean mile(s);
  - e. “**ft**” shall mean feet;
  - f. “**ft<sup>2</sup>**” shall mean square feet;
  - g. “**ha**” shall mean hectare(s);
  - h. “**ac**” shall mean acre(s);
  - i. “**lbs**” shall mean pounds; and
  - j. “**kg**” shall mean kilogram(s).

## ILLUSTRATIONS

- 1.9.16. Drawings and graphic illustrations used in this Bylaw are for context and to aid in interpreting and understanding the intent of regulations and provisions. If there is conflict or inconsistency between a drawing or graphic illustration and the text of this Bylaw, the text shall prevail.

## BOUNDARIES

- 1.9.17. The boundaries of the Land Use District maps, shall be interpreted as follows:
- a. when the boundary of a district follows a public roadway or a public right-of-way it follows the centre line, unless otherwise indicated;
  - b. when the boundary of a district abuts a provincial or federal property, railway right-of-way, pipeline, or utility right-of-way it follows the boundary line;
  - c. when the boundary of a district is shown as approximately following the County boundary, it follows the County boundary;



- d. when the boundary of a district is shown as approximately following the edge of any waterbody, including rivers, lakes, creek, streams, etc., it follows the edge or shoreline of the waterbody;
  - e. when a boundary of a district is shown as approximately following a lot or parcel line, it follows the lot or parcel line; and
  - f. where a land use district boundary is not located in conformity to the preceding provisions and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly from that Map.
- 1.9.18. If the application of the above interpretations does not result in the exact location of a district boundary, the Development Authority shall determine the exact location of the boundary in doubt or in dispute in a manner consistent with the regulations and provisions of this Bylaw, to the degree of detail that the circumstance requires.
- 1.9.19. After the Development Authority has determined the exact location of a district boundary, that portion of the location of the boundary shall not be altered, except through an amendment to this Bylaw.
- 1.9.20. The Development Authority shall maintain a record of all district boundary decisions.





## 2.0 Approving Authorities

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### 2.1 Development Authority

- 2.1.1. For the purposes of this Bylaw, the position to be known as the Development Authority is hereby established.
- 2.1.2. The Development Authority shall consist of the Chief Administrative Officer or person appointed by the County's Chief Administrative Officer or planning agency. That person(s) may delegate their authority and responsibilities to another person or persons as they see fit at their discretion.
- 2.1.3. If the appointed person(s) shall die, retire, or resign, another person may be appointed by the County's Chief Administrative Officer.
- 2.1.4. The County's Chief Administrative Officer may remove the person(s) from the position of Development Authority at any time.
- 2.1.5. The Development Authority shall:
- a. receive and review development permit applications as to their completeness;
  - b. refer a development permit application to any County department, adjacent landowners and 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 *MGA*;
  - 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; and
  - h. collect fees according to Bylaw approved by Council.

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### 2.2 Subdivision Authority

- 2.2.1. The Subdivision Authority, as established by the County's Subdivision Authority Bylaw, shall exercise subdivision powers and duties on behalf of Beaver County as specified by bylaw.



- 2.2.2. The Subdivision and Development Appeal Board, as established by the County's Subdivision and Development Appeal Board Bylaw, shall perform such duties as specified by bylaw.



## 3.0 Exemptions and Non-Conforming

### 3.1 Control of Development

- 3.1.1. No development other than that identified in subsection 3.2 Development Permit Not Requiring A Development Permit shall 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.

### 3.2 Development Not Requiring A Development Permit

- 3.2.1. 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 if in compliance with the County's Surface Drainage Bylaw;
    - (iii) an unenclosed deck or a deck enclosed by a rail or parapet wall, with a floor less than 1.0 m (3.3 ft) in elevation above grade;
    - (iv) landscaping where the existing grade and surface drainage pattern is not materially altered and is in compliance with the County's Surface Drainage Bylaw;
  - 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 (12) months from the said date of the approval;
  - c. The use of any such buildings allowed under subsection 3.2.1(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 2, 3, 4 and 5 within subsection 6.3 Development Near Highways, Secondary, and Rural Roads;
    - (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 m (6 ft) 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 m (3 ft) in height in front yards and greater than 1.84 m (6 ft) 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, used as a dwelling or a Temporary Accommodation, and which will be removed once the building for which a permit has been issued has been constructed;
  - 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 Agricultural Operations, Primary;
  - h. The development of land for Agricultural Operations, Primary purposes, except for:
    - (i) a dwelling;
    - (ii) a garage;
    - (iii) permanent farm buildings and dugouts subject to meeting the setback regulations of the district;
  - 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 Agricultural Operations Practices 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, personal, provided it meets the requirements under subsection 7.19 Solar Collector of this Bylaw.
  - n. The use of recreational vehicles intended to be temporarily occupied and only up to a consecutive period of six (6) months provided it meets the requirements under subsection 7.21 Temporary Accommodations of this Bylaw. This does not include a commercial campground.
  - o. An accessory building which is equal or less than 18.0 m<sup>2</sup> (192 ft<sup>2</sup>) in size, provided that it meets all district regulations outlined in Part 2 – Land Use Districts of this Bylaw.
  - p. Shipping containers, in accordance with subsection 7.18 Shipping Container of this Bylaw.
- 3.2.2. Notwithstanding the generality of subsection 6.14 Signs, the following signs may be erected on land or affixed to the exterior surface of a building or structure without 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 11.0 sq m (12.0 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 fifteen (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.

3.2.3. Signs used to direct traffic, indicating type of parking spaces, or emergency equipment are exempt from the regulations in Section 6.14 Signs.

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### 3.3 Non-Conforming Uses and Buildings

- 3.3.1. A non-conforming use of land or a building may be continued; however, 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.
- 3.3.2. 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.
- 3.3.3. 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.
- 3.3.4. 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 *MGA* and subsection 8.6 Development Permit Decisions of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- 3.3.5. 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.



- 3.3.6. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

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## 3.4 Existing Substandard Lots

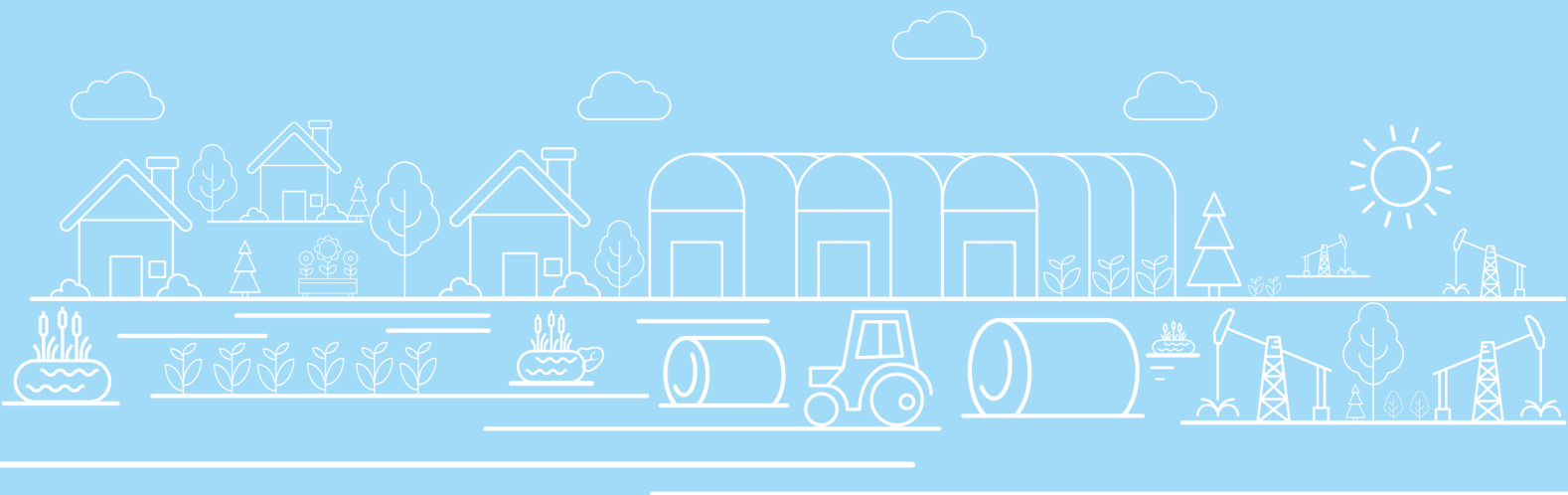
- 3.4.1. Development on existing substandard lots may be considered by the Development Authority. Compliance with the Provincial Regulations will be required.



# PART 2

# LAND USE

# DISTRICTS







## 4.0 Establishing Districts + Overlays

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### 4.1 General Requirements

- 4.1.1. Land use districts and the associated district provisions are established for the County in accordance with the Section 15.0: Schedules of this Bylaw.
- 4.1.2. Schedule D: Land Use District Maps divides the County into districts and specifies the district provisions applicable to particular lands.
- 4.1.3. Provisions listed in Section 6.0: General Regulations and Section 7.0: Specific Use Regulations comprising all general and specific development regulations, landscaping, parking and loading, and signage shall govern any Permitted, and Discretionary Uses listed within a district.

### 4.2 Establishment of Overlays

- 4.2.1. Overlays are included in this Bylaw to provide additional development regulations for specific areas in the County. The first overlay provided is the “Airport Protection Overlay” contained in Schedule A. This is followed by the “Landfill Setback Overlay” contained in Schedule B, and the “Sanitary Facilities Overlay” contained in Schedule C.

### 4.3 Establishment of Land Use Districts

- 4.3.1. For the purpose of this Bylaw Beaver County is divided into the following districts:
  - a. **Agricultural District (A)**      The general purpose of the Agricultural District (A) is to permit activities associated with primary agricultural production, and to preserve valuable agricultural land from inappropriate development. This district shall not contain a biomedical waste facility.
  - b. **Urban General District (UG)**      The general purpose of the Urban General District (UG) 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. This district shall not contain a biomedical waste facility.
  - c. **Rural Commercial District (RC)**      The general purpose of the Rural Commercial District (RC) is to regulate the development of commercial uses in accordance with the policies established in the Municipal Development Plan. This district shall not contain a biomedical waste facility.



- d. Rural Industrial District (RI)      The general purpose of the Rural Industrial District (RI) 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.
  
- e. Tourism District (T)      The general purpose of the Tourism District (T) is to provide opportunities for tourism-related businesses and activities within the rural environment that promote the cultural, recreational, and natural attractions of the county, while balancing impacts on non-tourism related activities. This district shall not contain a biomedical waste facility.
  
- f. Country Residential District (CR)      The general purpose of the Country Residential District (CR) 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. This district shall not contain a biomedical waste facility.
  
- g. Landfill and Composting District (LC)      The general purpose of the Landfill and Composting District (LC) 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. This district shall not contain a biomedical waste facility.
  
- h. Low Impact Eco-Friendly Industrial District (IE)      The general purpose of the Low Impact Eco-Friendly Industrial District (IE) 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. This district shall not contain a biomedical waste facility.
  
- i. Business/Light Industrial District (IL)      The general purpose of the Business/Light Industrial District (IL) 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.



- j. Medium Industrial District (IM)      The general purpose of the Medium Industrial District (IM) 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.
  
- k. Crown Lands District (CL)      The general purpose of the Crown Lands District (CL) is to provide the County the opportunity to provide input on the potential impact of land uses and development on those lands governed and managed by the Crown and enter into agreements when the County's infrastructure is impacted by those uses. This district shall not contain a biomedical waste facility.
  
- l. Direct Control District (DC)      The purpose of the Direct Control District (DC) is to enable Council to exercise particular control over the use and development of land and buildings in any such manner as Council may consider necessary.



## 4.4 Summary Table

4.4.1. The land use summary table below provides an overview of the permitted and discretionary uses in each district. If there are discrepancies between this table and those uses outlined in the districts, the uses outlined in the districts shall prevail.

Note: The Crown Lands District and the Direct Control District are not in this table as there are not permitted or discretionary uses.

|   | P = PERMITTED USE<br>D = DISCRETIONARY USE |    |    |    |   |    |    |    |    |    |   |
|---|--|----|----|----|---|----|----|----|----|----|---|
|   | A  | UG | RC | RI | T | CR | LC | IE | IL | IM |   |
| Abattoir                                    | D  | D  | D  | D  |   |    |    |    |    |    |   |
| Accessory Building                          | P  | P  | P  | P  | P | P  | P  | P  | P  | P  |   |
| Accessory Use                               | P  | P  | P  | P  | P | P  | P  | P  | P  | P  |   |
| Agricultural Operations, Commercial         | P  | D  | P  | P  |   |    |    |    |    | D  | P |
| Agricultural Operations, Primary            | P  |    | D  | P  | P | D  |    | D  | D  | D  |   |
| Agricultural Operations, Secondary          | P  |    | D  | P  |   |    |    | D  | D  | P  |   |
| Agricultural Operations, Support Service    | D  | D  | P  | P  |   |    |    | D  | D  | P  |   |
| Agricultural Operations, Value Added        | P  |    |    |    | P | D  |    |    |    |    |   |
| Agricultural, Product Processing            | D  |    |    | P  |   |    |    | D  | D  | P  |   |
| Agri-tourism                                | P  |    | P  |    | P | D  |    |    |    |    |   |
| Air Supported and Fabric Covered Structures | P  |    | P  | P  |   |    | P  | D  | P  | P  |   |
| Animal Hospital and Shelter                 | D  | D  |    | P  |   |    |    | D  | D  | P  |   |
| Auctioneering Establishment, Indoor         | D  |    |    | P  |   |    |    | D  | P  | P  |   |
| Auctioneering Establishment, Outdoor        | D  |    |    | P  |   |    |    | D  | D  | P  |   |



P = PERMITTED USE  
 D = DISCRETIONARY USE

|   | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|---|---|----|----|----|---|----|----|----|----|----|
| Automotive and Equipment Sale, Repair, Rental, and Storage, Major | D |    | D  | P  |   |    |    | D  | D  | P  |
| Automotive and Equipment Sale, Repair, Rental, and Storage, Minor | P |    | P  | P  |   |    |    | P  | P  | P  |
| Bed and Breakfast Establishment                                   | P | D  | D  |    | P | D  |    |    |    |    |
| Breweries, Wineries, Distilleries                                 | D | D  | P  | D  | P |    |    |    | P  | D  |
| Broadcasting Studio   |   |    | P  | P  |   |    |    | D  | P  | D  |
| Business Support Service  |   | D  | P  | P  |   |    |    | P  | P  | P  |
| Campground  | D | D  |    |    | P | D  |    |    |    |    |
| Cannabis Cultivation  | P |    |    | D  | D |    |    | D  | D  | P  |
| Cannabis Production Facility                                      | D |    | D  | P  |   |    |    | D  | D  | P  |
| Cannabis Retail Sales   |   | D  | P  | D  | D |    |    | D  | P  | D  |
| Commercial Green Houses and Plant Nursery                         | D |    | P  |    | D | D  |    | P  | P  |    |
| Commercial Renewable and Alternate Energy Facility                | P |    | P  | P  |   |    | P  | P  | P  | P  |
| Commercial School   |   | D  | P  | P  |   |    |    | D  | P  |    |
| Commercial Storage  | D |    | P  | P  |   |    |    | P  | P  | P  |
| Commercial Storage, Temporary                                     | D |    | D  | P  |   |    |    | D  | D  | P  |
| Communal Living   | D | D  |    |    |   |    |    |    |    |    |
| Community Recreation  | P | P  | D  | D  | D | P  |    | D  | D  | D  |
| Compost Facilities – Class I                                      |   |    |    |    |   |    | P  |    |    |    |



P = PERMITTED USE  
D = DISCRETIONARY USE

|   | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|---|---|----|----|----|---|----|----|----|----|----|
| Compost Facilities – Class II                           |   |    |    |    |   |    | P  |    |    |    |
| Custodial Quarters                                      |   |    |    | P  |   |    |    | P  | P  | P  |
| Custom Workshop   | D | D  | D  | P  | D | D  |    | P  | P  | P  |
| Daycare Facility  | D | D  | P  |    |   | D  |    |    | P  |    |
| Drive-thru Business                                     |   | D  | P  | P  |   |    |    | D  | P  | P  |
| Dwelling, Accessory Unit (one)                          | D | D  | D  |    | D | D  |    |    |    |    |
| Dwelling, Semi Detached                                 |   | P  |    |    |   |    |    |    |    |    |
| Dwelling, Single Detached                               | P | P  | D  |    | P | P  |    |    |    |    |
| Equestrian Facility and Rodeo Arena                     | P | D  |    |    | P | D  |    |    |    |    |
| Equipment Rentals                                       | D | D  | P  | P  |   |    |    |    | P  | D  |
| Farm and Industrial Machinery Sale, Rental, and Service | D |    | D  | P  |   |    |    | D  | D  | P  |
| Fleet Services  |   |    | D  | P  |   |    |    | P  | P  | D  |
| Food and Beverage Products                              | D |    | P  | P  | P |    |    | P  | P  | D  |
| Food Service, Mobile Catering                           | D | D  | P  | P  | P | D  |    | P  | P  | D  |
| Food Service, Restaurant                                | D | D  | P  | D  | P | D  |    | P  | P  | D  |
| Food Service, Specialty                                 | D | D  | P  | D  | P | D  |    | D  | P  | D  |
| Fuels and Chemicals Sale and Storage                    |   |    |    | D  |   |    |    |    |    | D  |
| Funeral Services  |   |    | P  | P  |   |    |    | P  | P  |    |
| General Commercial Uses                                 | D | D  | P  | D  | D | D  |    | D  | P  |    |
| General Contractor Services                             | D | D  | P  | P  |   |    |    |    | P  | P  |



P = PERMITTED USE  
D = DISCRETIONARY USE

|                                    | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|------------------------------------|---|----|----|----|---|----|----|----|----|----|
| General Retail Stores              |   | D  | P  | D  | D |    |    | P  | P  | D  |
| Government Services                | P | P  | P  | P  |   | P  |    | P  | P  | P  |
| Group Home, Major                  | D | D  |    |    |   | D  |    |    |    |    |
| Group Home, Minor                  | P | P  |    |    |   | D  |    |    |    |    |
| Highway Commercial Use             | D | D  | P  | D  |   |    |    | D  | P  | D  |
| Home Occupations, Home Office      | P | P  | P  |    |   | P  |    |    |    |    |
| Home Occupations, Type I           | P | P  | P  |    |   | P  |    |    |    |    |
| Home Occupations, Type II          | D | D  | D  |    |   | D  |    |    |    |    |
| Home Parks                         | D | D  |    |    | D | D  |    |    |    |    |
| Indoor Participant Recreation Uses |   | D  | P  | D  | P |    |    | P  | D  |    |
| Industrial, Heavy                  |   |    |    |    |   |    | D  |    |    | D  |
| Industrial, Light                  |   | D  | D  | P  |   |    |    | P  | P  | P  |
| Industrial, Medium                 |   |    |    | D  |   |    |    | D  | D  | P  |
| Institutional Uses                 | D | D  | P  | D  | D | D  |    | D  | P  |    |
| Kennel                             | D |    |    | P  |   | D  |    |    |    | P  |
| Landfills – Class I                |   |    |    |    |   |    | D  |    |    |    |
| Landfills – Class II               |   |    |    |    |   |    | P  |    |    |    |
| Landfills – Class III              | D |    |    | D  |   |    | P  |    |    |    |
| Liquor Retail Sales                |   | D  | P  | D  | P |    |    | D  | P  | D  |
| Local Industrial Uses              | D | D  | D  | P  |   | D  |    |    | P  |    |
| Manufactured/Mobile Homes          | P | P  | D  |    | P | P  |    |    |    |    |



**P = PERMITTED USE**  
**D = DISCRETIONARY USE**

|  | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|--|---|----|----|----|---|----|----|----|----|----|
| Manufactured Home Parks                    |   | D  |    |    |   | D  |    |    |    |    |
| Municipal Shop and Storage Yard            | P |    |    | P  |   |    | P  | P  | P  | P  |
| Natural Resource Extraction Industry       | D |    |    | D  |   |    |    |    |    | D  |
| Oilfield Waste Related Facilities          |   |    |    |    |   |    | D  |    |    |    |
| Other Similar and Compatible Uses          | D | D  | D  | D  | D | D  | D  | D  | D  | D  |
| Outdoor Sale and Storage                   | D |    | P  | P  |   |    |    | P  | P  | P  |
| Personal Service Shops                     |   | D  | P  | D  | P |    |    |    | P  |    |
| Pet Care Service                           | D | D  | P  | P  |   |    |    |    | P  | P  |
| Pet Cemeteries                             | D |    |    |    |   |    |    |    |    |    |
| Professional and/or Administrative Offices |   | D  | P  | P  | P |    |    | P  | P  | P  |
| Public Parks and Playgrounds               | P | P  | P  | P  | P | P  |    | P  | P  | P  |
| Recreation, Intensive                      | D | D  | D  | D  | D | D  |    |    |    |    |
| Recreation, Extensive                      | P | P  |    |    | D |    |    | P  |    |    |
| Recreational Vehicle Uses                  | P | P  |    |    | P | P  |    |    |    |    |
| Recycling Depot                            | D | D  | P  | P  |   | D  |    | D  | P  | P  |
| Recycling Oil Depot                        |   |    |    | D  |   |    |    |    |    | D  |
| Recycling Plants                           |   |    |    | D  |   |    | P  |    |    | D  |
| Residential/ Security Caretaker Unit       |   |    | P  | P  | P |    |    | P  | P  | P  |
| Signs                                      | D | P  | P  | P  | P | D  | P  | P  | P  | P  |





P = PERMITTED USE  
 D = DISCRETIONARY USE

|  | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|--|---|----|----|----|---|----|----|----|----|----|
| Solar Collectors, Commercial           | P |    |    | P  | D |    | P  | P  |    | P  |
| Solar Collectors, Personal             | P | P  | P  | P  | P | P  | P  | P  | P  | P  |
| Special Event Venue                    | D |    | P  | D  | P | D  |    | D  | D  |    |
| Storage Sites                          | D |    |    | D  |   | D  | P  |    |    | D  |
| Supportive Housing                     | D | P  |    |    |   | P  |    |    |    |    |
| Temporary Accommodations               | P | D  |    |    | P | D  |    |    |    |    |
| Utility and Transportation Uses, Major | D |    |    | D  |   |    | D  | D  | D  | D  |
| Utility and Transportation Uses, Minor | P | P  | P  | P  |   | P  | P  | P  | P  | P  |
| Vehicle and Equipment Storage          | D |    | D  | P  |   |    |    | D  | D  | P  |
| Veterinary Service                     | D | D  | P  | D  |   | D  |    | D  | P  | P  |
| Visitor Accommodations                 | P | D  | D  |    | P | D  |    |    | D  |    |
| Warehouse Sales                        |   |    | P  | P  |   |    |    |    | P  | P  |



# 5.0 Land Use Districts + Overlay Regulations

## 5.1 Agricultural District – A

The general purpose of the Agricultural District (A) is to permit activities associated with primary agricultural production, and to preserve valuable agricultural land from inappropriate development. This district shall not contain a biomedical waste facility.

5.1.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- Accessory Building
- Accessory Use
- Agricultural Operations, Commercial
- Agricultural Operations, Primary
- Agricultural Operations, Secondary
- Agricultural Operations, Value Added
- Agri-tourism
- Air Supported and Fabric Covered Structures
- Automotive and Equipment Sale, Repair, Rental, and Storage, Minor
- Bed and Breakfast Establishment
- Cannabis Cultivation
- Commercial Renewable and Alternative Energy Facility
- Community Recreation
- Dwelling, Single Detached
- Equestrian Facility and Rodeo Arena
- Government Services
- Group Home, Minor
- Home Occupations, Home Office
- Home Occupations, Type I
- Manufactured/Mobile Homes
- Municipal Shop and Storage Yard
- Public Parks and Playgrounds
- Recreation, Extensive
- Recreational Vehicle Uses
- Solar Collectors, Commercial
- Solar Collectors, Personal
- Temporary Accommodations
- Utility and Transportation Uses, Minor
- Visitor Accommodations

### b. DISCRETIONARY USES

- Abattoir
- Agricultural Operations, Support Service
- Agricultural, Product Processing
- Animal Hospital and Shelter
- Auctioneering Establishment, Indoor
- Auctioneering Establishment, Outdoor



- Automotive and Equipment Sale, Repair, Rental and Storage, Major
- Breweries, Wineries, Distilleries
- Cannabis Production Facility
- Campground
- Commercial Green Houses and Plant Nursery
- Commercial Storage
- Commercial Storage, Temporary
- Communal Living
- Custom Workshop
- Daycare Facility
- Dwelling, Accessory Unit (one)
- Equipment Rentals
- Farm and Industrial Machinery Sale, Rental, and Service
- Food and Beverage Products
- Food Service, Mobile Catering
- Food Service, Restaurant
- Food Service, Specialty
- General Commercial Uses
- General Contractor Services
- Group Home, Major
- Highway Commercial Use
- Home Occupations, Type II
- Home Parks
- Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- Kennel
- Landfills – Class III
- Local Industrial Uses
- Natural Resource Extraction Industry
- Other Similar and Compatible Uses
- Outdoor Sale and Storage
- Pet Care Service
- Pet Cemeteries
- Recreation, Intensive
- Recycling Depot
- Renewable and Alternate Energy Facility
- Signs
- Special Event Venue
- Storage Sites
- Supportive Housing
- Utility and Transportation Uses, Major
- Vehicle and Equipment Storage
- Veterinary Service

5.1.2. Development regulations for development in the Agricultural District (A):

| REGULATION  | PROVISION   |
|---|---|
| <b>SITE DEVELOPMENT</b>   |   |
| Parcel Width (minimum)  | 7.5 m (24.6 ft)   |
| <b>PRINCIPAL BUILDING</b>   |   |
| Front and Flanking Yard Setback (minimum)<br><i>from centre line of a rural road</i><br><i>from centre line of a secondary road</i><br><i>from the centre line of a Highway</i> | 38.0 m (125.0 ft)<br>63.7 m (209.0 ft)<br>71.6 (235.0 ft) |
| Side Yard Setback (minimum)   | 6.1 m (20.0 ft)   |
| Rear Yard Setback (minimum)   | 7.6 m (25.0 ft)   |



| REGULATION  | PROVISION                               |
|---|---|
| Building Height (maximum)<br><i>for dwellings</i>   | 12.0 m (39.4 ft)                        |
| <b>ACCESSORY STRUCTURES</b>   |   |
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations. |
| Side Yard Setback (minimum)   |   |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   |   |
| <b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b> |   |

### SUBDIVISION REGULATIONS

- 5.1.3. The maximum number of lots allowed to be subdivided from a quarter section in the Agricultural District (A) shall be three (3), including the remnant parcel.
- 5.1.4. Regardless of 5.1.3, where a lot is created by the fragmentation caused by road, railroad, or watercourse, the lot shall be included in the total parcel count within a quarter section. Where a new road, railroad, or watercourse results in fragmentation, the County may provide an exemption that allows for more than two (2) single lots on the portion of the land.
- 5.1.5. Additionally, regardless of 5.1.3, land subdivided for school sites, community halls, religious assemblies, small scale utilities, cemeteries, shall be excluded from the total parcel count within a quarter section.
- 5.1.6. The future subdivision of the lot cannot occur unless:
  - a. a physical or natural feature fragment the lot; or
  - b. there is an amendment to the Municipal Development Plan providing the policy framework for the redistricting of lands to a different use.
- 5.1.7. Where a subdivision creates multi-lot subdivision a covenant shall be registered against the newly subdivided lots and the remnant lot noting that further subdivision cannot occur.
- 5.1.8. 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 (2) single lot country residential subdivisions per quarter section, as either a farmstead, fragmented parcel, and/or an undeveloped country residential site, shall be allowed.



- c. The area of the farmstead subdivision or undeveloped single lot country residential subdivision shall not normally be more than 4.0 ha (10 ac). 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; or
    - (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.
- 5.1.9. The waiver of the maximum 4.0 ha (10.0 ac) parcel size does not entitle the applicant/owner of the subdivision to further subdivision of the lot in the future.
- 5.1.10. A subdivision of a farmstead or undeveloped single lot country residential site may be permitted provided that the proposed site meets the following conditions:
- a. 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
  - b. there is adequate physical road access to the lot.
- 5.1.11. For fragmented parcels:
- a. The minimum lot size shall be 0.4 ha (1.0 ac); and
  - 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.
- 5.1.12. Country residential uses may be permitted on fragmented parcels provided that, in addition to the requirements of subsection 5.1.10(b) above, the proposed lot is not within the minimum distance separation (MDS) of a confined feeding operation.

## OTHER REGULATIONS

- 5.1.13. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
- 5.1.14. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



## 5.2 Urban General District – UG

The general purpose of the Urban General District (UG) 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. This district shall not contain a biomedical waste facility.

5.2.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- |                                 |  |
|---------------------------------|--|
| ▪ Accessory Building            | ▪ Home Occupations, Type I               |
| ▪ Accessory Use                 | ▪ Manufactured/Mobile Homes              |
| ▪ Community Recreation          | ▪ Public Parks and Playgrounds           |
| ▪ Dwelling, Semi Detached       | ▪ Recreation, Extensive                  |
| ▪ Dwelling, Single Detached     | ▪ Recreational Vehicle Uses              |
| ▪ Government Services           | ▪ Solar Collectors, Personal             |
| ▪ Group Home, Minor             | ▪ Supportive Housing                     |
| ▪ Home Occupations, Home Office | ▪ Utility and Transportation Uses, Minor |

### b. DISCRETIONARY USES

- |  |                                       |
|--|---------------------------------------|
| ▪ Abattoir                                 | ▪ Drive-thru Business                 |
| ▪ Agricultural Operations, Commercial      | ▪ Dwelling, Accessory Unit (one)      |
| ▪ Agricultural Operations, Support Service | ▪ Equestrian Facility and Rodeo Arena |
| ▪ Animal Hospital and Shelter              | ▪ Equipment Rentals                   |
| ▪ Bed and Breakfast Establishment          | ▪ Food Service, Mobile Catering       |
| ▪ Breweries, Wineries, Distilleries        | ▪ Food Service, Restaurant            |
| ▪ Business Support Service                 | ▪ Food Service, Specialty             |
| ▪ Campground                               | ▪ General Commercial Uses             |
| ▪ Cannabis Retail Sales                    | ▪ General Contractor Services         |
| ▪ Commercial School                        | ▪ General Retail Stores               |
| ▪ Communal Living                          | ▪ Group Home, Major                   |
| ▪ Custom Workshop                          | ▪ Highway Commercial Use              |
| ▪ Daycare Facility                         | ▪ Home Occupations, Type II           |



- Home Parks
- Indoor Participant Recreation Uses
- Industrial, Light
- Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- Liquor Retail Sales
- Local Industrial Uses
- Manufactured Home Parks
- Other Similar and Compatible Uses
- Personal Service Shops
- Pet Care Service
- Professional and/or Administrative Offices
- Recreation, Intensive
- Recycling Depot
- Signs
- Temporary Accommodations
- Veterinary Service
- Visitor Accommodations

5.2.2. Development regulations for development in the Urban General District (UG):

| REGULATION                                | PROVISION   |
|---|---|
| <b>SITE DEVELOPMENT</b>                   |   |
| Parcel Area (minimum)                     | <ul style="list-style-type: none"> <li><i>Unserviced</i> 1,858.1 m<sup>2</sup> (20,000 ft<sup>2</sup>)</li> <li><i>Water and Sewer Services</i> 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>)</li> <li><i>Sewer Service Only</i> 929.0 m<sup>2</sup> (10,000 ft<sup>2</sup>)</li> <li><i>Water Service Only</i> 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)</li> </ul> |
| Parcel Width (minimum)                    | <ul style="list-style-type: none"> <li><i>Unserviced</i> 30.5 m (100 ft)</li> <li><i>Water and Sewer Services</i> 15.2 m (50 ft)</li> <li><i>Sewer Service Only</i> 30.5 m (100 ft)</li> <li><i>Water Service Only</i> 30.5 m (100 ft)</li> </ul>   |
| <b>PRINCIPAL BUILDING</b>                 |   |
| Front Yard Setback (minimum)              | 7.6 m (25.0 ft)   |
| Flanking Yard Setback (minimum)           | 4.6 m (15.0 ft)   |
| Side Yard Setback (minimum)               | 10% of the lot width, but not less than 1.5 m (5.0 ft) on each side   |
| Rear Yard Setback (minimum)               | 7.6 m (25.0 ft)   |
| Building Height (maximum)                 | 12.0 m (39.4 ft)  |
| <b>ACCESSORY STRUCTURES</b>               |   |
| Front and Flanking Yard Setback (minimum) | Same as principal building regulations.   |
| Side Yard Setback (minimum)               |   |
| Rear Yard Setback (minimum)               |   |
| Building Height (maximum)                 | 4.9 m (16.1 ft)   |



| REGULATION   | PROVISION |
|--|-----------|
| NOTE: Reference other sections in this Bylaw for additional development regulations. |           |

### GENERAL RETAIL STORES

- 5.2.3. General retail stores in the Urban General District built adjacent to existing similar uses may be built without front or side yards where there is an adjacent lane access. Where there is no lane access one side yard of at least 4.6 m (15.0 ft) shall be provided.
- 5.2.4. Regardless of subsection 5.2.3 above, general retail stores built adjacent to existing residential uses must have a minimum side yard of 1.5 m (5.0 ft).

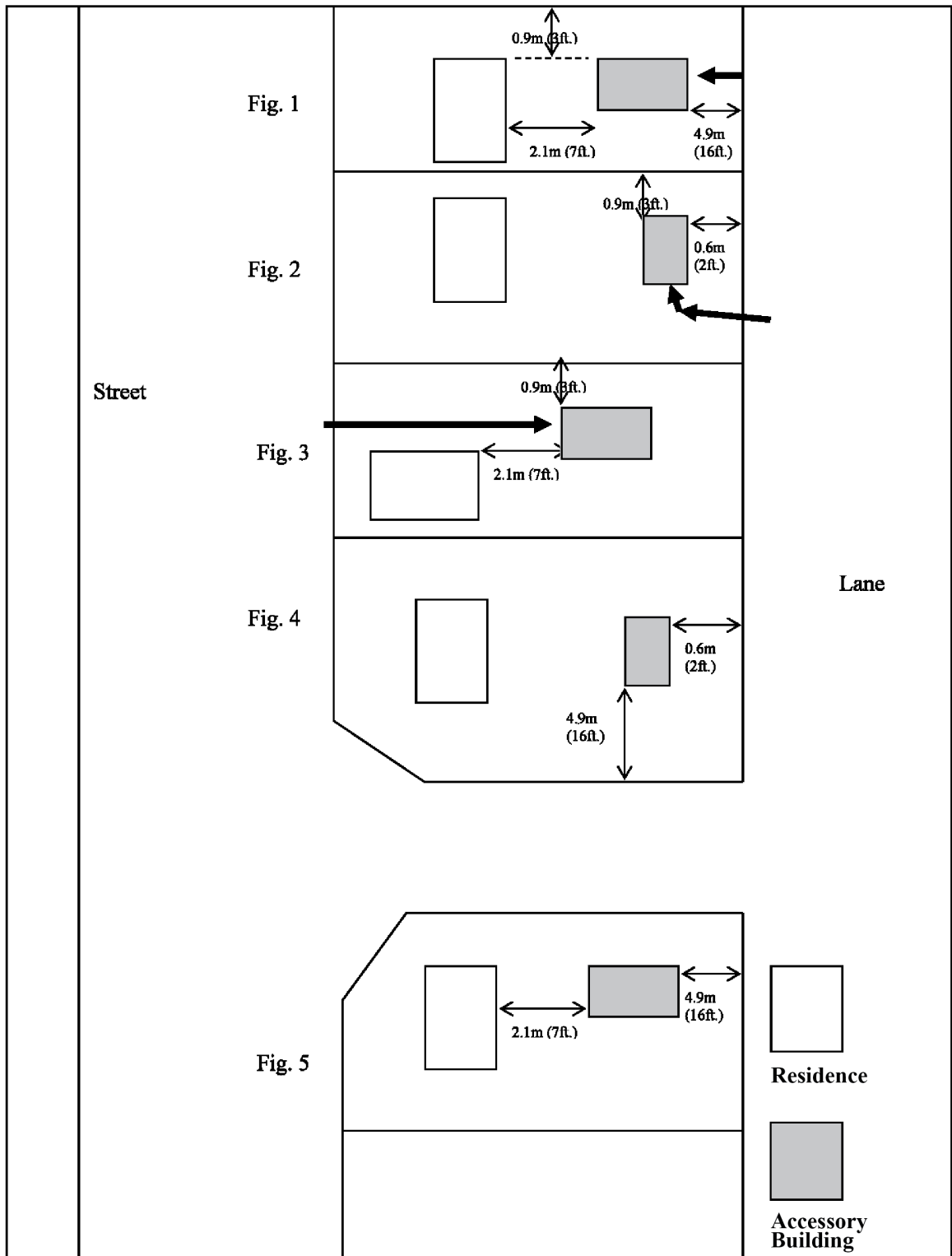
### ACCESSORY STRUCTURES

- 5.2.5. An accessory building shall not be used as a dwelling unless it meets all applicable *National Building Code* standards, *Alberta Safety Code* standards, and/or CSA A277 certification for a permanent dwelling, and a development permit is obtained.
- 5.2.6. The siting of a detached garage or other accessory building shall be in accordance with Figure 1.





▼ Figure 1: Accessory Structures in the Urban General District



- 5.2.7. The siting of an accessory building on an irregular shaped lot shall be as required by the Development Authority.
- 5.2.8. 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.

#### OTHER REGULATIONS

- 5.2.9. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
- 5.2.10. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



## 5.3 Rural Commercial District – RC

The general purpose of the Rural Commercial District (RC) is to regulate the development of commercial uses in accordance with the policies established in the Municipal Development Plan. This district shall not contain a biomedical waste facility.

