

LAND USE ORDER

Summary of Proposed Changes in Draft Document

September 2023

Prepared by Palliser Regional Municipal Services for
the Special Areas Board



Special Areas Board
est. 1938

Purpose:

This report summarizes the major proposed changes in the **Land Use Order – Draft** (*September 2023*) for Special Areas. Please refer to the full **Land Use Order – Draft** (*September 2023*) for further details.

Abbreviations:

- LUO/ Order – Land Use Order
- MGA – Municipal Government Act
- SAB – Special Areas Board

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
PART1: ADMINISTRATION				
N/A	Repeal <u>existing Order</u> .	16	The Ministerial Order adopting the new LUO will repeal the existing LUO, therefore it is not required to be stated directly in the LUO itself.	N/A
1.1	Expanded existing <u>Purpose Statement</u> .	1	Clarifies legislative purpose of the LUO and that it is used in conjunction with other municipal documents.	N/A
1.2	Include provisions for <u>other legislative requirements</u> in the Administration Section.	N/A	Clarifies that in order to develop an applicant may need to comply with provincial, or federal requirements in addition to the municipal regulations in the LUO.	N/A

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
1.2.4	Include <u>severability</u> clause.	N/A	Included to indicate that if any part of the Order is found invalid by the courts, then the remaining sections of the Order are not affected.	N/A
1.2.5	Include statement for how applications will <u>transition between</u> the old LUO and the new LUO once it is in effect.	N/A	Clarifies that if an application is not “deemed complete” before the new Order comes into effect, then that application will be processed according to the new Order.	5
1.3	Update <u>non-conforming building</u> regulations per MGA	30	The existing regulations are taken from the MGA and do not need to be repeated in the draft Order. Therefore, while clauses have been removed, no changes to how non-conforming buildings are addressed are being proposed.	5
1.4	Include <u>interpretation clauses</u>	N/A	Standard clauses added on how the Order and its provisions are to be interpreted. It is important to define the difference in “shall/must”, “may”, “should”, and “commencement” of development. This section also outlines the system of measurement. Finally, it explains the Definitions in Part 6 and how terms may be interpreted.	5
1.6	Added section for <u>Subdivision Authority</u>	Part II	Provides clarification on who is the Subdivision Authority for SAB and how the Subdivision Authority can be changed.	5

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
1.7	Updated statement on who may review an appeal	Part II	Aligns with recent changes to the <i>MGA</i> regarding appeals and the Land and Property Rights Tribunal (LPRT).	5
1.8.1	Clarified powers and duties of the <u>development authority</u>	8	Clarify the different roles of the Development Officer and Municipal Planning Commission.	5
1.9	Added reference to 1.2	5	Cross reference to 1.2 clarifies that a use exempt from a DP under section 1.10 may still have other provincial/federal requirements the applicant must adhere to.	5
1.10	Updated <u>Development not requiring a permit</u> to clarify when a use is fully exempt from the Order and when it is exempt from a permit because it complies with all applicable sections of the Order.	6	1.10.2 clarifies what developments are fully exempt from the Order because of provincial or federal supremacy. 1.10.3 clarifies what development <u>may not</u> require a permit, assuming it will comply with <u>all</u> applicable regulations of the Order.	5
1.10.3(f)	<u>Temporary shipping containers</u> are exempt from DP.	6	Clarifies that once all building permits have been obtained, no permit is required for a shipping container if it is only used during the construction of an approved development; and it must be removed within 15 days of construction completion.	1,3
1.10.3(j)	Exempt <u>beekeeping</u> from requiring a permit in the Agricultural District, Rural Mixed-Use District and Airport Vicinity Overlay District	6(9)	Reduces red tape for Beekeeping in rural areas by expanding permit exemption to more than the Agricultural District. All Beekeepers must comply with the <i>Bee Act</i> .	1,3

