

VILLAGE OF ACME

LAND USE BYLAW #2022-02

April 25, 2022



Palliser Regional Municipal Services

**VILLAGE OF ACME
LAND USE BYLAW NO. 2022-02**

BEING A BYLAW OF THE VILLAGE OF ACME IN THE PROVINCE OF ALBERTA TO REGULATE THE DEVELOPMENT AND USE OF LAND IN THE VILLAGE OF ACME

WHEREAS: Pursuant to the provisions of Section 639(1) of the Municipal Government Act, as amended, the Council of the Village of Acme must, by Bylaw in accordance with Section 692 of the Municipal Government Act, adopt a plan to be known as:

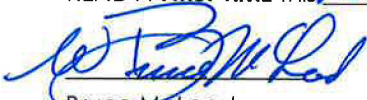
"THE VILLAGE OF ACME LAND USE BYLAW"

AND WHEREAS: A Public Hearing was held on the 19th day of April, 2022, as required by Section 230 of the Municipal Government Act.

NOW THEREFORE: THE COUNCIL OF THE VILLAGE OF ACME IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:


1. This Bylaw may be cited as "The Village of Acme Land Use Bylaw".
2. Bylaw No. 2018-07 being the "Village of Acme Land Use Bylaw" currently in effect is hereby repealed including all amendments thereto and replaced by Bylaw No. XXXX.
3. Council adopts as the Land Use Bylaw for those lands contained within its civic boundaries, "The Village of Acme Land Use Bylaw."
4. Council adopts as "The Village of Acme Land Use Bylaw" this text and the accompanying Schedules.
5. This Bylaw takes effect on the date of the third and final reading.

READ A **FIRST TIME** this 28 day of FEB, 2022.


Bruce McLeod
Mayor

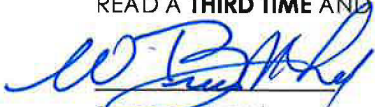

Gary Sawatzky
C.A.O.


READ A **SECOND TIME** this 25 day of April, 2022.


Bruce McLeod
Mayor


Gary Sawatzky
C.A.O.

READ A **THIRD TIME AND PASSED** this 25 day of April, 2022.


Bruce McLeod
Mayor


Gary Sawatzky
C.A.O.

Text Amendments to Land Use Bylaw 2022-02

Bylaw No.	Date	Description
Bylaw #2023-04	August 21, 2023	Amend Section 11, Land Use District Map, by re-designating Plan 2696JK; Block 14; (Civic Address: 402 Nolan Street) in the Village of Acme from R-1 Residential District to CS Community Service District.
Bylaw #2024-02	January 8, 2024	Amend Section 6.10.3 and Section 6.12.3 to add "Industrial Work Camp" to Discretionary Uses. Amend Section 8 to add "8.16 Industrial Work Camps"

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Land Use Bylaw User Guide

The “User Guide” is intended for information and clarity purposes only and is not a section of the Land Use Bylaw.

The Land Use Bylaw establishes rules and regulations for the use of land and buildings. It regulates location, intensity, type of land use, buildings, and also details the process for land use redesignations and the application process for permits to develop property.

Alignment with existing Village policies is a key component of the rules and regulations outlined in the Land Use Bylaw. This Land Use Bylaw reflects the Municipal Development Plan and bylaws, regulations and Acts of the Village and governments of Alberta and Canada. Wherever possible, these are referenced in the Land Use Bylaw, but the onus is on the individual landowner, developer and/or applicant to ensure that relevant policies of the Municipal Development Plan, other local bylaws and provincial and federal legislation are followed. Applicants are encouraged to review their proposed development with the Village prior to submitting an application.

As a reference document, the Land Use Bylaw’s Table of Contents is an important index.

This Bylaw is written in metric. To convert metres to feet multiply the number of metres by 3.28 to get the approximate dimension in feet. To convert square metres to square feet multiply the number of square metres by 10.764 to get the number of square feet. Some typical dimensions used in the Bylaw and their Imperial equivalents are shown below.

METRES TO FEET		METRES ² to FEET ²	
Metres	Feet	Metres ²	Feet ²
0.5	1.64	1.5	16.15
1.0	3.28	7.5	80.73
2.0	6.56	310.0	3336.81
3.0	9.84	570.0	6135.43
4.0	13.12	850.0	9149.32
5.0	16.40	1300.0	13993.08
6.0	19.69	8000.0	86112.28

Figure 1

1 ENACTMENT

1.1 TITLE

This Bylaw may be cited as the "The Village of Acme Land Use Bylaw".

1.2 PURPOSE

1.2.1 The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly, economic and beneficial development of land within the Village of Acme.

More specifically, this Bylaw:

- (a) Designates a land use district to all parcels of land within the Village;
- (b) Establishes the roles of the Approving Authorities; and
- (c) Establishes the method of making decisions on applications for re-designation and development permits; and
- (d) Sets out the method of appealing a decision relative to this Bylaw; and
- (e) Provides the manner in which notice of the issuance of a development permit is given.

1.2.2 This bylaw is in alignment with the *Municipal Government Act* RSA 2000 c. M-26 (here after referred to as the MGA) as amended from time to time.

1.2.3 This Bylaw is in alignment with the Village's Municipal Development Plan as amended from time to time and shall be applied in a manner that serves to implement statutory plans that have been adopted by the Village.

1.2.4 This Bylaw shall be used in conjunction with the Guidelines, Standards, Policies, and Procedures as adopted and amended by Council from time to time.

1.3 REPEAL

Bylaw No. 2018-07, and amendments thereto, are hereby repealed.

1.4 APPLICATIONS IN PROCESS

All redesignation, subdivision and development applications received in a complete form prior to the effective date of this Bylaw shall be processed and considered based on the regulations in effect consistent with Bylaw 2018-07, unless prior to a decision being made on the application, the Village receives a duly signed amended application requesting that said subdivision, redesignation, or development application be processed and considered based on the regulations of this Bylaw. No additional fees will be required for this amendment.

1.5 APPLICATION AND ADDITIONAL REQUIREMENTS

1.5.1 The provisions of this Bylaw apply to all land and buildings within the boundaries of the Village.

1.5.2 Compliance with the requirements of this Bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.

1.5.3 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such permits, approvals or licenses that may be required by the municipality or other Provincial and/or Federal Government departments and agencies. A person(s) who applies for, or is in possession of a valid development permit is responsible for complying with or carrying out development in accordance with:

- (a) The conditions of any caveat, covenant, easement, instrument or agreement affecting the land or building; and
- (b) The requirements of other applicable Village bylaws, policies and procedures as adopted by the Village from time to time; and
- (c) The requirements of any other applicable provincial or federal legislation.

1.6 CONFORMITY WITH BYLAW

No person shall commence any development unless it is in accordance with the terms and conditions of this Land Use Bylaw.

1.7 SEVERABILITY

If any provision of this Bylaw is found to be unenforceable or contradictory to superseding laws and regulations, it is the intention of the Council that such provision be severed from this Bylaw and that every other provision of this Bylaw continue in force and effect.

1.8 RULES OF INTERPRETATION

- 1.8.1 Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
- (a) **“MUST”** is a directive term that indicates that the actions outlined are mandatory and therefore must be complied with, without discretion.
 - (b) **“SHALL”** is a directive term that indicates the action(s) outlined are mandatory and therefore must be complied with, without discretion, by Administration, the developer/landowner, and/or the Development Authority.
 - (c) **“MAY”** is a discretionary term, meaning the provision in question can be enforced by the Village if it chooses to do so, dependent on the particular circumstances of the site and/or application.
 - (d) **“SHOULD”** always applies to the situation unless it can clearly be identified to the satisfaction of Council or the Approving Authority that in the given situation, the policy is not reasonable, practical, or feasible.
 - (e) **“PERMITTED USE”** means the use of land or a building which is listed as Permitted in a Land Use District and for which a development permit must be issued with or without conditions by the Development Authority if the proposed Development meets all requirements of this Bylaw.
 - (f) **“DISCRETIONARY USE”** means the use of land or a building for which a development permit may be issued by the Development Authority, with or without conditions. Discretionary uses require the approval of the Municipal Planning Commission.

- (g) When a regulation or district involves two (2) or more conditions, provisions or events connected by a conjunction, the following definitions shall apply:
 - (I) "And" means all the connected items shall apply in combination; and
 - (II) "Or" indicates that the connected items may apply singularly or in combination.

1.8.2 The system of measurement used in this document is the metric system. Imperial conversions of metric measurements are provided in brackets, but shall not be used in lieu of metric measurements.

1.9 AMENDMENTS TO THIS BYLAW

- 1.9.1 All amendments of this Bylaw shall be made by bylaw in conformity with the Act and the regulations.
- 1.9.2 Any person may apply to have this Bylaw amended using the approved form.
- 1.9.3 The Council may initiate amendments by its own motion.
- 1.9.4 All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
 - (a) the fee as determined by Palliser Regional Municipal Services;
 - (b) a statement of the applicant's interest in the land;
 - (c) any drawings, plans or maps required by the Development Officer; and
 - (d) any documents required by the Palliser Regional Municipal Services, the Subdivision Authority or Development Authority.
- 1.9.5 The Council, in considering an application for an amendment to this Land Use Bylaw, shall, prior to the public hearing, refer a copy of the proposed amendment to:
 - (a) Kneehill County, if the proposed amendment is required to be circulated as per an Intermunicipal Development Plan; and
 - (b) Such other persons or agencies as it considers necessary for comment.
- 1.9.6 If an application for an amendment to this Bylaw has been refused by Council, then Council need not accept a subsequent application for an amendment for the same use on the same parcel for a period of six (6) months from the date of refusal.

2 DEFINITIONS

The following definitions pertain to terms and words used within the Land Use Bylaw.

G **General Definitions** (Related to individual site developments - e.g. setbacks, parking or general terms that are not land uses)

L **Land Use Definitions** (Permitted or Discretionary Uses listed in Districts in this Bylaw)

Disclaimer: The following table contains definitions for terms and words used within this Land Use Bylaw. The column on the far right is for information purposes only to assist with navigating the Bylaw.

TERM	DEFINITION	
A		
ACCESSORY BUILDING – GARDEN SHED	means an Accessory Building with no permanent foundation that does not exceed 10.5 m ² (113 sq. ft.) in floor area and 2.5 (8 ft.) in building height.	L
ACCESSORY BUILDING – FABRIC COVERED	See Fabric Covered Building – Accessory	L
ACCESSORY BUILDING OR ACCESSORY USE	means a building or structure, the use of which is incidental or subordinate to the use of the principal building which is located on the same parcel. A structure which is attached to the principal building by a roof, a floor or a foundation is not an accessory building, it is to be considered part of the principal building.	L
ACCESSORY RESIDENTIAL	See Dwelling – Accessory Residential	L
ACCESSORY USE	means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.	L
ACT	means the MGA as amended.	G
AGGREGATE REMOVAL AND STORAGE	means the on-site extraction from the subject property of aggregate materials. Typical uses include, but are not limited to, gravel pits, sand pits, clay pits and stripping of topsoil. This use also includes the storage and processing of the materials.	L
AGRICULTURAL SUPPLY DEPOT	means a facility for the purpose of supplying goods, materials, and/or services that support agricultural uses, whether retail, wholesale, or in bulk. This shall include such goods and services as sale and storage of seeds, feeds, fertilizers, chemical products, fuels, lubricants, parts or the rental, sale, repair and servicing of farm machinery and equipment but does not include the buying or selling of farm produce or animals.	L
AIRPORT	means an area used or intended for the arrival and departure or servicing of aircraft and includes any building, installation, or equipment in connection therewith.	
APPEAL BODY	means the board hearing a subdivision or development permit appeal in accordance with the Municipal Government Act.	G
ART STUDIO	means a use where art is produced by individuals. May include the instruction of art to individuals or groups, and may include the sale of art pieces produced by that use. This includes private art studios.	L
ASSISTED LIVING	means housing for people who require a wide range of support services that provides nursing care, housekeeping, and prepared meals as needed.	L

AUCTION MART	means a building, structure or lands used for the storage of goods and materials which are to be sold on the premises by public auction on an occasional basis. This use does not include the sale of animals.	L
AUTOMOTIVE REPAIR	means a facility where automotive repairs, rebuilding or reconditioning and replacement services are provided. Typical uses include, but are not limited to, collision and body repair services, muffler shops, lubrication shops, brake repair shops, tire installation shops, windshield replacement facilities.	L
AUTOMOTIVE, FARM AND RECREATION VEHICLE SALES/SERVICE	means developments used for the retail sale of new or used automobiles, farm machinery, motorcycles, snowmobiles, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. Typical uses include, but are not limited to, automobile dealerships, motorized farm equipment dealerships and recreational vehicle sales.	L
B		
BASEMENT	means that portion of a building which is located below the first floor and is either partially or wholly below grade. A basement does not constitute a storey for the purpose of this Bylaw.	G
BACKYARD SUITE	See Dwelling – Backyard Suite	L
BAKERY	means a use where baked goods are made. Includes the sale of baked goods.	L
BALCONY	means an extension of a floor projecting from the wall of a <i>Building</i> and enclosed by a parapet or railing.	G
BANK	See Financial Service	L
BED AND BREAKFAST ESTABLISHMENT	means a lodging facility within an owner-occupied building having accommodation for up to 8 guests, for short term accommodation, with common washroom and dining facilities but with no cooking facilities in guest rooms.	L
BOTTLE/RECYCLING DEPOT	means a building or facility in which recyclable materials are collected, sorted and then shipped off-site for processing or manufacturing.	L
BOULEVARD	means that portion of a roadway which is public land and is often landscaped or planted to distinguish adjacent private lands from the public roadway or thoroughfare.	G
BUS TERMINAL	means where transport vehicles load or unload passengers or goods.	L
BUFFER	means a row of trees, shrubs, earth berm, a strip of land or fencing to provide visual screening and separation between sites and districts.	G
BUILDING	means a roofed structure with solid exterior walls and which is used or intended to be used as shelter for persons, animals, equipment, or goods and services.	G

BUILDING HEIGHT	means the vertical distance measured from the average grade to the highest point of the building or structure. The highest point of a building or structure shall be determined without considering an elevator housing, roof stairway entrance, water tank, ventilating fan, skylight, steeple, chimney, smokestack, fire wall, parapet wall, roof sign, aerial array, flag pole or similar device or feature not structurally essential to the building. See Figure 1 Building Height	G
BUILDING MATERIAL SALES AND STORAGE	means a business that sells building materials, tools and equipment and stores building materials that will be or already have been sold.	L
BULK FUEL SALES DEPOT	means a use where fuel for motor vehicles is sold either with or without an attendant.	L
C		
CAMPGROUND	means a development of planned campsites for the seasonal short term use of recreational vehicles, campers, tent trailers, tents and similar recreational vehicles where there are defined camping sites within the development area of the land and is not used as year round storage or accommodation for residential use. A campground may include a potable water supply or sewage disposal facilities.	L
CANNABIS	means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis	G
CANNABIS ACCESSORY	means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.	G
CANNABIS PRODUCTION FACILITY	means a premise used for growing, producing, testing, destroying, storing or distribution of Cannabis authorized by a license issued by the federal Minister of Health. <u>Distribution of Cannabis does not include a "Cannabis Retail Store" use.</u>	L
CANNABIS RETAIL STORE	means a retail store licensed by the Province of Alberta: (a) where Cannabis and Cannabis Accessories are sold for consumption or use off premises, (b) where consumption of cannabis must not occur; and (c) where all cannabis that is offered or sold must be from a federally approved and licensed facility.	L
CAR WASH	means a use where motor vehicles are washed and may contain one or more wash bays where each wash bay is capable of washing one motor vehicle at a time and must provide at least two (2) vehicle stacking spaces for each wash bay door.	L
CEMETERY	means land that is set apart or land that is used for the burial of human or animal remains. Typical uses are memorial parks and burial grounds.	L

CHATTEL	means a movable article of personal, tangible property.	G
CLINIC	means an establishment in which medical, dental or other professional healing treatment is given to human beings.	L
COMMUNICATION STRUCTURE	<p>means an exterior transmitting device – or group of devices – used to receive and/or to transmit radiofrequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas.</p> <p>Communication Structures include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol most commonly refers to the following two types of Communication Structures:</p> <p>(a) Freestanding Communication Structures: a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting a Communication Structure; and</p> <p>(b) Building/Structure-Mounted Communication Structures: a Communication Structure mounted on an existing structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.</p>	L
COMMUNITY HALL/ BUILDING	means a facility or building which is owned or leased by a community association or group, non-profit organization, government, or corporate entity for the purposes of public service or use.	L
COMMUNITY RECREATION FACILITY	means a facility that is available for use by the public for sports and recreational activities conducted indoors and/or outdoors. Typical uses include indoor/outdoor swimming pools, hockey or curling rinks, gymnasiums, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, bowling greens, rodeo grounds, riding stables and fitness trails. These facilities may be publicly or privately owned and/or operated.	L
CONFINED FEEDING OPERATION	means an activity on land that is fenced or enclosed or within buildings 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 Agricultural Operations Practices Act through the Natural Resources Conservation Board.	G
CORNER SITE	See Parcel, Corner	G
COUNCIL	means the Council of the Village of Acme.	G
D		
DAY HOME	means a private dwelling unit where temporary care, development and supervision for periods not exceeding 24 consecutive hours is provided to a maximum of six (6) children under the age of 13 years, not including children under the age of 13 years who permanently reside in the home.	L

DAYTIME CHILD CARE SERVICES	means development licensed by the Province of Alberta to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include daycare centers, day nurseries, kindergartens, nursery schools, and play schools.	L
DATA CENTRE	means a building or group of buildings housing computer systems that provide processing, storage, or distribution services.	L
DECK	means a flat, floored concrete or wooden structure, usually elevated above grade level and usually adjoining a dwelling and accessory to the principle residential use or building. A deck may consist of roofing and means of vertical enclosure, but will not include any insulation or heating apparatus contained within the structure.	G
DEMOLITION	means the pulling down, tearing down or razing of a building down to its foundation.	G
DEVELOPMENT AGREEMENT	means an agreement that may be required between a developer and the Village in the form of a signed document which establishes specific requirements of the Village for the construction of municipal improvements related to a Development or Subdivision to be undertaken within the Village of Acme.	G
DEVELOPMENT	means: (a) an excavation of 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, over 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 building that results in or is likely to result in a change in the land or building, or (d) a change in the intensity of use of land or a building that results in or is likely to result in a change in the intensity of use of land or building.	G
DEVELOPMENT AUTHORITY	means a person or body appointed as a Development Authority as contemplated by and in accordance with the Municipal Government Act.	G
DEVELOPMENT OFFICER	means the office of the Development Officer as established by the municipality in accordance with the Municipal Government Act.	G
DEVELOPMENT PERMIT	means a document authorizing a development issued pursuant to this Land Use Bylaw.	G
DISCRETIONARY USE	means a use of land or a building or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made.	G

DRINKING ESTABLISHMENT	means a use: (a) where the <i>primary</i> function is the servicing of alcoholic beverages for consumption on the premises and is licensed by Alberta Gaming, Liquor and Cannabis. Typical uses include (but are not limited to) taverns, pubs, bars and nightclubs; and (b) that may include <i>supplementary</i> preparation and sale of food for consumption on the premises.	L
DRIVE-THROUGH RESTAURANT	means a Food and Beverage Service Facility use that includes the sale or service of food or beverages to an occupant within a motorized vehicle.	L
DRIVE-THROUGH SERVICE	means a business that is not a Food and Beverage Service Facility that includes sales or service to an occupant within a motorized vehicle (e.g. drive through banking).	L
DWELLING TYPES	For dwelling type visuals see Figure 2 Dwelling Types	
DWELLING UNIT	means a building or a self-contained portion of a building for the residential use of one or more people living as a single housekeeping unit, and containing complete sleeping, cooking and toilet facilities.	L
DWELLING – ACCESSORY RESIDENTIAL	means a dwelling unit situated above a commercial business in the Downtown Commercial District. The residential use maintains its own access and egress and must meet the parking standards of multi-family residential uses identified in this bylaw. This use does not include a security operators unit.	L
DWELLING – BACKYARD SUITE	means a dwelling unit in a building that is detached from the main residence, such as a garage suite, garden suite or laneway home and accessory to the principal dwelling unit .	L
DWELLING – MANUFACTURED HOME	means a transportable, single or multiple section single detached dwelling unit conforming to CAN/CSA Z240 MH Series certified standards at time of manufacture. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions.	L
DWELLING – MODULAR	means a prefabricated or factory-built frame or shell which comprises the wall or siding of a proposed dwelling unit . More specifically, a modular home represents only a section of the dwelling unit and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling unit(s) for year-round occupancy.	L
DWELLING – MULTIPLE UNIT (APARTMENT)	means a residential building designed and built to contain three or more dwelling units with shared services, facilities and outside entrances.	L

DWELLING – MULTIPLE UNIT (ATTACHED)	means a building designed and built to contain three or more dwelling units separated from each other by a fire rated wall each unit having separate entrances from grade level. (For purpose of this Bylaw, Linked, Row, Village houses, four-plex, five-plex, and six-plex units which meet this criteria are considered to be attached housing).	L
DWELLING – PARK MODEL	means a recreational vehicle conforming to CAN-CSA series Z241 that may be located seasonally or permanently on a parcel of land. The minimum allowable gross floor area for a park model shall be 27.87 square metres.	L
DWELLING – SECONDARY SUITE	means a self-contained dwelling unit with a separate entrance from the outside that is accessory to and located within a principal dwelling unit and may be in the form of a basement suite, second floor suite, attached garage suite or other similar self-contained dwelling unit within a principal dwelling unit . Subject to Regulations in Section: 8.14 Secondary Suites and Backyard Suites	L
DWELLING – SINGLE-DETACHED	means a detached building consisting principally of one dwelling unit which is occupied or intended to be occupied as the permanent residence of one or more individuals, but does not include a Two-Unit Dwelling or Manufactured Home Dwelling and may have one or more accessory or secondary dwelling units as may be approved by the Development Authority in accordance with this Bylaw.	L
DWELLING – TWO-UNIT	means a detached building divided into two dwelling units , each of which is occupied or intended to be occupied as the permanent residence of one or more individuals.	L
E		
EASEMENT	means a right to use land generally for access to other property or as a right-of-way for a public utility.	G
EXISTING	means existing as of the date of adoption of this bylaw.	G
EXTENSIVE AGRICULTURE	means greenhouses, systems of tillage, raising of crops, or grazing on large areas of land either separately or in conjunction with one another. For the purposes of this Land Use Bylaw, Extensive Agricultural does not include residential buildings, agricultural buildings, the rearing of livestock, or Cannabis Processing Facility.	L
F		