5.3.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- Accessory Building
- Accessory Use
- Agricultural Operations, Commercial
- Agricultural Operations, Support Service
- Agri-tourism
- Air Supported and Fabric Covered Structures
- Automotive and Equipment Sale, Repair, Rental, and Storage, Minor
- Breweries, Wineries, Distilleries
- Broadcasting Studio
- Business Support Service
- Cannabis Retail Sales
- Commercial Green Houses and Plant Nursery
- Commercial School
- Commercial Storage
- Daycare Facility
- Drive-thru Business
- Equipment Rentals
- Food and Beverage Products
- Food Service, Mobile Catering
- Food Service, Restaurant
- Food Service, Specialty
- Funeral Services
- General Commercial Uses
- General Contractor Services
- General Retail Stores
- Government Services
- Highway Commercial Use
- Home Occupations, Home Office
- Home Occupations, Type I
- Indoor Participant Recreation Uses
- Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- Liquor Retail Sales
- Outdoor Sale and Storage
- Personal Service Shops
- Pet Care Service
- Professional and/or Administrative Offices
- Public Parks and Playgrounds
- Recycling Depot
- Renewable and Alternate Energy Facility
- Residential/Security Caretaker Unit
- Solar Collectors, Personal
- Special Event Venue
- Utility and Transportation Uses, Minor
- Veterinary Service
- Warehouse Sales



**b. DISCRETIONARY USES**

- |   |   |
|---|---|
| ▪ Abattoir  | ▪ Farm and Industrial Machinery Sale, Rental, and Service |
| ▪ Agricultural Operations, Primary                          | ▪ Fleet Services  |
| ▪ Agricultural Operations, Secondary                        | ▪ Home Occupations, Type II                               |
| ▪ Automotive and equipment sale, repair, and storage, Major | ▪ Industrial, Light                                       |
| ▪ Bed and Breakfast Establishment                           | ▪ Local Industrial Uses                                   |
| ▪ Cannabis Production Facility                              | ▪ Manufactured/Mobile Homes                               |
| ▪ Commercial Storage, Temporary                             | ▪ Other Similar and Compatible Uses                       |
| ▪ Community Recreation                                      | ▪ Recreation, Intensive                                   |
| ▪ Custom Workshop   | ▪ Signs   |
| ▪ Dwelling, Accessory Unit (one)                            | ▪ Vehicle and Equipment Storage                           |
| ▪ Dwelling, Single Detached                                 | ▪ Visitor Accommodations                                  |

5.3.2. Development regulations for development in the Rural Commercial District (RC):

| REGULATION                                  | PROVISION  |
|---|--|
| <b>SITE DEVELOPMENT</b>                     |  |
| Parcel Area (minimum)                       |  |
| <i>Unserviced</i>                           | 1,858.1 m <sup>2</sup> (20,000 ft <sup>2</sup> ) |
| <i>Water and Sewer Services</i>             | 557.4 m <sup>2</sup> (6,000 ft <sup>2</sup> )    |
| <i>Sewer Service Only</i>                   | 929.0 m <sup>2</sup> (10,000 ft <sup>2</sup> )   |
| <i>Water Service Only</i>                   | 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) |
| Parcel Width (minimum)                      |  |
| <i>Unserviced</i>                           | 30.5 m (100 ft)                                  |
| <i>Water and Sewer Services</i>             | 15.2 m (50 ft)                                   |
| <i>Sewer Service Only</i>                   | 30.5 m (100 ft)                                  |
| <i>Water Service Only</i>                   | 30.5 m (100 ft)                                  |
| <b>PRINCIPAL BUILDING</b>                   |  |
| Front and Flanking Yard Setback (minimum)   | 7.6 m (25.0 ft)                                  |
| <i>from centre line of a rural road</i>     | 38.0 m (125.0 ft ft)                             |
| <i>from centre line of a secondary road</i> | 63.7 m (209.0 ft ft)                             |
| <i>from the centre line of a Highway</i>    | 71.6 (235.0 ft)                                  |
| Side Yard Setback (minimum)                 | 6.0 m (20.0 ft)                                  |
| Rear Yard Setback (minimum)                 | 3.0 m (10.0 ft)                                  |
| Building Height (maximum)                   | 12.0 (39.4 ft)                                   |
| <b>ACCESSORY STRUCTURES</b>                 |  |



| REGULATION  | PROVISION                               |
|---|---|
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations. |
| Side Yard Setback (minimum)   |   |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   |   |
| <b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b> |   |

**OTHER REGULATIONS**

- 5.3.3. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
- 5.3.4. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



## 5.4 Rural Industrial District – RI

The general purpose of the Rural Industrial District (RI) 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.

5.4.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

a. **PERMITTED USES:**

- 
- Accessory Building
  - Accessory Use
  - Agricultural Operations, Commercial
  - Agricultural Operations, Primary
  - Agricultural Operations, Secondary
  - Agricultural Operations, Support Service
  - Agricultural, Product Processing
  - Air Supported and Fabric Covered Structures
  - Animal Hospital and Shelter
  - Auctioneering Establishment, Indoor
  - Auctioneering Establishment, Outdoor
  - Automotive and Equipment Sale, Repair, Rental, and Storage, Major
  - Automotive and Equipment Sale, Repair, Rental, and Storage, Minor
  - Broadcasting Studio
  - Business Support Service
  - Cannabis Production Facility
  - Commercial School
  - Commercial Storage
  - Commercial Storage, Temporary
  - Custodial Quarters
  - Custom Workshop
  - Drive-thru Business
  - Equipment Rentals
  - Farm and Industrial Machinery Sale, Rental, and Service
  - Fleet Services
  - Food and Beverage Products
  - Food Service, Mobile Catering
  - Funeral Services
  - General Contractor Services
  - Government Services
  - Industrial, Light
  - Kennel
  - Local Industrial Uses
  - Municipal Shop and Storage Yard
  - Outdoor Sale and Storage
  - Pet Care Service
  - Professional and/or Administrative Offices
  - Public Parks and Playgrounds
  - Recycling Depot
  - Renewable and Alternate Energy Facility
  - Residential/Security Caretaker Unit
  - Solar Collectors, Commercial
  - Solar Collectors, Personal
  - Utility and Transportation Uses, Minor
  - Vehicle and Equipment Storage
  - Warehouse Sales



**b. DISCRETIONARY USES**

|   |  |
|---|--|
| ▪ Abattoir  | ▪ Landfills – Class III                  |
| ▪ Breweries, Wineries, Distilleries   | ▪ Liquor Retail Sales                    |
| ▪ Cannabis Cultivation  | ▪ Natural Resource Extraction Industry   |
| ▪ Cannabis Retail Sales   | ▪ Other Similar and Compatible Uses      |
| ▪ Community Recreation  | ▪ Personal Service Shops                 |
| ▪ Food Service, Restaurant  | ▪ Recreation, Intensive                  |
| ▪ Food Service, Specialty   | ▪ Recycling Oil Depot                    |
| ▪ Fuels and Chemicals Sale and Storage  | ▪ Recycling Plants                       |
| ▪ General Commercial Uses   | ▪ Signs                                  |
| ▪ General Retail Stores   | ▪ Special Event Venue                    |
| ▪ Highway Commercial Use  | ▪ Storage Sites                          |
| ▪ Indoor Participant Recreation Uses  | ▪ Utility and Transportation Uses, Major |
| ▪ Industrial, Medium  | ▪ Veterinary Service                     |
| ▪ Institutional Uses (educational, medical, religious, cultural, public administration and other public uses) |  |

5.4.2. Development regulations for development in the Rural Industrial District (RI):

| REGULATION                                  | PROVISION                               |
|---|---|
| <b>SITE DEVELOPMENT</b>                     |   |
| Parcel Area (minimum)                       | 0.4 ha (1.0 ac)                         |
| Parcel Width (minimum)                      | 7.6 m (25.0 ft)                         |
| <b>PRINCIPAL BUILDING</b>                   |   |
| Front and Flanking Yard Setback (minimum)   | 7.6 m (25.0 ft)                         |
| <i>from centre line of a rural road</i>     | 38.0 m (125.0 ft ft)                    |
| <i>from centre line of a secondary road</i> | 63.7 m (209.0 ft ft)                    |
| <i>from the centre line of a Highway</i>    | 71.6 (235.0 ft)                         |
| Side Yard Setback (minimum)                 | 6.0 m (20.0 ft)                         |
| Rear Yard Setback (minimum)                 | 3.0 m (10.0 ft)                         |
| Building Height (maximum)                   | 12.0 m (39.4 ft)                        |
| <b>ACCESSORY STRUCTURES</b>                 |   |
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations. |
| Side Yard Setback (minimum)                 |   |
| Rear Yard Setback (minimum)                 |   |



| REGULATION   | PROVISION                               |
|--|---|
| Building Height (maximum)  | Same as principal building regulations. |
| NOTE: Reference other sections in this Bylaw for additional development regulations. |   |

### OTHER REGULATIONS

- 5.4.3. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
  
- 5.4.4. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.





## 5.5 Tourism District – T

The general purpose of the Tourism District (T) is to provide opportunities for tourism-related businesses and activities within the rural environment that promote the cultural, recreational, and natural attractions of the county, while balancing impacts on non-tourism related activities. This district shall not contain a biomedical waste facility.

5.5.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- |   |  |
|---|--|
| ▪ Accessory Building                        | ▪ Food Service, Restaurant                   |
| ▪ Accessory Use                             | ▪ Food Service, Specialty                    |
| ▪ Agricultural Operations, Primary          | ▪ Indoor Participant Recreation Uses         |
| ▪ Agricultural Operations, Value Added      | ▪ Liquor Retail Sales                        |
| ▪ Agri-tourism                              | ▪ Manufactured/Mobile Homes                  |
| ▪ Bed and Breakfast Establishment           | ▪ Personal Service Shops                     |
| ▪ Breweries, Wineries, Distilleries         | ▪ Professional and/or Administrative Offices |
| ▪ Campground                                | ▪ Public Parks and Playgrounds               |
| ▪ Commercial Green Houses and Plant Nursery | ▪ Recreation Vehicle Uses                    |
| ▪ Dwelling, Single Detached                 | ▪ Residential/Security Caretaker Unit        |
| ▪ Equestrian Facility and Rodeo Arena       | ▪ Solar Collectors, Personal                 |
| ▪ Food and Beverage Products                | ▪ Special Event Venue                        |
| ▪ Food Service, Mobile Catering             | ▪ Temporary Accommodations                   |
|   | ▪ Visitor Accommodations                     |

### b. DISCRETIONARY USES:

- |                                  |                                     |
|----------------------------------|-------------------------------------|
| ▪ Cannabis Cultivation           | ▪ Home Parks                        |
| ▪ Cannabis Retail Sales          | ▪ Institutional Uses                |
| ▪ Community Recreation           | ▪ Other Similar and Compatible Uses |
| ▪ Custom Workshop                | ▪ Recreation, Intensive             |
| ▪ Dwelling, Accessory Unit (one) | ▪ Recreation, Extensive             |
| ▪ General Commercial Uses        | ▪ Solar Collectors, Commercial      |
| ▪ General Retail Stores          | ▪ Signs                             |



5.5.2. Development regulations for development in the Tourism District (T):

| REGULATION  | PROVISION                               |
|---|---|
| <b>SITE DEVELOPMENT</b>   |   |
| Parcel Area (minimum)   | 2.0 ha (4.9 ac)                         |
| Parcel Width (minimum)  | 7.5 m (24.6 ft)                         |
| <b>PRINCIPAL BUILDING</b>   |   |
| Front and Flanking Yard Setback (minimum)   | 7.6 m (100.0 ft)                        |
| <i>from centre line of a rural road</i>   | 38.0 m (125.0 ft)                       |
| <i>from centre line of a secondary road</i>   | 63.7 m (209.0 ft)                       |
| <i>from the centre line of a Highway</i>  | 71.6 (235.0 ft)                         |
| Side Yard Setback (minimum)   | 6.0 m (20.0 ft)                         |
| Rear Yard Setback (minimum)   | 7.6 m (25.0 ft)                         |
| Building Height (maximum)   | 12.0 m (39.4 ft)                        |
| <b>ACCESSORY STRUCTURES</b>   |   |
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations. |
| Side Yard Setback (minimum)   |   |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   |   |
| <b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b> |   |

**ADDITIONAL DEVELOPMENT DESIGN REGULATIONS**

- 5.5.3. Outdoor storage and display areas shall be integrated with site landscaping provisions to mitigate the visual impact on adjacent lands, to the satisfaction of the Development Authority.
- 5.5.4. All parking and loading areas shall be visually screened with solid fencing and/or landscaping in a manner that would screen it from adjacent lands to the satisfaction of the Development Authority.
- 5.5.5. Waste and recycling containers, and waste material shall be stored inside or visually screened with solid fencing and/or landscaping in a manner that would screen it from adjacent lands to the satisfaction of the Development Authority.
- 5.5.6. If external audio equipment is provided, measures shall be taken to mitigate the impact of sound extending beyond the target audience, including orienting speaker stacks positioned in a way that is tilted downward.
- 5.5.7. Provisions under subsection 7.20 Special Event Venues shall be applicable to all permitted and discretionary uses in the Tourism District (T).



## ADDITIONAL DEVELOPMENT PERMIT REQUIREMENTS

- 5.5.8. On any application for development, the Development Authority shall, in addition to the requirements in subsection 8.2 Development Permit Application Contents of this Bylaw, request the following information be provided:
- a. Detailed site plans drawn to scale,
  - b. Estimated water demand and anticipated source,
  - c. Anticipated transportation routes to be used by users,
  - d. Storage areas,
  - e. Landscaping details,
  - f. Hours of operation,
  - g. Plans proposed to mitigate such nuisance factors as:
    - (i) dust,
    - (ii) odour,
    - (iii) visual appearance,
    - (iv) noise, and
    - (v) lighting,
  - h. and/or any such other information as may be reasonably required by the Development Authority.
- 5.5.9. The Development Authority may impose conditions requiring that the applicant/developer implement mitigating measures to reduce the nuisance factors listed in subsection 5.5.8.(g) above as items (i) to (v).

## OTHER REGULATIONS

- 5.5.10. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.
- 5.5.11. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.



## 5.6 Country Residential District – CR

The general purpose of the Country Residential District (CR) 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. This district shall not contain a biomedical waste facility.

5.6.1. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- |                                 |  |
|---------------------------------|--|
| ▪ Accessory Building            | ▪ Manufactured/Mobile Homes              |
| ▪ Accessory Use                 | ▪ Recreational Vehicle Uses              |
| ▪ Community Recreation          | ▪ Supportive Housing                     |
| ▪ Dwelling, Single Detached     | ▪ Solar Collectors, Personal             |
| ▪ Government Services           | ▪ Public Parks and Playgrounds           |
| ▪ Home Occupations, Type I      | ▪ Utility and Transportation Uses, Minor |
| ▪ Home Occupations, Home Office |  |

### b. DISCRETIONARY USES

- |   |   |
|---|---|
| ▪ Agricultural Operations, Primary          | ▪ Group Home, Minor   |
| ▪ Agricultural Operations, Value Added      | ▪ Home Occupations, Type II   |
| ▪ Agri-tourism                              | ▪ Home Parks  |
| ▪ Bed and Breakfast Establishment           | ▪ Institutional Uses (educational, medical, religious, cultural, public administration and other public uses) |
| ▪ Campground                                | ▪ Kennel  |
| ▪ Commercial Green Houses and Plant Nursery | ▪ Local Industrial Uses   |
| ▪ Custom Workshop                           | ▪ Manufactured Home Parks   |
| ▪ Daycare Facility                          | ▪ Other Similar and Compatible Uses   |
| ▪ Dwelling, Accessory Unit (one)            | ▪ Recreation, Intensive   |
| ▪ Equestrian Facility and Rodeo Arena       | ▪ Recycling Depot   |
| ▪ Food Service, Mobile Catering             | ▪ Signs   |
| ▪ Food Service, Restaurant                  | ▪ Special Event Venue   |
| ▪ Food Service Specialty                    | ▪ Storage Sites   |
| ▪ General Commercial Uses                   | ▪ Temporary Accommodations  |
| ▪ Group Home, Major                         |   |



- Veterinary Service
- Visitor Accommodations

#### 5.6.2. Development regulations for development in the Country Residential District (CR):

| REGULATION  | PROVISION                                       |
|---|---|
| <b>SITE DEVELOPMENT</b>   |   |
| Parcel Area (minimum)   | 1.2 ha (3.0 ac)                                 |
| Parcel Width (minimum)  | 7.6 m (25.0 ft)                                 |
| <b>PRINCIPAL BUILDING</b>   |   |
| Front and Flanking Yard Setback (minimum)   | 7.6 m (25.0 ft)                                 |
| <i>from centre line of a rural road</i>   | 38.0 m (125.0 ft ft)                            |
| <i>from centre line of a secondary road</i>   | 63.7 m (209.0 ft ft)                            |
| <i>from the centre line of a Highway</i>  | 71.6 (235.0 ft)                                 |
| Side Yard Setback (minimum)   | 6.1 m (20.0 ft)                                 |
| Rear Yard Setback (minimum)   | 7.6 m (25.0 ft)                                 |
| Building Height (maximum)   | At the discretion of the Development Authority. |
| <b>ACCESSORY STRUCTURES</b>   |   |
| Front and Flanking Yard Setback (minimum)   | Same as principal building setbacks.            |
| Side Yard Setback (minimum)   |   |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   |   |
| Building Area of Accessory Buildings (maximum)  | 223 m <sup>2</sup> (2,400 ft <sup>2</sup> )     |
| <b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b> |   |

### ACCESSORY BUILDINGS

- 5.6.3. Accessory 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.).

### MULTI-LOT SUBDIVISIONS

- 5.6.4. Where a site is fully or partially treed, all possible means should be undertaken to retain the maximum amount of tree cover, subject to the application of FireSmart principles.



- 5.6.5. The carrying capacity of the land proposed for subdivision and development must consider site conditions, environmental impacts, suitability and availability of municipal services and infrastructure, and other applicable factors.
- 5.6.6. Development adjacent to a municipal water and/or sewer system will be constructed with the necessary infrastructure to connect to the municipal utility system.
- 5.6.7. Country residential lots may be clustered or grouped to reduce potential land use conflicts, minimize service costs, and preserve environmentally sensitive areas, however each lot must contain a development envelope appropriate for the proposed utility servicing.
- 5.6.8. Internal road standards will be of a quality equal to, or higher than, the road to which it is linked. For example, where internal roads link to a hard-surfaced road, the internal roads will be constructed and hard surfaced to County standards. Where internal roads link to a gravel road, internal roads will be constructed and may be graveled or hard-surfaced to County standards.
- 5.6.9. The County will support alternative building methods which meet the *National Building Code* to encourage the development of more sustainable housing projects including, but not limited to, methods that reduce energy use and increase water efficiency through such elements as xeriscaping, innovative individual wastewater technologies, water use reduction, and solar or geothermal heating.
- 5.6.10. Multi-lot subdivision proposals may be required to implement wildfire mitigation measures as contained in the Partners in Protection Program, FireSmart: Protecting Your Community from Wildfire.
- 5.6.11. Mitigation measures include the following:
- a. buildings should be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the surrounding wildland;
  - b. new development should utilize fire retardant roofing and exterior wall materials such as, but not limited to, tile, metal or asphalt shingles (for roofs) and stucco, stone veneer, cement fiber, wood clapboard, brick, engineered wood, aluminum and seamless steel (for exterior walls).
  - c. Wooden shakes and shingles should not be used as roofing material and vinyl siding should not be used on any new structure.
- 5.6.12. The minimum lot sizes in a multi-lot subdivision in the Ministik Buffer Area as identified in the MDP shall be 16.2 ha (40 ac). Except in extraordinary circumstances, each lot should be generally equal in length and width.

## OTHER REGULATIONS

- 5.6.13. Personal recreational vehicles (quads, motorcycles, boats, camping trailers, motor homes, etc.) may be stored on country residential lots unless they are in disrepair and/or unduly interfere with the enjoyment of neighbouring properties.



- 5.6.14. No commercial storage will be allowed within the Country Residential District.
- 5.6.15. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
- 5.6.16. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



## 5.7 Landfill and Composting District – LC

The general purpose of the Landfill and Composting District (LC) 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. This district shall not contain a biomedical waste facility.

5.7.1. The following uses shall be permitted or discretionary in the Landfill and Composting district, with or without conditions, provided the application complies with the regulations in this Bylaw and to the satisfaction of the Development Authority:

### a. PERMITTED USES:

- |   |   |
|---|---|
| ▪ Accessory Building                          | ▪ Municipal Shop and Storage Yard         |
| ▪ Accessory Use                               | ▪ Recycling Plants                        |
| ▪ Air Supported and Fabric Covered Structures | ▪ Renewable and Alternate Energy Facility |
| ▪ Compost Facilities – Class I                | ▪ Solar Collectors, Commercial            |
| ▪ Compost Facilities – Class II               | ▪ Solar Collectors, Personal              |
| ▪ Landfills – Class II                        | ▪ Storage Sites                           |
| ▪ Landfills – Class III                       | ▪ Utility and Transportation Uses, Minor  |

### b. DISCRETIONARY USES

- |                                     |  |
|-------------------------------------|--|
| ▪ Industrial, Heavy                 | ▪ Other Similar and Compatible Uses      |
| ▪ Landfills – Class I               | ▪ Signs                                  |
| ▪ Oilfield Waste Related Facilities | ▪ Utility and Transportation Uses, Major |

## PROCEDURE FOR DEVELOPMENT

5.7.2. Prior to a decision on any application, the developer shall obtain operating approval from Provincial Authorities.

5.7.3. 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 for all uses. The Development Authority may consider comments from the adjacent landowners and any other agencies whose interest or jurisdiction may be affected.





- 5.7.4. On any application for development, the Development Authority shall, in addition to the requirements in subsection 8.2 Development Permit Application Contents 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,
  - 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,
  - l. and/or any such other information as may be reasonably required by the Development Authority.
- 5.7.5. The Development Authority may require an Environmental Impact Assessment be prepared by the applicant, at the applicant's cost, where there is uncertainty as to potential impacts or potential significant risk from the proposed development.
- 5.7.6. The Development Authority may, without in any way restricting their discretion, impose conditions requiring that the applicant/developer:
- a. implement the mitigating actions to reduce the factors listed in subsection 5.7.4(i) above as items (i) to (v);
  - b. provide the contribution to costs indicated in subsection 5.7.4(j) above; and
  - c. implement the recommendations of the Environmental Impact Assessment indicated in subsection 5.7.4 above to minimize the impact or risk from the proposed development.
- 5.7.7. All other regulations and requirements in the Landfill and Composting District shall be established at the discretion of the Development Authority.



- 5.7.8. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
- 5.7.9. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



## 5.8 Low Impact Eco-Friendly Industrial District – IE

The general purpose of the Low Impact Eco-Friendly Industrial District (IE) 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. This district shall not contain a biomedical waste facility.

5.8.1. The following uses shall be permitted or discretionary in the Low Impact Eco-Friendly Industrial district, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- |   |  |
|---|--|
| ▪ Accessory Building  | ▪ General Retail Stores                      |
| ▪ Accessory Use   | ▪ Government Services                        |
| ▪ Automotive and Equipment Sale, Repair, Rental, and Storage, Minor | ▪ Indoor Participant Recreation Uses         |
| ▪ Business Support Service  | ▪ Industrial, Light                          |
| ▪ Commercial Green Houses and Plant Nursery                         | ▪ Municipal Shop and Storage Yard            |
| ▪ Commercial Storage  | ▪ Outdoor Sale and Storage                   |
| ▪ Custodial Quarters  | ▪ Professional and/or Administrative Offices |
| ▪ Custom Workshop   | ▪ Public Parks and Playgrounds               |
| ▪ Fleet Services  | ▪ Recreation, Extensive                      |
| ▪ Food and Beverage Products  | ▪ Renewable and Alternate Energy Facility    |
| ▪ Food Service, Mobile Catering                                     | ▪ Residential/ Security Caretaker Unit       |
| ▪ Food Service, Restaurant  | ▪ Solar Collectors, Commercial               |
| ▪ Funeral Services  | ▪ Solar Collectors, Personal                 |
|   | ▪ Utility and Transportation Uses, Minor     |

### b. DISCRETIONARY USES

- |   |   |
|---|---|
| ▪ Agricultural Operations, Primary            | ▪ Auctioneering Establishment, Indoor                               |
| ▪ Agricultural Operations, Secondary          | ▪ Auctioneering Establishment, Outdoor                              |
| ▪ Agricultural Operations, Support Service    | ▪ Automotive and Equipment Sale, Repair, Rental, and Storage, Major |
| ▪ Agricultural, Product Processing            | ▪ Broadcasting Studio   |
| ▪ Air Supported and Fabric Covered Structures | ▪ Cannabis Cultivation  |
| ▪ Animal Hospital and Shelter                 | ▪ Cannabis Production Facility                                      |



- Cannabis Retail Sales
- Commercial School
- Commercial Storage, Temporary
- Community Recreation
- Drive-thru Business
- Farm and Industrial Machinery Sale, Rental, and Service
- Food Service, Specialty
- General Commercial Uses
- Highway Commercial Use
- Industrial, Medium
- Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)
- Liquor Retail Sales
- Other Similar and Compatible Uses
- Recycling Depot
- Signs
- Special Event Venue
- Utility and Transportation Uses, Major
- Vehicle and Equipment Storage
- Veterinary Service

5.8.2. Development regulations for development in the Low Impact Eco-Friendly Industrial district (IE):

| REGULATION  | PROVISION   |
|---|---|
| <b>SITE DEVELOPMENT</b>   |   |
| Parcel Area (minimum)   | 500 m <sup>2</sup> (5,382 ft <sup>2</sup> )   |
| Parcel Width (minimum)  | 7.5 m (24.6 ft)   |
| <b>PRINCIPAL BUILDING</b>   |   |
| Front and Flanking Yard Setback (minimum)<br><i>from centre line of a rural road</i><br><i>from centre line of a secondary road</i><br><i>from the centre line of a Highway</i> | 38.0 m (125.0 ft ft)<br>63.7 m (209.0 ft ft)<br>71.6 (235.0 ft)   |
| Side Yard Setback (minimum)   | If bordering the Low Impact Eco-Friendly Industrial district, Medium Industrial district or the Business/Light Industrial district, no setback.<br>When bordering all other districts, 7.5 m (24.6 ft). |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   | At the discretion of the Development Authority.   |
| <b>ACCESSORY STRUCTURES</b>   |   |
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations.   |
| Side Yard Setback (minimum)   |   |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   |   |
| <b>NOTE: Reference other sections in this Bylaw for additional development regulations.</b>   |   |



## OTHER REGULATIONS

- 5.8.3. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
- 5.8.4. In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



## 5.9 Business/Light Industrial District – IL

The general purpose of the Business/Light Industrial District (IL) 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.

5.9.1. The following uses shall be permitted or discretionary in the Business/Light Industrial district, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- |   |   |
|---|---|
| ▪ Accessory Building  | ▪ Funeral Services  |
| ▪ Accessory Use   | ▪ General Commercial Uses   |
| ▪ Air Supported and Fabric Covered Structures                       | ▪ General Contractor Services   |
| ▪ Auctioneering Establishment, Indoor                               | ▪ General Retail Stores   |
| ▪ Automotive and Equipment Sale, Repair, Rental, and Storage, Minor | ▪ Government Services   |
| ▪ Breweries, Wineries, Distilleries                                 | ▪ Highway Commercial Use  |
| ▪ Broadcasting Studio   | ▪ Industrial, Light   |
| ▪ Business Support Service  | ▪ Institutional Uses (educational, medical, religious, cultural, public administration and other public uses) |
| ▪ Cannabis Retail Sales   | ▪ Liquor Retail Sales   |
| ▪ Commercial Green Houses and Plant Nursery                         | ▪ Local Industrial Uses   |
| ▪ Commercial School   | ▪ Municipal Shop and Storage Yard   |
| ▪ Commercial Storage  | ▪ Outdoor Sale and Storage  |
| ▪ Custodial Quarters  | ▪ Personal Service Shops  |
| ▪ Custom Workshop   | ▪ Pet Care Service  |
| ▪ Daycare Facility  | ▪ Professional and/or Administrative Offices  |
| ▪ Drive-thru Business   | ▪ Public Parks and Playgrounds  |
| ▪ Equipment Rentals   | ▪ Recycling Depot   |
| ▪ Fleet Services  | ▪ Renewable and Alternate Energy Facility   |
| ▪ Food and Beverage Products  | ▪ Residential/ Security Caretaker Unit  |
| ▪ Food Service, Mobile Catering                                     | ▪ Solar Collectors, Personal  |
| ▪ Food Service, Restaurant  | ▪ Utility and Transportation Uses, Minor  |
| ▪ Food Service, Specialty   | ▪ Veterinary Service  |
|   | ▪ Warehouse Sales   |



**b. DISCRETIONARY USES**

- |   |   |
|---|---|
| ▪ Agricultural Operations, Commercial                               | ▪ Community Recreation                                    |
| ▪ Agricultural Operations, Primary                                  | ▪ Farm and Industrial Machinery Sale, Rental, and Service |
| ▪ Agricultural Operations, Secondary                                | ▪ Indoor Participant Recreation Uses                      |
| ▪ Agricultural Operations, Support Service                          | ▪ Industrial, Medium                                      |
| ▪ Agricultural, Product Processing                                  | ▪ Other Similar and Compatible Uses                       |
| ▪ Animal Hospital and Shelter                                       | ▪ Signs   |
| ▪ Automotive and Equipment Sale, Repair, Rental, and Storage, Major | ▪ Special Event Venue                                     |
| ▪ Auctioneering Establishment, Outdoor                              | ▪ Utility and Transportation Uses, Major                  |
| ▪ Cannabis Cultivation  | ▪ Vehicle and Equipment Storage                           |
| ▪ Cannabis Production Facility                                      | ▪ Visitor Accommodations                                  |
| ▪ Commercial Storage, Temporary                                     |   |

5.9.2. Development regulations for development in the Business/Light Industrial district (IL):

| REGULATION                                  | PROVISION  |
|---|--|
| <b>SITE DEVELOPMENT</b>                     |  |
| Parcel Area (minimum)                       | 500 m <sup>2</sup> (5,382 ft <sup>2</sup> )  |
| Parcel Width (minimum)                      | 7.5 m (24.6 ft)  |
| <b>PRINCIPAL BUILDING</b>                   |  |
| Front and Flanking Yard Setback (minimum)   | 3.0 m (9.8 ft)   |
| <i>from centre line of a rural road</i>     | 38.0 m (125.0 ft ft)   |
| <i>from centre line of a secondary road</i> | 63.7 m (209.0 ft ft)   |
| <i>from the centre line of a Highway</i>    | 71.6 (235.0 ft)  |
| Side Yard Setback (minimum)                 | If bordering the Medium Industrial district or the Business/Light Industrial district, no setback.<br>When bordering all other districts, 7.5 m (24.6 ft). |
| Rear Yard Setback (minimum)                 |  |
| Building Height (maximum)                   | 12.0 m (39.4 ft)   |
| <b>ACCESSORY STRUCTURES</b>                 |  |
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations.  |
| Side Yard Setback (minimum)                 |  |
| Rear Yard Setback (minimum)                 |  |
| Building Height (maximum)                   |  |



| REGULATION   | PROVISION |
|--|-----------|
| NOTE: Reference other sections in this Bylaw for additional development regulations. |           |

### OTHER REGULATIONS

- 5.9.3. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
  
- 5.9.4. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.





## 5.10 Medium Industrial District – IM

The general purpose of the Medium Industrial District (IM) 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.

5.10.1. The following uses shall be permitted or discretionary in the Medium Industrial district, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

### a. PERMITTED USES:

- |   |   |
|---|---|
| ▪ Accessory Building  | ▪ Drive-thru Business                                     |
| ▪ Accessory Use   | ▪ Farm and Industrial Machinery Sale, Rental, and Service |
| ▪ Agricultural Operations, Commercial                               | ▪ General Contractor Services                             |
| ▪ Agricultural Operations, Secondary                                | ▪ Government Services                                     |
| ▪ Agricultural Operations, Support Service                          | ▪ Industrial, Light                                       |
| ▪ Agricultural, Product Processing                                  | ▪ Industrial, Medium                                      |
| ▪ Air Supported and Fabric Covered Structures                       | ▪ Kennel  |
| ▪ Animal Hospital and Shelter                                       | ▪ Municipal Shop and Storage Yard                         |
| ▪ Automotive and Equipment Sale, Repair, Rental, and Storage, Major | ▪ Outdoor Sale and Storage                                |
| ▪ Automotive and Equipment Sale, Repair, Rental, and Storage, Minor | ▪ Pet Care Service  |
| ▪ Auctioneering Establishment, Indoor                               | ▪ Professional and/or Administrative Offices              |
| ▪ Auctioneering Establishment, Outdoor                              | ▪ Public Parks and Playgrounds                            |
| ▪ Business Support Service  | ▪ Recycling Depot   |
| ▪ Cannabis Cultivation  | ▪ Renewable and Alternate Energy Facility                 |
| ▪ Cannabis Production Facility                                      | ▪ Residential/ Security Caretaker Unit                    |
| ▪ Commercial Storage  | ▪ Solar Collectors, Commercial                            |
| ▪ Commercial Storage, Temporary                                     | ▪ Solar Collectors, Personal                              |
| ▪ Custodial Quarters  | ▪ Utility and Transportation Uses, Minor                  |
| ▪ Custom Workshop   | ▪ Vehicle and Equipment Storage                           |
|   | ▪ Veterinary Service                                      |
|   | ▪ Warehouse Sales   |



**b. DISCRETIONARY USES**

- Agricultural Operations, Primary
- Breweries, Wineries, Distilleries
- Broadcasting Studio
- Cannabis Retail Sales
- Community Recreation
- Equipment Rentals
- Fleet Services
- Food and Beverage Products
- Food Service, Mobile Catering
- Food Service, Restaurant
- Food Service, Specialty
- Fuels and Chemicals Sale and Storage
- General Retail Stores
- Highway Commercial Use
- Industrial, Heavy
- Liquor Retail Sales
- Natural Resource Extraction Industry
- Other Similar and Compatible Uses
- Recycling Oil Depot
- Recycling Plants
- Signs
- Storage Sites
- Utility and Transportation Uses, Major

5.10.2. Development regulations for development in the Medium Industrial district (IM):

| REGULATION  | PROVISION   |
|---|---|
| <b>SITE DEVELOPMENT</b>   |   |
| Parcel Area (minimum)   | 500 m <sup>2</sup> (5,382 ft <sup>2</sup> )                                 |
| Parcel Width (minimum)  | 7.5 m (24.6 ft)   |
| <b>PRINCIPAL BUILDING</b>   |   |
| Front and Flanking Yard Setback (minimum)<br><i>from centre line of a rural road</i><br><i>from centre line of a secondary road</i><br><i>from the centre line of a Highway</i> | 3.0 m (9.8 ft)<br>38.0 m (125.0 ft)<br>63.7 m (209.0 ft)<br>71.6 (235.0 ft) |
| Side Yard Setback (minimum)   | If bordering the Medium Industrial district, no setback.                    |
| Rear Yard Setback (minimum)   | When bordering all other districts, 7.5 m (24.6 ft)                         |
| Building Height (maximum)   | No maximum  |
| REGULATION  | PROVISION   |
| <b>ACCESSORY STRUCTURES</b>   |   |
| Front and Flanking Yard Setback (minimum)   | Same as principal building regulations.                                     |
| Side Yard Setback (minimum)   |   |
| Rear Yard Setback (minimum)   |   |
| Building Height (maximum)   |   |



| REGULATION   | PROVISION |
|--|-----------|
| NOTE: Reference other sections in this Bylaw for additional development regulations. |           |

## OTHER REGULATIONS

- 5.10.3. Based off the nature of the development permit application, the County may require the applicant to enter into a road use agreement.
  
- 5.10.4. In addition to the regulations listed above, permitted, and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.



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## 5.11 Crown Lands District – CL

The general purpose of the Crown Lands District (CL) is to provide the County the opportunity to provide input on the potential impact of land uses and development on those lands governed and managed by the Crown and enter into agreements when the County's infrastructure is impacted by those uses. This district shall not contain a biomedical waste facility.

- 5.11.1. All uses in the Crown Lands District shall be determined by provincial or federal agencies with input from the County.
- 5.11.2. All regulations in the Crown Lands District shall be at the discretion of the Development Authority and shall be determined in collaboration with the appropriate provincial or federal department(s) and the applicant.
- 5.11.3. If the development leverages municipal roadways for access, the County may require that the applicant enter into a road use agreement.
- 5.11.4. If the development leverages any other County infrastructure, the applicant may be required to enter into an agreement with the County for the use of the infrastructure.
- 5.11.5. If the Crown sells the land to another entity where it is no longer considered Crown Land, the owner will be required to amend this Bylaw to redistrict the lands to the appropriate district that meets the existing use or proposed use.
- 5.11.6. If the Crown signs a long-term lease agreement (20+ years) with an applicant, the County shall align the use with the appropriate district and apply the applicable regulations of that district. The lands shall be redistricted accordingly.



## 5.12 Direct Control – DC

The purpose of the Direct Control District (DC) is to enable Council to exercise particular control over the use and development of land and buildings in any such manner as Council may consider necessary.

- 5.12.1. In those areas shown as Direct Control on the Land Use District Maps, Council may, subject to the Municipal Development Plan, regulate and control the use or development of land or buildings in any manner it considers necessary.
- 5.12.2. The Direct Control Districts shall only be applied to an area or parcel to regulate a specific proposed development under the following circumstances:
  - a. The proposed development exceeds the development provisions of the closest equivalent conventional district;
  - b. The proposed development requires specific comprehensive regulations to ensure land use conflicts with surrounding properties are minimized;
  - c. The site for the proposed development has unique characteristics that require specific regulations; or
  - d. The ongoing operation of the proposed development requires specific regulations.

### LAND USE AMENDMENT APPLICATIONS AND STANDARDS

- 5.12.3. The applicant shall submit a site plan and a written description explaining why the Direct Control District is warranted to the satisfaction of the Development Authority. The site plan shall be appended to the Direct Control Bylaw, and development shall generally conform to the Plan.
- 5.12.4. A public hearing on the application will be held in accordance with the *MGA* to receive input from the applicant and affected landowners. The public hearing shall be advertised at least two (2) weeks prior to the hearing date, a sign shall be posted on the subject property describing the amendment, and surrounding landowners will be notified of the amendment.
- 5.12.5. All Land Use Bylaw Regulations of general application shall apply to the Direct Control District unless such Regulations are specifically excluded or modified by Council.

### ADDITIONAL REGULATIONS

- 5.12.6. Uses allowed shall be at the discretion of Council.
- 5.12.7. All development regulations shall be at the discretion of Council.



- 5.12.8. This District should not be used in substitution for any other District that could be used to achieve the same objective either with or without variances or relaxations of this Bylaw or to regulate matters typically addressed through Subdivision or Development Permit approval conditions.

## DEVELOPMENT APPLICATION DECISIONS

- 5.12.9. All development applications within a Direct Control District shall be referred to Council or Council's delegate(s) for a decision. The Council may impose any conditions which may be deemed necessary to minimize conflicts with neighboring properties.
- 5.12.10. If the development application is minor in nature and does not change the intent of the original Land Use Amendment Application, Council may waive the public hearing requirement in accordance with Section 692(6) of the *MGA*.
- 5.12.11. The Development Officer shall issue a development permit in accordance with the Council decision as if it were a Permitted Use.
- 5.12.12. There is no appeal of a development permit within a Direct Control District unless the Development Authority did not follow statutory procedure when issuing a decision in accordance with the *MGA*.
- 5.12.13. Any future changes in use or change in size to the building or structure will require the approval of Council.

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## 5.13 Airport Protection Overlay

- 5.13.1. The purpose of the Airport Protection Overlay is to regulate and control the use and development of land and buildings adjacent to, or in the vicinity of, the Airports to ensure compatibility between Airport operations and development within the Airport Protection Overlay boundary.
- 5.13.2. Within the areas shown in Schedule A: Airport Protection Overlay, the Development Authority shall consider the potential impact of any proposed development over 10.0 m (32.8 ft.) in height on the operations of the airport. Conditions of any approval may take the potential impact into account.
- 5.13.3. No person shall use or develop, or permit another person to use or develop land in a manner that causes interference with any signal or communication:
- to or from an aircraft; or
  - to or from any facility used to provide services to aeronautics.
- 5.13.4. If a development permit application is made for a development located within the Airport Protection Overlay, the Development Authority may request the applicant to provide data and information, from a qualified company and/or individual, on the impact of the proposed development on any signal or communication:



- a. to or from an aircraft; or
  - b. to or from any facility used to provide services to aeronautics.
- 5.13.5. No person shall use or develop or permit another person to use or develop lands in any way that may attract wildlife, particularly birds, that may create a hazard for aviation safety. Stormwater management should use dry ponds versus wet ponds within the overlay area outlined in Schedule A.

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## 5.14 Landfill Setback Overlay

- 5.14.1. The purpose of the Landfill Overlay is to regulate and control the use and development of land and buildings adjacent to, or in the vicinity of, waste facilities to achieve compatibility between uses.
- 5.14.2. Within the areas shown in Schedule B: Landfill Setback Overlay, the Development Authority shall consider the potential non-compatibility of proposed land uses, specifically those outlined in subsection 6.4 Development Near Landfills, and otherwise regulated by provincial or federal authorities.

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## 5.15 Sanitary Facilities Overlay

- 5.15.1. The purpose of the Sanitary Facilities Overlay is to regulate and control the use and development of land and buildings adjacent to, or in the vicinity of, Sanitary Facilities to achieve compatibility.
- 5.15.2. Where areas shown in Schedule C: Sanitary Facilities Overlay, the Development Authority shall consider the potential non-compatibility of proposed land uses, specifically those outlined in subsection 6.7 Development Near Sanitary Facilities and otherwise regulated by provincial or federal authorities.



