

Municipal District of Acadia No. 34

Land Use Bylaw

Bylaw 2024-790

Adopted April 9th, 2024

Prepared by:



M.D. of ACADIA NO. 34

BYLAW NO. 2024-790

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF ACADIA NO. 34 IN THE PROVINCE OF ALBERTA, TO PROHIBIT OR REGULATE AND CONTROL THE USE OF LANDS AND BUILDINGS IN THE M.D. OF ACADIA NO. 34

WHEREAS: Pursuant to the provisions of Section 640(1) of the *Municipal Government Act, RSA, Chapter M-26* as amended, the Council of a Municipality must, by Bylaw, adopt a land use bylaw.

AND WHEREAS: Council has undertaken a major review of the Land Use Bylaw 2012-727; and held a Public Hearing on APRIL 9, 2024, as required by Section 230 of the Municipal Government Act.

NOW THEREFORE: THE COUNCIL OF THE M.D. OF ACADIA NO. 34 IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw shall be known as “M.D. of Acadia No. 34 Land Use Bylaw”.
2. The M.D. of Acadia Land Use Bylaw being Schedule “A” as attached to and forming part of this Bylaw is hereby adopted.
3. Bylaw 2012-727 and all amendments are hereby repealed.
4. This Bylaw takes effect on the date of the third reading.

READ A FIRST TIME this 12th day of March 2024.

READ A SECOND TIME this 9th day of April 2024.

READ A THIRD TIME AND FINAL TIME this 9th day of April 2024.

X _____

Reeve

X _____

Chief Administrative Officer

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PART A – THE APPROVALS PROCESS

1 ADMINISTRATION

1.1 TITLE

- 1.1.1** The title of this Bylaw shall be the '*Municipal District of Acadia Land Use Bylaw*' ('*M.D. of Acadia LUB*').

1.2 PURPOSE

- 1.2.1** The purpose of this Bylaw is to direct the orderly, economic, and beneficial **development** and **use** of land within the M.D. of Acadia, in accordance with the vision of the *M.D. of Acadia Municipal Development Plan* (MDP). This is achieved through this Bylaw by regulating and controlling **development**, or where necessary, prohibiting **development** without infringing on the rights of individuals for any public interest except to the extent that is for the overall greater public interest.

1.3 APPLICATION

- 1.3.1** This Bylaw shall apply to the whole of the M.D. of Acadia being all lands and **buildings** contained within its corporate limits.
- 1.3.2** No person shall commence any **development** within the M.D. of Acadia except in conformity with this Bylaw.
- 1.3.3** Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted statutory plan, including the *Municipal Development Plan*, *Intermunicipal Development Plans* and *Area Structure/Redevelopment Plans*.
- 1.3.4** No development shall be undertaken within the M.D. of Acadia unless an application for it has been approved and a development permit has been issued, except for those items listed in Section 3.

1.4 EFFECTIVE DATE AND TRANSITION

- 1.4.1** The *M.D. of Acadia Land Use Bylaw No. 2012-727*, as amended, is hereby repealed and will cease to have effect on the day this Bylaw comes into force. This Bylaw comes into force on upon third reading.
- 1.4.2** An application for a **subdivision, development permit** or amendment to this Bylaw submitted prior to the coming into force of this Bylaw shall be evaluated under the provisions of the *M.D. of Acadia's Land Use Bylaw No. 2012-727*, as amended.

1.5 OTHER LEGISLATIVE REQUIREMENTS

- 1.5.1** In addition to this Bylaw, an applicant is responsible for complying with any other applicable federal, provincial, or municipal legislation, bylaw or policy, licensing or permitting regime, or approval process. The applicant is also responsible for complying with the conditions of any caveat, covenant, ***easement*** or other instrument affecting a ***building*** or land.
- 1.5.2** The M.D. of Acadia is not responsible for, nor does the M.D. of Acadia have any obligation whatsoever to determine what other legislation may apply to a ***development***, nor to monitor or enforce compliance with such legislation.

1.6 NON-CONFORMING BUILDINGS AND USES

- 1.6.1** ***Non-conforming buildings*** and ***non-conforming uses*** shall be treated in accordance with the *Act*, and any amendments thereto.
- 1.6.2** A ***non-conforming building*** may continue to be used, and the ***building*** may be enlarged, added to, rebuilt or structurally altered, if at the discretion of the ***Development Authority***, the alterations do not substantially increase the extent of non-conformance and are within all other requirements of the Bylaw.
- 1.6.3** Nothing in this Bylaw diminishes or in any way affects the power of the ***Development Authority*** to issue a ***development permit*** which makes a ***non-conforming building*** conforming through the granting of a relaxation of the requirements or rules to which the existing ***building*** does not conform.

1.7 SEVERABILITY

- 1.7.1** In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

2 RULES OF INTERPRETATION

- 2.1.1** Where a word is used in the singular, such a word may also mean plural.
- 2.1.2** Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective.
- 2.1.3** Where a word is used in the present tense, such a word may also mean the future tense.
- 2.1.4** The word “person” includes a corporation as well as an individual.
- 2.1.5** The words “shall” and “must” require mandatory compliance except where a variance or relaxation has been granted pursuant to the *Act* or this Bylaw. “May” means a choice is available, with no particular direction or guidance intended.
- 2.1.6** Words, phrases, and terms not defined in this Bylaw may be given their definition in the *Act* or the *Safety Codes Act*. Other words shall be given their usual and customary meaning.
- 2.1.7** Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- 2.1.8** For ease of reference:
- (a) words that are **Capitalized** and **Bold** denote **uses** defined in **Part F Definitions**;
 - (b) words that are ***italicized and bold*** denote general terms defined in **Part F Definitions**;
 - (c) words that are *italicized* reference federal or provincial legislation or regulations thereunder; and
 - (d) all other words must be given then plain and ordinary meaning as the context requires.
- 2.1.9** All units of measure contained within this Bylaw are metric (SI) standards and are rounded to the nearest decimal place. For the purpose of convenience, the following conversion factors are provided:

Metric	Imperial
1 square metre (m ²)	10.8 square feet (ft ²)
1 hectare (ha)	2.47 acres (ac)
1 kilometre (km)	0.6 mile (mi)
1 metre (m)	3.3 feet (ft)
1 centimetre (cm)	0.4 inch (in)
1 millimetre (mm)	0.04 inches (in)
1 kilogram (kg)	2.2 pounds (lb)

3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- 3.1.1** This Section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* or any other provincial or federal statute.
- 3.1.2** The following **developments** shall not require a **development permit**:
- (a) any **use** or **development** exempted under section 618(1) of the *Act*;
 - (b) any **use** or **development** exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *Act*;
 - (c) **Telecommunication Structures** (refer to the **M.D. of Acadia Telecommunication Structures Policy** under separate cover regarding the issuance of letters of concurrence or non-concurrence);
 - (d) the completion and use of a **building** which was lawfully under construction at the date this Bylaw came into effect provided the **building** is completed in accordance with the terms and conditions of any **development permit(s)** granted;
 - (e) the completion of a **building** that did not require a **development permit** under the previous Land Use Bylaw and which was lawfully under construction provided the **building** is completed within twelve (12) months from the date this Bylaw came into effect;
 - (f) an official notice, **Sign**, placard or bulletin required to be displayed pursuant to provisions of federal, provincial or municipal legislation;
 - (g) the use of a **building** or part thereof for a federal, provincial, or municipal election, referendum or plebiscite.
 - (h) Irrigation works as defined in *Irrigation Districts Act*.
 - (i) Pipelines and ancillary facilities as defined in the *Pipelines Act*. Any new facilities adjacent to a public road shall have prior approval of **Council**.
- 3.1.3** The following **developments** shall not require a **development permit**, but must otherwise comply with all other provisions of this Bylaw (example: **setbacks**, parking, **building** height, etc.):
- (a) a **Day Home**;
 - (a) a **Home Occupation – Phone & Desk**;
 - (b) a **Home Occupation – Minor** in the following Districts:
 - i. AG -Agricultural General;
 - ii. CR – Country Residential;
 - iii. CS – Community Service;
 - iv. RI – Rural Industrial; and
 - v. HF – Hamlet Fringe;
 - (c) the carrying out of works, maintenance or repair to any **building** provided that such works:
 - i. do not include structural alterations that would affect any regulations in

- this Land Use Bylaw, or
- ii. do not change the **use** or the intensity of **use** of the **structure** or **building**;
- (d) interior renovations to a **building** which do not:
- i. create an additional **Dwelling Unit**,
 - ii. increase **parking stall** requirements, or
 - iii. result in the change of **use** or the intensity of **use** of a **building**;
- (e) the **temporary** placement or construction of a **building**, works, plants or machinery needed in connection with the construction of a **development** for which a **development permit** has been issued for the period of those operations;
- (f) the **use** of land for, or the maintenance or repair of works, services and **Utilities** on publicly owned or administered land carried out by or on behalf of federal, provincial, municipal or public authorities or private **Utilities** under special agreement with the M.D. of Acadia;
- (g) **landscaping** that was not required as part of a valid **development permit**;
- (h) the construction of a **patio** or **deck**;
- (i) the erection, construction or maintenance of gates, **fences**, walls, or other means of enclosure in accordance with this Bylaw (see **Section 9.10 – Fences and Hedges**);
- (j) In Hamlets, the construction or replacement of one (1) **Accessory Building** per **parcel**, which does not exceed 9.3 m² (100 ft²) in **floor area** and is less than 2.5 m (8 ft.) in height; (See **Section 10.1 – Accessory Buildings, Structures, and Uses**);
- (k) In the **AG – Agricultural District**, the construction or replacement of an **Accessory Building** or **Accessory Structure** provided the **building** or **structure** is only used to support normal agricultural operations of the **parcel** (examples: barns, sheds, quonsets, granaries);
- (l) A **temporary Shipping Container** in accordance with Subsection 10.2;
- (m) the construction, maintenance and repair of private walkways, pathways, driveways, and similar works;
- (n) demolition of a **building** (a **building permit** is required);
- (o) **Renewable Energy Systems**;
- (p) the installation of a **Sign** that:
- i. is located inside a **building** and is not visible from the exterior;
 - ii. states the municipal address, owner or name of the **building**, to a maximum **sign area** of 0.2 m² (2.2 ft²) for a **residential use** and 0.5 m² (5.4 ft²) for a non-residential **use**;
 - iii. is for the purpose of warning or direction;
 - iv. relates to an approved **Home Occupation** or **Bed and Breakfast Establishment**, and meets the requirements of **Section 10 – Specific Use Regulations**;
 - v. relates to a political campaign for municipal, school board, regional health

- authority, provincial or federal elections;
- vi. indicates “open”, “closed”, “vacancy” or “no vacancy” with a maximum **sign area** of 0.5 m² (5.4 ft²) per non-residential use;
- vii. is located in a window with a maximum **sign area** of 0.3 m² (3.2 ft²) stating the opening and closing hours of a non-residential use; or
- viii. is a **temporary Sign** that relates to a real estate sale or lease not exceeding 0.55 m² (6 ft²) in **sign area** and not more than 1.8 m (6 ft.) in height, provided the **Sign** is removed immediately following the sale or lease;
- ix. is a **temporary Sign** that relates to a **temporary** event, provided the **Sign** is removed immediately following the event; and

(q) **Extensive Agriculture.**

4 ADMINISTRATIVE AGENCIES

4.1 DEVELOPMENT APPROVAL AUTHORITIES

- 4.1.1** The **Development Authority** shall exercise powers and perform duties on behalf of the M.D. of Acadia in accordance with the *Act*.
- 4.1.2** The **Development Authority** is:
- (a) the **Development Officer** while carrying out his or her functions or duties under this Bylaw and/or the *Act*;
 - (b) the **Municipal Planning Commission** while exercising development powers or duties under this Bylaw and/or the *Act*; or
 - (c) where the context of this Bylaw permits in Direct Control Districts, the **Council**.

Development Officer

- 4.1.3** The office of the **Development Officer** is hereby established to act on behalf of **Council** in those matters delegated by the Bylaw and in such matters as **Council** may instruct from time to time.

Municipal Planning Commission

- 4.1.4** In accordance with the *Act*, the **Municipal Planning Commission**, shall perform such duties as specified in this Bylaw.

4.2 DEVELOPMENT AUTHORITY – POWERS AND DUTIES

- 4.2.1** The **Development Authority** must administer all **development permit** applications in accordance with this Bylaw and decide upon all **development permit** applications.
- 4.2.2** The **Development Authority** must refuse to accept a **development permit** application where the prescribed fee for a **development permit** has not been paid.

- 4.2.3** The **Development Authority** may refuse to accept or refuse to deem complete a **development permit** application where:
- (a) the information required by this Bylaw is not provided; or
 - (b) the quality is inadequate to properly evaluate the application.
- 4.2.4** The **Development Authority** must make available for inspection, during office hours, all applications and decisions for **development permits**, subject to any legislation in force.
- 4.2.5** The **Development Authority** must collect fees according to the schedule approved by **Council**.
- 4.2.6** The types of **development permit** applications a **Development Authority** may consider are a **development permit** for:
- (a) a **permitted use** that complies with all requirements of this Bylaw;
 - (b) a **permitted use** that does not comply with all requirements of this Bylaw;
 - (c) a **discretionary use** that complies with requirements of this Bylaw; and
 - (d) a **discretionary use** that does not comply with all requirements of this Bylaw.
- 4.2.7** The **Development Authority** must issue the following notices and acknowledgements on **development permit** applications:
- (a) notice of complete application;
 - (b) notice of incomplete application;
 - (c) notice of decision; and
 - (d) notice of refusal/deemed refusal of an application.

Development Officer

- 4.2.8** The **Development Officer** shall:
- (a) receive, consider and decide on an application for a **development permit** for those **uses** listed as **permitted uses** for the relevant Land Use District which:
 - i. comply with the minimum standards; or
 - ii. otherwise comply with the minimum standards but require relaxation of any measurable standard in accordance with **Subsection 4.3.2**; and
 - (b) receive, and refer with recommendations to the **Municipal Planning Commission** for its consideration and decision, any application for a **development permit** which has been assigned to it for consideration and decision.

Municipal Planning Commission

- 4.2.9** **The Municipal Planning Commission:**
- (a) shall decide on an application for those **uses** listed as **discretionary uses**; and
 - (b) shall decide on all applications for those **uses** listed as **permitted uses** and requires a relaxation of any measurable standard in accordance with **Subsection 4.3.3**.

4.3 VARIANCE POWERS OF THE DEVELOPMENT AUTHORITY

4.3.1 The **Development Authority** may approve a **development permit** application for a **permitted use** or **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Bylaw if, in the opinion of the **Development Authority**:

- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (b) the proposed **development** conforms with a **use** prescribed by this Bylaw for that land or **building**.

Development Officer

4.3.2 The **Development Officer**, at its discretion, may relax the development standards up to 10% of that requirement or may defer a decision on a variance request to the **Municipal Planning Commission**.

Municipal Planning Commission

4.3.3 The **Municipal Planning Commission**, at its discretion, may relax any development standard. The test for relaxation shall include the following criteria:

- (a) The proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties;
- (b) The proposed development conforms with a use prescribed by this Bylaw for that land or **building**;
- (c) Conformance to the purpose and intent of the applicable Land Use District;
- (d) Whether granting the relaxation would make the proposed development incompatible with existing development or uses; and
- (e) Taking into consideration the future land uses of the **parcel** and surrounding area as depicted in any adopted statutory plan or policy affecting the site.

4.4 SUBDIVISION AUTHORITY

4.4.1 The **Subdivision Authority**, as established under a separate bylaw, shall perform duties on behalf of the municipality in accordance with the *Act*, the Land Use Bylaw and all relevant M.D. of Acadia planning documents.

4.5 SUBDIVISION AUTHORITY – POWERS AND DUTIES

4.5.1 The **Subdivision Authority** must administer all **subdivision** applications in accordance with this Bylaw and decide upon all **subdivision** applications.

4.5.2 The Subdivision **Authority** must refuse to accept a **subdivision** application where the prescribed fee for a **subdivision** application has not been paid.

- 4.5.3** The **Subdivision Authority** may refuse to deem complete a **subdivision** application where:
- (a) the information required is not provided; and/or
 - (b) the quality is inadequate to properly evaluate the application.

4.5.4 The **Subdivision Authority** shall:

- (a) keep and maintain for the inspection of the public copies of all decisions and ensure that copies of same are available to the public at a reasonable charge;
- (b) keep a register of all applications for subdivision, including the decisions therein and the reasons therefore;
- (c) receive all applications for subdivision including the prescribed application fees and decide upon all applications in accordance with the Regulation and the Land Use Bylaw with consideration of all comments received through circulation;
- (d) issue the following notices and acknowledgements on **subdivision** applications:
 - i. notice of complete application;
 - i. notice of incomplete application;
 - ii. notice of decision; and
 - iii. notice of refusal/deemed refusal of an application;a notice shall be issued to the applicant on the form created by the **Subdivision Authority** and sent by email where consent has been granted by the applicant, otherwise it shall be sent by mail;
- (e) refer applications for comments to Palliser Regional Municipal Services;
- (f) excepting subdivision applications not requiring circulation under the Act, to circulate applications for subdivision for comments to an **adjacent** municipality when the original **parcel** boundaries are **adjacent** to the municipal boundary or where an intermunicipal development plan requires;
- (g) prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the *Regulation*;
- (h) ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality;
- (i) endorse Land Titles instruments to effect the registration of the **subdivision** of land; and
- (j) plan or policy affecting the site.

5 DEVELOPMENT APPLICATION AND APPROVAL PROCESS

5.1 APPLICATION REQUIREMENTS

- 5.1.1** An application for a **development permit** shall be completed and submitted to the **Development Authority** in writing, in the form required by the **Development Authority**, and shall be accompanied by:
- (a) authorization of the registered landowner;
 - (b) current copy of Certificate of Title, and copies of any restrictive covenants, utility rights-of-way, **easements**, or M.D. of Acadia caveats registered on the Title(s);
 - (c) a site plan (drawn to scale) showing the following:
 - i. legal description and north arrow;
 - ii. area and dimensions of the **parcel** boundaries, showing the required **front, rear, and side yards**, if any;
 - iii. existing and proposed **easements** and rights-of-way, including dimensions and type of **easement**, if applicable;
 - iv. the location and dimensions of all existing and proposed **buildings, structures, or uses** on the **parcel** and the measured distance to **property line**;
 - v. identification of existing and proposed **roads or lanes** that will provide access to the **development**;
 - vi. any provision for **off-street parking stalls and loading stalls**; and vehicle entrances to and exits from the **parcel**; and
 - vii. existing site **grades** at the corners of the **parcel**, and at the corners of **existing** and proposed **buildings**;
 - (d) statement of existing and proposed **Utility** services (i.e. on-site or municipal);
 - (e) statement of the current and proposed **use** of the lands;
 - (f) the estimated dates of commencement and completion; and
 - (g) the presence of abandoned oil and gas wells in accordance with the *Regulation*.
- 5.1.2** The **Development Authority** may also require additional information in order to assess the conformity of a proposed **development** with this Bylaw before consideration of the **development permit** application shall commence. Such information may include, but is not limited to:
- (a) floor plans, elevations and section drawings;
 - (b) written rationale supporting any requested variances;
 - (c) samples or representations of exterior **building** finishing materials and colors;
 - (d) stormwater management, grading or landscaping plans, prepared by a **qualified professional**;

- (e) a Real Property Report, prepared by an Alberta Land Surveyor, showing the location and distances of any existing **buildings**, waterbodies, trees or other physical features on or **adjacent** to the **parcel** being developed;
- (f) in the case of the placement of an already constructed or partially constructed **building** on a **parcel** of land, information relating to the age and condition of the **building** and its compatibility with the District in which it is to be located;
- (g) an assessment by a **qualified professional** of any potential flooding or subsidence or **slope stability** hazard that may, in the sole opinion of the **Development Authority**, affect the subject **parcel**;
- (h) where a proposal is considered to have a significant environmental impact, the **Development Authority** may request the applicant to have an environmental evaluation or report (e.g., Biophysical Impact Assessment) prepared and submitted or undertake its own environmental evaluation regarding the proposed **development**, at the cost of the applicant; and
- (i) a **construction management plan**.

5.1.3 For an application for an industrial **development**, the **development permit** application shall contain the following information:

- (a) the type and nature of the industry;
- (b) the estimated number of employees;
- (c) the estimated water demand and source;
- (d) the type of effluent and method of treatment;
- (e) transportation routes to be used; and
- (f) any accessory works required.

5.1.4 Notwithstanding Subsections 5.1.1 and 5.1.2 and 5.1.3, at the discretion of the **Development Authority**, additional information, plans or reports may be required to adequately render a decision on an application.

5.1.5 In the case where an application for a **development permit** has been refused pursuant to this Bylaw or ultimately after appeal to an **Appeal Body**, the submission of a subsequent application for a **development permit** on the same **parcel** and for the same or similar **use** of the land by the same or any other applicant may not be accepted by the **Development Authority** for at least six (6) months after the date of the previous refusal.

5.2 NOTICE OF COMPLETE OR INCOMPLETE APPLICATION

5.2.1 Within the timeframe specified in the *Act*, a Notice of Complete Application or Notice of Incomplete Application shall be issued to the applicant on the form created by the **Development Authority** and sent by email where consent has been granted by the applicant, otherwise it shall be sent by mail.

5.3 REVIEW PERIOD

- 5.3.1 The **Development Authority** must make a decision on a **development permit** Application within forty (40) days.
- 5.3.2 The 40-day review period commences once the Notice of Complete Application is provided to the applicant.
- 5.3.3 Notwithstanding 5.3.1, in accordance with the *Act*, the applicant may enter into a written agreement with the **Development Authority** to extend the review period.

5.4 REFERRAL

- 5.4.1 Once a **development permit** application for a **use** listed as a **discretionary use** or that requires a relaxation has been deemed complete, the **Development Authority** may at their discretion provide a notice of application and request for comment to all **adjacent** landowners, or a greater circulation area, if potential for conflict is deemed to be probable.
- 5.4.2 The **Development Authority** may refer an application for a **development permit**, to any agency or authority it deems necessary.
- 5.4.3 Applications for **development permits** on **parcels** within an area covered by the *Municipal District of Acadia No. 34 and Special Areas Intermunicipal Development Plan (IDP)* shall be referred for comment in accordance with the requirements of the IDP.
- 5.4.4 The **Development Authority** may refer an application for a **development permit** for comment to the Palliser Regional Municipal Services.
- 5.4.5 Having received a reply from a referral on an application, the **Development Authority** shall make a decision in accordance with **Section 5.5 – Decision Process**, giving due consideration to the comments received.
- 5.4.6 After the time period identified in the circulation notice from the date of referral, the application may be dealt with by the **Development Authority** in accordance with **Section 5.5 – Decision Process**, whether or not comments have been received.

5.5 DECISION PROCESS

Permitted Use Permits That Meet All Requirements

- 5.5.1 Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** conforms to all of the applicable requirements and rules of this Bylaw, the **Development Authority** must approve the application and issue the **development permit**. The **Development Authority** may impose such conditions as required to ensure compliance with this Bylaw.

Permitted Use Permits That Do Not Meet All Requirements

- 5.5.2 Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** does not conform to all of the applicable requirements and rules of this Bylaw, the **Development Authority** may:

- (a) refuse to approve the **development permit** application; or
- (a) approve the **development permit** application; and may:
 - i. grant a relaxation of the requirement or regulation to which the proposed use does not conform; or
 - ii. impose such conditions as required to ensure compliance with this Bylaw.

5.5.3 The **Development Authority** may, as a condition of approving a **development permit** for a **discretionary** use or a **permitted** use that does not comply with all of the applicable requirements and rules of this Bylaw place conditions on the permit to address potential impacts from the development.

Discretionary Use Permits

5.5.4 When making a decision on a **development permit** for a **discretionary use**, the **Development Authority** must take into account:

- (a) any plans and policies affecting the **parcel**;
- (b) the purpose statements in the applicable Land Use District;
- (c) the appropriateness of the location and **parcel** for the proposed **use**;
- (d) the compatibility and impact of the proposed **development** with respect to **adjacent parcels** and the neighbourhood;
- (e) the merits of the proposed **development**;
- (f) the utility servicing requirements;
- (g) access, parking and transportation requirements;
- (h) potential environmental impacts;
- (i) vehicle and pedestrian circulation within the **parcel**;
- (j) the impact on the public transportation system; and
- (k) sound planning principles.

5.5.5 The **Development Authority** may approve a **development permit** application for a **discretionary use**, and may impose such conditions considered appropriate or necessary, which may include:

- (a) limiting hours of operation;
- (b) limiting number of patrons;
- (c) establishing **landscaping** requirements;
- (d) requiring noise attenuation;
- (e) mitigating environmental impacts;
- (f) requiring special provisions be made for parking;
- (g) regarding the location, character and appearance of a **building**;
- (h) regarding the grading of a **parcel** or such other procedures as is necessary to protect the **parcel** from other **developments** or to protect other **developments**;

- (i) establishing the period of time during which a **development** may continue; and
- (j) ensuring the **development** is compatible with surrounding **uses**.

5.5.6 The **Development Authority** may refuse a **development permit** application for a **discretionary use** even though it meets the requirements and rules of this Bylaw.

Applications the *Development Authority* Must Refuse

5.5.7 The **Development Authority** must refuse a **development permit** application when the proposed **development**:

- (a) is for a **use** that is not listed as either a **permitted use** or **discretionary use** in the Land Use District; or
- (b) is for a **use** containing a restriction in its definition that is not met by the proposed **use**.

Similar Use Permits

5.5.8 In the case where a proposed specific **use** of land or a **building** is not provided for in any District in the Bylaw, the **Development Authority** may determine that such **use** is similar in character and purpose to the definition of a **permitted use** or **discretionary use** prescribed for a particular District.

Temporary Use Permits

5.5.9 If an application is made for a **development** that is identified as **temporary** in this Bylaw, the **Development Authority** may consider and approve a **development** for a specific period of time, not exceeding one (1) year, unless otherwise allowed in this Bylaw.

5.5.10 Where a **temporary development permit** is issued in accordance with this Bylaw and the specified time period lapses, it is the responsibility of the applicant to request extension or renewal of the permit.

5.6 NOTICE OF DECISION AND ISSUANCE OF DEVELOPMENT PERMITS

5.6.1 When a **development permit** is approved for a **permitted use** the **Development Authority**:

- (a) shall provide a Notice of Decision to the applicant; and
- (b) may post the decision on the M.D. of Acadia's website.

5.6.2 A **development permit** issued for a **permitted use** in compliance with the regulations and standards of this Bylaw, or a **development permit** issued by **Council** pursuant to a Direct Control District, comes into effect on the date that the decision is made.

5.6.3 When a **development permit** is approved for a **discretionary use** or for a **permitted use** in which a variance/ relaxation has been granted, the **Development Authority** shall:

- (a) provide a Notice of Decision to the applicant;
- (b) immediately mail a notice in writing to all owners of land **adjacent** to the subject **parcel**; and
- (c) issue a **development permit**:

- i. after the appeal period required by the Act has expired; and
- ii. the applicant has met/ executed all prior to release conditions listed on the Notice of Decision

5.6.4 When a **development permit** is approved, the **Development Authority** may, in addition to those methods of notice provided in Subsection 5.6.3, complete any of the following:

- (a) publish the Notice of Decision on the M.D. of Acadia's website;
- (b) publish the notice of the decision in a local newspaper; or
- (c) post a notice of the decision conspicuously on the **parcel** the **development permit** has been issued, for a period of not less than twenty-one (21) days.

5.6.5 A **development permit** approved pursuant to Subsection 5.6.3 does not come into effect until the **development permit** has been issued. Any **development** proceeded with by the applicant prior to the issuance of the **development permit** is done solely at the risk of the applicant.

5.6.6 Where an appeal is made pursuant to **Section 6 – Appeals** of this Bylaw, a **development permit** which has been granted shall not come into effect until the appeal has been determined and the **development permit** has been confirmed, modified or nullified thereby.

5.6.7 The notices indicated in Subsections 5.6.1, 5.6.3, 5.6.4 and 5.6.8 must state:

- (a) the legal description and the street address of the **parcel** of the proposed **development**;
- (b) the **uses** proposed for the subject **development**;
- (c) any discretion that was granted in the approval of the **development**, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the **Development Authority** when the **development permit** was approved;
- (d) the date the **development permit** was approved; and
- (e) how an appeal may be made to the **Appeal Body** and the deadline for such appeal.

5.6.8 When the **Development Authority** refuses an application for a **development permit**, the notice of refusal shall be issued to the applicant. The notice of refusal shall contain reasons for the refusal.

5.6.9 After the issuance of a **development permit**, a **Development Authority** may suspend or revoke a **development permit** in writing to the applicant at any time:

- (a) where the **development permit** was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
- (b) where the **development permit** was issued in error.