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
1.10.3(m)	Exempt all <u>Extensive Agriculture</u> uses from requiring a permit.	6(10)	Promotes the rural character of the community.	6
1.10.3(k)	Exempt <u>Farm Animals</u> from requiring a permit in the Agricultural District and Rural Mixed-Use District	6	Reduces red tape for Farm Animals (livestock) below numbers that are regulated by the <i>Agriculture Protection and Enhancement Act (AOPA)</i> .	3,6
1.10.3(n)	Exempt <u>Home Occupation – Desk and Phone</u> from a permit.	6(9)	Reduces red tape to allow residents to operate a small business from their homes that does not include off-site employees, commercial deliveries, outdoor storage, on-site advertising, use of accessory buildings, food preparation, or on-premises sales without a development permit. (e.g., accountants).	1,3
1.10.3(o)	Exempt <u>Home Occupation – Minor</u> from a permit in the Agricultural District and Rural Mixed-Use District	6	Reduces red tape in the rural areas for residents that wish to have a Minor Home Occupation, which may include limited on-premises sales, commercial deliveries, indoor storage, off-site employees, and on-site advertising.	1,3
1.10.3(p)	Exempt <u>Secondary Suites</u> from a permit if they comply with Section 3.18 and other applicable the land use district	6	Reduces red tape for residents to develop secondary suites. If a proposal for a secondary suite doesn't comply with Section 3.18, then it must apply for a permit.	1, 6
1.10.3(r)	Exempt <u>Solar Energy System – Microgeneration</u> in all districts except the Hamlet District and the Airport Overlay District	6	Reduces red tape for residents to install private solar energy systems.	1, 3

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
1.10.3(s)	Exempt a <u>Day Home</u> from requiring a permit in any District	6	Reduces red tape for residents wanting to provide either unlicensed or licensed childcare (for up to 6 kids) in accordance with the <i>Early Learning and Child Care Act</i> and its <i>Regulations</i> .	1,3
1.10.3(t)	Clarify <u>decks</u> are exempt from a permit if they meet Section 2.6 – Project into Setbacks.	6	Reduces red tape for low impact home improvements.	5
1.10.3(u)	Exempt a <u>Solar Energy Systems – Microgeneration Attached</u> from requiring a permit	6,55	Reduces red tape for installing private roof or façade mounted solar systems.	1,3
1.10.3(v)	In Hamlets, increase the maximum size an <u>Accessory Building</u> (e.g., tool or garden sheds) may be constructed without a permit from 9.29 m ² (100 ft ²) to 13.9 m ² (150 ft ²). Include a building height maximum of 3.65 m (12 ft.)	6(13)	Reduces red tape in Hamlets for sheds and ensures any development exempt from a permit matches the massing/scale of the surrounding area. A larger shed will require a permit.	3
1.10.3(v)	Outside of Hamlets, add a maximum size <u>Accessory Buildings</u> such as garden and tool sheds) may be constructed without a permit 18.58 m ² (200 ft ²). Add a height maximum of 4.88 m (16 ft.) (does <i>not</i> include Farm Accessory Buildings)	6(11)	Clarifies that in the rural districts a permit <u>may be</u> required for accessory buildings that are not associated with normal agricultural activities. Farm Accessory Buildings remain exempt from development permits. Building permits may still be required.	3,6
1.10.3(w)	Exempt the <u>demolition of a building</u> from requiring a permit	6	Reduces red tape for redeveloping properties. A building permit is still required for the demolition of a building.	3, 5

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
1.10.3(y)	Exempt <u>signs</u> displayed for public convenience including signs which identify restrooms, freight, entrance, parking entrance or exit, or the like, not exceeding 0.5 m ² (5 sq. ft.) in area.	6(14)	Reduces red tape for businesses	1,3
1.11.2(i)	Require a copy of the <u>Certificate of Title</u> to be submitted with a complete application for a development permit. The Title must be obtained from Land Titles within 3 months of submitting a development permit application.	7	It is a standard practice in Alberta to confirm ownership of the land, as registered owners must provide authorization if a third party is applying on their behalf or proposing development or use changes for their own interests.	5
1.12.4	Clarified when the <u>MPC</u> may approve a permit with up to a 20% variance (relaxation) to the Order.	8(4) 45(2) 41(2)(c)	<i>MGA</i> S. 640(6) states an Order may authorize a Development Authority to decide on an application for a permit even though it does not comply with the Order. A 20% variance limit is proposed to be carried over from the existing Order.	5, 6
1.12.4	Include a clause that explains the criteria the <u>MPC</u> must consider allowing a variance (relaxation) to the Order	8(4)	This criteria requirement is dispersed throughout the existing Order and is proposed in this section, so it applies when <i>any</i> variance is requested from MPC.	5
1.13.2	Update development permit processing timeline to reflect <u>mandatory 21-day appeal period</u> prior to a discretionary use permit, or permitted use with a variance permit, taking affect.	9	Complies with recent updates to the <i>Municipal Government Act (MGA)</i> .	5