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# PART 3 GENERAL REGULATIONS





## 6.0 General Regulations

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### 6.1 Access and Parking

- 6.1.1. In all districts, approaches and exits onto public roadways shall only be permitted at locations approved by the Development Authority (see subsection 6.3 Development Near Highways, Secondary, and Rural Roads).
- 6.1.2. No parking on municipal roads is permitted in the County, unless explicit consent has been provided by the Development Authority.
- 6.1.3. A parking space shall not be less than 2.5 m (8.5 ft) in width nor less than 5.5 m (18.0 ft) in length and shall be located on the same lot as the principal building or use.
- 6.1.4. Unless otherwise approved by the Development Authority, a loading space shall be located on the same lot as the principal building or use.
- 6.1.5. 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.

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### 6.2 Development Near Confined Feeding Operations

- 6.2.1. Confined feeding operations are regulated by the Natural Resources Conservation Board in accordance with provincial regulations and are exempt from municipal control under this Bylaw.
- 6.2.2. Regardless of subsection 6.2.1 above, confined feeding operations shall be consistent with applicable policies from the Municipal Development Plan and the Minimum Distance Separation (MDS) under the provincial regulations.
- 6.2.3. Development adjacent to confined feeding operations shall follow all minimum setback requirements as prescribed by provincial legislation and applicable regulation. The Development Authority shall restrict the development of incompatible land uses adjacent to confined feeding operations and shall ensure that an appropriate setback based on the Minimum Distance Separation (MDS) formula is maintained.
- 6.2.4. Upon receipt of a development or subdivision application for a non-intensive agricultural use or a non-agricultural use within the Agricultural District, the Development Authority shall:
  - a. plot the location of the proposed development on the most recent available land use map showing the location of known confined feeding operations;



- b. determine whether there are any existing confined feeding operations within 1,000 m (3,280 ft) of the proposed development;
- c. where an apparent conflict is present, attempt to make contact with the operator of the confined feeding operation to determine the current operational status of the facility and to advise of the proposed development;
- d. where potential conflict appears likely, undertake a site inspection to determine the capacity of the confined feeding operation and the separation distance from the proposed development in accordance with the procedures established pursuant to the current version of the *Agricultural Operations Practices Act, Part 2 Livestock and Manure*; and
- e. calculate the Minimum Distance Separation (MDS) for Non-Agricultural Development.

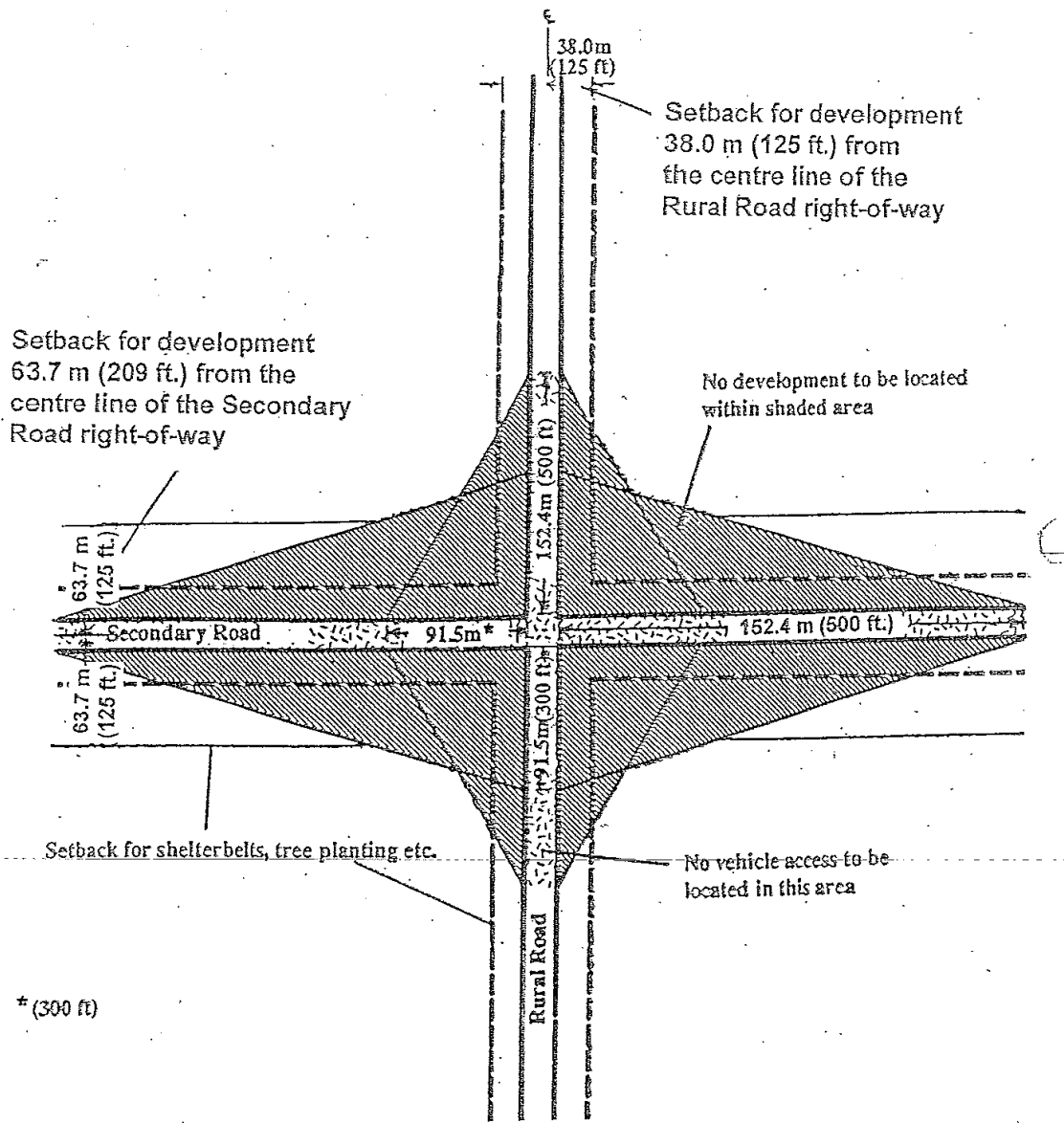
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## 6.3 Development Near Highways, Secondary, and Rural Roads

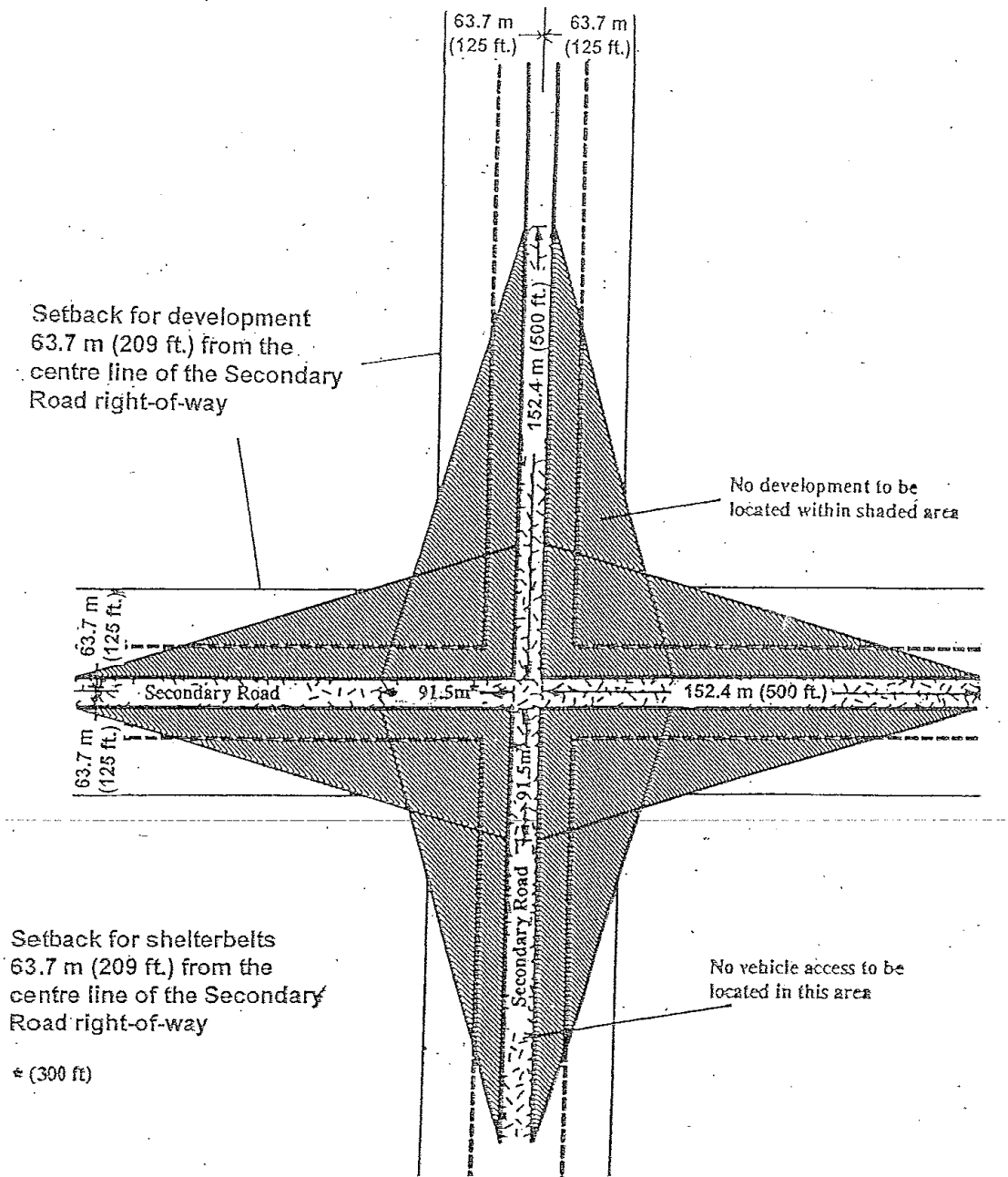
- 6.3.1. No development permit shall be issued for development within 1.6 km (1.0 mi) of the boundary of the right-of-way of a highway until a permit under regulations made in accordance with the *Public Highways Development Act*, has been issued by the appropriate provincial authority.
- 6.3.2. Standard 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.
- 6.3.3. 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 2.
  - b. At the intersection to two secondary roads, no development shall be permitted within the area as illustrated in Figure 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 4.



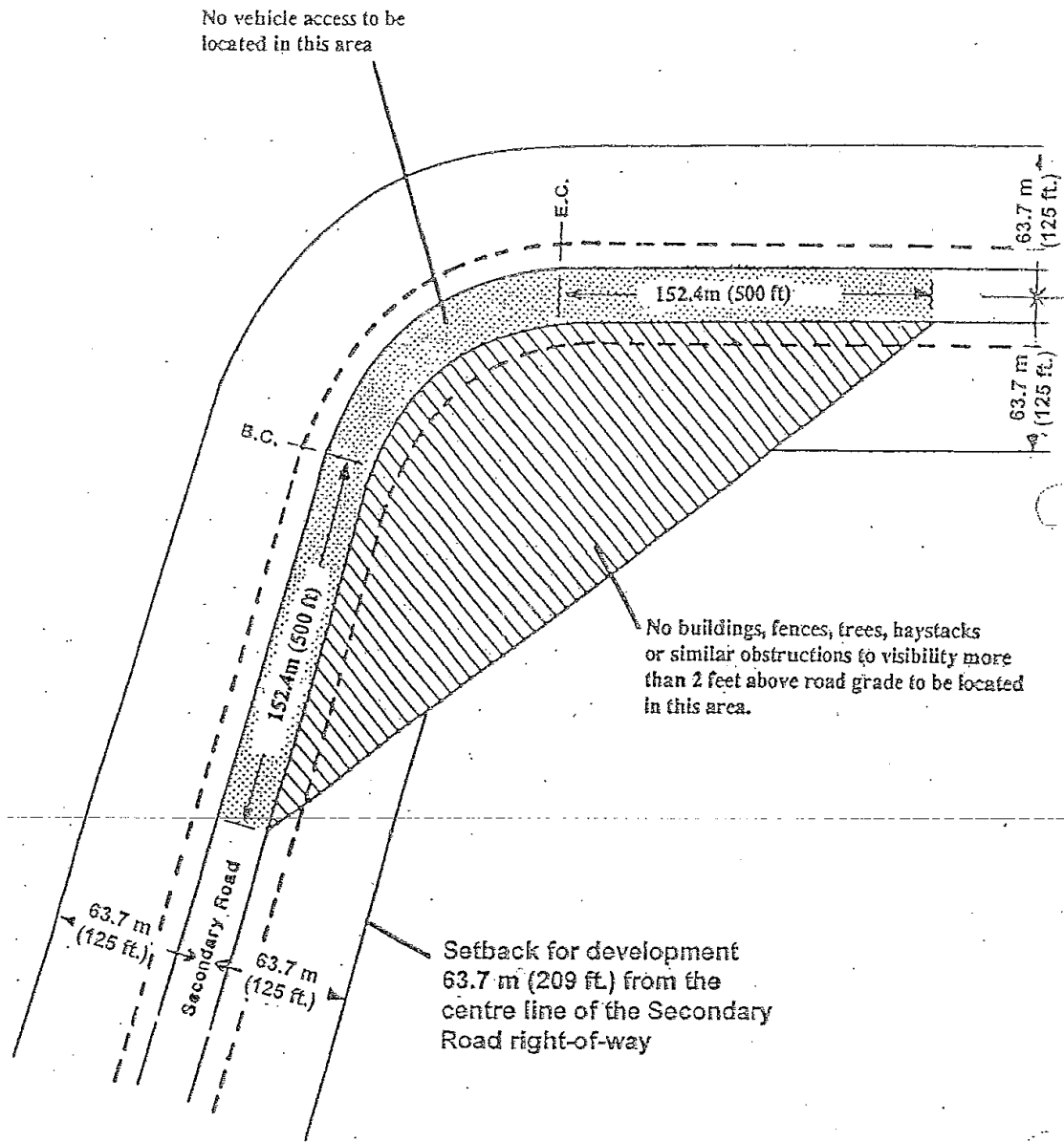
▼ Figure 2: Intersection between secondary and rural roads



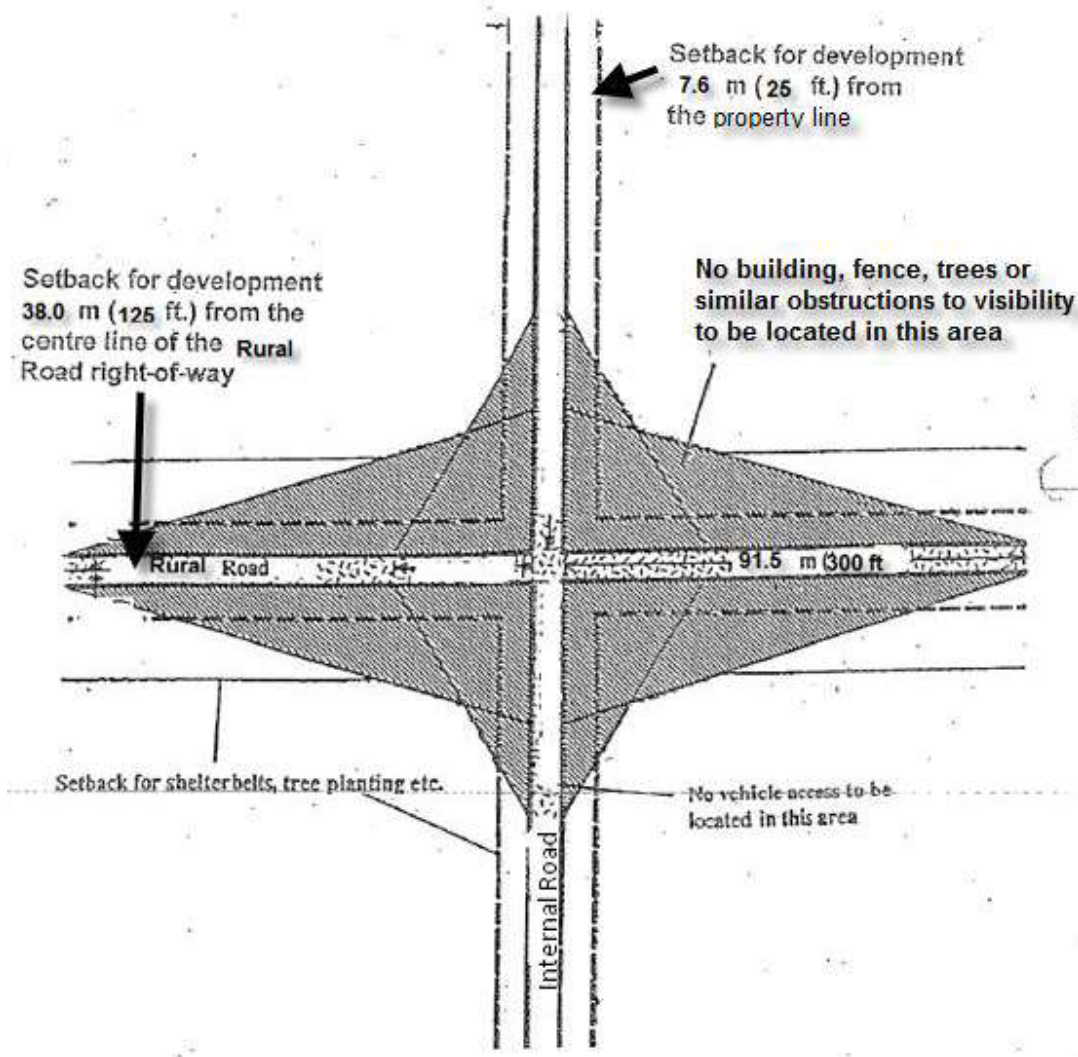
▼ Figure 3: Intersection between two secondary roads



▼ Figure 4: Degree of curvature greater than 20 degrees



▼ Figure 5: Intersection between rural roads and internal roads



6.3.4. Access/Egress Setback (As illustrated in Figures 2, 3 and 4)

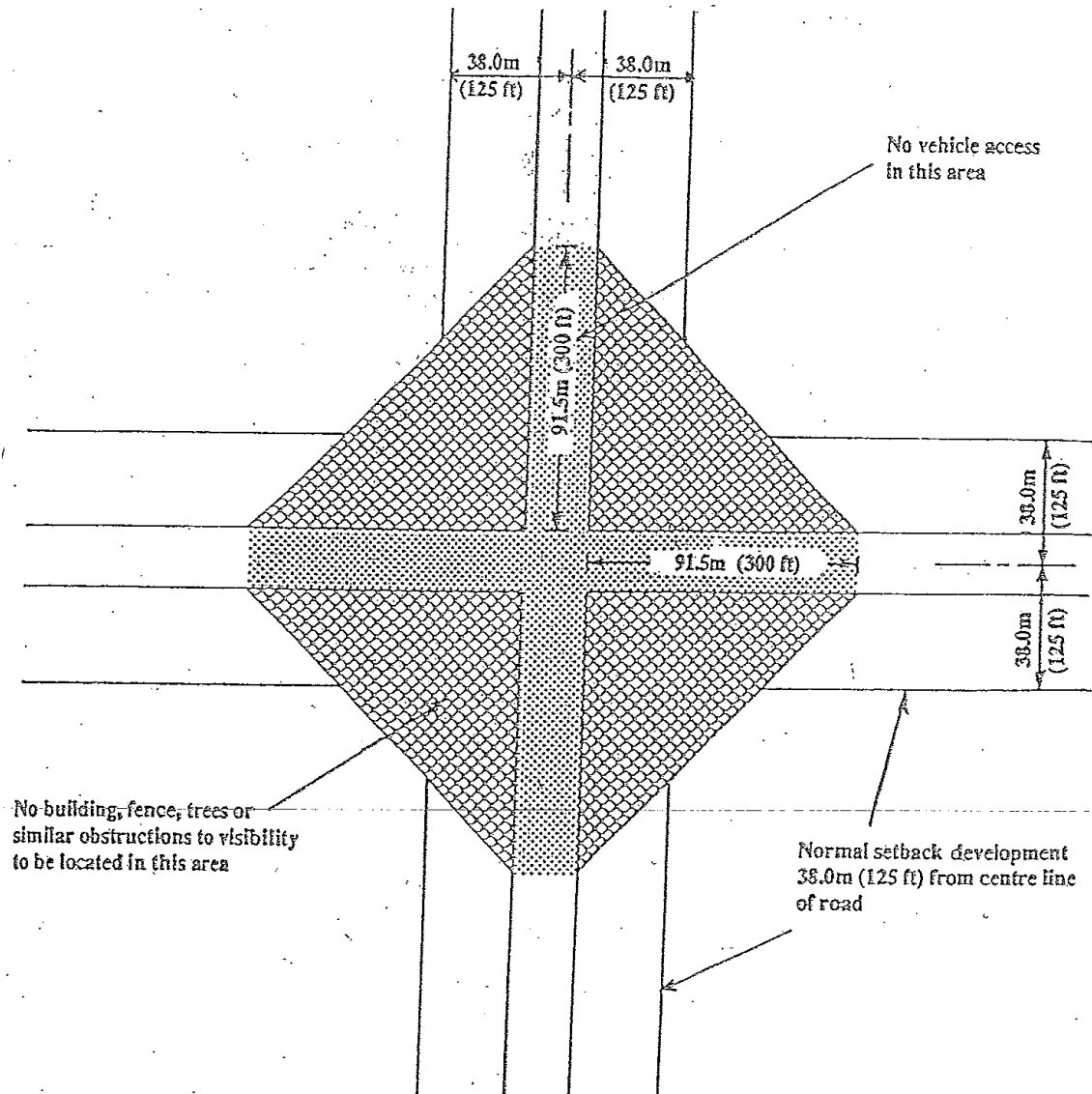
- a. No vehicle access/egress may be located within 304.8 m (1000 ft) of the intersection of two highways.
- b. No vehicle access/egress may be located within 304.8 m (1000 ft) of the intersection of a highway and a secondary road.
- c. No vehicle access/egress may be located on a secondary road within 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.





- 6.3.5. No buildings, fences, trees, haystacks, or other structures that obscure visibility shall be permitted at the intersection of two rural roads as indicated in Figure 6.

▼ Figure 6: Location of buildings at rural road intersections



- 6.3.6. Access/egress to a secondary road shall not be permitted where it would be:
- less than 152.4 m (500 ft) from an existing access/egress on the same side of the road;
  - less than 152.4 m (500 ft) from a bridge;
  - less than 152.4 m (500 ft) from an at-grade railway crossing;
  - at a point where the gradient of the road is in excess of three (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 three (3%) percent.



- 6.3.7. The dumping of rocks and/or any other refuse within any road right-of-way is prohibited.
- 6.3.8. Alberta Transportation approval will be required for all development permit applications within 300 m (984.3 ft) of a provincial highway boundary or within 800 m (2,624.7 ft) of the centre point of an intersection of a provincial highway with another County-road before the Development Authority can make a decision on the application.

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## 6.4 Development Near Landfills

- 6.4.1. The construction of landfills shall comply with all applicable provincial regulations and *Alberta Safety Codes Act* and standards.
- 6.4.2. Development adjacent to landfills requires special consideration. The provincial department responsible for regulating the standards and requirements for landfills in Alberta requires the following setback distances:
- Operating Landfill – the setback distance from a residence, school, hospital, food establishment or water well for human consumption is 450.0 m (1,476.4 ft).
  - Non-operating Landfill and Waste Storage Sites – the setback distance from a residence, school, hospital, or food establishment is 300.0 m (984.3 ft).
- 6.4.3. Hazardous Waste Management Facility – the setback distance from a residence, school, hospital, food establishment, or water well for human consumption is 450.0 m (1,476.4 ft).

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## 6.5 Development Near Oil and Gas Wells, and Sour Gas Facilities

- 6.5.1. Both the Subdivision and Development Authorities shall ensure that the setbacks around well sites will allow for the maintenance of the well site to occur, to protect the well site and to avoid damage to any construction or excavation equipment that may be used in construction of buildings or utilities on the site. Incorporating the setbacks and access area associated with a well site, into a subdivision and development decision will help to determine an effective subdivision design, the location of building sites, siting of underground utilities and grading of land.
- 6.5.2. Both the Subdivision and Development Authorities shall not approve a subdivision or a development if it would result in a permanent overnight accommodation, business or public facility being constructed within 100 m (328.1 ft) of an active gas or oil well, and 1.5 km (0.9 mi) for sour gas facilities, unless a lesser distance is approved in writing by the Alberta Energy Regulator.
- 6.5.3. Setbacks from an abandoned well shall be established in accordance with the *Matters related to Subdivision and Development Regulations* and the most current Directive as adopted by the Alberta Energy Regulator.



- 6.5.4. Both the Subdivision and Development Authorities shall make it a condition of the subdivision application and the development permit application to require the registration of a Restrictive Covenant against the title of the property that contains a reclaimed well identifying the setback requirements identified in subsection 6.5.3 above.
- 6.5.5. For the purposes of this section, distances are measured from the well head to the wall of the proposed building.

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## 6.6 Development Near Railways

- 6.6.1. New development that includes residential uses shall be required to follow the following setbacks measured from the property line abutting the railway development to the nearest point of the dwelling:
- 300.0 m (984.3 ft) from a freight rail yard
  - 30.0 m (98.4 ft) from a principal or secondary main line; and
  - 15.0 m (49.2 ft) from a principal or secondary branch line, or spur line.
- 6.6.2. The Development Authority may request a noise impact assessment, prepared by a qualified professional, as part of the development permit application for multi-lot subdivisions when the proposed multi-lot subdivision is within the following distances from the property line of a railway corridor:
- 1,000.0 m (3280.8 ft) from a freight rail yard;
  - 300.0 m (984.3 ft) from a principal main line;
  - 250.0 m (820.2 ft) from a secondary main line;
  - 150.0 m (492.1 ft) from a principal branch line; and
  - 75.0 m (245.1 ft) from a secondary branch line or spur lines.
- 6.6.3. Pending outcomes from a noise assessment, the Development Authority may ask for design measures to be implemented to mitigate the impacts of the railway corridor, including the use of noise barriers, berms, vegetation, and/or building orientation and materials.
- 6.6.4. The Development Authority may request a vibration study, prepared from a qualified professional, as part of the development permit application for any new development within 75.0 m (245.1 ft) from the property line of the railway corridor.

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## 6.7 Development Near Sanitary Facilities

- 6.7.1. The construction of sewage/wastewater lagoons shall comply with all applicable provincial regulations and safety codes.



- 6.7.2. Development adjacent to sewage/wastewater lagoons requires special consideration. The provincial department responsible for regulating the standards and requirements for sewage/ wastewater lagoons in Alberta requires the following setback distances:
- a. On-site location – the working area of lagoons shall be setback from all property lines by a minimum of 30.0 m (98.4 ft).
  - b. Municipal road – the setback distance from the road centreline of a municipal roadway is 40.0 m (131.2 ft).
  - c. Railway – the setback distance from the road centreline of a railway is 30.0 m (98.4 ft).
  - d. Provincial highway – the setback distance from the right-of-way of a provincial highway is 100.0 m (328.1 ft).
  - e. Residence, school, hospital, or food establishment – the setback distance from the nearest building on lands that contain a residence, school, hospital, or food establishment is 300.0 m (984.3 ft).

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## 6.8 Development Near Steep Slopes and Waterbodies

- 6.8.1. Where a parcel of land borders on or contains a coulee, ravine or valley, without a watercourse, the minimum required setback of a building from the top of the coulee, ravine or valley shall be 7.5 m (25 ft) or three (3) times the depth of the coulee, ravine or valley as defined by a registered surveyor, whichever is the greater distance, unless the Development Authority is satisfied through the submission of a detailed geotechnical engineering study from a registered engineer that a lesser setback is warranted.
- 6.8.2. Land within the setback areas defined in subsection 6.8.1 above shall be kept in its natural state. Existing vegetation or tree removal shall not be permitted unless the Development Authority is satisfied, through the submission of a detailed geotechnical engineering study from a registered engineer, that the removal of the vegetation or trees will not have an adverse effect on the integrity of the slope. Where vegetation is to be retained a covenant shall be registered against the property preventing future removal or damage of the vegetation.
- 6.8.3. Development shall not be allowed on unstable slopes or land characterized by soil instability unless it can be demonstrated to the satisfaction of the Development Authority by a registered engineer that the development is safe for construction.
- 6.8.4. The Development Authority may increase any minimum yard or setback requirement for lands within close proximity to unstable or steep slopes based on the outcomes of a geotechnical report.
- 6.8.5. A minimum setback of 30.0 m (100 ft) shall be provided for all buildings from the top of the physical bank, defined by a registered surveyor, of any watercourse, or from the top of the ravine or other topographical feature in which a watercourse is located, or from any water body unless the Development Authority is satisfied, through the submission of a detailed geotechnical engineering



study from a registered engineer, that a lesser setback is warranted. This requirement shall not apply to fences and boat houses, which may be allowed within this strip.

- 6.8.6. The Development Authority may increase any minimum yard or setback requirement, where any permitted or discretionary use or accessory development may be detrimental to the preservation of shoreland, or adversely affected by reason of such use being in a floodplain.

## 6.9 Fencing, Landscaping, Screening

### GENERAL FENCING, LANDSCAPING, AND SCREENING

- 6.9.1. Unless described under the circumstances in subsection 3.2 Development Not Requiring a Development Permit, fencing, landscaping and/or screening shall require an approved development permit prior to construction or erection and shall be required to comply with the County's Surface Drainage Bylaw.
- 6.9.2. The Development Authority may require landscaping or screening for any development permit application, if, in their opinion, it would improve the compatibility with adjacent properties, or mitigate the impacts of the development or use.
- 6.9.3. In most instances, the Development Authority may require commercial or industrial uses to include landscaping, screening and/or fencing as part of the development, particularly when those developments are adjacent to transportation corridors, are within commercial or industrial parks, are within a hamlet, or abut residential uses.
- 6.9.4. The following shall be enclosed from view, or screened to soften the visual impact on adjacent or proximal sites, public roadways, and public thoroughfares, to the satisfaction of the Development Authority:
- a. outside storage areas;
  - b. exterior work areas;
  - c. garbage, waste, and waste handling and collection areas;
  - d. wrecked or damaged motor vehicles;
  - e. outdoor service areas, including any loading and vehicular service areas, that are visible from an adjacent residential property or from a public road other than a lane;
  - f. bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage, vehicle storage and similar uses; and
  - g. the parking or storage of large trucks, tractor-trailers, and heavy industrial equipment.



## FENCING

- 6.9.5. No fences shall be permitted within an intersection in accordance with Figures 2, 3, 4, 5, and 6 located in subsection 6.3 Development Near Highways, Secondary, and Rural Roads (shaded area indicates restricted area).
- 6.9.6. Within the Country Residential District, the Urban General District and the Tourism District, a fence is allowed up to a maximum height of 2.4 m (8.0 ft). Any fence that extends beyond this is required to submit a variance request and receive approval from the Development Authority prior to construction, .
- 6.9.7. Notwithstanding subsection 6.9.6, 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.
- 6.9.8. Electric fences will not be permitted on any parcel within the Country Residential District or Urban General District.

## LANDSCAPING

- 6.9.9. The Development Authority may require that a landscape plan/design be prepared by a qualified professional be submitted for review and approval by the County as part of the development permit application, or as a condition of a development permit approval.
- 6.9.10. Landscaping may consist of any of the following:
- a. trees, shrubs, lawn, flowers;
  - b. large feature rocks, bark chips, field stone;
  - c. berming, terracing;
  - d. other innovative landscaping features.
- 6.9.11. In addition to any other provisions of this Bylaw, landfill sites, gravel pits, sewage lagoons, sewage treatment plants, commercial or industrial storage yards and other similar forms of development may be required to be screened from view by a vegetative buffer strip or some other form of screening.
- 6.9.12. The Development Authority, in considering a development permit application, may impose conditions requiring the retention of trees or additional plantings of such a type and extent that are considered necessary.
- 6.9.13. All tree and shrub plantings shall be based on the Beaver County climatic growing zone, constraints of location, effectiveness in screening where required to do so, resistance to disease and insect attack, cleanliness, appearance, and ease of maintenance.



- 6.9.14. Additional landscaping that may be required at the discretion of the Development Authority may include, but is not limited to, the following:
- a. additional separation, or buffering, between adjacent land uses;
  - b. the use of trees, shrubs, fences, walls, and berms to buffer or screen uses of negative impact; and
  - c. the use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.

## SCREENING

- 6.9.15. Where any parcel, or part of a parcel, adjacent to a provincial highway is used for outdoor storage of goods, machinery, vehicles, buildings, or waste materials, the Development Authority may require screening by buildings, fences, hedges, trees, berming, or other landscaping features to their satisfaction.
- 6.9.16. 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.
- 6.9.17. For commercial, industrial, and institutional uses, fencing shall only be utilized for the visual screening of outside storage, waste/garbage, equipment, product, vehicles or for security purposes if in the side or rear yards of the principal building. The Development Authority may allow decorative fencing in the front yard of a principal building if it is in compliance with subsection 6.9.19 below.
- 6.9.18. The location, type, height, or size of visual screening that may be required shall be at the discretion of the Development Authority.
- 6.9.19. The location, length, thickness, and height of screening shall be in accordance with the approved landscaping plan or the approved development permit.
- 6.9.20. Screening shall be maintained to mitigate visual impact from the ground to a maximum height of 2.0 m (6.6 ft).
- 6.9.21. Regardless of subsection 6.9.19 above, the Development Authority may in their discretion require screening greater than 2.0 m (6.6 ft) in height to mitigate the visual impact of the development.

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## 6.10 Historical and Archaeological Sites

- 6.10.1. Historical sites, or archaeological sites, identified pursuant to the *Alberta Historical Resources Act* shall be protected in accordance with guidelines established by the province, and the policies within the County's MDP.



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## 6.11 Lands Not Suitable for Development

- 6.11.1. Unless unique site requirements determine otherwise or considerable measures have been taken in the building or site design to address concerns, the Development Authority should not approve development permit applications where the proposed development would be:
- a. on steep slopes (in excess of 15 degrees);
  - b. on unstable slopes or lands characterized by soil instability;
  - c. on lands exhibiting evidence of poor drainage or flooding, or being located in an identified floodplain;
  - d. on lands containing important wildlife habitat;
  - e. on lands containing unique endangered flora; or
  - f. on lands adjacent to or within delineated wetlands.

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## 6.12 Lot Grading and Site Drainage

- 6.12.1. Lot grading and site drainage shall be in accordance with the County's Surface Drainage Bylaw.

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## 6.13 Protection from Exposure Hazards

- 6.13.1. 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.
- 6.13.2. 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*.
- 6.13.3. Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the *Alberta Safety Codes Act*.
- 6.13.4. 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.

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## 6.14 Signs

- 6.14.1. 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.





- 6.14.2. The maximum number of stand alone signs for a parcel of land shall be one (1). Where there is a consecutive series of properties that create a commercial shopping area, the properties shall collaborate to create a single stand lone sign no greater than 18.6 sq m (200 sq ft) in area.
- 6.14.3. The maximum size of a stand alone sign shall not exceed 6.5 sq m (70 sq ft).
- 6.14.4. Any façade sign shall not exceed beyond the parapet of the building or fifty (50%) percent of the area of the building façade. The calculation shall be based on the cumulative total of signs on a building façade.
- 6.14.5. No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the registered owner or tenant.
- 6.14.6. 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.
- 6.14.7. No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
- 6.14.8. 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.
- 6.14.9. No signs or advertising structures other than those specified in subsection 3.2.2. Development Not Requiring a Development Permit shall be permitted in the Country Residential District.
- 6.14.10. 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 has been obtained.
- 6.14.11. Electronic flashing signs are not permitted.

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## 6.15 Site Servicing

- 6.15.1. All buildings erected, placed, 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.



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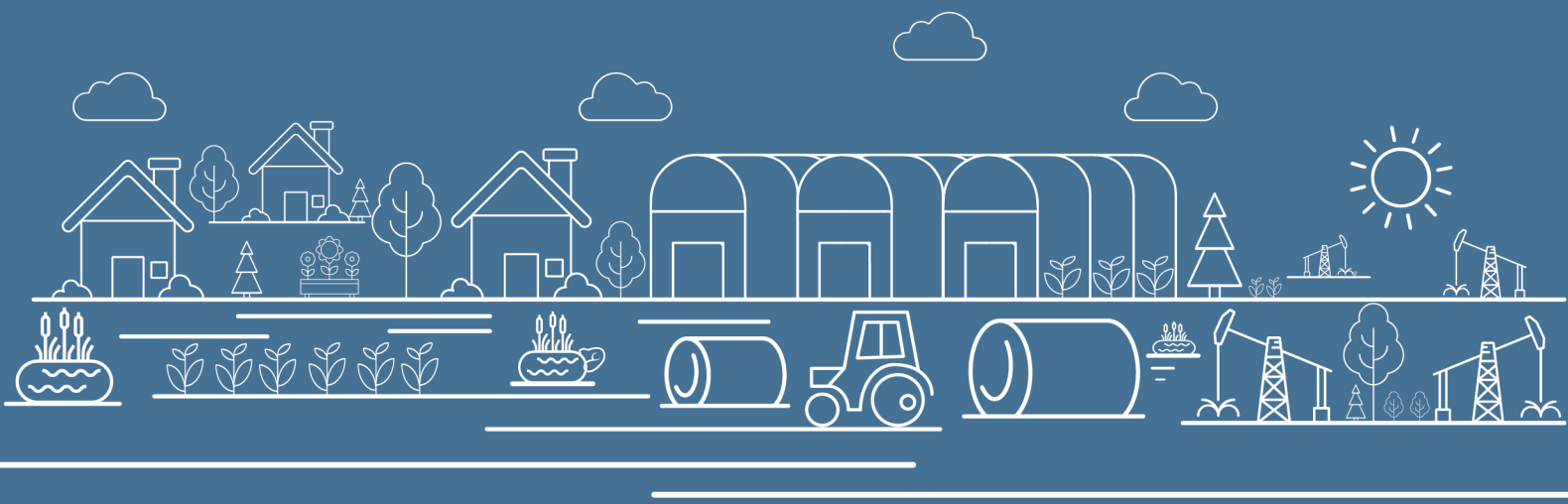


# PART 4

# SPECIFIC USE

# REGULATIONS





## 7.0 Specific Use Regulations

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### 7.1 Automotive and Equipment Sale, Repair, Rental and Storage (both Major and Minor)

- 7.1.1. The following shall apply to an Automotive and Equipment Sale, Repair, Rental and Storage:
- a. If outdoor storage is an accessory component of the operation, all outdoor storage areas shall be screened from adjacent properties and roadways in accordance with subsection 6.9 Fencing, Landscaping, Screening;
  - b. any object which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district; needs to be screened and fenced in accordance with subsection 6.9 Fencing, Landscaping, Screening; and
  - c. All outdoor storage or stockpiles of materials shall not be vertically higher than the approved screening.

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### 7.2 Bed and Breakfast Establishments

- 7.2.1. A bed and breakfast establishment shall comply with the following regulations:
- a. All bed and breakfast facilities are required to obtain written approval to operate from the local Regional Health Authority prior to obtaining a Beaver County Development permit.
  - b. 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.
  - c. Cooking facilities shall not be located within the sleeping bedrooms.
  - d. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
  - e. 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.
  - f. 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.

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### 7.3 Campgrounds

- 7.3.1. Where a commercial campground proposal is received for any number of campsites, cabins, or other structures used to accommodate campers, a master plan or conceptual plan for the entire



development shall be submitted and approved by the Development Authority prior to submitting a development permit application for any site-specific development.