FABRIC COVERED BUILDING	means a fabric-membrane pre-engineered building for temporary and permanent industrial, commercial and agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas and event centers. All fabric covered buildings shall require the appropriate building permits to ensure all aspects of the development is in accordance with the Alberta Safety Codes including appropriate foundation construction and building anchoring.	L
FABRIC COVERED BUILDING – ACCESSORY	means a fabric covered building used as an accessory building on a parcel and meeting all the stated regulations in this Bylaw pertaining to an accessory building.	L
FABRIC COVERED BUILDING – PRINCIPAL	means a fabric covered building used as the principal building on a parcel and meeting all the stated regulations in this Bylaw pertaining to a principal building.	L
FARMERS MARKET	means a temporary, seasonal or occasional market held in an open area or in a structure where groups of individual sellers offer for sale to the public items such as fresh farm produce, food, beverages, arts, crafts and other retail goods.	L
FENCE	means a vertical physical barrier constructed out of typical building material to prevent visual or unauthorized access or both.	G
FINANCIAL SERVICE	means the provision of financial and investment services by a Financial Service, trust company, investment dealer, credit union, mortgage broker or related business.	L
FIRE HALL	means a building or structure containing vehicles and equipment intended for the prevention or extinguishing of fires, including ancillary rooms and activity areas for the firefighters, and may include ancillary meeting rooms for public assemblies.	
FLOOR AREA	means the total floor area of every room and passageway contained in a building, not including the floor areas of basements, attached garages, sheds, open porches, patios, open decks, verandas or breezeways.	G
FLOOR AREA RATIO (FAR)	means the ratio between the <i>gross floor area</i> of all the <i>buildings</i> or <i>structures</i> on the <i>parcel</i> and the total area of the <i>parcel</i> upon which all the <i>buildings</i> or <i>structures</i> are situated.	G
FOOD AND BEVERAGE SERVICE FACILITY	means development used for eating and drinking where food and beverages are offered for sale to the public, for consumption within the premises or off the site. This includes supplementary alcoholic beverage service licensed by Alberta Gaming, Liquor and Cannabis. Typical uses include, but are not limited to, restaurants, cafes, drive through fast food outlets, ice cream parlors and catering establishments.	L
FRONT YARD	See Yard, Front	G

FUNERAL HOME	means a development used for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of the dead human body for interment. This use does not include crematoriums.	L
G		
GAMBREL ROOF	means a usually symmetrical two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep.	G
GOLF COURSE	means an area and accessory buildings and uses related to the playing of the game of golf and without restricting the generality of the foregoing includes pro shop, club house, restaurant, licensed dining area or lounge, driving range and picnic area.	L
GOVERNMENT BUILDING AND FACILITIES	means a building or structure owned, operated, or occupied by a Provincial, Federal or Local Government agency.	L
GRADE, BUILDING OR STRUCTURE (USED TO DETERMINE HEIGHT)	means the average elevation at the mid-point along the front boundary and the finished ground elevation adjoining the rear of the building or structure.	G
GRAIN ELEVATOR	means a building for elevating, storing, discharging, and sometimes processing grain. The use may also include facilities for moving the grain via a variety of transportation alternatives such as rail or trucks.	L
GREENHOUSE AND PLANT NURSERY	means development used primarily for the raising, storage and sale of produce, bedding, household, ornamental plants and related materials such as tools, soil, and fertilizers. The main part of the business must be plant related and any aggregate sales must be a minor accessory component only. The greenhouse and plant nursery use does not include Cannabis Processing Facility.	L
GROUP CARE FACILITY	means a development using a dwelling unit for a provincially approved residential social care facility providing rehabilitative and supportive care. A Group Care Facility may incorporate accommodation for a resident staff as part of the use.	
H		
HABITABLE AREA	means any room or space within a <i>Building</i> or <i>Structure</i> which is or can be used for human occupancy, commercial sales, or storage of goods, possessions or equipment (including furnaces) which would be subject to damage if flooded.	G
HEIGHT	means the vertical distance from one point to another point. Also see Building Height	G
HOSPITAL	means an institutional development used to provide in-patient and out-patient health care to the public. Typical developments include a community health centre and a full service hospital.	L

HOTEL	means a development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory food and beverage service facilities, meeting rooms, personal service shops, and general retail shops.	L
HOME OCCUPATION – MINOR	means an accessory use by a resident of a Dwelling Unit for small-scale business activities that are undetectable from outside the Dwelling Unit.	L
HOME OCCUPATION – MAJOR	means an accessory use by a resident of a Dwelling Unit or Accessory Building for small-scale business activities that do not adversely affect the residential character of the property and may have limited client visits to the property. Uses do not include fabrication, manufacturing, or mechanic shops.	L
I		
IMPERVIOUS SURFACE	means ground, covered ground, buildings, or structures which water cannot infiltrate.	G
INDUSTRIAL WORK CAMP	means a residential complex used to house employees on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time and may include accessory uses such as a temporary office, storage yard and other similar and complementary uses.	L
J		
JUNKYARD	means the area outside of an enclosed Building where junk, waste, used building and industrial materials, scrap metal, discarded or salvage materials are bought, sold, exchanged, stored, baled, parked, disassembled or handled.	L
K		
KENNEL – BOARDING	means an establishment in which domestic animals are boarded overnight for periods greater than 24 hours. Kennel – Boarding does not include a Veterinary Clinic.	L
KENNEL – BREEDING	means an establishment in which domestic animals housed for the purpose of breeding.	L
L		

LAND AND PROPERTY RIGHTS TRIBUNAL (LPRT)	means the Land and Property Rights Tribunal as defined in the <i>Municipal Government Act</i> .	G
LANDFILL	means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, a salt cavern or a disposal well.	G
LAUNDROMAT	means a public place with coin operated washing machines, spin dryers or dry cleaning machines.	L
LANDSCAPING	means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental planting, fencing, walks, drives, or other structures and materials.	G
LANE	means a public thoroughfare which provides a secondary means of access to a site or sites.	G
LIBRARY	means a public facility in which literary, musical, artistic, or reference materials such as but not limited to books, manuscripts, computers, recordings, or films are kept for use by or loaning to patrons of the facility, but are not normally offered for sale.	L
LIQUOR STORE	means a use where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission.	L
LIVESTOCK	means animals raised in agricultural settings to provide labor and produce commodities such as meat, eggs, milk, fur, leather, and wool. Examples may include (but are not limited to) cattle, sheep, goats, rabbits, swine, fowl, poultry, etc.	L
LOADING SPACE	means a space for parking a vehicle while being loaded or unloaded.	G
LOT	means a <u>lot</u> as defined in the Municipal Government Act, Part 17, Section 616, which is defined as: (a) a quarter section, (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office, (c) a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office, (d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or (e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision. Also see the related definition Parcel	G
M		

MANUFACTURING, PROCESSING OR ASSEMBLY FACILITY	means the manufacturing or assembly of goods, products or equipment, including food products to be consumed by human or animals and/or the processing of raw or finished materials, including the servicing, repairing or testing of materials, goods and equipment normally associated with the manufacturing, processing or assembly operation. It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the principal use. Manufacturing, processing or assembly facility does not include Cannabis Processing Facility.	L
MANUFACTURED HOME	See Dwelling – Manufactured Home	L
MANUFACTURED HOME PARK	means a parcel of land that has been planned, divided into manufactured home sites and improved for placement of manufactured homes for permanent residential use.	L
MOTEL	means a development for the provision of rooms or suites for temporary lodging and light housekeeping, where each room or suite has its own exterior access. It may include accessory food and beverage service facilities.	L
MUNICIPALITY	means the area of land contained within the legal boundaries of the Village of Acme corporate limits.	G
MUSEUM	means an establishment, building or institution devoted to the procurement, care, study and display of objects of lasting interest or value and may have a retail component.	L
N		
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 <i>Natural Boundary</i> includes edge of dormant or old side channels and marsh areas.	G
NON-CONFORMING BUILDING	means a building lawfully constructed or lawfully under construction at the date this bylaw becomes effective, as required by the Act, and which does not or will not comply with the development requirements of this bylaw.	G
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 this bylaw becomes effective, as required by the Act, and which does not or will not conform with the use requirements of this bylaw.	G
O		

OFFICE	means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include, but are not limited to, the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners and other consultants, clerical services and secretarial agencies. This excludes the servicing and repair of goods, the sale of goods to the customer on site, and the manufacture or handling of a product.	L
OILFIELD SERVICE	means a development that provides services to pipeline, oil field and mining operations. The business is contained within an enclosed development, the outdoor storage of any materials, heavy vehicles, equipment and/or pipes is restricted to 20% of the total parcel size, and such outdoor storage must be screened to the satisfaction of the development authority. Typical services include but are not limited to, well conditioning, well logging, x-ray and diagnostic, cathodic protection or wireline services. This use does not include tank farm.	L
OUTDOOR DISPLAY YARD	means an area outside an enclosed building used solely for the display of finished products of an industry, the display of vehicles, trailers, trucks, truck trailers equipment, machinery or boats for sale or for rental, or a retail establishment.	L
P		
PAD	means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a <i>Manufactured Home</i> or unit.	G
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.	G
PARCEL AREA	means the total area of land within the parcel .	G
PARCEL, CORNER	means a parcel that abuts two intersecting public streets. A corner Parcel is determined to have a Parcel Line, Exterior Side and a Parcel Line, Interior Side.	G
PARCEL COVERAGE	means the percentage of the <i>Parcel Area</i> covered by the area of all <i>Buildings</i> including <i>Accessory Buildings</i> , and excludes <i>balconies</i> , bay windows, canopies and sun shades, cornices, eaves and gutters, roof overhangs, fire escapes, sills, steps, open and enclosed terraces at grade or similar projections. See Figure 3 Site Coverage Calculations	G
PARCEL LINE	means the legal boundary of a parcel . See Figure 4 Parcel and Yard Types	G
PARCEL LINE, EXTERIOR SIDE	means a <i>Parcel Line</i> , other than a <i>Front</i> or <i>Rear Parcel Line</i> , which abuts a public street. See Figure 4 Parcel and Yard Types	G

PARCEL LINE, FRONT	means the shortest <i>Parcel Line</i> that abuts a public street unless otherwise determined by the Development Authority in accordance with this Bylaw. See Figure 4 Parcel and Yard Types	G
PARCEL LINE, INTERIOR SIDE	means a <i>Parcel Line</i> other than a <i>Rear</i> or <i>Front Parcel Line</i> , which abuts another parcel or a lane and does not abut a public street. See Figure 4 Parcel and Yard Types	G
PARCEL LINE, REAR	means the <i>Parcel Line</i> which is opposite to and is not connected to the <i>Front Parcel Line</i> . See Figure 4 Parcel and Yard Types	G
PARCEL WIDTH	means the average horizontal distance between two side <i>Parcel Lines</i> . See Figure 4 Parcel and Yard Types	G
PARK	means land set aside for outdoor recreation or education, or to protect sensitive natural features and or areas of cultural or scenic value. Without restricting the generality of the foregoing, parkland may accommodate more active recreational pursuits, such as tot-lots, playgrounds, walkways and sports fields.	G
PARKING SPACE	means a space within a <i>Building</i> or <i>Parking Area</i> , for the parking of one vehicle, excluding driveways, aisles, ramps, columns, office and work areas.	G
PARKING SPACE, ACCESSIBLE	means a parking space that is accessible for those with mobility needs.	G
PARKING LOT	means an area of cleared land dedicated to the parking of vehicles, and usually provided with a durable or semi-durable surface.	G
PARTY WALL	means a wall common to two dwelling units joining the abutting units across a common interior lot line.	G
PERMITTED USE	means the use of land or of a building which is listed in the column captioned, Permitted Uses in the lists of which, when it meets the applicable provisions of this bylaw, a development permit shall be issued.	G
PERSONAL SERVICE	means a development used for the provision of personal services to an individual which are related to the care and appearance of the body. Or the cleaning and repair of personal effects including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops and other similar uses.	L
PET CARE SERVICE	means a use where small domestic (non-livestock) animals are washed, groomed, trained or boarded during the day.	L
POST OFFICE	means an office or station of a government system at which mail is received and sorted, from which it is transported, and at which stamps are sold or other services rendered.	L

PRINT SHOP	means an establishment where the printing of newspapers, books, and other materials takes place.	L
PRIVATE CLUB	means an indoor development used for the meeting, social or recreational activities used predominantly by area residents.	L
PUBLIC STREET	means a public thoroughfare, referred to interchangeably as a road.	G
R		
REAR YARD	See Yard, Rear	L
RECREATION FACILITY	means a public or private development providing facilities for recreational entertainment and activities either indoor or outdoor. Typical uses include, but are not limited to, a theatre, craft studio, pool hall, bowling alley, swimming pool, hockey rink, rodeo/exhibition grounds, trails and a multi-purpose facility. This use does not include a golf course.	
RELIGIOUS ASSEMBLY	means a development including any meeting halls used for spiritual worship and related religious activities. Typical accessory uses include, but are not limited to, administrative offices, accessory manses, rectories or parish houses.	G
RETAIL STORE	means a development used for the sale of consumer goods from within an enclosed building and included limited on-site storage or limited seasonal outdoor sales to supports that store's operations. Retail store use does not include Cannabis Retail Sales.	L
S		L
SCHOOL	means a premise that involves public assembly for education, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This includes but is not limited to a public school, a separate school, or a technical school, their administrative offices and school bus parking. This use may also include outdoor recreational uses typically associated with an educational facility such as a track or outdoor courts.	L
SECONDARY SUITE	See Dwelling, Secondary Suite	

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.	L
SENIOR RESIDENTIAL CARE	means independent and assisted living for seniors that may also include multi-purpose rooms for communal purposes, services such as laundry, dining, kitchen, fitness, salon services, massage clinic, physiotherapy, visiting and guest housing, service staff housing, offices, and public use of equipment, services and spaces that support in some capacity the independent and assisted living principal use.	L
SERVICE STATION	means premises used principally for the retail sale of motor fuels, lubricating oils and motor vehicle accessories and the servicing of passenger vehicles and light trucks, and may include the auxiliary retail sale of other products, but shall not include any wholesale sales, automotive frame repairs, body repairs, or painting, heavy equipment or heavy truck repair.	L
SETBACK	means the minimum distance between a <i>building, structure, or use</i> , from a <i>parcel line</i> .	
SIDE YARD	See Yard, Side	G
SIGN	means a visual medium used to convey information by way of words, pictures, images, graphics, emblems, or symbols, or any device used for the purpose of providing direction, identification, advertisement, business promotion, or the promotion of a person, product, activity, service, event, or idea. <i>Note: Sign types are further defined in Part 9.</i>	G
SIMILAR USE	means a specific use of land or of a building that is not expressly mentioned in this bylaw but which the Development Authority has determined to be similar in character and purpose to a use listed as a Permitted or Discretionary Use in the district in which such use is proposed.	G
SITE	See Lot or Parcel	L
SITE COVERAGE	See Parcel Coverage	G
SHIPPING CONTAINER	means a prefabricated container designed, constructed and used for the transportation of goods by rail, ship, or truck, whether or not it is intended to continue to be used for this purpose.	G

SHOPPING CENTRE	means a unified group of Retail Stores, Personal Service Establishments, Clinics and Offices on a site planned, developed and managed as a single operating unit, with shared on-site parking.	L
STREET	means a public thoroughfare and referred to interchangeably as a road.	G
STORAGE STRUCTURE	means a structure that does not meet the definition of an accessory building and is used for the storage of goods or equipment. A storage structure may be in the form of a shipping container, trailer or other structure.	G
STORAGE YARD	means a use: (a) where goods, motor vehicles or equipment used in road construction, building construction, oilfield services and similar industries are stored when they are not being used are stored outdoors; or (b) where the vehicles and equipment stored may also be serviced, cleaned or repaired; or (c) that may involve the storage of construction material such oil and gas pipeline materials; or (d) that does not involve the storage of any derelict vehicles or derelict equipment; or (e) that does not involve the production or sale of goods as part of the use; or (f) that may have a building for the administrative functions associated with the use.	G
STOREY	means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of a floor and the ceiling above it. A storey does not include a basement or walkout basement.	L
STRUCTURE	means any construction fixed to, supported by or sunk into land or water but does not include fences, retaining walls, concrete, asphalt, brick, tile, or similar surfaced areas.	L
SUBDIVISION AUTHORITY	means a person or body appointed as a Subdivision Authority in accordance with the MGA.	G
SUBDIVISION AND DEVELOPMENT APPEAL BOARD	means a Subdivision and Development Appeal Board established by Council pursuant to the Act.	G
T		G
TEMPORARY DEVELOPMENT	means a development for which a development permit has been issued for a limited time only, as determined by the development authority and indicated in the conditions of the development permit.	G

THEATRE	means a structure used for dramatic, operatic, motion pictures, or other performance, for admission to which entrance money is received and no audience participation or meal service allowed.	L
TOURIST INFORMATION CENTER	means the use of a parcel of land or a building to provide information to the travelling public and may include washrooms and picnic facilities.	L
U		G
USE	means the purpose for which any parcel, tract of land, Building or Structure is designed, arranged or intended or for which it is occupied or maintained.	
UTILITIES	means any one or more of the following: (a) systems for the distribution of gas, whether artificial or natural; (b) facilities for the storage, transmission, treatment and distribution or supply of water; (c) facilities for the collection, treatment, movement, or disposal of sanitary sewage; (d) storm sewer drainage facilities; (e) systems for electrical distribution and lighting; or (f) systems for telephone and cable TV distribution.	
V		G
VETERINARY CLINIC	means a facility for the medical care and treatment of animals, and includes provision for the overnight accommodation. The use of the facility for overnight boarding shall be limited to short time boarding while the animals are awaiting treatment or are recovering from treatment and shall be incidental to the hospital use. This definition does not include the use Pet Care Service, Kennel – Breeding or Kennel – Boarding.	L
W		
WHOLESALE DISTRIBUTORS	means a premise used for the sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This includes but is not limited to development where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials.	L
WASTE MANAGEMENT FACILITY	means a solid waste transfer station for the processing, storing, recycling or future land filling of municipal waste, but does not include an automobile wrecker.	L
WIDTH	means the average horizontal distance between the side boundaries of a site.	L

Y		L
YARD, FRONT	means the area of a parcel located between the <i>Front Parcel Line</i> and the nearest point of the principal building. See Figure 4 Parcel and Yard Types	
YARD, REAR	means the area of a parcel located between the <i>Rear Parcel Line</i> and the nearest point of the principal building See Figure 4 Parcel and Yard Types	G
YARD, INTERIOR SIDE	means the area of a parcel located between the <i>Interior Side Parcel Line</i> and the nearest point of the principal building. See Figure 4 Parcel and Yard Types	
YARD, EXTERIOR SIDE	means the area of a parcel located between the <i>Exterior Side Parcel Line</i> and the nearest point of the principal building. See Figure 4 Parcel and Yard Types	

All other words and expressions have the meanings respectively assigned to them in the Municipal Government Act.

3 DEVELOPMENT AND SUBDIVISION AUTHORITIES

3.1 ESTABLISHMENT OF THE DEVELOPMENT AUTHORITY

The Development Authority shall exercise development powers and perform duties on behalf of the municipality in accordance with Part 17 of the MGA and may include:

(a) Development Officer

- (i) The Development Officer, established by separate Bylaw in accordance with the MGA, shall perform such duties as are specified in this Bylaw.

(b) Municipal Planning Commission

- (i) The Municipal Planning Commission, established by separate Bylaw in accordance with the MGA, shall perform such duties as are specified in this Bylaw.

3.2 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Village of Acme has established an Intermunicipal Subdivision and Development Appeal Board (ISDAB).

3.2.1 The ISDAB, established by separate Bylaw in accordance with the MGA, shall perform such duties as are specified in this Bylaw.

3.2.2 An ISDAB is a Subdivision and Development Appeal Board for the purposes of this Bylaw.

3.3 DEVELOPMENT AUTHORITY POWERS AND DUTIES

3.3.1 The Development Authority must make available for inspection, during office hours, all applications and decisions for development permits, subject to any legislation in force restricting availability.

3.3.2 The Development Authority must administer this Bylaw and decide upon all development permit applications.

3.3.3 The types of development permit applications a Development Authority may decide upon include:

- (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 all requirements of this Bylaw;
- (d) a discretionary use that does not comply with all requirements of this Bylaw.

3.3.4 The Development Authority must not approve a development permit for an addition or structural alteration to a non-conforming building.

3.3.5 The Development Officer must collect fees according to Master Rates Bylaw.

- 3.3.6 The Development Authority may refuse to accept a development permit application where:
- (a) the information required is not provided;
 - (b) the quality of the information provided is inadequate to properly evaluate the application; or
 - (c) the fee for a development permit application has not been paid.

3.4 SUBDIVISION AUTHORITY

The Subdivision Authority, as established by separate Bylaw in accordance with the MGA, shall perform duties on behalf of the municipality in accordance with the MGA, the Land Use Bylaw and all relevant Village planning and policy documents.

3.5 SUBDIVISION AUTHORITY POWERS AND DUTIES

- 3.5.1 The Subdivision Authority shall:
- (a) Receive all complete applications for subdivision including the required application fees;
 - (b) on receipt of an application for subdivision, review to ensure sufficient information is provided to adequately evaluate the application in accordance with Part 1 of the Subdivision and Development Regulation;
 - (c) keep a register of all applications for subdivision, including the decisions therein and the reasons therefore;
 - (d) circulate applications for subdivision for comments to those authorities and agencies as prescribed within the MGA, Subdivision and Development Regulation and this Land Use Bylaw, and add all comments to the subdivision report.
 - (e) circulate applications for subdivision for comments to adjacent municipalities in accordance with referral policies in an Intermunicipal Development Plan.
 - (f) the Subdivision Authority may proceed with processing of the application after thirty (30) days from the date of referral to authorities, agencies or landowners whether or not comments have been received;
 - (g) subdivision applications not requiring circulation under the MGA are exempt from subsections 2.5. e), f), and g).
 - (h) prepare a subdivision report including all relevant information to the application, recommendations and any comments received from circulated agencies and will review the report with the Municipal Planning Commission for municipal recommendations;
 - (i) decide upon all applications in accordance with the MGA, the Subdivision and Development Regulation and Land Use Bylaw with consideration of all comments received through circulation and the recommendations of the Municipal Planning Commission;

- (j) prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the Subdivision and Development Regulation;
- (k) 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;
- (l) ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality;
- (m) endorse Land Titles instruments to affect the registration of the subdivision of land;
- (n) appear before the Intermunicipal Subdivision and Development Appeal Board or Land and Property Rights Tribunal where appeals are made on subdivision application decisions; and
- (o) advise the Council, Municipal Planning Commission and Intermunicipal Subdivision and Development Appeal Board on matters relating to the subdivision of land.

3.6 SUBDIVISION OF LAND

A development requiring subdivision of land shall not be issued a development permit until such time as subdivision approval has been received from the Subdivision Approving Authority or upon a successful appeal to the Land and Property Rights Tribunal or the Intermunicipal Subdivision and Development Appeal Board.

3.7 FORMS AND NOTICES

For the purpose of administering the provisions of this bylaw, the Subdivision and Development Authority shall prepare forms and notices as they may deem necessary.

4 DEVELOPMENT PERMITS

4.1 DEVELOPMENT PERMITS REQUIRED

- 4.1.1 No development, other than those designated in **Section 4.2 Development Permits Not Required** of this Bylaw, shall be undertaken within the Village unless a development permit has been approved and a development permit issued.
- 4.1.2 Notwithstanding subsection 4.1.1, while a development permit may not be required pursuant to Section 4.2 the development shall comply with all regulations of this Bylaw.
- 4.1.3 Stripping, filling, excavation and grading of land is not allowed except when such operations are performed in accordance with a valid development permit. This does not include landscaping as outlined in 4.2.4 (i).