5.7 CONDITIONS OF APPROVAL

- 5.7.1** Where a **development permit** application does not demonstrate that the proposed **development** conforms to all the applicable requirements of this Bylaw, the **Development Authority** may, as a condition of issuing the **development permit**, require the applicant to amend specific elements of the plans to conform with the applicable requirements.
- 5.7.2** The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use** or **discretionary use**, require the applicant to make satisfactory arrangements for the supply of **Utilities** including, but not limited to natural gas, cable, water, electric power, sewer service, or any one or more of them including payment of the cost of installation or construction of any such **Utility** or facility by the applicant.
- 5.7.3** The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use** or **discretionary use**, require the applicant enter into an agreement with the M.D. of Acadia to do any or all of the following:
- (a) to construct or pay for the construction of a **road** required to give access to the **development**;
 - (b) to construct or pay for the construction of:
 - i. a pedestrian walkway system to serve the **development**, or
 - ii. pedestrian walkways to connect the pedestrian walkway system serving the **development** with a pedestrian walkway system that serves or is proposed to serve an **adjacent development**, or both;
 - (c) to install or pay for the installation of a public **Utility** that is necessary to serve the **development**, whether or not the public **Utility** is, or will be, located on the land that is the subject of the **development**;
 - (d) to construct or pay for the construction of:
 - i. off-street or other parking facilities, and
 - ii. loading and unloading facilities;
 - (e) to pay an off-site levy or redevelopment levy imposed by bylaw; and
 - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- 5.7.4** The M.D. of Acadia may register a caveat pursuant to the provisions of the *Act* and the *Land Titles Act* in respect of an agreement under Subsection 5.7.3 against the Certificate of Title for the land that is the subject of the **development**. Said caveat shall be discharged when the agreement has been complied with.
- 5.7.5** The **Development Authority** may attach conditions to a **development permit** which may include adherence to engineering standards, the completion of any required reports and studies, and/or development phasing requirements.
- 5.7.6** Where a **development permit** has been granted and as a condition of approval, the applicant shall be required to provide a cash security, in the **sum outlined in current Fees and Services Bylaw Schedule A**, to ensure the completion of any repairs to municipal property. The M.D. may draw on this security to cover the costs of any repairs to M.D. property in the event the applicant fails to complete the repairs within thirty (30) days of

being notified by the M.D. of the damages.

5.8 COMMENCEMENT AND COMPLETION OF DEVELOPMENT

Development Commencement

- 5.8.1** If the **development** authorized by a **development permit** is not commenced within twelve (12) months from the date granted or carried out with reasonable diligence the **development permit** is deemed to be void, unless an extension request for the time period is submitted in writing by the applicant and granted by the **Development Authority**. The extension request must provide reasons for the request.
- 5.8.2** If the **development** authorized by a **development permit** is not completed within **three (3)** years of the date of issue or as otherwise specified within a **development permit**, the **development permit** is deemed to be void, unless an extension request for the time period is submitted in writing by the applicant and granted by the **Development Authority**. The extension request must provide reasons for the request.
- 5.8.3** For the purposes of this Bylaw, commencement includes excavation, does not include **fencing**, or demolition on the **parcel**, or obtaining permits.
- 5.8.4** The approval or issuance of a **development permit** does not authorize commencement of construction except in conjunction with all other required permits and conditions of the **development permit**.

Development Extension Requests

- 5.8.5** Notwithstanding Subsections 5.8.1 and 5.8.4 above, an applicant can make an extension request to the prescribed time periods for commencement and completion of development by submitting a written request to the **Development Authority**.
- 5.8.6** An applicant making an extension request pursuant to Subsection 5.8.5 above must provide reasons for the request.
- 5.8.7** The **Development Authority** is not obligated to approve an extension request.

5.9 DIRECT CONTROL DISTRICTS AND PERMITS

- 5.9.1** Direct Control Districts shall only be used for the purpose of providing for land or **developments** that, due to their unique characteristics or unusual site constraints, require specific regulation unavailable in other Land Use Districts.
- 5.9.2** Direct Control Districts shall not be used in substitution of any other Land Use District in this Bylaw that could be used to achieve the same result either with or without variances to this Bylaw.
- 5.9.3** Upon receipt of a completed application for a **development permit** pursuant to a Direct Control District, the **Council** may, prior to making a decision, refer the application to the **Development Authority**, any municipal department or external agency for comment.
- 5.9.4** Prior to deciding upon the **development permit** application before it, the **Council** may provide public notice through means and to whom it considers necessary, that a decision

on a **development permit** pursuant to a Direct Control District is to be made and that **Council** may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

- 5.9.5** Direct Control Bylaws that were passed pursuant to previous Land Use Bylaws and are denoted on the Land Use District Maps:
- (a) are hereby incorporated into and form part of this Bylaw as if repeated herein at length; and
 - (b) notwithstanding the definitions contained in this Bylaw, each Direct Control Bylaw must assume only those meanings for the terms contained therein that were intended at the date of the original passage.

6 APPEALS

6.1 DEVELOPMENT APPEALS

6.1.1 Appeals in respect of decisions on **development permit** applications are governed by the *Act*.

6.1.2 Where the **Development Authority**:

- (a) refuses or fails to render a decision on an application for a **development permit**; or
- (b) approves an application for a **development**; or
- (c) issues an order under this Bylaw;

the person applying for the permit or affected by the order, or any other affected person, as the case may be, may appeal to the **Appeal Body** within the dates outlined in the *Act*.

6.2 SUBDIVISION APPEALS

6.2.1 Appeals in respect of decisions on **subdivision** applications are governed by the *Act* and the *Regulation*.

7 BYLAW AMENDMENT PROCESS

7.1 APPLICATION TO AMEND THE LAND USE BYLAW

- 7.1.1** *Council* may at any time initiate an amendment to this Bylaw.
- 7.1.2** Any owner of a *parcel*, his authorized agent, or other persons having legal or equitable interest in the *parcel* may apply to have the Land Use District of a *parcel* changed through an amendment to this Bylaw.
- 7.1.3** All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
- (a) the prescribed fee;
 - (b) a statement of the applicant's interest in the land;
 - (c) a title search for the land affected or other documents satisfactory to the M.D. of Acadia that supports the applicant's interest in the said land;
 - (d) any drawings, plans or maps required by the M.D. of Acadia; and
 - (e) any other documents as required by the M.D. of Acadia.
- 7.1.4** Once deemed complete, an application to amend this Bylaw shall be brought before *Council* within sixty (60) days.
- 7.1.5** Notwithstanding Subsection 7.1.3(a), *Council* may return the prescribed fee, if *Council* has determined the amendment serves the public interest.
- 7.1.6** All amendments to this Land Use Bylaw shall be made by *Council* by bylaw and in accordance with the procedures set forth in the *Act*.
- 7.1.7** The *Council*, in considering an application for an amendment to this Land Use Bylaw, shall refer a copy of the proposed amendment to the following agencies:
- (a) Palliser Regional Municipal Services;
 - (b) The Special Areas Board if, the proposed amendment:
 - i. affects land on the boundary with the Special Areas Board; or
 - ii. may otherwise have an effect on the Special Areas Board; or
 - (c) such other persons or agencies as it considers necessary for comment.
- 7.1.8** If an application for an amendment to this Bylaw has been refused by *Council*, *Council* may not accept an application for an amendment for the same *use* on the same *parcel* for twelve (12) months from the date of the refusal.

8 ENFORCEMENT

8.1 OFFENCES

- 8.1.1** Any owner, lessee or occupant of land or a **building**, or the owner of a **structure** or a **Sign** thereon, who with respect to such land, **building**, **structure** or **Sign**, contravenes, causes, or allows a contravention of any provision of the Bylaw commits an offense.
- 8.1.2** Any person who commences or continues **development** for which a **development permit** is required but has not been issued, has expired, has been revoked or suspended, or which is in contravention of a condition of a **development permit** under the Bylaw commits an offense.
- 8.1.3** Any person who prevents or obstructs the **Development Authority** or a Designated Officer from carrying out any official duty under the Bylaw or the *Act* commits an offense.
- 8.1.4** A Designated Officer may enforce the provisions of the Bylaw, or the conditions of a **development permit** pursuant to the *Act*.
- 8.1.5** Nothing in this Bylaw diminishes or in any way affects the rights of the M.D. of Acadia pursuant to the *Act*, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

8.2 ENTRY AND INSPECTION

- 8.2.1** Pursuant to the *Act*, an authorized person may only enter land or a **building** for the purpose of ensuring compliance with the *Act* and the *Regulation*, or this Bylaw if:
- (a) the owner or person in possession of it gives his consent to the entry; or
 - (b) the entry is authorized by an Order of the Court of Queen's Bench; and
 - (c) only for the purpose of ensuring compliance with the *Act* and the *Regulation*, or this Bylaw.
- 8.2.2** The Designated Officer, or such other person appointed by resolution of **Council**, is designated as the "authorized person".

8.3 ORDERS

- 8.3.1** Pursuant to Section 645 of the *Act* where an offense under the Bylaw occurs, the **Development Officer** may by written notice, order the owner or the person in possession of the land or **buildings**, or the person responsible for the contravention to:
- (a) stop the **development** or **use** of the land or **buildings** in whole or in part as directed by the notice; or
 - (b) demolish, remove or replace the **development**; or
 - (c) carry out any other actions required by the notice so that the **development** or **use** complies with the Bylaw.

- 8.3.2** A person who receives an order referred to in Subsection 8.3.1 above may appeal to the **Appeal Body** in accordance with **Section 6 – Appeals** of this Bylaw.
- 8.3.3** Where the **Council** or a person appointed by it carries out an order the **Council** shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the **parcel** of land and the amount:
- (a) is deemed for all purposes to be a tax imposed under the Act from the date it was added to the tax roll; and
 - (b) it forms a special lien against the **parcel** of land in favour of the M.D. of Acadia from the date it was added to the tax roll.

8.4 VIOLATION TAGS AND PENALTIES

- 8.4.1** The Designated Officer may issue a **violation tag** to any person who commits an offense.
- 8.4.2** The **violation tag** shall specify the alleged offence committed by the person to whom the **violation tag** is issued and require voluntary payment.
- 8.4.3** The **violation tag** shall be served upon the alleged offender personally, or if the defendant cannot be conveniently found, by leaving it for the defendant at the defendant's place of residence with a person on the premises who appears to be at least 18 years of age, or by mailing a copy to such person at their last known address.
- 8.4.4** Where contravention of this Bylaw is of a continuing nature, further **violation tags** or a **violation ticket** may be issued by a Designated Officer or Peace Officer, provided that no more than one **violation tag** or **violation ticket** shall be issued for each calendar day that the contravention continues.
- 8.4.5** Where a **violation tag** is issued pursuant to this Bylaw, the person or company to whom the **violation tag** is issued may, in lieu of being prosecuted for the offense, pay to the M.D. of Acadia the minimum penalty specified in **Table 1: Minimum Specified Penalties**. If no penalty is specified in **Table 1: Minimum Specified Penalties** for the particular offence, the minimum specified penalty shall be \$500.00.

Table 1: Minimum Specified Penalties

Offence	First Offence	Second Offence and Additional Offences
Failure to obtain a <i>development permit</i>	\$250	\$500
Failure to obtain a <i>development permit</i> for a Sign	\$100	\$200
Failure to comply with <i>development permit</i> conditions	\$500	\$1000
Failure to comply with District regulations	\$500	\$1000

Failure to comply with any other regulation or standard of the Bylaw	\$250	\$500
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- 8.4.6** Fines for second and additional offences noted in **Table 1: Minimum Specified Penalties** are for when the offence has occurred within a twelve (12) month period of the previous offence.

8.5 VIOLATION TICKETS

- 8.5.1** Notwithstanding any other provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a **violation ticket** pursuant to the *Provincial Offences Procedures Act*, as amended, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 8.5.2** Nothing in this Bylaw shall prevent a Peace Officer from issuing Summons for the mandatory court appearance of any person or company who contravenes any provision of this Bylaw.
- 8.5.3** Any person who is guilty of an offence and is liable upon summary conviction to a fine not less than \$100.00 and not exceeding \$10,000 per violation after conviction and costs, and upon failure to pay the fine and costs, to imprisonment for a period not exceeding 30 days unless such fine and costs are sooner paid.

Part B – General Regulations

9 GENERAL LAND USE REGULATIONS

This Section of the Bylaw contains general regulations for developments and subdivisions.

QUICK LINKS

[Click on the links below to jump to each section:](#)

9.1	Applicability	9.11	Corner Lots and Reverse Corner Lots
9.2	Design, Character, and Appearance	9.12	Parking and Loading
9.3	Dwelling Units on a Parcel	9.13	Vehicle Entrances and Exits
9.4	Object Prohibited or Restricted in Residential Districts	9.14	Slope Stability and Flood Hazard
9.5	Screening	9.15	Landscaping
9.6	Utility Services and Infrastructure	9.16	Subdivision
9.7	Site Grading and Drainage	9.17	Multi-Lot Subdivision
9.8	Relocation of Buildings	9.18	Residential Development
9.9	Yard Setbacks and Permitted Projections	9.19	Rural Commercial Development
9.10	Fences and Hedges	9.20	Industrial Development

9.1 APPLICABILITY

- 9.1.1** These regulations within **Section 9 – General Land Use Regulations**, shall apply to all **developments** within the M.D. of Acadia, unless otherwise exempted.
- 9.1.2** Where any regulation in this section may be in conflict with any regulation of a given **Land Use District in Part E** or the **Specific Use Regulations in Part C**, the regulation in the District or Specific Use Regulation shall take precedence.

9.2 DESIGN, CHARACTER, AND APPEARANCE

- 9.2.1** The design, use of materials, construction, character, location and appearance on the **parcel** of any **development, structure** or **Sign** in any District, must be to the satisfaction of the **Development Authority**, compatible and complimentary with other **developments** in the area, unless the **development** is setting a new standard of design.

9.3 DWELLING UNITS ON A PARCEL

- 9.3.1 No person shall construct or locate more than one **Dwelling Unit** on a *parcel* unless it is otherwise permitted in this Land Use Bylaw.

9.4 OBJECTS PROHIBITED OR RESTRICTED IN RESIDENTIAL DISTRICTS

- 9.4.1 No person shall keep or permit in any part of a *yard* on a *parcel* in a residential district or a *parcel* with a *residential use*:
- (a) any *derelict vehicle* for more than 14 days;
 - (b) a vehicle of more than 4536 kg (1000 lbs.) gross vehicle weight (GVW) and/or a length of 6.5 m (21 ft.), excepting *recreational vehicles* or vehicles approved in conjunction with a **Home Occupation – Major**; and
 - (c) any object or chattel, which, in the opinion of the **Development Authority** is unsightly or tends to adversely affect the amenities of the neighbourhood.

9.5 SCREENING

- 9.5.1 For commercial, industrial, institutional, recreational, and **Apartment** developments, garbage and waste material must be stored in weatherproof and animal proof containers. Garbage and waste material storage must be *screened* from public *roads*, excluding *lanes*.
- 9.5.2 Commercial and industrial developments *abutting* a residential district or a *parcel* with a *residential use* shall be *screened* from view on an *interior side parcel line* or *rear parcel line*, to the satisfaction of the **Development Authority**.
- 9.5.3 Parking areas *abutting* a residential district or *parcel* with a residential use shall be *screened* from view to the satisfaction of the **Development Authority**.
- 9.5.4 Where permitted, *outdoor storage* areas of commercial and industrial materials and equipment shall be *screened* from *adjacent parcels* and public *roads*.
- 9.5.5 On *corner lots* within the *corner visibility setback*, *screening* shall be a maximum of 1.0 m (3.3 ft.) in height above *grade* to ensure public safety and/or good visibility for traffic and pedestrian purposes.

9.6 UTILITY SERVICES AND INFRASTRUCTURE

- 9.6.1 Prior to approving a *development permit*, the **Development Authority** must confirm there is adequate sewage collection, treatment and disposal, water supply treatment and distribution, stormwater collection and storage and road capacity necessary to serve a *development*.
- 9.6.2 A *development* shall not be permitted if the *development* is not served by:
- (a) the municipal sewer and water system; or
 - (b) at the discretion of the **Development Authority**, a provincially approved private system.

- 9.6.3 Where a proposed **use** may release contaminants or other deleterious substances into the municipal sewer system, the **Development Authority** may require an applicant to submit plans and reports prepared by a **qualified professional** to evaluate the potential impact on the sewer system and propose mitigations.
- 9.6.4 The **Development Authority** may require a fats, oil and grease (FOG) interceptor, an oil and grit separator or other such interceptor, and/or a test manhole to be installed where a **use** may release contaminants or other deleterious substances into the municipal sewer system.
- 9.6.5 Stormwater run-off shall be contained on-site or disposed of in a manner acceptable to the M.D. of Acadia and/or as required in a stormwater management report prepared by a **qualified professional**.

9.7 SITE GRADING AND DRAINAGE

- 9.7.1 **Parcel grades** and **building** elevations shall be established to ensure effective drainage and prevent drainage from one **parcel** to another, except where drainage conforms to an approved subdivision drainage plan.
- 9.7.2 The owner of a **parcel** shall be responsible to ensure that **grading** is maintained over time to provide effective drainage. Where maintenance of a common drainage swale or path at a **property line** is required, the responsibility of maintenance lies with the owners of both **parcels**. Where a drainage swale or path is established within an **easement** or right-of-way on a **parcel**, swale grades shall be maintained, and the swale shall be kept free of any obstructions.
- 9.7.3 Where retaining walls are necessary or proposed in any **development**, such walls shall be developed with professional quality and shall not negatively affect **adjacent parcels** due to site elevations or drainage.

9.8 RELOCATION OF BUILDINGS

- 9.8.1 Notwithstanding **Section 3 – Development Not Requiring a Development Permit**, a **development permit** shall be required for the relocation of any **building** to any **parcel** in the M.D. of Acadia.
- 9.8.2 A **development permit** for the relocation of a **building** may include conditions of approval that:
- (a) the **building** and the proposed location of the **building** meets the requirements of the Land Use District in which the **building** is to be located;
 - (b) the **building** is compatible with the character of the neighbourhood in which the **building** is to be relocated to; and
 - (c) the **building** be renovated to a satisfactory condition within a specified time.

9.9 YARD SETBACKS AND PERMITTED PROJECTIONS

- 9.9.1 In all districts, the minimum **yard setbacks** do not apply to:

- (a) construction wholly beneath the surface of the ground;
- (b) driveways, ***parking stalls***, and sidewalks;
- (c) ***fences*** and retaining walls; and
- (d) landscaping.

9.9.2 Where a ***building*** or ***buildings*** on the ***parcel*** are divided by ***condominium*** or ***subdivision*** such that the ***building*** contains units that are on separate ***lots*** or titles, the district ***yard setbacks*** do not apply within the ***development*** but shall apply from the ***property line*** of ***abutting lots***.

Residential Projections

9.9.3 Residential ***building*** projections specified in Table 2: Permitted Projections into Residential Yard Setbacks shall not require a variance. These projections are graphically represented below in Figure 1: Permitted Projections into Residential Yard Setbacks.

Figure 1: Permitted Projections into Residential Yard Setbacks

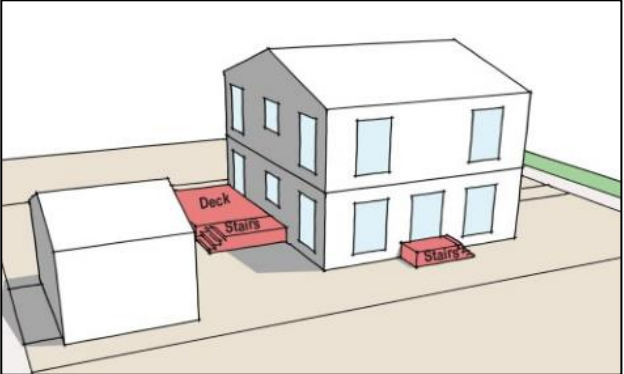
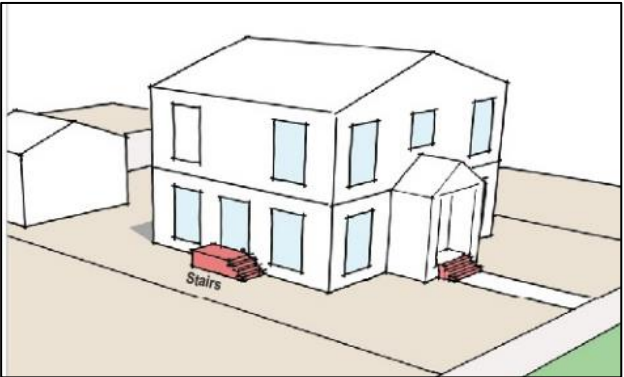
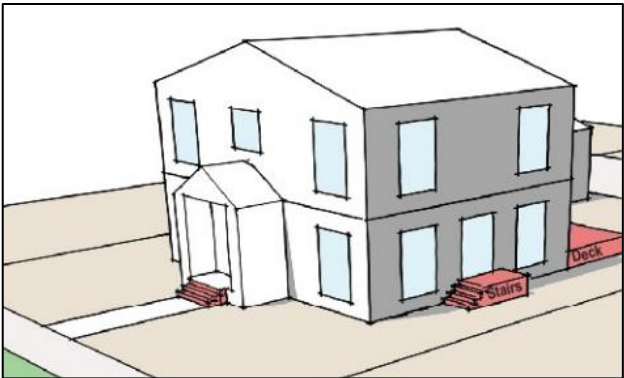
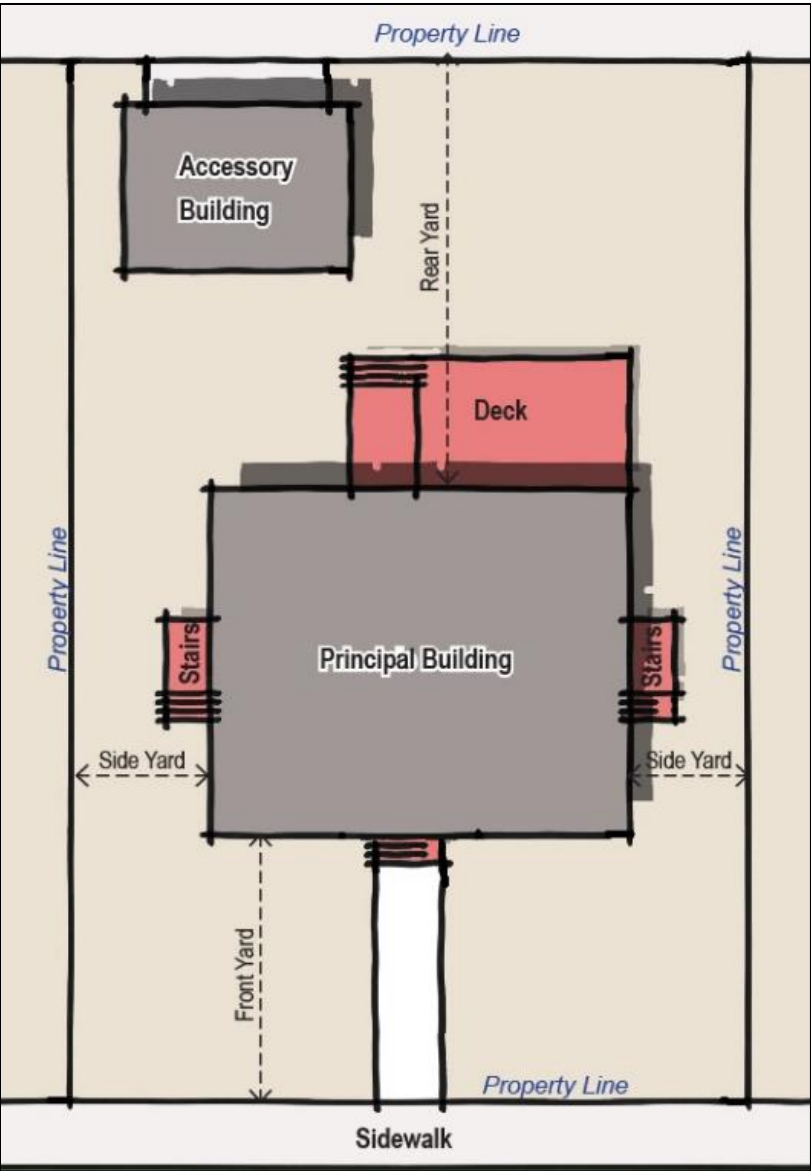


Table 2: Permitted Projections into Residential Yard Setbacks

Building Element	Front Yard Maximum Projections		Side Yard Maximum Projections		Rear Yard Maximum Projections	
	m	ft	m	ft	m	ft
Eaves	1.5	5			1.5	5
Bay window	1.5	5			1.5	5
Shade protection	1.5	5			1.5	5
Chimney	1.5	5	One half of the required minimum side yard setback for the development.		1.5	5
Balcony	1.5	5			1.5	5
Uncovered decks	1.5	5			1.5	5
Unenclosed stairways/landings <i>greater</i> than 0.6m (2ft.) above grade	1.5	5			1.5	5
Unenclosed stairways/landings <i>less</i> than 0.6m (2ft.) above grade	2.5	8	2.5	8	2.5	8

9.10 FENCES AND HEDGES

9.10.1 In Hamlets:

- (a) side and rear yards of non-residential developments that are adjacent to a residential district or a **parcel** with a residential use, whether or not there is an intervening public roadway, shall be fenced or **screened** with landscaping to a minimum height of 2.0 m (6 ft.), to the satisfaction of the **Development Authority**.
- (b) the maximum height above **grade** of a **fence** located within a **yard** shall be in accordance with **Table 3: Maximum Fence Height in a Residential Yard**:

Table 3: Maximum Fence Height in a Residential Yard

Yard	Maximum Fence Height From Grade	
Rear	2.0 m	6 ft
Interior side	2.0 m	6 ft
Front	1.0 m	3 ft
Exterior Side	1.0 m	3 ft

- (c) on **corner lots** within the **corner visibility setback**, hedges and trees shall be planted and trimmed to a maximum of 1.0 m (3 ft.) in height to ensure public safety and/or good visibility for traffic and pedestrian purposes.
- (d) materials used to construct **fences** may be wood, brick, stone or concrete, or metal and shall be aesthetically acceptable and in general conformity with **adjacent development**.

9.10.2 In rural areas shelterbelts and fences of at least 2 m (6 ft.) in height shall be **setback** from rural municipal **roads** a minimum of 32 m (100 ft.), in accordance with **Section 9.13 – Vehicle Entrances and Exits**.

9.11 CORNER LOTS AND REVERSE CORNER LOTS

9.11.1 The **parcel lines** and **yards** of **corner lots** shall be determined by the following (Figure 2: Corner Lot and Reverse Corner Lot):

- (a) the **front parcel line** of a **corner lot** is the shortest **property line abutting a road**;
- (b) the **exterior side parcel line** of a **corner lot** is the longest **property line abutting a road**;
- (c) the **interior side parcel line** of a **corner lot** is the longest **property line abutting a parcel**; and
- (d) the **rear parcel line** of a **corner lot** is the shortest **property line abutting a parcel or lane**.