- 7.3.2. The master plan or conceptual plan shall include detailed plans for fire safety, potable water supply, wastewater management (including the use of refuse containers that protect against insects, rodents, animals, and fire hazards), stormwater management, solid waste management, and a traffic impact assessment for the initial stage, as well as any subsequent stages of development. The master plan or conceptual plan shall detail internal circulation requirements, lane widths, pedestrian circulation, site access and egress, emergency access, parking areas, storage areas, toilet and wash areas, recreational areas and campsite areas, and other amenity facilities.
- 7.3.3. A minimum of 10% of the campground's gross area shall be set aside for common recreation use and shall be developed and maintained as a park, playground, or other useable outdoor space.
- 7.3.4. Campgrounds shall be setback a minimum of 300.0 m (984.3 ft) from the Country Residential District, or multi-lot subdivision as measured from property boundary to property boundary.
- 7.3.5. Campgrounds proposed to be located within the boundary of a hamlet shall setback campsites, cabins, or other structures used to accommodate campers a minimum of 30.0 m (98.4 ft) from the boundary of a lot containing a dwelling, single detached or dwelling, semi-detached and shall provide screening and buffering by way of a solid fence and year-round vegetation with a minimum height of 2.0 m (6.6 ft), to the satisfaction of the Development Authority.
- 7.3.6. Campgrounds shall provide visitor parking in common areas within a commercial campground property to the satisfaction of a Development Authority and two (2) parking spaces on each campsite or for each cabin.
- 7.3.7. All campgrounds and sites shall have clear access and identification acceptable to the Development Authority for the purposes of accommodating emergency, fire, and maintenance vehicles.
- 7.3.8. All campsites shall be accessible by means of an access at least 3.0 m (9.84 ft) in width where the access is for one-way traffic, or at least 6.0 m (19.7 ft) in width where the access is for two-way traffic.
- 7.3.9. Campgrounds, containing campsites, cabins, or other structures used to accommodate campers are considered temporary accommodations, and consequently, the maximum occupancy is two hundred and forty (240) days per calendar year.

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## 7.4 Cannabis Production Facility

- 7.4.1. Cannabis production facility uses shall, at all times, comply with federal, provincial, and municipal regulations and legislation which apply to the development.



- 7.4.2. All cannabis production facility uses shall be developed and operated in accordance with the development permit approved by the Development Authority.
- 7.4.3. In districts where cannabis production facility uses are discretionary, the Development Authority shall assess applications for cannabis production facility uses based on compatibility with surrounding areas.
- 7.4.4. All activities related to the cannabis production facility uses, including processing, loading, receiving, and shipping of cannabis and other goods, materials or supplies, garbage containers, storage containers and waste materials, shall be entirely within the on-site building containing the use.
- 7.4.5. One (1) caretaker unit is permitted as an accessory use to an approved cannabis production facility.
- 7.4.6. All cannabis production facilities shall include equipment that removes odors from the air prior to leaving the building where the use is occurring, when part of a ventilation system.
- 7.4.7. Advertising shall be in accordance with subsection 6.14 Signs of this Bylaw, and any provincial/federal regulations.
- 7.4.8. Landscaping and parking requirements for a cannabis production facility use is at the discretion of the Development Authority.
- 7.4.9. A cannabis production facility use that has been non-operational for a period of one (1) or more years may be required, at the discretion of the Development Authority, to be decommissioned and remediated in compliance with any provincial or federal regulations.
- 7.4.10. The lot boundary of cannabis production facility use shall be located a minimum of 500.0 m (1,640.4 ft) away from lot boundary of the following uses:
- a. a school established by provincial legislation and regulations;
  - b. a provincial health care facility;
  - c. a parcel of land designated as municipal or school reserve under the *Municipal Government Act*;
  - d. a school established by provincial legislation and regulations; or
  - e. an existing dwelling.
- 7.4.11. All applications for cannabis processing and distribution uses shall include:
- a. a fire safety plan;
  - b. a waste management plan;
  - c. a water and wastewater management plan;
  - d. a stormwater management plan;
  - e. a ventilation system prepared by a qualified professional; and



- f. any other information considered to be appropriate, which may include, but is not limited to, any application requirements required in accordance with subsection 8.2 Development Permit Application Contents of this Bylaw.

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## 7.5 Cannabis Retail

- 7.5.1. The location of any cannabis retail facility as defined in the *Cannabis Act* (Canada) shall maintain a minimum distance of 100.0 m (328.1 ft) from the facility to:
  - a. a provincial health care facility, or a boundary of the parcel of land on which the facility is located; or
  - b. a building containing a school or a boundary of the parcel of land which the facility is located; or
  - c. the boundary of any parcel of land that is designated as a school reserve or municipal and school reserve as defined under the *MGA*.
- 7.5.2. The following uses shall be required to meet the minimum separation distance of at least 100.0 m (328.1 ft) from locating to an established cannabis retail facilities' boundary:
  - a. a provincial health care facility, or a boundary of the parcel of land on which the facility is located; or
  - b. a building containing a school or a boundary of the parcel of land which the facility is located; or
  - c. the boundary of any parcel of land that is designated as a school reserve or municipal and school reserve as defined under the *MGA*.
- 7.5.3. The separation distance shall be measured from the exterior wall of the cannabis retail facility to the nearest parcel boundary of those uses listed in subsection 7.5.1 and 7.5.2 above. The Development Authority may ask for proof that cannabis retail facility meets the required setbacks indicated in subsection 7.5.1 and 7.5.2 above.
- 7.5.4. Cannabis facilities shall comply with the Alberta Gaming, Liquor and Cannabis (AGLC) policies, and all provincial and federal regulations.

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## 7.6 Community Recreation

- 7.6.1. Community recreation shall provide adequate ingress and egress to parking areas which is separate from special event venue, campground, etc.:
  - a. 10 parking spaces per 100.0 m<sup>2</sup> of gross floor area, which shall not be reduced by including parking required or provided on an adjacent site;
  - b. 2 parking spaces for each additional 10.0 m<sup>2</sup> where there is a multiple purpose area, room or space within the community recreation facility, which exceeds 100.0 m<sup>2</sup> in gross floor area, provided that such multiple purpose areas shall not include dressing rooms, change rooms,





- washrooms, storage areas, cooking or kitchen areas which are normally incidental to the primary function of community recreation;
- c. where a Community Recreation Services parking area immediately abuts a parking area for a school, a maximum of 50% of the additional parking spaces required may be provided by including the parking on the abutting school site.

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## 7.7 Commercial Green Houses and Plant Nursery

- 7.7.1. All commercial greenhouse use applications will be reviewed to ensure the proposal will not negatively impact the surrounding area in which it is located.
- 7.7.2. The applicant shall submit to the County plans for fire safety, wastewater management, stormwater management, solid waste management, and a traffic impact assessment with their development application.
- 7.7.3. All commercial greenhouses that require specific lighting for the purpose of stimulating and/or enhancing the growth of a greenhouse crop shall be required to contain 80% of the artificial light from illuminating upwards and outwards at all times as a condition of development approval, unless an exemption has been provided from the Development Authority. Exemptions shall only be provided if the applicant can prove that the artificial light is not a nuisance to adjoining properties, at the discretion of the Development Authority.
- 7.7.4. The applicant shall be required to submit a detailed description of the artificial lighting control that prevents the light from illuminating upward and outward.

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## 7.8 Dwelling Units on a Lot

- 7.8.1. Unless otherwise specified in districts permitting multiple dwelling unit uses, the maximum number of dwelling units on a titled parcel shall consist of one (1) principal dwelling unit and one (1) accessory dwelling unit. All dwelling units and accessory dwelling units on a parcel shall meet all applicable *National Building Code* standards, *Alberta Safety Code* standards, and/or CSA A277 certification for a permanent dwelling.
- 7.8.2. Development permit applications for any dwelling unit or accessory dwelling unit shall be required to demonstrate that there is adequate water and wastewater servicing available or that there is available on-site capacity, to the satisfaction of the Development Authority.
- 7.8.3. Provisions outlined in subsection 7.8 Dwelling Units on a Lot do not relate to the Communal Living use as defined in this Bylaw.



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## 7.9 Home Occupation

### HOME OCCUPATION, HOME OFFICE

- 7.9.1. The Home Occupation, Home Office use and the storage of goods, materials, commodities, or finished products must be located in the principal building or accessory building(s).
- 7.9.2. Home Occupation, Home Office use shall not change the external appearance or residential character of land or buildings.
- 7.9.3. The Home Occupation, Home Office use shall have no external signage.
- 7.9.4. There shall be no on-site attendance of clients at a Home Occupation, Home Office use.
- 7.9.5. Only the resident(s) of the property may work on-site at a Home Occupation, Home Office use.

### HOME OCCUPATION, TYPE I

- 7.9.6. The outside storage of equipment, goods, materials, commodities, or finished products related to a Home Occupation, Type I use may be permitted if it is screened from adjacent parcels and from public roadways.
- 7.9.7. Home Occupation, Type I use shall not change the external appearance or residential character of land or buildings.
- 7.9.8. The Home Occupation, Type I use shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 7.9.9. The Home Occupation, Type I use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority that creates a nuisance extending beyond the parcel.
- 7.9.10. At all times the privacy of the adjacent residential dwellings shall be preserved and the Home Occupation, Type I use shall not unduly offend surrounding or adjacent residents by way of example, but not limited to, excessive lighting, excessive noise, traffic congestion, or excessive on-street or off-street parking, at the discretion of the Development Authority.
- 7.9.11. The parking of one (1) commercial vehicle with (1) accessory trailer, or one (1) three-ton truck or similar vehicle may be permitted by the Development Authority on a discretionary basis.
- 7.9.12. The parking location of any commercial vehicles shall be at the discretion of the Development Authority.



- 7.9.13. Only the resident and those who permanently reside in the residential dwelling on the subject lot may be permitted as employees.

## HOME OCCUPATION, TYPE II

- 7.9.14. The outside storage of equipment, goods, materials, commodities, or finished products related to a Home Occupation, Type II use may be permitted if it is screened from adjacent parcels and from public roadways.
- 7.9.15. Home Occupation, Type II use shall not change the external appearance or residential character of land or buildings.
- 7.9.16. The outside storage of equipment, goods, materials, commodities, or finished products related to a Home Occupation, Type II use that is not screened shall be at the discretion of the Development Authority.
- 7.9.17. The Home Occupation, Type II use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter and storage of hazard or combustible materials considered offensive or excessive in the opinion of the Development Authority.
- 7.9.18. At all times the privacy of the adjacent residential dwellings shall be preserved and the Home Occupation, Type II use shall not unduly offend surrounding or adjacent residents by way of example but not limited to excessive lighting, excessive noise, traffic congestion, or excessive on-street or off-street parking.
- 7.9.19. The parking of any commercial vehicles, including the number considered and location, shall be at the discretion of the Development Authority.
- 7.9.20. Adequate onsite parking for employees and the business must be provided, the number of parking spaces and location shall be at the discretion of the Development Authority.
- 7.9.21. In addition to those individuals who permanently reside in the residential building on the subject parcel, up to four (4) other employees are permitted as part of the approval and operation of a Home Occupation, Type II use.

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## 7.10 Manufactured/Mobile Homes and Home Parks

- 7.10.1. All accessory structures to Manufactured Homes, Mobile Homes, and within Home Parks, 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;
  - b. considered as part of the principal building, but only if fully enclosed; and



c. erected only after obtaining a development permit.

7.10.2. The following regulations apply to Manufactured/Mobile Homes:

- a. A manufactured/mobile home shall be skirted from the floor level to the ground level and shall match the existing finish of the manufactured/mobile home;
- b. The hitch and wheels are to be removed from the manufactured/mobile home;
- c. The minimum size for a manufactured/mobile home stall shall be 371.6 sq. m. (4000 sq. ft.);
- d. Manufactured/mobile 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; and
- e. No accessory building, use or parking space shall be located in the front yard of a manufactured/mobile home stall.

7.10.3. The construction and maintenance of all internal roads shall be the responsibility of the landowner/developer. Internal roads shall have a minimum right-of-way of 9.1 m (30 ft). All roads shall be constructed and maintained to the satisfaction of the Development Authority.

7.10.4. The Home Park 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.

7.10.5. A development agreement may be required relating to the construction standards that will need to be met by the landowner/developer including any off-site infrastructure work.

7.10.6. All dwellings within a Home Park shall have full servicing, either using municipal servicing or on-site communal systems. All municipal utilities shall be provided underground to stalls.

7.10.7. Street lighting shall be to the same standard as that in a conventional residential neighborhood.

7.10.8. The minimum lot area of a Home Park shall be 2.0 ha (5.0 ac).

7.10.9. Development permit applications for Home Parks shall include a detailed landscaping plan describing all physical features, existing or proposed, including shrubs, trees, flower beds, berm contours, walls, fences, outdoor furniture, surface utilities, and decorative paving. The design of the park shall be to the satisfaction of the Development Authority.

7.10.10. Each manufactured/mobile home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

7.10.11. 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/mobile homes, the park roads and all community facilities provided for park residents.



- 7.10.12. 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/mobile home park, and shall not be used for the storage of boats, trailers, etc.
- 7.10.13. Any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screened either individually on the stall or communally.
- 7.10.14. 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.
- 7.10.15. 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.
- 7.10.16. No part of the Home 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.
- 7.10.17. Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured/mobile 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.
- 7.10.18. Directional signs within the Home Park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- 7.10.19. The maximum permissible density for a manufactured home park shall be 208 manufactured/mobile homes per gross developable hectare (8 per gross developable acre) of the area actually being developed at each stage of the development.

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## 7.11 Kennels

- 7.11.1. 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.
- 7.11.2. In determining the total number of animals, animals less than six (6) months of age shall not be included.



- 7.11.3. All exterior exercise areas (exterior runs) shall be enclosed with a fence acceptable to the Development Authority, no lower than 2.0 m (6.6 ft) in height and with lockable gates(s).
- 7.11.4. All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building.
- 7.11.5. All facilities shall be visually screened from existing dwellings on adjoining lots.
- 7.11.6. No animals, regardless of age, shall be allowed outdoors between the hours of 10:00 p.m. to 7:00 a.m. daily.
- 7.11.7. 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.
- 7.11.8. Where possible, existing vegetation should be maintained in order to provide a visual and/or acoustic buffer to adjacent land uses.
- 7.11.9. The operation of a kennel shall at no time unduly interfere with the general enjoyment of adjoining parcels.
- 7.11.10. No kennel structure shall be allowed within 150.0 m (492 ft) of any dwelling unit located on adjoining lands, or within 75.0 m (246 ft) of the boundary of any adjoining parcel.
- 7.11.11. The operation of a kennel shall comply with the Beaver County Animal Control Bylaw, *Animal Protection Act*, and all provincial and federal regulations.

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## 7.12 Local Industrial Uses

- 7.12.1. The owner's principal residence shall be located on the lot and the local industrial use shall be operated by the landowner, 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.
- 7.12.2. A local industrial use shall not generate offensive or objectionable effects, as determined by the Development Authority, that may be detectable beyond the site.
- 7.12.3. A local industrial use shall be appropriately screened by natural features, by man-made barriers, or by a combination thereof.
- 7.12.4. A minimum yard of 30.0 m (98.4 ft) from any property line shall be provided to the nearest point that the local industrial use is occurring when bordering a district that allows for dwelling, single detached as a permitted use.



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## 7.13 Natural Resource Extraction

- 7.13.1. Sand and/or gravel developments contained within the Natural Resource Extraction/ Processing use shall not occur within a multi-lot subdivision.
- 7.13.2. There shall be no sand and/or gravel developments within 300.0 m (984.2 ft) of the boundary of a multi-lot or hamlet residential subdivision.
- 7.13.3. The Development Authority may only consider a variance or a waiver to subsection 7.13.2 above provided that:
- No crushing, processing, washing, or similar activity is occurring within the 300.0 m (984.2 ft) setback requirement;
  - Extraction and reclamation activities within the 300.0 m (984.2 ft) requirement may only occur between 8:00 a.m. and 5:00 p.m. Monday to Friday;
  - The applicant/owner provides appropriate measures, to the satisfaction of the Development Authority, to mitigate any nuisance or potential nuisance from the pit area; and
  - The Development Authority is satisfied that extraction and reclamation activities occur expeditiously and in a manner that poses minimum affect to residents within the multi-lot residential subdivision.
- 7.13.4. The Development Authority shall require as a condition of development permit approval for a new or renewal aggregate extraction use, or an expansion to an existing aggregate extraction operation, that the applicant(s) acquire all necessary provincial permits and approvals pertinent to the proposed development. Further, the applicant(s) shall be required to supply a copy of any such provincial permit or approval to the County for its records.
- 7.13.5. When considering whether to approve aggregate extraction as a discretionary use, the Development Authority may also consider the uniqueness of each application for a new or renewal aggregate extraction use, or an expansion to an existing aggregate extraction operation, and have additional due regard for the following:
- the purpose of this Bylaw and the general purpose of the district in which the development is located, and the future use of the site as proposed in a reclamation plan;
  - the provisions of the Municipal Development Plan and any relevant statutory plan;
  - relevant guidelines prepared by Alberta Environment and their comments on applications made for provincial approval;
  - the desirability to utilize the aggregate resource as a regional benefit;
  - conservation of topsoil for agricultural use on this or another site;
  - conservation of any identified designated historical resources;
  - conservation of trees and maintenance of habitat;
  - methods to control weeds on-site;



- i. conservation of environmentally significant and sensitive areas, including areas identified in the Environmental Conservation Plan;
- j. conservation of watercourses; and
- k. the safety and potential nuisance effect(s) on adjacent properties, including both operation and hauling activities.

#### HOURS OF OPERATION

- 7.13.6. The hours of operation for the pit, including extraction, reclamation, and the processing (crushing) of materials shall be specified by the Development Authority. The Development Authority shall have regard to, but is not bound by, the following guidelines:
- a. Extraction, reclamation, and processing (crushing) activities within the 300.0 m (984.2 ft) requirement should only occur between 8:00 a.m. and 5:00 p.m. Monday to Friday; and
  - b. No operation Saturday and Sunday unless otherwise approved as a condition of the development permit.

#### DUST AND NOISE

- 7.13.7. The applicant shall prevent dust and noise from becoming an annoyance to surrounding landowners at the request of and to the satisfaction of the Development Authority. Required prevention may include, but is not limited to:
- a. locating stockpiles to act as sound barriers and using methods of minimizing or reducing noise created by machinery and equipment;
  - b. installation of noise monitors shall be required as a condition of a development permit;
  - c. noise that exceeds the level as specified in the by the Development Authority is an indication that noise may be an annoyance; and
  - d. ensure compliance with the *Environmental Protection & Enhancement Act* regarding dust and air quality.
- 7.13.8. The applicant(s) shall locate appropriate safety and traffic signage on and about the subject site and road accesses, to the satisfaction of the Development Authority.
- 7.13.9. A Road Use Agreement, between Beaver County and the landowner/developer of aggregate extraction incorporating, but not limited to, such things as haul routes, maintenance, dust control, security, signage, participation in the Alberta Sand and Gravel Association central truck registry numbering system, notification to local residents, and other related clauses is required as a condition of a development permit.

#### HOURS FOR HAULING

- 7.13.10. The removal of sand and/or gravel from the pit location (hauling) shall take place only within the hours specified by the Development Authority. The Development Authority shall have regard to but is not bound by the following guidelines:





- a. 6:00 a.m. to 6:00 p.m. Monday to Friday
  - b. 8:00 a.m. to 4:00 p.m. Saturday
  - c. No hauling on Sunday
- 7.13.11. No new aggregate extraction or expansion of an existing operation shall be located within 20.0 m (65.6 ft) of any public road, unless otherwise approved by the Development Authority. The Development Authority may require certain buffering/screening measures within this setback.
- 7.13.12. All stripping, excavation, and grading shall be in conformance with stripping, excavation, and grading provisions of this Bylaw.
- 7.13.13. The applicant shall keep the area, subject to the development permit, in a clean and tidy condition free from rubbish and non-aggregate debris, including any required screening or buffering to the satisfaction of the Development Authority, at all times.

#### APPLICATION FOR AGGREGATE EXTRACTION

- 7.13.14. For an application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction use, the Development Authority shall require the applicant to submit plans and a narrative including the following information:
- a. survey plan indicating the location and area of the site on which the excavation is to take place and the phasing plan of the pit;
  - b. the expected life of the deposit if applicable;
  - c. the existing land use;
  - d. a site analysis of the geology, groundwater, surface water, natural vegetation, and wildlife features of the site;
  - e. the proposed extraction, operation, and staging of the aggregate extraction use (including years, dates, hours of operation, guidelines for meeting recommended noise levels, aesthetics, etc.);
  - f. the proposed access and hauling activities (including number of trucks, tonnage, hours of hauling, methods of preventing/controlling/reducing erosion or dust, methods for weed control etc.);
  - g. a copy of the development and reclamation plans that are to be submitted by the applicant(s) to Alberta Environment and Sustainable Resource Development for the development and reclamation of the aggregate extraction use; and
  - h. details of the proposed community consultation, including the pre-application consultation with potentially affected landowners, and the further communications that will be carried out to inform landowners of the ongoing aggregate extraction use and to address any issues or concerns landowners may have regarding the aggregate extraction use.



## CONSIDERATIONS FOR THE DEVELOPMENT AUTHORITY

- 7.13.15. A development permit for a resource extraction industry should only be issued when a development and reclamation plan has been prepared to the satisfaction of the County, which adequately addresses such items as:
- a. the sequence and extent of development;
  - b. the proposed use of land after the development has been concluded;
  - c. whether the area contains higher capability agricultural land;
  - d. any anticipated interference with surface or subsurface water;
  - e. any anticipated impact on fish and wildlife habitat;
  - f. the measures to be taken to mitigate any negative impacts identified in (d) and (e);
  - g. whether the area contains potential historic resources;
  - h. methods for weed management and control; and
  - i. the measures to be taken to reclaim the subject site, together with the costs of such reclamation, and the means whereby such reclamation is to be ensured.

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## 7.14 Pet Cemeteries

- 7.14.1. 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; and
  - f. storage of dead animals prior to burial.
- 7.14.2. Development of the cemetery shall adhere to setback restrictions from registered utility rights-of-way.
- 7.14.3. Access to the cemetery from a public road must meet the specifications and requirements of the Development Authority.
- 7.14.4. Adequate onsite parking shall be provided. No parking shall be allowed on a public roadway.
- 7.14.5. Directional or advertising signage shall comply with this Bylaw.
- 7.14.6. In addition to the requirements of subsection 8.2 Development Permit Application Contents, 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; and
- g. landscaping details.

7.14.7. 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.

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## 7.15 Recycling Depot

7.15.1. The following shall apply to a Recycling Depot:

- a. A Recycling Depot shall not be approved without the construction of a principal building for the enclosed/interior receiving, sorting and/or processing of materials;
- b. If outdoor storage is an accessory component of the operation, all outdoor storage areas shall be screened from adjacent properties and roadways;
- c. Any object which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district requires screening;
- d. All outdoor storage or stockpiles of materials shall not be vertically higher than the approved screening;
- e. The owner/applicant may be required to provide a Debris and Dust Control Plan;
- f. If household waste and/or organics are received as an accessory use of the operation, there shall be no outdoor storage. Household waste and organics must be regularly removed from the site;
- g. The owner/applicant may be required to undertake mitigating measures to minimize any odour escaping the facility, at the discretion of the Development Authority

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## 7.16 Residential Security/Caretaker Units

7.16.1. 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 70.0 m<sup>2</sup> (753.4 ft<sup>2</sup>).
- b. Any detached residential security/caretaker unit shall be located a minimum of 3.0 m (9.8 ft) 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 they deem 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.

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## 7.17 Service Stations, Gas Bars, and Bulk Fuel and Oil Sales

- 7.17.1. 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, religious assembly, 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* and *the Alberta Fire Code*.
- 7.17.2. The minimum lot area shall be 743.2 m<sup>2</sup> (8,000 ft<sup>2</sup>) 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 m<sup>2</sup> (12,000 ft<sup>2</sup>).
- 7.17.3. 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.
- 7.17.4. All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
- 7.17.5. 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.
- 7.17.6. The site of the buildings shall be maintained in a clean and tidy condition and free from all debris.



## 7.18 Shipping Container

- 7.18.1. Shipping containers shall only be used as accessory structures for storage purposes.
- 7.18.2. If the structure of a shipping container is altered to accommodate another use other than storage and meets the *National Building Code* and any applicable *Alberta Safety Code* for that use, it is no longer considered a shipping container use.
- 7.18.3. The maximum size of a shipping container shall be a length of 13.72 m (45.0 ft), the width of 2.44 m (8.0 ft), and a height of 2.9 m (9.5 ft).
- 7.18.4. The Development Authority may require additional setback for shipping containers in addition to the respective accessory building set back regulation.
- 7.18.5. Shipping containers shall only be placed in the side or rear yard of the parcel.
- 7.18.6. Shipping containers shall be visually screened from neighbouring properties.
- 7.18.7. Temporary placement of shipping containers may be permitted if required for construction or development of a parcel, subject to subsection 3.2.1 of this Bylaw.
- 7.18.8. Approval from the Development Authority is required for placement of shipping containers within the Country Residential district and the Urban General district.
- 7.18.9. The table below indicates the number of shipping containers allowed within each district and when, and what type, of development permit application is needed:

**P = PERMITTED USE**  
**D = DISCRETIONARY USE**  
**E = EXEMPT**  
**NA = NOT ALLOWED**

| MAXIMUM NUMBER OF SHIPPING CONTAINERS ALLOWED | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|---|---|----|----|----|---|----|----|----|----|----|
|   | 1 | E  | D  | E  | E | E  | P  | E  | E  | E  |
| 2   | E | D  | P  | E  | P | D  | P  | E  | E  | E  |
| 3 - 5   | P | D  | D  | P  | P | D  | D  | E  | E  | E  |
| 6 - 10  | D | NA | D  | D  | D | NA | D  | P  | P  | E  |



P = PERMITTED USE  
 D = DISCRETIONARY USE  
 E = EXEMPT  
 NA = NOT ALLOWED

MAXIMUM NUMBER OF SHIPPING CONTAINERS ALLOWED

|     | A | UG | RC | RI | T | CR | LC | IE | IL | IM |
|-----|---|----|----|----|---|----|----|----|----|----|
| 10+ | D | NA | NA | D  | D | NA | D  | D  | D  | P  |

## 7.19 Solar Collectors, Personal

- 7.19.1. Solar Collectors must be located such that they do not create undue glare on neighbouring parcels or public roadways.
- 7.19.2. 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.

## 7.20 Solar Collectors, Commercial

- 7.20.1. 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.
- 7.20.2. Solar Collectors must be located such that they do not create undue glare on neighbouring parcels or public roadways.
- 7.20.3. The following regulations apply to Solar Collectors, Commercial:
- a. Setback requirements of the district must be met or setback requirements shall be as required by the Development Authority.



- b. A landscaping plan may be required for commercial solar collectors indicating efforts made by the owner/operator to mitigate the potential impacts.
- c. A weed control management plan is required to mitigate weeds spreading beyond the site.
- d. If the commercial solar collectors have 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.

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## 7.21 Special Event Venues

- 7.21.1. All special event venues must prepare an Emergency Response Plan and Noise Management Plan approved by the Development Authority, at its discretion.
- 7.21.2. Special event venues shall provide adequate ingress and egress to parking areas, to the satisfaction of the Development Authority.
- 7.21.3. Unless otherwise approved by the Development Authority, special event venues shall only host a continuous event for a maximum of ten (10) consecutive calendar days, excluding the time required to prepare, erect, cleanup, and dismantle the event.
- 7.21.4. Special event venue shall ensure all persons who occupy the site, shall not make or cause unusual or unnecessary noise which will disturb or is likely to disturb adjacent landowners during the hosting of events, beyond the boundaries of the property between the hours of 11:01 p.m., and 7:00 a.m.
- 7.21.5. Special event venues shall ensure sound systems for events are directed away from adjacent residential dwellings, with noise levels not exceeding 35 dBA when measured from the exterior of adjacent residential dwelling between the hours of 11:01 p.m. and 7:00 a.m.
- 7.21.6. The site shall be maintained in a neat and orderly manner including the containment of all construction and the removal of all garbage and waste from the lands.
- 7.21.7. All necessary approvals will be required from applicable municipal, provincial, and federal bodies, including Alberta Health Services, Alberta Gaming, Liquor and Cannabis, and the Royal Canadian Mounted Police, prior to a development permit being issued.
- 7.21.8. In districts where special event venue uses are discretionary, the Development Authority shall assess applications for special event venue uses based on compatibility with surrounding areas, including maintaining the privacy of adjacent residential uses.



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## 7.22 Temporary Accommodations

- 7.22.1. A development permit is required for temporary accommodation continuously occupied for more than six (6) months.
- 7.22.2. The maximum number recreational vehicles for a parcel of land exempt from requiring a development permit shall be no more than two (2). If additional recreational vehicles are desired on a parcel of land, it will require a development permit and there has to be indication that additional recreational vehicles are allowed under a separate use.
- 7.22.3. In all cases where a development permit for a temporary accommodation use is being issued, the terms of occupancy may be specified in the conditions of the development permit.
- 7.22.4. Occupied temporary accommodations 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.
- 7.22.5. No modifications such as an attached canopy, deck, lean-to, or any other attached accessory building shall be made to the temporary accommodations unless engineered drawings are submitted to the Development Authority and approved by an Accredited Safety Codes Agency.
- 7.22.6. No recreational vehicle shall be affixed to a foundation or slab.
- 7.22.7. All seasonal cabins shall require a development permit, as seasonal cabins are not allowed to be inhabited exceeding a consecutive period of six (6) months but are allowed to have occupants periodically throughout the year.
- 7.22.8. The above regulations do not apply to campgrounds approved in accordance with subsection 7.3 Campgrounds of this Bylaw.





# PART 5

# DEVELOPMENT

# APPLICATION

# PROCESS





# 8.0 Procedure for Development Applications

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## 8.1 Development Permit Applications

- 8.1.1. In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other approvals or licenses that may be required by other regulatory departments or agencies.
- 8.1.2. Development permit applications shall be completed and submitted to the Development Authority in writing or electronically for any proposed development, using the development permit form, except for circumstances outlined in Section 3.0: Exemptions and Non-Conforming.
- 8.1.3. A use described as “other uses” in this Bylaw shall be considered a discretionary use. It will be assessed on whether it meets the intent of the district, the objectives, and policies of the *MDP*, and the potential impacts on the surrounding community when the Development Authority considers the approval of the development permit application.

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## 8.2 Development Permit Application Contents

- 8.2.1. All development permit applications shall include the development permit requirements listed below, when applicable:
- a. A complete development permit application form with the signature of the landowner(s) or an agent authorized by the landowner(s) to prepare and submit the application.
  - b. Permission for reasonable right-of-entry by County staff for site inspection.
  - c. A statement outlining the proposed use of the land and building(s).
  - d. A copy of the Certificate of Title for the subject property, issued within thirty (30) calendar days of the day the application is submitted.
  - e. A site plan drawn to scale and in metres, showing the following information:
    - north arrow and scale;
    - the legal land description;
    - front, rear, and side yard setbacks;
    - adjacent roads and highways;
    - exact location and dimensions of existing and proposed buildings;
    - outlines of roof overhangs and dimensions;
    - location, dimensions, and number of on-site loading, vehicle parking and heavy truck and equipment locations, if applicable;



- location and dimensions of access and egress points to the site;
  - hard surfacing, landscaping, and identification of surface treatment for all areas, if applicable;
  - existing and proposed fencing, if applicable;
  - existing and proposed sign locations, if applicable;
  - all rights-of-way and easements within or abutting the subject property, if applicable;
  - location of lighting, lighting standards, hydrants, and utility fixtures, where applicable;
  - location of existing and abandoned well and battery sites, if applicable;
  - foundation plans and elevations, if applicable;
  - related proposed development such as sidewalks, patios, driveways, playgrounds, and other enclosures, if applicable;
  - location of existing and proposed infrastructure, if applicable;
  - location of dugouts, if applicable;
  - any buildings or structures that are to be removed, demolished, or re-located to accommodate the proposed development, if applicable; and
  - existing and proposed site grades and drainage patterns, if applicable.
- f. The location and boundaries of the physical bank, determined by an Alberta Land Surveyor, of any permanent stream or waterbody that is within or adjacent to the site, if applicable.
- g. Identification of all bodies of water, water courses, drainage courses and flood hazard areas on or abutting the site including arrows indicating the direction of water flow, if applicable.
- h. Landscaping information, including the location of vegetation that is proposed to be retained and removed with general type, size, number, spacing and height of plantings, if applicable.
- i. Adjacent land uses and locations of buildings and/or structures, if applicable.
- j. Setback distances from existing developments that contain cannabis related facilities, sewage lagoons, landfills, hazardous lands, etc., if applicable.
- k. Supporting technical studies as required by the Development Authority, if applicable.
- l. A description of the proposed variance, if applicable.
- m. A description of the proposed sign and contents, if applicable.
- n. The estimated project value of the proposed development, excluding the land.
- o. A grading plan showing how stormwater will be managed, if applicable.
- p. The estimated start and completion dates of construction, if applicable.
- q. A Roadside Development Permit from Alberta Transportation, when required.
- r. Applicable fees accordance with the Fees, Rates, and Charges Bylaw, amended from time to time.
- s. Any other items deemed necessary by the Development Authority.



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## 8.3 Complete Applications

- 8.3.1. The Development Authority shall receive all development permit applications and determine within twenty (20) days after the receipt of a development permit application whether it is complete in accordance with the information requirements of this Bylaw.
- 8.3.2. The Development Authority shall inform the applicant by electronic or standard mail, within twenty (20) days after the receipt of a development permit application if the application is considered complete.
- 8.3.3. If the Development Authority does not decide on completeness of the application within twenty (20) days, and a time extension has not been agreed to in writing between the applicant and the Development Authority, the development permit application will be deemed complete.

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## 8.4 Incomplete Applications

- 8.4.1. A development permit application shall not be considered complete by the County until the requirements in subsection 8.2 Development Permit Application Contents have been met to the satisfaction of the Development Authority.
- 8.4.2. If an application for a development permit does not contain all the necessary information or does not contain sufficient details to complete an evaluation of the application and to make a proper decision, the Development Authority shall find the application to be incomplete and inform the applicant by electronic or standard mail within twenty (20) days after the receipt of a development permit application that the application is considered incomplete. The Development Authority may require details or information not specifically referred to in subsection 8.2 Development Permit Application Contents if in the Development Authority's opinion, the details or information are necessary to evaluate the application and make a decision.
- 8.4.3. When notifying an applicant that their development permit application is incomplete, the Development Authority shall inform the applicant what outstanding documents and information must be submitted by the date set out in the notice or a later date agreed on between the applicant and the Development Authority in order for the application to be considered complete.
- 8.4.4. The Development Authority shall inform the applicant by electronic or standard mail within twenty (20) days after the receipt of the updated application, that the application is considered complete or incomplete.



## 8.5 Application Referrals

8.5.1. The Development Authority or Subdivision Authority shall refer any development permit application, subdivision applications, and redistricting application in accordance with the following:

| Mandatory Referral            | Referral Description  |
|-------------------------------|---|
| ADJACENT RURAL MUNICIPALITY   | <p>Within 3.2 km of the jurisdictional boundary and in accordance with any adopted IDP:</p> <ul style="list-style-type: none"> <li>▪ Discretionary Development Permit Applications</li> <li>▪ Subdivision Applications</li> <li>▪ Redistricting Applications</li> </ul>   |
| ALBERTA TRANSPORTATION        | <p>Within 300 m from the highway right of way boundary or 800 m of a highway centre line:</p> <ul style="list-style-type: none"> <li>▪ Development Permit Applications</li> </ul> <p>Within 1.6 km of a highway centre line:</p> <ul style="list-style-type: none"> <li>▪ Subdivision Applications</li> <li>▪ Redistricting Applications</li> </ul> |
| ADJACENT URBAN MUNICIPALITIES | <p>In accordance with any adopted IDP:</p> <ul style="list-style-type: none"> <li>▪ Discretionary Development Permit Applications</li> <li>▪ Subdivision Applications</li> <li>▪ Redistricting Applications</li> </ul>  |
| ADJACENT LANDOWNERS           | <p>All adjacent landowners:</p> <ul style="list-style-type: none"> <li>▪ Discretionary Development Permit Applications</li> <li>▪ Development Permit Applications with Variances</li> <li>▪ Subdivision Applications</li> <li>▪ Redistricting Applications</li> </ul>   |
| OTHER MANDATORY REFERRALS     | <ul style="list-style-type: none"> <li>▪ The County shall also refer all subdivision applications in accordance with the <i>Matters Related to Subdivision and Development</i> and the <i>MGA</i>.</li> </ul>   |

8.5.2. Given the nature and location of the application, the Development Authority or Subdivision Authority may, at their discretion, also refer development permit applications, subdivision applications, and redistricting applications to the following agencies:

- a. The department responsible for regulating the oil and gas industry in Alberta;
- b. The department responsible for regulating the environment and parks in Alberta;



- c. The department(s) responsible for regulating critical wildlife, vegetation, and physical environments;
- d. The department responsible for regulating the health and protection of citizens in Alberta; and
- e. Any other agency the Development Authority deems appropriate.

8.5.3. Comments received during the referral process may inform the Development Authority's decision.

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## 8.6 Development Permit Decisions

- 8.6.1. The Development Authority shall review each development permit application and determine its compliance with this Bylaw. When a development permit application includes variances request or discretionary uses the Development Authority shall assess the application as outlined based on the following criteria in accordance with *Section 640(6) of the MGA*:
- a. unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land,
  - b. the proposed development conforms with the use prescribed for that land or building in the land use Bylaw.
- 8.6.2. The Development Authority shall make a decision on development permit applications within forty (40) days of when the application has been deemed complete in accordance with subsection 8.2 Development Permit Application Contents. If the Development Authority does not make a decision within forty (40) days, the development permit application is deemed refused, unless an extension has been agreed to in writing by both the applicant and the Development Authority.
- 8.6.3. When making the decision on a development permit application, the Development Authority may approve the application unconditionally, approve the application with conditions, approve the development permit application indefinitely or for a limited period of time, or refuse the application.
- 8.6.4. As a condition of a development permit approval, including a variance, the Development Authority may require that the applicant enter into a development agreement to:
- a. construct or pay for the construction of roads, pedestrian walkways or parking areas that serve the development, or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development;
  - b. install or pay for the installation of municipal servicing infrastructure;
  - c. provide a security to ensure that the terms of the agreement noted are carried out;
  - d. outline hours of operations;
  - e. comply with plans that have been submitted as part of the application;
  - f. monitor the development;
  - g. carry out the recommendations of any supporting technical reports relating to the application; and
  - h. mitigate the impacts identified through the assessment process.



- 8.6.5. 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.
- 8.6.6. The Development Authority may impose a minimum buffer strip from the top of the bank of any river, creek, watercourse, or water body and may disallow any structures of any kind from being permitted within this strip to ensure there is no risk or adverse effect on development or environmentally sensitive area(s). The Development Authority may require an environmental and geotechnical assessment prepared by a qualified professional in order to determine the appropriate depth of the buffer strip. Such report must demonstrate:
- a. An appropriate setback between the proposed development and environmentally sensitive area(s);
  - b. Whether any specific construction features should be required to address the possibility of subsidence, flooding or other adverse effects; and
  - c. historical analysis of the lands, including water-levels, topography, vegetation, waterbodies and watercourses. The Development Authority shall not approve a development permit application without the applicant demonstrating they can safely install a sanitary facility that meets provincial standards, when applicable.
- 8.6.7. The Development Authority shall not approve a development permit application until the Development Authority is satisfied that water supplies are of sufficient quality and quantity to support existing and proposed development, which may also include on-site water storage to meet the development's fire suppression requirements.
- 8.6.8. A development permit application shall not be approved unless the lot where the development is proposed to take place has direct access to a public road that meets the municipality's standards.
- 8.6.9. If the Development Authority refuses a development permit application, the decision shall contain reasons for the refusal.
- 8.6.10. If the development permit application is refused based on the merits of the application and not due to the applicant failing to submit all outstanding information and documents, the Development Authority will not accept the same development permit application for at least six (6) months following the decision.
- 8.6.11. Further to subsection 8.6.10 above, if the development permit application is refused due to the applicant failing to submit all outstanding information and documents, the Development Authority will accept a new development permit application for the same use immediately following the refusal.