4.2 DEVELOPMENT PERMITS NOT REQUIRED

- 4.2.1 Where a development permit is not required by this Bylaw it does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute.
- 4.2.2 Where a development permit is not required by this Bylaw it does not negate the requirement of obtaining a business license where required.
- 4.2.3 The following developments shall not require a development permit:
 - (a) any use or development exempted under section 618(1) of the *Municipal Government Act*;
 - (b) any use or development exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *Municipal Government Act*;
 - (c) communication Structures that are regulated by Industry Canada and that comply with the *Federal Radio Communication Act*; and
 - (d) 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 12 months from the date this Bylaw came into effect.
- 4.2.4 Prior to commencement of the following developments it shall not be necessary to obtain a development permit, but the development shall otherwise comply with the provisions of this Bylaw:
 - (a) The carrying out of works of maintenance or repair to a building provided that such work:
 - (i) does not include structural alterations;
 - (ii) does not change the use or intensity of the use of the structure;
 - (b) The demolition of a building with an area less than 56 m² (602.8 sq. ft);
 - (c) The maintenance or repair of public works, services or utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;

- (d) The construction, maintenance and repair of private walkways, pathways, driveways, patios and similar works;
- (e) The erection or construction of gates, fences, walls or other means of enclosure (other than where abutting a road used by vehicular traffic) less than one metre (3.2 ft.) in height in front yards and less than 1.82 metres (6.0 ft.) for side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of yard enclosure. Must meet section requirements in **7.9 FENCING and Hedges** of this Bylaw.
- (f) In a commercial district, fences do not require a development permit and must meet section requirements in **7.9 Fencing and Hedges** of this Bylaw.
- (g) The erection or construction of decks less than 0.6 m (2.0 ft) measured from lowest grade point to top of deck surface.
- (h) The erection or construction or replacement of one (1) **Accessory Building – Garden Shed** per **parcel**, not on a permanent foundation or concrete pad, which does not exceed 10.5 m² (113 sq. ft.) in floor area and 2.5 m (8 ft.) in height, and must comply with all setbacks in the district. This does not include **Accessory Building – Fabric Covered**;
- (i) General hard or soft landscaping activities on a developed lot, such as but not limited to loaming, graveling and seeding yard areas, planting trees or shrubs, gardening, where these activities do not affect surface water run off or may cause existing surface soils to slough onto adjacent properties, or;
- (j) The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election, referendum or plebiscite;
- (k) An official notice, sign, placard or bulletin required to be displayed pursuant to provisions of Federal, Provincial or Municipal Legislation;
- (l) A **Home Occupation – Minor**; and
- (m) Extensive Agriculture must meet requirements in Section 8.15 Agricultural Operations.

4.3 APPLICATION FOR A DEVELOPMENT PERMIT

4.3.1 Any owner of a parcel, an authorized agent, or other persons having legal or equitable interest in the parcel may make application for a development permit to the Development Authority using the approved form and shall be accompanied by information as may be required by the Development Authority to evaluate the application including, but not limited to:

- (a) a site plan in duplicate, drawn to scale, which shows the following:
 - (i) legal description of the site with north arrow;
 - (ii) area and dimensions of the land to be developed including the front, rear and side yards if any;
 - (iii) area and external dimensions including the heights of all buildings and structures to be erected on the land;

- (iv) any provisions for off-street loading and vehicle parking, including all access and egress points to the site; and
 - (v) the position and distances of any existing building, roads, water bodies, trees or other physical features on the land to be developed.
- (b) floor plans, elevations, grading and drainage plans and sections in duplicate and an indication of the exterior finishing materials and colour if required by the Development Authority;
 - (c) pictures of the interior and exterior of an existing building that is proposed to be moved on to a parcel within the Village of Acme;
 - (d) a statement of the proposed use or uses;
 - (e) a statement of ownership of land and the interest of the applicant therein;
 - (f) the estimated commencement and completion dates;
 - (g) the estimated cost of the project or contract price;
 - (h) the development permit fee as prescribed by Council;
 - (i) a surveyor's certificate or real property report if required by the Development Officer;
 - (j) written agreement of the registered land owner(s) of the property with regard to the proposed development, if required.
- 4.3.2 The Development Authority may require additional copies of the application plans or specifications as well as additional information as deemed necessary to sufficiently evaluate the application.
- 4.3.3 The Development Authority shall issue a notice of "Complete" or "Incomplete" application, within 20 days of the submission in accordance with the requirements of the Act.

4.4 DECIDING ON DEVELOPMENT PERMIT APPLICATIONS

- 4.4.1 A Development Officer:
- (a) Shall receive, consider and decide on an application for a development permit:
 - (i) for those uses listed as a permitted use for the relevant land use district which either comply with the minimum standards for that district; or
 - (ii) otherwise comply with the minimum standards, but require relaxation of one measurable standard no greater than 20% of that standard;
 - (b) Shall receive, consider and decide on an application for those uses listed as discretionary uses; and
 - (c) May at their discretion refer with his/her recommendations, to the Municipal Planning Commission for its consideration and decision, any application for a development permit for those uses which are listed as:
 - (i) a permitted use but require a relaxation/variance of more than one measurable standard; or

- (ii) a permitted use but require relaxation of one measurable standard greater than 20%.
- 4.4.2 A Development Officer may refer to the Municipal Planning Commission at his/her discretion any application which in his/her opinion should be decided by the Commission.
- 4.4.3 The Municipal Planning Commission shall decide on all applications referred to the Commission by the Development Officer.
- 4.4.4 Where an application is referred to the Municipal Planning Commission the Commission shall either:
 - (a) approve the application without conditions;
 - (b) approve the application with conditions, either indefinitely or for a limited period of time,
 - (c) table the application requesting additional information from administration or the applicant, or refuse the application stating reasons.
- 4.4.5 When making a decision on a development permit application for a discretionary use the Development Officer or Municipal Planning Commission 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 development;
 - (d) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
 - (e) the merits of the proposed development;
 - (f) the servicing requirements;
 - (g) access and transportation requirements;
 - (h) vehicle and pedestrian circulation within the parcel; and
 - (i) sound planning principles.
- 4.4.6 An application may be approved where the proposed development does not comply with the minimum or maximum requirements of the Bylaw if, in the opinion of the Municipal Planning Commission, the proposed development would not:
 - a) unduly interfere with the amenities of the neighborhood; or
 - b) materially interfere with or affect the use, enjoyment or value of neighbouring properties.
- 4.4.7 In the case where a proposed specific use of land or a building is not provided for in any land use district in the Bylaw, the Municipal Planning Commission may determine such a use is similar in character and purpose to another use of land or building that is included in the list of permitted and discretionary uses prescribed for that land use district.
- 4.4.8 The Development Officer or Municipal Planning Commission may require, as a condition of issuing a development permit, the applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities or to pay off-site levy or redevelopment levy imposed by a Bylaw.

- 4.4.9 If a decision is not made on a development permit application within 40 days after it is deemed or determined complete by the Development Officer, the applicant may deem it to be refused at the end of the 40 day period unless the applicant for a development permit enters into an agreement to extend the 40 day time period.
- 4.4.10 The Development Officer or Municipal Planning Commission may issue a temporary development permit, for a period not exceeding one (1) year unless a longer term is required in consideration of a specific use or project that is temporary but requires a longer time frame.

4.5 ISSUANCE OF A DEVELOPMENT PERMIT AND NOTICES

- 4.5.1 A development permit granted pursuant to this Bylaw **does not come into effect until 21 days after the date the** development permit is communicated as described in this section. Any development proceeded with by the applicant prior to the expiry of this 21 day period is done solely at the risk of the applicant.
- 4.5.2 Notwithstanding 4.5.1, a development permit approval for a permitted use that does not require a relaxation/ variance to any standards within this Land Use Bylaw shall not be required to be circulated and shall be come into effect on the date that the development permit notice of decision is communicated to the applicant.
- 4.5.3 Where an appeal is made pursuant to this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- 4.5.4 When a permit has been granted for a discretionary use or a relaxation/ variance to any development standards in this Bylaw, the Development Officer shall:
 - (a) immediately post a notice of the decision conspicuously on the property for which the application has been made; or
 - (b) a notice in writing shall be immediately mailed to all registered owners of land who in the opinion of the Development Officer may be affected; or
 - (c) a notice shall be immediately published for two weeks on the Village's website, and/or social media, and/or newspaper, circulating in the municipality stating the location of the property which the application has been made and the development permit granted.
- 4.5.5 If the Development authorized by a permit is not commenced within 12 months from the date granted or carried out with reasonable diligence, the development permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
- 4.5.6 A decision by the Development Authority on an application for a development permit shall be given in writing and a copy (digital or paper) of it sent to the applicant.
- 4.5.7 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

4.6 CONDITIONS OF A DEVELOPMENT PERMIT

- 4.6.1 Any condition which is attached to a development permit forms part of the development permit, and shall be complied with for the development permit to remain Valid.
- 4.6.2 The Development Authority may attach conditions to any development permit that is a discretionary use or permitted use with a variance:
- (a) to ensure that a proposed use or Development of Land or Buildings will comply with the provisions of this Bylaw and any applicable Statutory Plans;
 - (b) specifying the period of time during which a development permit is valid and/or the date by which Development shall commence;
 - (c) governing the design, character, appearance, size, height, location, position, density and intensity of Use, servicing, vehicle and pedestrian accessibility, landscaping, paving, lighting, advertising, identification of Use of any proposed Use of Development;
 - (d) governing the excavation, filling or reclamation of land;
 - (e) requiring the developer contact Utility Safety Partners, or their succession agency, prior to the construction, to locate the utilities that run through the property;
 - (f) that the developer obtains a building permit and all other permits as required by the Safety Codes Council and meet all Safety Code Requirements;
 - (g) requiring irrevocable letters of Credit, bond, or other assurances to ensure compliance with the conditions of approval and/or the construction of any required facilities;
 - (h) requiring the registration of a restrictive covenant, caveat or easement; and
 - (i) Requiring other conditions as deemed necessary.
- 4.6.3 Any person or business to whom a development permit has been issued, and any successor owner of the property in respect of which a development permit has been issued, shall continuously comply with the conditions of the development permit.

4.7 DEVELOPMENT AGREEMENTS

- 4.7.1 As per section 650 of the MGA, the Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the Village to do any or all of the following:
- (a) to provide security to ensure that the terms of the agreement are carried out;
 - (b) services shall be constructed as per the Village's requirements and that a Village employee oversees any tie-ins to municipal services and that the Village is notified 48 hours prior to connection to services;
 - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;

- (d) .landscaping, screening and site development be required as per this bylaw;
 - (e) .to construct or pay for the construction of a road to Village standards giving access to the development;
 - (f) .to construct or pay for the construction of a pedestrian walkway system to serve the development, or 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;
 - (g) .to construct or pay for the construction of off-street or other parking facilities and for loading and unloading facilities;
 - (h) .to pay an off-site levy or redevelopment levy;
 - (i) .that the developer shall be responsible for obtaining their own assessment of soil conditions related to bearing capacities and consolidation in relation to the proposed development, and the development shall be designed, constructed and maintained in such a manner as to ensure the development's safety and stability on the subject lands;
 - (j) .that drainage from foundation to curb and the slope of the yard follows Village Standards; and
 - (k) .other conditions as deemed necessary.
- 4.7.2 The Village may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under **Section 4.7.1** 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.

4.8 NON-CONFORMING BUILDINGS AND USES

- 4.8.1 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform to the provisions of this Bylaw in accordance with section 643(1) of MGA.
- 4.8.2 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non- conforming use continues.
- 4.8.3 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
- (a) to make it a conforming building, or
 - (b) for routine maintenance of the building, if the Development Authority considers it necessary.
- 4.8.4 During demolition of a building, a non-conforming foundation must be brought into compliance in accordance with this Bylaw.
- 4.8.5 In the event a building is moved off or on a property, a non-conforming foundation must be brought into compliance in accordance with this Bylaw prior to a new building being placed on the property.

- 4.8.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 4.8.7 The land use that is non-conforming or the use of a non-conforming building is not affected by a change of ownership or tenancy of the land or building.

5 APPEALS

5.1 SUBDIVISION APPEAL PROCEDURE

- 5.1.1 An appeal with respect to a decision on a subdivision application is governed by the MGA.
- 5.1.2 An appeal may be made to the appropriate Appeal Body in accordance with the MGA.
- 5.1.3 If the decision of the Subdivision Authority to refuse a subdivision application is reversed by the Appeal Body, the Subdivision Authority must endorse the subdivision application in accordance with the decision of the Appeal Body.
- 5.1.4 If the decision of the Subdivision Authority to approve a subdivision application is reversed by the Appeal Body, the subdivision application is null and void.
- 5.1.5 If a decision of the Subdivision Authority to approve a subdivision application is upheld by the Appeal Body, the Subdivision Authority must endorse the subdivision application in accordance with the decision of the Appeal Body.
- 5.1.6 If any decision of the Subdivision Authority is varied by the Appeal Body, the Subdivision Authority must endorse a subdivision reflecting the decision of the Appeal Body and act in accordance with that decision.

5.2 DEVELOPMENT APPEAL PROCEDURE

- 5.2.1 An appeal with respect to a decision on a development permit application is governed by the MGA.
- 5.2.2 An appeal may be made to the appropriate Appeal Body in accordance with the MGA.
- 5.2.3 Where a development permit is issued within a Direct Control District the appeal may be limited in accordance with the MGA.
- 5.2.4 If the decision of the Development Authority to refuse a development permit is reversed by the Appeal Body, the Development Authority must endorse the development permit in accordance with the decision of the Appeal Body.
- 5.2.5 If the decision of the Development Authority to approve a development permit application is reversed by the Appeal Body, the development permit is null and void.
- 5.2.6 If a decision of the Development Authority to approve a development permit is upheld by the Appeal Body, the Development Authority must endorse the development permit in accordance with the decision of the Appeal Body.
- 5.2.7 If any decision of the Development Authority is varied by the Appeal Body, the Development Authority must endorse the development permit

reflecting the decision of the Appeal Body and act in accordance with that decision.

5.3 ISDAB- PUBLIC HEARING PROCESS

- 5.3.1 In accordance with the MGA, within 30 days of receipt of a notice of appeal, the **Subdivision and Development Appeal Board (SDAB)** shall hold an appeal hearing respecting the appeal.
- 5.3.2 The **SDAB** shall give at least 5 days notice in writing of the appeal hearing to:
- (a) the appellant or any person acting on his/her behalf;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) those registered owners of land in the municipality who are affected and any other person who in the opinion of the Intermunicipal Subdivision and Development Appeal Board, is affected by the order, decision or permit;
 - (d) Palliser Regional Municipal Services.
- 5.3.3 The **SDAB** shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal, as they become available, subject to the Act, including:
- (a) the application for the development permit, the decision and the appeal therefrom; or
 - (b) the order of the Development Authority; or
 - (c) the application for subdivision, the decision and the appeal therefrom.
- 5.3.4 The **SDAB** shall give a written decision together with reasons for the decision within 15 days of the conclusion of the hearing.
- 5.3.5 A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Municipal Government Act. An application for leave to appeal to the Court of Appeal shall be made:
- (a) to a judge of the Court of Appeal; and
 - (b) within 30 days after the issue of the order, decision, permit, or approval sought to be appealed.

5.4 LAND AND PROPERTY RIGHTS TRIBUNAL- PUBLIC HEARING PROCESS

- 5.4.1 An appeal to the **Land and Property Rights Tribunal (LPRT)** will follow the legislated process required for the **LPRT** under the MGA, including (but not limited to):
- (a) Timeframe to hold a hearing;
 - (b) Minimum notice of the hearing date;
 - (c) Information available for inspection; and
 - (d) Timeline to issue a decision.

6 LAND USE DISTRICTS AND OVERLAYS

6.1 DISTRICTS

For the purpose of this Bylaw, the municipality is divided into the following Districts:

- R-1 - Residential District
- R-2 - Residential District
- R-A - Residential Acreage
- R-H1 - Residential Heritage Estates R-1 District
- R-H2 - Residential Heritage Estates R-2 District
- M-RC - Mixed Used Residential / Commercial District
- DT - Downtown Commercial District
- HWY-C - Highway Commercial District
- P - Community Service District
- UR - Urban Reserve
- DC - Direct Control

6.2 DISTRICT BOUNDARIES

- 6.2.1 The locations and boundaries of the land use districts are shown on the Land Use District Map in Part 11, which forms part of this Bylaw.
- 6.2.2 The locations of boundaries shown on the Land Use District Maps shall be governed by the following rules:
 - Rule 1.* Where a boundary is shown as following a street, lane, stream, it shall be deemed to follow the centerline thereof.
 - Rule 2.* Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
 - Rule 3.* In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:
 - (a) using any dimensions given on the map; or
 - (b) where no dimensions are given, measurement using the scale shown on the map.
- 6.2.3 Where the exact location of the boundary of a land use district cannot be determined using the rules in 6.2.2, the Council, through a bylaw amendment or on a written request, shall fix the location:
 - (a) in a manner consistent with the provisions of this Bylaw; and with the appropriate degree of detail required.
- 6.2.4 The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.

6.3 R-1 – RESIDENTIAL DISTRICT

6.3.1 Purpose

The purpose and intent of this district is to provide for general residential development.

6.3.2 Permitted Uses

(a) <u>Accessory Buildings and Uses</u>
(b) <u>Day Home</u>
(c) <u>Dwelling – Single Detached</u>
(d) <u>Dwelling – Modular</u>
(e) <u>Government Building and Facilities</u>
(f) <u>Home Occupation – Minor</u>
(g) <u>Parks</u>

6.3.3 Discretionary Uses

(a) <u>Accessory Building – Fabric Covered</u>
(b) Bed and Breakfast Establishment
(c) <u>Dwelling – Backyard Suite</u>
(d) <u>Dwelling – Moved-on</u>
(e) <u>Dwelling – Multiple Unit (attached)</u>
(f) <u>Dwelling – Two-unit</u>
(g) <u>Dwelling – Secondary Suite</u>
(h) Home Occupation – Major

6.3.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.3.5 Accessory Buildings Minimum Requirements

The following <u>minimum</u> requirements apply to Accessory Buildings in this district:	
<u>Front Yard</u>	Must be equal to or greater than principal building
<u>Side Yard, Exterior</u>	1.5 m (5 ft.)
<u>Side Yard</u>	1 m (3.3 ft.)
<u>Rear Yard</u>	1 m (3.3 ft.)

6.3.6 **Accessory Buildings** Maximum Requirements

The following maximum requirements apply to Accessory Buildings in this district:	
Building Height	Shall not exceed 4.5 m (15 ft) with the wall height a maximum of 3 m (10 ft.).
Parcel Coverage	The total combined building footprint area of all accessory buildings shall not exceed 15% of the parcel area .

6.3.7 **Dwelling – Single Detached** Minimum Requirements

The following minimum requirements apply to Dwelling – Single Detached uses:	
Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard, Exterior	1.5 m (5 ft.)
Side Yard	1.5 m (5 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.3.8 **Dwelling – Single Detached** Maximum Requirements

The following maximum requirements apply to Dwelling – Single Detached uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.3.9 **Dwelling – Modular** Minimum Requirements

The following minimum requirements apply to Dwelling – Modular uses:	
Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard, Exterior	1.5 m (5 ft.)
Side Yard , Interior	1.5 m (5 ft.)
Rear Yard	7.5 m (25 ft.)

Parking	In accordance with Section 7.13 Parking
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6.3.10 [Dwelling – Modular](#) Maximum Requirements

The following **maximum** requirements apply to [Dwelling – Modular](#) uses:

Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s);
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.3.11 [Dwelling – Two Unit](#) Minimum Requirements

The following **minimum** requirements apply to [Dwelling – Two Unit](#) uses:

Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard , Exterior (for Corner Lots)	1.5 m (5 ft.)
Side Yard , Interior	1.5 m (5 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.3.12 [Dwelling – Two Unit](#) Maximum Requirements

The following **maximum** requirements apply to [Dwelling – Two Unit](#) uses:

Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s).
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.3.13 [Dwelling – Multiple Unit](#) Minimum Requirements

The following **minimum** requirements apply to [Dwelling – Multiple Unit](#) uses:

Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)

Side Yard , Exterior (for Corner Lots)	1.5 m (5 ft.)
Side Yard	1.5 m (5 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.3.14 **Dwelling – Multiple Unit** Maximum Requirements

The following maximum requirements apply to Dwelling – Multiple Unit uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s).
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.4 R-2 – RESIDENTIAL DISTRICT

6.4.1 Purpose

The purpose and intent of this district is to provide for general residential development with more flexible housing options.

6.4.2 Permitted Uses

(a) Accessory Buildings and Uses
(b) Day Home
(c) Dwelling – Single Detached
(d) Dwelling – Modular
(e) Dwelling – Two Unit
(f) Government Building and Facilities
(g) Home Occupations – Minor
(h) Parks

6.4.3 Discretionary Uses

(a) Accessory Building – Fabric Covered
(b) Bed and Breakfast Establishment
(c) Community Hall/ Building
(d) Daytime Child Care Services
(e) Dwelling – Multiple unit (Apartment)
(f) Dwelling – Multiple Unit (attached)
(g) Dwelling – Secondary Suite
(h) Group Care Facility
(i) Home Occupations – Major
(j) Senior Residential Care
(k) Signs*
(l) Religious Assembly

*See [Section 9 for Sign Regulations](#)

6.4.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.4.5 **Accessory Buildings** Minimum Requirements

The following minimum requirements apply to Accessory Buildings in this district:	
Front Yard	Must be equal to or greater than principal building
Side Yard, Exterior	1.5 m (5 ft.)
Side Yard	1 m (3.3 ft.)
Rear Yard	1 m (3.3 ft.)

6.4.6 **Accessory Buildings** Maximum Requirements

The following maximum requirements apply to Accessory Buildings in this district:	
Building Height	Shall not exceed 4.5 m (15 ft) with the wall height a maximum of 3 m (10 ft.).
Parcel Coverage	The total combined building footprint area of all accessory buildings shall not exceed 15% of the parcel area .

6.4.7 **Dwelling – Single Detached** Minimum Requirements

The following minimum requirements apply to Dwelling – Single Detached uses:	
Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard, Interior	1.5 m (5 ft.)
Side Yard, Exterior (abutting flanking street on a Corner Lot)	3 m (10 ft.)
Side Yard (excluding Corner Lots) to provide alternate access to the rear of the buildings in a laneless subdivision	One 3 m (10 ft.)
Rear yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.4.8 **Dwelling – Single Detached** Maximum Requirements

The following maximum requirements apply to Dwelling – Single Detached uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.4.9 **Dwelling – Modular** Minimum Requirements

The following <u>minimum</u> requirements apply to Dwelling – Modular uses:	
Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard , Interior	1.5 m (5 ft.)
Side Yard , Exterior (abutting flanking street on a Corner Lot)	3 m (10 ft.)
Side Yard (excluding Corner Lots) to provide alternate access to the rear of the buildings in a laneless subdivision	One 3 m (10 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.4.10 **Dwelling – Modular** Maximum Requirements

The following <u>maximum</u> requirements apply to Dwelling – Modular uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s);
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.4.11 **Dwelling – Two Unit** Minimum Requirements

The following <u>minimum</u> requirements apply to Dwelling – Two Unit uses:	
Parcel Area for Dwelling – Two Unit (on one parcel)	557 m ² (5995 sq. ft.)
Parcel Area for Dwelling – Two Unit (divided into two separate parcels with common interior wall)	278 m ² (2992 sq. ft.)
Parcel Width	18 m (60 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard , Interior	1.5 m (5 ft.)
Side Yard , Exterior (abutting flanking street on a Corner Lot)	3 m (10 ft.)
Side Yard (excluding corner lots) to provide alternate access to the rear of the buildings in a laneless subdivision	One 3 m (10 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.4.12 **Dwelling – Two Unit** Maximum Requirements

The following maximum requirements apply to Dwelling – Two Unit uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s);
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.4.13 **Dwelling – Multiple Unit** Minimum Requirements

The following minimum requirements apply to Dwelling – Multiple Unit uses:		
Parcel Area	Dwelling – Multiple Unit (attached) on a single parcel	557 m ² (5995 sq. ft.)
	Dwelling – Multiple Unit (attached) per unit	278 m ² (2992 sq. ft.)
	Dwelling – Multiple Unit (apartment) on a single parcel	720 m ² (7750 sq. ft.)
Parcel Width	Dwelling – Multiple Unit (attached) on a single parcel	18 m (60 ft.)
	Dwelling – Multiple Unit (attached) per unit	9 m (30 ft.)
	Dwelling – Multiple Unit (apartment) on a single parcel	18 m (60 ft.)
Front Yard		7.5 m (25 ft.)
Side Yard , Interior		1.5 m (5 ft.)
Side Yard , Exterior (abutting flanking street on a Corner Lot)		3 m (10 ft.)
Side Yard , in a laneless subdivision (excluding Corner Lots)		One side yard 3 m (10 ft.)
Rear Yard		7.5 m (25 ft.)
Parking		In accordance with Section 7.13 Parking

6.4.14 **Dwelling – Multiple Unit** Maximum Requirements

The following maximum requirements apply to: Dwelling – Multiple Unit uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s).
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.5 RA – RESIDENTIAL ACREAGE DISTRICT

6.5.1 Purpose

The purpose and intent of this district is to accommodate low density residential development in a semi-rural setting within the Village.