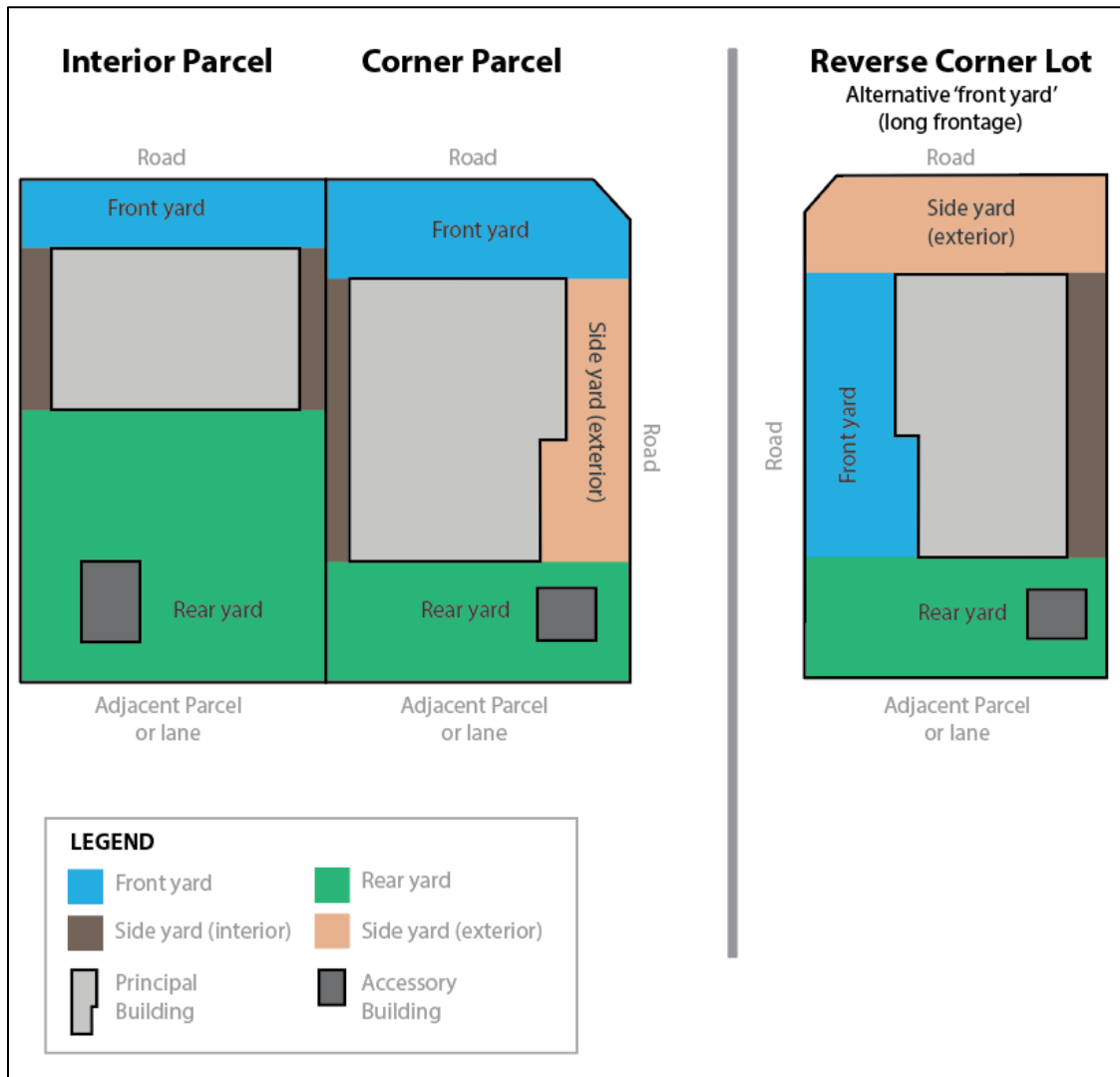
9.11.2 Notwithstanding 9.11.1 or anything else in this Bylaw, the **Development Authority** may determine a **corner lot** to be a **reverse corner lot** (Figure 2: Corner Lot and Reverse Corner Lot).

9.11.3 The **Development Authority** shall determine the **front, rear and side yards** of a **reverse corner lot** by taking into account:

- (a) the general pattern and location of existing **buildings** on **adjacent parcels**;
- (b) the size and geometry of the **corner lot**;
- (c) the ability to create sufficient privacy on the **parcel** and privacy for **adjacent parcels**;
- (d) ensuring safe traffic movement at the intersection, considering the primary flow of traffic and access to the **parcel**; and
- (e) the general aesthetics, considering the location and height of **fencing** and hedges.

9.11.4 For **parcels** other than **corner lots** which have **frontage** on two **roads**, or for **parcels** which are not rectangular in shape, the **Development Authority** shall determine the **yard** designations.

Figure 2: Corner Lot and Reverse Corner Lot



9.12 PARKING AND LOADING

- 9.12.1** The minimum **off-street parking** and loading requirements of this Bylaw shall be met for all **developments**, including for an addition to an existing **building**.
- 9.12.2** **Developments** containing or providing for more than one **use** shall provide **parking stalls** equal to the sum of the requirements for the individual **uses**.
- 9.12.3** All **parking stalls** and **loading stalls** required by this Bylaw shall be located on the same **parcel** as the **development** except where the provisions within a Land Use District allow for shared parking strategies.
- 9.12.4** Where the **Development Authority** is satisfied that **parking stalls** can be shared by off-peak uses or due to other daily, weekly or seasonal differences, **parking stall** requirements may

be reduced at the discretion of the **Development Authority** without the requirement for a variance.

9.12.5 Shared parking between two (2) **parcels** may be approved where:

- (a) the alternate **parking area** is located within 150 m (492 ft.) of the **parcel**; and
- (b) a binding agreement for shared parking is executed between the owner of the **parcel** in which the **parking area** is provided and the owner of the **parcel** in which the **parking area** is required; and
- (c) the agreement is registered on the Title of the **parcel** providing the shared parking.

9.12.6 **Parking stalls** shall be provided in accordance with Table 4: Minimum Residential Parking Requirements and Table 5: Minimum Non-Residential Parking Requirements, and:

- (a) shall be calculated on the basis of number of **Dwellings Units**, or **gross floor area**, or where the term “seats” is used shall be calculated on the basis of fire occupancy ratings;
- (b) where the calculation of the required number of **parking stalls** results in a fractional number, the requirements shall be rounded up to the nearest full stall; and
- (c) where the **parking stall** requirements of a **development** are not specified in this Bylaw, the **Development Authority** shall be guided by the standards for similar **uses**.

Table 4: Minimum Residential Parking Requirements

RESIDENTIAL USES	PARKING STALLS REQUIRED
Dwelling, Detached Dwelling, Manufactured Dwelling, Duplex	2 per Dwelling Unit
Accessory Dwelling Unit, Attached Accessory Dwelling Unit, Detached	1 additional parking stall per Dwelling Unit
Dwelling, Tiny Home	1 per Dwelling Unit
Apartment Attached Housing Manufactured Home Park	One bedroom: 1 per Dwelling Unit Two or more bedrooms: 2 per Dwelling Unit plus 1 visitor parking stall per 2 Dwelling Units
Bed and Breakfast	1 additional parking stall per guest bedroom
Care Facility	0.5 stalls per resident room or Dwelling Unit
Home Occupation, Major	1 additional parking stall and an additional parking stall for each commercial vehicle

Table 5: Minimum Non-Residential Parking Requirements

NON-RESIDENTIAL USES		PARKING STALLS REQUIRED
Automotive Sales Cannabis Production Facility Contractor Services, Major Hospital	Kennel Storage Yard Truck and Freight Terminal Wrecker and Salvage	1 per 93 m ² (1000 ft ²) of <i>gross floor area</i>
Agricultural Supply Depot Artist Studio Auction Facility Auto Body Shop Automotive Repair and Service Building Supply Centre Bulk Fuel Station Cannabis Retail Store Car Wash Child Care Centre Contractor Services, Minor	Convenience Store Equipment Rental Shop Heavy Equipment Sales and Service Laundry Facility Liquor Store Personal Service Establishment Pet Care Services Print Shop Veterinary Clinic Warehousing and Distribution	2 per 93 m ² (1000 ft ²) of <i>gross floor area</i>
Amusement Centre Clinic Cultural Establishment Financial Institution	Gas Bar and Service Station Office Retail Store Wholesale Outlet	3 per 93 m ² (1000 ft ²) of <i>gross floor area</i>
Drinking Establishment	Eating and Drinking Establishment	1 per 3 seats
Educational Institution Elementary and Junior High Schools: Senior High School and higher:		1 per classroom 4 per classroom
Hotel/Motel		1 per guest suite
Worship Facility		1 per 15 seats
Athletic and Recreational Facility, Indoor Athletic and Recreation al Facility, Outdoor Food Processing, Storage and Sales Funeral Home	Greenhouse Manufacturing, Heavy Manufacturing, Light Natural Resource Extraction Recycling Depot	At the discretion of the <i>Development Authority</i>

Self-Storage Facility	1 per 2 self-storage units
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9.12.7 A minimum of one (1) **loading stall** shall be required per non-residential **building**, unless it can be otherwise demonstrated to the **Development Authority** that loading can reasonably take place on the **parcel** without a dedicated **loading stall**, or that it can be shared amongst multiple **developments** and/or tenants to minimize the number of **loading stalls** required.

Stall Design and Dimensions

9.12.8 **Parking stalls** and **loading stalls** shall be designed and constructed, to the satisfaction of the **Development Authority**:

- (a) to be contained entirely on the **parcel** and not cause interference with pedestrian or vehicular movements on **adjacent parcels, roads** or sidewalks; and
- (b) with the appropriate curbs, curb cuts or wheel stops where required.

9.12.9 All **parking stalls** and **loading stalls** shall have direct access to a public **road** or maneuvering aisle with adequate access to a public **road**.

9.12.10 **Parking stalls** and **loading stalls** must not be provided as **tandem parking** unless otherwise allowed in this Bylaw.

9.12.11 **Parking areas** shall be designed in accordance with the dimensions stated in **Table 6: Minimum Parking Stall and Aisle Dimensions**. Where more complex **parking area** designs are requested (such as interlocking stalls), the design shall be reviewed based on best practices for **parking area** design, to the satisfaction of the **Development Authority**.

Table 6: Minimum Parking Stall and Aisle Dimensions

Parking angle (degrees)	Stall width parallel to aisle (m)		Stall depth (m)	Aisle width (m)
	Dwelling Units	Other Uses		
90 (perpendicular)	2.5	2.6	6.0	7.3
75	2.6	2.8	6.3	6.1
60	2.9	3.2	6.4	5.2
45	3.6	3.9	6.0	4.0
0 (Parallel)	2.5	2.6	6.7	4.0

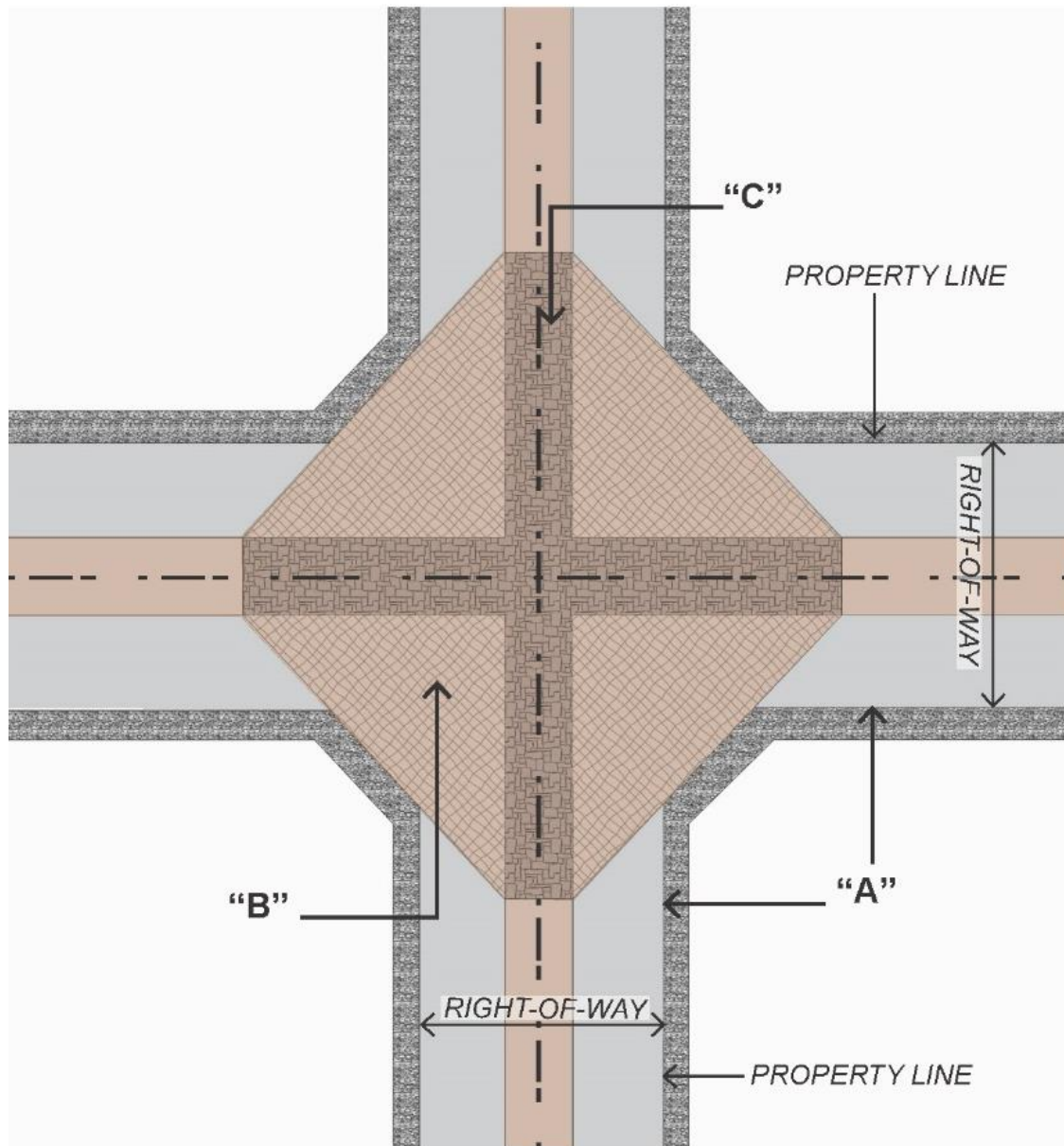
9.12.12 **Loading stalls** shall be designed in accordance with the following:

- (a) a minimum of 3.5 m (11.5 ft.) wide and 10.0 m (33 ft.) in length, and no less than 4.3 m (14.1 ft.) overhead clearance; and
- (b) access to the space shall be such that no backing and turning movements of vehicles cause interference with traffic on the **adjacent roads** or **lanes**.

9.13 VEHICLE ENTRANCES AND EXITS

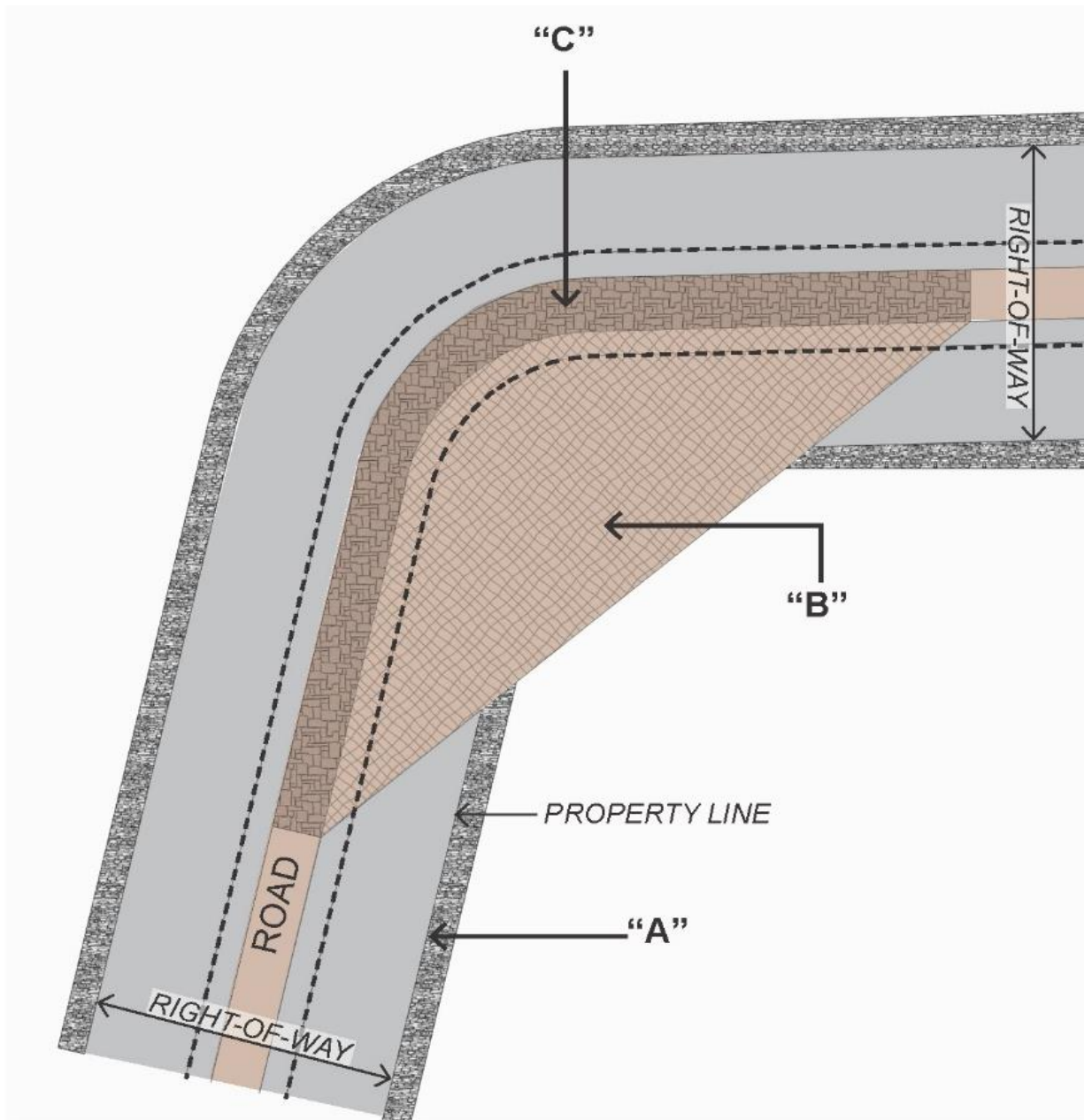
- 9.13.1** In Hamlets, vehicle entrances and exits shall be located at least 6.0 m (20 ft.) from the corner along a **property line** at the intersection of two (2) or more **roads**.
- 9.13.2** All vehicle entrances and exits onto a **highway** shall be approved by the Provincial highway authority, or as approved within an **Area Structure Plan** (ASP).
- 9.13.3** The **Development Authority** may require that entrances and exits for vehicles be separate, one-directional, and/or adequately signed.
- 9.13.4** For all rural municipal **roads**:
- (a) All **development** and accesses shall abide with the **setbacks** shown in **Figure 3: Setback Distances and Access Restrictions on Rural Roads** and **Figure 4: Development Restrictions Near Roads with a Radius of Curvature less than 850 m (2800 ft.)**, unless otherwise approved by the **Development Authority**.
 - (b) Access points **adjacent** to blind corners, hills, bridges, railway crossings or any other obstructions shall be sited as to provide an unobstructed view in either direction of 100 m (328 ft.) on rural municipal **roads**.
 - (c) The **Development Authority** and/or **Subdivision Authority** shall not approve more than two (2) vehicle access points per 800 m (0.5 mile) and may require joint accesses.
- 9.13.5** To ensure future subdivision and development applications will be compliant with this Land Use Bylaw, prior to rendering a decision on an application for development adjacent to a rural municipal **road** or provincial **highway**, the **Development Authority** or **Subdivision Authority**, whichever is applicable, may require at their discretion:
- (a) the dedication of a road allowance;
 - (b) the submission of a statutory plan, such as an **Area Structure Plan** or **Area Redevelopment Plan**;
 - (c) the submission of a non-statutory plan, such as a **Concept Plan**; and/or
 - (d) the submission of a **Master Site Plan**.

Figure 3: Setback Distances and Access Restriction on Rural Roads



- "A"** Shelterbelts and fences of at least 2m (6ft) in height shall be **setback** a minimum of 32m (100ft.) from the road right-of-way.
- "B"** No development (i.e., **buildings**, fences, trees, shelterbelts, corrals, dugouts, septic systems, etc.) or similar obstructions to visibility more than 1.0m (3.3 ft.) above road grade shall be located within 100m (328ft.) of an intersection or blind corner
- "C"** No vehicle access shall be permitted within 100m (328ft.) of an intersection or blind corner.

Figure 4: Development restrictions near roads with a radius of curvature less than 850m (2800ft.)



- "A" Shelterbelts and fences of at least 2m (6ft) in height shall be **setback** a minimum of 32m (100ft.) from the road right-of-way.
- "B" No development (i.e., **buildings**, fences, trees, shelterbelts, corrals, dugouts, septic systems, etc.) or similar obstructions to visibility more than 1.0m (3.3 ft.) above road grade shall be located within 90m (300ft.) of an intersection or blind corner
- "C" No vehicle access shall be permitted within 90m (300ft.) of an intersection or blind corner.

9.14 SLOPE STABILITY AND FLOOD HAZARD

DEVELOPMENT AT TOE OF SLOPE

- 9.14.1** Unless otherwise determined in a *slope stability* analysis prepared by a *qualified professional*, *buildings* must be *setback* from the *toe of a slope* where the slope exceeds 15% with a vertical height greater than 3.0 m (10 ft.) and a width at least 15.0 m (49.2 ft.) wide, in accordance with the following.
- (a) Where the slope is less than 33% or lower than 27.4 m (90 ft.), the minimum *setback* is 9.1 m (30 ft.).
 - (b) Where the slope is steeper than 33% and higher than 27.4 m (90 ft.), the minimum *setback* is one-third the height of the slope measured from the point where the slope begins to rise steeper than 33%.

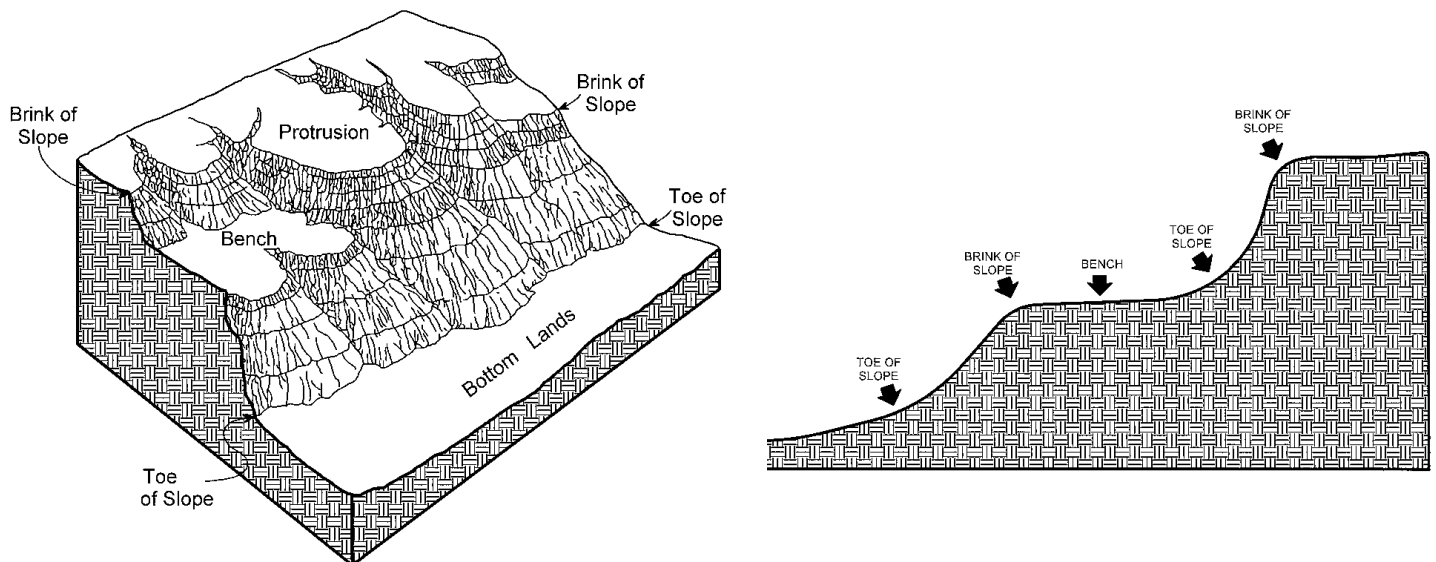


Figure 5 : Development on slopes.

DEVELOPMENT AT TOP OF SLOPE

9.14.2 Unless otherwise determined in a **slope stability** analysis prepared by a **qualified professional**, **buildings** must be **setback** from the **top of a slope** where the slope exceeds 15% with a vertical height greater than 3.0 m (10 ft.) and a width at least 15.0 m (49.2 ft.) wide, in accordance with the following.

- (a) Where the average height of the slope is less than 15.4 m (50.5 ft.), the minimum **setback** is 22.8 m (75 ft.).
- (b) Where the average height of the slope is between 15.5 m (50.9 ft.) and 30.5 m (100 ft.), the minimum **setback** is 45.7 m (150 ft.).
- (c) Where the average height of the slope is more than 30.5 m (100 ft.), the minimum **setback** is 61.0 m (200ft.) or the height of the slope, whichever is greater.

9.14.3 **Development** on a slope above 33% with a vertical height greater than 3.0 m (10 ft.) is not permitted.

FLOOD HAZARD

9.14.4 Where the **Development Authority** suspects a flood hazard may exist, but no **floodway** or **flood fringe** have been identified, the **Development Authority** may require the applicant to undertake technical studies with the services of a **qualified professional** to delineate the **floodway** and **flood fringe** of the **design flood**.

FLOODWAY

The following applies to lands identified in a technical study undertaken in accordance with Subsection 9.14.4:

9.14.5 Except for **Utilities**, no new **buildings** or **outdoor storage** shall be allowed in the **floodway**.

9.14.6 Excepting **flood mitigation infrastructure**, no alterations shall be made to a **floodway**.

9.14.7 No **structures** shall be constructed on, in, or under a **floodway**, unless, in the opinion of the **Development Authority**, there will be no obstruction to floodwaters and no detrimental effect on the hydrological system or water quality, including the natural interface of the riparian and aquatic habitat. Such **structures** include, but are not limited to, riprap, berms, **fences**, walls, gates, **patios**, docks or **decks**.

FLOOD FRINGE

The following applies to lands identified in a technical study undertaken in accordance with Subsection 9.14.4:

9.14.8 All electrical, heating, air conditioning and other mechanical equipment shall be located at or above the **design flood** level.

9.14.9 All buildings shall be designed and constructed with the ground floor elevation at or above the **design flood** level.

9.14.10 The requirements of Subsection 9.14.9 are encouraged, but not required, in the following situations:

- (a) construction of an **Accessory Building**, provided that the **Accessory Building** is not an **Accessory Dwelling Unit**;
- (b) attached garages, where work is conducted in accordance with the recommendations of the *Alberta Building Code STANDATA* relating to flood mitigation;
- (c) renovations and repairs to an existing building; and
- (d) where the **Development Authority** deems it unreasonable to meet the requirements due to site specific constraints and where work is conducted in accordance with the recommendations of the *Alberta Building Code STANDATA* relating to flood mitigation.

9.14.11 Notwithstanding Subsection 9.14.10, **basements** or an addition to a **building** below the **design flood** level shall not be allowed.

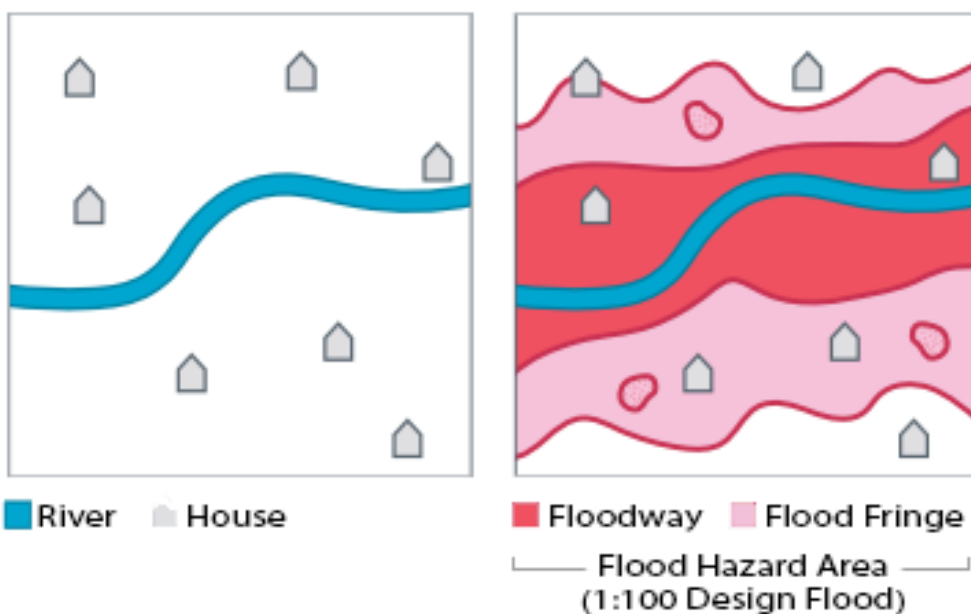


Figure 6: Provincially Defined Flood Areas

9.15 LANDSCAPING

- 9.15.1** Within hamlets and residential districts, **landscaping** approved as part of a **development permit** shall be carried out within two (2) years of the date a **development permit** is issued.
- 9.15.2** Notwithstanding subsection 9.15.1 above, an outdoor amenity space approved as a portion of a **Manufactured Home Park** shall be landscaped within one (1) year of construction of the **Manufactured Home Park** commencing.
- 9.15.3** As a condition of **development permit** approval, the **Development Authority** may require the applicant enter into a **Development Agreement** with the M.D. of Acadia and provide securities to ensure the type, quantity, and quality of approved **landscaping** is adhered to.

9.16 SUBDIVISION

9.16.1 A **development** requiring **subdivision** of land shall not be issued a **development permit** until such time as subdivision approval has been received from:

- (a) the **Subdivision Authority**; or
- (b) the applicable **Appeal Body**.