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## 8.7 Development Permits and Notices

- 8.7.1. A notice for decision made by the Development Authority for a development permit application shall be provided in accordance with the following:





| Development permit Application  | Process of Notice  |
|---|--|
| <p>PERMITTED USES THAT COMPLY WITH THIS BYLAW OR MAY BE MADE TO DO SO BY APPROVAL CONDITIONS</p> <p>EXTENSION OF AN EXISTING PERMIT</p> | <ul style="list-style-type: none"> <li>▪ Notice of the decision and development permit immediately issued to the applicant through ordinary or electronic mail, whichever the applicant indicates on their application.</li> </ul>   |
| <p>PERMITTED USES APPROVED WITH VARIANCES</p> <p>ACCESSORY BUILDINGS/USES TO AN ALREADY APPROVED DISCRETIONARY USE</p>                  | <ul style="list-style-type: none"> <li>▪ Notice of the decision immediately sent to the applicant through ordinary or electronic mail, whichever the applicant indicates on their application.</li> <li>▪ Surrounding landowners are notified in writing of the decision and provided a twenty-one (21) day appeal period.</li> <li>▪ Development permit valid if no appeals received.</li> </ul>  |
| <p>DISCRETIONARY USES</p>   | <ul style="list-style-type: none"> <li>▪ Notice of the decision immediately sent to the applicant through ordinary or electronic mail, whichever the applicant indicates on their application.</li> <li>▪ Surrounding landowners are notified in writing of the decision.</li> <li>▪ Decisions shall be posted for one (1) week in the newspaper circulating in the area of the municipality where the land is located.</li> <li>▪ Twenty-one (21) day appeal period.</li> <li>▪ Development permit valid if no appeals received.</li> </ul> |
| <p>REFUSED APPLICATIONS</p>   | <ul style="list-style-type: none"> <li>▪ Notice of the decision immediately sent to the applicant through ordinary or electronic mail, whichever the applicant indicates on their application, outlining reason(s) for the refusal.</li> </ul>   |
| <p>INCOMPLETE APPLICATIONS WHICH ARE THEREFORE DEEMED REFUSED</p>   | <ul style="list-style-type: none"> <li>▪ Notice of the decision immediately sent to the applicant through ordinary or electronic mail, whichever the applicant indicates on their application, outlining reason(s) for the refusal and/or the missing or incomplete information.</li> </ul>  |

8.7.2. A copy of the Development Authority’s decision shall be sent to any authority, agency or person consulted in accordance with subsection 8.5 Application Referrals.

8.7.3. Notification of a development permit application submitted to Council for decision for a Direct Control District shall be:

- a. published in two (2) consecutive issues of the newspaper operating in the area of the municipality where the land is located; and



- b. mailed by regular mail to each landowner of the properties adjacent to the land that the Direct Control District would apply to.
- 8.7.4. Applicants shall have twelve (12) months to start the development indicated on their approved development permit and two (2) years to complete the development indicated on their approved development permit, from the date the development permit was issued. Failure to meet these timeframes will result in the development permit being void unless the Development Authority grants an extension.

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## 8.8 Development Permit Extensions

- 8.8.1. The Development Authority may extend periods of time related to development permit approvals as follows:
- a. development permit approval for a use which remains compatible with adjacent land uses and which continues to conform to the Bylaw may be extended, in six (6) month increments, to a maximum of four (4) extensions; and
  - b. a development permit approval extension may be granted one (1) time without the review of conditions and there may be not more than four (4) additional extensions that are subject to the applicant showing substantial completion of the majority of the conditions. The Development Authority may grant three (3) extensions, but after the third extension the applicants are subject to any amended regulations.
- 8.8.2. A development permit approval where the use that would result from the development coming into conflict with adjacent land uses or which no longer conforms to the Bylaw must not be extended.
- 8.8.3. A development permit approval granted two (2) years from the date of the extended approvals may not be extended.

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## 8.9 Development Permit Revisions

- 8.9.1. Applicants may revise their development permit applications at any time prior to the Development Authority circulating the application to the appropriate authorities for comments. If the applicant requests revisions to the application after it has been circulated, the Development Authority shall determine if the application must be recirculated to the appropriate authorities in order to provide the opportunity to comment on the revision prior to a decision being made.
- 8.9.2. Additional public notice shall not be required if a revised development permit application:
- a. is minor in nature; and
  - b. includes a storm water management plan that allows for increased storm water arising from increased site coverage.



# 9.0 Procedure for Subdivision Applications

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## 9.1 Subdivision Applications

- 9.1.1. Subdivision applications shall be completed and submitted to the Subdivision Authority in writing or electronically for any proposed subdivision, using the subdivision application form.
- 9.1.2. All subdivision applications shall adhere to the minimum requirements as determined by the Subdivision Authority and shall include the following mandatory subdivision application requirements:
- a. A complete subdivision application form with the signature of the landowner(s) or an agent authorized by the landowner(s) to prepare and submit the application;
  - b. Permission for reasonable right-of-entry by County staff for site inspection.
  - c. Current Certificate of Title dated within thirty (30) days prior to the application date.
  - d. Location of existing and abandoned well and battery sites, or a declaration stating that they are not present.
  - e. A site plan drawn to scale and in metres, indicating the location, dimensions, and boundaries of the parcel to be subdivided.
  - f. The proposed lot(s) to be registered in a Land Titles Office.
  - g. A site plan indicating the location, dimensions, and boundaries of:
    - (i) every new lot to be created;
    - (ii) municipal and environmental reserves;
    - (iii) easements and utility rights-of-way;
    - (iv) internal roadways;
    - (v) land uses;
    - (vi) water and wastewater servicing;
    - (vii) stormwater servicing; and
    - (viii) location of buildings and their support infrastructure (e.g., party areas, accessory buildings, etc.), if applicable
  - h. All applicable fees.
- 9.1.3. The Subdivision Authority, at its discretion, may also request other information as identified in *Part 2, Section 6(7) of the Matters related to Subdivision and Development Regulation*.



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## 9.2 Complete Subdivision Applications

- 9.2.1. The Subdivision Authority shall receive all subdivision applications and determine within twenty (20) days after the receipt of the application whether it is complete in accordance with the information requirements of this Bylaw, in accordance with *Section 653.1(1) of the MGA*.
- 9.2.2. The subdivision application is considered complete if it contains all the information listed in subsection 9.1 Subdivision Applications, as required by the Subdivision Authority.
- 9.2.3. If the Subdivision Authority does not make a decision within twenty (20) days, and a time extension has not been agreed between the applicant and the Subdivision Authority, the subdivision application shall be deemed complete.
- 9.2.4. The Subdivision Authority shall inform the applicant by electronic, or standard mail, within twenty (20) days after the receipt of a development permit application that the application is considered complete.

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## 9.3 Incomplete Subdivision Applications

- 9.3.1. If an application is found incomplete, the Subdivision Authority shall issue a letter to the applicant that lists the outstanding documents and information to be submitted within a specified timeframe to be considered a complete application.
- 9.3.2. After the outstanding documents and information are submitted, to the satisfaction of the Subdivision Authority, and reviewed to determine if the application is complete, the Subdivision Authority shall send a notice in writing to the applicant to confirm the application is complete.
- 9.3.3. In accordance with the *MGA*, additional information and/or documentation necessary to review a subdivision application may be required from the applicant during the course of a file review.
- 9.3.4. If a subdivision application is deemed incomplete because the applicant/landowner fails to provide the information within the agreed timeframe as outlined in subsection 9.3.1 above, the application shall be refused with reasons by the Subdivision Authority unless the applicant/landowner had previously expressed, in writing, to have the subdivision application withdrawn or agree to an extension in writing.

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## 9.4 Subdivision Application Referrals

- 9.4.1. The Subdivision Authority shall refer subdivision applications in alignment with subsection 8.5 Application Referrals and the *Matters related to Subdivision and Development Regulation*.



- 9.4.2. After thirty (30) calendar days from the date of referral to authorities, agencies, or landowners, the Subdivision Authority may make a decision on the subdivision application, whether or not comments have been received.
- 9.4.3. The Subdivision Authority is not required to refer a subdivision application to any agency outlined in *Part 2, Section 7(8) of the Matters related to Subdivision and Development Regulation* if the subdivision is within an approved Area Structure Plan or Conceptual Scheme that was referred to those agencies.

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## 9.5 Subdivision Decision Time Period

- 9.5.1. If the Subdivision Authority fails to make a decision on an application for subdivision within sixty (60) days of the date on which the application was accepted, the applicant may, within fourteen (14) days after the 60-day period has expired:
- a. enter into an agreement with the Subdivision Authority to extend the period beyond sixty (60) days; or
  - b. treat the application as “deemed refused” and file an appeal.
- 9.5.2. If the subdivision application is refused, the Subdivision Authority shall not accept an application for subdivision from the applicant in respect of the same lands for at least six (6) months following the decision.

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## 9.6 Subdivision Application Decisions

- 9.6.1. The Subdivision Authority must receive, consider, and make decisions on all subdivision applications.
- 9.6.2. The Subdivision Authority shall assess subdivision applications based on *Section 654(1) MGA*, the regulations in this Bylaw, and in accordance with the *Matters related to Subdivision and Development Regulation*.
- 9.6.3. In their decision, the Subdivision Authority may:
- a. approve an application with conditions;
  - b. refuse the application; or
  - c. if the applicant fails to submit all the outstanding information and documents on or before the date referred in notification to the applicant of an incomplete application, the application is deemed to be refused.
- 9.6.4. If the Subdivision Authority refuses an application as outlined in subsection 9.6.3 above, reasons for the Subdivision Authority’s decision must be provided in writing.



- 9.6.5. The Subdivision Authority may impose conditions considered appropriate for the development and as provided for in the *MGA*, the Regulation or in this Bylaw on a subdivision approval.
- 9.6.6. A subdivision application that creates a new lot or boundary adjustment where an existing dwelling or other activity requires on-site servicing shall not be approved unless the Subdivision Authority is satisfied that it can be demonstrated that sanitary servicing can be adequately provided on-site.
- 9.6.7. A subdivision application that creates a new lot or boundary adjustment where an existing dwelling or other activity requires on site water must supply a sufficient quality and quantity to support the existing and proposed future development on the new lot, which may also include on-site water storage to meet the development's fire suppression requirements.
- 9.6.8. A subdivision application shall not be approved unless the Subdivision Authority is satisfied with the management of stormwater and can meet the requirements of the Subdivision Authority.
- 9.6.9. At the discretion of the Subdivision Authority, the provision of a water reservoir, dugout or other similar facility may be required in a residential development of more than three (3) lots for the purpose of firefighting protection.
- 9.6.10. New subdivision(s) shall not be permitted on land where a dwelling, school, hospital, or food establishment could not be developed on the lot because of the setback regulations for landfills, wastewater, sewage lagoon, or sour gas facilities, unless a caveat is registered against the title prohibiting these uses.

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## 9.7 Subdivision Approval Time Extensions

- 9.7.1. Council delegates the power to the Subdivision Authority to extend periods of time related to subdivision approvals as follows:
- a. a subdivision approval for a use, which remains compatible with adjacent land uses and continues to conform to the Bylaw, may be extended in one-year increments;
  - b. a single extension for subdivision approval may be granted without the need for reviewing the conditions. Up to four (4) additional extensions can be considered, but for each of these, the applicant must demonstrate substantial completion of the majority of the conditions. The Subdivision Authority has the discretion to approve three (3) of these extensions, but starting from the fourth extension, applicants may be subject to any amended County regulations or policies;
  - c. a subdivision approval, where the use that would result from the subdivision coming into conflict with adjacent land uses or which no longer conforms to the Bylaw, must not be extended; and
  - d. a subdivision approval granted five (5) years from the date of the extended approvals may not be extended.



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## 9.8 Approved Subdivision Endorsement Time Period

- 9.8.1. The plan of subdivision, or instrument, must be submitted to the Subdivision Authority for endorsement within one year of the subdivision's approval date or by the time prescribed by the Subdivision Authority beyond one (1) year; otherwise, the subdivision approval is void.
- 9.8.2. The plan of subdivision, or instrument, must be submitted to the Land Titles office for registration within one (1) year from the time of endorsement or by the time prescribed by Council or its delegate beyond one (1) year; otherwise, the subdivision approval of the plan or instrument and the endorsement is void unless an extension has been granted.
- 9.8.3. The Subdivision Authority may grant not more than one (1) extension, to a maximum of five (5) years of the period referred to in subsection 9.8.2 above.



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# PART 6 APPEAL PROCESS





# 10.0 Appeal Process

## 10.1 Appeal Authority

10.1.1. In this Bylaw, the Appeal Authority is the Subdivision and Development Appeal Board (hereinafter referred to as the “SDAB”) as established by Bylaw, in accordance with *Section 627 of the MGA* or the Land and Property Rights Tribunal (hereinafter referred to as the “LPRT”), as determined by the *MGA*.

## 10.2 Procedure for Development Permit, Subdivision, and Stop Order Appeals

10.2.1. Development Permit, Subdivision, and Stop Order Appeals shall be to the Appeal Authority in accordance with the *MGA* and consistent with the applicable procedures of the SDAB or the LPRT.

### DEVELOPMENT PERMIT APPEALS

10.2.2. A development permit appeal may be made by the following:

a. the applicant of a development permit if the Development Authority:

- (i) refuses a development permit;
- (ii) issues a development permit subject to conditions; or
- (iii) fails to make a decision with respect to an application within forty (40) days of receipt of a complete application or within such longer period as the applicant may have approved in writing.

b. by any person claiming to be affected by a development permit decision.

10.2.3. A development permit appeal shall be made by serving a written Notice of Appeal accompanied by the applicable fee, containing reasons for the Appeal to the Appeal Authority as specified in *Section 686(1) of the MGA*:

a. in the case of an appeal made by a person referred to in subsection 10.2.2.(a) above within twenty-one (21) calendar days after:

- (i) the date on which the decision of the development permit was given; or
- (ii) if no decision is made with respect to the application within the forty (40) calendar day period or within any extension of this time limit referred to under subsections 8.6.2. Development Permit Decisions, the date the period or extension expires.

10.2.4. No appeal may be made in respect of the issuance of a development permit for a Permitted Use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted.

10.2.5. No appeal may be made in respect of a decision of Council or their delegated Development Authority of a development permit in a Direct Control District.

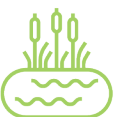


## SUBDIVISION APPEAL

- 10.2.6. Specified in Section 678.1c of the *MGA*, the decision of a Subdivision Authority on an application for subdivision approval may be appealed by the Council of the municipality in which the land to be subdivided is located if the Council, a Designated Officer of the municipality or the municipal planning commission of the municipality is not the Subdivision Authority.
- 10.2.7. An appeal with regard to a subdivision application may be made by the following:
- a. by the applicant of a subdivision application if the Subdivision Authority:
    - (i) issues a subdivision approval subject to conditions;
    - (ii) refuses a subdivision with reasons;
    - (iii) fails to make a decision with respect to an application within sixty (60) days of receipt of a complete application if the application was referred to external agencies, or in twenty-one (21) days if it was not referred to external agencies, or within such longer period as the applicant may have approved in writing; or
  - b. by any provincial department that required referral by the *Matters related to Subdivision and Development Regulation* or a local school board.
- 10.2.8. A Subdivision Appeal shall be made by serving a written Notice of Appeal, containing reasons for the Appeal to the Appeal Authority as specified in *Section 678(2) of the MGA*:
- a. within fourteen (14) calendar days after:
    - (i) receipt of the Notice of Decision; or
    - (ii) if no decision is made with respect to the application within the sixty (60) calendar days or within any extension of this time limit referred to under subsection 9.5 Subdivision Decision Time Period, the date the period or extension expires.
- 10.2.9. In accordance with *Section 678(3) of the MGA*, the date of receipt of the decision is deemed to be seven (7) calendar days from the date the decision is mailed.

## STOP ORDER APPEAL

- 10.2.10. An appeal with regard to a Stop Order made under *Section 645 of the MGA* and Section 12.0: Bylaw Enforcement of this Bylaw may be made by the following:
- a. the person(s) who received the Order; or
  - b. by any person claiming to be affected by the Order.
- 10.2.11. A Stop Order Appeal shall be made by serving a written Notice of Appeal, containing reasons for the Appeal to the Appeal Authority within twenty-one (21) calendar days after the date on which the Order was made, in accordance with *Section 686(1) of the MGA*.



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## 10.3 Persons to be Heard at the Hearing

- 10.3.1. As per Section 686(1) of the *MGA*, at the hearing of a development permit or subdivision approval appeal, the Appeal Authority must hear:
- a. the applicant or any person acting on behalf of the applicant;
  - b. the appellant or any person acting on behalf of the appellant;
  - c. a municipality or any of those to whom the application was referred to or given notice in accordance with this Bylaw and the *MGA*;
  - d. the Development Authority or Subdivision Authority from whose order, decision or development permit the appeal is made, or the person acting on their behalf; and
  - e. any other person who claims to be affected and that the Subdivision and Development Appeal Board agrees to hear or someone acting on that person's behalf.

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## 10.4 Appeal Decision

- 10.4.1. In determining a development permit or subdivision permit appeal, the Appeal Authority:
- a. shall comply with the provincial land use policies;
  - b. must comply with applicable land use policies and statutory plans, in accordance with *Section 638(1) of the MGA*;
  - c. must comply with any land use policies and bylaw in effect, in accordance with *Section 687(3) clauses (a.1) and (a.3) of the MGA*;
  - d. Must comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act*, in accordance with *Section 687(3) clause (a.4)* respecting the location of premises described in a cannabis licence and distances between those premises and other premises;
  - e. may confirm, revoke, or vary the order, decision or development permit or any condition attached to it or may make or substitute an order, decision, or development permit of its own;
  - f. may make an order or decision or issue or confirm the issuance of a development permit even though the proposed development does not comply with this Bylaw if, in its opinion, the proposed development conforms with the prescribed use for the land or building as defined in this Bylaw, and would not:
    - (i) unduly interfere with or affect the use, enjoyment, or value of neighbouring properties; and
    - (ii) materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- 10.4.2. Decisions for development permit appeals are subject to *Section 687 of the MGA* and decisions for subdivision permit appeals are subject to *Section 680 of the MGA*.
- 10.4.3. The Appeal Authority must give its decision in writing together with reasons for the decision within fifteen (15) days of concluding the hearing.



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## 10.5 Court of Appeal

- 10.5.1. In accordance with *Section 688(1) of the MGA*, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to a decision of the Appeal Authority.
- 10.5.2. An application for permission to appeal in accordance with subsection 10.5.1 above must be filed and served within thirty (30) days after the issuance of the decision sought to be appealed, and notice of the application must be given to:
- a. the County;
  - b. the Subdivision and Development Appeal Board; and
  - c. any other person(s) that the court directs.



# PART 7 BYLAW AMENDMENT PROCESS







# 11.0 Bylaw Amendment Process

## 11.1 Amendment Procedure

- 11.1.1. All amendments to this Bylaw shall be made by Council by Bylaw and in accordance with *Section 692 of the MGA*, and following a public hearing, in accordance with *Section 216.4 of the MGA*.
- 11.1.2. Council may, at any time, initiate an amendment to this Bylaw affecting any parcel of land, in accordance with the *MGA*, without the landowner's consent.
- 11.1.3. Any person may apply to amend this Bylaw by submitting an application to the Development Authority in writing, with the required supporting documentation and by paying the appropriate fee.
- 11.1.4. If the proposed amendment to this Bylaw is contradictory to an adopted Statutory Plan(s) or planning document, the Development Authority shall advise the applicant that an amendment must be made to the Statutory Plan(s) or planning document prior to, or concurrently with, the amendment to this Bylaw.
- 11.1.5. Upon receipt of a complete application to amend this Bylaw, the Development Authority shall determine when the application will be placed before Council and shall issue at least fourteen (14) days' notice to the applicant advising that they may appear before Council to speak to the application. An application to amend this Bylaw shall be placed before Council on a date to be determined by the Development Authority upon receiving the application and deeming it complete as outline in subsection 11.2 Amendment Application.
- 11.1.6. The Development Authority shall assess a proposed redistricting by considering the potential impact any of the uses of the district may have on the existing community and prepare a recommendation to Council in accordance with its assessment. If there is a potential of significant impacts arising from one of the uses and/or the redistricting does not align with the *MDP* and/or other Statutory Plans, the recommendation shall be to decline the application.

## 11.2 Amendment Application

- 11.2.1. The Development Authority may refuse to accept an application to amend this Bylaw if the required information has not been supplied or if the information is of inadequate quality to properly evaluate the application.

### FOR REDISTRICTING

- 11.2.2. All applications to amend districting within this Bylaw shall use the appropriate application form, and shall include at least the following:



- a. the appropriate application fees;
- b. completed application form;
- c. the name, physical and email address and phone number of the applicant and the landowner of the subject parcel and a notice of who will act as the contact person for the application;
- d. a letter of authorization signed by all landowner(s), their agent, or other persons having legal or equitable interest in the land, unless the application is initiated by Council;
- e. if applicable, the municipal address(es) of the subject parcel of land(s);
- f. a copy of the Certificate of Title for the subject parcel(s), issued within thirty (30) days prior to the application date;
- g. copy of any restrictive covenant(s) or caveats registered on the Certificate of Title;
- h. a written statement from the applicant explaining the reasons for the proposed amendment and how the amendment will not materially impact the existing community and conforms with any relevant Statutory Plan(s) or planning document(s);
- i. a properly dimensioned map of an appropriate scale indicating the parcel of land(s) proposed for amendment, an assessment compatibility with existing land uses within a 400 m (1,312.3 ft) radius of the boundaries of the lot or parcel of land(s) and including any prominent geographic or natural features when required;
- j. any other information as established by this Bylaw; and
- k. any other information or documents deemed necessary by the Development Authority.

11.2.3. When assessing a redistricting application, the County shall take into consideration all the uses and the potential impact they may have on the surrounding environment and determine whether the regulations of the new District are sufficient to mitigate those impacts and that it aligns with other statutory documents, such as the *MDP* and any adopted Area Structure Plan.

#### FOR TEXT AMENDMENTS

- 11.2.4. An application for a text amendment to this Bylaw shall include the following:
- a. a written statement from the applicant explaining the reasons for the proposed Bylaw amendment and how the amendment conforms with relevant Statutory Plan(s) or planning document(s), and what, if any, potential impacts on the surrounding community;
  - b. the exact content of the proposed text amendment;
  - c. the appropriate fee;
  - d. a description of how the proposed text amendment may affect properties or developments of a similar nature;
  - e. any other information or documents deemed necessary by the Development Authority.



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## 11.3 Advertising Requirements

- 11.3.1. In accordance with *Section 606, 606.1, and 692 of the MGA*, upon receipt of a complete application for amendment to this Bylaw, and prior to second reading of the amending Bylaw, the Development Authority shall:
- a. provide notice to:
    - (i) the applicant;
    - (ii) the assessed owner(s) of the land if not the applicant;
    - (iii) the registered owner(s) of adjacent land if the proposed Bylaw provides for a change of district;
    - (iv) other landowners that may be affected by the amendment, at the discretion of the Development Authority; and
    - (v) adjacent municipalities and other external agencies in accordance with subsection 8.5 Application Referrals.
- 11.3.2. The Development Authority may require that the applicant hold at least one (1) public meeting prior to the public hearing.
- 11.3.3. Notwithstanding subsections 11.3.1 and 11.3.2 above, this Bylaw may be amended without giving notice or holding a public hearing, if the amendment constitutes a clerical (which can include mapping), technical, grammatical, or typographical error or does not materially affect this Bylaw in principle or substance, in accordance with *Section 692(6) of the MGA*.

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## 11.4 Public Hearing

- 11.4.1. At the Public Hearing, Council:
- a. must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council, and
  - b. may hear any other person who wishes to make representations and whom Council agrees to hear.

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## 11.5 Amendment Decisions

- 11.5.1. Council should assess amendments to this Bylaw based on the information contained within the amendment application when determining if the redistricting is appropriate. Specifically, Council should assess applications to amend this Bylaw based on the following criteria:
- a. the reasons for amendment;
  - b. alignment with the MDP and any other applicable Statutory Plan(s);
  - c. the potential impact on the community;
  - d. the potential impact on municipal infrastructure;



- e. the potential impact on the environment; and
  - f. the potential impact on the municipality's capital, operating, and maintenance budgets.
- 11.5.2. After considering the amendment application, and the criteria contained in subsection 11.5.1, representations at the Public Hearing, applicable and relevant Statutory Plans, recommendations from administration, and any other matter it considers appropriate, Council may:
- a. approve the proposed Bylaw;
  - b. amend the proposed Bylaw and then approve it;
  - c. refer the proposed Bylaw to administration for further review and/or changes, and reschedule the application for further consideration; or
  - d. refuse the proposed Bylaw.
- 11.5.3. If Council defeats an amendment application for this Bylaw, another application for the same, or substantially the same amendment shall not be considered within six (6) months of the date of defeat, unless Council directs otherwise.



# PART 8 BYLAW ENFORCEMENT





## 12.0 Bylaw Enforcement

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### 12.1 Contravention

- 12.1.1. In accordance with *Section 645 of the MGA*, the Development Authority may enforce provisions of the *MGA* and the *Matters related to Subdivision and Development Regulation*, the conditions of a development permit, subdivision approval, and this Bylaw. Enforcement may be made by written notice of contravention, written stop order notice, or any other authorized action to ensure compliance.
- 12.1.2. In accordance with *Section 645 of the MGA*, the Development Authority may enforce the provisions of the *MGA* and this Bylaw by written order requiring the person responsible for the contravention to remedy it if the circumstances so require.

### 12.2 Prohibitions

- 12.2.1. No person shall contravene or permit a contravention of this Bylaw on property they own or occupy.
- 12.2.2. No person shall commence or undertake a development, subdivision, or use that is not allowed by this Bylaw.
- 12.2.3. No person shall contravene a condition of a permit or approval issued under this Bylaw, or an agreement required as a condition of approval.
- 12.2.4. No person shall authorize or pursue any development that varies with the description, specifications, or plans that were the basis for the issuance of a development permit.
- 12.2.5. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by an Approving Authority.

### 12.3 Cancellation, Suspension or Modification

- 12.3.1. The Development Authority may cancel or suspend a development permit by written notice to the permit holder if, after a development permit has been approved and/or issued, the Development Authority becomes aware that:
- the development application contains a misrepresentation;
  - facts concerning the application, or the development were not disclosed which should have been disclosed at the time the application was considered;
  - the development permit was issued in error;



- d. the applicant withdrew the application by way of written notice; or
  - e. the development permit or the condition(s) imposed in the development permit have not been complied with.
- 12.3.2. The Development Authority may by written notice, order the owner, the person in possession of the land or building or the person responsible for a contravention of the development approval to stop and carry out actions as to comply with a subdivision approval.
- 12.3.3. A person whose development permit is cancelled, or suspended, or a person who received a written notice for a subdivision or development permit contravention, under this subsection may appeal to the Appeal Authority in accordance with Section 10.0: Appeal Process.
- 12.3.4. Modifications to an issued development permit shall only be allowed if, at the discretion of the Development Authority, the modifications are minor that does not render the development in non-compliance or increased non-compliance, and does not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land,

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## 12.4 Entry to Property Regarding Land Use, Development and Subdivision Matters

- 12.4.1. After providing reasonable notice to the owner or occupant in accordance with *Section 542 of the MGA*, the Development Authority and Subdivision Authority may enter the property at any reasonable time to ensure that the Bylaw requirements are being complied with.
- 12.4.2. Entry to the property shall be in accordance with *Section 542 of the MGA*.

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## 12.5 Offences and Fines

- 12.5.1. A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary of conviction to a fine not exceeding \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, in accordance with *Section 566 of the MGA*.
- 12.5.2. A person who contravenes or fails to comply with any provision of a development permit or subdivision approval is guilty of an offence and subject to a specified penalty of:
- a. \$500.00 penalty for the first offence; and
  - b. \$1,000.00 penalty for the second and subsequent offences within the same calendar year.
- 12.5.3. Anyone contravening a stop order issued by the Development Authority is subject to a specified penalty of:





- a. \$5,000.00 for the first offence; and
  - b. \$10,000.00 for the second and subsequent offences if the breach continues for more than thirty (30) days.
- 12.5.4. In addition to the process and penalties described above, the Development Authority shall be authorized to inspect any development to confirm compliance, and if not in compliance to issue violation tickets in respect to any contravention of this Bylaw.

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## 12.6 Stop Orders and Enforcement

- 12.6.1. 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:
- a. stop the development or use of the land or buildings in whole or in part as directed by the notice;
  - b. demolish, remove, replace the development or landscaping; and/or
  - c. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the *MGA*, a development permit, subdivision approval, or this Bylaw as the case may be, within the time specified by the notice.
- 12.6.2. The Order shall specify a deadline for compliance and shall:
- a. state that if the person does not comply with the Order within the specified time, the municipality will take the action or measure at the expense of the person;
  - b. state the date the Order was made; and
  - c. be sent to the person(s) that is subject to the Order on the same day the Order is made.
- 12.6.3. The County may register a caveat, under the *Land Titles Act*, against the certificate of title for the land that is subject to the Order, provided that the caveat is discharged when the Order has been complied with.
- 12.6.4. The County's costs of carrying out any actions required for compliance may be added to the tax roll of the land subject to the Order, in accordance with the *MGA*.
- 12.6.5. Stop Orders can be appealed in accordance with the *MGA*. Refer to Section 10.0: Appeal Process.



## 13.0 Development Permit, Subdivision, Redistricting, and Agreement Fees

- 13.1.1. Council may, from time to time, establish by Bylaw the fees, application forms, and agreements as may be required for the purpose of this Bylaw.



# PART 9

# DEFINITIONS





# 14.0 Definitions

## 14.1 General and Use Definitions

- 14.1.1. Words, terms, and phrases that occur in this Bylaw which are also defined in the *MGA* or other provincial legislation, shall retain the same definition.
- 14.1.2. Any words, terms, and phrases that occur in this Bylaw that are not provided for in Section 14.0: Definitions and are not defined in the *MGA* or other provincial legislation, shall use their ordinary and customary definitions.
- 14.1.3. The following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them in the following table.

|         | TERM                      | DEFINITION   |
|---------|---------------------------|--|
| Use     | <b>Abattoir</b>           | means a premise where animals are slaughtered and meat is prepared, packaged, or stored. This includes multi-location or mobile abattoirs.   |
| Use     | <b>Accessory Building</b> | 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, personal use greenhouses, and sheds. |
| Use     | <b>Accessory Use</b>      | 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.  |
| General | <b>Act or MGA</b>         | means the <i>Municipal Government Act</i> being <i>Chapter M-26 of the Revised Statutes of Alberta 2000</i> , as amended. The <i>Municipal Government Act</i> sets out the legislated roles and responsibilities of municipalities and elected officials.                                      |
| General | <b>Adjacent Land</b>      | means land that is touching the parcel of land or land that would be touching if not for a highway, road, river, or stream.  |
| General | <b>Appeal Authority</b>   | means the Subdivision and Development Appeal Board (“ <b>SDAB</b> ”) or the Land and Property Rights Tribunal (“ <b>LPRT</b> ”) appointed by the Municipal Council pursuant to the <i>MGA</i> .  |



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| Use | <b>Agricultural Operations, Commercial</b>      | means the on-site commercial sale of agricultural and agricultural related products to the general public, including, but not limited to seed cleaning and/or treating plant for commercial use; pesticide sales' retail facility for commercial sales of products from other agricultural operations; and abattoir for commercial sales.   |
| Use | <b>Agricultural Operations, Primary</b>         | means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, including, but not limited to: the cultivation of land; the raising of livestock, including diversified livestock animals within the meaning of the <i>Livestock Industry Diversification Act</i> and poultry; the raising of fur-bearing animals, pheasants or fish; the production of agricultural field crops; the production of fruit, vegetables, berries, herbs, spices, hemp, sod, trees, shrubs and other specialty horticultural crops; hydroponic and other growth medium crop production; the production of eggs and milk; the production of honey; operation of secondary processing facilities including drying, cleaning, separating and packaging of primary agriculture products; the operation of agricultural machinery and equipment, including irrigation pumps; the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes; and the collection, transportation, storage, application, use, transfer and disposal of manure, composting materials, and compost. This use class does not include Cannabis Cultivation, Cannabis production facility, or Confined Feeding Operations. This includes Industrial Hemp. The rearing of livestock either in conjunction with or separate from an Agricultural Operation, Primary use where the number of animals on the subject Parcel falls below the registration threshold of a Confined Feeding Operation as per the <i>AOPA, Agricultural Operations Practices Act, Part 2 Livestock and Manure</i> , Schedule 2. |
| Use | <b>Agricultural Operations, Secondary</b>       | means the operation of secondary processing facilities for agricultural products, including but not limited to drying, cleaning, separating, and packaging of primary agriculture products for end use only; and abattoir for end use only.   |
| Use | <b>Agricultural Operations, Support Service</b> | 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.  |
| Use | <b>Agricultural Operations, Value Added</b>     | means a development of small-scale production, manufacturing, food processing, retail activities and food service operations as a direct extension of an agricultural or farming operation related to the site.   |



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|     |  | <p>The intent of these developments is to promote the diversification of farming and agricultural operations and to provide landowners opportunity for economic benefit of changing a primary product into one that has an increased consumer appeal. This includes but is not limited to milling wheat into flour, on-site butchering of livestock and poultry for on-site retail sales, marketing, and sales of organic products, micro distilling, or agritourism opportunities like pick your own fruit, corn mazes, and farmer’s markets.</p> |
| Use | <b>Agricultural, Product Processing</b>                                  | <p>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.</p>   |
| Use | <b>Agri-tourism</b>  | <p>means a tourist-oriented activity, event, service and/or facility that is part of an agricultural operation that promotes the products grown, raised and/or processed on that agricultural operation. This includes, but is not limited to u-pick, corn mazes, etc.</p>   |
| Use | <b>Air Supported and Fabric Covered Structures</b>                       | <p>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.</p>  |
| Use | <b>Animal Hospital and Shelter</b>                                       | <p>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.</p>   |
| Use | <b>Auctioneering Establishment, Indoor</b>                               | <p>means a development intended for the auctioning of livestock, goods, and/or equipment, including the temporary storage of such livestock, goods, and/or equipment indoors, but does not include garage sales, flea markets, or sale of such items on an irregular basis.</p>  |
| Use | <b>Auctioneering Establishment, Outdoor</b>                              | <p>means a development intended for the auctioning of livestock, goods, and/or equipment, including the temporary storage of such livestock, goods, and/or equipment outdoors, but does not include garage sales, flea markets, or sale of such items on an irregular basis.</p>   |
| Use | <b>Automotive and Equipment Sale, Repair, Rental, and Storage, Major</b> | <p>means development used for the rental, lease, sale, storage, service, restoration, inspection and/or mechanical repair of heavy equipment vehicles, such as: industrial vehicles, farm implement vehicles, semi-trucks &amp; trailers, busses, among others.</p>  |



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| Use     | <b>Automotive and Equipment Sale, Repair, Rental, and Storage, Minor</b> | 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, auto body shops, and automotive glass and upholstery shops. This does not include auto wrecking. |
| Use     | <b>Bed and Breakfast Establishment</b>                                   | 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.  |
| Use     | <b>Breweries, Wineries, Distilleries</b>                                 | means the manufacturing, packaging, bottling, canning of beer, wine, spirits, or other alcoholic beverages for on-site or for sale for off-site consumption. These developments may include the preparation and sale of food for on-site or off-site consumption.   |
| Use     | <b>Broadcasting Studio</b>   | means a premise used for the production and/or broadcasting of audio and visual programming typically associated with radio, television, and motion picture studios.  |
| General | <b>Building</b>  | means 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.   |
| Use     | <b>Business Support Service</b>  | means a premise used to provide support services to other businesses. This may include one or more of the following: <ul style="list-style-type: none"> <li>a. the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office security;</li> <li>b. the sale, rental, repair, or servicing of office equipment, furniture, and machines; and</li> </ul> the sale, rental, repair or servicing of computers, cellular phones, and fax machines.  |
| General | <b>Cannabis</b>  | means any part of a cannabis plant, including the Phyto cannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not.   |
| Use     | <b>Cannabis Cultivation</b>  | means the cultivation of cannabis products for commercial purposes and requiring licensing from provincial and/or federal authorities.  |





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| Use | <b>Cannabis Production Facility</b>                       | 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 processing, labelling, and packaging, storing, and transporting of marijuana. This does not include the cannabis retail sales.  |
| Use | <b>Cannabis Retail Sales</b>                              | means a building used for the retail sale of cannabis that is authorized by Provincial or Federal legislation and may include the retail sale of cannabis accessories as approved by Alberta Gaming, Liquor & Cannabis (AGLC).   |
| Use | <b>Campground</b>   | means a commercial recreational development for the purpose of providing short-term or temporary accommodation for recreational vehicles or tents (see definition for temporary accommodations). A campground is not construed to mean a development for the purpose of accommodating permanent occupancy.   |
| Use | <b>Commercial Green Houses and Plant Nursery</b>          | means a commercial development 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 cannabis facility.   |
| Use | <b>Commercial Renewable and Alternate Energy Facility</b> | 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, sun biofuels, 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. This does not include Solar Collectors, Commercial or Solar Collectors, Personal. |
| Use | <b>Commercial School</b>                                  | 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.  |
| Use | <b>Commercial Storage</b>                                 | 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.   |



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| Use     | <b>Commercial Storage, Temporary</b>       | 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. |
| Use     | <b>Communal Living</b>                     | means an arrangement of permanent dwellings as an integral part of an agricultural, religious, or educational facility operated by a recognized communal organization. This does not include accommodations that are seasonal or for temporary purposes.  |
| Use     | <b>Community Recreation</b>                | 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 centers and community league buildings operated by local residents' organizations.   |
| Use     | <b>Compost Facilities - Class I</b>        | means a waste management facility where waste, not including biomedical and hazardous waste, is brought in from offsite locations and is decomposed through a controlled bio-oxidation process that results in a stable humus-like material but does not include a residential composter or when part of an agricultural operation.                                     |
| Use     | <b>Compost Facilities - Class II</b>       | means a waste management facility where only vegetative matter or manure are brought in from offsite locations and decomposed through a controlled bio-oxidation process that results in a stable humus-like material but does not include a residential composter or when part of an agricultural operation.   |
| General | <b>Corner Lot</b>                          | 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.  |
| General | <b>Council</b>                             | means the Council of Beaver County in the Province of Alberta.  |
| General | <b>Country Residential Use, Single Lot</b> | means a dwelling on a lot resulting from a subdivision for a farmstead, fragmented parcel, or undeveloped country residential site.   |
| General | <b>County</b>                              | means Beaver County unless otherwise noted.   |



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| Use     | <b>Custodial Quarters</b>    | <p>means:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. must not be approved on a site unless another development has been approved for that site; and</li> </ul> <p>must be located in the same building as the principal use unless otherwise authorized by the Development Authority.</p> |
| Use     | <b>Custom Workshop</b>       | <p>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.</p>   |
| Use     | <b>Daycare Facility</b>      | <p>means daytime personal care and education of children or the elderly 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.</p>  |
| General | <b>Development</b>           | <p>means a change of use of land or a building; the construction of a building; an extraction or stockpile; or change in intensity of use, as per the definition in the <i>Municipal Government Act</i>.</p>   |
| General | <b>Development Authority</b> | <p>means the Development Authority established by this Bylaw.</p>  |
| General | <b>Development Permit</b>    | <p>means a document authorizing a development issued pursuant to a land use bylaw or the land use regulations.</p>   |
| General | <b>Discretionary Use</b>     | <p>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.</p>   |
| Use     | <b>Drive-thru Business</b>   | <p>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-thru as an accessory component. Typical uses include oil change garages, and fast-food restaurants.</p>   |