6.5.2 Permitted Uses

(a) Accessory Buildings and Uses
(b) Bed and Breakfast Establishment
(c) Day Home
(d) Dwelling – Single Detached
(e) Dwelling – Modular
(f) Dwelling – Two Unit
(g) Home Occupations – Minor
(h) Parks

6.5.3 Discretionary Uses

(a) Accessory Building – Fabric Covered
(b) Daytime Child Care Services
(c) Dwelling – Multiple Unit (Attached)
(d) Extensive Agriculture
(e) Home Occupations – Major
(f) Manufactured Home Park
(g) Signs*
(h) Worship Facility

*See [Section 9 for Sign Regulations](#)

6.5.4 In accordance with the definition for [Development](#) and the *Municipal Government Act*, if a change of use occurs, a development permit is required. A change of [use](#) may require additional building permit and safety code permits.

6.5.5 [Accessory Buildings](#) Minimum Requirements

The following <u>minimum</u> requirements apply to Accessory Buildings in this district:	
Front Yard	Must be equal to or greater than principal building
Side Yard, Exterior	6 m (20 ft.)
Side Yard	3 m (10 ft.)

<u>Rear Yard</u>	3 m (10 ft.)
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6.5.6 **Accessory Buildings** Maximum Requirements

The following <u>maximum</u> requirements apply to <u>Accessory Buildings</u> in this district:	
<u>Building Height</u>	Shall not exceed 4.5 m (15 ft) with the wall height a maximum of 3 m (10 ft.).
<u>Parcel Coverage</u>	The total combined building footprint area of all accessory buildings shall not exceed 10% of the <u>parcel area</u> .

6.5.7 **Dwelling – Single Detached** and **Dwelling – Modular** Minimum Requirements

The following <u>maximum</u> requirements apply to <u>Dwelling – Single Detached</u> and <u>Modular</u> uses:	
<u>Parcel Area</u>	0.2 ha (0.5 acres)
<u>Parcel Width</u>	30 m (100 ft.)
<u>Front Yard</u>	(i) 9 m (30 ft.) from the property line, (ii) except that setback shall be 30 m (100 ft.) from the right-of-way of a Secondary Highway.
<u>Side Yard, Exterior</u>	6 m (20 ft.)
<u>Side Yard</u>	6 m (20 ft.)
<u>Rear Yard</u>	7.5 m (25 ft.)
Parking	In accordance with <u>Section 7.13 Parking</u>

6.5.8 **Dwelling – Single Detached** and **Dwelling – Modular** Maximum Requirements

The following <u>maximum</u> requirements apply to <u>Dwelling – Single Detached</u> and <u>Modular</u> uses:	
Principal <u>Building Height</u>	10.5 m (35 ft.)
<u>Parcel Coverage</u>	25% of the site area for combined site coverage, of which not more than 10% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.5.9 **Dwelling – Two Unit** and **Dwelling – Multiple Unit** Minimum Requirements

The following <u>minimum</u> requirements apply to <u>Dwelling – Two Unit</u> and <u>Multiple Unit</u> uses:	
<u>Parcel Area</u>	0.2 ha (0.5 acres)
<u>Parcel Width</u>	30 m (100 ft.)

<u>Front Yard</u>	(i) 9 m (30 ft.) from the property line, (ii) except that setback shall be 30 m (100 ft.) from the right-of-way of a Secondary Highway.
<u>Side Yard, Exterior</u>	6 m (20 ft.)
<u>Side Yard</u>	6 m (20 ft.)
<u>Rear Yard</u>	7.5 m (25 ft.)
Parking	In accordance with <u>Section 7.13 Parking</u>

6.5.10 **Dwelling – Two Unit** and **Dwelling – Multiple Unit** Maximum Requirements

The following **maximum** requirements apply to **Dwelling – Two Unit** and **Multiple Unit** uses:

Principal <u>Building Height</u>	At the discretion of the Development Authority
<u>Parcel Coverage</u>	25% of the site area for combined site coverage, of which not more than 10% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.5.11 **Special Requirements**

- (a) Accessory Buildings and uses (including satellite dishes exceeding three feet in diameter):
 - (i) Shall not be erected or placed within the front yard,
 - (ii) Shall not be erected or placed within a required side yard,
 - (iii) Shall not be located on the roof of a building, and
 - (iv) Only one satellite dish per site shall be permitted.

6.5.12 **Livestock**

- (a) The keeping of livestock in this district shall not be permitted.

6.5.13 **Parking**

- (a) In accordance with Section 7.13 Parking

6.5.14 **Screening**

- (a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.6 R-H1 – RESIDENTIAL HERITAGE ESTATES R-1 DISTRICT

6.6.1 Purpose

The purpose and intent of this district is to provide for single-family residential development within Heritage Estates (Plan 991 3434), which has a high level of design and architectural controls in the neighbourhood.

6.6.2 Permitted Uses

(a) Accessory Buildings and Uses
(b) Day Home
(c) Dwelling – Single Detached
(d) Home Occupations – Minor
(e) Parks

6.6.3 Discretionary Uses

(a) Dwelling – Backyard Suite
(b) Government Building and Facilities
(c) Home Occupation – Major

6.6.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.6.5 Accessory Buildings Minimum Requirements

The following minimum requirements apply to Accessory Buildings in this district:	
Front Yard	Must be equal to or greater than principal building
Side Yard, Exterior	3 m (10 ft.)
Side Yard	1 m (3.3 ft.)
Rear Yard	1 m (3.3 ft.)

6.6.6 Accessory Buildings Maximum Requirements

The following maximum requirements apply to Accessory Buildings in this district:	
Building Height	Shall not exceed 4.5 m (15 ft) with the wall height a maximum of 3 m (10 ft.).
Parcel Coverage	The total combined building footprint area of all accessory buildings shall not exceed 15% of the parcel area .

6.6.7 **Dwelling** Minimum Requirements

The following <u>minimum</u> requirements apply to Dwelling – Single Detached uses:	
Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	12 m (40 ft.)
Front Yard	5 m (16.4 ft.)
Side Yard, Exterior	3 m (10 ft.)
Side Yard	1.5 m (5 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.6.8 **Dwelling** Maximum Requirements

The following <u>maximum</u> requirements apply to Dwelling – Single Detached uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	50% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.6.9 **Special Requirements**

- (a) All dwellings shall be sited to allow for the construction of a front or side attached garage;
- (b) All two-storey dwellings shall include a roof element at the first level in order to disrupt the roof line;
- (c) There shall be a three (3) lot separation between dwellings with identical frontal features;
- (d) Barn style gambrel roofs shall not be permitted;
- (e) Bungalows and side-splits shall be encouraged on corner lots;
- (f) The street facing elevation of a garage shall have a window element, or other visually equal decorative element, complimentary to the dwelling elevation. Blank garage walls facing the street shall not be permitted;
- (g) Fencing shall not be permitted within the front yard;
- (h) The property owner shall plant a minimum of one (1) tree per lot. Trees shall be of either deciduous or coniferous nature, and shall not be poplar. All landscaping shall be completed within one (1) year of the date of building occupancy;
- (i) Satellite dishes larger than 24" (610mm) in diameter shall not be permitted within the front yard; and

- (j) During construction of dwelling(s), the developer shall use a refuse container so as to maintain the lot(s) in a neat and tidy condition.

6.6.10 **Parking**

- (a) In accordance with Section 7.13 Parking

6.6.11 **Screening**

- (a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.7 R-H2 – RESIDENTIAL HERITAGE ESTATES R-2 DISTRICT

6.7.1 Purpose

The purpose and intent of this district is to provide for multi-family residential development within Heritage Estates (Plan 991 3434), which has a high level of design and architectural controls in the neighbourhood.

6.7.2 Permitted Uses

(f) Accessory Buildings and Uses
(g) Day Home
(h) Dwelling – Multiple Unit
(i) Dwelling – Single Detached
(j) Dwelling – Two Unit
(k) Home Occupations – Minor
(l) Parks

6.7.3 Discretionary Uses

(d) Dwelling – Backyard Suite
(e) Government Building and Facilities
(f) Home Occupation – Major
(g) Signs*

*See [Section 9 for Sign Regulations](#)

6.7.4 In accordance with the definition for [Development](#) and the *Municipal Government Act*, if a change of [use](#) occurs, a development permit is required. A change of [use](#) may require additional building permit and safety code permits.

6.7.5 [Accessory Buildings](#) Minimum Requirements

The following <u>minimum</u> requirements apply to Accessory Buildings in this district:	
Front Yard	Must be equal to or greater than principal building
Side Yard, Exterior	3 m (10 ft.)
Side Yard	1 m (3.3 ft.)
Rear Yard	1 m (3.3 ft.)

6.7.6 [Accessory Buildings](#) Maximum Requirements

The following <u>maximum</u> requirements apply to Accessory Buildings in this district:	
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<u>Building Height</u>	Shall not exceed 4.5 m (15 ft) with the wall height a maximum of 3 m (10 ft.).
<u>Parcel Coverage</u>	The total combined building footprint area of all accessory buildings shall not exceed 15% of the <u>parcel area</u> .

6.7.1 **Dwelling – Single Detached** Minimum Requirements

The following <u>minimum</u> requirements apply to <u>Dwelling – Single Detached</u> uses:	
<u>Parcel Area</u>	464 m ² (4,995 sq. ft.)
<u>Parcel Width</u>	12 m (40 ft.)
<u>Front Yard</u>	5 m (16.4 ft.)
<u>Side Yard, Exterior</u>	3 m (10 ft.)
<u>Side Yard</u>	1.5 m (5 ft.)
<u>Rear Yard</u>	7.5 m (25 ft.)
Parking	In accordance with <u>Section 7.13 Parking</u>

6.7.2 **Dwelling – Single Detached** Maximum Requirements

The following <u>maximum</u> requirements apply to <u>Dwelling – Single Detached</u> uses:	
Principal <u>Building Height</u>	10.5 m (35 ft.)
<u>Parcel Coverage</u>	50% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.7.3 **Dwelling – Two Unit** Minimum Requirements

The following <u>minimum</u> requirements apply to <u>Dwelling – Two Unit</u> uses:	
<u>Parcel Area</u> for Dwelling – Two Unit (on one parcel)	557 m ² (5995 sq. ft.)
<u>Parcel Area</u> for Dwelling – Two Unit (divided into two separate parcels with common interior wall)	278 m ² (2992 sq. ft.)
<u>Parcel Width</u>	18 m (60 ft.)
<u>Front Yard</u>	7.5 m (25 ft.)
<u>Side Yard</u> , Interior	1.5 m (5 ft.)
<u>Side Yard</u> , Exterior (abutting flanking street on a Corner Lot)	3 m (10 ft.)
<u>Side Yard</u> (excluding corner lots) to provide alternate access to the rear of the buildings in a laneless subdivision	One 3 m (10 ft.)

<u>Rear Yard</u>	7.5 m (25 ft.)
Parking	In accordance with <u>Section 7.13 Parking</u>

6.7.4 **Dwelling – Two Unit** Maximum Requirements

The following maximum requirements apply to <u>Dwelling – Two Unit</u> uses:	
Principal <u>Building Height</u>	10.5 m (35 ft.)
<u>Parcel Coverage</u>	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s);
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.7.5 **Dwelling – Multiple Unit** Minimum Requirements

The following minimum requirements apply to <u>Dwelling – Multiple Unit</u> uses:		
<u>Parcel Area</u>	<u>Dwelling – Multiple Unit (attached)</u> on a single parcel	557 m ² (5995 sq. ft.)
	<u>Dwelling – Multiple Unit (attached)</u> per unit	278 m ² (2992 sq. ft.)
	<u>Dwelling – Multiple Unit (apartment)</u> on a single parcel	720 m ² (7750 sq. ft.)
<u>Parcel Width</u>	<u>Dwelling – Multiple Unit (attached)</u> on a single parcel	18 m (60 ft.)
	<u>Dwelling – Multiple Unit (attached)</u> per unit	9 m (30 ft.)
	<u>Dwelling – Multiple Unit (apartment)</u> on a single parcel	18 m (60 ft.)
<u>Front Yard</u>		7.5 m (25 ft.)
<u>Side Yard</u> , Interior		1.5 m (5 ft.)
<u>Side Yard</u> , Exterior (abutting flanking street on a Corner Lot)		3 m (10 ft.)
<u>Side Yard</u> , in a laneless subdivision (excluding Corner Lots)		One side yard 3 m (10 ft.)
<u>Rear Yard</u>		7.5 m (25 ft.)
Parking		In accordance with <u>Section 7.13 Parking</u>

6.7.6 **Dwelling – Multiple Unit** Maximum Requirements

The following maximum requirements apply to: <u>Dwelling – Multiple Unit</u> uses:	
Principal <u>Building Height</u>	10.5 m (35 ft.)
<u>Parcel \ Coverage</u>	60% of the site area for combined site coverage, of which not more than 15% can be accessory building(s).

Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.
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6.7.7 Special Requirements

- (k) All dwellings shall be sited to allow for the construction of a front or side attached garage;
- (l) All two-storey dwellings shall include a roof element at the first level in order to disrupt the roof line;
- (m) There shall be a three (3) lot separation between dwellings with identical frontal features;
- (n) Barn style gambrel roofs shall not be permitted;
- (o) Bungalows and side-splits shall be encouraged on corner lots;
- (p) The street facing elevation of a garage shall have a window element, or other visually equal decorative element, complimentary to the dwelling elevation. Blank garage walls facing the street shall not be permitted;
- (q) Fencing shall not be permitted within the front yard;
- (r) The property owner shall plant a minimum of one (1) tree per lot. Trees shall be of either deciduous or coniferous nature, and shall not be poplar. All landscaping shall be completed within one (1) year of the date of building occupancy;
- (s) Satellite dishes larger then 24" (610mm) in diameter shall not be permitted within the front yard; and
- (t) During construction of dwelling(s), the developer shall use a refuse container so as to maintain the lot(s) in a neat and tidy condition.

6.7.8 Parking

- (b) In accordance with Section 7.13 Parking

6.7.9 Screening

- (a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.8 M-RC – MIXED USE RESIDENTIAL / COMMERCIAL DISTRICT

6.8.1 Purpose

The purpose and intent of this district is to provide an active, thriving, mixed-use district for general residential development, businesses, pedestrian connectivity, and street level activity while maintaining the residential character of the neighbourhood. Office and personal service uses are supported within this district provided they are located within a residential dwelling unit to maintain the residential character of the neighbourhood.

6.8.2 Permitted Uses

(a) Accessory Buildings and Uses
(b) Bed and Breakfast Establishment
(c) Day Home
(d) Dwelling – Single Detached
(e) Dwelling – Modular
(f) Dwelling – Two Unit
(g) Dwelling – Multiple Unit (Attached)
(h) Dwelling – Multiple Unit (Apartment)
(i) Dwelling – Secondary Suite
(j) Dwelling – Backyard Suite
(k) Parks
(l) Government Building and Facilities
(m) Home Occupations – Minor

6.8.3 Discretionary Uses

(a) Community Hall / Building
(b) Daytime Child Care Services
(c) Home Occupations – Major
(d) Office
(e) Personal Service
(f) Sign Types* : 4 (Fascia), and 8 (Projecting Signs), and 12 (window)
(g) Religious Assembly
(h) Senior's Lodge
(i) Accessory Building – Fabric Covered

6.8.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.8.5 **Accessory Buildings** Minimum Requirements

The following minimum requirements apply to Accessory Buildings in this district:	
Front Yard	Must be equal to or greater than principal building
Side Yard, Exterior	3 m (10 ft.)
Side Yard	1 m (3.3 ft.)
Rear Yard	1 m (3.3 ft.)

6.8.6 **Accessory Buildings** Maximum Requirements

The following maximum requirements apply to Accessory Buildings in this district:	
Building Height	Shall not exceed 4.5 m (15 ft) with the wall height a maximum of 3 m (10 ft.).
Parcel Coverage	The total combined building footprint area of all accessory buildings shall not exceed 15% of the parcel area .

6.8.7 **Dwelling – Single Detached** and **Dwelling – Modular** Minimum Requirements

The following minimum requirements apply to Dwelling – Single Detached and Modular uses:	
Parcel Area	464 m ² (4,995 sq. ft.)
Parcel Width	15 m (50 ft.)
Front Yard	7.5 m (25 ft.)
Side Yard, Exterior	3 m (10 ft.)
Side Yard (Interior, With Lane)	1.5 m (5 ft.) both yards
Side Yard (Interior, Laneless)	One yard 1.5 m (5 ft.) and One yard 3 m (10 ft.)
Rear Yard	7.5 m (25 ft.)
Parking	In accordance with Section 7.13 Parking

6.8.8 **Dwelling – Single Detached** and **Dwelling – Modular** Maximum Requirements

The following maximum requirements apply to Dwelling – Single Detached and Modular uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	80% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)

Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.
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6.8.9 **Dwelling – Two Unit** Minimum Requirements

The following minimum requirements apply to Dwelling – Two Unit uses:		
Parcel Area	On one parcel	557 m ² (5995 sq. ft.)
	Divided into two separate parcels with common interior wall	278 m ² (2992 sq. ft.)
Parcel Width	On one parcel	18 m (60 ft.)
	Divided into two separate parcels with common interior wall	9 m (30 ft.)
Front Yard		7.5 m (25 ft.)
Side Yard, Exterior		3 m (10 ft.)
Side Yard (Interior, With Lane)		1.5 m (5 ft.) both yards
Side Yard (Interior, Laneless)		One yard 1.5 m (5 ft.) and one yard 3 m (10 ft.)
Rear Yard		7.5 m (25 ft.)
Parking		In accordance with Section 7.13 Parking

6.8.10 **Dwelling – Two Unit** Maximum Requirements

The following maximum requirements apply to Dwelling – Two Unit uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	80% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.8.11 **Dwelling – Multiple Unit** Minimum Requirements

The following minimum requirements apply to Dwelling – Multiple Unit uses:		
Parcel Area	Attached housing on a single parcel	557 m ² (5995 sq. ft.)
	Attached housing per unit	278 m ² (2992 sq. ft.)
	Apartment	720 m ² (7750 sq. ft.)
	Attached housing on a single parcel	18 m (60 ft.)

Parcel Width	Attached housing per unit	6 m (20 ft.)
	Apartment	24 m (78 ft.)
Front Yard		7.5 m (25 ft.)
Side Yard , Exterior		3 m (10ft.)
Side Yard		3 m (10ft.)
Rear Yard		7.5 m (25 ft.)
Parking		In accordance with Section 7.13 Parking

With the approval of the Municipal Planning Commission, the site area may be less in the case of lots legally created prior to this Bylaw.

6.8.12 **Dwelling – Multiple Unit** Maximum Requirements

The following <u>maximum</u> requirements apply to Dwelling – Multiple Unit uses:	
Principal Building Height	10.5 m (35 ft.)
Parcel Coverage	80% of the site area for combined site coverage, of which not more than 15% can be accessory building(s)
Screening	Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.8.13 **Parking**

- (a) In accordance with Section 7.13 Parking

6.8.14 **Screening**

- (a) Garbage and waste material must be stored in weather and animal proof containers. Garbage and waste material storage must be screened from public thoroughfares, excluding lanes.

6.9 DT – DOWNTOWN COMMERCIAL DISTRICT

6.9.1 Purpose

The purpose and intent of this district is to provide for commercial and retail development with a focus on high quality spaces, pedestrian connectivity, and street level activity. Businesses and services should support the entire Village and surrounding area. The Downtown Commercial District is intended to act as a central destination for residents and visitors.

6.9.2 Permitted Uses

(a) Accessory Buildings and Uses
(b) Art Studio
(c) Bakery
(d) Clinic
(e) Financial Service
(f) Food and Beverage Service Facility
(g) Laundromat
(h) Library
(i) Office
(j) Personal Service
(k) Post Office
(l) Print Shop
(m) Parks
(n) Community Recreation Facility
(o) Retail Store
(p) Sign Types *: 4 (Fascia), and 12 (window)

6.9.3 Discretionary Uses

(a) Accessory Residential (as per Section 6.8.9 below)
(b) Assisted Living
(c) Automotive Repair and Service Shop
(d) Bottle / Recycling Depot
(e) Car wash
(f) Communication Structure (Private)
(g) Community Hall / Building
(h) Daytime Child Care Services

(i) Drinking Establishment
(j) Funeral Home
(k) Hotel
(l) Liquor Store
(m) Motel
(n) Museum
(o) Parking Lot
(p) Print Shop
(q) Private Club
(r) Government Building and Facilities
(s) Religious Assembly
(t) Seniors Residential Care
(u) Service Station
(v) Shopping Centre
(w) Sign Types *: 9 (Roof) , 8 (Projecting) , 3 (Canopy), and 5 (Freestanding)
(x) Storage Structure – accessory to principal commercial use (shipping containers not permitted in the DT District)
(y) Theatre
(z) Tourist Information Centre

*See [Section 9 for Sign Regulations](#)

6.9.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.9.5 **All Buildings (Principal and Accessory) Minimum Requirements**

The following <u>minimum</u> requirements apply to all buildings in this district:	
Front Yard	3 m (10 ft.)
Side Yard, Exterior (On corner lots)	3 m (10 ft.)
Side Yard	0 m (0 ft.)
Rear Yard	0 m (0 ft.)

6.9.6 **All Buildings (Principal and Accessory) Maximum Requirements**

The following <u>maximum</u> requirements apply to all buildings this district:	
Principal Building Height	13.5 m (45 ft.)

Accessory Building - Building Height	7.5 m (25 ft.)
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6.9.7 Special Requirements

- (a) Landscaping, sidewalks and parking areas shall ensure accessibility for all residents including those with disabilities

6.9.8 Parking

- (a) In accordance with Section 7.13 Parking

6.9.9 Landscaping and Screening

- (a) Sites abutting a residential district shall be screened from view to the satisfaction of the Development Authority;
- (b) Outside storage areas of material and equipment shall be screened from adjacent sites and public thoroughfares; and
- (c) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.

6.9.10 Accessory Residential Units and Street Level Development

- (a) Street level frontal development in this district is reserved for commercial uses. Any accessory residential units shall be located at either the rear of the parcel, or be located above the primary commercial use.
- (b) An accessory residential unit at street level in the rear of the building, shall not exceed 40% of the ground floor area of the commercial unit.