9.16.2 A **subdivision** proposing to create a single **Vacant Parcel** for non-agricultural purposes may be approved provided that, in the opinion of the **Development Authority**, the vacant **parcel**:

- (a) contains a buildable site;
- (b) **development** of the **parcel** would not have a detrimental effect on an environmentally significant area, hydrological system, water quality, existing **development**, or scenic area (e.g., a viewscape);
- (c) the proposed **parcel** and residual **parcel** will both have direct legal and physical access to a public roadway;
- (d) the proposed access is to the satisfaction of Alberta Transportation when it is in proximity to a provincial **highway**;
- (e) The **Vacant Parcel** can be serviced with potable water and sewage to the satisfaction of the **Development Authority**; and
- (f) The **parcel area** of the **Vacant Parcel** conforms to the requirements of the applicable Land Use District.

9.16.3 Prior to rendering a decision on a **subdivision** application proposing a to create one (1) or more additional **parcels** within 800m (0.5 miles) of a provincial highway, the **Subdivision Authority** may, at their own discretion require:

- (a) the dedication of a **road** allowance;
- (b) the **subdivision** be within a **comprehensively planned area** (i.e., **area structure plan** (ASP) or **area redevelopment plan** (ARP)); and/or
- (c) the submission of a **master site plan** to ensure future subdivision and development applications will be compliant with this Land Use Bylaw.

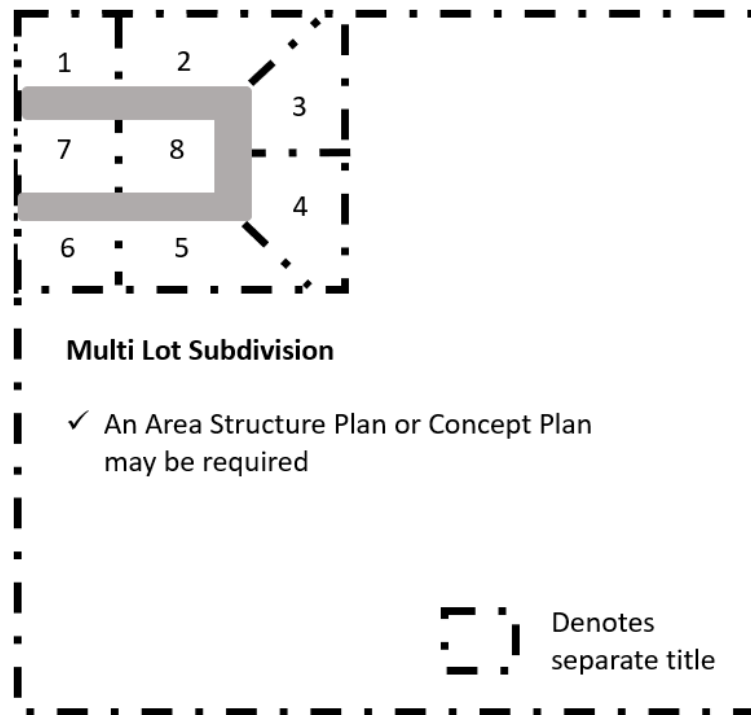
Comprehensively Planned Area	means areas of the M.D. that are guided by a comprehensive plan such as an area structure plan (ASP) or area redevelopment plan (ARP) . These plans recognize the physical, economic, social, political, aesthetic, and related factors of the community involved.
Master Site Plan	means a plan that provides design guidance for the development of a large area of land with little or no anticipated subdivision . The purpose of the master site plan is to prove that future phases of development can occur in compliance with this Land Use Bylaw and other applicable municipal standards, but does not constitute an approval,

	endorsement, permit, or guarantee of such for future phases. Each phase of <i>development</i> requires a new <i>development permit</i> application.
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9.17 MULTI-LOT SUBDIVISION

9.17.1 The M.D. of Acadia may require multi-lot subdivisions that propose to create between two (2) and four (4) new **parcels** be within a **Council** approved **comprehensively planned area** prior to rendering a decision on a subdivision application.

Figure 7: Multi Lot Subdivision of a Quarter Section



9.17.2 The M.D. of Acadia shall require multi-lot **subdivisions** that propose to create five (5) or more new **parcels** be within a **comprehensively planned area** prior to rendering a decision on a subdivision application.

9.17.3 An **area structure plan** or **area redevelopment plan** for a **comprehensively planned area** shall consider the following:

- (a) the phasing of **development**;
- (b) the size and number of **parcels** proposed;
- (c) the installation and construction of **roads** and **Utilities**;
- (d) the types of uses to be contained on the site, with particular specificity provided in the case of any use involving the storage and/or transportation of explosives;
- (e) potential impacts on **adjacent** land **uses**, and proposed measures to reduce those impacts;
- (f) Any applicable provincial and federal regulations (i.e., *Private Sewage Disposal Regulation*, *Explosives Act*, and the *Regulations*);
- (g) the environmental suitability of the site with particular consideration to soils, slopes, drainage and any hazard lands; and,

- (h) any other matters the M.D. of Acadia considers necessary to evaluate the merits of the proposed **development**.

9.18 RESIDENTIAL DEVELOPMENT

9.18.1 In accordance with the M.D. of Acadia's *Municipal Development Plan (MDP)*, no new residential **development** shall be permitted in the M.D. of Acadia unless:

- (a) the minimum distance separation, as required in the *Agricultural Operations Practice Act (AOPA)* (AR 267/2001) from any Confined Feeding Operation (CFO) is met or exceeded;
- (b) when in proximity to a wind energy system that is either developed or approved under the jurisdiction of the Alberta Utility Commission, the residential development meets or exceeds the *Alberta Utility Commission (AUC) Rule 012 – Noise Control*; and
- (c) development on **better agricultural land** is minimized.

9.18.2 The following **floor areas** for residential **developments** shall apply in all Land Use Districts:

Use	Minimum Floor Area per Dwelling Unit	Maximum Floor Area per Dwelling Unit
Dwelling, Detached Dwelling, Duplex Dwelling, Attached	46m ² (500 ft ²)	N/A
Dwelling, Apartment Mixed Use Development	38 m ² (400 ft ²)	N/A
Dwelling, Tiny Home	23 m ² (250 ft ²)	46m ² (500 ft ²)
Dwelling, Accessory Unit Attached	38 m ² (400 ft ²)	Less than or equal to the floor area of the Principal Building
Dwelling, Accessory Unit Detached	38 m ² (400 ft ²)	93 m ² (1000ft ²)
Dwelling, Manufactured	28 m ² (300 ft ²)	N/A
All other dwelling types	At discretion of Development Authority	N/A

9.18.3 The design and appearance of a **Manufactured Dwelling** shall be to the satisfaction of the **Development Authority**, and may be required to include enhanced design elements that add visual interest such as:

- (a) a porch or veranda on the front façade;
- (b) horizontal wall articulation on the front façade;
- (c) the use of thick columns or brackets on roof overhangs;
- (d) dormers, gables, cross gables or varied pitches for articulated roof lines;
- (e) large or **bay windows** on the front façade, with strong window trim;

- (f) architectural features or other detailing over entrances;
- (g) changes in exterior siding materials, textures and colors to break up long wall expanses; and
- (h) the use of trim and moldings that contrast the exterior siding.

9.19 RURAL COMMERCIAL DEVELOPMENT

- 9.19.1** Rural commercial **developments** may be required to be within a **comprehensively planned area** (e.g. **area structure plan** or **master plan**) in accordance with **Subsections 9.16–Subdivision** and **9.17 – Multi Lot Subdivision**.
- 9.19.2** Commercial **development** in rural areas may be permitted provided that:
- (a) the **development** is located **adjacent** to a major transportation route;
 - (b) is within 800 m (0.5 miles) of a provincial **highway**; and
 - (c) a minimum of **better agricultural land** is removed from production.

9.20 INDUSTRIAL DEVELOPMENT

- 9.20.1** Rural industrial **development** may be required to be within a **comprehensively planned area** (e.g., **area structure plan** or **master plan**) in accordance with **Subsections 9.16–Subdivision** and **9.17 – Multi Lot Subdivision**.
- 9.20.2** Industrial **uses** and industrial parks shall not be located on lands having a potential for flooding, erosion, subsidence, steep slopes or otherwise containing adverse physical features.
- 9.20.3** Industrial **development** may be permitted provided the **development**:
- (a) shall be kept in an orderly and well-maintained state;
 - (b) has good access to well-developed local **roads** or provincial **highways**;
 - (c) shall not be source of inconvenience, or materially interfere with or affect the use, enjoyment, or value of neighbouring properties by way of excessive noise, odour, dust, or refuse matter beyond what is commonly found in the district; and
 - (d) a minimum of **better agricultural land** is removed from production.
- 9.20.4** The **Development Authority** may revise or revoke a **development permit** if complaints are registered with one or more affected landowners.

Part C - Specific Use Regulations

10 SPECIFIC USE REGULATIONS

This Section of the Land Use Bylaw contains regulations for specific land **uses**, as listed below.

QUICK LINKS

[Click on the links below to jump to each section:](#)

10.1	Applicability	10.13	Recreational Vehicles
10.2	Accessory Buildings, Structures and Uses	10.14	Cannabis Retail Sales
10.3	Accessory Dwelling Units	10.15	Cannabis Production Facility
10.4	Home Occupations	10.16	Renewable Energy Systems
10.5	Bed and Breakfasts	10.17	Small Wind Energy Systems
10.6	Manufactured Dwellings	10.18	Large Wind Energy Systems
10.7	Manufactured Home Parks	10.19	Solar Energy Systems - Commercial
10.8	Pet Care Services	10.20	Natural Resource Extraction and Processing Facilities
10.9	Kennels	10.21	Waste Management Facilities
10.10	Auto Body Shops	10.22	Wrecker and Salvage
10.11	Gas Bars and Service Stations	10.23	Work Camps
10.12	Car Washes		

10.1 APPLICABILITY

- 10.1.1** These regulations within **Section 10 – Specific Use Regulations**, shall apply when:
- (a) a development permit application proposes one or more **uses** listed in this section; or
 - (b) the **Development Authority** deems a proposed use to be a **similar use permit** in accordance with **Section 5.5.8**.
- 10.1.2** Where any regulation in this section may be in conflict with any regulation of a given **Land Use District** in Part E, the regulation in the district shall take precedence.

10.2 ACCESSORY BUILDINGS, STRUCTURES, AND USES

11 EXCEPT AS PROVIDED FOR IN SECTION 3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

11.1.1 This Section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* or any other provincial or federal statute.

11.1.2 The following **developments** shall not require a **development permit**:

- (c) any **use** or **development** exempted under section 618(1) of the *Act*;
- (d) any **use** or **development** exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *Act*;
- (e) **Telecommunication Structures** (refer to the **M.D. of Acadia Telecommunication Structures Policy** under separate cover regarding the issuance of letters of concurrence or non-concurrence);
- (f) the completion and use of a **building** which was lawfully under construction at the date this Bylaw came into effect provided the **building** is completed in accordance with the terms and conditions of any **development permit(s)** granted;
- (g) the completion of a **building** that did not require a **development permit** under the previous Land Use Bylaw and which was lawfully under construction provided the **building** is completed within twelve (12) months from the date this Bylaw came into effect;
- (h) an official notice, **Sign**, placard or bulletin required to be displayed pursuant to provisions of federal, provincial or municipal legislation;
- (i) the use of a **building** or part thereof for a federal, provincial, or municipal election, referendum or plebiscite.
- (j) Irrigation works as defined in *Irrigation Districts Act*.
- (k) Pipelines and ancillary facilities as defined in the *Pipelines Act*. Any new facilities adjacent to a public road shall have prior approval of **Council**.

11.1.3 The following **developments** shall not require a **development permit**, but must otherwise comply with all other provisions of this Bylaw (example: **setbacks**, parking, **building** height, etc.):

- (l) a **Day Home**;
- (m) a **Home Occupation – Phone & Desk**;
- (n) a **Home Occupation – Minor** in the following Districts:
 - iii. AG -Agricultural General;
 - iv. CR – Country Residential;
 - v. CS – Community Service;
 - vi. RI – Rural Industrial; and

- vii. HF – Hamlet Fringe;
- (o) the carrying out of works, maintenance or repair to any **building** provided that such works:
 - viii. do not include structural alterations that would affect any regulations in this Land Use Bylaw, or
 - ix. do not change the **use** or the intensity of **use** of the **structure** or **building**;
- (p) interior renovations to a **building** which do not:
 - x. create an additional **Dwelling Unit**,
 - xi. increase **parking stall** requirements, or
 - xii. result in the change of **use** or the intensity of **use** of a **building**;
- (q) the **temporary** placement or construction of a **building**, works, plants or machinery needed in connection with the construction of a **development** for which a **development permit** has been issued for the period of those operations;
- (r) the **use** of land for, or the maintenance or repair of works, services and **Utilities** on publicly owned or administered land carried out by or on behalf of federal, provincial, municipal or public authorities or private **Utilities** under special agreement with the M.D. of Acadia;
- (s) **landscaping** that was not required as part of a valid **development permit**;
- (t) the construction of a **patio** or **deck**;
- (u) the erection, construction or maintenance of gates, **fences**, walls, or other means of enclosure in accordance with this Bylaw (see **Section 9.10 – Fences and Hedges**);
- (v) In Hamlets, the construction or replacement of one (1) **Accessory Building** per **parcel**, which does not exceed 9.3 m² (100 ft²) in **floor area** and is less than 2.5 m (8 ft.) in height; (See **Section 10.1 – Accessory Buildings, Structures, and Uses**);
- (w) In the **AG – Agricultural District**, the construction or replacement of an **Accessory Building** or **Accessory Structure** provided the **building** or **structure** is only used to support normal agricultural operations of the **parcel** (examples: barns, sheds, quonsets, granaries);
- (x) A **temporary Shipping Container** in accordance with Subsection 10.2;
- (y) the construction, maintenance and repair of private walkways, pathways, driveways, and similar works;
- (z) demolition of a **building** (a **building permit** is required);
- (aa) **Renewable Energy Systems**;
- (bb) the installation of a **Sign** that:
 - xiii. is located inside a **building** and is not visible from the exterior;
 - xiv. states the municipal address, owner or name of the **building**, to a maximum **sign area** of 0.2 m² (2.2 ft²) for a **residential use** and 0.5 m² (5.4 ft²) for a non-residential **use**;
 - xv. is for the purpose of warning or direction;

- xvi. relates to an approved **Home Occupation** or **Bed and Breakfast Establishment**, and meets the requirements of **Section 10 – Specific Use Regulations**;
- xvii. relates to a political campaign for municipal, school board, regional health authority, provincial or federal elections;
- xviii. indicates “open”, “closed”, “vacancy” or “no vacancy” with a maximum **sign area** of 0.5 m² (5.4 ft²) per non-residential use;
- xix. is located in a window with a maximum **sign area** of 0.3 m² (3.2 ft²) stating the opening and closing hours of a non-residential use; or
- xx. is a **temporary Sign** that relates to a real estate sale or lease not exceeding 0.55 m² (6 ft²) in **sign area** and not more than 1.8 m (6 ft.) in height, provided the **Sign** is removed immediately following the sale or lease;
- xxi. is a **temporary Sign** that relates to a **temporary** event, provided the **Sign** is removed immediately following the event; and

(cc) **Extensive Agriculture.**

- 11.1.4** all Accessory Buildings, structures and uses shall require a development permit.
- 11.1.5** **Accessory Buildings** must be secondary and subordinate to the **principal building** or **principal use** on the same **parcel**.
- 11.1.6** The determination of whether a **use, building** or **structure** is considered accessory shall be at the discretion of the **Development Authority**.
- 11.1.7** An enclosed **structure** which is attached to the **principal building** by a roof, a floor or a foundation is not an **Accessory Building** and is to be considered part of the **principal building**.
- 11.1.8** An **Accessory Building** shall not be used as a **Dwelling Unit** unless approved in accordance with the provisions of this Bylaw.
- 11.1.9** No **Accessory Building** shall be located in the **front yard** of a **parcel**:
- (a) in a residential district; or
 - (b) with a **residential use**.
- 11.1.10** The maximum **height** of an **Accessory Building** in a residential district or a **parcel** with a **residential use** shall be 5m (16 ft.).
- 11.1.11** The minimum **yard setbacks** of an **Accessory Building** in any District shall be 1.0 m (3 ft.) in the **rear yard** and **side yards**, except:
- (a) on **corner lots**, where the minimum **side yard setback** shall be 3.0m (10 ft.) from the **exterior side parcel line**; and
 - (b) where vehicle access to an **Accessory Building** is from a **lane**, the minimum **setback** from a **property line** shall be 1.5 m (5 ft.).
- 11.1.12** An **Accessory Building** shall be **setback** a minimum of 1.5m (5 ft.) from a **principal building**.
- 11.1.13** An **Accessory Building** shall not exceed 80 m² (860 ft²) in the Hamlet Fringe and Hamlet Residential, and Hamlet Business Districts.

Accessory Buildings, Fabric Covered

11.1.14 Accessory Buildings, Fabric Covered shall be:

- (a) **setback** a minimum of 3.0 m (10 ft.) from any **structure** or equipment that contains open flames (i.e., burning barrels, fire pits, or other open flame accessories);
- (b) kept in good condition and the fabric not frayed or damaged; and
- (c) fully enclosed with closable doors on the ends.

11.1.15 Within residential districts or a **parcel** with a **residential use**, Accessory Buildings, Fabric Covered must not:

- (a) exceed one (1) **Accessory Building, Fabric Covered** per **parcel**;
- (b) be connected to any **Utilities**;
- (c) exceed 20.5 m² (220 ft²) in **floor area**; and
- (d) be used in a manner that would cause or create a nuisance by way of noise, vibration or dust to impact the privacy and enjoyment of **adjacent residential uses** or the amenities of the neighbourhood.

11.1.16 For non-residential **uses** in districts other than residential districts, **Accessory Buildings, Fabric Covered** may, at the discretion of the **Development Authority**:

- (a) be connected to **Utilities**; and
- (b) exceed more than one (1) **Accessory Building, Fabric Covered** per **parcel**.

11.1.17 A **development permit** for an **Accessory Building, Fabric Covered** may be **temporary** with a specified maximum time limit for up to three (3) years.

Accessory Buildings, Shipping Container

11.1.18 An **Accessory Building, Shipping Container** is permitted on a **temporary** basis when used for construction storage during the period of construction for which a valid **building permit** has been issued; or

11.1.19 Notwithstanding Subsection 10.2.15, an **Accessory Building, Shipping Container** may be permitted in a residential district when the exterior surface is finished or **screened** from public view in accordance with **Section 9.2 Design, Character, and Appearance**.

11.2 ACCESSORY DWELLING UNITS

11.2.1 An **Accessory Dwelling Unit** (ADU) may be developed only in those Land Use Districts where it is listed as a **permitted use** or **discretionary use**.

11.2.2 The issuance of a **development permit** in no way exempts the applicant from obtaining a **building permit** for an **Accessory Dwelling Unit**.

11.2.3 A maximum of one (1) **Accessory Dwelling Unit** is allowed per **parcel**.

11.2.4 An **Accessory Dwelling Unit** shall not be less than 37.2 m² (400ft²) in **floor area**.

11.2.5 An **Accessory Dwelling Unit** must not be separated from the principal **residential use** on a **parcel** by the registration of a **condominium** or **subdivision**.

11.2.6 Where a *parcel* is serviced by municipal water and sanitary systems, an **Accessory Dwelling Unit** must be serviced from the principal **Dwelling Unit's** connection to the systems.

11.2.7 An **Accessory Dwelling Unit** shall not be used as a **Bed and Breakfast, Home Occupation – Phone & Desk/Minor** or Short-term rental.

Detached Accessory Dwelling Units



Figure 8: Detached Accessory Dwelling Unit Types

11.2.8 The maximum *floor area* of an **Accessory Dwelling Unit, Detached** shall not exceed 80 m² (860 ft²), excluding any internal area for stairways and *landings* or common areas that are accessible and intended to be used by residents of both **Dwelling Units**.

11.2.9 Where an **Accessory Dwelling Unit, Detached** is located on the second *storey*, the maximum *building height* shall be 6.0 m (20 ft.) and shall not exceed the height of the *principal building*.

11.2.10 The minimum separation distance between a principal **Dwelling Unit** and an **Accessory Dwelling Unit, Detached** shall be 3.0 m (10 ft.).

Attached Accessory Dwelling Units

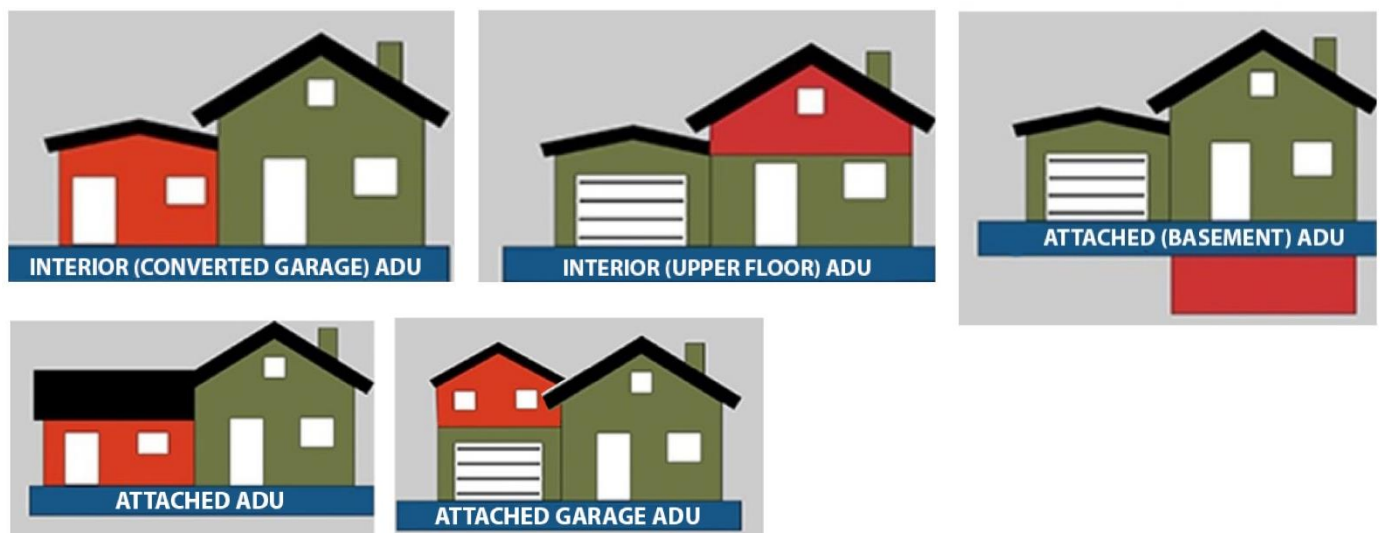


Figure 9: Attached Accessory Dwelling Unit Types

11.2.11 The maximum *floor area* of an **Accessory Dwelling Unit, Attached** shall not exceed

40% of the **gross floor area** of the principal **dwelling unit**. Internal areas for stairways and **landings** or common areas that are accessible and intended to be used by residents of both **Dwelling Units** shall not be included in the **floor area** of the **Accessory Dwelling Unit**.

- 11.2.12** Notwithstanding 10.3.11, where an **Accessory Dwelling Unit, Attached** may occupy:
- (a) an entire basement within a one-**storey Detached Dwelling**; or
 - (b) an entire second **storey** of a two-**storey Detached Dwelling**.

11.3 HOME OCCUPATIONS

- 11.3.1** In accordance with **Section 3** a Home Occupation that meets all the requirements listed in Table 7: Home Occupation Requirements for a Home Occupation – Phone & Desk or a Home Occupation – Minor does not require a development permit.
- 11.3.2** The **Development Authority** may issue a **temporary development permit** for a **Home Occupation** for a period not exceeding three (3) years. An applicant may seek renewal for a **Home Occupation** permit at the end of the three (3) year term.
- 11.3.3** Where the applicant for the **Home Occupation** is not the registered owner of the **Dwelling Unit** proposed to be used for a **Home Occupation**, the applicant shall provide to the **Development Authority** written authorization from the registered owner(s).
- 11.3.4** A **Home Occupation** shall not include any activity or operation which will cause or create a nuisance by way of noise, dust, and/or smoke or other nuisance that is not characteristic of a **residential use**.
- 11.3.5** Where a **Home Occupation** does not meet all the requirements listed in **Table 7: Home Occupation Requirements** for a **Home Occupation – Phone & Desk**, the **Development Authority** shall make a determination of whether it meets the requirements for a **Home Occupation – Minor**, or **Home Occupation – Major**.

Table 7: Home Occupation Requirements

Requirement	Home Occupation Classifications		
	Phone & Desk	Minor	Major
Development permit required?	No	No: AG, CR, CS, RI and HF Districts Yes: HR and HB Districts	Yes
Use of Accessory Building allowed?	No	No	Yes
On-premises sales or customer visits allowed?	No	Max. 10 per week	Max. 20 per week
Commercial deliveries allowed?	No	No	Yes
On-site storage of commercial vehicles allowed?	No	No	Max. 2

Food prepared and/or sold on site allowed?	No	No	Yes
Off-site employees allowed? (Persons not living in the Dwelling Unit)	No	No	Yes
Outdoor storage or display of materials, commodities or finished products related to the use allowed?	No	No	Yes
On-site advertising allowed?	No	1 non-illuminated sign or name plate, not exceeding 1 sq.m. (10 sq.ft.), installed flat against a building or fence.	

11.3.6 In addition to the requirements in Table 7, a **Home Occupation – Minor** shall not occupy more than 20% of the **gross floor area** of the Dwelling Unit.

11.3.7 In addition to the requirements in Table 7, a **Home Occupation – Major** shall not occupy more than 25% of the **gross floor area** of the **Dwelling Unit**.

11.3.8 To ensure the residential and/or agricultural character of the area is maintained, and the **Home Occupation** does not negatively impact neighbouring properties, for a **Home Occupation – Major**, the **Development Authority** may restrict:

- (a) the location, scale and visibility of **outdoor storage** areas; and
- (b) the number, size, location, and visibility of commercial vehicles allowed to be stored on-site.

11.4 BED AND BREAKFASTS

11.4.1 **Bed and Breakfasts** shall:

- (a) not provide cooking facilities in guest rooms;
- (b) not change the residential character or external appearance of the **building**;
- (c) provide **off-street parking stalls** in accordance with **Section 9.12.6**; and
- (d) have a maximum of four (4) guest rooms.

11.4.2 A maximum of one (1) **Sign** for a **Bed and Breakfast** may be displayed, in accordance with **Section 11 - Signs**.

11.4.3 The **Development Authority** may issue a **temporary development permit** for a **Bed and Breakfast**.

11.5 MANUFACTURED DWELLINGS

- 11.5.1** **Manufactured Dwellings** constructed greater than fifteen (15) years at the time of *development permit* application may not be approved at the discretion of the *Development Authority*.
- 11.5.2** In determining the suitability of a **Manufactured Dwelling** for placement on a *parcel*, consideration shall be given to its condition and appearance in context with *adjacent parcels*.
- 11.5.3** The undercarriage of a **Manufactured Dwelling** shall be *screened* from view by the foundation or by skirting within 30 days of placement of the **Manufactured Dwelling**.
- 11.5.4** All accessory *structures* such as stairways and *landings, patios, decks*, and skirting shall be of complementary quality and design to the **Manufactured Dwelling**.
- 11.5.5** All **Manufactured Dwellings** shall be provided with stairways and *landings* to all entrances within thirty (30) days of their placement.

11.6 MANUFACTURED HOME PARKS

- 11.6.1** All new **Manufactured Home Parks** or existing **Manufactured Home Parks** proposed to be redeveloped shall provide a *master site plan* which shall detail the following to the satisfaction of the *Development Authority*:
- (a) minimum separation distances between *buildings*;
 - (b) total *parcel* size and manufactured home pad size(s);
 - (c) servicing strategy for water, sewer and storm;
 - (d) storage and common amenity areas;
 - (e) vehicle and pedestrian circulation routes;
 - (f) parking areas;
 - (g) *landscaping* of common areas (including outdoor amenity spaces);
 - (h) *screening* and fencing;
 - (i) internal addressing system; and
 - (j) any other matter the *Development Authority* considers necessary to assess the application.
- 11.6.2** In addition to **Section 10.6 – Manufactured Dwellings** and Subsection 10.7.1, where a **Manufactured Home Park** is listed as a *permitted use* or *discretionary use*, the following regulations shall apply:
- (a) No on-street parking shall be permitted on internal *roads* within the **Manufactured Home Park** and off-street parking shall be provided in accordance with **Section 9.12.6**;
 - (b) Visitor parking stalls shall be clearly identified and dispersed throughout the home park;
 - (c) All *roads* in a **Manufactured Home Parks** shall be least 10 m (33 ft.) in width;

- (d) Internal pedestrian pathways shall have a minimum width of 1.0m (3.3 ft.) and be surfaced to the satisfaction of the **Development Authority**;
- (e) Not less than 5% of the gross site area of a **Manufactured Home Park** shall be devoted to outdoor amenity space and recreational uses in a manner that is convenient and accessible to the majority of home park residences. This outdoor amenity space shall be landscaped to the satisfaction of the **Municipal Planning Commission** within one (1) year of the start of construction of the **Manufactured Home Park**.
- (f) All **setbacks** from property lines will adhere to the **setbacks** required in the applicable land use district.
- (g) Separation distances between **buildings**, including manufactured homes, within the **Manufactured Home Park** shall be a minimum of 3.0 m (10 ft.).
- (h) A **screened** storage compound shall be provided within the **Manufactured Home Park** for trucks, campers, travel trailers, snowmobiles, boats, etc. to the satisfaction of the **Development Authority**.
- (i) All manufactured home park lots within a **Manufactured Home Park** shall be clearly defined on the ground by permanent flush stakes or markers with a lot number or other address system approved by the **Municipal Planning Commission**.