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| General | <b>Dwelling Unit</b>   | means a complete self-contained residence which contains sleeping, cooking, and sanitary facilities, intended for domestic use, and used or intended to be used for permanent accommodation. A dwelling unit must have a separate private entrance from the exterior of a building or from a common hall, lobby, or stairway inside a building. A dwelling unit includes accessory dwelling unit as defined in this Bylaw.  |
| Use     | <b>Dwelling, Accessory Unit</b>                                | means a self-contained dwelling unit, that is located on the same titled parcel, and accessory to a single-detached dwelling that meets the <i>National Building Code</i> or <i>CSA A277</i> . Accessory dwelling units are clearly secondary in size to the principal dwelling, may be located within the principal building, an accessory building or detached. Accessory dwelling units may or may not share access to the outside and/or other facilities with the main dwelling unit. Typical dwelling units include mobile homes, garden suites, garage suites, and guest houses. |
| Use     | <b>Dwelling, Semi Detached</b>                                 | means a dwelling containing two dwelling units sharing a common wall and located side by side or one above the other.   |
| Use     | <b>Dwelling, Single Detached</b>                               | means a building containing one primary dwelling unit which is separate from any other primary dwelling unit or building on a property. Single-detached dwellings include tiny homes, modular homes, and any other building/ structure that meets the <i>National Building Code</i> or <i>CSA A277</i> for permanent occupancy.   |
| Use     | <b>Equestrian Facility and Rodeo Arena</b>                     | The use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian and rodeo events, but does not include the racing of horses.  |
| Use     | <b>Equipment Rentals</b>                                       | 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.   |
| Use     | <b>Farm and Industrial Machinery Sale, Rental, and Service</b> | 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.  |
| General | <b>Farming</b>   | means the use of the land or buildings for the raising or producing of crops/and or livestock and does not include a confined feeding operation.  |



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| General | <b>Farmstead</b>                     | 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.  |
| General | <b>Farmstead Separation</b>          | means the subdivision of a parcel of land (typically out of a quarter section) where there is an existing residence and associated improvements.   |
| Use     | <b>Fleet Services</b>                | 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.   |
| Use     | <b>Food and Beverage Products</b>    | 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 or mobile catering. The impact of this use shall not extend beyond the boundaries of the building. |
| Use     | <b>Food Service, Mobile Catering</b> | means the delivery and sale of food to the public using a fleet of vehicles.   |
| Use     | <b>Food Service, Restaurant</b>      | 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.  |
| Use     | <b>Food Service, Specialty</b>       | 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.  |
| General | <b>Fragmented Parcel</b>             | 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.   |



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| Use | <b>Fuels and Chemicals Sale and Storage</b> | 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.  |
| Use | <b>Funeral services</b>                     | 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.  |
| Use | <b>General Commercial Uses</b>              | means a development where products or services are made available to consumers. This includes but is not limited to automotive and equipment repair shops; automotive and minor recreation vehicle sales and rentals; equipment rentals; fleet services; and household repair services.  |
| Use | <b>General Contractor Services</b>          | means a development used for providing building construction, landscaping, concrete, electrical, plumbing, heating, drain cleaning, woodworking, and similar services of a construction nature. These developments typically require on-site storage for materials, equipment and vehicles associated with the service.  |
| Use | <b>General Retail Stores</b>                | means a building where goods, wares, merchandise, substances, articles, or things are stored, offered, or kept for sale at retail prices and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient only to service the store but does not include any retail outlet otherwise listed or defined in this Bylaw.   |
| Use | <b>Government Services</b>                  | means a premise providing for crown corporation, municipal, provincial, or federal government services directly to the public. This does not include detention and correction services, minor utility services, major utility services, and public education. Typical uses include County, Provincial and Federal Offices, courthouses, postal offices, protection services, police stations, and social service offices.  |
| Use | <b>Group Home, Major</b>                    | means a development which is recognized, authorized, licensed, or certified by a public authority as a social care facility intended to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance, and supervision. This does not include homes or halfway houses for people under jurisdiction of the federal or provincial justice systems, or other treatment facilities. Group Homes, major have more than six (6) full |



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|         |                                      | time residences, not including those employed to care/supervise for the residents.  |
| Use     | <b>Group Home, Minor</b>             | means a development which is recognized, authorized, licensed, or certified by a public authority as a social care facility intended to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance, and supervision. This does not include homes or halfway houses for people under jurisdiction of the federal or provincial justice systems, or other treatment facilities. Group Homes, major have more than six (6) full time residences, not including those employed to care/supervise for the residents. |
| General | <b>Hamlet</b>                        | refers to the unincorporated communities of Bruce and Kinsella.   |
| General | <b>Hard Surfacing</b>                | means roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, and oiled surfaces which impede the natural infiltration of storm water.   |
| General | <b>Highway</b>                       | means land used or surveyed for use as a public highway or road and is controlled and managed by the Province.  |
| Use     | <b>Highway Commercial Use</b>        | 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.  |
| Use     | <b>Home Occupations, Home Office</b> | means occupation, trade or craft carried out by the occupant(s) of a dwelling as a use secondary to the residential use of a building or parcel. Home-Based Business, home office has no external employees or visitors, and activities are contained entirely within the dwelling or accessory building.   |
| Use     | <b>Home Occupations, Type I</b>      | means occupation, trade or craft carried out by the occupant(s) of a dwelling as a use secondary to the residential use of a building or parcel. Home-Based Business, minor have limited on-site employees and visitors daily, with activities occurring primarily within the dwelling or accessory building.   |



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| Use | <p><b>Home Occupations, Type II</b></p>          | <p>means occupation, trade or craft carried out by the occupant(s) of a dwelling as a use secondary to the residential use of a building or parcel. Home-Based Business, major have more intrusive activities that may impact the surrounding community, with greater on-site employees and/or visitors daily and activities that may extend into outdoor areas on the parcel.</p>   |
| Use | <p><b>Home Parks</b></p>                         | <p>means a development for multiple dwellings or recreational vehicle – park models that do not have a registered plan for subdivision. This includes, but is not limited to, dwellings that are used for rental purposes, long term leases, or bare land condominiums.</p>  |
| Use | <p><b>Indoor Participant Recreation Uses</b></p> | <p>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. This use does not include rodeo arena or equestrian facilities.</p>   |
| Use | <p><b>Industrial, Heavy</b></p>                  | <p>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.</p>  |
| Use | <p><b>Industrial, Light</b></p>                  | <p>means a development where the comment activities includes: the processing of raw materials, including agricultural products; 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; 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; 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; the training of personnel in general industrial operations; 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; it may include any indoor display, office, technical, administrative support areas or any sales operation accessory, business support services, custom workshops, to the</p> |





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|         |  | general industrial uses. This does not include a biomedical waste facility.  |
| Use     | <b>Industrial, Medium</b>  | means those developments in which all or a portion of the activities and use are carried out 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 an Industrial, Heavy use. This does not include a biomedical waste facility. |
| Use     | <b>Institutional Uses (educational, medical, religious, cultural, public administration and other public uses)</b> | includes but is not limited to hospitals, educational facilities (both public and private), religious assemblies, libraries, and senior citizen housing.   |
| General | <b>Internal Road</b>   | means a road included in a registered plan of subdivision for multi-lot country residential use.   |
| Use     | <b>Kennel</b>  | means any building or facility in which more than three (3) dogs are maintained, boarded, bred, trained, cared for, kept for commercial purposes, or boarded overnight for a period greater than twenty-four (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.                        |
| General | <b>Lake</b>  | 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 Beaver County.   |
| Use     | <b>Landfills - Class I</b>   | Landfill – Class I(a) means a landfill for the disposal of waste and that has: <ul style="list-style-type: none"> <li>a. two liners of which at least one is a synthetic liner,</li> <li>b. a leachate collection and removal system,</li> <li>c. a leak detection system between the two liners, and</li> <li>d. a groundwater monitoring system.</li> </ul>  |



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|         |                              | <p>Landfill – Class I(b) means a landfill for the disposal of waste and that has:</p> <ul style="list-style-type: none"> <li>a. a synthetic or clay liner,</li> <li>b. a leachate collection and removal system, and</li> </ul> <p>a groundwater monitoring system.</p>   |
| Use     | <b>Landfills - Class II</b>  | means a landfill for the disposal of waste, not including hazardous waste.  |
| Use     | <b>Landfills - Class III</b> | <p>means a landfill for the disposal of waste:</p> <ul style="list-style-type: none"> <li>a. that is solid;</li> <li>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; and</li> </ul> <p>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.</p> |
| Use     | <b>Liquor Retail Sales</b>   | means a development primarily used for the retail sales of alcoholic beverages for off-site consumption as authorized by Alberta Gaming, Liquor, & Cannabis.  |
| General | <b>Livestock</b>             | means livestock as defined in the <i>Agricultural Operation Practices Act</i> .   |
| Use     | <b>Local Industrial Uses</b> | 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.   |
| General | <b>Lot</b>                   | means a quarter section; river lot shown on an official plan, as defined in the <i>Survey's Act</i> , that is filed or lodged in a Land Titles Office; settlement lot shown on an official plan, as defined in the <i>Survey's Act</i> , that is filed or lodged in a Land Titles Office; part of a parcel of land 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 part of a parcel of land described in a Certificate of Title            |



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|         |  | if the boundaries of the part are described in the Certificate of Title by reference to a Plan of Subdivision.   |
| General | <b>Lot Width</b>   | means the distance between the property lines of a lot at the minimum permissible front yard, measured parallel to the road or to the tangent on a curved road.  |
| Use     | <b>Manufactured/<br/>Mobile Homes</b>                    | means a prefabricated dwelling unit that is completely self-contained and is constructed according to the CSA Z-240 standard. Manufactured/mobile homes may have steel lateral beams as both part of the transportation and the floor system and are equipped for connections to utilities. This does not include a recreational vehicle, park model trailer, or industrial camp trailer.                                  |
| Use     | <b>Manufactured<br/>Home Parks</b>                       | 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. |
| General | <b>Maximum Building<br/>Height</b>                       | means the maximum permitted height of a building within a land use district and is measured based on the average elevation of the corners of the building.   |
| General | <b>Multi-Lot Country<br/>Residential<br/>Subdivision</b> | means the subdivision of lands that consists of more than three (3) lots, including the balance of the quarter section. Fragmentation by road, railroad, or watercourse is included in the total parcel count within a quarter section.  |
| Use     | <b>Municipal shop<br/>and Storage Yard</b>               | 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.   |
| General | <b>Municipality</b>                                      | means Beaver County, unless the context of the text requires otherwise.  |
| Use     | <b>Natural Resource<br/>Extraction Industry</b>          | means the extraction of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, granite, and salt found on or under the site, or accessible from the site. Processing may include crushing, washing, screening and the preparation of asphalt.  |



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| Use     | <b>Oilfield Waste Related Facilities</b> | means a facility that is approved by the Alberta Energy and Utilities Board to treat, dispose of, store, or recycle oilfield waste.   |
| Use     | <b>Other Similar and Compatible Uses</b> | means uses that are consistent with the Definition or General Purpose of the applicable Land Use District as approved by the appropriate Development Authority.   |
| Use     | <b>Outdoor Sale and Storage</b>          | 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.   |
| General | <b>Owner</b>                             | means the person shown as the owner of land on the assessment roll.   |
| General | <b>Off-street Parking</b>                | means a lot or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.  |
| General | <b>Parcel</b>                            | means the aggregate of the one (1) or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.   |
| General | <b>Permitted Use</b>                     | 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. |
| Use     | <b>Personal Service Shops</b>            | means a development that provides personal services to an individual. This includes, but is not limited to barbershops, hairdressers, beauty salons, tailors, dry cleaning establishments and laundromats.  |
| Use     | <b>Pet Care Service</b>                  | means a use: <ul style="list-style-type: none"> <li>a. where animals are washed, groomed, or trained;</li> <li>b. where the animals shall not be boarded overnight; and</li> </ul> that may involve the incidental sale of products relating to the services provided by the use.   |



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| Use     | <b>Pet Cemeteries</b>                             | 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.  |
| General | <b>Principal Building or Use</b>                  | means the building or use of land or buildings which constitutes the dominant structure or activity of the lot.  |
| Use     | <b>Professional and/or Administrative Offices</b> | 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.   |
| General | <b>Property Line</b>                              | means a line of record bounding a parcel that divides one parcel from another parcel or from a public roadway or any other public space.   |
| Use     | <b>Public Parks and Playgrounds</b>               | means land set aside through municipal or environmental reserve dedication or conservation easement for outdoor recreation or education, or to protect sensitive natural features and/or areas of cultural or scenic value. Without restricting the generality of the foregoing, parkland may accommodate more active recreational pursuits including but not limited to play structures, walkways, and organized play fields.   |
| Use     | <b>Recreation, Intensive</b>                      | 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. Examples include 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. |
| Use     | <b>Recreation, Extensive</b>                      | means the use of land primarily for recreational uses which generally utilizes undeveloped tracts of land and which generally do not require building, facility, or structures. Examples include cross-country ski trails, walking or riding paths, natural wildlife park, gardens, playground, or sports fields without viewing stands.   |



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| General | <b>Recreation Vehicle</b>                   | means a portable structure intended to be carried on a vehicle or 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 mobile home.  |
| Use     | <b>Recreational Vehicle Uses</b>            | 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.   |
| Use     | <b>Recycling Depot</b>                      | 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.   |
| Use     | <b>Recycling Oil Depot</b>                  | 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.   |
| Use     | <b>Recycling Plants</b>                     | means a site where recyclable waste is processed.   |
| Use     | <b>Residential/ Security Caretaker Unit</b> | 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. |
| General | <b>Restrictive Covenant</b>                 | means a condition or covenant under which land, or any specified portion of land, is not to be built on, or is to be or not to be used in a particular manner, or any other condition or covenant running with or capable of being legally annexed to land.   |
| General | <b>Road Use Agreement</b>                   | means an agreement between Beaver County and a landowner/developer that determines the restrictions, formal compensation, and procedures for road use by individuals or companies with municipal road use.  |
| General | <b>Rural Road</b>                           | 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.  |



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| General | <b>Secondary Road</b>      | means a road designated as such by Ministerial Order pursuant to the <i>Public Highways Development Act</i> and described by plates published in the Albert Gazette pursuant to Alberta Regulation 164/69 as 500, 600, 700 and 800 series and is controlled and managed by the Province.  |
| General | <b>Setback</b>             | means the perpendicular distance that a development is setback from the front, side and rear lot boundaries or rights-of-way as specified in the applicable District. The minimum horizontal distance is measured perpendicularly from the nearest point of development to the lot boundary, excluding corner cuts.   |
| General | <b>Setback, Front</b>      | means the distance measured perpendicularly from the front property line of the parcel to the nearest point of the building excluding the eaves and/or projections.   |
| General | <b>Setback, Rear</b>       | means the distance measured perpendicularly from the rear line of the parcel to the nearest point of the building excluding the eaves and/or projections.   |
| General | <b>Setback, Side</b>       | means the distance measured perpendicularly from the sideline of the lot to the nearest point of the building excluding eaves and/or projections.   |
| Use     | <b>Shipping Containers</b> | means a large, standardized metal box used for transporting goods across different modes of transport, such as ships, trains, and trucks. Shipping Containers can be used to for storage purposes that can be weatherproof and tamper-resistant for both temporary and long-term storage needs.   |
| Use     | <b>Signs</b>               | means a development: <ul style="list-style-type: none"> <li>a. constructed and permanently affixed directly or indirectly to any building, structure, window, or a parcel of land; and</li> <li>b. which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images and in such a manner to be visible from any public place, but does not include a real estate sign, window display, political poster, flag, athletic scoreboard, traffic or directional and informational sign erected by the municipality, the Province of Alberta or federal government.</li> </ul> |



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| General | <b>Site</b>                                     | means one or more lots for which a development permit application is being made, and may include streets, lanes, walkways, and any other land surface upon which development is proposed.  |
| General | <b>Site Coverage</b>                            | means the portion of the land area covered by all buildings, structures, and impermeable surfaces. Impermeable surfaces include hardscaped areas such as concrete or brick patios and driveways, but does not include steps, eaves, and chattels.  |
| Use     | <b>Solar Collectors, Personal</b>               | means a solar energy collection system that is designed exclusively to provide for the personal, onsite use of electricity.  |
| Use     | <b>Solar Collectors, Commercial</b>             | means solar energy collection system that is designed exclusively to provide for the commercial distribution of electricity.   |
| Use     | <b>Special Event Venue</b>                      | means a permanent venue established for hosting special events, including weddings, performances, reunions, etc. This use does not include community halls, facilities owned by the County, any local school district, or locations where temporary special events irregularly occur and last less than thirty-six (36) hours. |
| Use     | <b>Storage Sites</b>                            | means a waste management facility, where waste, other than biomedical or hazardous waste, is <ul style="list-style-type: none"> <li>a. stored,</li> <li>b. sorted, compacted, shredded, ground, or processed, or collected and held for removal to another waste management facility.</li> </ul>                               |
| General | <b>Subdivision and Development Appeal Board</b> | means a Subdivision and Development Appeal Board (“SDAB”) established and appointed by Council in accordance with the Subdivision and Development Appeal Board Bylaw adopted pursuant to the <i>MGA</i> .  |
| General | <b>Substandard Lot</b>                          | 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.   |
| Use     | <b>Supportive Housing</b>                       | means a residential development for elderly, disabled persons and/or persons that require additional care, with on-site or off-site supports to ensure their daily needs are met. This includes but is not limited to seniors' housing, independent living, supportive living, long-term care facilities, and complex care.    |





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| General | <b>Temporary</b>                              | means a development lasting for a limited period of time.   |
| Use     | <b>Temporary Accommodations</b>               | means accommodations that do not meet the requirements of the <i>National Building Code</i> and/or CSA for a permanent dwelling, and instead is meant to provide accommodation seasonally or for temporary purposes. This includes recreational vehicles, park models, cabins, etc.   |
| General | <b>Use</b>                                    | means the purpose or function of land or building as determined by the Development Authority.   |
| Use     | <b>Utility and Transportation Uses, Major</b> | means development for public or private utility infrastructure purposes which is likely to have a major impact on the environment or adjacent land uses by virtue of their emissions, effect, or appearance. Typical facilities would include sewage and/or water treatment plants, power generating stations, cooling plants, and incinerators. This includes buildings and structures associated with the public utility or use.  |
| Use     | <b>Utility and Transportation Uses, Minor</b> | means development for public or private utility infrastructure purposes which are both basic and common to the development of a municipality and has relatively minor impact on the environment or adjacent land uses by virtue of their emissions, effect, or appearance. Typical facilities would include natural gas lines and regulating stations, telephone exchanges and lines, water and sewer lines, public roadways, local electrical transmission, and distribution facilities, and television cable lines. This includes buildings and structures associated with the public utility or use. |
| General | <b>Variance</b>                               | means a deviation from existing regulations as outlined in this Bylaw. This includes, but is not limited to, lot sizes and widths, and building setbacks and heights.   |
| Use     | <b>Vehicle and Equipment Storage</b>          | means a development used for the outdoor storage of recreational vehicles and other equipment and does not involve the erection of permanent structures.  |
| Use     | <b>Veterinary Service</b>                     | 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.  |



|         |                               |  |
|---------|-------------------------------|--|
| Use     | <b>Visitor Accommodations</b> | means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons on a temporary basis. Visitor accommodation may also contain recreational facilities, commercial uses and additional facilities including but not limited to eating establishments, drinking establishments, room service, meeting rooms, public convention rooms, and laundry service. This does not include bed and breakfast establishments. |
| Use     | <b>Warehouse Sales</b>        | 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.                               |
| General | <b>Yard, Flanking Side</b>    | means a yard extending along the full length of a corner lot, measured from the road right-of-way to the foundation wall of the principal building. Flanking is typically determined as the side of the property that is situated within a corner lot that is adjacent to one of two intersecting streets and is the side that is not considered to be the front of the property.  |
| General | <b>Yard, Front</b>            | 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.  |
| General | <b>Yard, Rear</b>             | means a yard extending across the full rear width of a lot measured from the rear wall of the principal building situated on the lot to the rear line of the lot.  |
| General | <b>Yard, Side</b>             | means the land defined by the full length of the side of a principal building and/or accessory building situated on a lot and any side boundary line of the same lot.  |