6.10 HWY-C – HIGHWAY COMMERCIAL DISTRICT

6.10.1 Purpose

The purpose and intent of this district is to provide for light industrial and commercial businesses along the entire western edge of the Village and leading into the Village along the gateway corridor to serve the motoring public and local residents.

6.10.2 Permitted Uses

(a) Accessory Buildings and Uses
(b) Automotive, Farm and Recreation Vehicle Sales and Service
(c) Automotive Repair
(d) Building Material Sales and Storage
(e) Car Wash
(f) Contractor Operation
(g) Community Hall/Building
(h) Drinking Establishment
(i) Food and Beverage Service Facility
(j) Government Building and Facilities
(k) Greenhouse and Plant Nursery
(l) Hotel
(m) Motel
(n) Office
(o) Parks
(p) Retail Store
(q) Service Station
(r) Sign Types *: 4 (Fascia), and 12 (window)
(s) Tourist Information Centre
(t) Veterinary Clinic
(u) Wholesale Distributors

6.10.3 Discretionary Uses

(a) Accessory Building – Fabric Covered
(b) Auction Mart
(c) Cannabis Production Facility
(d) Cannabis Retail Sales

(e) Clinic
(f) Data Centre
(g) Financial Service
(h) Grain Elevator
(i) Industrial Work Camp
(j) Liquor Store
(k) Light Industrial
(l) Kennel – Boarding
(m) Kennel – Breeding
(n) Manufacturing, Processing Assembly Facility
(o) Museum
(p) Funeral Home
(q) Parking Lot
(r) Private Club
(s) Professional Service
(t) Retail Store
(u) <u>Storage Structure</u>
(v) <u>Storage Yard</u>
(w) <u>Sign Types</u> *: 9 <u>(Roof)</u> , 8 <u>(Projecting)</u> , 7 (Portable), 3 (Canopy), and 5 <u>(Freestanding)</u>
(x) Shopping Centre
(y) Warehousing and Storage
(z) Waste Management Facility

*See [Section 9 for Sign Regulations](#)

6.10.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.10.5 **All Buildings** Minimum Requirements

The following minimum requirements apply to all buildings in this district:		
Parcel Area	Hotel / Motel	1858 m ² (20,000 ft ²)
	All other uses	464 m ² (4995 sq. ft.)
Parcel Width	All uses	20 m (65.5 ft.)

Front Yard	All buildings on parcels adjacent to a roadway <u>without</u> a service road	20 m (65.6 ft.)
	All buildings on parcels adjacent to a roadway <u>with</u> a service road	6 m (20 ft.)
	All other parcels	6 m (20 ft.)
Side Yard	All buildings where parcels does not abut a residential district	1.5 m (5 ft.) except where a firewall is provided, in which case, no side yard is required
	All buildings where parcel abuts a parcel(s) in a residential district	6 m (20 ft.)
Rear Yard		6 m (20 ft.)

6.10.6 **All Buildings** Maximum Requirements

The following <u>maximum</u> requirements apply to all buildings in this district:	
Principal Building Height	13.5 m (45 ft.)
Accessory Building Height	7.5 m (25 ft.)
Parcel Coverage	80% of the <u>parcel area</u> for combined <u>parcel coverage</u> for all buildings (principal and accessory) on the parcel

6.10.7 **Special Requirements**

- (a) Landscaping, sidewalks and parking areas shall ensure accessibility for all residents including those with disabilities.

6.10.8 **Parking**

- (a) In accordance with Section 7.13 Parking

6.10.9 **Landscaping and Screening**

- (a) The site must be landscaped in accordance with a plan approved by the Development Authority;
- (b) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season;
- (c) Sites abutting a residential district or public thoroughfare, shall be screened from view to the satisfaction of the Development Authority;
- (d) Outside storage areas of material and equipment must be screened from adjacent sites and public thoroughfares; and
- (e) Garbage and waste materials shall be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.

6.11 CS – COMMUNITY SERVICE DISTRICT

6.11.1 Purpose

The purpose and intent of this district is to provide recreational, educational and community uses.

6.11.2 Permitted Uses

(a) Accessory buildings and uses
(b) Cemetery
(c) Community Hall/ Building
(d) Community Recreation Facility
(e) Golf Course
(f) Government Building and Facilities
(g) Library
(h) Parks
(i) Sign Types *: 4 (Fascia), and 12 (window)

6.11.3 Discretionary Uses

(a) Accessory Building – Fabric Covered
(b) Campgrounds
(c) Clinic
(d) Exhibition grounds
(e) Fire Hall
(f) Hospital
(g) Museum
(h) Airport
(i) School
(j) Sign Types *: 9 (Roof), 8 (Projecting), 7 (Portable), 5 (Freestanding), and 3 (Canopy)
(k) Storage Structure
(l) Storage Yard

*See [Section 9 for Sign Regulations](#)

6.11.4 In accordance with the definition for **Development** and the *Municipal Government Act*, if a change of **use** occurs, a development permit is required. A change of **use** may require additional building permit and safety code permits.

6.11.5 **All Uses** Minimum Requirements

The following <u>minimum</u> requirements apply uses:	
<u>Front Yard</u>	7.5 m (25 ft.)
<u>Side Yard, Exterior</u> (for corner lots)	3 m (10 ft.)
<u>Side Yard</u>	3 m (10 ft.)
<u>Rear Yard</u>	7.5 m (25 ft.)

6.11.6 **Development Requirements**

The Development Authority shall evaluate each development permit for a discretionary use or a permitted variance for this district on its merit and establish suitable development requirements for each individual application.

6.11.7 **Parking**

- (a) In accordance with Section 7.13 Parking

6.11.8 **Screening**

- (a) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares including lanes.

6.12 UR - URBAN RESERVE DISTRICT

6.12.1 Purpose

The purpose and intent of this district is to reserve lands outside of the developed area of the Village which is intended for future development.

6.12.2 Permitted Uses

(a) Golf Course
(b) Government Buildings and Facilities
(c) Parks

6.12.3 Discretionary Uses

(a) Accessory Buildings and Uses
(b) Accessory Building – Fabric Covered
(c) Aggregate Removal and Storage
(d) Communication Structure (Private)
(e) Dwelling – Single Detached (on existing parcels only)
(f) Extensive Agriculture
(g) Greenhouse and Plant Nursery
(h) Industrial Work Camp

*See [Section 9 for Sign Regulations](#)

6.12.4 In accordance with the definition for [Development](#) and the *Municipal Government Act*, if a change of [use](#) occurs, a development permit is required. A change of [use](#) may require additional building permit and safety code permits.

6.12.5 Development Requirements

The Development Authority shall evaluate each development permit for a discretionary use or a permitted variance for this district on its merit and establish suitable development requirements for each individual application.

6.12.6 Specific Regulations

- (a) The design, siting, site coverage, yards, height of buildings, external finish and landscaping generally of all buildings and structures shall be to the satisfaction of the Development Authority who in determining a development permit application shall take into account:
 - (i) the general purpose of the district; and
 - (ii) the existing uses and prospective uses of land in the vicinity.
- (b) The Municipal Planning Commission may require an area structure plan before recommending approval of a subdivision.

- (c) The Development Authority shall be satisfied prior to the granting of a development permit that the proposed use will not prejudice the orderly development of the area including the future establishment of residential, commercial, industrial, recreational, and service facilities on a neighborhood and community basis.

6.13 MANUFACTURED HOME OVERLAY

The purpose of an overlay is to facilitate the implementation of specific goals and objectives for a particular area in addition to land use district rules that are in place.

6.13.1 General Intent of the Manufactured Home Overlay:

- (a) to provide opportunity for both existing and new manufactured homes; and
- (b) To accommodate the varying lot sizes that have occurred over time within this area.

6.13.2 General Policies:

- (a) The regulations established within this overlay apply in addition to the regulations of the underlying R-2 District.
- (b) Only those regulations explicitly addressed in an overlay are impacted by the overlay. All remaining regulations from the underlying Land Use District remain in effect.
- (c) If there is a conflict between the regulations of an overlay and the underlying Land Use District, the overlay shall take precedence.
- (d) The following alternate regulations shall apply to all parcels located within the Manufactured Home Overlay identified on the Land Use District Map (Part 11).

6.13.3 Uses and Regulations:

- (a) Dwelling- Manufactured Home is considered a **Discretionary Use** within the Manufactured Home Overlay.
Minimum Site Requirements:
 - (i) 7.6 m (25 ft.) Lot Width for Dwelling- Manufactured Homes
 - (ii) 232.2 m² (2,500 sq. ft.) Site Area for Dwelling- Manufactured Homes
- (b) All other requirements are the same as the R-2 Residential District for Dwelling – Single Detached.

6.14 DC – DIRECT CONTROL DISTRICT

- 6.14.1 PURPOSE: For the development of uses that, due to their particular circumstances or design characteristics, require specific sets of rules in order to achieve a desired result.
- 6.14.2 USES: Council may, by bylaw, specify Permitted Uses and/or Discretionary Uses in Direct Control Districts.
- 6.14.3 RULES: Council may, by bylaw, specify development standards for Direct Control Districts.
- 6.14.4 Deciding on a development permit Application – Direct Control District:
 - (a) Decisions respecting development permit Application for Permitted Uses, Discretionary Uses and variances shall be made by the Development Authority according to the processes described in Section 4.4 unless otherwise provided by Council in a Statutory Plan or Bylaw.
- 6.14.5 Deciding on a Subdivision Permit Application – Direct Control District.
- 6.14.6 Decisions respecting Subdivision Permit Applications in respect to land within a Direct Control District shall be made by the Subdivision Authority according to the processes described in Section 3.5 unless otherwise provided in a Statutory Plan or Bylaw.

7 GENERAL LAND USE REGULATIONS

7.1 ACCESSORY BUILDINGS AND USES

- 7.1.1 A structure which is attached to the principal building by a roof, a floor or a foundation, **excepting a deck as per section 7.7**, is not an accessory building, and it is to be considered part of the principal building; **See Figure 7 | Accessory Building Siting**
- 7.1.2 An accessory building shall not be used as a **dwelling unit** unless granted approval by the Development Authority in accordance with this Land Use Bylaw.
- 7.1.3 The eaves or wall of an accessory building, whichever is nearer, shall be located a minimum distance of 1.0m (3.3 ft.) from the nearest wall or eaves of any principal building.
- 7.1.4 No accessory building or use shall be located in the front yard of a residential district.
- 7.1.5 A sea can or similar such structure is not to be used as an accessory building in a residential area.

7.2 ACCESSORY BUILDINGS – FABRIC COVERED

- 7.2.1 **Accessory Buildings – Fabric Covered** shall adhere to the regulations above(Section 7.1) and the following specific requirements:
 - (a) limited to one (1) per parcel;
 - (b) will not exceed 20.44 sq. m. (220 sq. ft.) in area in a residential district. The area of a fabric covered buildings will be considered on a case by case basis in all other districts.
 - (c) shall be a minimum 3 metres (10 ft.) from open flames (i.e. burning barrels, fire pits, or other open flame accessories);
 - (d) A development permit may be **temporary** with a specified maximum time limit.
 - (e) All development permits for fabric covered buildings shall include the following conditions:
 - (i) fabric must be kept in good condition, not frayed or damaged;
 - (ii) must be fully enclosed with closable door on the ends;
 - (iii) shall not cause or create a nuisance by way of noise, vibration, etc; and
 - (iv) the privacy and enjoyment of adjacent properties shall be preserved and the amenities of the neighborhood maintained.
- 7.2.2 A fabric covered accessory building in a residential district shall not be connected to any utilities.
- 7.2.3 A fabric covered accessory building in all other districts may be connected to utilities upon approval by the development authority.

7.3 DEMOLITION OR REMOVAL OF BUILDINGS

- 7.3.1 A development permit shall be required for the demolition of a building with an area of 56 m² (602.8 sq. ft.) or more.
- 7.3.2 Where a development permit has been granted for the demolition of a building, the Development Authority may require the applicant to provide a Damage Deposit or Irrevocable Letter of Credit in the amount of \$1000 to cover the cost of rehabilitating the site and \$5000 for any damage caused to the Village's infrastructure as a result of cartage of the demolition material or removal of the building.
- 7.3.3 When a demolition or removal of building is carried out, the person causing the demolition to be made, shall at their own expense, protect from displacement any wall, sidewalk or roadway liable to be affected by such demolition. They shall sustain, protect and underpin property so that they will remain in the same condition as before the demolition or removal was commenced and ensure that adequate measures shall be taken by way of fencing and screening to ensure the general public's safety.
- 7.3.4 Whenever a development permit is issued for the demolition or removal of a building it shall be a condition of the permit that the site shall be properly cleaned, with all debris removed, and left in a graded condition.
- 7.3.5 The demolition of a building must be carried out so as to create a minimum of dust or other nuisance to surrounding areas, and the property shall be reclaimed to a satisfactory state.

7.4 CORNER LOTS

- 7.4.1 Notwithstanding the definition of Front Parcel Line in Section 2: Definitions of this Bylaw, the Development Authority may exercise discretion in the determination of the front parcel line for a corner parcel and determine that the front parcel line is not the *shortest* parcel line abutting a street but rather the *longest* parcel line that abuts a street.
- 7.4.2 In making a determination in Section 7.4.1 above, the Development Authority should consider the following:
 - (a) Alignment with the general street or neighbourhood pattern of homes and setbacks;
 - (b) Unique site conditions, including the geometry and size of the subject parcel;
 - (c) The impact to adjacent properties in terms of privacy, streetscape and aesthetics; and
 - (d) General neighbourhood safety, including potential impact of the determination as it pertains to the construction of front yard, side yard and rear yard fences of varying heights on the property.

7.5 CONSTRUCTION OF NEW BUILDINGS

- 7.5.1 When the construction of a new building is carried out, the developer shall, at their own expense, protect from displacement or damage any wall, sidewalk or roadway liable to be affected by such construction. They shall sustain, protect and underpin property so that they will remain in the same condition as before construction was commenced and ensure that adequate measures shall be taken by way of fencing and screening to ensure the general public's safety.
- 7.5.2 Where a development permit has been granted for the construction of a new building, the Development Authority may require the applicant to provide a Damage Deposit or Irrevocable Letter of Credit to cover the cost of rehabilitating the site or repair for any damage caused to the Village's infrastructure as a result of the construction process.

7.6 COMMUNICATION STRUCTURE

- 7.6.1 Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including communication towers. In making its decision regarding the communication towers and related facilities, Industry Canada considers the following:
- (a) the input provided by the Village of Acme;
 - (b) compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
 - (c) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
 - (d) any environmental impact assessment required in order to comply with the **Canadian Environmental Assessment Act**.
- 7.6.2 The participation of the Village in the consultation process does not transfer any Federal decision making authority, nor does it confer a right of veto in the location or design of the communication tower.
- 7.6.3 The Village may request a proposed Communication Structure that is regulated and approved by Industry Canada, to consider and follow policies outlined in sub section 7.6.4 below.
- 7.6.4 All Communication Structures not regulated or approved by Industry Canada shall require a development permit and shall adhere to the following policies:
- (a) Unless demonstrated to be impractical, transmission antennas shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.
 - (b) The tower base shall be setback from abutting parcels and roadways by a distance of 10 percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
 - (c) Guy wire anchors shall be setback at least 28.0 m (91.9 ft.) from the property line.

- (d) Transmission towers must have the least practical adverse visual effect on the environment. This may be mitigated through landscaping and/or fencing.
- (e) Communication Structures shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for siting communication towers.
- (f) All equipment shelters must meet the Village setback distances to roads and property lines.
- (g) Appropriate access / egress shall be provided to the satisfaction of the development authority.

7.7 DECKS AND PERGOLAS

- 7.7.1 All Decks and Balconies:
 - (a) higher than 0.6m (2.0 ft) above grade at any point as measured from the lowest grade point to the top of the deck must receive a development permit, Building Permit, and any other permit required under the *Safety Codes Act*;
 - (b) are to meet all requirements of front, and side setbacks; and
 - (c) may project a maximum of 1.5 m into any rear setback area.
- 7.7.2 Pergolas shall not be considered an accessory building or part of the principal building.
- 7.7.3 Pergolas shall not have a fully enclosed roof.

7.8 DRAINAGE

- 7.8.1 All development permit applications must be accompanied by a drainage plan, indicating how both stormwater drainage and ground water will be managed on the site.
- 7.8.2 Residential buildings in Acme are required to install weeping tile, a catch basin, or similar drainage system to manage high ground water levels that may affect neighbouring parcels.
- 7.8.3 At the discretion of the Development Authority, the applicant is required to grade a parcel in such a manner that all surface water will drain from the building site to the back lane and / or front street.
- 7.8.4 Eavestroughs and stormwater drainage shall not be drained or directed towards a neighbouring property.
- 7.8.5 All eavestroughs downspouts must drain to the front or rear of the parcel.
- 7.8.6 The Development Authority at its discretion may establish parcel and building elevations as a development condition if it is estimated that it will affect neighbouring parcels.

7.9 FENCING AND HEDGES

See Figure 5 | Fence Heights

Fences

- 7.9.1 In a residential district, a fence located within a Rear Yard, or an Interior or Exterior Side Yard shall not exceed 6 feet in height (See Figure 5: Fence Heights).
- 7.9.2 In a residential district, a solid fence located within the front yard of a lot shall not exceed 1 m (3.2 feet) in height, and a chain link fence shall not exceed 1.22m (4.0 feet) (See Figure 5: Fence Heights).
- 7.9.3 In a residential district, a fence shall be constructed from either wood, vinyl or chain link and must be kept in good condition.
- 7.9.4 In a commercial district, fences may be to a maximum height of 8ft. A chain link fence may extend at the 8ft height around the entirety of the property. A screening material may be required by the development authority, this may be due to the presence of outdoor storage, unsightliness, or for privacy.

Hedges

- 7.9.5 Hedging should be trimmed and kept neat in appearance and must not hang over or interfere with walkways.
- 7.9.6 Hedges and vegetation on corner lots must be trimmed and maintained at a height to provide clear lines of site for vehicular and pedestrian traffic. Recommended heights for hedges and vegetation on corner lots is 1 m (3.2ft).

7.10 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- 7.10.1 No person shall keep or permit in any part of a yard in any residential district:
 - (a) Any dismantled or wrecked vehicles;
 - (b) Any object or chattel which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the neighborhood; or
 - (c) Any excavations or storage of material required during the construction stage unless necessary safety measures are undertaken. The owner of such materials or excavations assumes full responsibility to ensure the situation does not continue any longer then reasonably necessary to complete a particular stage of construction work.

7.11 EXCAVATIONS AND STOCKPILES

- 7.11.1 All excavations or stockpiles not associated with an issued subdivision or development agreement require a development permit.
- 7.11.2 Excavations for the purpose of building ponds 0.6m (2.0 ft) or deeper, shall require a development permit.
- 7.11.3 All Applications for excavations or stockpiles must include:
 - (a) a detailed map showing the location of the affected area consisting of the excavation and any associated works such as stockpiles, infrastructure and parking and loading areas;
 - (b) plans to mitigate dust, noise, visual blight, light pollution, and offsite contamination (tracking of mud on public roads, for example);
 - (c) days of the week and hours of operation; and
 - (d) other information deemed necessary by the Development Authority.
- 7.11.4 Applications for excavations and stockpiles will be assessed and approved at the discretion of the development authority as a discretionary use based on considerations including (but not limited to):
 - (a) purpose of the excavation or stockpile;
 - (b) duration of time the excavation will take place or materials will be stockpiled;
 - (c) potential Impacts on adjacent land use; and
 - (d) environmental impacts.

7.12 OFF-STREET LOADING / UNLOADING FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT

- 7.12.1 All new commercial development shall provide and maintain off-street loading and unloading spaces according to the following requirements:
 - (a) The space shall not be less than 2.5 m (8 feet) wide and shall provide no less than 3.6 m (12 feet) overhead clearance;
 - (b) The space shall be hard surfaced if the access is from a street or lane which is hard surfaced;
 - (c) Access to the space shall be such that no backing and turning movements of vehicles causes interference with traffic on the adjoining or abutting streets or lanes;
 - (d) Off-street loading and unloading spaces should be provided in accordance with the following:

Use of Building or Site	Total Gross Floor Area	Spaces Required
a) Retail, Industry Warehousing or similar use	Less than 464.5 m ² (5,000 sq. ft.)	1
	464.5 m ² (5,000 sq. ft.) to 2,322.5 m ² (25,000 sq. ft.)	2
	Each additional 2,322.5 m ² (25,000 sq. ft.) or fraction thereof	1 additional

b) Office Building, Hospitals, Public School or similar use	Up to 2,782 m ² (30,000 sq. ft.)	1
	Each additional 2,782 m ² (30,000 sq. ft.) or fraction thereof	1 additional

7.13 PARKING

- 7.13.1 For a multiple use site, parking requirements shall be at the discretion of the Development Authority.
- 7.13.2 Parking spaces for multi-unit dwellings shall not be less than 14.8 m² (160 sq. ft.) in area and not be less than 2.4 m (8 ft.) wide.
- 7.13.3 Parking spaces for an apartment building shall not be located in the front yard.
- 7.13.4 A parking space shall be located on the same site as the building or the use in respect of which it is required and shall be designated, located, and constructed to the Village's standards so that:
 - (a) .it is reasonably accessible to the vehicle intended to be accommodated there;
 - (b) .it does not interfere with traffic or traffic safety;
 - (c) .It can be properly maintained; and
 - (d) .It is satisfactory to the Development Officer in size, shape, location and construction.
- 7.13.5 At the discretion of the Development Authority, an accessible parking stall may be required for a proposed development. A developer may also request an accessible parking stall.
- 7.13.6 The number of off-street parking spaces for any development shall be according to requirements set out in the table below:

Use	Parking Stalls required
Automotive, Farm and Recreation Vehicle Sales/Service	2 stalls / 100 m ² (1,080 ft ²) Gross Floor Area (GFA) designated for customer parking plus a minimum of 3 stalls for staff parking
Clinic and Veterinary Clinic	2 stalls / 100 m ² (1,080 ft ²) GFA
Daytime Child Care Services	1 stall / owner/staff person on duty with a minimum of 1 drop off area for every 2 children attending
Drinking Establishment	2.0 stalls / 10 m ² (108 ft ²) of seating area, plus 3 staff parking
Dwelling – Multiple Unit (Apartment)	1.5 stalls / dwelling unit plus 0.15 stalls / dwelling unit designated as visitor parking
Dwelling – Single Detached, Dwelling – Modular, Dwelling – Manufactured Home, Dwelling – Two Unit, Dwelling – Multiple Unit (Attached)	2 stalls / dwelling unit

Dwelling – Secondary Suite and Backyard Suites	1 stall / suite
Food and Beverage Service Facility	2.0 stalls / 10 m ² (108 ft ²) of seating area, plus 3 staff parking
Greenhouse and Plant Nursery	3 stalls / 100 m ² (108 ft ²) GFA plus a minimum of 2 staff parking
Hospital	1 stall / bed
Hotel	1.0 parking space per guest suite
Library	2 stalls / 100 m ² (1,080 ft ²) GFA
Manufacturing, Processing or Assembly Facility	0.5 stall / staff plus a minimum of 5 stalls for visitor parking
Manufactured Home Park	1.5 stalls / dwelling unit plus 0.15 stalls / dwelling unit designated as visitor parking
Motel	1 parking space per guest suite
Office	1.0 stalls / 74 m ² (796.5 ft ²) GFA
Personal Service	2.0 stalls / 100 m ² (1,080 ft ²) GFA; for stores on site
Recreation Facility	10 stalls / 100 m ² (1,076 ft ²) GFA
Religious Assembly	5.0 stalls / 100 m ² (1,080 ft ²) of assembly area.
Retail Store	1.0 stall / 74 m ² (796.5ft ²) GFA
School – Elementary and Junior High	1 stall per classroom
School – High School	4 stalls per classroom
Warehousing and Storage (except self storage)	1.0 stalls / 100 m ² (1,080 ft ²) GFA up to 2,000 m ² (21,500 ft ²) GFA

7.13.7 The parking requirements outlined in 7.13.6 above may be varied at the discretion of the Development Authority.

7.13.8 Parking requirements for all uses not listed above are at the Discretion of the Development Authority.

7.14 DRIVEWAYS, WALKWAYS, PATIOS AND PARKING PADS

- 7.14.1 Although a development permit is not required, driveways and parking pads shall be constructed to the following standards:
- (a) Shall be constructed to fully contain a vehicle within the property boundaries with a minimum width of 2.75 meters and minimum length of 6 meters;
 - (b) Driveways must be surfaced with a hard surface treatment, including asphalt, concrete, interlocking block, or other hard material as approved by the Development Authority;
 - (c) Parking pads must be surfaced with gravel, asphalt, concrete, interlocking block, or other hard material as approved by the Development Authority;
 - (d) Gravel or concrete surfacing must be a minimum of 4 inches in depth;
 - (e) Asphalt surfacing must be a minimum of 2 inches in depth.
- 7.14.2 A property is permitted to construct more than one driveway.
- 7.14.3 A property is permitted to construct more than one parking pad.
- 7.14.4 Utility easements and right of ways should be left accessible when constructing a driveway, walkway, patio or parking pad. In the event a concrete driveway, walkway, patio or parking pad is placed over a utility right of way or easement, the landowner is solely responsible and liable for any damages to the concrete driveway, walkway or patio that may occur as a result of a utility right of way or easement owner accessing the associated infrastructure. All repair work that needs to occur to the driveway, walkway, patio or parking pad will be the landowner's expense. The removal of any obstruction from the utility right of way will be done at the landowners expense.
- 7.14.5 Further to 7.14.5, the Village reserves the right to exercise emergency repairs on such property without notification to the landowner or tenant. All repair work that needs to occur to the driveway, walkway, patio or parking pad will be at the landowner's expense. The removal of any obstruction from the utility right of way will be done at the landowner's expense.