11.7 PET CARE SERVICES

- 11.7.1 Pet Care Services** shall be designed, constructed, and operated in a manner to prevent a nuisance to any **adjacent residential use** or other **adjacent uses** in regard to factors such as noise, odors and waste. Outside enclosures, pens, runs or exercise areas may be allowed at the discretion of the **Development Authority**.
- 11.7.2** The **Development Authority** may, as a condition of a **development permit** for a **Pet Care Service**, limit the maximum number of animals that may be kept on-site at any one time.

11.8 KENNELS

- 11.8.1** An application for a **development permit** for a **Kennel** shall include, in addition to the application requirements in **Section 5.1 – Application Requirements**:
- (a) a site plan indicating the size and location of all **Kennel buildings** and facilities (e.g. outdoor enclosures, pens, runs or exercise areas, waste (feces) management areas);
 - (b) the distance between any **buildings** or facilities used for the **Kennel** operation to any **residential uses** within a 150 m (495 ft.) radius; and
 - (c) proposed **screening** and noise attenuation measures.
- 11.8.2** No **buildings** or exterior exercise area(s) to be used to accommodate dogs shall be allowed within 150 m (495 ft.) of any **Dwelling Unit** located on an **adjacent parcel**.
- 11.8.3** All dog facilities, including any **Accessory Buildings** and exterior exercise areas, shall be located to the rear of the **parcel**.
- 11.8.4** The **Development Authority** may, as a condition of a **development permit** for a **Kennel**, limit the maximum number of animals that may be kept at any one time.

11.8.5 The **Development Authority**, at its discretion, may:

- (a) require pens, rooms, exercise runs, and holding stalls be soundproofed where the noise from the **Kennel** may adversely affect the amenities of the area. In making its determination, the **Development Authority** may consider the number of animals to be kept at the **Kennel**, the proximity of the **Kennel** to other **uses**, and/or the recommendations of an acoustic study; and
- (b) limit the times at which the animals are allowed outdoors. In particular, all dogs may be required to be kept indoors between the hours of 10:00 p.m. and 7:00 a.m.

11.8.6 Kennels shall be **screened** by both a visual and sound barrier, by **fences** and/or **landscaping**, from existing **residential uses** on **adjacent parcels** to the satisfaction of the **Development Authority**.

11.9 AUTO BODY SHOPS

11.9.1 All **buildings** and **outdoor storage** areas related to the **Auto Body Shop** must be oriented on the **parcel** to minimize any potential adverse effects on **adjacent uses**. In particular, service bay doors must be oriented away from an **adjacent residential use**.

11.9.2 An **Auto Body Shop** may include activities associated with the **use** located outside of a **building** provided any areas of the **parcel** used for **outdoor storage** are **fenced** to a height of 2.4 m (8ft.), and the **fence** is a solid **fence** of either metal or wood to the satisfaction of the **Development Authority**.

11.9.3 Vehicles awaiting repair shall not be parked outside of a **building** or screened area for a period of greater than 24 hours.

11.10 GAS BARS AND SERVICE STATIONS

11.10.1 Gas Bars and Service Stations shall comply with the following standards:

- (a) no part of a service station **building**, or any pump island shall be within 6.0 m (20ft.) of **front, side** or **rear parcel** lines;
- (b) a **front yard** of no less than 12.0 m (40ft.);
- (c) no pumping island closer than 4.5 m (15ft.) to a **building**;
- (d) vehicle entrances from a **road** shall be located at the discretion of the **Development Authority** and shall not exceed 10.7 m (35ft.) in width; and
- (e) the **parcel** boundaries of a **Gas Bar and Service Station**, other than those fronting a **road**, shall be appropriately **screened** to the satisfaction of the **Development Authority**.

11.11 CAR WASHES

11.11.1 Car Washes shall comply with the following standards:

- (a) the minimum **parcel area** shall be 557 m² (6000 ft² or 0.1 ac). In the case of **Gas Bars and Service Stations** including **Car Washes**, the minimum **parcel area** shall be 1,115 m² (12,000 ft² or 0.3 ac);
- (b) receptacles for the purpose of disposing of garbage and waste shall be provided to the satisfaction of the **Development Authority**; and
- (c) all parts of the **parcel** to which vehicles may have access shall be hard surfaced and drained.

11.11.2 All **buildings** and outside activity areas related to the **Car Wash** must be oriented on the **parcel** to minimize any potential adverse effects on **adjacent uses**. In particular, bay doors and vacuums must be oriented away from an **adjacent residential use**.

11.12 RECREATIONAL VEHICLES

11.12.1 A **Recreational Vehicle** shall not be used as a **Dwelling Unit** unless the applicable Land Use District allows for a **Recreational Vehicle** as either a **permitted use** or **discretionary use** and a **development permit** for said use has been approved and issued by the **Development Authority**.

11.12.2 Within Hamlets, no **Recreational Vehicle** shall be parked on a public road between October 30 and April 1. When stored on a residential property between April 1 and October 30, a **Recreational Vehicle** must be fully accommodated on a driveway, or hard surfaced, contained within the property boundaries, and must not encroach on the landscaped portion of the site.

11.12.3 Notwithstanding Subsection 10.13.2, no **Recreational Vehicle** shall be stored on a **Vacant Parcel** or non-residential **parcel** unless a **development permit** for a **Storage Yard, Automotive Sales**, or other commercial land **use** has been issued by the **Development Authority**.

11.12.4 Storage of **Recreational Vehicles** must be **screened** in accordance with **Section 9.5 - Screening**.

11.13 CANNABIS RETAIL SALES

11.13.1 Cannabis Retail Sales must not have any part of an exterior wall that is located within 100 m (328 ft.) of:

- (a) An approved hospital as defined in the *Hospitals Act* or a **property line** of the **parcel** of land on which the facility is located;
- (b) A **building** containing a school as defined in the *Schools Act* or a **property line** of a **parcel** of land on which the **building** is located; or
- (c) A **property line** of a **parcel** of land that is designated as school reserve or municipal and school reserve under the *Act*.

11.14 CANNABIS PRODUCTION FACILITY

11.14.1 The **Development Authority** may require for a complete application for a **Cannabis Production Facility**, the submission of a waste management plan completed by a **qualified professional**, which includes but is not limited to:

- (a) the quantity and characteristics of liquid and solid waste material discharged by the facility;
- (b) the method and location of collection and disposal of liquid and solid waste material discharged by the facility; and
- (c) the incineration of waste products and method of treatment of airborne emissions, including odours.

11.14.2 The issuance of a **development permit** in no way exempts the applicant from obtaining any other approval, permit, authorization, consent, or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.

11.14.3 As a condition of a **development permit** and prior to the operation of the facility, the developer must provide a copy of the current license for all activities associated with cannabis production as issued by Health Canada.

11.14.4 All processes and functions related to a **Cannabis Production Facility** must be fully contained within a **building** including all **loading stalls** and docks, garbage receptacles and waste material.

11.14.5 A **Cannabis Production Facility** shall not include **outdoor storage** of goods, materials, or supplies.

11.14.6 A **Cannabis Production Facility** shall not be allowed to operate on a **parcel** with any other **use**.

11.14.7 A **Cannabis Production Facility** must include equipment in the ventilation system designed and intended to remove odours from the air where it is discharged from the **building**.

11.15 RENEWABLE ENERGY SYSTEMS

11.15.1 Renewable Energy Systems attached to a **principal building** or **Accessory Building** shall:

- (a) not extend above the peak of a roof;
- (b) not project past a roof by 1.5 m (5ft.) at any point;
- (c) not generate noise, in the opinion of the **Development Authority**, which affects the amenity or enjoyment of an **adjacent residential use**.

11.15.2 Renewable Energy Systems that are freestanding must meet the height and **setback** regulations for an **Accessory Building** within the applicable Land Use District.

11.16 SMALL WIND ENERGY SYSTEMS

11.16.1 Upon deeming an application for a **Small Wind Energy System** complete, the **Development**

Authority shall circulate a notification of the proposal to **adjacent parcels** prior to making a decision.

11.16.2 The maximum height of a tower shall be:

- (a) 25.0 m (82 ft.) where the **parcel** area is no less than 0.2 ha (0.5 ac) and no greater than 0.4 ha (1.0 ac); and
- (b) no maximum tower height for **parcels** that are greater than 0.4 ha (1.0 ac) in area.

11.16.3 The tower base of a **Small Wind Energy System** shall be no closer to the **property line** of a **parcel** than the total system height. No part of the tower structure, including guy wire anchors, shall extend closer than 3.0 m (10ft.) to the **property line** of the **parcel**.

- 11.16.4** The tower base of a **Small Wind Energy System** shall be no closer to a **Dwelling Unit** or **Public Building** on an *adjacent parcel* than the total system height of the **Small Wind Energy System**.
- 11.16.5** Notwithstanding subsections 10.17.3 and 10.17.4 above, the **Development Authority** may grant a relaxation to the *setback* requirements if the *adjacent parcel* owner(s) grant an *easement* for the **Small Wind Energy System**.
- 11.16.6** Notwithstanding subsection 10.17.4, the **Development Authority** may require a greater *setback* where *shadow flicker* will negatively impact the use and enjoyment of an *adjacent parcel*.
- 11.16.7** Noise from a **Small Wind Energy System** shall not negatively impact the use and enjoyment of an *adjacent parcel* by increasing the ambient background noise, in the opinion of the **Development Authority**. A report, prepared by a *qualified professional*, may be required to determine the sound level of the **Small Wind Energy System** measured at the *property line*.
- 11.16.8** The **Development Authority** may consider visual impact concerns where there is significant historical or scenic value associated with the proposed siting of a **Small Wind Energy System**.
- 11.16.9** If the active production of electricity from a **Small Wind Energy System** is discontinued for two (2) years or more, the **Small Wind Energy System** shall be removed. Upon termination of the *use*, the entire facility shall be removed, and the installation site shall be restored to a natural state.

11.17 LARGE WIND ENERGY SYSTEM

- 11.17.1** **Structures** and facilities associated with a **Large Wind Energy System** shall not be utilized for advertising purposes.
- 11.17.2** Prior to applying for a *development permit*, an applicant proposing to develop a **Large Wind Energy System** shall obtain all necessary provincial approvals from the Alberta Utilities Commission (AUC).
- 11.17.3** Notwithstanding requirements for a *development permit* application in **Section 5**, an application proposing to develop a **Large Wind Energy System** shall include:
- (a) A copy of all project-related approval(s) from the Alberta Utilities Commission (AUC), including but not limited to:
 - i. copies of public engagement invitations to adjacent landowners, information provided at the meeting(s), and a summary of the feedback received;
 - ii. a copy of the report submitted to the AUC and their compliance approval pertaining to noise generation as identified in AUC Rule 012, or any successor thereto, relative to notification of potentially impacted residents;
 - iii. a detailed site plan showing the location of all towers, supporting buildings, utility lines, access roads, setbacks, and topographical features;

- iv. drawings identifying the finish and appearance of all structures within the proposed development area in order to minimize any obtrusive impact on the community;
- v. plans for future phases of development;
- vi. post-construction reclamation plans; and
- vii. decommissioning plans.

11.17.4 As a condition of approval and prior to commencement of construction, the **Development Authority** may require the applicant to do one or more of the following:

- (a) enter into a development agreement to ensure municipal engineering standards are adhered to;
- (b) enter into a road use agreement to mitigate impacts to the community; and
- (c) provide a means of security to the satisfaction of the **Development Authority** to ensure conditions of the **development** are complied with.

11.18 SOLAR ENERGY SYSTEMS – COMMERCIAL

11.18.1 The **Development Authority** shall not approve an application for a Solar Energy System – Commercial if it is proposed to be installed on **better agricultural land**.

11.18.2 Structures and facilities associated with a **Solar Energy System – Commercial** shall not be utilized for advertising purposes.

11.18.3 Prior to applying for a **development permit**, an applicant proposing to develop a **Solar Energy System – Commercial** shall obtain all necessary provincial approvals from the Alberta Utilities Commission (AUC).

11.18.4 Notwithstanding requirements for a **development permit** application in **Section 5**, an application proposing to develop a **Solar Energy System – Commercial** shall include:

- (a) A copy of all project-related approval(s) from the Alberta Utilities Commission (AUC), including but not limited to:
 - i. copies of public engagement invitations to **adjacent** landowners, information provided at the meeting(s), and a summary of the feedback received;
 - ii. a copy of the report submitted to the AUC and their compliance approval pertaining to any offsite impacts;
 - iii. a detailed site plan showing the location of all **structures**, supporting buildings, utility lines, access roads, setbacks, and topographical features;
 - iv. drawings identifying the finish and appearance of all **structures** within the proposed development area in order to minimize any obtrusive impact on the community;
 - v. plans for future phases of development;
 - vi. post-construction reclamation plans; and
 - vii. decommissioning plans.

11.18.5 As a condition of approval and prior to commencement of construction, the **Development Authority** may require the applicant to do one or more of the following:

- (a) enter into a development agreement to ensure municipal engineering standards are adhered to;
- (b) enter into a road use agreement to mitigate impacts to the community; and
- (c) provide a means of security to the satisfaction of the Development Authority to ensure conditions of the development are complied with.

11.19 NATURAL RESOURCE EXTRACTION AND PROCESSING FACILITIES

11.19.1 A **development permit** for aggregate extraction shall not be issued for a period greater than 5 years. The applicant may apply thereafter to renew the **development permit**.

11.19.2 A new **development permit** shall not be issued on a site to the same or different applicant or owner, unless or until any conditions of a previous **development permit** for aggregate extraction have been fulfilled to the satisfaction of the **Development Authority**, or it has been determined by the **Development Authority** that the conditions are no longer required to be fulfilled.

11.19.3 All **development permit** applications for aggregate extraction operations proposed to have property boundaries within 300m (1000 ft.) of a dwelling shall be referred to the adjacent landowners for comment prior to the **Development Authority** rendering a decision.

11.19.4 The following **setbacks** apply to aggregate extraction and other natural resource extraction operations:

- (a) Sorting, **screening**, crushing, loading machinery or operations shall be a minimum of 300m (1000 ft.) from the nearest **Dwelling Unit** not occupied by the owner/operator of the gravel pit.
- (b) Excavating shall be a minimum of 150m (500 ft.) from the nearest part of a **Dwelling Unit** or **building** used for overnight accommodation.
- (c) The **setbacks** in subsections a) and b) may be reduced where noise and visual mitigation measures, such as berming and **screening**, are provided to the satisfaction of the **Development Authority**.

11.19.5 Aggregate or other natural resource extraction operations shall not excavate slopes that are steeper than 33.3% where adjacent to existing **roads**, a proposed road widening, or service road, except where it can be demonstrated that a steeper slope can be safely achieved.

11.19.6 In addition to other **development permit** application requirements stated in this Bylaw, the **Development Authority** may request any of the following to support an application for **Natural Resource Extraction and Processing Facilities**:

- (a) an extraction phasing plan;
- (b) an environmental or biophysical impact assessment;
- (c) a plan to buffer the impacts to adjacent developments through the use of berms, **screening** or means of buffering;

- (d) a haul route plan;
- (e) a traffic impact assessment; and
- (f) a reclamation plan in accordance with Subsection 10.20.7.

11.19.7 Where a reclamation plan for aggregate extraction is not required by a provincial authority, the **Development Authority** may:

- (a) require submission of a reclamation plan prepared by a qualified third party prior to commencement of excavation; and
- (b) require a refundable security deposit to ensure that reclamation is completed as per the approved reclamation plan, the amount of which shall be as recommended by the third party engaged in the preparation of the reclamation plan.

11.19.8 As a condition of **development permit** approval, the applicant shall enter into a **road** use/development agreement with the M.D. to ensure **road** conditions are not negatively affected by the traffic generated by an aggregate extraction facility and to provide dust control requirements. This includes, but is not limited to:

- (a) All haul **roads** located on the site within 800 m (0.5 mile) of a Residential District/ Dwelling, and all entrances onto a public **road** shall be dust proofed with either oil, water, or other treatment acceptable to the **Development Authority**.
- (b) Any M.D. roadway used as a haul **road** that is within 150m (500 ft.) of an existing dwelling or recreational **development**, shall be dust proofed for a minimum distance of 300 m (1000 ft.) on either side of the development.

11.19.9 If upon removal of any aggregate or other natural resource, the operator encounters the water table at a level other than set out in the **development permit** application or which was not disclosed in the application, the operator shall cease operations and submit a revised plan complete with a hydrologist's report which shall outline any mitigative measures for approval by the **Development Authority** and/or the appropriate provincial authority.

11.19.10 Notwithstanding any other provision within this Bylaw, the obligation of the **development permit** holder or the owner of the site to comply with the regulations of this Bylaw or to fulfill any conditions of a **development permit** does not expire if the aggregate extraction use ceases for any period of time or the site changes ownership.

11.19.11 The failure of the **development permit** holder who is not the owner of the site shall not release the owner from complying with this Bylaw or fulfilling any conditions of a **development permit**.

11.20 WASTE MANAGEMENT FACILITIES

11.20.1 Waste Management Facilities will only be permitted on a temporary basis for the disposal of material from a demolition project. On completion of the demolition project, the private **Waste Management Facility** shall be closed and capped.

11.20.2 Waste Management Facilities developments may be permitted under the following conditions:

- (a) the **Waste Management Facility** is used solely for the burial of demolition waste from **buildings** or other **structures**;
- (b) no hazardous materials or chemicals of any kind are buried in the **Waste Management Facility**;
- (c) permission from the relevant provincial agency has been granted prior to any excavation;
- (d) permission from the registered landowner in writing has been provided to the **Development Authority**; and
- (e) the proposed **Waste Management Facility** shall be located at least 300 m (1,000 ft.) from the nearest school, hospital, dwelling or food establishment, unless the owner of the affected development gives written permission for a lesser distance.

11.20.3 As a condition of approval for a **development permit** for a private **Waste Management Facility**, **Council** may enter into an agreement with the landowner with respect to the location and operation of such **development**. Such agreement may be registered as a caveat or restricted covenant against the Title of the **parcel** on which the **Waste Management Facility** is located. The agreement may alert potential owners of the **parcel** as to the location and type of material that was deposited into the **Waste Management Facility** and may limit the type of **development** that may take place around the actual area of the **Waste Management Facility**.

11.21 WRECKER AND SALVAGE

11.21.1 A **Wrecker and Salvage** site shall:

- (a) be located a minimum of 800 m (0.5 miles) from any existing **Dwelling Unit** and/or provincial **highway**;
- (b) have a maximum area of 2 ha (5 ac) for a storage enclosure, which shall be completely fenced and **screened** to a minimum height of 2.5 m (8 ft.) or as required by the **Development Authority**;
- (c) have all vehicles stored within the enclosure; and
- (d) be maintained in accordance with any conditions deemed necessary for the use of the site in an acceptable manner at the discretion of the **Development Authority**.

11.22 WORK CAMPS

11.22.1 A **temporary development permit** for a **Work Camp** may be issued for up to one (1) year, unless otherwise approved by the **Development Authority** as a condition in a **development permit**.

11.22.2 In addition to the requirements in **Section 5.1 Application Requirements**, an application for a **Work Camp** shall include:

- (a) a description of the location, type and purpose of the **Work Camp**;
- (b) a plan showing the location, number and type of accommodations;
- (c) a plan showing the **adjacent** land uses, and any proposed **screening** or **fencing**;

- (d) a plan and/or description of the method of supplying water, sewage and solid waste disposal to the **Work Camp**;
- (e) the number of persons proposed to reside in the **Work Camp**;
- (f) the anticipated start date of construction of the **Work Camp**, date of occupancy and removal date; and
- (g) reclamation measures once the **Work Camp** is completed and removed.

11.22.3 A **Work Camp** must be:

- (a) associated with the construction or operation of an industrial or commercial **development** within the M.D.; and
- (b) located in close proximity to the **development** it is associated with.

11.22.4 Once the purpose of the **Work Camp** is completed, a **Work Camp** site must be:

- (a) reclaimed to its original condition; or
- (b) reclaimed to a state where sediment and dust are controlled, and the aesthetics are returned to an acceptable condition, to the satisfaction of the **Development Authority**.

11.22.5 Prior to the expiration of the **development permit**, an applicant may apply for a continuance of the use for an additional twelve (12) months. After twenty-four (24) months a new **development permit** approval is required.

Part D - Signs

12 SIGN REGULATIONS

12.1 SIGN AUTHORITY AND ADMINISTRATION

- 12.1.1** Except as stated in **Section 3 – Development Not Requiring a Development Permit**, no **Sign** shall be erected on land or affixed to any exterior surface of a **building** or **structure** unless a **development permit** for this purpose has been issued by the **Development Authority**.
- 12.1.2** A **development permit** is not required for maintenance, repair, changing the **sign content**, or reducing the **sign content area** of an approved **Sign**.
- 12.1.3** The issuance of a **development permit** for a **Sign** located adjacent to a highway does not preclude any approvals or permits required by the Provincial highway authority.
- 12.1.4** No **Sign** shall be erected on or affixed to municipal property without the prior consent of the M.D.
- 12.1.5** Variances may be granted to **sign area** where the **sign scale** and design integrates with the architectural elements and scale of the **building** and adjacent **buildings**.
- 12.1.6** Where a **Sign** is no longer related to a business, product or event located on the same **parcel** as the **Sign**, the **Sign** must be removed by the owner of the **Sign** or the owner of the **parcel** on which the **Sign** is located.
- 12.1.7** Where a **Sign** contravenes the regulations of this Bylaw or the terms of a **development permit**, the owner of the **parcel** or the owner of the **Sign** shall remove the Sign or relocate or repair the **Sign** such that it complies with the Bylaw or the **development permit** within the timelines specified in the written warning or order.
- 12.1.8** The M.D. may remove any **Sign** that remains in contravention of this Bylaw and an order, and/or may refuse to issue a **development permit** for a **Sign** on the **parcel** for a period of three (3) months.

12.2 SIGN APPLICATION REQUIREMENTS

- 12.2.1** An application for a **development permit** for a **Sign** shall be completed and submitted to the **Development Authority** in writing, in the form required by the **Development Authority**, and shall be accompanied by:
- (a) authorization of the registered landowner;
 - (b) a site plan (drawn to scale) showing the following:
 - i. legal description and north arrow;
 - ii. area and dimensions of the **parcel** boundaries, including the **front**, **rear**, and **side yards**, if any;
 - iii. existing and proposed **easements** and rights-of-way, including dimensions

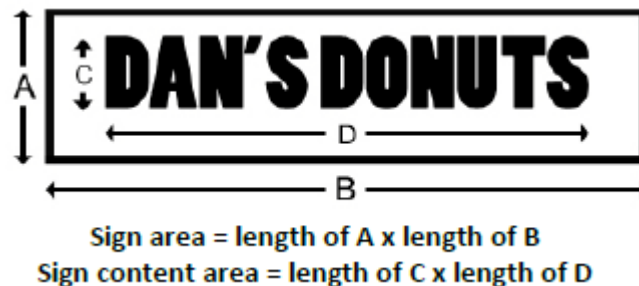
- and type of ***easement***, if applicable;
- iv. the location and dimensions of all existing and proposed **Signs, buildings, structures, or uses** on the **parcel**;
- v. identification of existing and proposed **roads or lanes** that will provide access to the **development**;
- vi. any provision for **off-street parking stalls and loading stalls**; and vehicle entrances to and exits from the **parcel**; and
- (c) a drawing showing the width, height, and **sign area** of the **Sign**, including the proposed **sign content** and **sign content area**;
- (d) a description or drawing showing the **Sign** materials and colors; and
- (e) the prescribed **development permit** fee.

12.3 SIGN DEFINITIONS

12.3.1 For the purposes of this Bylaw, the following definitions are related to **Signs**:

(a) Sign	means any device or fixture intended to convey information or to advertise or attract attention to any person, business, matter, message, object, or event.
(b) Sign Area	means the entire area of a Sign on which sign content is intended to be placed. In the case where a Sign has sign content on more than one side of the Sign , sign area means the average total area of all sides of the Sign . See Figure9: Sign Area and Sign Content Area.
(c) Sign Content	means the wording/lettering, message, graphics, or content displayed on a Sign .
(d) Sign Content Area	means a rectangular area formed by the extreme limits of the sign content , including graphics related to the specific nature of the sign content . See Figure 9: Sign Area and Sign Content Area.

Figure 10 Sign Area and Sign Content Area



(e) Sign Height	means the vertical distance measured from the highest point of the sign or Sign structure to grade .
(f) Sign Illumination	means the lighting or exposure of a Sign to artificial lighting either by

lights on or in the **Sign** or directed toward the **Sign**.

(g) Temporary Sign

means any **Sign** designed or intended to be displayed for a short period of time, including balloon signs, construction signs, political poster signs, banner signs or any other **Sign** that is not permanently attached to a supporting **structure** or **building**.

12.4 GENERAL SIGN REGULATIONS

12.4.1 No **Sign** shall resemble or conflict with a traffic sign, signal, or device.

12.4.2 All **Signs** shall be designed and manufactured to a professional standard of quality, to the satisfaction of the **Development Authority**.

12.4.3 The design and location of a **Sign** on a **building** shall complement the architectural elements and materials of the **building**.

12.4.4 Buildings shall be designed to incorporate **Signs** into the **building** as an integrated architectural element.

12.4.5 All **Signs** lighting shall be designed to illuminate the **Sign** only.

12.4.6 A **Sign** shall not be located to obstruct the movement or free and clear vision of a pedestrian or motorist, or cause conflict with any required parking area.

12.4.7 All **Signs** shall be kept in a safe, clean, tidy and legible condition and may, at the discretion of the **Development Authority**, be required to be renovated or removed if not kept in a safe, clean, tidy or legible condition.

12.4.8 A maximum of one (1) **Sign** for a **Home Occupation**, or **Bed and Breakfast** may be displayed with a maximum **sign area** of 1m² (10 ft²).

Part E - Districts

13 DISTRICTS ADMINISTRATION

13.1 ESTABLISHMENT OF DISTRICTS

13.1.1 For the purpose of this Bylaw, the Municipality is divided into the following Land Use Districts:

Short Title	District Name	Purpose
AG	Agriculture General	The purpose of the AG – Agriculture General District is to facilitate agricultural operations and activities, while accommodating other land uses considered compatible with the rural character of the M.D.
CR	Country Residential	The purpose of the CR- Country Residential District is to accommodate residential developments at rural densities.
CS	Community Service	The purpose of this district is to provide for the development of social, educational, governmental, and other public and semi-public buildings and uses .
RI	Rural Industrial	To provide for a range of manufacturing, warehousing and other industrial uses .
HR	Hamlet Residential	To accommodate residential development in a variety of housing types along with other compatible neighbourhood uses .
HB	Hamlet Business	The purpose of this district is to accommodate a range of commercial and industrial uses to provide retail and other services to residents and visitors to M.D. of Acadia.
HF	Hamlet Fringe	To prevent ad hoc development of lands surrounding the Hamlet of Acadia Valley and which are intended for future Hamlet development as set out in the <i>Municipal Development Plan</i> .

13.2 DISTRICT BOUNDARIES

- 13.2.1** The locations and boundaries of the Land Use Districts are shown on the Land Use District Maps in **Part G Land Use Districts Map**, which forms part of this Bylaw.
- 13.2.2** The locations of boundaries shown on the **Land Use Districts Map** shall be governed by the following rules:
- (a) where a boundary is shown as following the municipal boundary, it shall be deemed to follow the municipal boundary;
 - (b) where a boundary is shown as approximately following a **property line**, it shall be deemed to follow the **property line**; and
 - (c) where a boundary is shown to follow the shoreline of a bank of a waterbody, it follows that line.
- 13.2.3** Where the exact location of the boundary of a Land Use District cannot be determined, using the rules in Subsection 12.2.2 above, the **Council**, on its own motion or on a written request, shall fix the location:
- (a) in a manner consistent with the provisions of this Bylaw; and
 - (b) with the appropriate degree of detail required.
- 13.2.4** The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.