# PART 10

# SCHEDULES

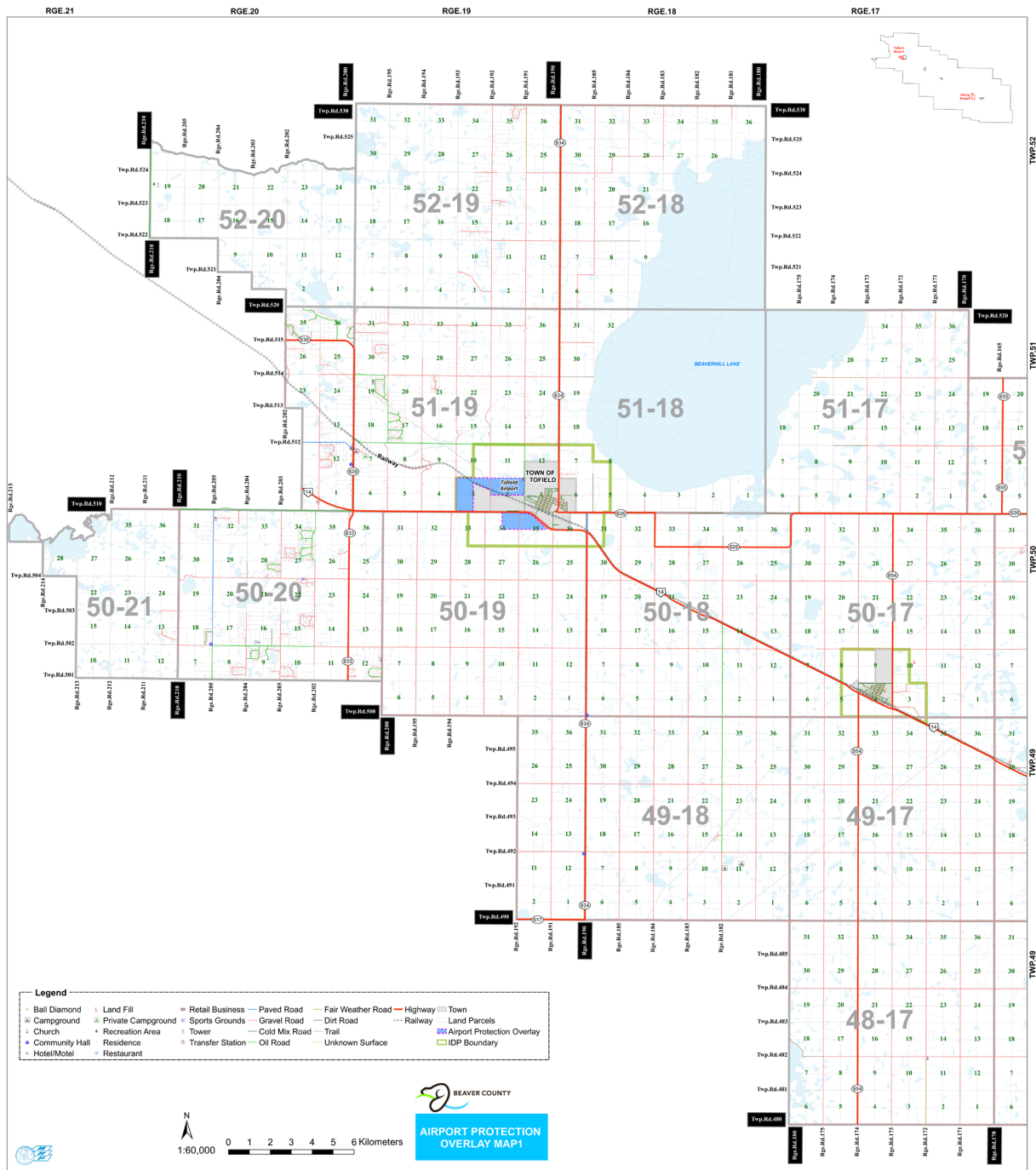




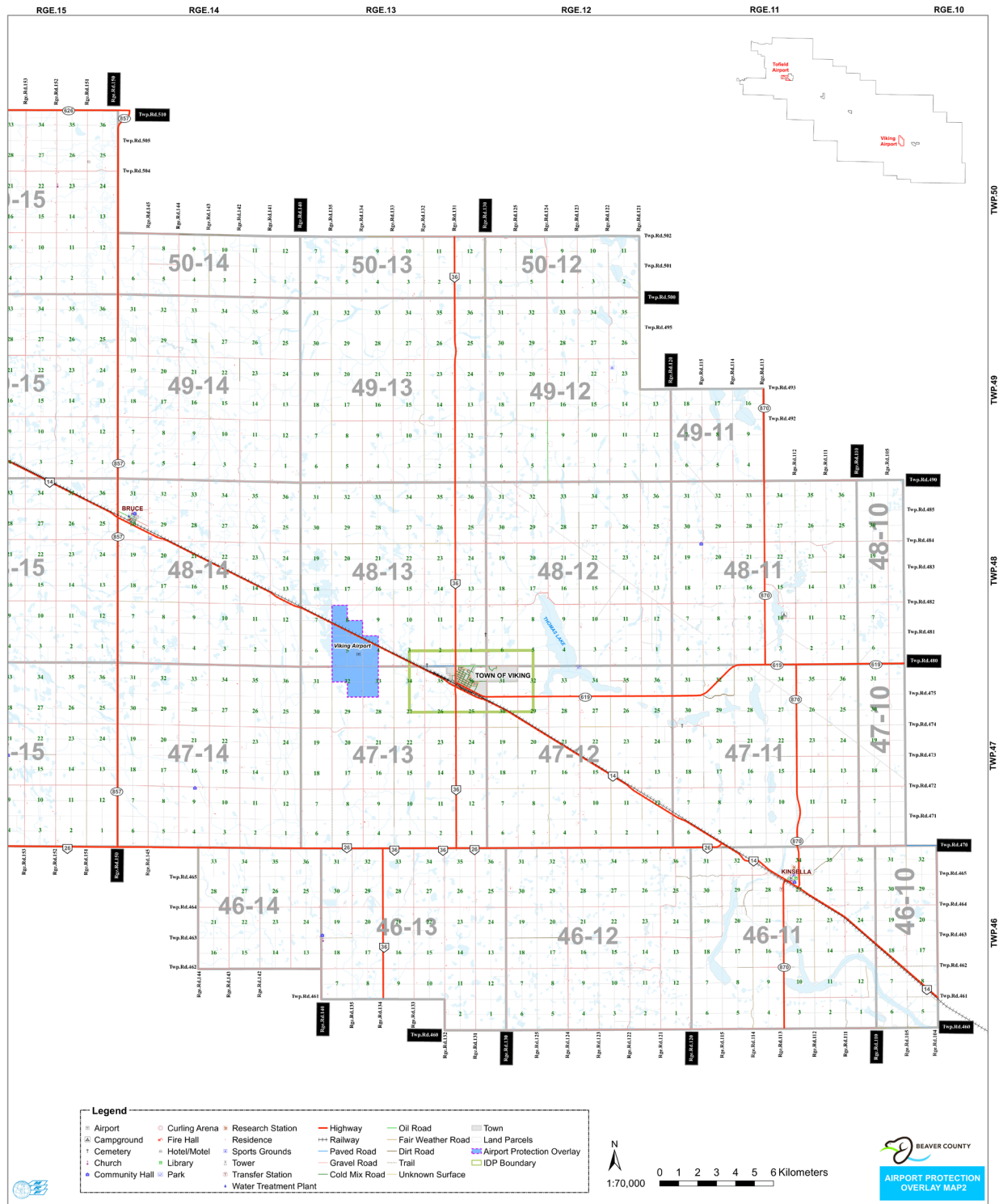
# 15.0 Schedules

## Schedule A: Airport Protection Overlay Map

Map 1

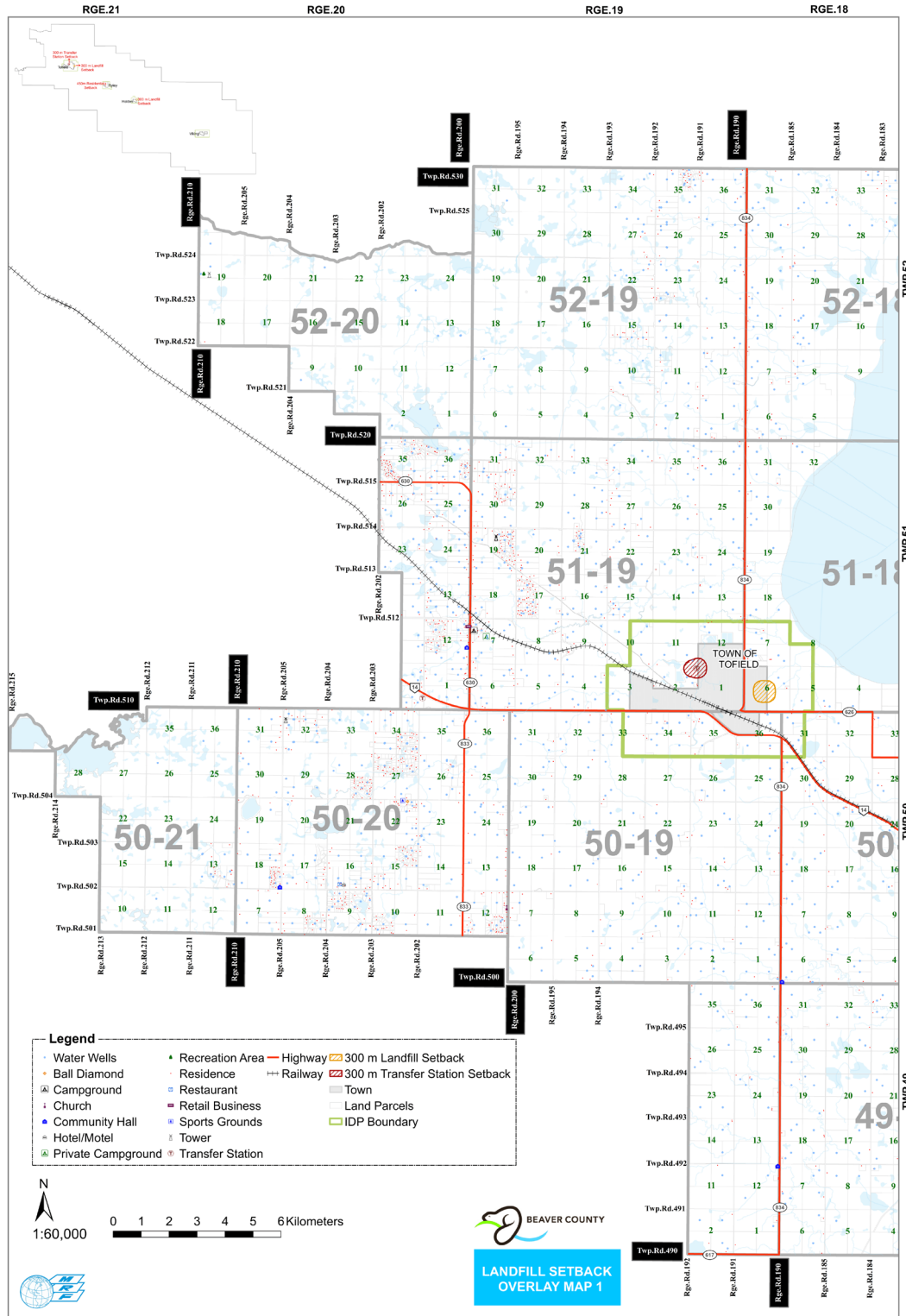


Map 2

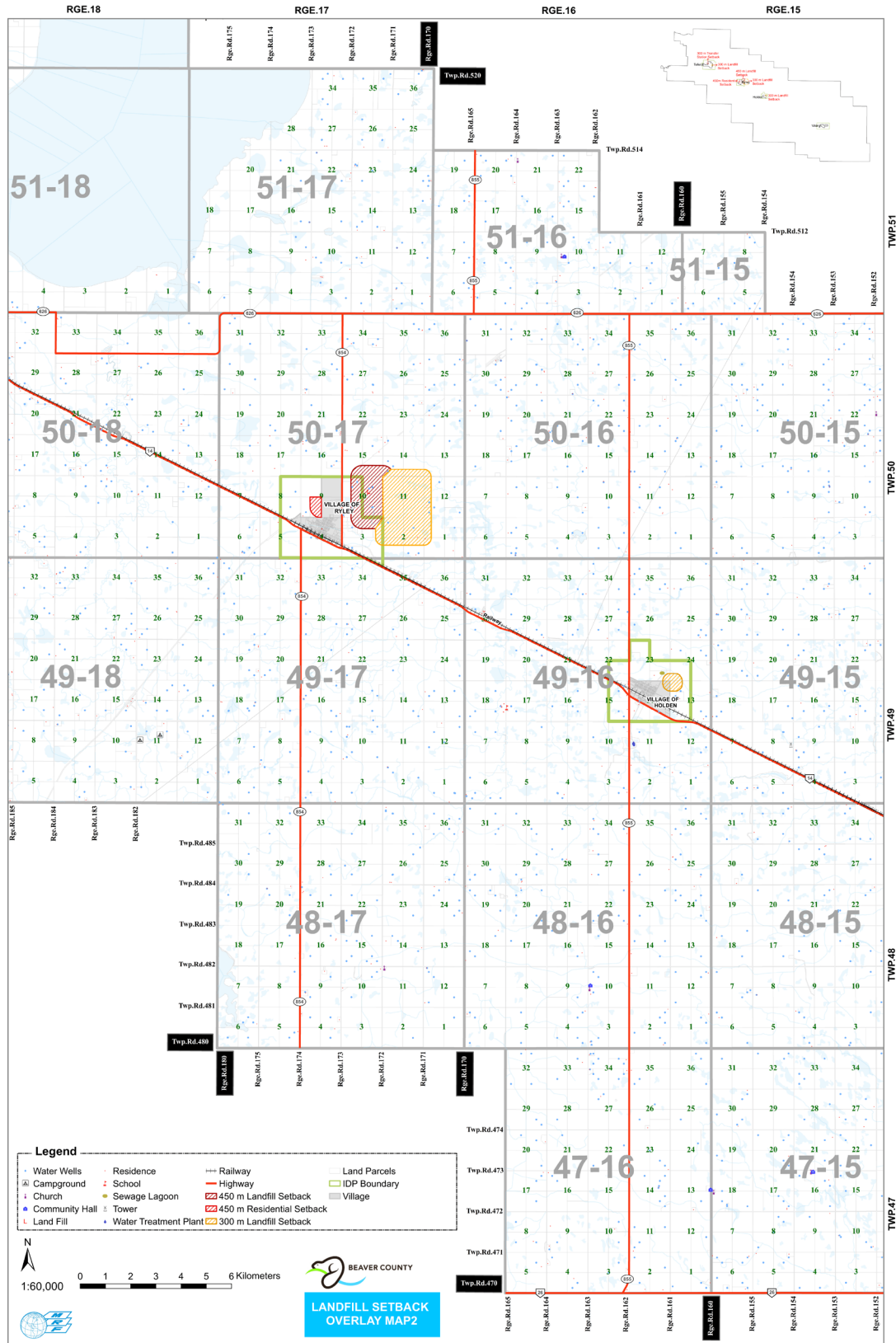


# Schedule B: Landfill Setback Overlay Map

Map 1



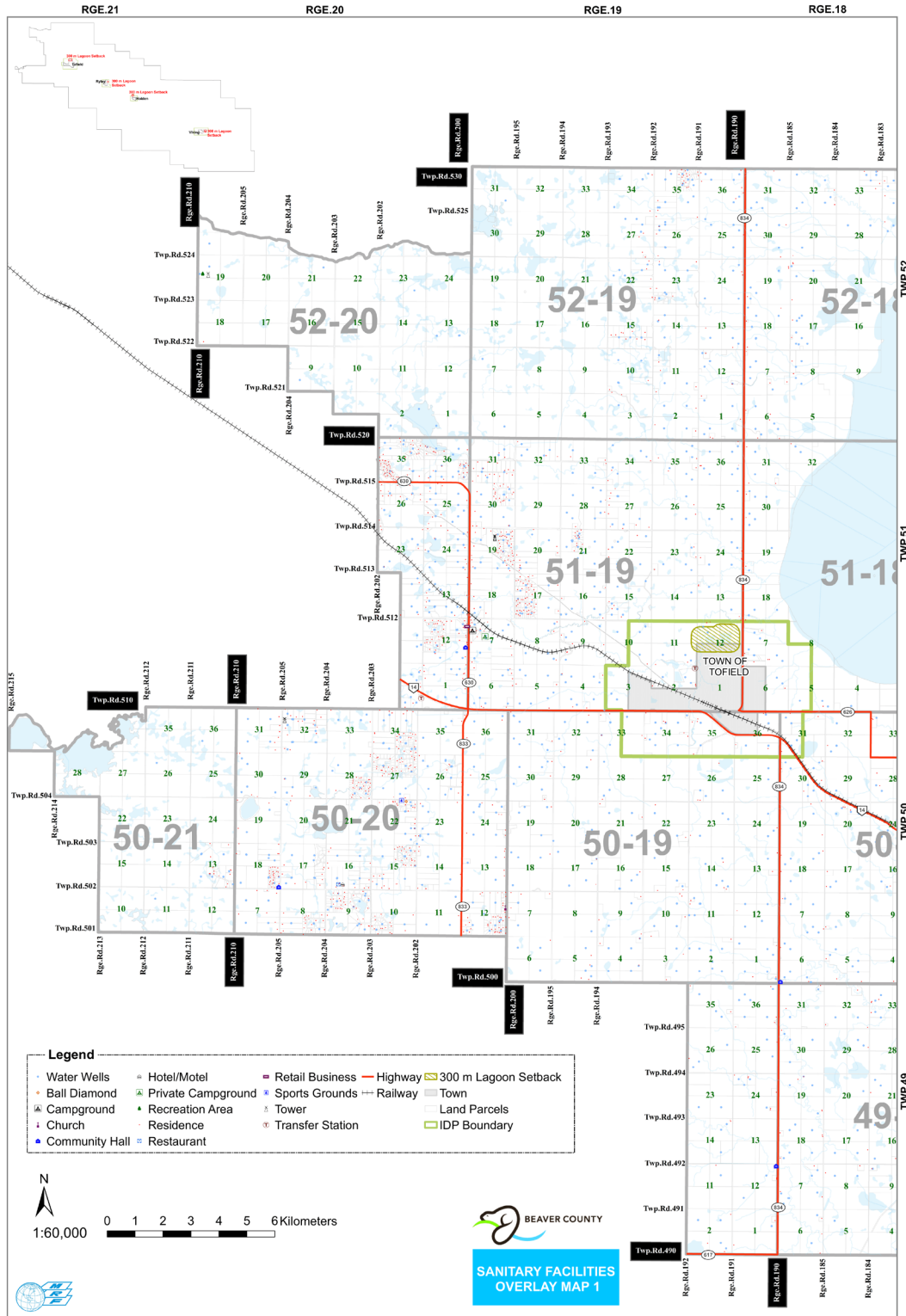
Map 2



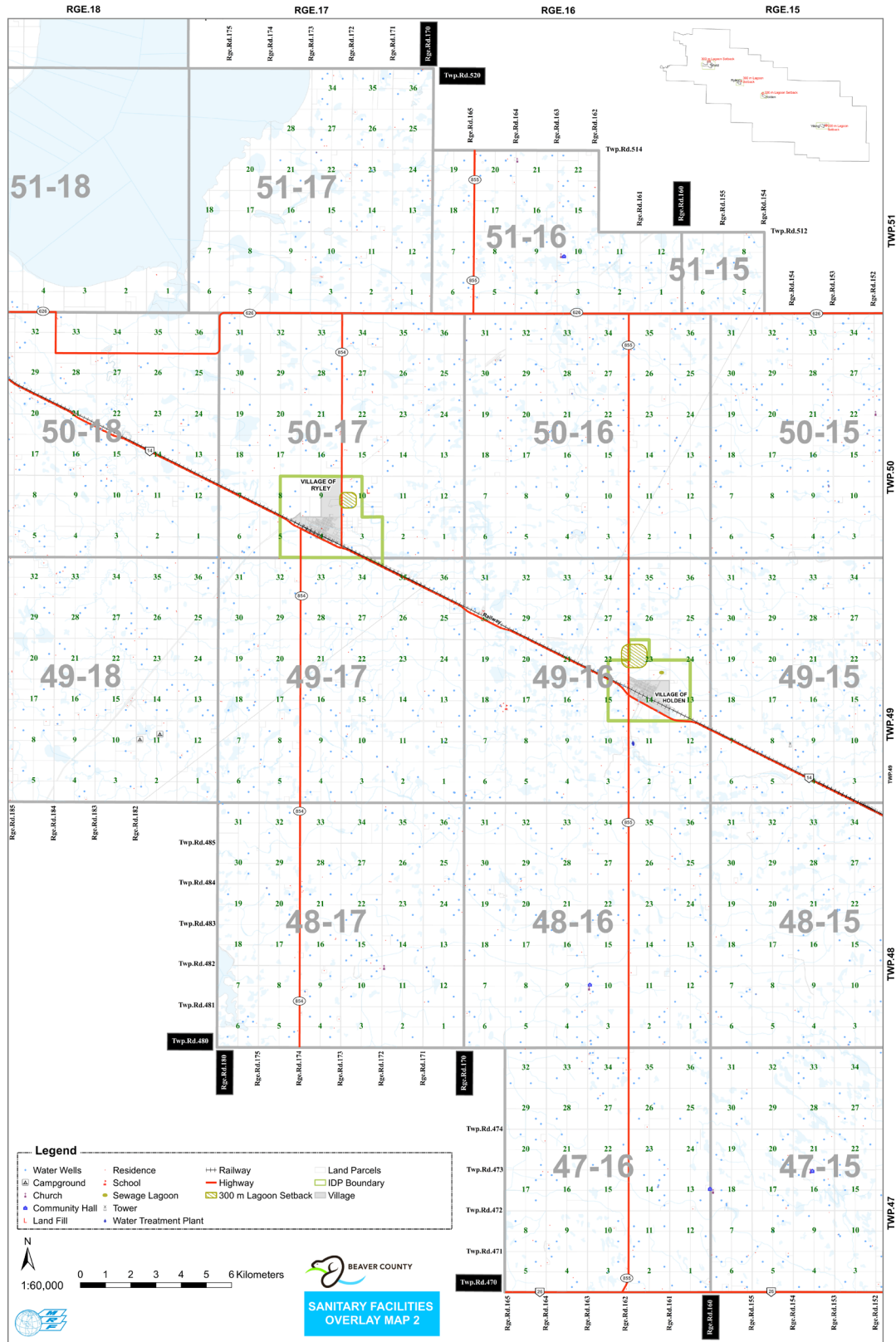


# Schedule C: Sanitary Facilities Overlay Map

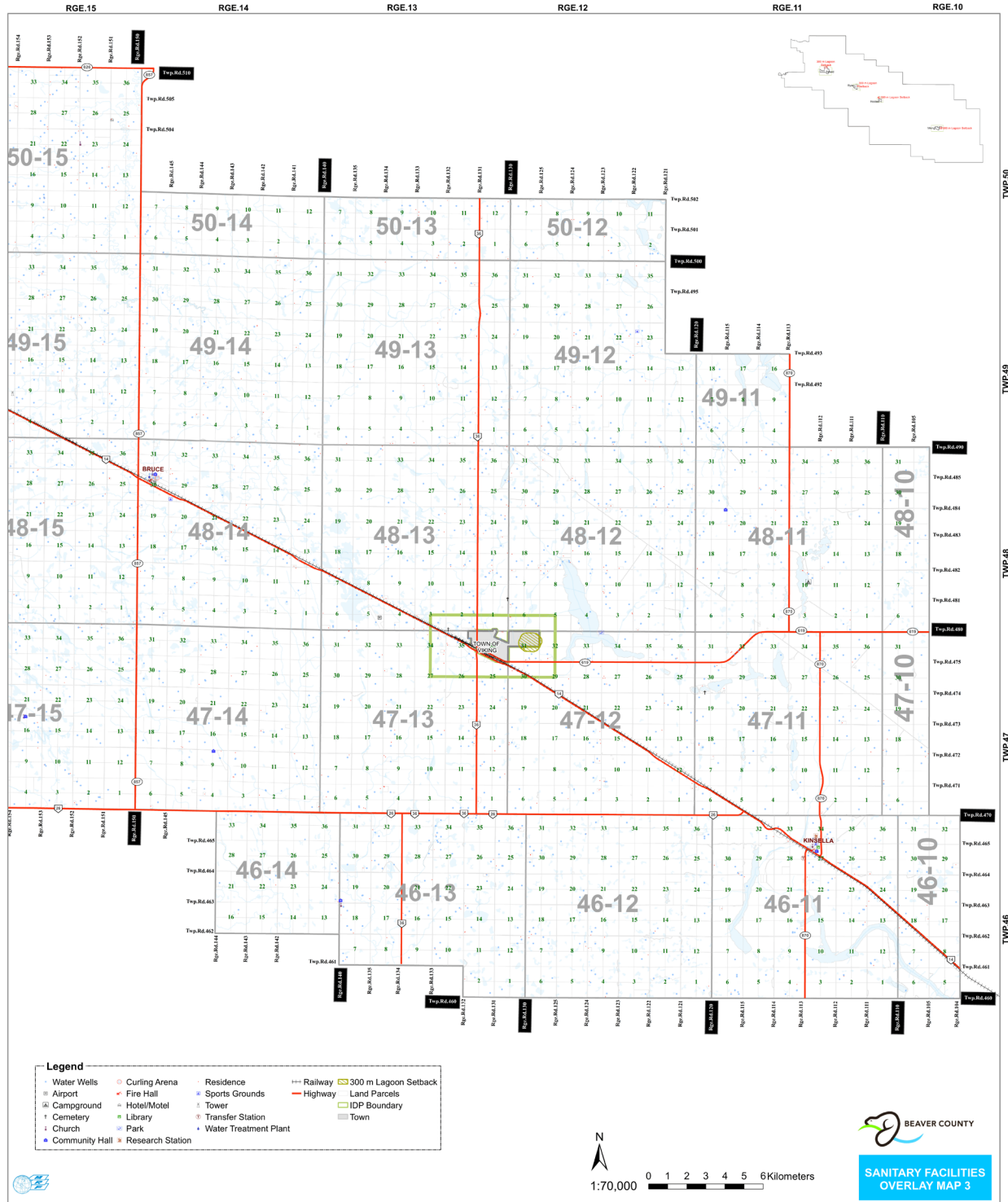
Map 1



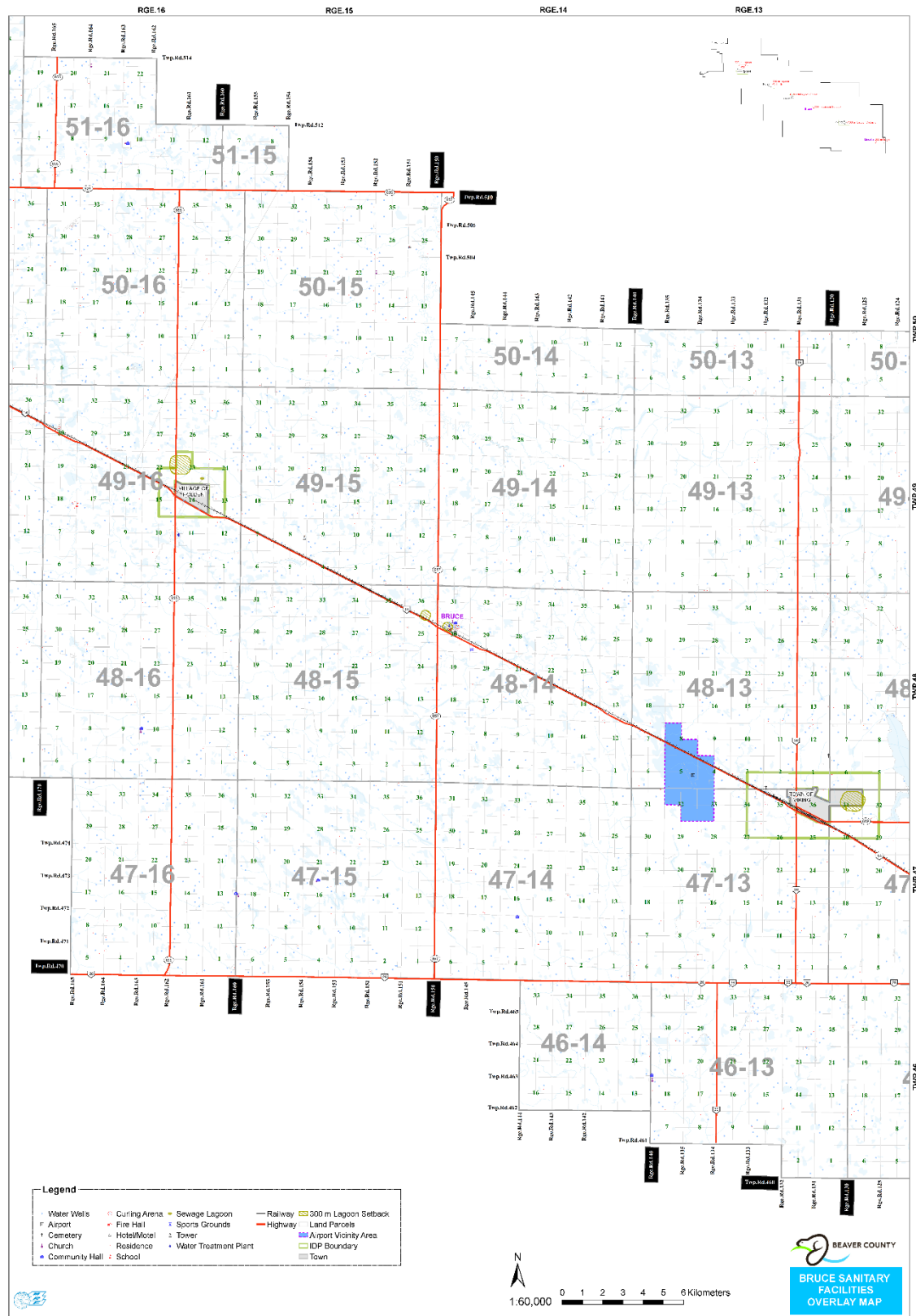
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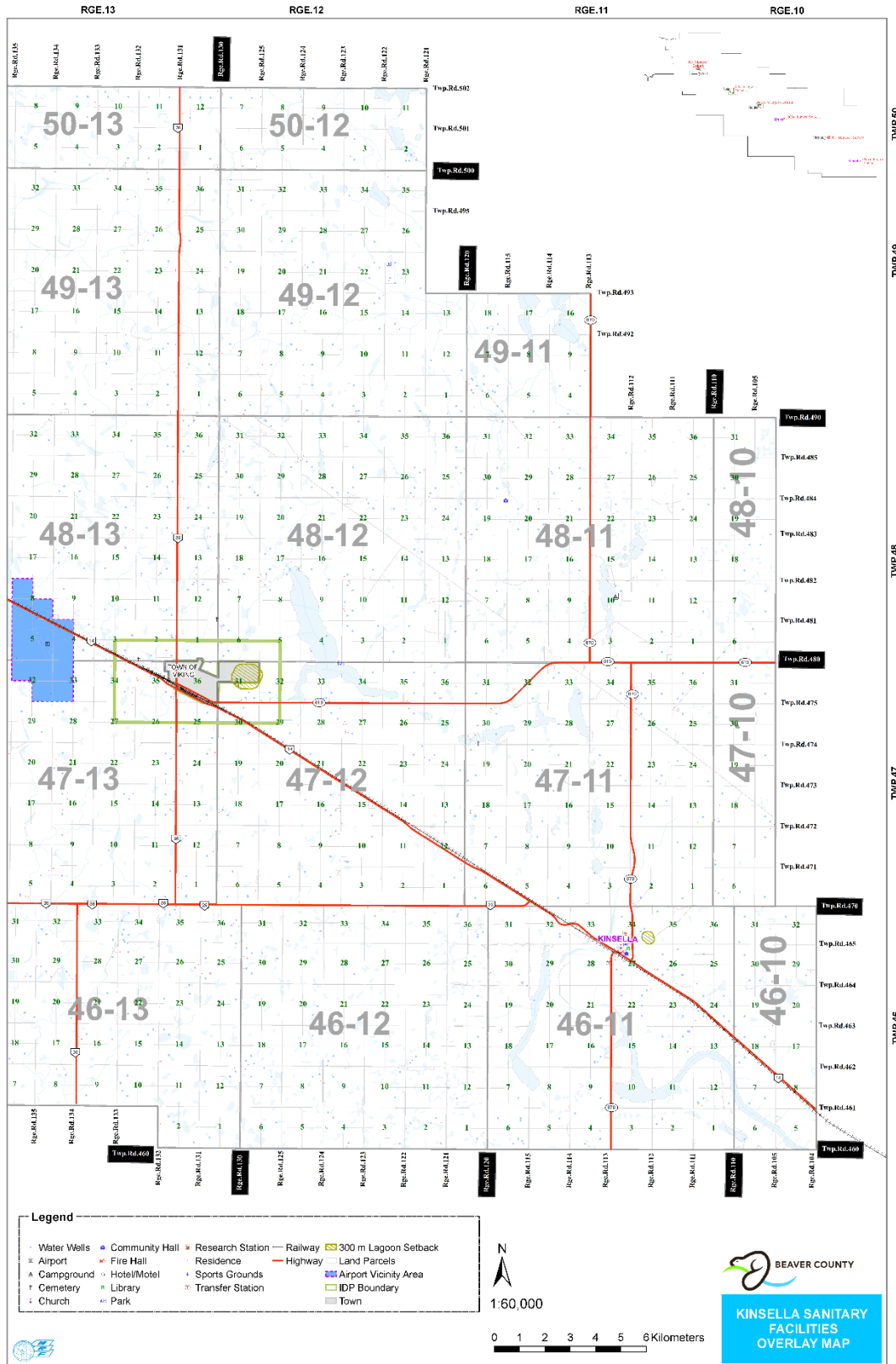
Map 3



Map 4

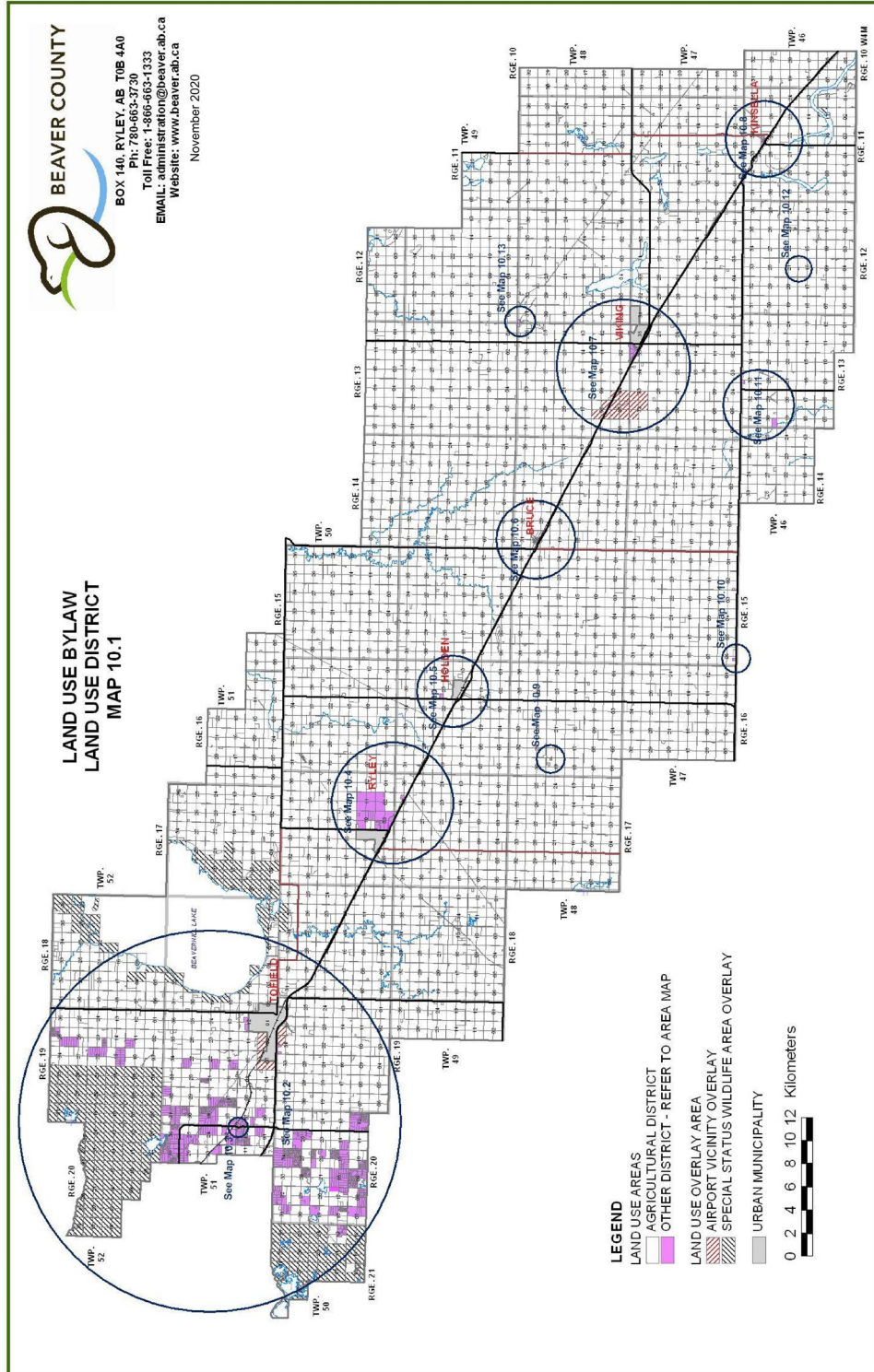


Map 5

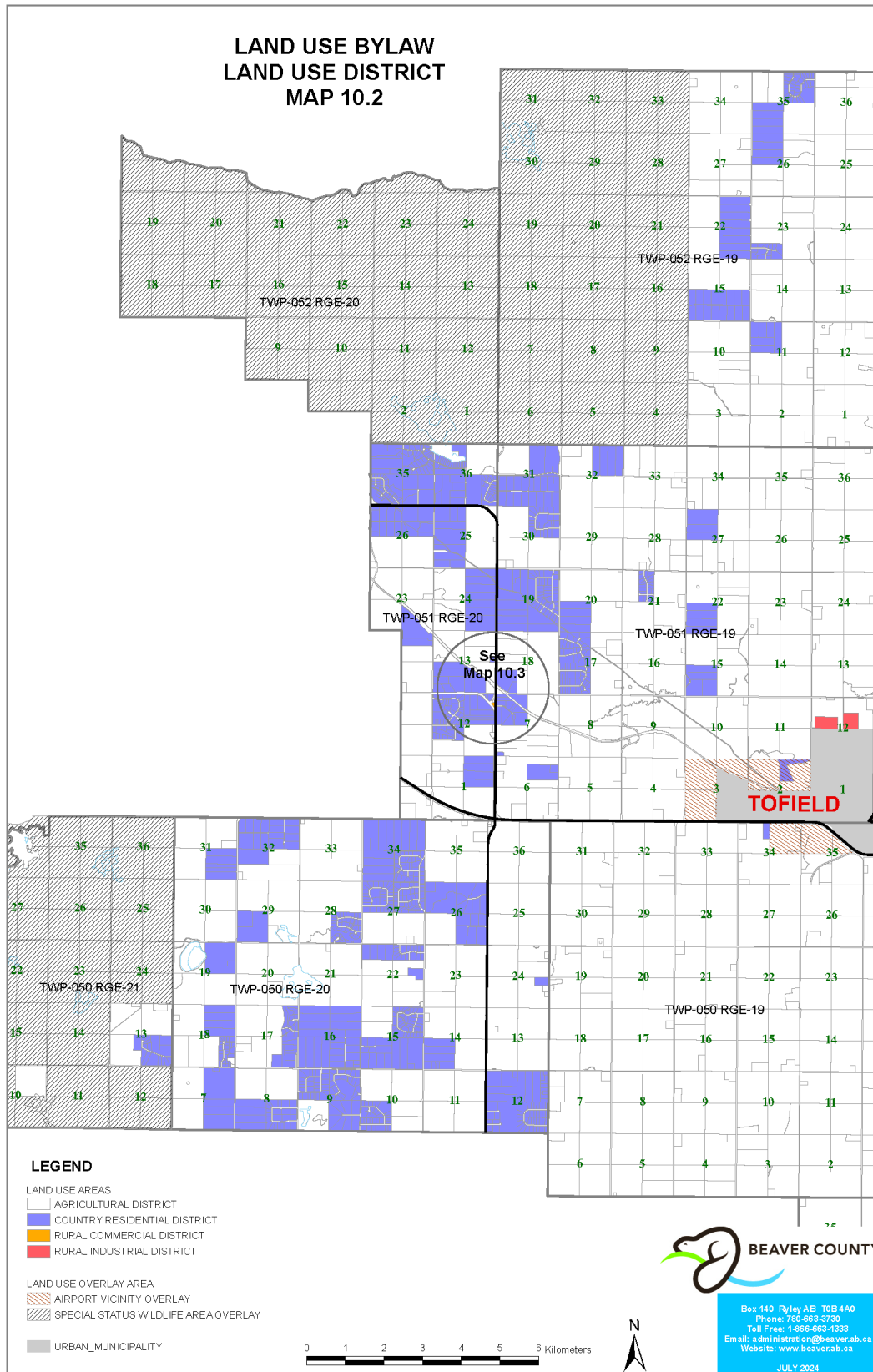


# Schedule D: Land Use District Maps

Map 10.1



Map 10.2

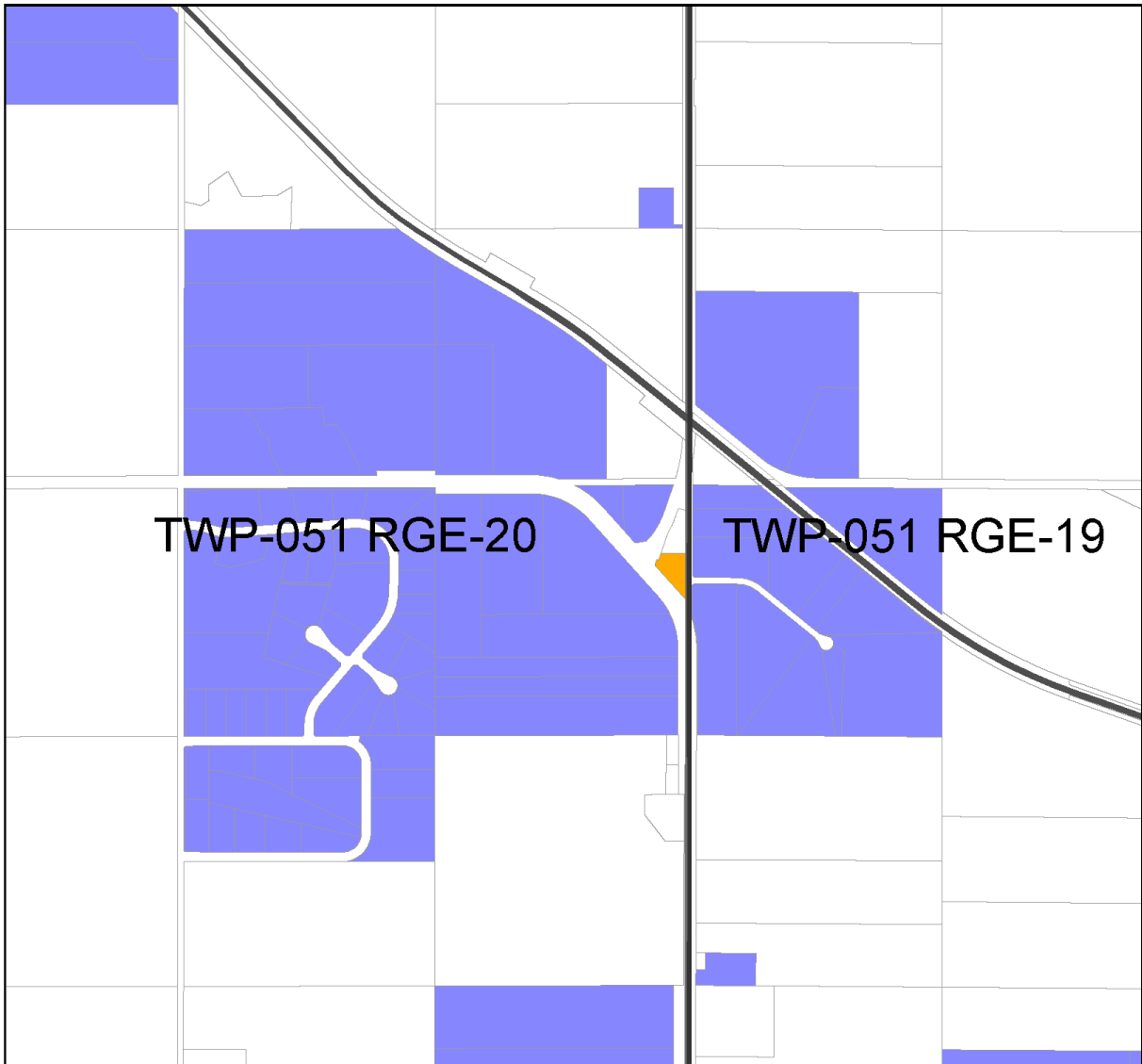


Map 10.3

# LAND USE BYLAW LAND USE DISTRICT MAP 10.3






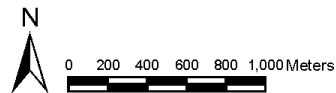
BEAVER COUNTY  
Box 140 , Ryley, AB T0B 4A0  
Phone: 780-663-3730  
Toll Free: 1-866-663-1333  
Email: [administration@beaver.ab.ca](mailto:administration@beaver.ab.ca)  
Website: [www.beaver.ab.ca](http://www.beaver.ab.ca)  
July 2024