7.15 PHYSICAL ENVIRONMENT

Natural Environment:

- 7.15.1 The Development Authority may consider the environmental impact of any proposed development.
- 7.15.2 The Development Authority may refer the proposal to a relevant provincial department for comments on the nature of the environmental concern.
- 7.15.3 Where a development is considered to have a significant environmental impact, the Development Authority may request the developer to have an environmental evaluation prepared and submitted by an appropriate professional, or undertake its own environmental evaluation regarding the proposed development. This may include (but is not limited to):
- (a) Biophysical Impact Assessment
 - (b) Environmental Site Assessments

- 7.15.4 All costs associated with an environmental evaluation are the responsibility of the developer.

Development on Land Subject to Subsidence Conditions:

- 7.15.5 Prior to issuing a development permit, approving an application to amend this Bylaw, approving an application for subdivision, or approving an application to amend a Statutory Plan for land which has potential undermining or subsidence conditions, the Development Authority may require a geo-technical study prepared by a member in good standing of the Association of Professional Engineers and Geoscientists of Alberta.

Historic Resources:

- 7.15.6 Prior to issuing a development permit, approving an application to amend this Bylaw, approving an application for subdivision, or approving an application to amend a Statutory Plan for land that contains or may contain historic resources the Development Authority shall ensure that appropriate provincial approval has been obtained as per the Historical Resources Act.
- 7.15.7 If a historic resource is found during the course of development activities, all development activities must cease and the resource must be reported immediately to the Province as per the Historical Resources Act, even if the Historical Resource Act approval was already issued for the development.

7.16 PROJECTION OVER YARDS

See [Figure | 9 Projections Over Yards](#)

7.16.1 Front Yards

- (a) Eaves, balconies, bay windows, shade projections, chimneys, un-enclosed decks, may project a maximum of 0.6 m (2 ft.) over or onto a required front yard; and
- (b) Un-enclosed steps may project a maximum of 1.8 m (6 ft.) over or onto a required front yard.

7.16.2 Side Yards

- (a) Eaves, shade projections, chimneys, may project a distance not exceeding one half of the minimum side yard requirement for the lot as determined by the zoned district.
- (b) Un-enclosed steps and landings shall be at grade to a side entrance and may project onto the entire required side yard. Un-enclosed steps and landings above grade shall be at the discretion of the Development Authority;
- (c) Residential buildings with a side entrance requiring a side yard relaxation and / or having projections as described above shall maintain one side yard with no relaxation or projection except for eaves.

7.16.3 Rear Yards

- (a) Eaves, balconies, bay windows, shade projections, chimneys, un-enclosed decks and steps may project a maximum of 1.5 m (4.9 ft.) over or onto a required rear yard.

7.17 RELOCATION OF BUILDINGS

- 7.17.1 Where a development permit has been granted for the relocation of a building on the same site or from another site, the Development Authority may require the applicant to provide a performance bond or deposit letter of credit in the amount of the estimated cost of renovations, with a minimum amount of \$10,000.00, to ensure completion of any renovations set out as condition of approval of a permit. In addition, the Development Authority shall require the applicant to provide proof of insurance during and after relocation of the building.
- 7.17.2 All renovations to a relocated building are to be completed within one (1) year of the issuance of the development permit.
- 7.17.3 Application for a relocated building shall be accompanied by recent interior and exterior photographs to the satisfaction of the Development Authority. Also, the input (in writing) of the adjacent registered property owners within a minimum of 60 m (196.85 ft.) of a said parcel may be required by the Development Authority and/or MPC.
- 7.17.4 The design, external finish and architectural appearance of any relocated buildings/structure shall be similar to and complement the existing structures on the parcels adjacent to the parcel on which it is to be located.
- 7.17.5 All related costs to installation, repairs and/or replacement of Village infrastructure due to the relocation of the building/structure are the responsibility of the property owner.

7.18 UTILITIES

- 7.18.1 Except within the Residential Acreage District, private water well drilling shall not be permitted within the Village boundaries.
- 7.18.2 Except in the Residential Acreage District, no private sewer system is allowed and a development shall not be permitted if the development is not served by the public sewer or a provincially approved private system.
- 7.18.3 A development shall not be permitted until satisfactory arrangements have been made for the supply of:
 - (a) water;
 - (b) electric power;
 - (c) sewerage; and
 - (d) street accessto the development including payments of costs of installing or constructing any such utility or facility by the developer.

8 SPECIFIC USE REGULATIONS

8.1 CANNABIS PRODUCTION FACILITY

- 8.1.1 As a condition of development and prior to the operation of the facility, the owner must provide a copy of the current license for all activities associated with cannabis production as issued by the Health Canada.
- 8.1.2 The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 8.1.3 The development must be done in such a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, garbage containers and waste material.
- 8.1.4 The development shall ensure appropriate security for the grounds and the facility.
- 8.1.5 The development shall not include an outdoor area for the storage of goods, materials or supplies.
- 8.1.6 The development shall not operate in conjunction with another approved use.
- 8.1.7 The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 8.1.8 The Development Authority may require as a condition of a development permit, a waste management plan completed by a qualified professional, which includes but not limited to, details on:
 - (a) the quantity and characteristics of liquid and waste material discharged by the facility;
 - (b) the method and location of collection and disposal of liquid and waste material discharged by the facility; and
 - (c) the incineration of waste products and airborne emissions, including smell.

8.2 CANNABIS RETAIL STORE

- 8.2.1 Is a use:
 - (a) where Cannabis is sold for consumption off premises;
 - (b) where consumption of cannabis must not occur; and
 - (c) where all cannabis that is offered or sold must be from a federally approved and licensed facility.
- 8.2.2 Cannabis Retail Stores shall comply with all provincial regulations including (but not limited to) separation distances and hours of operation.
- 8.2.3 The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 8.2.4 The owner or applicant must provide a plan for waste disposal.

8.3 DAYTIME CHILD CARE SERVICE

- 8.3.1 The Development Authority shall, in deciding whether to approve or refuse a Child Care Service, consider among other matters, potential traffic generation, proximity to park or other open recreation areas, isolation of the proposed site from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents and consistency in terms on intensity of use with other developments in the area.
- 8.3.2 All Child Care Services shall be licensed and approved by the relevant Provincial Agency.

8.4 HOME OCCUPATIONS

- 8.4.1 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).
- 8.4.2 Storage of hazardous or dangerous materials that would increase the risk of fire as determined by a qualified fire official shall not be permitted on site.
- 8.4.3 A Home Occupation shall not operate at a time of day or night that is likely to disturb other residents or properties in the area.
- 8.4.4 A Home Occupation – Major shall not be permitted if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial Land Use District having regard for the overall compatibility with the residential character of the area.
- 8.4.5 A Home Occupation shall not include any use or operation of equipment which will cause or create a nuisance by way of noise, electrical interference, dust, smell, smoke or traffic generation.
- 8.4.6 No vehicle related to a Home Occupation that, in the opinion of the Development Authority, detracts from the residential character of the area shall be permitted to park in the vicinity of the Home Occupation. This may be due to size, gross vehicle weight, noise, etc.

8.5 HOME OCCUPATIONS – MINOR

- 8.5.1 A **Home Occupation – Minor** shall comply with the following:
 - (a) Shall not employ any person not residing in the Dwelling Unit;
 - (b) shall be contained within the principal building;
 - (c) Outdoor storage of materials, commodities, or finished products related to the use is prohibited; and
 - (d) No Signs are permitted.

8.6 HOME OCCUPATION – MAJOR

- 8.6.1 A **Home Occupation – Major** shall comply with the following:
 - (a) An applicant shall provide a description of the business, and any other relevant information that the Development Authority may deem necessary;

- (b) An applicant shall provide a detailed parking plan indicating proposed resident, client and employee parking;
- (c) May be permitted to employ up to a maximum of 4 employees at the discretion of the Development Authority;
- (d) All business related activities:
 - (i) Shall be contained within the principal building or an accessory building;
 - (ii) Outdoor storage of materials, commodities, or finished products related to the use of the home occupation (major) shall be stored in a neat and orderly manner in the Rear Yard and shall be screened from view from adjacent residences;
 - (iii) Outdoor storage of materials, commodities and/or finished products in the Front Yard is not Permitted.
- (e) Signs are permitted as per **Section 9 Signs**.
- (f) Home occupation of Storage of Trailers, vehicles, etc. related to the home occupation are to:
 - (i) Be parked on an approved parking pad;
 - (ii) confined to the property boundaries of the residential property;
 - (iii) Not be parked on the street in such a manner to impede residential parking or traffic.

8.7 PET CARE SERVICE

- 8.7.1 Rules that apply to all Pet Care Services:
 - (a) Animals shall not be boarded overnight;
 - (b) May have the incidental sale of products relating to the services provided by the use; and
 - (c) Must not have any outside enclosures, pens, runs or exercise areas unless approved by the Development Authority. Approval would be conditional on the zoning, the type and size of enclosure, the separation of animals, and the care and shelter of the animals while in the enclosure.
- 8.7.2 The Development Authority may, when issuing a development permit, determine the maximum number of animals that may be kept at any one time by the operator of a Pet Care Service.
- 8.7.3 Pet Care Services shall be operated in accordance with health regulations and, in particular, excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.
- 8.7.4 Development permits issued for an animal care service shall be limited to a maximum period of three (3) years.
- 8.7.5 For animal care services, a detailed description of how the facility will meet the Canadian Veterinary Medical Association Code of Practice for Canadian Kennel Operations latest publicly available edition.

8.8 KENNEL – BOARDING AND KENNEL – BREEDING

Kennel – Boarding

- 8.8.1 An application for a development permit for a Kennel – Boarding shall include, among other requirements stated in this Bylaw, the following:
- (a) A site plan indicating the size and location of all kennel buildings and facilities (e.g. outdoor areas, waste (feces) management areas, parking areas, signs);
 - (b) Floor plans illustrating the number, size and location of animal pens inside and outside the building(s); enclosures, pens, runs or exercise areas.
 - (c) a detailed description of how the facility will meet the Canadian Veterinary Medical Association Code of Practice for Canadian Kennel Operations latest publicly available edition.
- 8.8.2 Kennel – Boarding may provide for the incidental sale of products relating to the services provided by the use.
- 8.8.3 No buildings or exterior exercise area(s) to be used to accommodate dogs shall be allowed within 50 m (164 ft.) of any residential dwelling located on adjacent parcels and a diagram indicating the distances shall be submitted with the development permit application.
- 8.8.4 All dog facilities, including buildings and exterior exercise areas, shall be located to the rear of the principal building and shall be constructed to the following standards:
- (a) Interior walls and ceilings shall be constructed of washable building material;
 - (b) Exterior walls should be fire-resistant and impervious to moisture;
 - (c) Doors, window frames and window sashes should be impervious to moisture and rodent resistant;
 - (d) Insulation shall be required, taking into consideration the breed, age and overall health of the dogs; and
 - (e) All facilities must have adequate ventilation and light.
- 8.8.5 The Development Authority may, when issuing a development permit, determine the maximum number of adult dogs that may be kept at any one time by the operator of a kennel.
- 8.8.6 All pens, rooms, exercise runs, and holding stalls shall be soundproofed if deemed necessary by the Development Authority, which shall base its decision on the number of animals to be kept at the Kennel, the proximity of the use to other kennels, and the noise from the use may adversely affect the amenities of the area.
- 8.8.7 In addition to soundproofing requirements, the times at which the animals are allowed outdoors may be regulated. In particular, all dogs at a kennel, including pups, are required to be kept indoors between the hours of 10:00 p.m. and 7:00 a.m.
- 8.8.8 All kennel facilities shall be screened by both a visual and sound barrier, by fences and/or landscaping, from existing dwellings on adjacent parcels to the satisfaction of the Development Authority.

- 8.8.9 Kennels shall be operated in accordance with health regulations: and excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.
- 8.8.10 Application for a development permit for a new or existing boarding kennel operation shall take into consideration the following (where applicable):
- a) Mandatory inspection report by a Doctor of Veterinary Medicine submitted with a development permit application;
 - b) Any previous complaints or comments from adjacent landowners;
 - c) Complaints filed to the Alberta Society for the Prevention of Cruelty to Animals (SPCA);
 - d) Compliance with the latest publicly available edition of the Canadian Veterinary Medical Association Code of Practice for Canadian Kennel Operations.
- 8.8.11 As a condition of approval, the Development Authority shall require the applicant submit an inspection report, prepared by a Doctor of Veterinary Medicine, on the anniversary date of the permit. In addition, at the discretion of the Development Authority, the applicant may be required to submit yearly inspection reports as a condition of approval or renewal.

Kennel – Breeding

- 8.8.12 Permits issued for a Kennel – Breeding development shall be limited to a maximum period of three (3) years.
- 8.8.13 For Kennels – Breeding, the following may be required:
- (a) a business plan with information on the number of dogs, type of facility proposed, waste management, type (breed), ratio of females to males and anticipated litters.
 - (b) For animal breeding services, a detailed description of how the facility will meet the Canadian Veterinary Medical Association Code of Practice for Canadian Kennel Operations latest publicly available edition.

8.9 MANUFACTURED HOMES

- 8.9.1 All **Dwelling – Manufactured** homes shall be C.S.A. approved.
- 8.9.2 Manufactured homes shall have a foundation capable of supporting the maximum anticipated load of the manufactured home during all seasons. The foundation shall comply with the Alberta Building Code.
- 8.9.3 All manufactured homes shall have a minimum width of 4.3 m (14 ft.).
- 8.9.4 The under carriage of each manufactured home shall be properly insulated and completely screened from view by the foundation or skirting within 45 days of placement of the manufactured home.
- 8.9.5 All manufactured homes entrances shall have appropriate steps and landings within 45 days of their placement on the site.
- 8.9.6 In determining the suitability of manufactured homes for placement, consideration may be given to condition and appearance. Manufactured homes constructed more than ten (10) years prior to the date of the development permit application may not be permitted.

8.10 MODULAR HOMES

- 8.10.1 All **Dwelling – Modular** homes shall be C.S.A. approved.
- 8.10.2 Modular Homes are not to be considered as manufactured homes under this Bylaw and shall be similar in appearance to the existing surrounding buildings. Modular homes shall at minimum, contain the following design features:
- (a) a minimum roof pitch of 10 cm of vertical rise for every 30 cm of horizontal run (4:12 pitch);
 - (b) have a roof surface of wood or asphalt shingles, clay or concrete tile, slate shingles, sheet metal shingles, or hand split shakes;
 - (c) have a minimum roof overhang or eaves of 41 cm (16 in.) from the primary surface of each façade;
 - (d) have a maximum length-width ratio of 3:1; and
 - (e) be placed on a permanent foundation or basement.

8.11 PRIVATE SWIMMING POOLS, HOT TUBS AND SHALLOW PONDS

- 8.11.1 Building permits are required for private swimming pools, wading pools, shallow ponds, or hot tubs with a depth greater than 0.6m (2.0ft).
- 8.11.2 The entire area serving an outdoor private swimming pool, hot tub or shallow pond must be protected by a fence, that can prevent access by unauthorized persons. Its height above the outside ground level must not be less than 1.8 m (6 ft.) in height.
- 8.11.3 An opening for access through a fence around a private swimming pool, hot tub or shallow pond must be protected by a gate that is:
- (a) the same height as the fence
 - (b) equipped with self-closing device
 - (c) equipped with self-latching device on the inside of the gate located not less than 1.5 m (5 ft.) above ground level, and
 - (d) capable of being locked.
- 8.11.4 The outside of a fence or gate must not have horizontal or diagonal structural pieces that would facilitate climbing.
- 8.11.5 Notwithstanding subsections 8.73 and 8.7.4 above, a fence and gate is not required provided a cover that has been designed and constructed in conformance with ASTM F 1346, "Safety Covers and Labelling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs" and is provided with lockable devices to prevent access to the water by unauthorized persons. Such covering devices are to be in place preventing access to the water when the pool, hot tub or spa is not in use.
- 8.11.6 Devices must not be installed on or adjacent to a fence or gate around a swimming pool that could cause electric current to pass through the fence or gate.

8.12 RENEWABLE ENERGY SYSTEMS

- 8.12.1 Renewable energy systems such as, but not limited to, active and passive solar, photovoltaic solar panels, heat exchange systems and generators are encouraged as a method to reduce greenhouse gas emissions and to promote sustainability objectives within the Village. Alternative Energy Systems shall require a development permit to ensure there are no nuisance effects that extend beyond the site and shall have consideration for the following requirements:
- (a) Renewable Energy Systems that are part of or attached to the principal building shall follow the requirements for that use (i.e. Solar panels on a roof); and
 - (b) Renewable Energy Systems shall follow the minimum requirements for accessory buildings and uses in the appropriate Land Use District where separate and subordinate to the principal building or use of the property; and
- 8.12.2 Renewable Energy Systems shall be considered a discretionary use in all land use districts.

8.13 STORAGE STRUCTURES

- 8.13.1 A storage structure is not an accessory building.
- 8.13.2 A storage structure shall meet the setback requirements for an accessory building in the appropriate district.
- 8.13.3 A storage structure shall be for cold storage only and shall not be connected to utilities.
- 8.13.4 A storage structure shall be screened from view as required by the Development Authority and/ or may require exterior finishing to be in general conformance with the principal building or surrounding development.
- 8.13.5 Except as provide for in this section 8.13, a storage structure shall not be permitted in residential areas or on parcels where the primary land use is residential.
- 8.13.6 A storage structure shall not be used as a sign.
- 8.13.7 A storage structure may be approved on a temporary basis during construction within any land use district.

8.14 SECONDARY SUITES AND BACKYARD SUITES

- 8.14.1 Development of a **Dwelling – Secondary Suite** or **Dwelling – Backyard Suite** shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.
- 8.14.2 An application for a **Dwelling – Secondary Suite** or **Dwelling – Backyard Suite** shall include a detailed parking plan outlining:
- (a) Proposed off-street parking in line with the parking requirements outlined in **Section 7.13 Parking**; and
 - (b) On-street parking available in the area.

- 8.14.3 All required off-street parking stalls for a **Dwelling – Secondary Suite** or **Dwelling – Backyard Suite** shall be hard surfaced (e.g. cement, pavement/asphalt, etc.).
- 8.14.4 A **Dwelling – Secondary Suite** and a **Dwelling – Backyard Suite** cannot be located on the same property.

Secondary Suites:

- 8.14.5 A **Dwelling – Secondary Suite** shall only be developed within the principal dwelling and shall not be developed within a detached garage and/or accessory structure.
- 8.14.6 The minimum floor area for a **Dwelling – Secondary Suite** shall be not less than 30 m² (322.93 sq. ft.).
- 8.14.7 A **Dwelling – Secondary Suite** shall be developed in such a manner that the exterior of the principal dwelling containing the **Dwelling – Secondary Suite** shall appear as a single-detached dwelling.
- 8.14.8 Only one **Dwelling – Secondary Suite** may be developed in conjunction with a principal dwelling.
- 8.14.9 A **Dwelling – Secondary Suite** shall not be separated from the principal dwelling through a condominium conversion or subdivision.

Backyard Suites:

- 8.14.10 Development of a **Dwelling – Backyard Suite** shall comply with the following:
- (a) Must be located in a detached building located behind the front façade of the principal Dwelling Unit.
 - (b) May be attached to or on the second storey of an **Accessory Building**.
 - (c) A maximum of 1 **Dwelling – Backyard Suite** is permitted on a parcel.
 - (d) Must comply with all development standards for **Accessory Buildings** in the Land Use District that the property falls within.
 - (e) The exterior colour and materials, roof pitch, and window or door styles of a **Dwelling – Backyard Suite** must, at the discretion of the Development Authority, match or complement the principal Dwelling Unit.

8.15 AGRICULTURAL OPERATIONS

- 8.15.1 Extensive Agriculture does not include the rearing of livestock, or any building in relation to agricultural operations.
- 8.15.2 The rearing of livestock, or any building in relation to agricultural operations shall require a development permit and must be in compliance with all Land Use Bylaw Regulations and any applicable statutory planning documents including but not limited to Area Structure Plans.

8.16 INDUSTRIAL WORK CAMPS

- 8.16.1 A temporary development permit for an Industrial 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.
- 8.16.2 In addition to the requirements in Section 4.3 Application For A Development Permit, an application for an Industrial Work Camp shall include:
- (a) a description fo the location, type and purpose of the Industrial Work Camp;
 - (b) a plan and drawings showing the location, number and type of accomodations and associated buildings or structures and parking areas;
 - (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 Industrial Work Camp;
 - (e) the number of persons proposed to reside in the Industrial Work Camp;
 - (f) the anticipated start date of construction of the Industrial Work Camp, date of occupancy and removal date;
 - (g) reclamation measures once the Industrial Work Camp is complete and removed.
- 8.16.3 Once completed, an Industrial 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.