13.3 DIRECT CONTROL DISTRICTS

- 13.3.1** Direct Control Districts provide for **development** that, due to its unique characteristics, unusual site conditions, or innovative design, requires specific regulations unavailable in other Land Use Districts. Land Uses within a Direct Control District shall be determined by **Council**.
- 13.3.2** Direct Control Districts may not be substituted for any other Land Use District if the same outcome can occur in that Land Use District through the approval of a variance or relaxation to development standards.
- 13.3.3** Where **Council** deems there are sufficient and appropriate regulations within a Direct Control Bylaw, authority to approve **development** within the Direct Control District may be delegated to the **Development Authority**.
- 13.3.4** Appeals within a Direct Control District shall be in accordance with the *Act*.

14 AG – AGRICULTURE GENERAL DISTRICT

14.1 PURPOSE

14.1.1 The purpose of the AG – Agriculture General District is to facilitate agricultural operations and activities, while accommodating other land **uses** considered compatible with the rural character of the M.D.

14.2 DEVELOPMENT PERMIT NOT REQUIRED

Land **uses** listed in **Section 3** as applicable, do not require a **development permit** in the AG – Agriculture General District.

14.3 PERMITTED USES

14.3.1 The following **uses** are **permitted uses** in the AG – Agriculture General District:

Accessory Building**	Equestrian Centre
Accessory Building, Fabric Covered**	Extensive Agriculture ^E
Accessory Building, Shipping Container (temporary) **	Home Occupation – Minor ^E
Accessory Dwelling Unit, Attached*	Home Occupation – Phone & Desk ^E
Day Home ^E	Park
Dwelling, Rural (First)*	Renewable Energy Systems **
Dwelling, Rural (Second)*	Utilities **

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* See **Section 10 – Specific Use Regulations** | ** May require a permit. See **Section 3** and **Section 10**

14.4 DISCRETIONARY USES

14.4.1 The following **uses** are **discretionary uses** in the AG – Agriculture General District:

Accessory Dwelling Unit, Detached*	Greenhouse
Agricultural Supply Depot	Home Occupation, Major*
Athletic and Recreational Facility, Outdoor	Kennel*
Attached Housing*	Large Wind Energy System*
Auction Facility	Public Building
Bed and Breakfast*	Recreational Vehicle*
Campground	Self-Storage Facility
Care Facility	Storage Yard

Child Care Centre	Sign**
Dwelling, Additional Rural*	Small Wind Energy System*
Exhibition Grounds	Solar Energy Systems – Commercial*
Food Processing, Storage and Sales	Veterinary Clinic
Grain Elevator and Seed Cleaning	Worship Facility

14.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those *uses* which, in the opinion of the **Municipal Planning Commission**, are similar to a *permitted use* or *discretionary use* listed in this District.

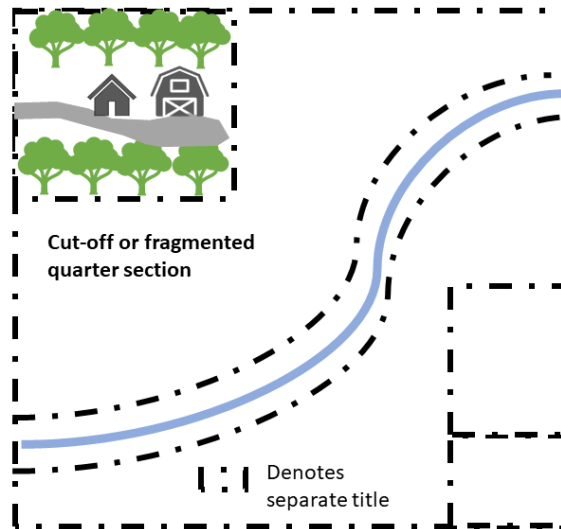
*See **Section 10 – Specific Use Regulations**

See **Section 11 – Sign Regulations

14.5 REGULATIONS

14.5.1 The following regulations apply to *parcel areas* in the AG – Agricultural General District:

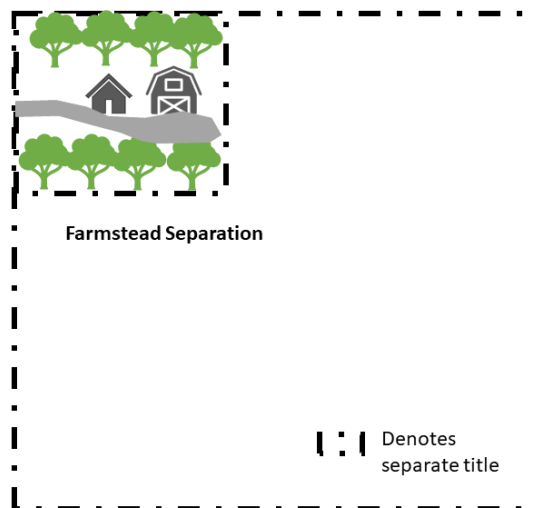
Use	Parcel Area Requirements
Extensive Agriculture	(a) <i>Parcel area</i> shall be a minimum of 32.4 ha (80 ac), more or less, except, where the quarter is fragmented or reduced by: i. natural barriers such as water bodies or ravines; and/or ii. an <i>involuntary severance</i>. in which case the Development Authority or Subdivision Authority may permit a lesser site area that shall not be less than 1.2ha (3ac).



Subdivision of a Farmstead

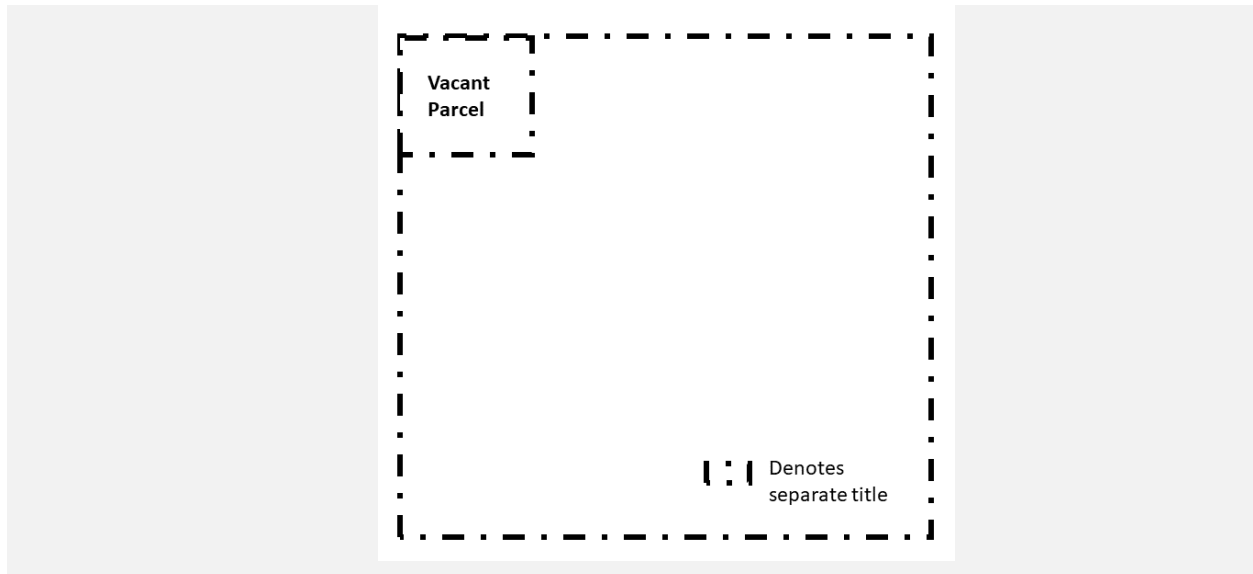
Parcel area shall be:

- (b) 4.0 hectares (10 acres); **or**
- (c) the minimum area required to subdivide out an existing dwelling and related improvements (shelterbelts, corrals, barns, sheds, wells, septic systems etc.) which normally are associated with a farmstead; **and**
- (d) shall minimize the amount of productive agricultural land included in the subdivision.



Subdivision of a Vacant Parcel
(all other uses listed in 13.3 and 13.4)

- (e) **parcel area** shall not be less than: 1.2 hectares (3 acres)
- (f) **parcel area** shall not exceed: 4.0 hectares (10 acres)



- (g) Notwithstanding the above, **development** on existing **parcels** on record at the Land Titles Office prior to the date this Bylaw came into effect may be permitted provided that requirements regarding **setbacks**, **floor areas**, and applicable sections from **Part B– General Regulations** and **Part C– Specific Regulations** are complied with.

14.5.2 The minimum **parcel width** is 38.0 m (125ft.).

14.5.3 The minimum **yard setbacks** in the AG – Agricultural General District shall be as follows:

	Principal Building	Accessory Buildings and Structures
a) Municipal Road R.O.W.	30m (100 ft.)	30m (100 ft.)
b) Provincial Highway	As required by Alberta Transportation	
c) Interior Side Yard	3m (10 ft.)	3m (10 ft.)

14.5.4 **Parcel** density and **Dwelling Unit** density in the AG – Agricultural General District shall be:

Density	Maximum	Additional Requirements
Parcels per quarter section	4 parcels	(a) Four (4) parcels per quarter section may be subdivided for any combination of the following purposes: i. Extensive Agricultural; ii. Farmstead Separation; and/or iii. Vacant Parcel for a proposed use listed in Section 13.3 and 13.4.

		(b) The Subdivision Authority may, at its discretion, relax the provisions of subsection (a) above, to accommodate additional subdivisions for <i>involuntary severances</i> such as public utilities, schools, government institutions, and oil and gas facilities. (c) For clarity, if only a portion of a quarter section remains designated under the Agricultural General District, that portion of the quarter section may contain up to four (4) <i>parcels</i> in accordance with subsection (a) above. (d) <i>Subdivision</i> beyond four (4) <i>parcels</i> will first require that portion of land be redesignated from the Agricultural General District to an appropriate district in this Land Use Bylaw.
Parcels per cut-off or fragmented quarter section	4 parcels	(e) Notwithstanding Subsection 13.5.1, the maximum number of <i>parcels</i> per cut-off or fragmented quarter section shall be four (4).
Dwelling Units per Parcel	Per Development Authority	(f) In accordance with Section 13.3: <i>permitted uses</i>, up to two (2) Dwelling Units are permitted per <i>parcel</i>. (g) In accordance with Section 13.4: <i>discretionary uses</i>, the Municipal Planning Commission may allow three (3) or more Dwelling Units on a <i>parcel</i>.

14.6 ADDITIONAL REQUIREMENTS

- 14.6.1** A commercial vehicle with a G.V.W. rating of 7300 kg may be stored or parked on a ***parcel*** with an approved **Home Occupation – Major**.
- 14.6.2** A **Storage Yard** use shall only be approved for the storage of **Recreational Vehicles** in accordance with **Section 10.14**.

15 CR – COUNTRY RESIDENTIAL DISTRICT

15.1 PURPOSE

15.1.1 The purpose of the CR- Country Residential District is to accommodate residential *developments* at rural densities.

15.2 DEVELOPMENT PERMIT NOT REQUIRED

15.2.1 Land *uses* listed in **Section 3** as applicable, do not require a *development permit* in the CR – Country Residential District.

15.3 PERMITTED USES

15.3.1 The following *uses* are *permitted uses* in the CR – Country Residential District:

Accessory Building**	Home Occupation – Phone & Desk ^E
Accessory Building, Shipping Container (temporary) **	Park
Day Home ^E	Renewable Energy Systems **
Dwelling, Detached*	Utilities **
Home Occupation – Minor ^E	

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* Requires a permit. See **Section 10 – Specific Use Regulations**

** May require a permit. See **Section 3** and **Section 10**

15.4 DISCRETIONARY USES

15.4.1 The following *uses* are *discretionary uses* in the CR – Country Residential District:

Accessory Building, Fabric Covered*	Equestrian Centre
Accessory Dwelling Unit, Attached*	Greenhouse
Accessory Dwelling Unit, Detached*	Home Occupation – Major*
Bed and Breakfast*	Manufactured Home Park*
Beekeeping	Public Building
Child Care Centre	Sign**
Cultural Establishment	Small Wind Energy System*
Care Facility	Worship Facility
Dwelling, Rural (Second)*	

*See **Section 10 – Specific Use Regulations** | **See **Section 11 – Sign Regulations**

15.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those uses which, in the opinion of the **Municipal Planning Commission**, are similar to a **permitted use** or **discretionary use** listed in this District.

15.5 REGULATIONS

15.5.1 The minimum **parcel area** shall be the greater of:

- (a) 0.5 ha (1.2ac); or
- (b) as required by **Section 9.6.1**.

15.5.2 **Parcel area** shall be a maximum of 4.0 ha (10 ac).

15.5.3 **Parcel width** shall be a minimum of 30.5 m (100 ft.)

15.5.4 The minimum **yard setbacks** shall be as follows:

	Principal Building	Accessory Buildings & Structures
a) Internal Subdivision or Service Road	10m (30ft.)	10m (30ft.)
b) Municipal Road R.O.W.	30m (100 ft.)	30m (100 ft.)
c) Provincial Highway	As required by Alberta Transportation	
d) Interior Side Yard	6 m (10 ft.)	1.0 m (3 ft.)
e) Rear Yard	6m (20 ft.)	1.0 m (3 ft.)

15.5.5 The maximum **building height** shall be as follows:

Use	Maximum Height	
	m	ft
a) Dwellings	10	33; 3 storeys
b) Accessory Buildings	5	16
c) All other Uses	12	40

15.6 ADDITIONAL REQUIREMENTS

15.6.1 Prior to rendering a decision on an application proposing to redesignate (rezone) lands to the CR – Country Residential District, **Council** should consider, as applicable:

- (a) **9.16– Subdivision**;
- (b) **9.17 – Multi-Lot Subdivision**; and
- (c) **9.18 – Residential Development**.

16 CS – COMMUNITY SERVICE DISTRICT

16.1 PURPOSE

16.1.1 The purpose of this district is to provide for the **development** of social, educational, governmental and other public and semi-public **buildings** and **uses**.

16.2 DEVELOPMENT PERMIT NOT REQUIRED

16.2.1 **Uses** listed in **Section 3** as applicable, do not require a **development permit** in the CS – Community Service District.

16.3 PERMITTED USES

16.3.1 The following **uses** are **permitted uses** in the CS – Community Service District:

Accessory Building*	Home Occupation – Phone & Desk ^E
Accessory Building, Fabric Covered**	Hospital
Accessory Building, Shipping Container (temporary) **	Park
Cultural Establishment (for public or semi-public purposes)	Public Building
Day Home ^E	Renewable Energy Systems **
Educational Institution	Utilities**
Home Occupation – Minor ^E	

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* Requires a permit. See **Section 10 – Specific Use Regulations**

** May require a permit. See **Section 3** and **Section 10**

16.4 DISCRETIONARY USES

16.4.1 The following **uses** are **discretionary uses** in the CS – Community Service District:

Accessory Building, Fabric Covered*	Child Care Centre
Airport and Registered Aerodrome	Clinic
Athletic and Recreational Facility, Indoor	Exhibition Grounds
Athletic and Recreational Facility, Outdoor	Parking Lot
Campground	Sign**
Care Facility	Small Wind Energy System*
Cemetery	

*See **Section 10 – Specific Use Regulations** | **See **Section 11 – Sign Regulations**

16.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those *uses* which, in the opinion of the **Municipal Planning Commission**, are similar to a *permitted use* or *discretionary use* listed in this District.

16.5 REGULATIONS

16.5.1 The minimum *parcel area* is the greater of:

- (a) 465 m² (5000 ft²); or
- (b) as required by **Section 9.6.1** if not connected to piped water and sewer services.

16.5.2 The minimum *parcel width* shall be 15 m (50 ft.)

16.5.3 The minimum *setback* for all *yards* is as follows.

Road or Yard	Principal Building	Accessory Buildings and Structures
a) Private Road	3.5 m (12 ft.)	4.5 m (15 ft.)
b) Municipal Road R.O.W.	30 m (100 ft.)	30m (100 ft.)
c) Provincial Highway	As required by Alberta Transportation	
d) Interior Side Yard		4.5 m (15 ft.)
e) Rear Yard		6.0 m (20 ft.)

16.5.4 The maximum *building height* is 10 m (33 ft.).

17 RI – RURAL INDUSTRIAL DISTRICT

17.1 PURPOSE

17.1.1 To provide for a range of manufacturing, warehousing, and other industrial **uses**.

17.2 DEVELOPMENT PERMIT NOT REQUIRED

17.2.1 Land **uses** listed in **Section 3** as applicable, do not require a **development permit** in the RI – Rural Industrial District.

17.3 PERMITTED USES

17.3.1 The following **uses** are **permitted uses** in the RI – Rural Industrial District:

Accessory Building*	Heavy Equipment Sales and Service
Accessory Building, Fabric Covered*	Home Occupation – Minor ^E
Accessory Building, Shipping Container*	Home Occupation – Phone & Desk ^E
Accessory Building, Shipping Container (temporary) **	Kennel*
Agricultural Supply Depot	Manufacturing, Light
Auto Body Shop*	Pet Care Service*
Automotive Repair and Service	Public Building
Building Supply Centre	Renewable Energy Systems **
Bulk Fuel Station	Storage Yard
Contractor Services - Major	Utilities**
Day Home ^E	Veterinary Clinic
Food Processing Storage and Sales	Warehousing and Distribution
Greenhouse	

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* Requires a permit. See **Section 10 – Specific Use Regulations**

** May require a permit. See **Section 3** and **Section 10**

17.4 DISCRETIONARY USES

17.4.1 The following *uses* are **discretionary uses** in the RI – Rural Industrial District:

Abattoir	Natural Resource Extraction*
Artist Studio	Office (accessory to an industrial use)
Athletic and Recreational Facility, Indoor	Park
Athletic and Recreational Facility, Outdoor	Print Shop
Auction Facility	Recycling Depot
Cannabis Production Facility*	Retail Store
Car Wash*	Self-Storage Facility
Contractor Services - Minor	Sign**
Dwelling Unit* (accessory to an industrial use)	Small Wind Energy System*
Equipment Rental Shop	Solar Energy Systems – Commercial *
Gas Bar and Service Station*	Truck and Freight Terminal
Grain Elevator and Seed Cleaning	Waste Transfer Station*
Large Wind Energy System*	Work Camp*
Manufacturing, Heavy	Wrecker and Salvage*

*See **Section 10 – Specific Use Regulations**

See **Section 11 – Sign Regulations

17.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those *uses* which, in the opinion of the **Municipal Planning Commission**, are similar to a *permitted use* or *discretionary use* listed in this District.

17.5 REGULATIONS

17.5.1 The minimum **parcel area** is 1.21 ha (3.0ac).

17.5.2 The minimum **parcel width** is 30.0 m (100 ft.).

17.5.3 The minimum **yard setbacks** are as follows:

	Principal Building	Accessory Buildings & Structures
Internal Subdivision or Service Road	15.0 m (50 ft.)	15.0 m (50 ft.)
Municipal Road R.O.W.	30.0 m (100 ft.)	30.0 m (100 ft.)
Provincial Highway	As required by Alberta Transportation	
Interior Side Yard	5.0 m (16 ft.)*	1.0 m (3 ft.)**
Rear Yard	6.0 m (20 ft.)	1.0 m (3 ft.)

* 0 m when a firewall is provided.

** 4.5m (15 ft.) on one interior side yard for alternate access to the rear of **building** in **laneless** subdivisions.

17.5.4 The maximum **building height** is 14.0 m (45 ft.).

17.5.5 The maximum **parcel coverage** is 40%.

17.6 ADDITIONAL REQUIREMENTS

17.6.1 Prior to rendering a decision on an application proposing to redesignate (rezone) lands to the RI – Rural Industrial District, **Council** should consider, as applicable:

- (a) **9.16– Subdivision**;
- (b) **9.17 – Multi-Lot Subdivision**;
- (c) **9.19 – Rural Commercial Development**; and
- (d) **9.20 – Industrial Development**.

18 HR – HAMLET RESIDENTIAL DISTRICT

18.1 PURPOSE

18.1.1 To accommodate residential **development** in a variety of housing types along with other compatible neighbourhood **uses**.

18.2 DEVELOPMENT PERMIT NOT REQUIRED

18.2.1 Land **uses** listed in **Section 3** as applicable, do not require a **development permit** in the HR – Hamlet Residential District.

18.3 PERMITTED USES

18.3.1 The following **uses** are **permitted uses** in the HR – Hamlet Residential District:

Accessory Building*	Dwelling, Manufactured*
Accessory Building, Shipping Container (temporary) **	Home Occupation – Minor*
Attached Housing* (up to 4 units)	Home Occupation – Phone & Desk ^E
Day Home ^E	Park
Dwelling, Detached*	Renewable Energy Systems **
Dwelling, Duplex*	Utilities**

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* Requires a permit. See **Section 10 – Specific Use Regulations**

** May require a permit. See **Section 3** and **Section 10**

18.4 DISCRETIONARY USES

18.4.1 The following **uses** are **discretionary uses** in the HR – Hamlet Residential District:

Accessory Building, Fabric Covered*	Care Facility
Accessory Building, Shipping Container* Accessory	Child Care Centre
Dwelling Unit, Attached*	Cultural Establishment
Accessory Dwelling Unit, Detached*	Home Occupation, Major*
Apartment*	Sign**
Attached Housing* (more than 4 units)	Public Building
Bed and Breakfast*	Worship Facility

*See **Section 10 – Specific Use Regulations**

See **Section 11 – Sign Regulations

18.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those *uses* which, in the opinion of the **Municipal Planning Commission**, are similar to a *permitted use* or *discretionary use* listed in this District.

18.5 REGULATIONS

18.5.1 Minimum Parcel Area

(a) Based on the *principal use* and level of servicing of the *parcel*, no *parcel* shall be created in the HR – Hamlet Residential District which is less than:

Principle Use	Minimum Parcel Area	
	m ²	ft ²
Residential		
	Per Section 9.6.1	
i. Unserviced		
ii. Piped Sewer	930	10,000
iii. Fully Serviced	116	1,250
Non-Residential		
	Per Section 9.6.1	
iv. Unserviced		
v. Piped Sewer	930	10,000
vi. Fully Serviced	465	5,000

(b) For fully serviced residential developments, no *parcel* shall be created in HR – Hamlet Residential District which is less than:

Principle Use	Minimum Parcel Area	
	m ²	ft ²
i. Dwelling, tiny home	116	1,250
ii. Dwelling, single-detached	465	5,000
iii. Dwelling, manufactured		
iv. Dwelling, duplex (2 units on separate title)	456	4,910
v. Dwelling, duplex (2 units on one title)	228	2,450
vi. Interior unit: Attached Housing	183	1,970
vii. Exterior unit: Attached Housing	228	2,450
viii. Apartment	650	7,000

18.5.2 The minimum **yard setbacks** are as follows:

	Principal Building	Accessory Buildings and Structures
(a) Front Yard	7.5 m (25 ft.)	Greater than principal building
(b) Interior Side Yard*	1.5 m (5 ft.)	
i. Apartment	3.0 m (10 ft.)	1.0 m (3 ft.)
ii. with a firewall or common property line	0.0 m (0 ft.)	
(c) Exterior Side Yard	3.0 m (10 ft.)	3.0 m (10 ft.)
(d) Rear Yard	6.0 m (20 ft.)	1.5 m (5ft.)

* Minimum **setback** of 4.5 m (15 ft.) on at least one interior side yard for alternate access to the rear of **buildings** in laneless subdivisions.

18.5.3 The minimum **parcel width** is:

Use	Minimum Parcel Width	
	m	ft
(a) Detached		
(b) Duplex	15	50
(c) Manufactured		
(d) Attached Housing: Interior Unit	6	20
(e) Attached Housing: Exterior Unit	7.5	25
(f) Apartment	24.4	80
(g) All other uses	15	50

18.5.4 The maximum **parcel coverage** including all **buildings** is 40%, where **Accessory Buildings** may comprise up to a maximum of 15% of the **parcel coverage**.

18.5.5 The maximum **building height** is as follows:

Use	Maximum Height	
	m	ft
(a) Apartment	14	45
(b) All other uses	10	33
(c) Accessory Buildings	5	16

18.6 ADDITIONAL REQUIREMENTS

18.6.1 An **Accessory Building** shall not exceed 80 m² (860 ft²).

18.6.2 **Apartments** and comprehensively planned **multi-unit dwelling developments** must, to the satisfaction of the **Development Authority**:

- (a) locate vehicle entrances and exits, **parking stalls** and **loading stalls** in such a manner to minimize impact on **adjacent residential uses**; and
- (b) integrate the **building** and site design with the surrounding neighbourhood context.

19 HB – HAMLET BUSINESS DISTRICT

19.1 PURPOSE

19.1.1 The purpose of this district is to accommodate a range of commercial and industrial **uses** to provide retail and other services to residents and visitors in the M.D. of Acadia.

19.2 DEVELOPMENT PERMIT NOT REQUIRED

19.2.1 Land **uses** listed in **Section 3** as applicable, do not require a **development permit** in the HB – Hamlet Business District.

19.3 PERMITTED USES

19.3.1 The following **uses** are **permitted uses** in the HB – Hamlet Business District:

Accessory Building*	Convenience Store
Accessory Building, Shipping Container (temporary) **	Day Home ^E
Agricultural Supply Depot	Gas Bar and Service Station*
Artist Studio	Home Occupation – Phone & Desk ^E
Athletic and Recreational Facility, Indoor	Pet Care Service*
Auto Body Shop*	Personal Service Establishment
Automotive Repair and Service	Public Building
Automotive Sales*	Renewable Energy Systems **
Building Supply Centre	Retail Store
Car Wash*	Utilities**
Contractor Services - Minor	Wholesale Outlet

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* Requires a permit. See **Section 10 – Specific Use Regulations**

** May require a permit. See **Section 3** and **Section 10**

19.4 DISCRETIONARY USES

19.4.1 The following *uses* are **discretionary uses** in the HB – Hamlet Business District:

Accessory Building, Fabric Covered*	Heavy Equipment Sales and Service
Accessory Building, Shipping Container*	Hotel/Motel
Amusement Centre	Kennel*
Auction Facility	Laundry Facility
Bulk Fuel Station	Liquor Store
Cannabis Retail Store*	Manufacturing, Light
Child Care Centre	Office
Clinic	Park
Contractor Services - Major	Parking Lot
Cultural Establishment	Recycling Depot
Drinking Establishment	Self-Storage Facility
Dwelling Unit* (one, accessory to a commercial use)	Sign **
Eating and Drinking Establishment	Storage Yard
Educational Institution	Truck and Freight Terminal
Equipment Rental Shop	Veterinary Clinic
Funeral Home	Warehousing and Distribution
Greenhouse	

*See **Section 10 – Specific Use Regulations**

See **Section 11 – Sign Regulations

19.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those *uses* which, in the opinion of the **Municipal Planning Commission**, are similar to a **permitted use** or **discretionary use** listed in this District.

19.5 REGULATIONS

19.5.1 The minimum **parcel area** is the greater of:

- (a) 465 m² (5,000 ft²); or
- (b) as required by **Section 9.6.1** if not connected to piped water and sewer services.

19.5.2 The minimum **parcel width** shall be 15.0 m (50 ft.)

19.5.3 The minimum **yard setbacks** are as follows:

	Principal Building	Accessory Buildings and Structures
(a) Front Yard	3.0 m (10 ft.)	3.0 m (10 ft.)
(b) Interior Side Yard*	2.0 m (6.5 ft.)	
(c) Adjacent to residential district	3.0 m (10 ft.)	1.0 m (3 ft.)
(d) with a firewall	0.0 m (0 ft.)	
(e) Exterior Side Yard	3.0 m (10 ft.)	3.0 m (10 ft.)
(f) Rear Yard	6.0 m (20 ft.)	1.0 m (3 ft.)

* Minimum **setback** of 4.5 m (15 ft.) on at least one interior side yard for alternate access to the rear of **buildings** in laneless subdivisions.

19.5.4 The maximum **parcel coverage** is 40%.

19.5.5 The maximum **building height** is as follows:

- (a) **principal building**: 14m (45ft.)
- (b) **accessory buildings**: 5m (16 ft.)

20 HF – HAMLET FRINGE DISTRICT

20.1 PURPOSE

20.1.1 To prevent ad hoc **development** of lands surrounding the Hamlet of Acadia Valley and which are intended for future Hamlet **development** as set out in the Municipal Development Plan.

20.2 DEVELOPMENT PERMIT NOT REQUIRED

20.2.1 Land **uses** listed in **Section 3** as applicable, do not require a **development permit** in the HF – Hamlet Fringe District.