## LEGEND

### LAND USE AREAS

-  AGRICULTURAL DISTRICT
-  COUNTRY RESIDENTIAL DISTRICT
-  RURAL COMMERCIAL DISTRICT

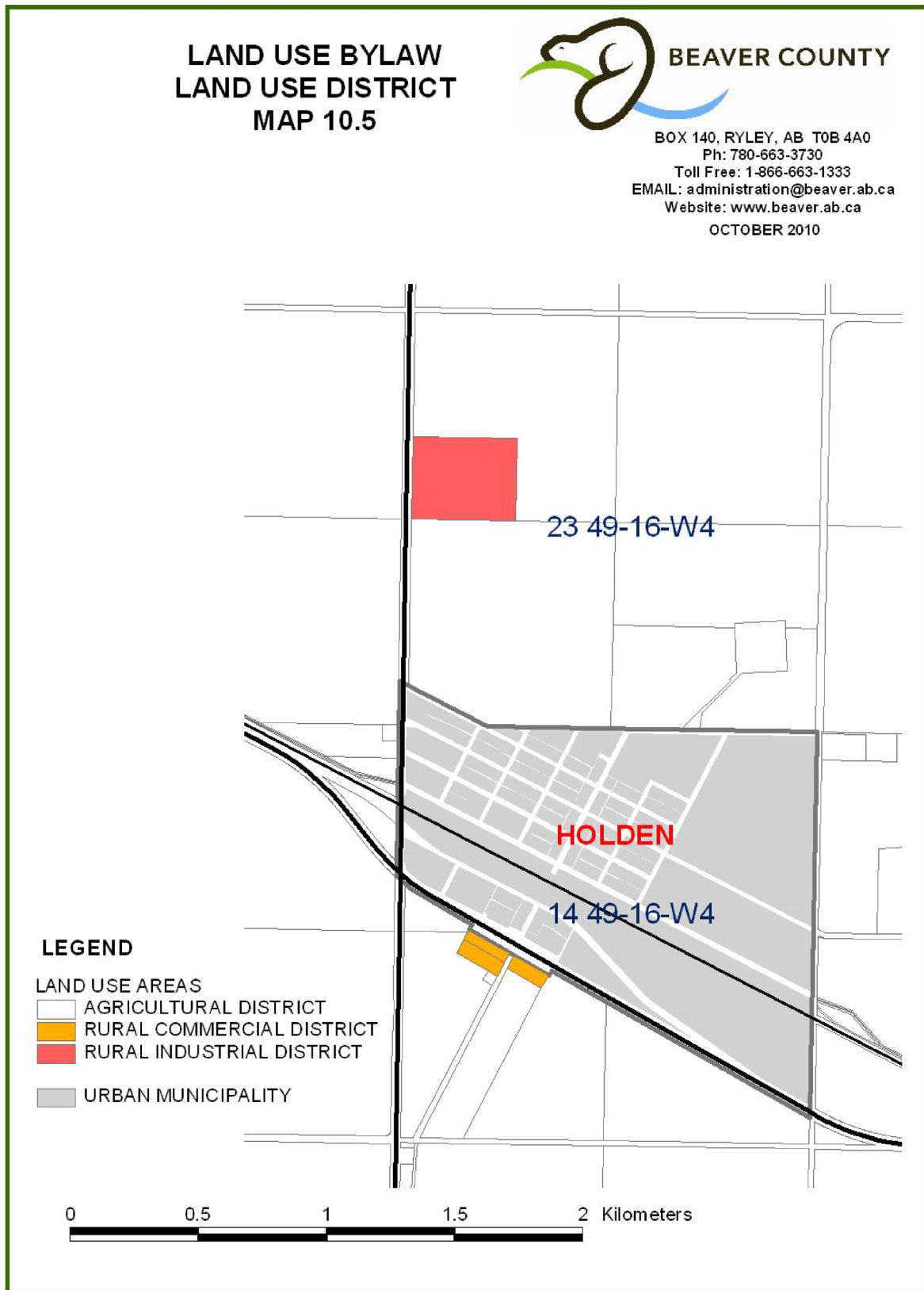




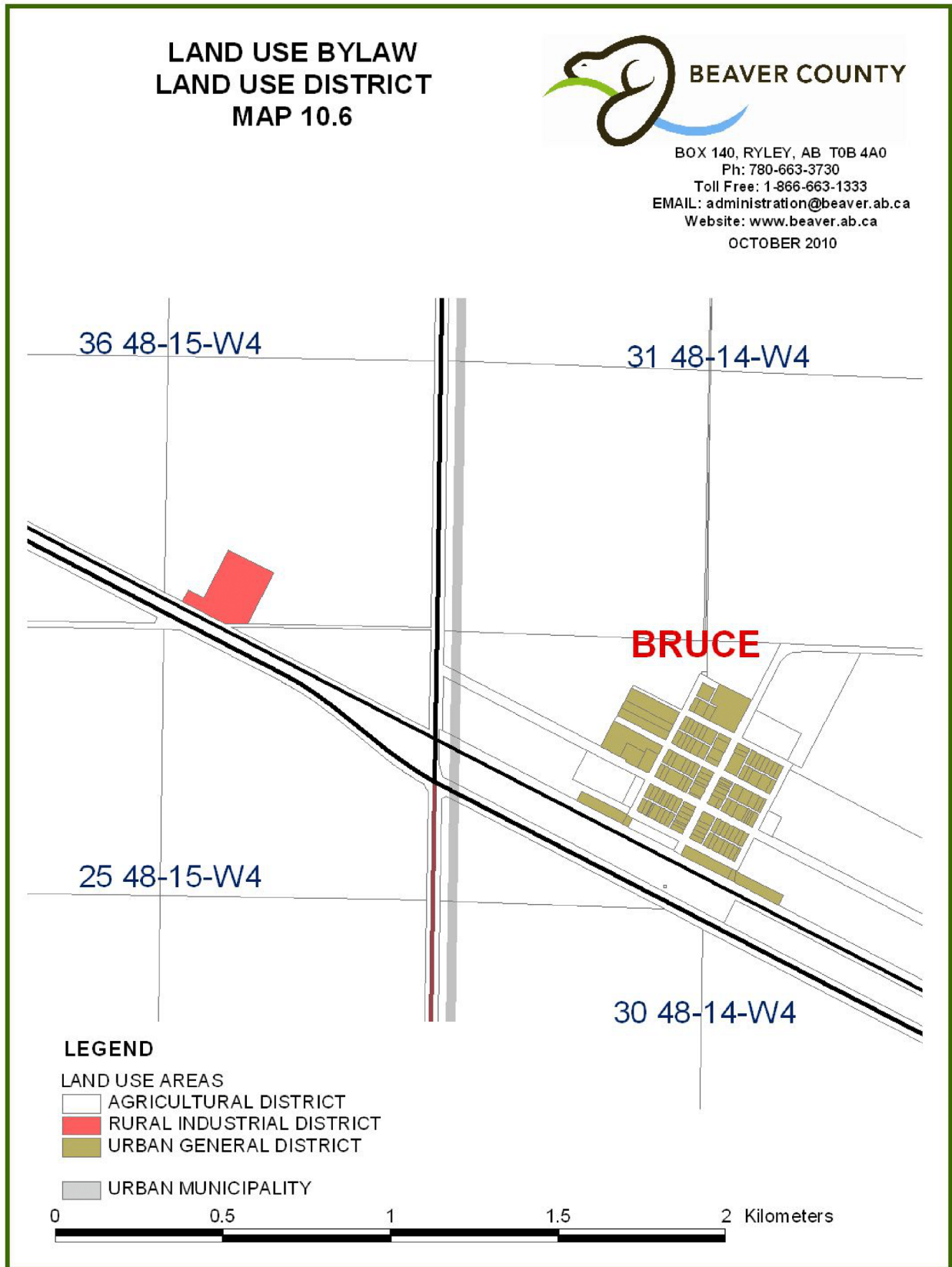
Map 10.4



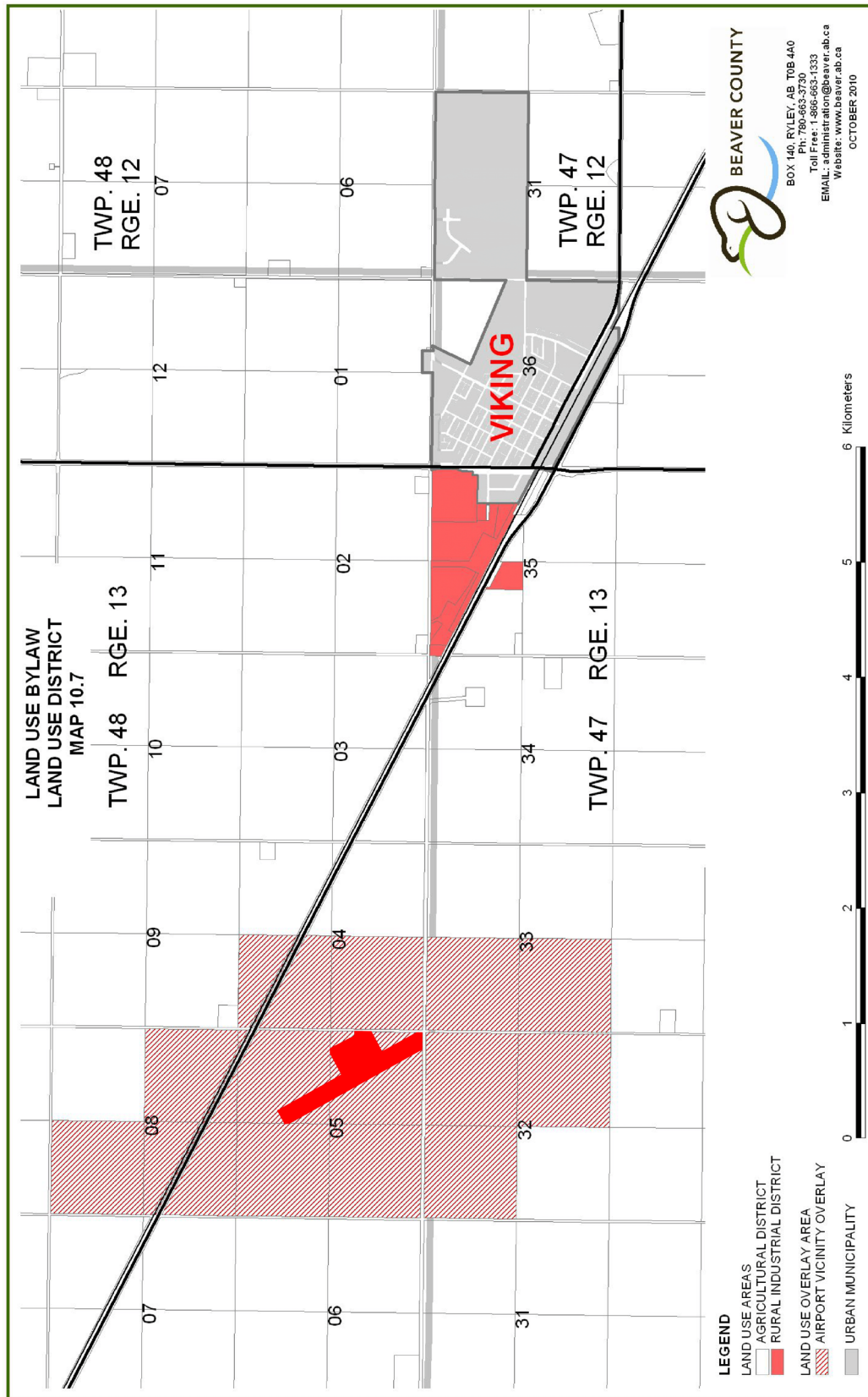
Map 10.5



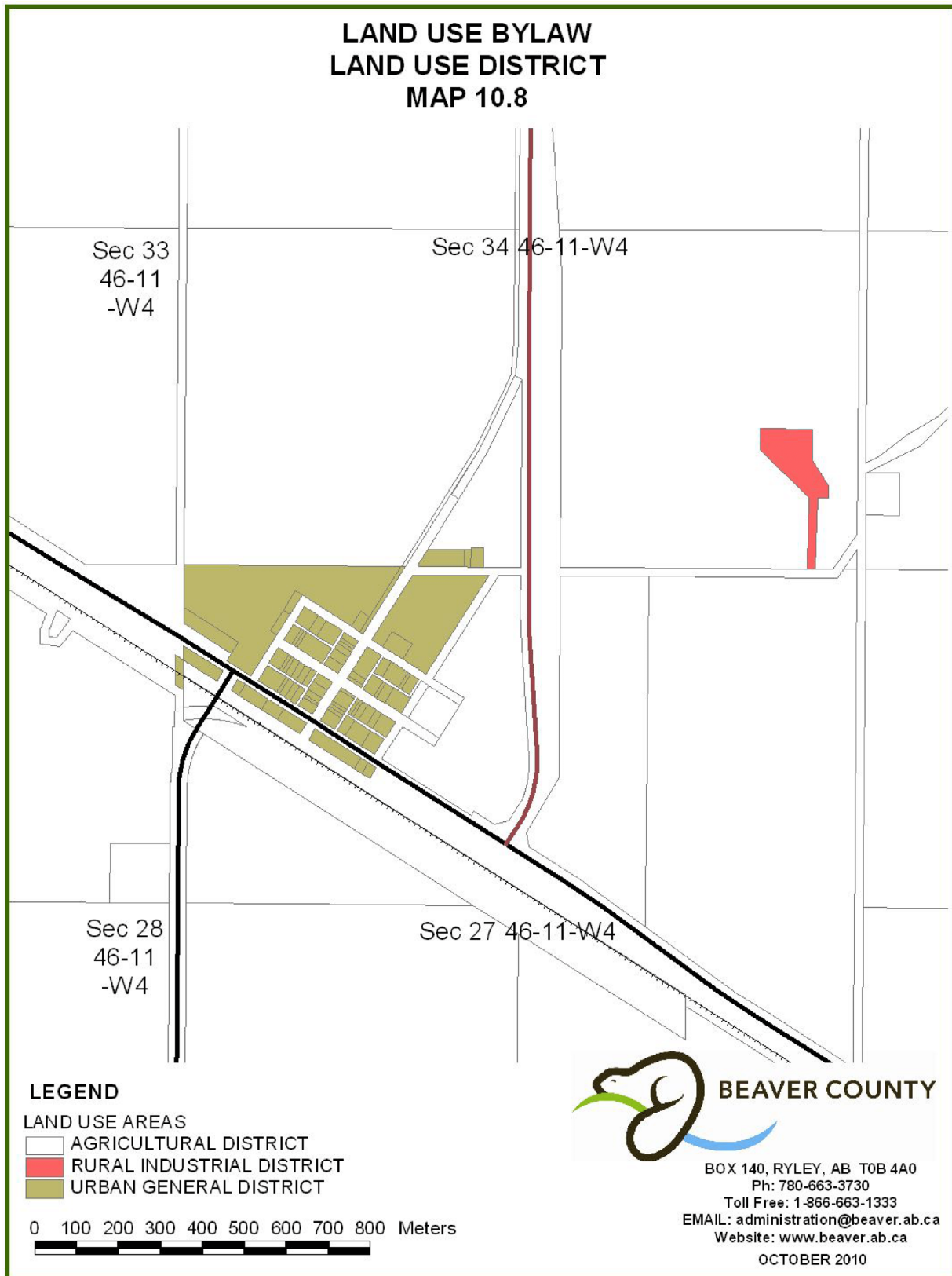
Map 10.6



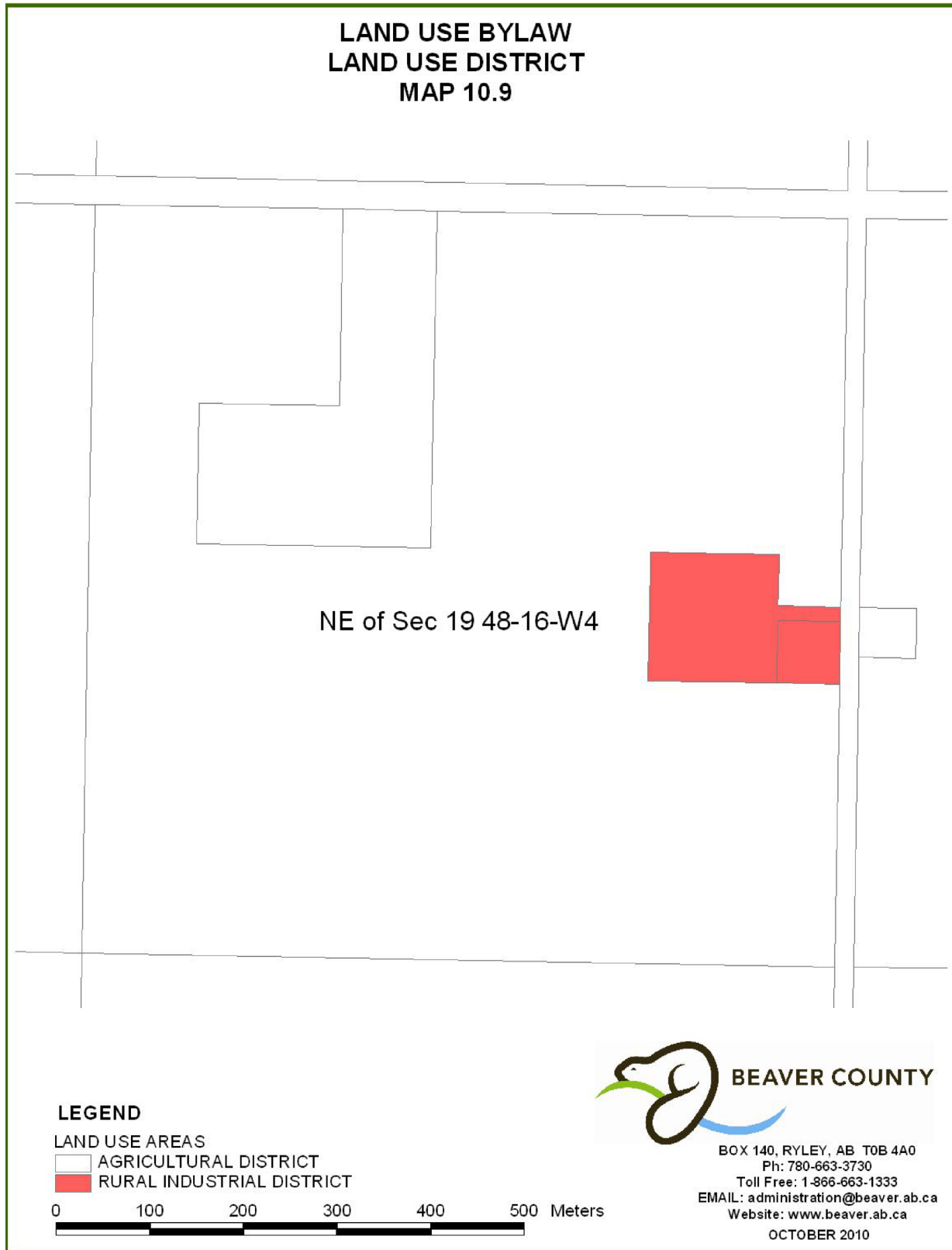
Map 10.7



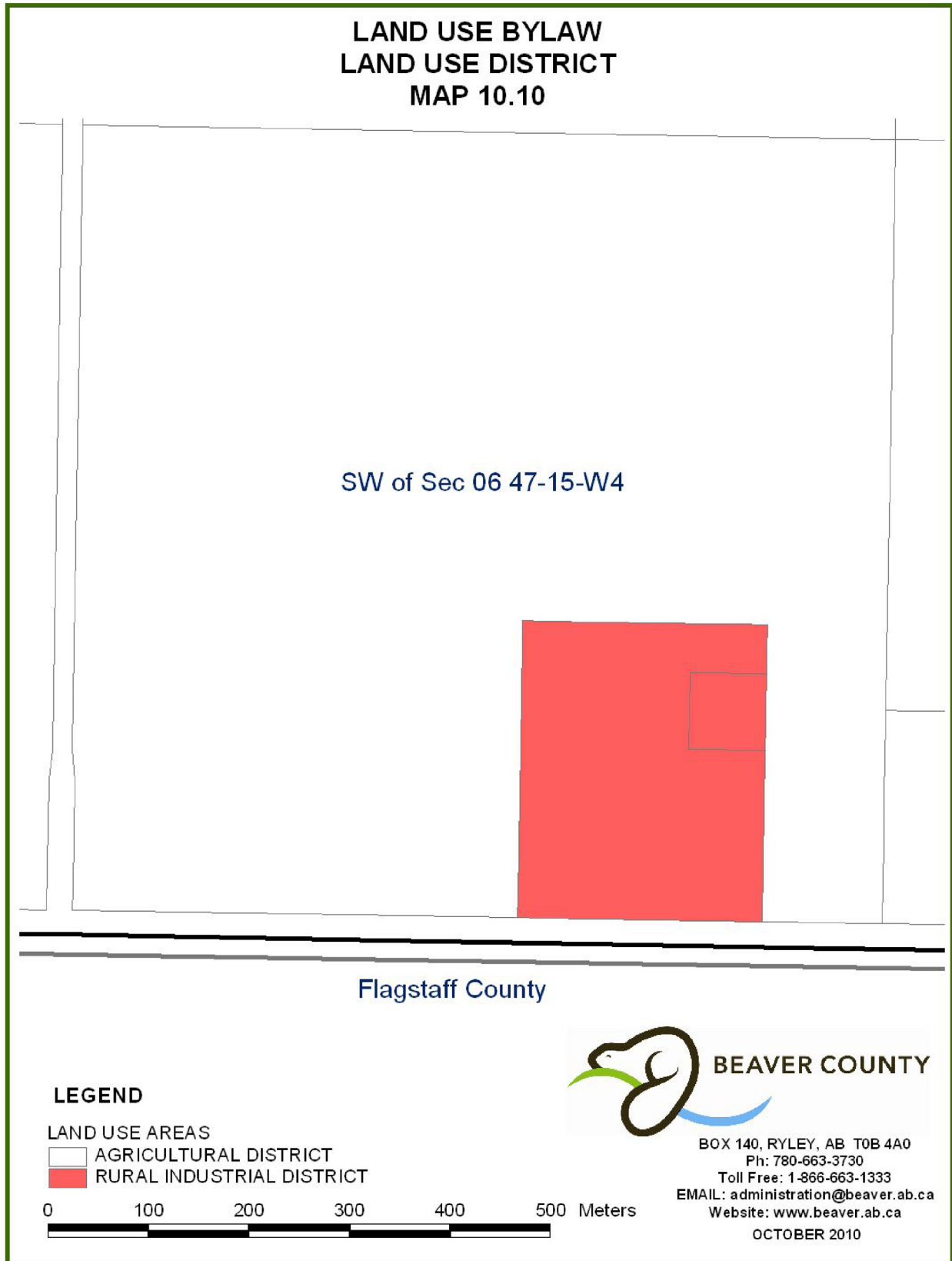
Map 10.8



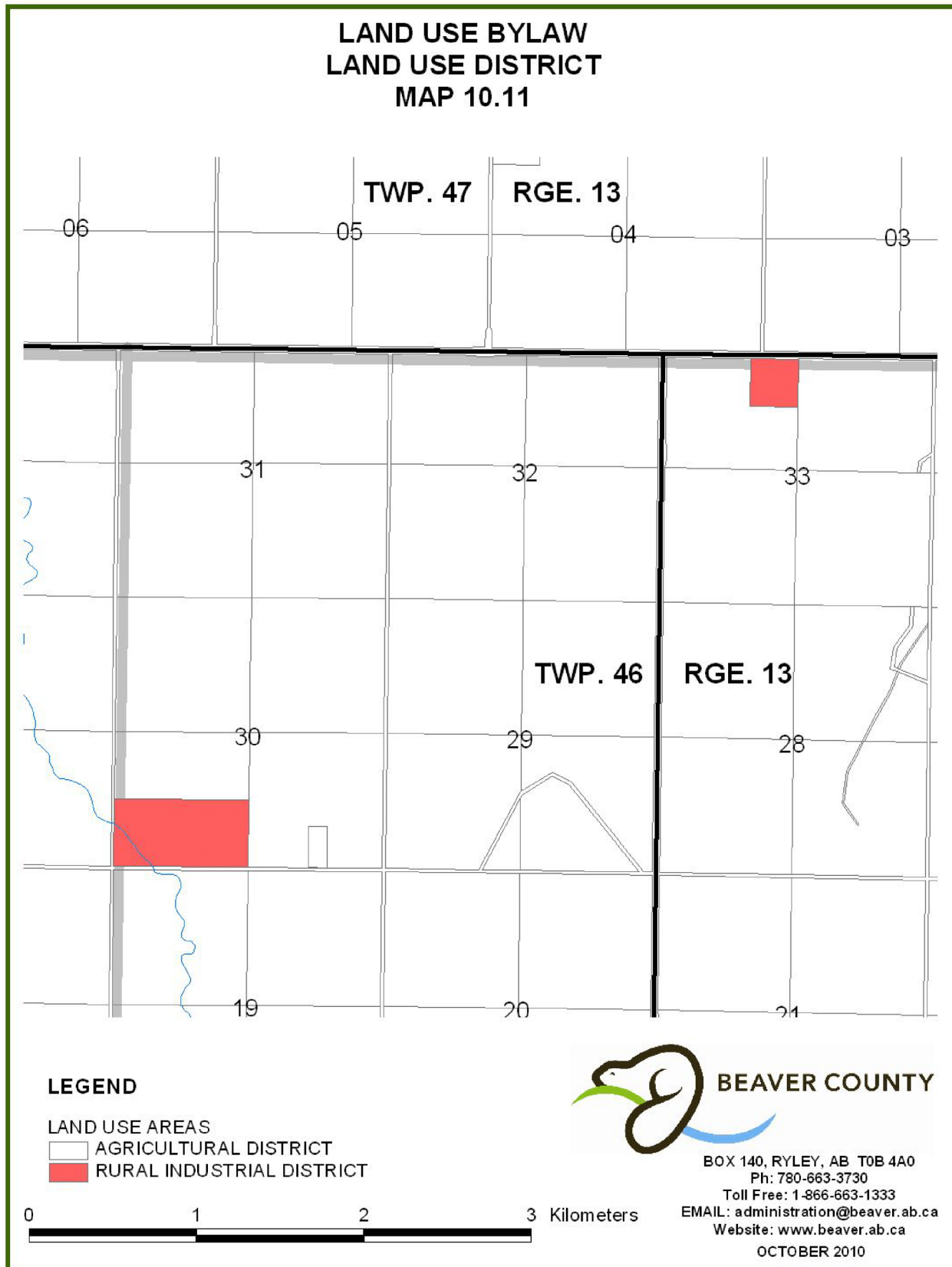
Map 10.9



Map 10.10

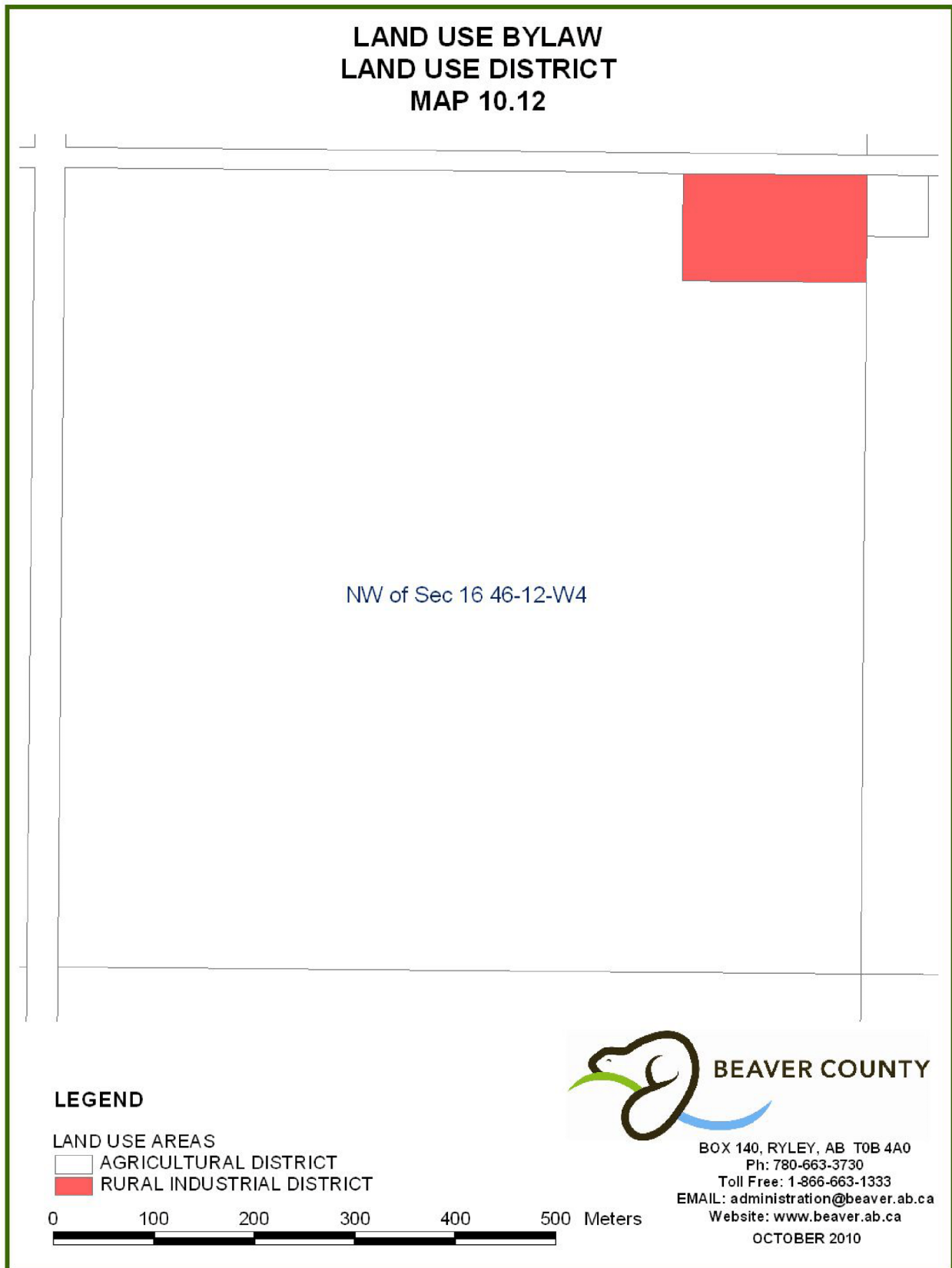


Map 10.11



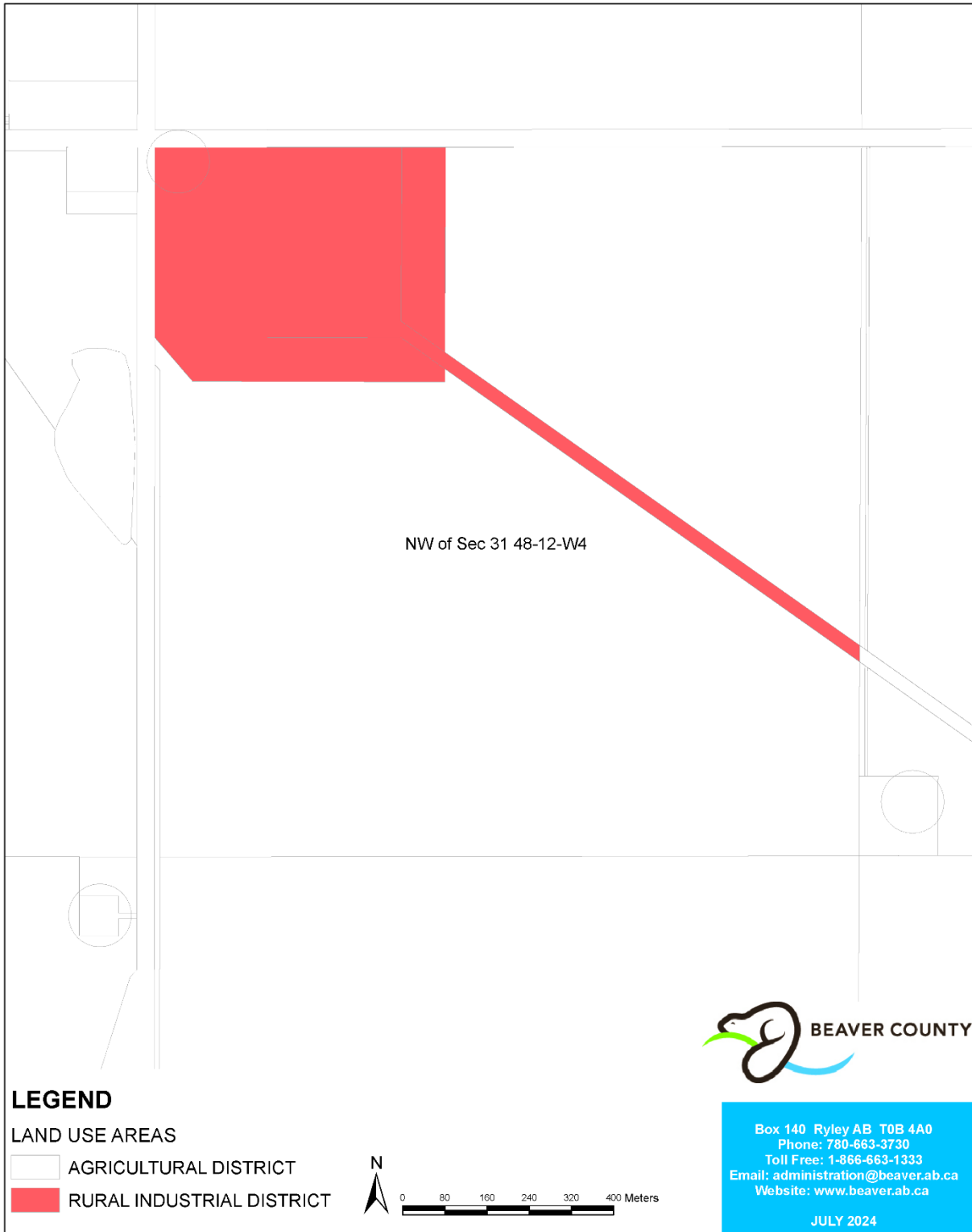


Map 10.12



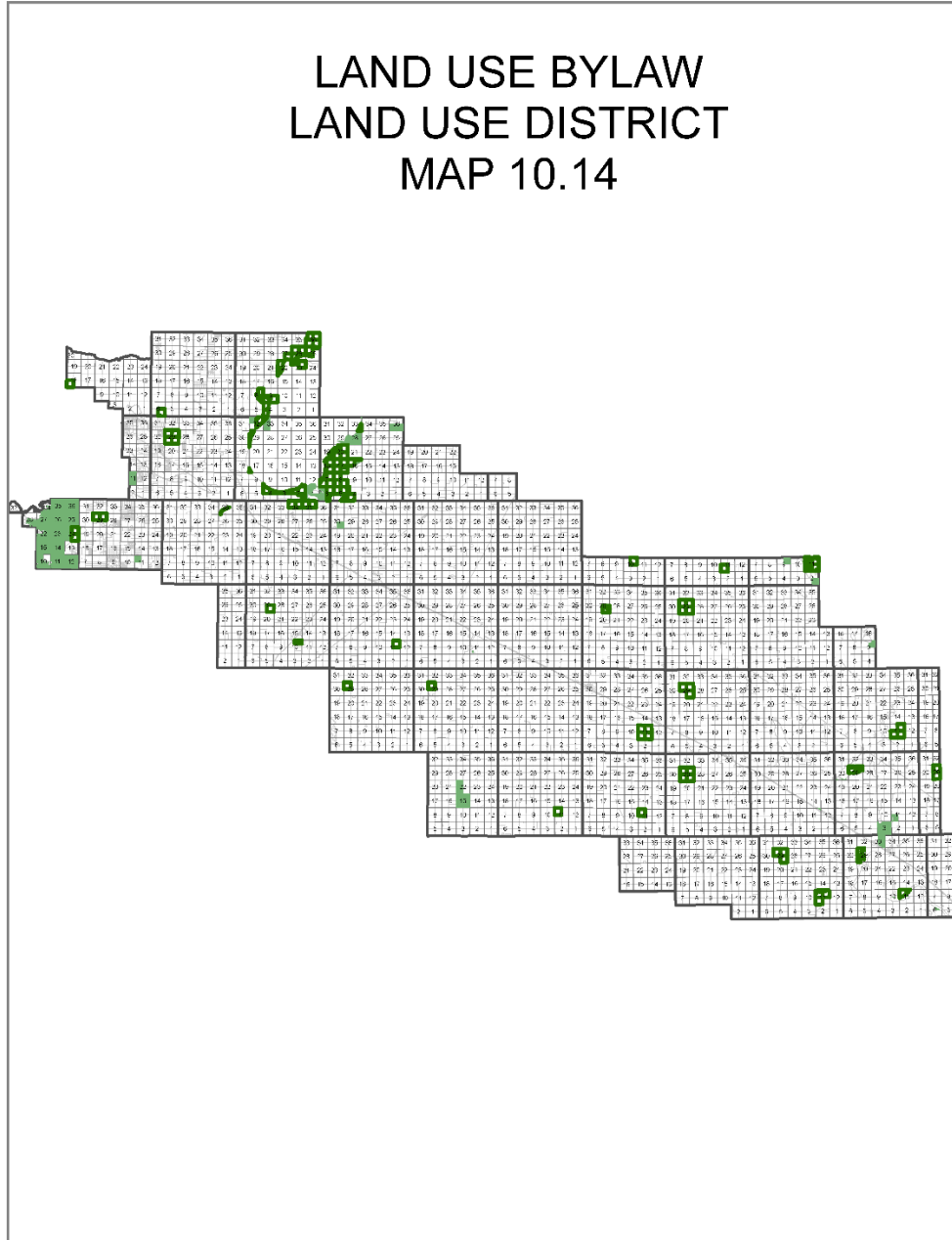
Map 10.13

LAND USE BYLAW  
LAND USE DISTRICT  
MAP 10.13



# Schedule E: Crown Lands District Maps

Map 10.14 (Combined)



### Legend

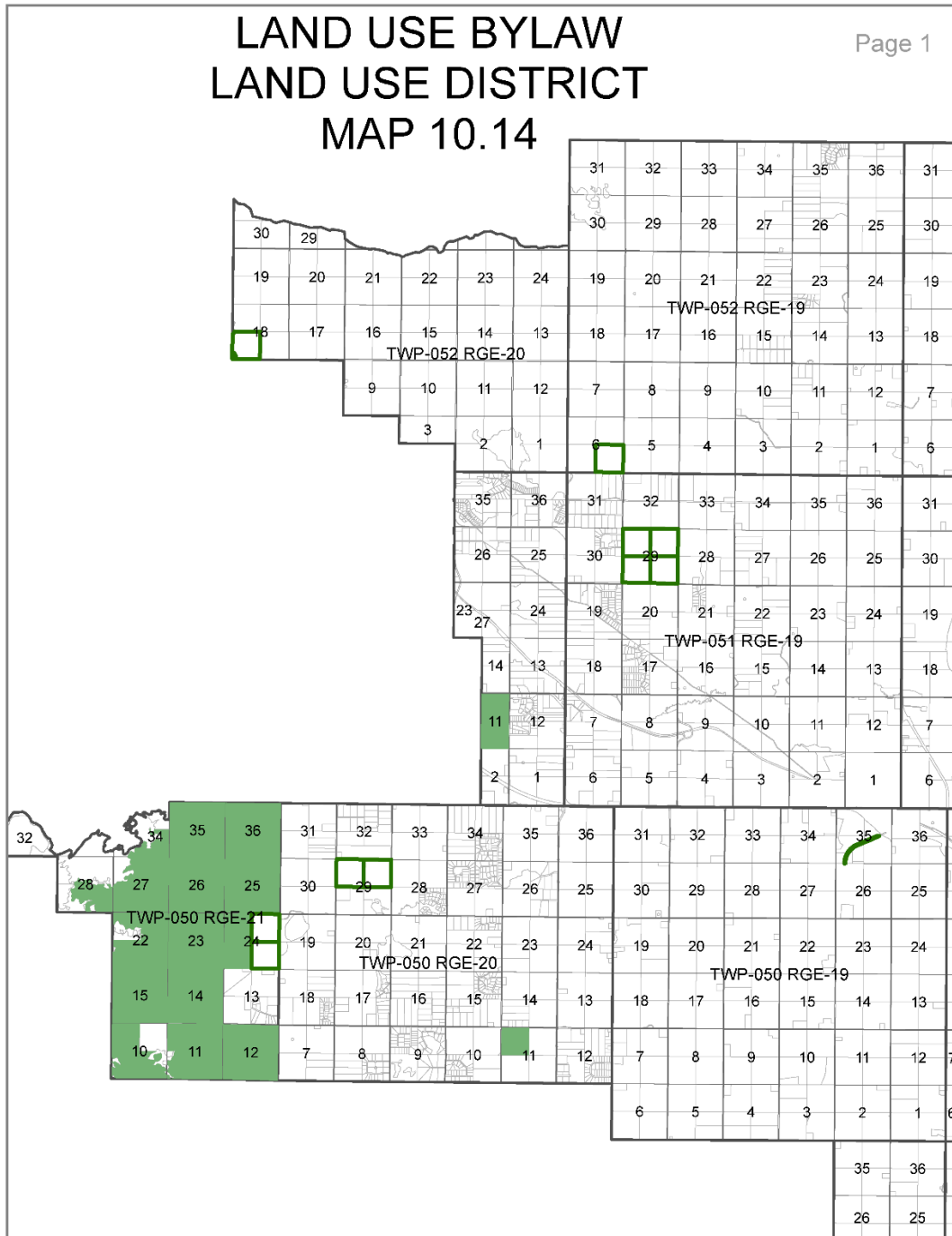
- Agricultural District (Crown-owned and leased)
- Crown Lands District (non-leased)
- Land Parcel






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 Toll Free: 1-866-663-1333  
 Email: [administration@beaver.ab.ca](mailto:administration@beaver.ab.ca)  
 Website: [www.beaver.ab.ca](http://www.beaver.ab.ca)

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**Legend**

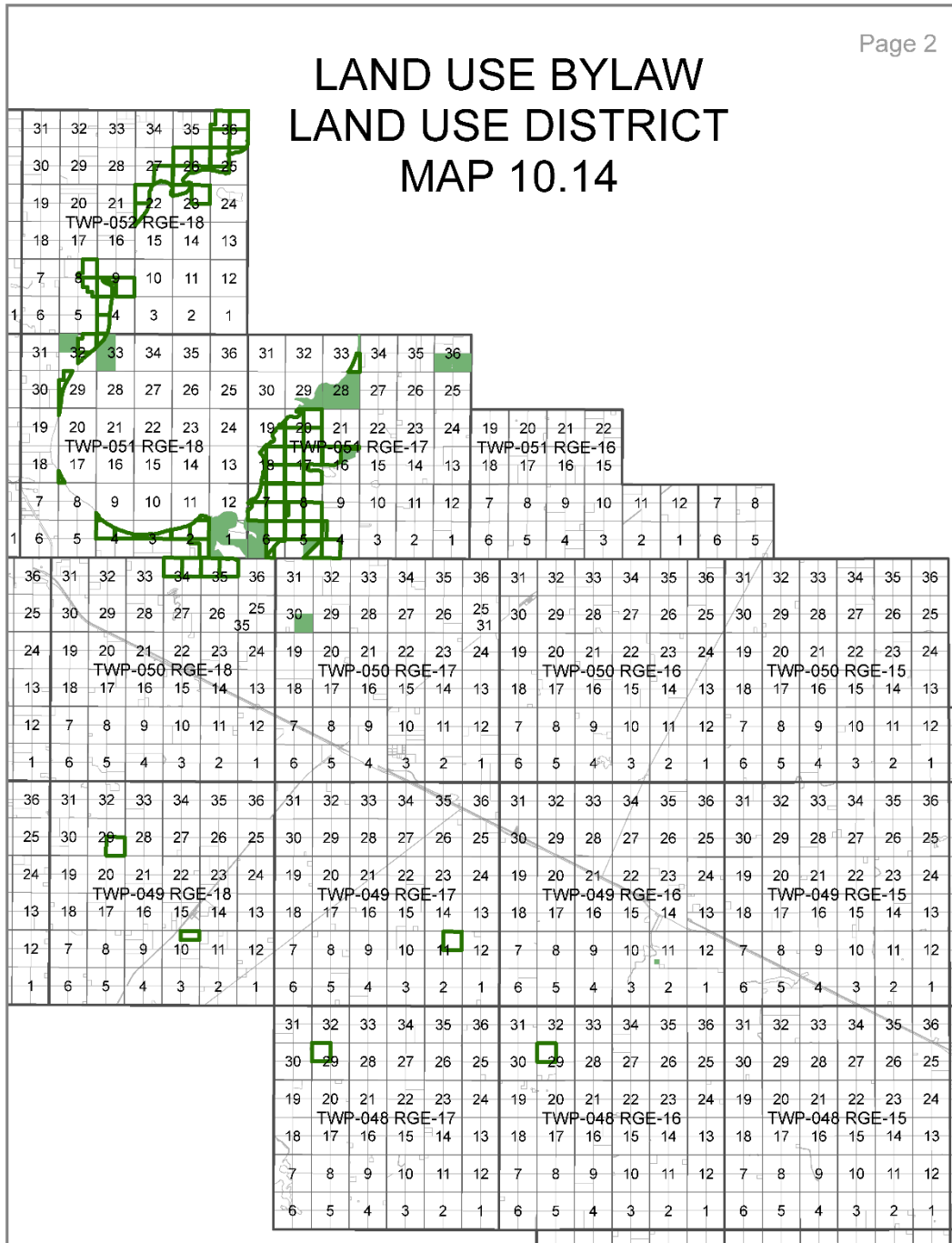
-  Agricultural District (Crown-owned and leased)
-  Crown Lands District (non-leased)
-  Land Parcel



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Map 10.14 (Page 2)



**Legend**

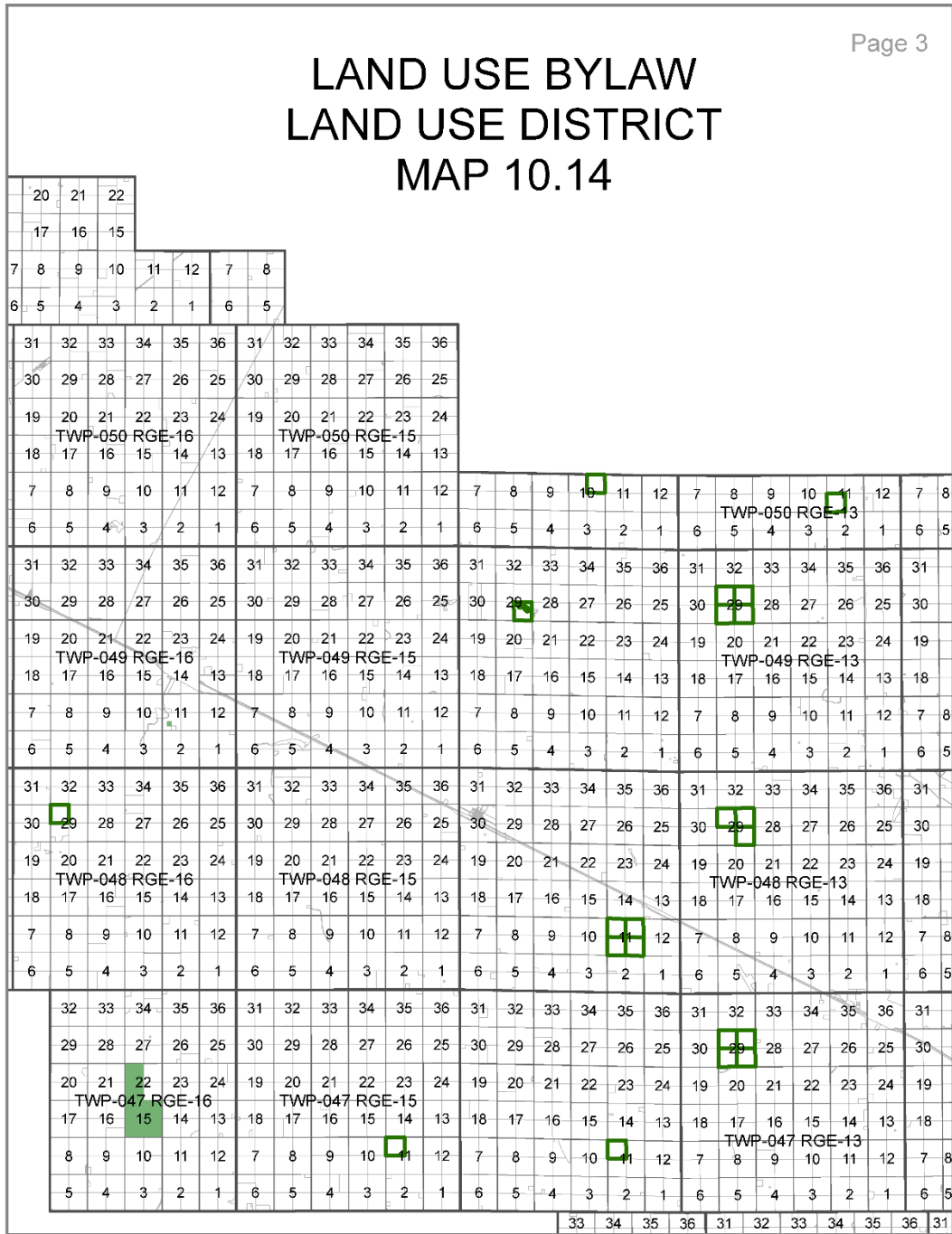
- Agricultural District (Crown-owned and leased)
- Crown Lands District (non-leased)
- Land Parcel



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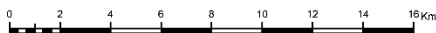
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**Legend**

- Agricultural District (Crown-owned and leased)
- Crown Lands District (non-leased)
- Land Parcel



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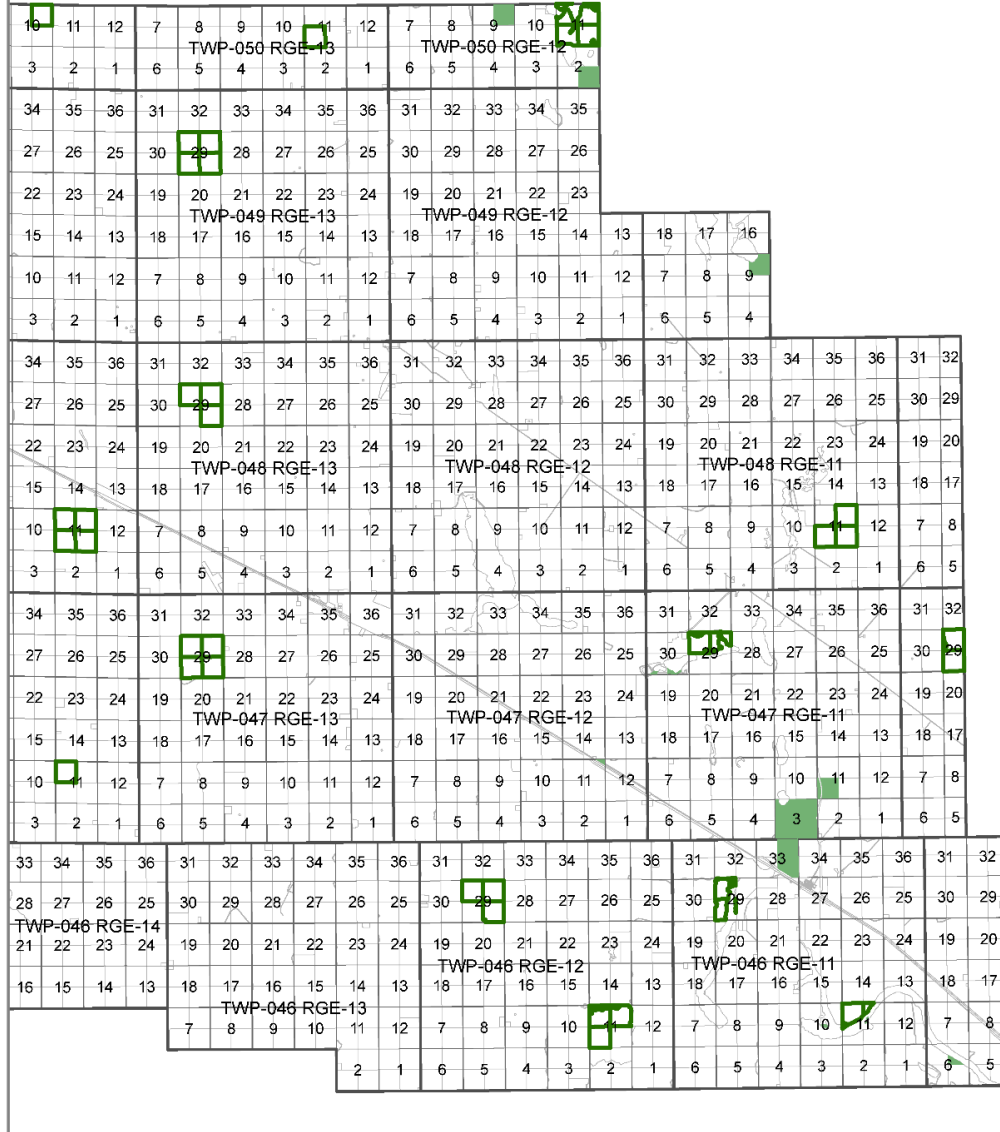
MAY 2024



Map 10.14 (Page 4)

# LAND USE BYLAW LAND USE DISTRICT MAP 10.14

Page 4



### Legend

- Agricultural District (Crown-owned and leased)
- Crown Lands District (non-leased)
- Land Parcel



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