9 SIGN REGULATIONS

9.1 SIGN RELATED DEFINITIONS

- 9.1.1 For the purposes of this Land Use Bylaw, the following definitions related to signage apply:

SIGN	Means a lettered board and/or other public display intended for the advertising or calling attention to any person, business, matter, message, object or event.
SIGN AREA	Means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. See figure below.
SIGN CONTENT	Means the wording/lettering, message, graphics or content displayed on a sign.

SIGN CONTENT AREA


Means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.



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 the finished 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.
ELECTRONIC DISPLAY	Means a sign using electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology.
SIGN TYPE	Means the type of structure of a sign (e.g. freestanding, portable) used to convey the sign content. Sign Types are further defined in Section 9.2.2 below.

9.1.2 Sign types are defined as follows:

Type #	Name	Definition
1	A-board 	Means a temporary sign which is set on the ground, built of 2 similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by 1 person.
2	Billboard sign	Means a freestanding structure constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.
3	Canopy sign	Means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.



- 4** **Fascia sign** Means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign, which does not project more than 0.3 m (1 ft.) From the building.
- 5** **Freestanding sign** Means a sign supported independently of a building, wall, or other structure by way of columns, concrete foundation, uprights, braces, masts, or poles mounted in or upon grade.
- 6** **Mural sign** Means a painting or other decorative work applied to and made integral with an outside wall surface of a building.
- 7** **Portable sign** Means a sign that is not permanently affixed to a building, structure, or the ground and does not include a-board signs as defined in this bylaw
- 8** **Projecting sign** Means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.3 m (1 ft.) Horizontally, from a structure or building face.
- 9** **Roof sign** Means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.
- 10** **Temporary sign** Means any sign permitted, designed or intended to be displayed for a short period of time, not including portable signs, however including balloon signs, construction signs, political poster signs, banner signs, a-board signs or any other sign that is not permanently attached to a supporting structure or building.
- 11** **Under-canopy sign** Means a sign that is suspended from or below the ceiling or roof of an awning, canopy or marquee.
- 12** **Window sign** Means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

9.1.3 OTHER SIGNS

When a sign cannot be clearly categorized as one of the sign types as defined in this Bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

9.2 SIGNS GENERAL RULES

- 9.2.1 The Village of Acme may without the need for a development permit:
- (a) erect signs for the purposes of displaying community information, services and events; and
 - (b) authorize a temporary sign, which may not conform to the rules of this bylaw, in the interest of public information.
- 9.2.2 No Sign of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.
- 9.2.3 No Sign shall be erected on or affixed to private or Village owned property without the prior consent of the property owner and/or tenant.
- 9.2.4 No Sign shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 9.2.5 Notwithstanding Section (9.2.2) nor the provisions of Sections (9.2.3) and (9.2.4), the following Sign may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such Sign shall include **Electronic Display** :
- (a) A Sign for the purpose of identification, direction and warning, not exceeding 1m² (3.3 ft²) and limited to one sign per parcel;
 - (b) Sign relating to a Home Occupation- Major, person, partnership or company carrying on a profession, business or trade, not exceeding 0.37 m² (4.0 ft²) and limited to one sign per parcel;
 - (c) A-Board signs following the standards of subsections 9.3.7 (a) to (d) (inclusive); and
 - (d) Election signs that comply with all federal and provincial regulations and the Local Authorities Election act during the election period.
- 9.2.6 No Sign or advertising structures other than those specified under Subsection (9.2.5), shall be permitted in a residential district.
- 9.2.7 No Sign or advertisement shall resemble or conflict with a traffic sign.
- 9.2.8 All signs and advertisements shall be kept in a safe, clean, tidy, and working condition.
- 9.2.9 All signs with a **Electronic Display** shall:
- (a) Be kept in good repair and working condition;
 - (b) Not negatively impact surrounding properties (brightness, flashing, noise, etc.); and
 - (c) Not negatively impact traffic safety.
- 9.2.10 The Development Authority may put conditions on signs with a **Electronic Display** to mitigate for any negative impacts to adjacent properties, traffic, or other matters as deemed relevant by the Development Authority.

- 9.2.11 The Development Authority may put conditions on **Sign Illumination** to mitigate for any negative impacts to adjacent properties, traffic, or other matters as deemed relevant by the Development Authority.
- 9.2.12 The Development Authority may revoke or amend a development permit for a sign at any time if the sign has become detrimental to the amenities of the neighbourhood.
- 9.2.13 No sign shall be erected on or affixed to provincial property or a provincial road right-of-way without the approval of Alberta Transportation.
- 9.2.14 Where a sign projects over a public sidewalk or other municipal property, the owner of the sign shall enter into an agreement with the Village that shall:
 - (a) indemnify to hold harmless the Village for any claim related to the construction and maintenance of the sign; and
 - (b) furnish a public liability insurance policy of \$2,000,000.00 naming the Village of Acme as a co-insured.
- 9.2.15 A sign shall comply with the requirements set out in the Canadian Code of Advertising Standards and shall not be offensive or promote intolerance, hatred, or ridicule of any race, religion, or other segment of society.

9.3 SPECIFIC SIGN TYPE REGULATIONS

9.3.1 Canopy Signs:

- (a) minimum height clearance of 2.7m (9 ft.) from grade or any sidewalk below;
- (b) shall not project above the roof;
- (c) shall be setback a minimum of 0.6m (2 ft.) from a curb;
- (d) shall not project more than 2.0m (6.4 ft.) from the face of the building; and
- (e) shall not exceed 9.3 m² (100 ft²) in area.

9.3.2 Fascia Signs:

- (a) No fascia sign shall project more than 0.3 metres over a street or public property.
- (b) Notwithstanding 9.2.1, fascia signs lower than 2.5 metres above grade cannot project over a public walkway.
- (c) No fascia sign shall project more than 1 metre above the roof of the building to which the fascia sign is attached.
- (d) No fascia sign shall exceed 25% of the façade to which the fascia sign is attached.

9.3.3 Freestanding Signs:

- (a) No freestanding sign shall extend beyond 6 metres above grade or be larger than 3 square metres, except in the:
 - (i) **Highway Business District** where the maximum height shall be 9 m and the maximum sign area shall be 4 m².
- (b) Only 1 freestanding sign may be erected along each of a site's parcel boundaries shared with a street.

- (c) Freestanding signs shall be separated from each other by a minimum distance of 15 m.
- (d) Freestanding signs may be erected on adjacent sites to which they relate, but must be within 15 m of the parcel boundary.

9.3.4 Portable Signs:

- (a) Shall not exceed 10.0m² (107.6 ft²) in total sign area;
- (b) Shall not exceed 2.5m (8.2 ft.) in height;
- (c) The sign shall not be located in the sight triangle formed on a corner site by the two street property lines and a straight line which intersects them 5.0 m (16.4 ft.) from the corner where they meet;
- (d) The lighting of a mobile sign shall not adversely affect residential sites and/or traffic lights; and
- (e) A valid development permit has been obtained for the sign(s) to be in place for more than 7 consecutive days.

9.3.5 Projecting Signs:

- (a) No projecting sign shall exceed 2 m² in sign area.
- (b) No projecting sign shall project more than 1 metre above the roof of the building to which the projecting sign is attached.
- (c) No projecting sign shall be lower than 2.5 metres above grade.
- (d) The maximum space between the projecting sign and its supporting structure shall be 0.6 metres.
- (e) No projecting sign shall project within 0.6 metres from the sidewalk edge (not including curb).
- (f) Only 1 projecting sign may be erected on each street facing façade of the use to which the sign relates

9.3.6 Roof Signs:

- (a) No rooftop sign shall exceed 4 m² in sign area.
- (b) No rooftop sign shall project more than 3 metres vertically above the roof line.
- (c) No rooftop sign shall project horizontally beyond the roof line.

9.3.7 A-Board Signs:

- (a) No A-board sign shall exceed 0.6 m in width or 0.9 m in height.
- (b) A-board signs shall only be allowed on sidewalks during hours when the business to which the A-board sign relates is open to the public.
- (c) A-board signs shall be limited to 1 per business and placed directly in front of the building in which the business is located.
- (d) A-board signs must be constructed of a material such that a rigid frame is provided.

10 ENFORCEMENT

10.1 STOP ORDERS / ORDERS OF COMPLIANCE

10.1.1 Where the Development Authority finds a development or use of land or buildings is not in accordance with:

- (a) the Municipal Government Act or the Regulations; or
- (b) a development permit or subdivision approval issued under the authority of this Land Use Bylaw; or
- (c) an order, decision or permit issued by the Appeal Body:

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

- (a) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
- (b) demolish, remove or replace the development; or
- (c) take such other measures specified in the notice so that the development or use of the land or building is in accordance with the Municipal Government Act, the Regulations, a development permit, subdivision approval or this Bylaw, as the case may be, and may stipulate the time period within which the contravention shall be remedied.

10.1.2 A person who receives a notice pursuant to section 10.1.1 above may appeal to the Appeal Body in accordance with the process outlined in the Municipal Government Act.

10.2 ENFORCEMENT

10.2.1 Where a person fails or refuses to comply with an order directed to him/her under Section 10.1 above, or an order of the Subdivision and Development Appeal Board pursuant to the Act, within the time specified, a designated officer may, in accordance with the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order;

10.2.2 Where the Municipality or a person appointed by it carries out an order, the individual in contravention will be invoiced for these costs. If a person fails to cover full costs of invoice within 30 days 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) forms a special lien against the parcel of land in favour of the Municipality from the date it was added to the tax roll.

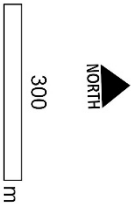
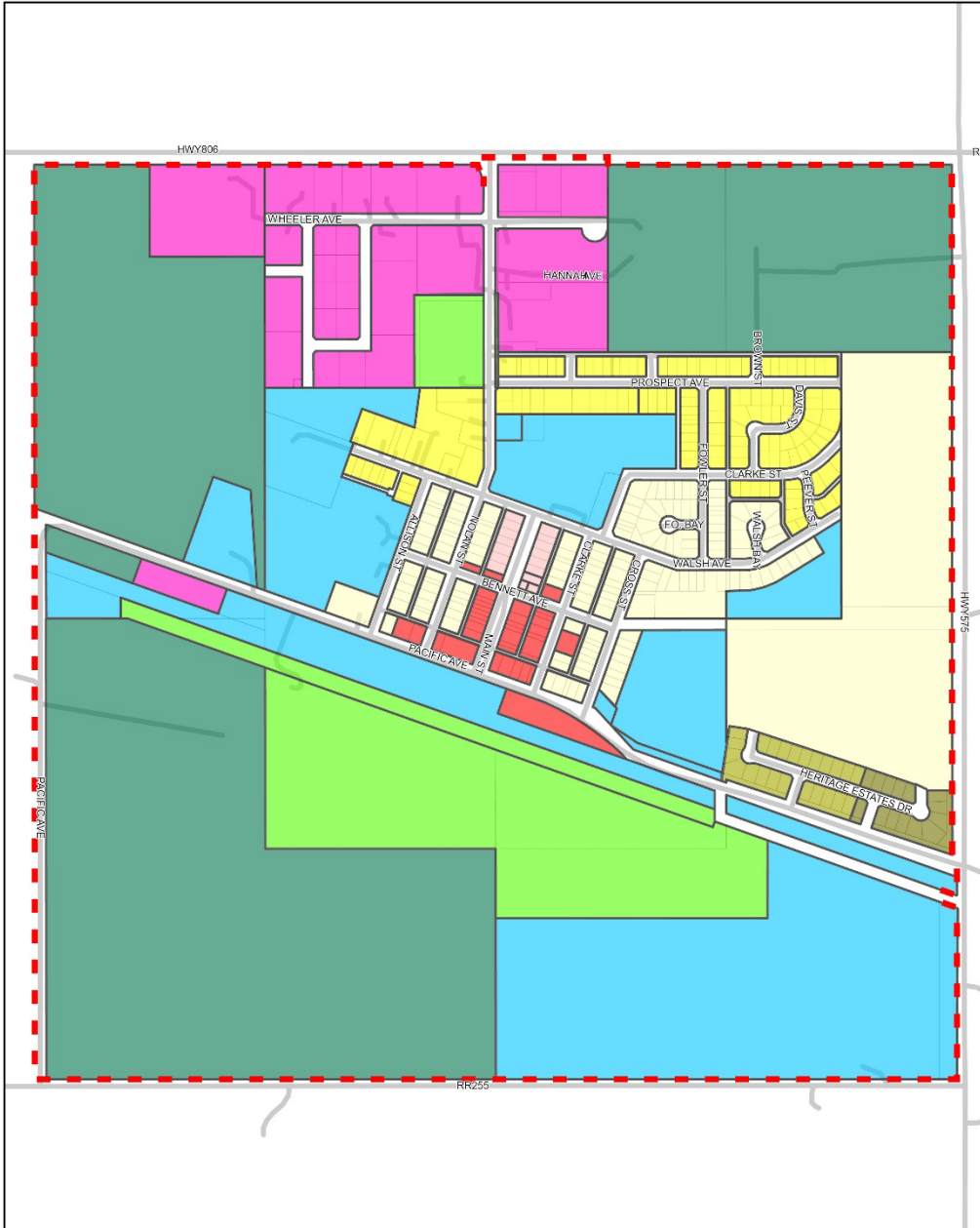
10.3 MUNICIPAL INSPECTION AND RIGHT OF ENTRY

10.3.1 Pursuant to Section 542 of the MGA, a Designated Officer may, after giving reasonable notice to the owner or occupier of land or the structure to be entered:

- (a) enter on that land or structure at any reasonable time, and carry out any inspection, enforcement or action required to assess or enforce compliance with this Bylaw,
- (b) Request anything to be produced to assist in the inspection, remedy, enforcement or action, and
- (c) Make copies of anything related to the inspection, remedy, enforcement or action.

11 LAND USE DISTRICT MAP

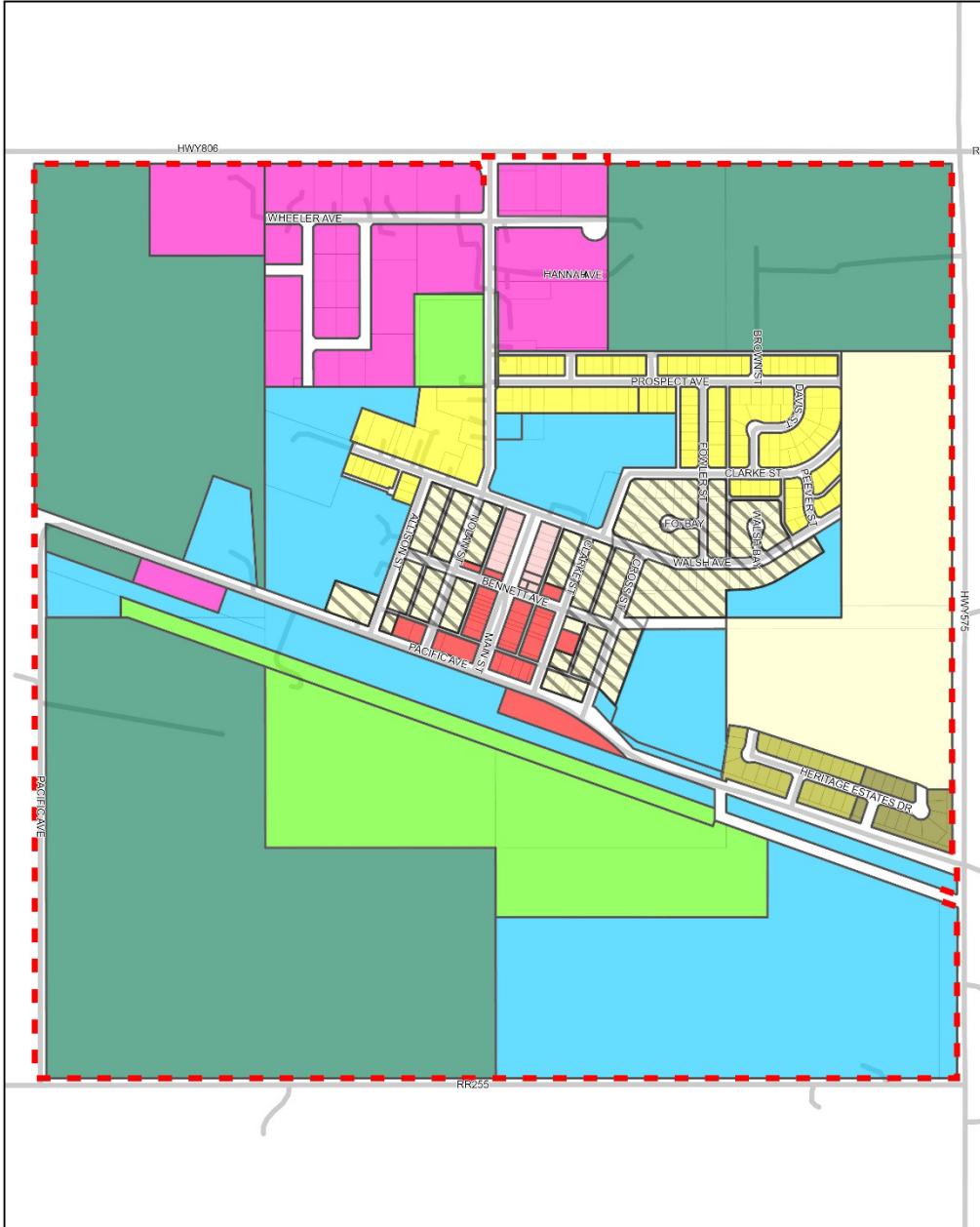
Bylaw 2022-02
Land Use
District Map –
No Overlay



- Legal Parcels
- Village Boundary
- Land Use Districts**
- CS - Community Services
- D-T - Down-Town
- HWY-C - Highway Commercial
- MR-C - Mixed Use Residential/ Commercial
- R-1 - Residential
- R-2 - Residential
- RA - Residential Acreage
- RH1 - Residential Heritage Estates
- RH2 - Residential Heritage Estates
- UR - Urban Reserve

Village of Acme
44.030
Land Use District Map
Bylaw #2022-02
Consolidated to: 8/21/2023

Bylaw 2022-02
Land Use
District Map –
Manufactured
Home Overlay



Bylaw #2022-02
Consolidated to: 8/21/2023

- Legal Parcels
- Village Boundary
- Manufactured Homes Overlay
- Land Use Districts**
- CS - Community Services
- D-T - Down-Town
- HWY-C - Highway Commercial
- MR-C - Mixed Use Residential/ Commercial
- R-1 - Residential
- R-2 - Residential
- RA - Residential Acreage
- RH1 - Residential Heritage Estates
- RH2 - Residential Heritage Estates
- UR - Urban Reserve



300

m



12 FIGURES AND DIAGRAMS

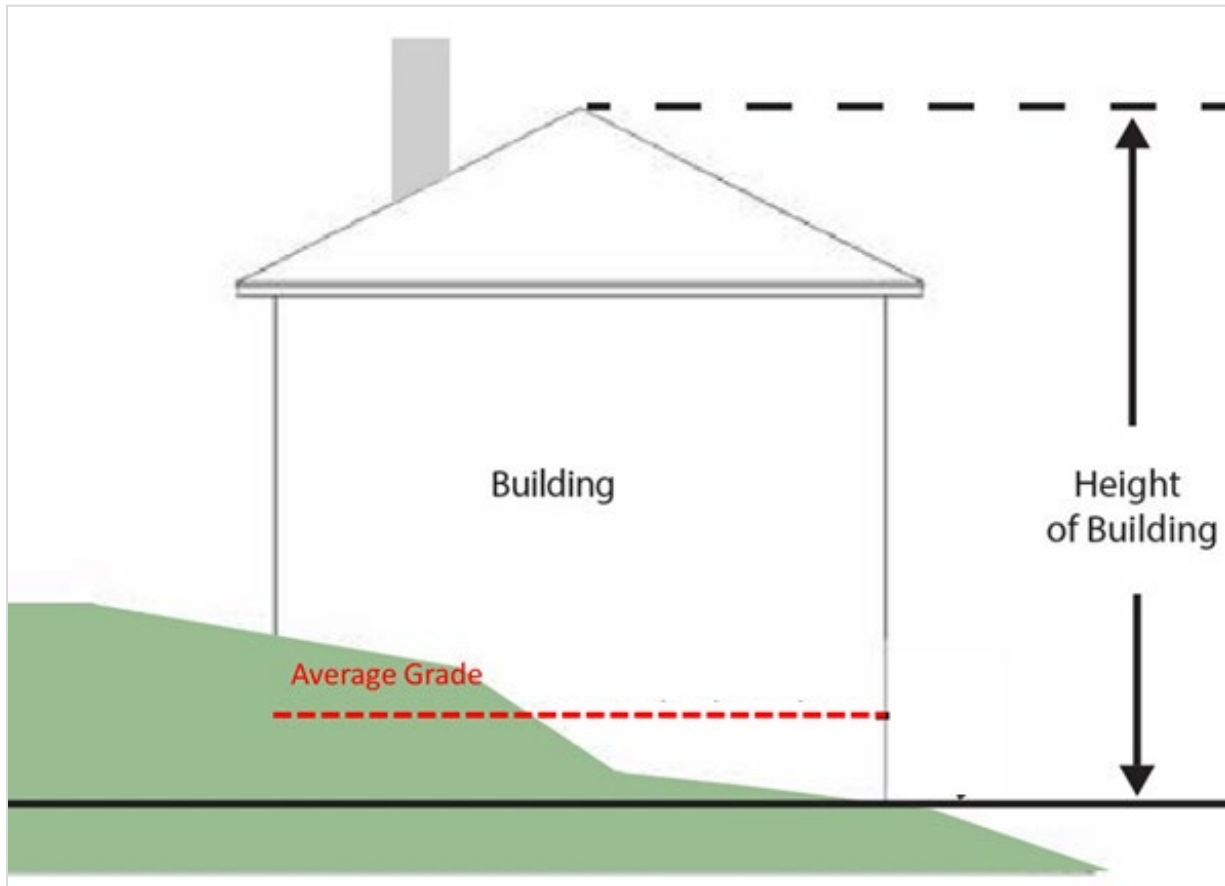
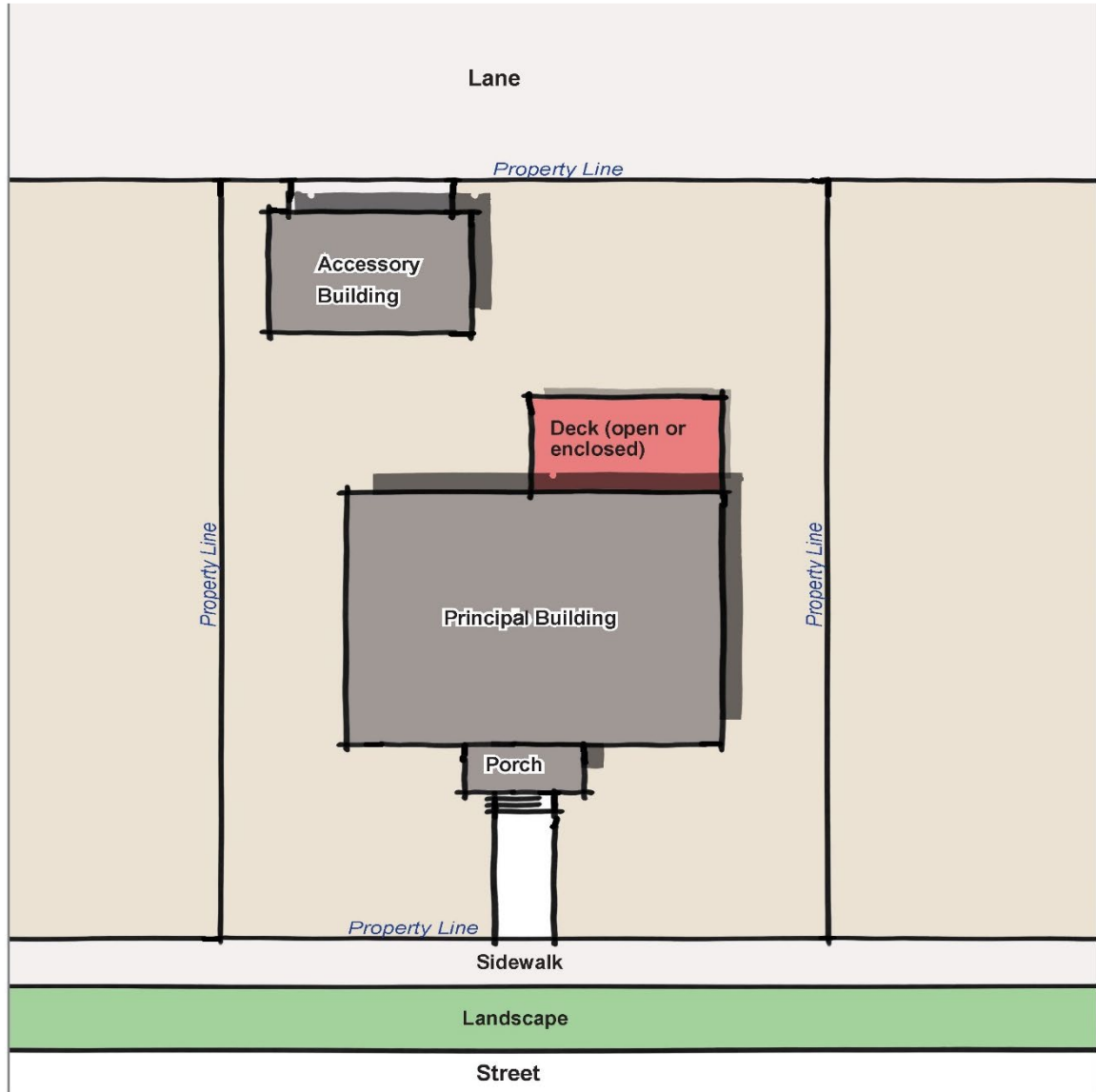