20.3 PERMITTED USES

20.3.1 The following **uses** are **permitted uses** in the HF – Hamlet Fringe District:

Accessory Building*	Home Occupation – Phone & Desk ^E
Accessory Building, Shipping Container (temporary) **	Park
Day Home ^E	Renewable Energy Systems **
Home Occupation – Minor ^E	Utilities**

^E Does not require a permit. See **Section 3 – Development Not Requiring a Development Permit**

* Requires a permit. See **Section 10 – Specific Use Regulations**

** May require a permit. See **Section 3** and **Section 10**

20.4 DISCRETIONARY USES

20.4.1 The following **uses** are **discretionary uses** in the HF – Hamlet Fringe District:

Accessory Building, Fabric Covered*	Exhibition Grounds
Accessory Building, Shipping Container*	Greenhouse
Athletic and Recreational Facility, Outdoor	Home Occupation, Major*
Bed and Breakfast*	Public Building
Dwelling, Detached*	Sign**
Dwelling, Manufactured*	Small Wind Energy System*
Campground	Work Camp*
Child Care Centre	

*See **Section 10 – Specific Use Regulations** | ** See **Section 11 – Sign Regulations**

- 20.4.2 In accordance with **Section 5.5.8 – Similar Use Permits** those *uses* which, in the opinion of the **Municipal Planning Commission**, are similar to a *permitted use* or *discretionary use* listed in this District.

20.5 REGULATIONS

- 20.5.1 There shall be no *subdivision* of lands designated under the HF – Hamlet Fringe District, excepting a **Farmstead Separation**
- 20.5.2 Prior to rendering a decision on an application proposing to redesignate (rezone) lands from the HF – Hamlet Fringe District, **Council** should consider, as applicable:
- (a) **9.16– Subdivision**;
 - (b) **9.17 – Multi-Lot Subdivision**;
 - (c) **9.18 – Residential Development**;
 - (d) **9.19 – Rural Commercial Development**; and
 - (e) **9.20 – Industrial Development**.
- 20.5.3 The *yard setbacks, parcel coverage, building height, landscaping* or other design requirements of all *buildings* and *structures* shall be to the satisfaction of the **Development Authority**, who in making its decision on a *development permit* application must consider:
- (a) the purpose of the district;
 - (b) the *existing* and future *uses* of *adjacent parcels*.
- 20.5.4 Prior to approving a *development permit* application in the HF – Hamlet Fringe District, the **Development Authority** must be satisfied that the proposed *use* will not prejudice the future orderly *development* of the area.

Part F – Definitions

21 DEFINITIONS

21.1.1 The following definitions pertain to terms and ***uses*** within the Land Use Bylaw.

- (a) Defined terms that are bold and italicized are ***general terms***.
- (b) Defined terms that are bolded are **land use terms**.
- (c) Terms in blue font are cross-references included for convenience only.

21.1.2 All other words and phrases mean the same as they do in the Act.

[Click on the links below to jump to each section:](#)

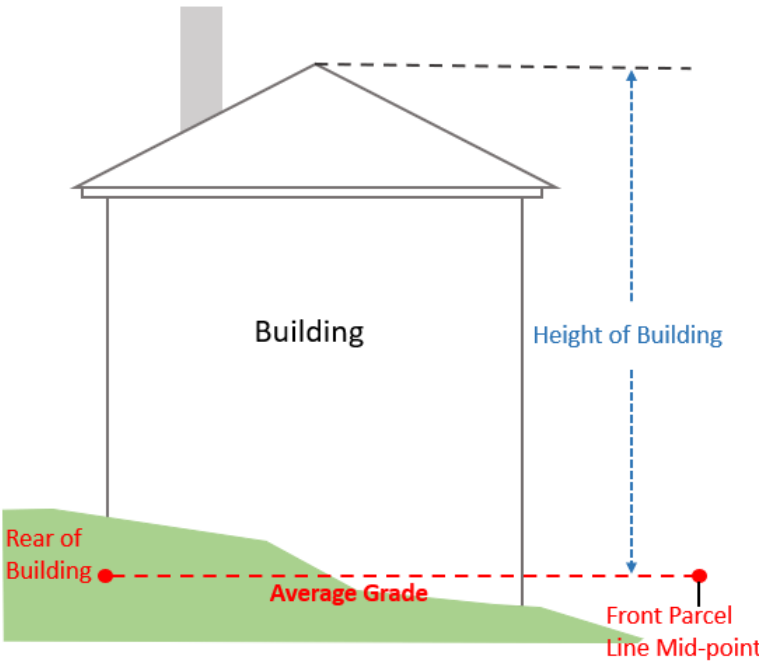
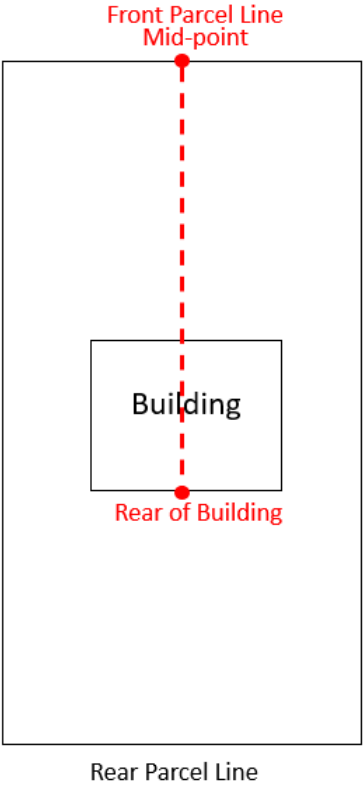
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A	[Click to Return to Definitions Index]
Abattoir	Means the use of land, building , or structures for the slaughtering of animals and processing of meat products.
abut or abutting	means immediately contiguous to, or physically touching, and when used with respect to a lot or a parcel , means that the lot or parcel physically touches another lot , parcel , or development , and shares a property line with it.
Accessory Building	means a use where a building or structure accommodates a use which is related to, but is incidental or subordinate to, the use of the principal building located on the same parcel . This includes buildings or structures such as sheds, carports, detached garages and greenhouses.
Accessory Building, Fabric Covered	means a use where a structure accommodates a use which is related to, but is incidental or subordinate to, the use of the principal building located on the same parcel . An Accessory Building, Fabric Covered is designed by virtue of easy assembly and dismantling, commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, and covered with waterproof sheeting, synthetic sheeting or plastic film.
Accessory Building, Shipping Container	means a use where a shipping container accommodates an accessory use which is related to, but is incidental or subordinate to, the principal use of the parcel .
Accessory Dwelling Unit	See Dwelling Unit, Accessory
Accessory Dwelling Unit, Attached	See Dwelling Unit, Attached Accessory
Accessory Dwelling Unit, Detached	See Dwelling Unit, Detached Accessory
accessory use	means a use which is related to but is subordinate or incidental to the principal use located on the same parcel .
Act	means the <i>Municipal Government Act, Revised Statutes of Alberta 2000, Ch. M-26</i> , as amended, and any parallel or successor legislation.
adjacent	means land that is contiguous to a parcel of land and includes land that would be contiguous if not for a highway , road , river, stream, or railway.
Agricultural Supply Depot	means a use where goods, materials or services that support agricultural activities are provided, whether retail, wholesale or in bulk. This includes such goods and services as sale and storage of seeds, feeds, fertilizers, chemical products, fuels, and lubricants but does not include the buying or selling of farm produce or animals.
Airport and Registered Aerodrome	means a use intended for the arrival and departure or servicing of aircraft and includes any building , installation, or equipment associated with the use and which has been registered with or certified by Transport Canada.

Airstrip - Private	means a use intended for the arrival and departure or servicing of aircraft and includes any building , installation, or equipment associated with the use , and which is not registered or certified by Transport Canada.
amenity area	means an indoor or outdoor space provided for the active or passive recreation and enjoyment of the occupants of a development , which may be for private or communal use and owned individually or in common.
Amusement Centre	means a use where entertainment is provided to customers for a fee, which may include, but is not limited to facilities such as bowling alleys, theaters, axe throwing, golf simulator or mini golf, go-cart courses, and billiard parlours.
Appeal Body	means the board hearing a subdivision or development permit appeal in accordance with the Act.
Apartment	means a use where a building designed for residential use contains five (5) or more Dwelling Units with a shared or common entrance.
Area Redevelopment Plan	means a statutory plan adopted by bylaw in accordance with the Municipal Government Act. An Area Redevelopment Plan provides the framework to guide future redesignation, subdivision, and development permit applications on an area of land that must consider existing developments.
Area Structure Plan	means a statutory plan adopted by bylaw in accordance with the Municipal Government Act. An Area Redevelopment Plan provides the framework to guide future redesignation, subdivision, and development permit applications on an area of land that must consider existing developments.
Artist Studio	means a use : (a) where art is produced by individuals; (b) that may include the instruction of art to individuals or groups; and (c) that may include the sale of art pieces produced by that use.
Athletic and Recreational Facility, Indoor	means a use for the purpose of providing indoor active recreation or athletic activities where patrons are predominantly participants and any spectators are incidental. This includes but is not limited to gyms, athletic studios, skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, and racquet courts.
Athletic and Recreational Facility, Outdoor	means a use for the purpose of providing outdoor active recreation or athletic activities. This includes but is not limited to golf courses, driving ranges, sports fields, tennis courts, ice surfaces or rinks, athletic fields, splash parks, bowling greens, and riding stables.
Attached Housing	See Dwelling Unit, Attached Housing
Auction Facility	means use intended for the auctioneering of livestock, goods, equipment and may include temporary storage of such goods and holding of the livestock. This does not include on-site slaughtering such as an abattoir or one-time on-site estate auction sales.

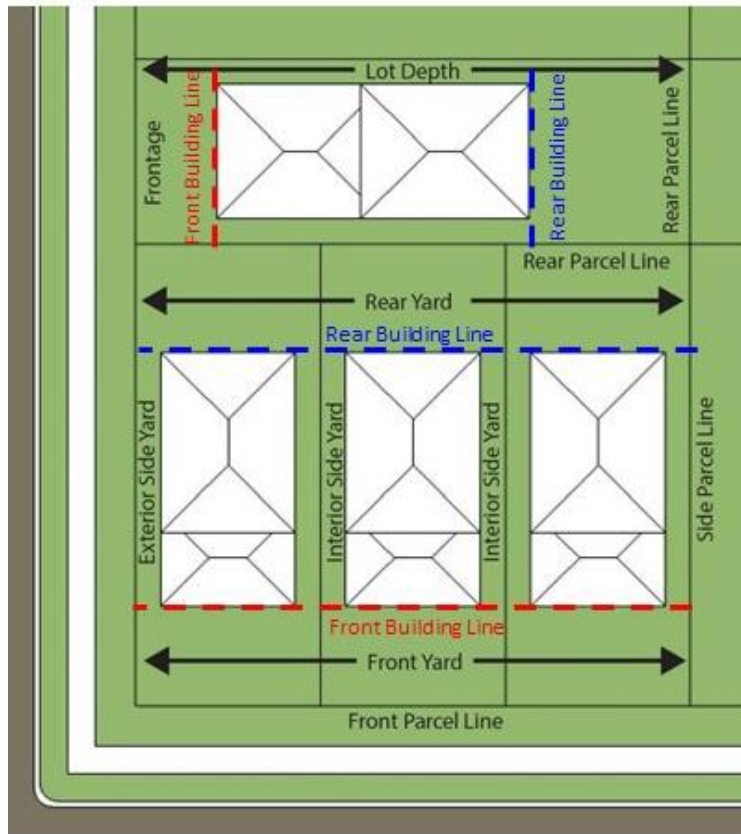
Auto Body Shop	means a use where the bodies, but not other parts, of motor vehicles are repaired and painted.
Automotive Repair and Service	means a use for the servicing and repair of motor vehicles within a building , excluding an Auto Body Shop .
Automotive Sales	means a use where motor vehicles are sold or leased and stored on portions of the parcel approved exclusively for storage or display, and may have buildings for administrative functions associated with the use .
average grade	means the average elevation at the mid-point along the front parcel line and the finished ground elevation at the rear of the building . (Refer to building height)
B	[Click to Return to Definitions Index]
balcony	means a projecting platform on a building , which is greater than 0.6 m (2.0ft.) above grade . A balcony is only accessible from within the building and is enclosed by a railing. It may be cantilevered from the building or supported from below.
Bank	See Financial Institution.
basement	means that portion of a building between two floor levels which is partly underground but which has a portion of its height from finished floor to finished ceiling above the adjacent finished grade .
bay window	means a type of window that protrudes outwards from a wall.
Bed and Breakfast	means a use where sleeping accommodation, with or without meals, is provided to guests within a principal Dwelling Unit , and where the Dwelling Unit is occupied by the owner or operator.
Beekeeping	means the raising of honeybees for commercial purposes and may include onsite sales. All activity related to beekeeping must comply with the <i>Bee Act</i> .
better agricultural land	means Canada Land Inventory (CLI) Capability for Agricultural Classifications 1 to 4. The CLI rating is subject to confirmation from site inspection, land assessment records or other detailed soil investigations.
Biogas	See Waste Management Facility
boulevard	means that portion of a road which is public land and is often landscaped or planted to distinguish adjacent private lands from the road .
buffer	means a row of trees, shrubs, earth berm, or fencing to provide visual screening and separation between parcels and districts.
building	means anything constructed or placed on, in, over or under land that does not include a highway or road .
building height	means the vertical distance measured from the average grade and the highest point of a building , excluding a roof, stairway entrance, elevator shaft, ventilating fan , skylight, steeple, chimney, smoke stack, fire wall or

parapet, flagpole, or similar devices not structurally essential to the **building**.



building line

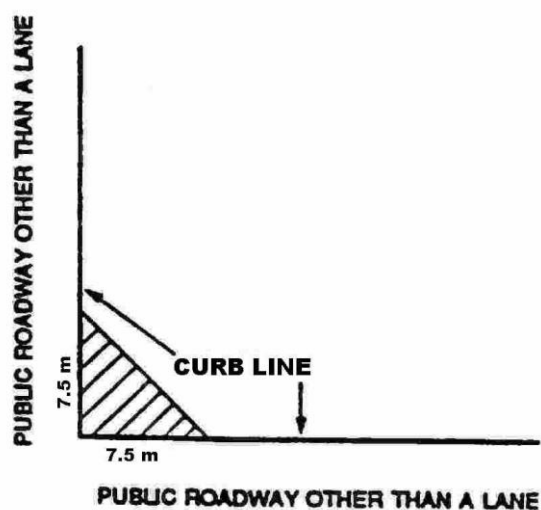
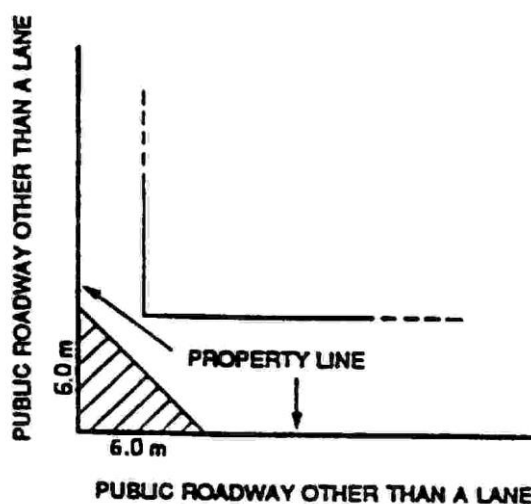
means the extended line of the wall of the **building** or any portion of the **building** which faces the line of the **parcel**.



building line, front	means a line parallel to the Front Parcel Line drawn across the parcel through the point where a Building on the parcel is closest to the Front Parcel Line.
building line, rear	means a line parallel to the Rear Parcel Line drawn across the parcel through the point where a Principal Building on the parcel is closest to the Rear Parcel Line.
building permit	means a permit or document issued in writing by a designated Safety Code Officer within the building discipline pursuant to the <i>Safety Codes Act</i> authorizing the commencement of a use , occupancy, relocation, construction, or demolition of any building .
Building Supply Center	means a use where building materials, household accessories and other related goods are stored, offered, or kept for sale and may include outdoor storage .
Bulk Fuel Station	means a use for the purpose of storing fuel for the distribution to customers, typically for vehicles with a gross vehicle weight (G.V.W.) greater than 4536 kg. (1,000 lbs.) This does not include a Gas Bar and Service Station .
C	[Click to Return to Definitions Index]

Campground	means a use for the purpose of providing temporary accommodation for the public in recreational vehicles or tents. A campground is not construed to mean a use for the purpose of accommodating long-term or permanent occupancy in recreational vehicles or Manufactured Dwellings . A campground may include facilities such as an administration building and laundry facilities.
Cannabis Production Facility	means a use where Cannabis is for grown, produced, tested, destroyed, stored or distributed in a federally approved and licensed facility. This does not include a Cannabis Retail Store .
Cannabis Retail Store	means a use where Cannabis is sold for consumption off the premises and may include the retail sale or rental of merchandise. A Cannabis Retail Store offers cannabis for sale from a federally approved and licenced facility and has been licenced to operate by the Alberta Government.
canopy	means a non-retractable solid projection extending from the wall of a building intended to be used as a protection against weather, other than normal architectural features such as lintels, sills, mounding, architraves and pediments, but includes a marquee.
cantilever	means a projection from the wall of a building to increase the useable gross floor area . A cantilever does not have external bracing.
Car Wash	means a use intended for the washing, cleaning, or polishing of motor vehicles.
Care Facility	means a use where a public or private facility provides for the care, supervision or rehabilitation of individuals, or for palliative and end-of-life-care, containing overnight accommodation and operated in accordance with any relevant legislation or regulations of the Province of Alberta. Units within a Care Facility may, at the discretion of the Development Authority , be considered both long-term care units or Dwelling Units as these may be for permanent residences for the occupants.
Cemetery	means a use for the internment of the deceased or in which human bodies, pets and/or animals or cremated remains have been buried. It may include facilities such as a columbarium, mausoleum, memorial park and burial grounds.
Child Care Centre	means a use where children are supervised and cared for, and may include group day care, family daycare, nursing school, child minding, out of school care, or specialized daycare. This does not include a Day Home .
Church	See Worship Facility.
Clinic	means a use where public or private medical, surgical, physiotherapeutic or other professional healing treatment is provided, and includes but is not limited to offices for medical, dentistry, physiotherapy, massage or chiropractic services and Community Health Centres.
comprehensively planned area	means an area of the municipality that is guided by a comprehensive statutory plan inclusive of an Area Structure Plan or Area Redevelopment

	Plan in accordance with the provisions of the Act . These plans recognize the physical, economic, social, political, aesthetic, and related factors of the community involved.
concept plan	means a non-statutory plan adopted by resolution.
condominium	means a condominium plan registered with the Land Titles Office that complies with the requirements of the <i>Condominium Property Act</i> .
Confined Feeding Operation	means a use where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the <i>Agricultural Operations Practices Act</i> through the Natural Resources Conservation Board.
construction management plan	means a plan that considers all relevant aspects of demolition, development and building work and outlines methods for avoidance and mitigation of identified impacts. A construction management plan typically addresses issues such as public safety, traffic control, operating hours, control of noise and vibration, air quality and dust management, stormwater and sediment control, site contamination, waste disposal and materials re-use or recycling and weed control.
Contractor Services - Major	means a use for the provision of contractor services in the building trades and services, or road and utility construction where materials and equipment may not be stored within a building and includes outdoor storage .
Contractor Services - Minor	means a use for the provision of contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services, and where all materials are kept within an enclosed building , and there are no associated primary manufacturing activities. This does not include the outdoor storage of goods or equipment.
Convenience Store	means a use where a limited range of household goods and groceries are stocked and sold in small neighbourhood retail stores. This does not include a Cannabis Retail Store .
corner lot	means a lot situated at the intersection of two or more roads , or at the intersection of two parts of the same road which parts have an intersection of not more than 135 degrees.
corner visibility setback	means a triangular area formed on a corner lot by the two curb lines and a straight line which intersects them 7.5 m (25 ft.) from the corner where they meet. In the case where there is no curb on one or more roads , 6.0 m (20 ft.) from the corner where they meet.



Council	means the duly elected Council of the Municipal District of Acadia No. 34.
Cultural Establishment	means a use which is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such things as a library, museum, art gallery, community centre and similar activities.
D	[Click to Return to Definitions Index]
Day Home	means a childcare facility operated from a private residence for up to and including 6 non-resident children between the ages of 0 and 12 and complies with the <i>Alberta Family Day Home Standards</i> .
deck	means a flat, floored concrete or wooden platform, elevated more than 0.6 m (2.0ft.) above grade and usually adjoining a building .
density	means a measure of development intensity expressed as a ratio of the number of Dwelling Units to parcel area .
design flood	means the 1:100 flood used to define the floodway and flood fringe zones on a Flood Hazard Overlay Map as determined through the Alberta Flood Hazard Identification Program or a flood hazard study undertaken by a qualified professional .
development	means: (a) an excavation or stockpile and the creation of either of them; or (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on or under land of any of them; or (c) a change of use of land or a building, or an act done in relation to land or a building that results or is likely to result in a change in the land or the building; or (d) a change in the intensity of use of land or building that results in or is likely to result in a change in the intensity of use of the land

	or building .
development authority	means a person, or persons, appointed as the Development Authority by Bylaw.
development officer	means the person designated by Bylaw as a Development Officer pursuant to this Land Use Bylaw.
development permit	means a document authorizing a development , issued by the Development Authority pursuant to this Bylaw, and includes the plans and conditions of approval.
discretionary use	means the use of land or of a building which is listed as such a use in a Land Use District or a Direct Control District.
Drinking Establishment	means a use : (a) where the primary function is the servicing of alcoholic beverages for consumption on the premises and is licensed by Alberta Gaming, Liquor and Cannabis. Typical businesses include taverns, pubs, bars and nightclubs; and (b) may include supplementary preparation and sale of food for consumption on the premises.
Dwelling Unit, Accessory	means a self-contained Dwelling Unit that is subordinate to and under one title with the principal residential use .
Dwelling Unit, Attached Accessory	means a use where an Accessory Dwelling Unit is located within or attached to the building containing the principal residential use .
Dwelling Unit, Attached Housing	means a use where a building designed for residential use consists of three (3) or more Dwelling Units , each of which has an individual entrance to the outdoors. This includes rowhouses, townhouses, triplexes and fourplexes
Dwelling Unit, Detached Accessory	means a use where an Accessory Dwelling Unit is located on the same parcel as, but within a separate building , from the principal residential use .
Dwelling, Detached	means a use where a building designed for residential use contains one principal Dwelling Unit .
Dwelling, Duplex	means a use where a building designed for residential use contains two Dwelling Units , each having a separate entrance from the outside and may be located one above the other or side-by-side.
Dwelling, Manufactured	means a use where a transportable, single or multiple section building that contains a Dwelling Unit conforming to CSA-A277 standards and when placed on a permanent foundation is ready for residential use and occupancy. A Manufactured Dwelling includes such styles known as modular homes, manufactured homes and Ready to Move (RTM) Homes.
Dwelling, Rural Additional	means the third or more Dwelling Unit on a parcel . At the discretion of the Development Authority , an Additional Rural Dwelling Unit may be in one or more of the following forms: Detached, Duplex, Manufactured, Attached, or Dwelling, Accessory Unit .

Dwelling, Rural (First)	means the first Dwelling Unit on a rural <i>parcel</i> not in a hamlet in one or more of the following forms: Detached Dwelling, Duplex Dwelling, or Manufactured Dwelling .
Dwelling, Rural (Second)	means the second Dwelling Unit on a rural <i>parcel</i> not within a hamlet in one or more of the following forms: Detached Dwelling, Duplex Dwelling, or Manufactured Dwelling.
Dwelling, Tiny Home	means a <i>use</i> where one principal Dwelling Unit is contained within a building that is 37.2 m ² (400 ft ²) or greater in gross floor area but less than 65.0 m ² (700 ft ²) in gross floor area . A Tiny Home that is factory constructed must meet CSA-A277 standards and placed on a permanent foundation.
Dwelling, multi unit residential building	means a building that contains three (3) or more Dwelling Units and includes Attached Housing and Apartments .
Dwelling Unit	means a <i>use</i> where a building or a self-contained portion of a building contains sleeping, cooking and toilet facilities for the residential use of one or more people.
E	[Click to Return to Definitions Index]
easement	means a right to the limited use of land held by another, generally for access to another <i>parcel</i> or as a right-of-way for a utility and is registered on the <i>parcel</i> with the Land Titles Office in accordance with the <i>Land Titles Act</i> .
eave	means the edges of the roof that overhang past the walls of a building that primarily function to protect a building from rain and to provide ventilation.
Eating and Drinking Establishment	means a <i>use</i> where food and beverages are prepared and served and includes supplementary alcoholic beverage service licensed by the Alberta Gaming, Liquor, and Cannabis Commission (AGLC). This includes restaurants, cafes, and cafeterias, and may include a drive through.
Educational Institution	means a <i>use</i> where persons are assembled for educational purposes within buildings and structures , including classrooms, libraries, offices, recreational facilities and other related facilities, and where dormitory accommodations and common kitchen and dining facilities may also be provided.
Equestrian Centre	means a <i>use</i> intended for the accommodation, showing and competition of horses and may include a stable, gymkhana course, race track, and other related facilities.
Equipment Rental Shop	means a <i>use</i> for the rental of tools, appliances, office machines, light construction equipment or similar items but not the rental of motor vehicles or items associated with a Heavy Equipment Sales and Service use.
Exhibition Grounds	means a <i>use</i> where land or buildings accommodate temporary events including seasonal shows, conventions, conferences, seminars, product

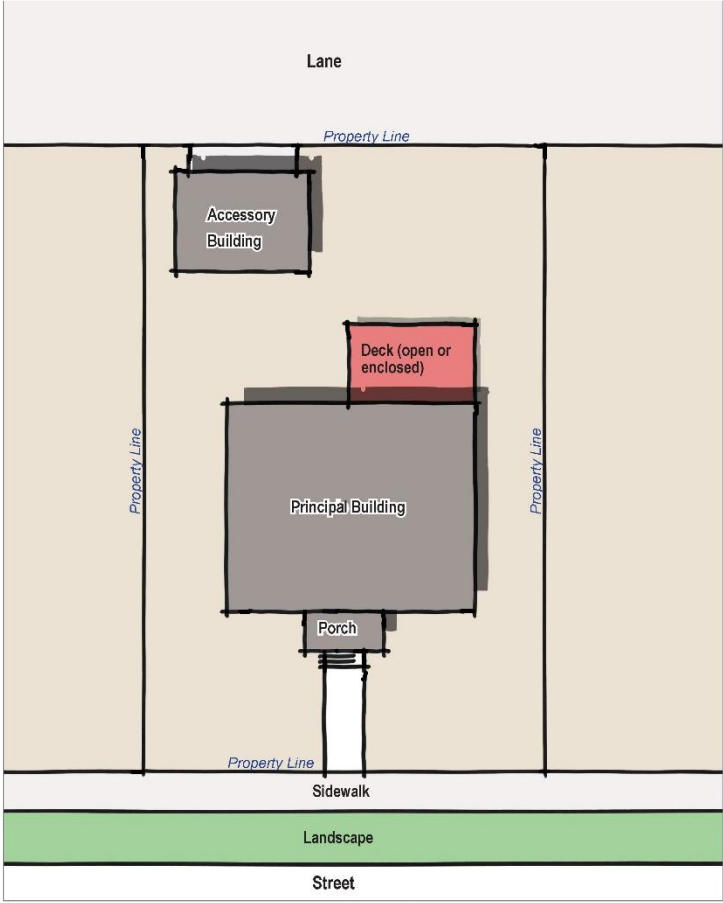
	displays or sale of goods, recreation activities, and entertainment functions. This use may include accessory functions including food and beverage preparation and service for on-premise consumption.
existing	means existing as of the effective date of this Bylaw.
Extensive Agriculture	means a use where systems of tillage and animal husbandry through which one may gain livelihood from large areas of land by the raising of crops or the rearing of livestock either separately or in conjunction with one another in unified operations and includes Accessory Buildings and other structures incidental to the operation. This does not include a Confined Feeding Operation , residential uses or a Cannabis Production Facility .
F	[Click to Return to Definitions Index]
Fabric Covered Building	See Building, Fabric Covered.
farmstead	means a dwelling or mobile home and other improvements used in connection with the raising or production of crops, livestock or poultry and situated on land used in connection with such farming operations, but does not mean a country residence.
farmstead separation	means the approval by the Subdivision Authority to subdivide out a parcel of land for an existing Dwelling Unit and related improvements (shelterbelts, corrals, barns, sheds, wells, septic systems etc.) which are normally associated with a farm operation.
fence	means a vertical physical barrier constructed out of typical building material to prevent visual or unauthorized access, or both.
Financial Institution	means a use where banks, credit unions, trust companies and treasury branches operate within a building and may include automated banking machines and/or a drive through . This does not include businesses such as a pawn shop.
fire wall	means a type of fire separation of non-combustible construction which internally divides a building or separates adjoining buildings to resist the spread of fire and which has a fire resistance rating.
FLOOD DEFINITIONS	
design flood	means the 1:100 flood used to define the floodway and flood fringe zones on a Flood Hazard Overlay Map as determined through the Alberta Flood Hazard Identification Program or a flood hazard study undertaken by a qualified professional .
flood fringe	means the portion of the flood hazard area outside of the floodway as determined through the Alberta Flood Hazard Identification Program or a flood hazard study undertaken by a qualified professional . Water in the flood fringe is generally shallower and flows more slowly than in the floodway .
flood mitigation infrastructure	means infrastructure such as berms and dams with a dedicated flood mitigation purpose.