FIGURE 1 | BUILDING HEIGHT

						
TINY HOME	MANUFACTURED	MODULAR, READY TO MOVE	SINGLE-DETACHED	TWO-UNIT	MULTIPLE UNIT – ATTACHED) (3 OR MORE UNITS)	APARTMENT (5 OR MORE UNITS)

FIGURE 2 | DWELLING TYPES



 Area Included in Site Coverage Calculation

$$\frac{\text{Building Footprint(s)}}{\text{Lot Area}} = \text{Site Coverage \%}$$

FIGURE 3 | SITE COVERAGE CALCULATIONS

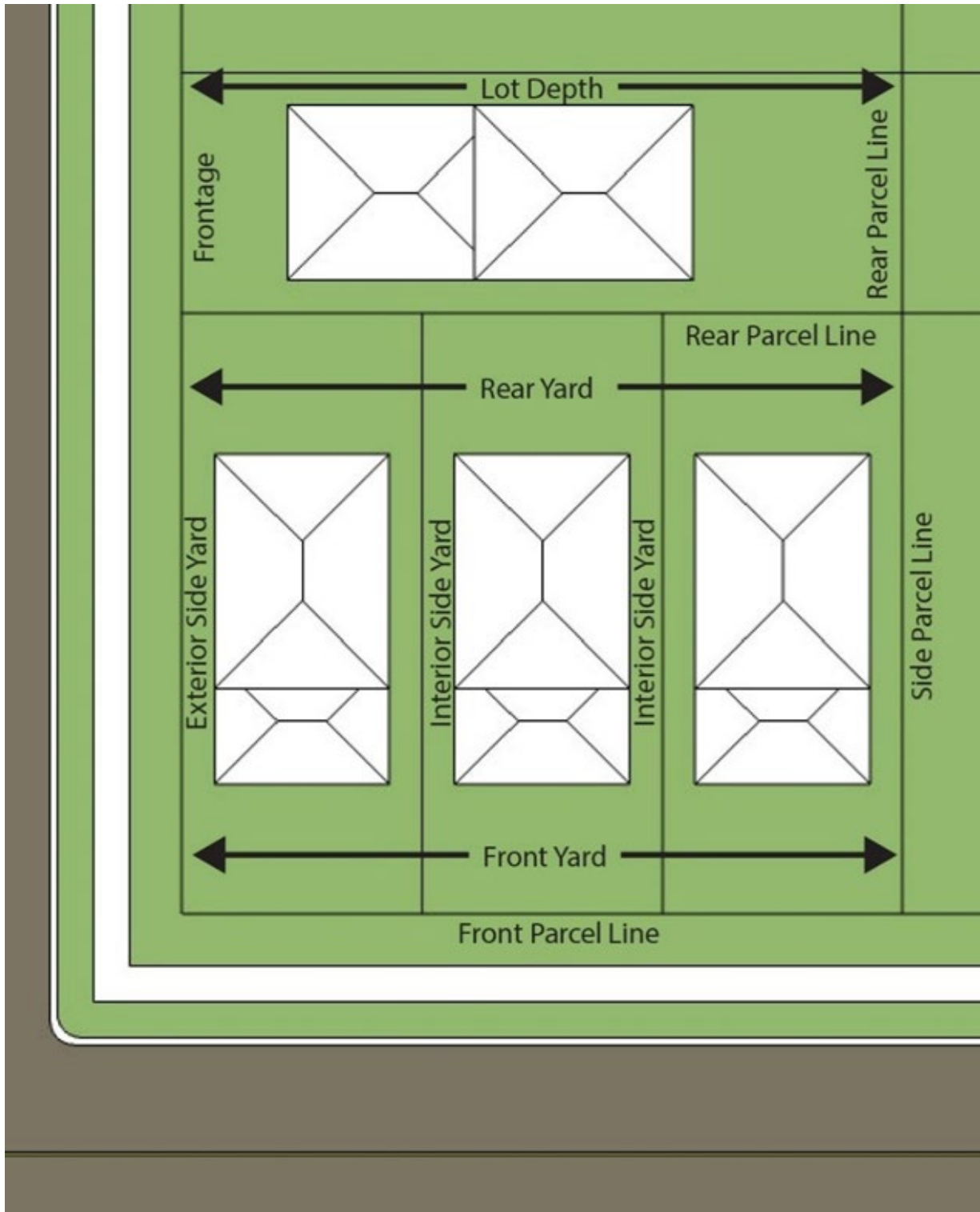





FIGURE 4 | PARCEL AND YARD TYPES

	Location	Maximum height from grade:
	Rear or Side Yard (Interior)	1.8m (6 ft.)
	Side Yard (exterior)	1.8m (6 ft.)
	Front Yard	1 m (3.2 ft.) or ; 1.2m (4ft.) for chain link fences

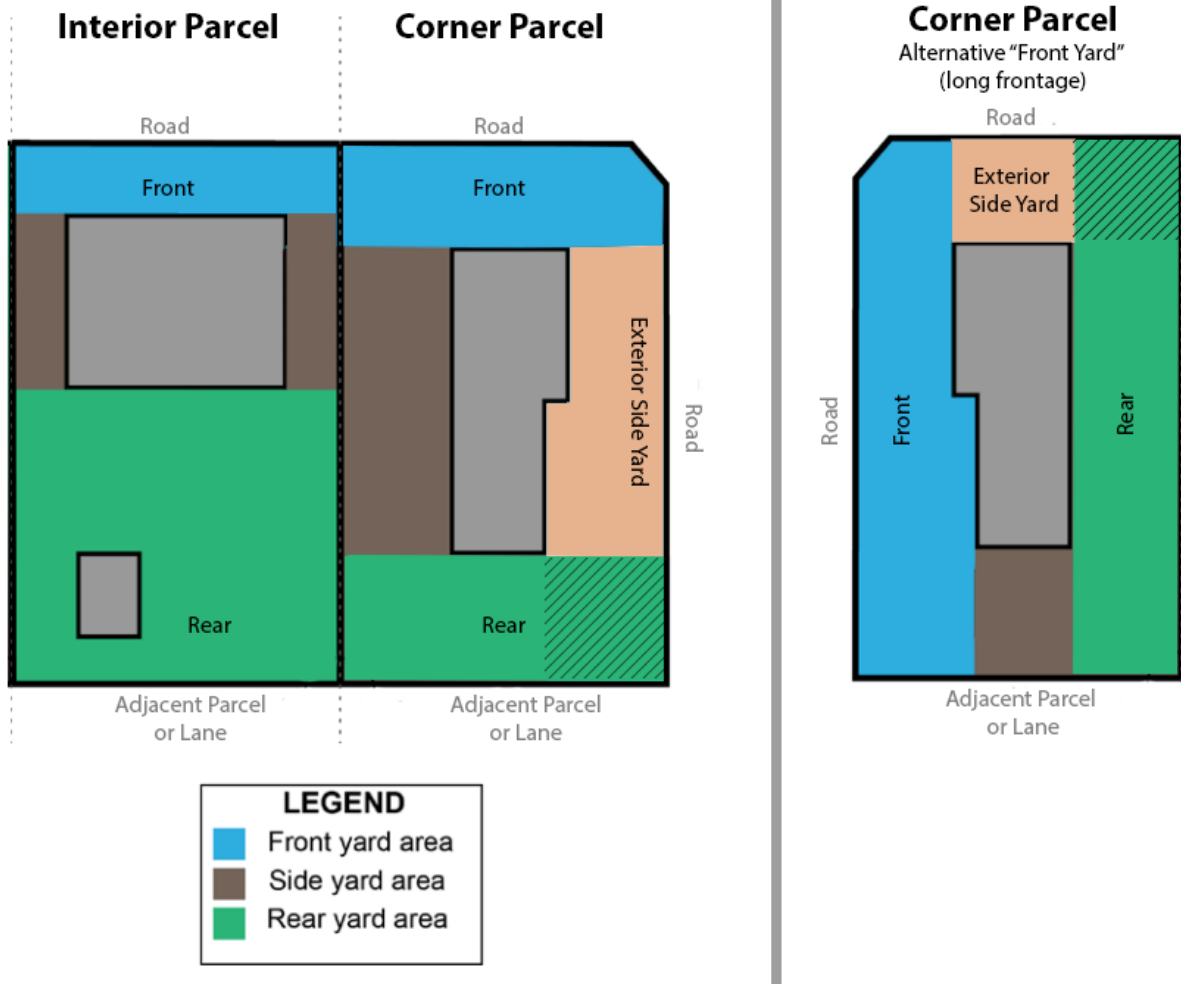


FIGURE 5 | FENCE HEIGHTS

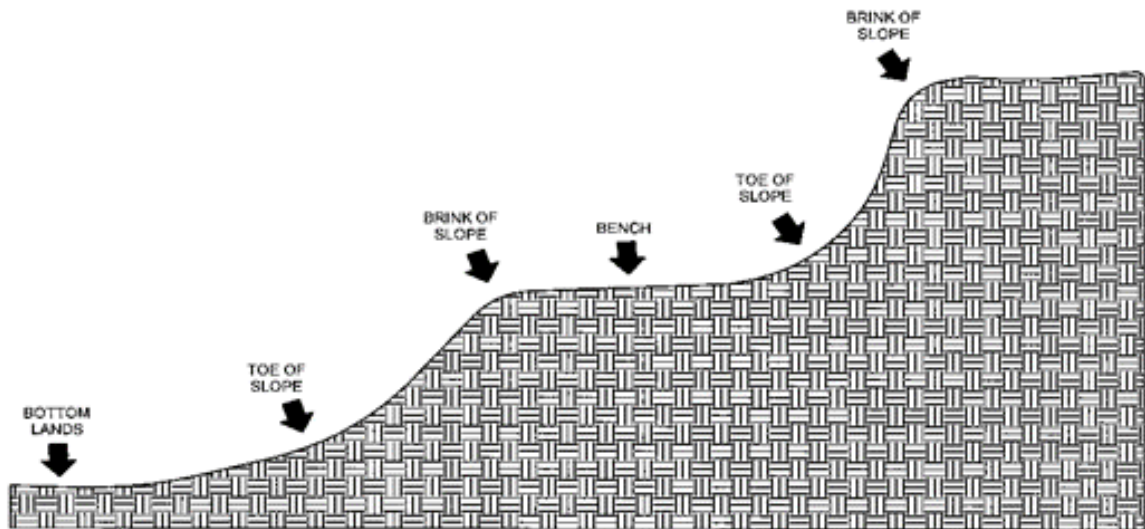
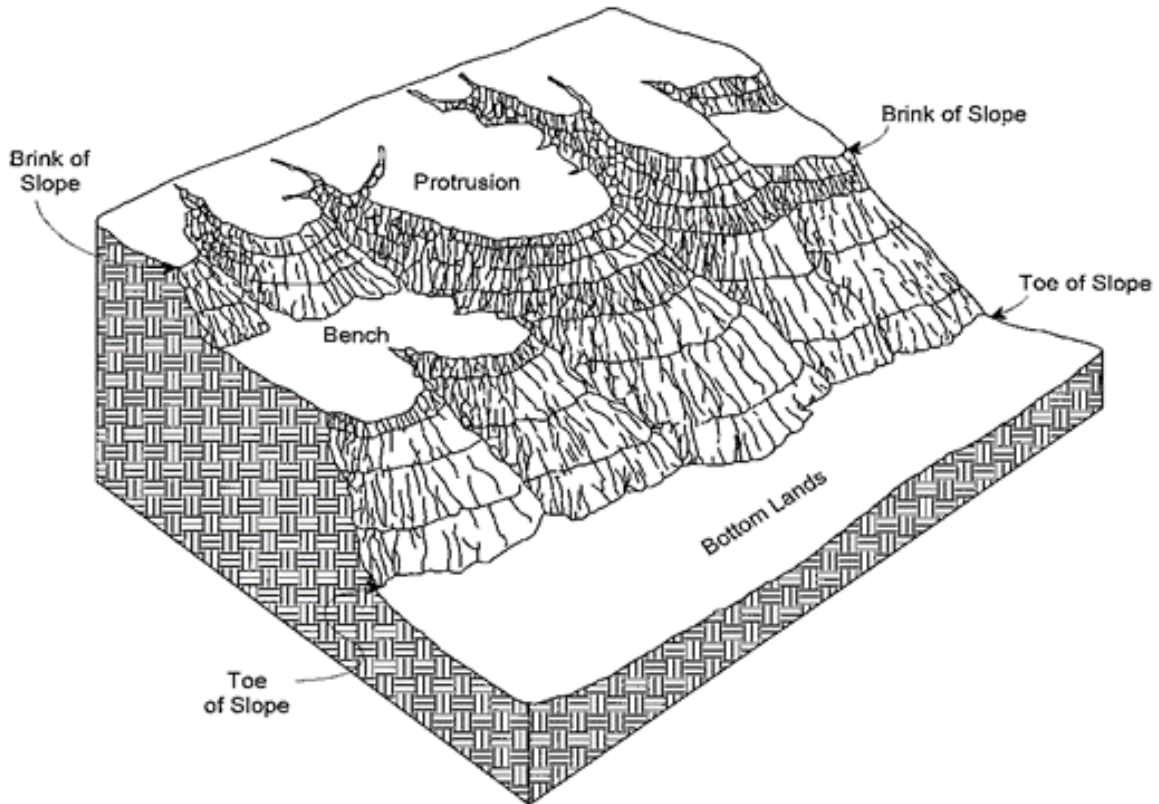
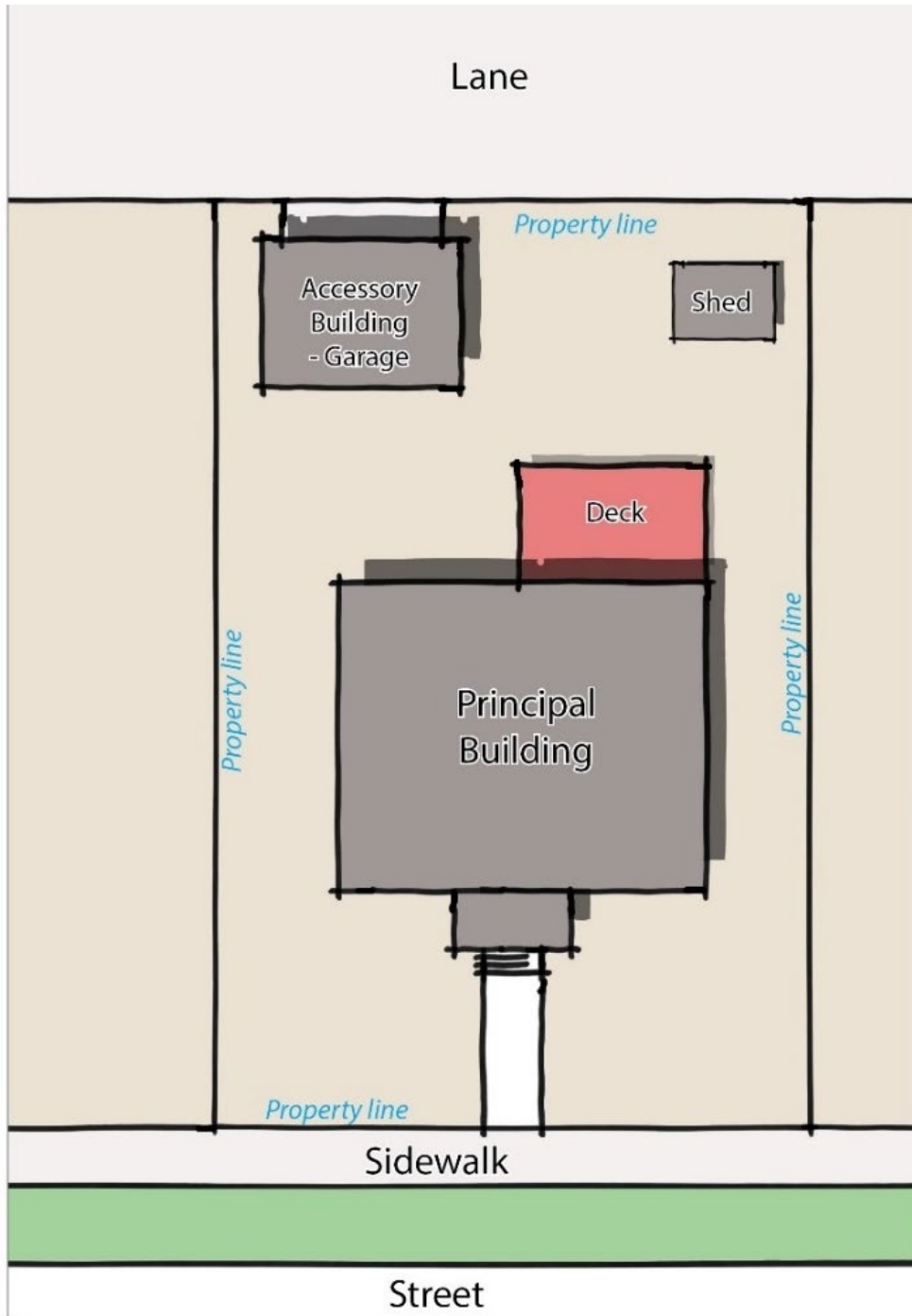


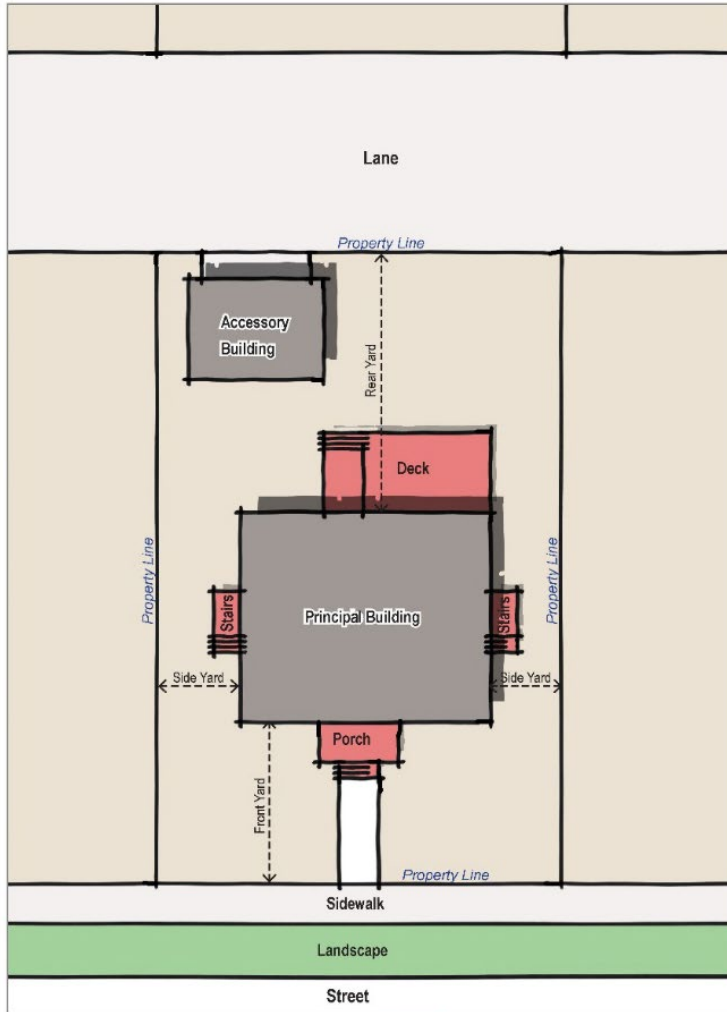
FIGURE 6 | TOPOGRAPHICAL FEATURES



■ Area included in parcel coverage calculation
(Principal Building + Garage + Shed)

Parcel coverage calculation = Total Building Footprint(s) / Parcel Area

FIGURE 7 | ACCESSORY BUILDING SITING



Permitted Projections Within Setbacks

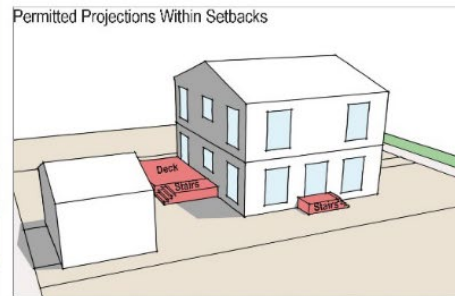
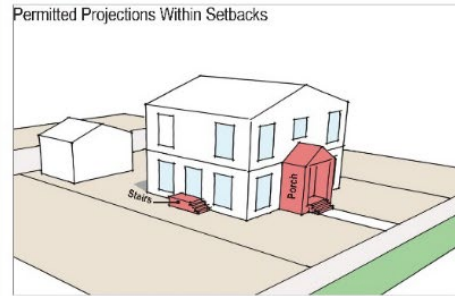
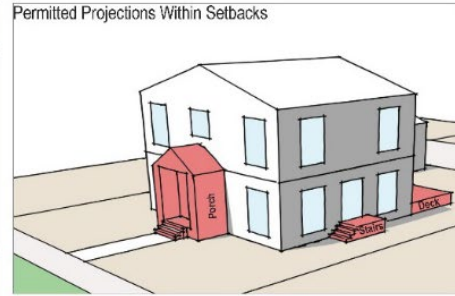


FIGURE 8 | PROJECTIONS OVER YARDS