<i>floodway</i>	means the portion of the flood hazard area where flows are deepest, fastest and most destructive as determined through the Alberta Flood Hazard Identification Program or a flood hazard study undertaken by a <i>qualified professional</i> . The <i>floodway</i> typically includes the main channel of a stream and a portion of the adjacent overbank area.
<i>floor area</i>	means the area of a <i>building</i> or specified portion of a <i>building</i> , measured to the outside surface of the exterior walls, or where <i>buildings</i> are separated by <i>fire walls</i> , to the centre line of the common <i>fire walls</i> , and excludes all mechanical equipment areas and all open areas inside a <i>building</i> that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.
Food Processing, Storage, And Sales	means a <i>use</i> where raw farm products, combined with other consumable ingredients, produce marketable products for consumption that can be easily prepared and served by the consumer, and where raw farm products may be warehoused prior to being sold either directly to consumers or for wholesale, and the selling of raw farm products either directly to consumers or for wholesale.
<i>frontage</i>	means a <i>property line</i> of a <i>parcel</i> which <i>abuts</i> a <i>highway</i> or <i>road</i> .
Funeral Home	means a <i>use</i> where funerals are arranged and held, where the deceased are prepared for burial or cremation, and where not more than one cremation chamber is provided.
G	[Click to Return to Definitions Index]
Gas Bar and Service Station	means a <i>use</i> where fuel, lubricating oils and minor accessories for motor vehicles are sold and may include a portion of the premises for the servicing and minor repairing of motor vehicles.
<i>grade</i>	means the geodetic elevation of the existing ground in an undisturbed natural state or an approved design grade as described in a grading plan.
Grain Elevator and Seed Cleaning	means a <i>use</i> where grain is stored and stockpiled in towers, and includes the cleaning of seeds to remove any debris or unwanted seeds.
Greenhouse	means a <i>use</i> which is devoted to the commercial cultivation of vegetables, flowers or other plants within a <i>building</i> , and where such vegetables or plants may be sold wholesale or directly to the consumer, but does not include a Cannabis Production Facility.
<i>gross floor area</i>	means the sum of the areas of all above grade floors of a <i>building</i> measured to the outside surface of the exterior walls, or where <i>buildings</i> are separated by <i>fire walls</i> , to the centre line of the common <i>fire walls</i> , and includes all mechanical equipment areas and all open areas inside a <i>building</i> that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.
H	[Click to Return to Definitions Index]

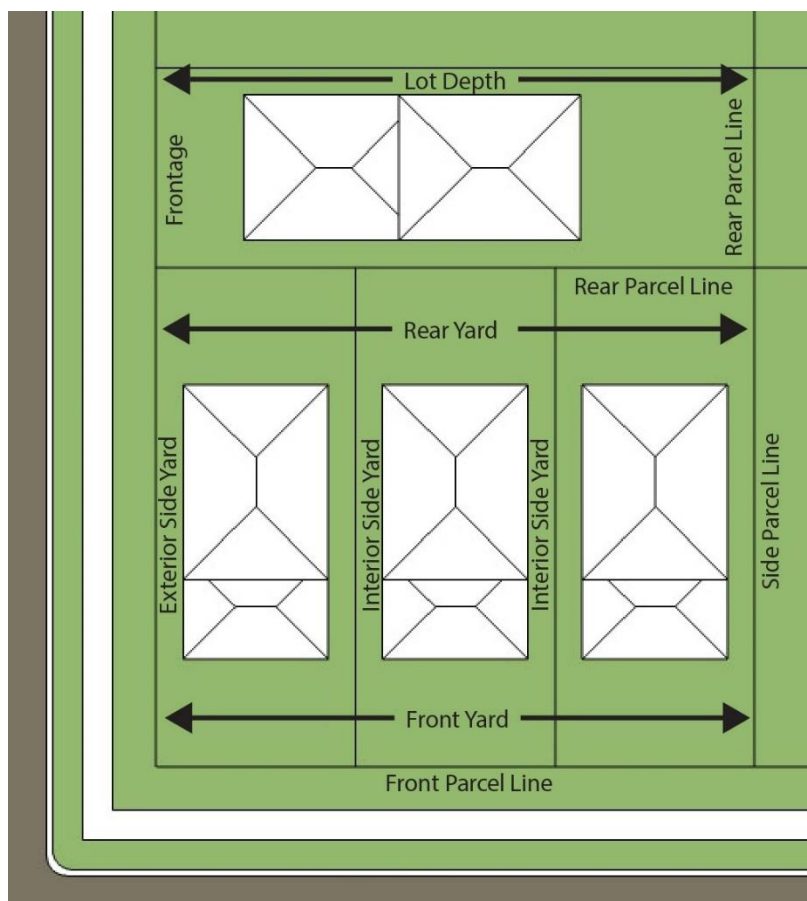
Heavy Equipment Sales and Service	means a use where farm and heavy industrial equipment is sold, rented and serviced.
highway	means a road designated and classified as a provincial highway by the Province of Alberta.
Home Occupation	means an occupation, trade, profession, or craft operated by an occupant of a Dwelling Unit as an accessory use to the principal residential use of the building pursuant to this Bylaw.
Home Occupation – Phone and Desk	means a use where a Home Occupation is operated which consists only of a small office (phone, desk, computer(s) and related office accessories) and is undetectable from outside the Dwelling Unit , and does not involve customer visits or employees beyond those who permanently reside in the home.
Home Occupation – Minor	means a use where a Home Occupation is operated which allows for limited customer visits and deliveries but does not impact adjacent residential uses beyond that of a typical Dwelling Unit .
Home Occupation – Major	means a use where a Home Occupation is operated which may be detectable outside of the Dwelling Unit but does not negatively impact the general residential nature of the neighbourhood.
Hospital	means a use where in-patient and out-patient health care is provided to the public.
Hotel/Motel	means a use where temporary or short-term sleeping accommodations are provided in rooms or suites, which may contain kitchen facilities. This definition includes hotels, motels, hostels and similar overnight accommodations. This may include additional facilities or services such as Eating and Drinking Establishments , meeting or banquet rooms, Personal Service Establishments , a manager’s suite and convention facilities.
I	[Click to Return to Definitions Index]
Involuntary Severance	means a subdivision of land necessary for roads, utilities , oil and gas facilities and other similar institutional or public land uses , that result in a parcel of land that is less than a quarter section 64.7 ha (160 ac) more or less.
J	[Click to Return to Definitions Index]
K	[Click to Return to Definitions Index]
Kennel	means a use where dogs or cats or other domestic pets may be maintained, boarded, bred or trained and may include the incidental sale of products related to the services provided, but does not include a Veterinary Clinic, or Petcare Services .
L	[Click to Return to Definitions Index]

landing	means a platform that primarily functions as an entrance into a building . Landings are a separate building element to balconies , decks and patios as they are not intended to provide or function as an amenity area .
landscaped area	means that portion of a parcel which is required to be landscaped pursuant to district regulations or conditions of approval of a development permit .
landscaping	means the modification and enhancement of a parcel or a portion of a parcel through the use of any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch or other ground cover, and hard landscaping materials such as brick, stone, concrete tile or wood, but excludes all areas used for a parking area or driveway.
lane	means a public thoroughfare usually less than 10.0 m (33 ft.) wide typically providing secondary access to one or more parcels . For the purpose of this Bylaw, a lane is not a road .
Large Wind Energy System	See Wind Energy System, Large .
Laundry Facility	means a use where clothes and other fabric goods are cleaned or pressed. This includes businesses such as a laundromat and dry cleaners.
Liquor Store	means a use where alcoholic beverages are sold for off-site consumption from a retail store licensed by the Alberta Gaming, Liquor and Cannabis Commission.
loading stall	means a space for parking a vehicle while it is being loaded or unloaded.
lot	means a lot as defined in the <i>Act</i> .
LUX	means a way to measure the intensity of light as perceived by the human eye as it hits or passes a surface, displayed as the luminous flux per unit area, and is equal to one lumen per square meter.
M	[Click to Return to Definitions Index]
Manufactured Home Park	means a use where a parcel of land under one Title has sites for the placement of Dwellings, Manufactured for permanent residential use . A Manufactured Home Park may also include Accessory Buildings and accessory uses such as maintenance buildings , amenity areas and common facilities.
Manufacturing, Heavy	means a use where goods or products are fabricated, processed, assembled, or packaged for distribution, where all or part of the processes associated with the use are located outside of a building , and which may generate a nuisance beyond the boundary of the parcel . Heavy Manufacturing does not include a Cannabis Production Facility .
Manufacturing, Light	means a use where goods or products are fabricated, processed, assembled, or packaged for distribution, where all of the processes associated with the use are located inside of a building , and which does not

	generate any nuisance beyond the boundary of the parcel . Light Manufacturing does not include a Cannabis Production Facility .
master site plan	means a plan that provides design guidance for the development of a large area of land with little or no anticipated subdivision. The purpose of the Master Site Plan is to prove that future phases of development can occur in compliance with this Land Use Bylaw and other applicable Municipal standards, but does not constitute an approval, endorsement, permit, or guarantee of such for future phases. Each phase of development requires a new development permit application.
Municipal Planning Commission (MPC)	means the Municipal Planning Commission established by Bylaw pursuant to the Act.
Municipality	means the Municipal District of Acadia No. 34.
N	[Click to Return to Definitions Index]
natural boundary	means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself. In addition, the Natural Boundary includes edge of dormant or old side channels and marsh areas.
Natural Resource Extraction and Processing Facility	means a use engaged in the extraction of natural resources such as timber, clay, sand, gravel, limestone, shale, coal and other minerals including petroleum and natural gas which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form of the resource being extracted.
non-conforming building	means a building that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw affecting the building or the land on which the building is situated becomes effective and that on the date the Land Use Bylaw becomes effective does not, or when fully constructed will not, comply with the Land Use Bylaw.
non-conforming use	means a lawful, specific use being made of land or a building , or intended to be made of a building lawfully under construction at the date a Land Use Bylaw affecting the land or building becomes effective and that on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.
Nuisance Grounds	see Waste Management Facility.
O	[Click to Return to Definitions Index]
Office	means a use for the provision of professional, management, administrative, and consulting services. This does not include a Clinic .
outdoor storage	means the storing, stockpiling, or accumulation of goods, equipment or materials in an area that is open or exposed to the natural elements, and

	includes vehicles, recreational vehicles and boats, waste materials, debris or garbage.
P	[Click to Return to Definitions Index]
parcel	means the aggregate of the one or more lots described in a Certificate of Title or described in a Certificate of Title by reference to a plan file or registered in a Land Titles Office.
parcel area	means the total area of land within the parcel .
parcel coverage	means the percentage of the parcel area covered by the area of all buildings including Accessory Buildings, and excludes balconies, bay windows, canopies, shade projections, cornices, eaves and gutters, roof overhangs, fire escapes, sills, stairways and landings, patios and decks or similar projections.  Area Included in Site Coverage Calculation $\frac{\text{Building Footprint(s)}}{\text{Lot Area}} = \text{Site Coverage \%}$
parcel line, exterior side	means a property line , other than the front parcel line , which abuts a road .

parcel line, front means the shortest **property line** that **abuts** a **road**, unless otherwise determined by the **Development Authority** in accordance with this Bylaw.



parcel line, interior side means a **property line** other than a **front parcel line** or **rear parcel line**, which **abuts** another **parcel** or a **lane**.

parcel line, rear means the **property line** which is opposite to and is not connected to the **front parcel line**, excepting in the case for a **reverse corner lot** where the **rear parcel line** is opposite to the **exterior side parcel line**.

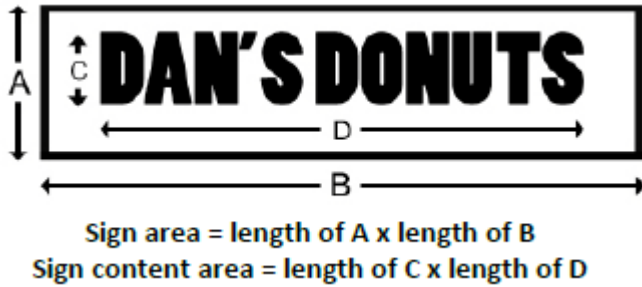
parcel width means the average horizontal distance between two side **parcel lines**.

Park means a **use** where land is designated or reserved for active or passive recreation, or to be left in a natural state, and/or areas of cultural or scenic value. This may include facilities such as playgrounds, picnic grounds, pathways and trails, landscaped buffers, gardens and fields.

parking area means an open area of land, above or underground, other than a **road**, used for the parking of vehicles and shall include **parking stalls**, vehicle entrances and exits, and maneuvering aisles.

Parking Lot	means a use where the primary purpose of the land is for the parking of motor vehicles at grade, or in a parking structure which may be above or below grade.
<i>parking, off-street</i>	means a parking area located on the same parcel as the building, structure, or use .
<i>parking stall</i>	means a space within a building or parking area , for the parking of one vehicle, excluding driveways, aisles, and ramps.
<i>parking stall, visitor</i>	means a parking stall intended only for the use of visitors to Dwelling Units .
<i>parking, tandem</i>	means two parking stalls , one behind the other, with one point of access to the maneuvering aisle.
<i>patio</i>	means a platform, the height of which may be up to but does not exceed 0.6 m (2.0 ft.) from grade , that may or may not be attached to a building .
<i>permitted use</i>	means the use of land or a building which is listed as such use in a Land Use District or Direct Control District.
Personal Service Establishment	means a use where personal services are provided to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. This includes but is not limited to such businesses as barber shops, hair and/or beauty salons, and tailors.
Pet Care Services	means a use where domestic pets are cleaned, groomed and cared for, where no boarding or kenneling of any animals occurs, and may include the incidental sale of products related to the services provided. This does not include a Kennel or Veterinary Clinic .
<i>principal building</i>	means a building which accommodates the principal use of the parcel .
<i>principal use</i>	means the main purpose for which a building or parcel is used.
<i>property line</i>	means the legal boundary of a parcel or lot .
Public Building	means a use where facilities or buildings that are owned or operated by, or for, the Municipality, the Provincial Government, the Federal Government or a corporation under federal or provincial statute, for the purpose of furnishing services or commodities to, or for the use of, the inhabitants of the municipality.
Q	[Click to Return to Definitions Index]
<i>qualified professional</i>	means individuals with experience and training in a particular discipline with a recognized degree, certification, license or registration.
R	[Click to Return to Definitions Index]
Recreational Vehicle	means a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and recreational purpose and includes, but is not limited to, such vehicles as a motor home, camper,

	holiday (travel) trailer and a tent trailer, but does not include a Dwelling, Manufactured .
Recycling Depot	means a use where recyclable materials are collected, sorted and transferred off-site for processing or manufacturing.
<i>Regulation</i>	means the <i>Matters Related to Subdivision and Development Regulation AR84/2022</i> , as amended, and any parallel or successor legislation.
Renewable Energy System	means a system that produces electrical power or heat to be used for on-site consumption or heating requirements by means such as, but not limited to, active and passive solar collectors, geothermal energy or heat exchange systems. A Renewable Energy System may provide residual power to the grid but is not intended to produce power primarily for resale.
<i>residential use</i>	means the use of a parcel for the purpose of a residence by a person or persons and does not include use of the property for commercial purposes. A residential use is one where the occupants have exclusive use for an indefinite amount of time except in accordance with a tenancy agreement under the <i>Residential Tenancies Act</i> or the <i>Mobile Homes Site Tenancies Act</i> .
Retail Store	means a use where the primary function is for the sale of finished products or goods to customers, and may also include rental services. This does not include a Building Supply Centre, Cannabis Retail Sales, a Convenience Store, a Liquor Store, Print Shop, Personal Service Establishment, Laundry Facilities or Wholesale Outlet .
<i>reverse corner lot</i>	means a residential corner lot where the front façade of the Dwelling Unit is oriented towards the longest property line which abuts a road which is considered the front parcel line . The exterior side parcel line of a reversed corner lot is the shorter property line which abuts a road .
Road	means any public road, including the boulevards , sidewalks and improvements, but excluding a lane, highway or private road.
S	[Click to Return to Definitions Index]
screening	means a fence , earth berm, or hedge used to visually separate between parcels , districts or uses .
Self-Storage Facility	means a use : (a) where goods are stored in a building; (b) where the building is made up of separate compartments and each compartment has separate access; (c) that may be available to the general public for the storage of personal items; (d) that may include the administrative functions associated with the use; and (e) that may incorporate custodial quarters for the custodian of the facility.

setback	means the minimum distance as required by the district between a building, structure, or use , or from each of the respective property lines , or from a natural boundary or other reference line.
shade projection	means a structure that is attached to and projects from a building with the intent of providing shade or cover, and may include a canopy , awning, shade louvre, or pergola.
shadow flicker	means the repetitive moving shadows or reflection cast from the rotor blades of a Small Wind Energy System as they pass through the sunlight.
shipping container	means a large metal container with suitable strength for the shipping, storage and handling of goods. Shipping containers are also commonly known as sea cans or intermodal containers.
Sign	means any device or fixture intended to convey information or to advertise or attract attention to any person, business, matter, message, object, or event.
sign area	means the entire area of a Sign on which sign content is intended to be placed. In the case where a Sign has sign content on more than one side of the Sign , sign area means the average total area of all sides of the Sign . See sign content area.
sign content	means the wording/lettering, message, graphics, or content displayed on a Sign .
sign content area	means a rectangular area formed by the extreme limits of the sign content, including graphics related to the specific nature of the sign content.  Sign area = length of A x length of B Sign content area = length of C x length of D
sign height	means the vertical distance measured from the highest point of the sign or Sign structure to grade .
sign illumination	means the lighting or exposure of a Sign to artificial lighting either by lights on or in the Sign or directed toward the Sign .
sign, temporary	means any Sign designed or intended to be displayed for a short period of time, including balloon signs, construction signs, political poster signs, banner signs or any other Sign that is not permanently attached to a supporting structure or building .

<i>slope stability</i>	means the stability of a slope, which is a function of the steepness, soil material, moisture content, ground water condition, slope geometry and vegetation cover.
Small Wind Energy System	See Wind Energy System, Small
Solar Energy System – Commercial	means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy and is primarily intended to produce energy for off-site consumption and/or commercial purposes.
Storage Yard	means a <i>use</i> : (a) where goods, vehicles or equipment are stored when they are not being used and may include long term storage where a fee is paid; (b) where the vehicles and equipment stored may also be serviced, cleaned or repaired; (c) that may involve the storage of construction materials; (d) that does not involve the storage of any <i>derelict vehicles</i> or derelict equipment; (e) that does not involve the production or sale of goods as part of the use; and (f) that may have a <i>building</i> for the administrative functions associated with the <i>use</i>.
<i>storey</i>	means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it.
<i>storey, first</i>	means the <i>storey</i> with its floor closest to <i>grade</i> and having its ceiling more than 1.8 m (6 ft.) above <i>grade</i> .
<i>structure</i>	means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground, but does not include a <i>fence</i> or a <i>Sign</i> .
<i>subdivision</i>	means the division of a <i>parcel</i> by an instrument and the word “subdivide” has corresponding meaning.
<i>Subdivision Authority</i>	means a person or body appointed as a <i>Subdivision Authority</i> in accordance with the Act.
T	[Click to Return to Definitions Index]
Telecommunication Structure	means a device that requires a permit from the Federal Government and is used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other communications energy transmitted from, or to be received by, other antennas. Telecommunication Structures include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. A Telecommunication Structure may be freestanding or mounted on an existing <i>building</i> or <i>structure</i> .

temporary	means a limited period of time as decided by the Development Authority .
Truck and Freight Terminal	means a use where goods/freight are received, transferred, stored short-term, and dispatched for transport by truck.
U	[Click to Return to Definitions Index]
un-subdivided quarter section	means a titled area under the land survey system of 64.7 hectares (160 ac) more or less, but excluding subdivision for road widenings, school sites and other involuntary severances .
use	means a permitted use or discretionary use .
Utility	means a use where a system or works are provided for treatment, storage or distribution of one or more of the following: (a) waterworks; (b) sewage disposal; (c) public transportation; (d) irrigation; (e) drainage; (f) fuel; (g) electric power; (h) heat; (i) waste management (excluding a Waste Transfer Station); and (j) communications (excluding a Telecommunication Structure).
V	[Click to Return to Definitions Index]
vacant parcel	means the approval by the Subdivision Authority to subdivide a parcel of land that does not contain any active use, or any permanent structures or buildings . For clarity, land used for agricultural purposes compliant with this Bylaw is not considered to be vacant land (see Extensive Agricultural).
vehicle, derelict	means any vehicle no longer in road worthy condition, in a state of disrepair, wrecked or being dismantled but does not include vehicles stored in buildings , commercial or farm vehicles or vehicles used for commercial or industrial purposes on land designated for commercial or industrial use in this Bylaw.
Veterinary Clinic	means a use for the medical treatment of animals and includes provision for their overnight accommodation within the building only, and may include associated office space. This does not include Pet Care Services or Kennels .
violation tag	means a tag or similar document issued by the municipality pursuant to the Act.
violation ticket	means a ticket issued pursuant to Part II of the <i>Provincial Offences and Procedures Act</i> and regulations enacted thereunder.
W	[Click to Return to Definitions Index]

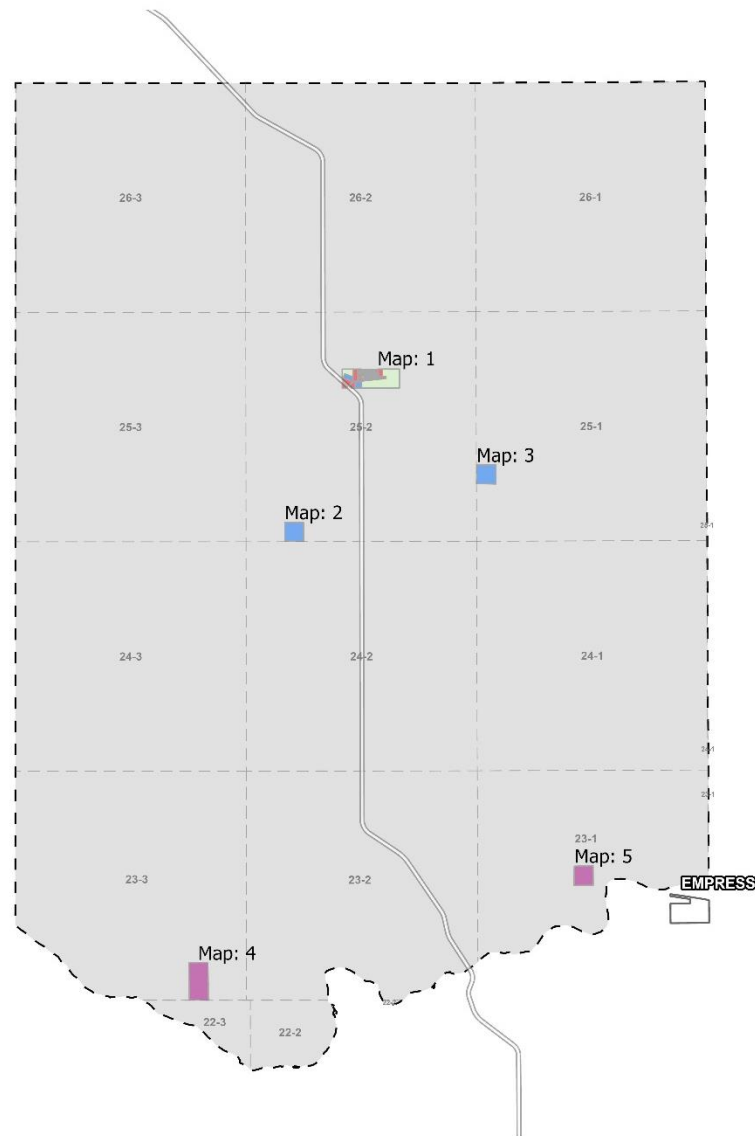
Warehousing and Distribution	means a use where goods are stored inside a building and transferred to and from other locations. Warehousing and Distribution does not include any manufacturing, display or sales of the goods, but may include associated administrative functions.
Waste Management Facility	means a use for the temporary or permanent storage of waste products in accordance with Provincial regulations and guidelines.
Waste Transfer Station	means a use where solid waste materials are received from collection vehicles and consolidated into larger vehicles for transport to the landfill.
Wholesale Outlet	means a use where goods are sold for retail in larger quantities to other retailers or direct to consumers.
Wind Energy System, Small	means a use where a wind energy conversion system consisting of a wind turbine, and related facilities in accordance with the Alberta Utilities Commission (AUC) regulations and which is intended to primarily provide electrical power for the on-site consumption requirements, either on or off-grid, and may provide residual power to the grid but is not intended to produce power specifically for resale. The boundary of the development area of a Small Wind Energy System shall be defined by the legal boundary of the titled parcel where the turbine is located.
Wind Energy System, Large	means a use where a wind energy conversion system consisting of a wind turbine and related facilities in accordance with the Alberta Utilities Commission (AUC) regulations, and which is intended to provide electrical power, either on or off-grid, specifically for resale. The boundary of the development area of a Large Wind Energy System shall be defined by the legal boundaries of all titled parcels where the development has infrastructure proposed or located within.
Work Camp	means a use where temporary living accommodation for employees involved in the construction of a commercial or industrial development is provided in a camp. This may include accommodation in the form of mobile homes, trailers, tent trailers or tents.
Worship Facility	means a use for the purpose of spiritual worship. Examples may be, but are not limited to, churches, temples, mosques and synagogues.
Wrecker and Salvage	means a use : (a) where derelict vehicles are stored, dismantled or crushed; (b) where used motor vehicle parts may be sold; (c) where motor vehicles in their complete and operable state are not displayed or sold; (d) that may have equipment used for crushing, dismantling or moving motor vehicle parts; and (e) that may have a building for administrative functions associated with the use.
X	[Click to Return to Definitions Index]

Y	[Click to Return to Definitions Index]
yard	means any open space on a parcel, unoccupied and unobstructed and is the distance between the property line to the foundation of the principal building or the exterior finishing materials of an Accessory Building.
yard, exterior side	means the area of a parcel extending from the front foundation of the principal building to the rear foundation of the principal building and between the side foundation of the principal building to the exterior side parcel line .
yard, front	means the area of a parcel extending across the full width of the parcel between the front parcel line and the front foundation of the principal building .
yard, interior side	means the area of a parcel extending from the front foundation of the principal building to the rear foundation of the principal building and between the side foundation of the principal building to the interior side parcel line .
yard, rear	means the area of a parcel extending across the full width of the parcel between the rear parcel line and the rear foundation of the principal building
Z	[Click to Return to Definitions Index]

Part G – Land Use Districts Map

22 LAND USE DISTRICTS MAP

KEY MAP: LAND USE DISTRICTS



- | | |
|--------------------------|-------------------------|
| AG - Agriculture General | HB - Hamlet Business |
| CR - Country Residential | HF - Hamlet Fringe |
| CS - Community Service | HWY 41 |
| RI - Rural Industrial | Village |
| HR - Hamlet Residential | M.D. of Acadia Boundary |

Land Use Bylaw: 2024-790
Adopted on: April 9, 2024



All parcels are designated as "AG - Agriculture General" unless otherwise specified.

Map Page 1



Land Use Districts

- AG - Agriculture General
- CR - Country Residential
- CS - Community Service
- RI - Rural Industrial
- HR - Hamlet Residential
- HB - Hamlet Business
- HF - Hamlet Fringe
- Hamlet of Acadia Valley Boundary

All parcels are designated as "AG - Agriculture General" unless otherwise specified.

Map Page 2



- | | |
|----------------------------------|-------------------------|
| Township | CS - Community Service |
| Hamlet of Acadia Valley Boundary | RI - Rural Industrial |
| Land Use Districts | HR - Hamlet Residential |
| AG - Agriculture General | HB - Hamlet Business |
| CR - Country Residential | HF - Hamlet Fringe |

All parcels are designated as "AG - Agriculture General" unless otherwise specified.

Map Page: Left Blank For Future Redistricting



All parcels are designated as "AG - Agriculture General" unless otherwise specified.