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
1.14 1.15	Include sections detailing subdivision application requirements and decision process.	n/a	Provides references to legislative requirements in the <i>MGA</i> and <i>Matters Related to Subdivision and Development Regulation</i> .	5
1.16	Update appeal procedure.	10, 11, 12	Complies with updated <i>MGA</i> regulations for subdivision and development appeal procedures.	5
PART 2: GENERAL LAND USE REGULATIONS				
2.2	Ensuring <u>drainage</u> does not negatively impact neighbouring parcels is now a mandatory requirement of all developments. In Hamlets, residents are required to ensure their parcel drains surface runoff to lanes and/or streets.	33	It's important to clarify that grading and drainage management for each parcel is the responsibility of each landowner.	2,5

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
2.3	<ul style="list-style-type: none"> Clarified regulations for ‘<u>Development Near Water</u>’ vs. developments with a potential flood hazard. Added statement that the potential risk of groundwater contamination may require an applicant to hire a professional to undertake a water study. Removed statements about access and environmental reserve 	29	<ul style="list-style-type: none"> There are different provincial requirements to consider if development is near water without the potential for flooding. It’s important to consider the risk of ground water contamination based on the proposed use. Environmental reserve requirements are already stated in the <i>MGA and Matters Related to Subdivision and Development Regulation</i>. 	2,3,5
2.6	<u>Projections into Yards</u> : Include regulations that allow portions of a building to “project” into yard setbacks in the Hamlet District	N/A	<p>Eaves, balconies, porches, bay windows, shade projections, chimneys, unenclosed steps, and unenclosed decks are permitted to project into front, side, and rear yard setbacks.</p> <p>A residential building must maintain one side yard with no relaxations or projections, except for eaves.</p>	3,5
2.7	<u>Dwelling Unit Density</u> : Clarified that only 1 dwelling unit is permitted per parcel, unless the land use district or a development permit indicates additional units are approved by the Development Authority to be constructed.	45	Previous statement was unclear as it indicated more than one dwelling could be on a parcel if “ <i>contained in a building designed for or divided into 2 or more dwelling units.</i> ”	5

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
2.8	Include regulations to ensure development of <u>corner parcels</u> do not negatively impact traffic safety at intersections.	20(3)(c) ii. and iv.	Objects between 3 -10 ft. in height are not permitted within 6.1 m of the corner parcel, as shown in Figure 1 at the end of this summary. This simplifies the corner setbacks currently in the Hamlet Residential District; however, some existing dwellings and accessory buildings may be within this triangle due to the current front and side yard setbacks being less than 6.1 m (4.57m and 3.05m).	5
2.9.8	Include regulations to allow the Development Authority the discretion to require the developer to submit a plan (either an area structure plan or master site plan) prior to approving a permit adjacent to a <u>rural municipal road</u> .	N/A	Sections 2.11 and 2.12 of the draft Order allow the Subdivision Authority to require the submission of a plan prior to approving a subdivision application. Clause 2.9.8 specifies the Development Authority can also require the applicant submit a plan prior to development permit approval (and when no subdivision is proposed), if the Development authority sees the potential need to coordinate future phases of development (i.e. multiple development permits) on one or more parcels.	2

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
2.10	Include regulations to guide the Development Authority in determining the <u>front and side yards</u> of a Corner Parcel.		The current Order does not indicate how a front yard is determined for a Corner Parcel fronting onto two streets. Typically, the shortest parcel line abutting a road is considered the Front Parcel Line, however, the draft Order proposed the Development Authority can review the criteria in 2.10.3 and determine if the parcel may develop as a 'Reverse Corner Parcel' where the primary frontage is along the longest parcel line abutting a road. See Figure 2 at the end of this summary.	3
2.11	Include regulations for statutory (ASP or ARP) and non-statutory (Master Site Plan) comprehensive planning regarding <u>single lot subdivision</u>	24(5), 24(6)	In the current Order, the requirement for a developer to provide road dedications, or to prepare a plan prior to permit approval is only within the Highway Commercial District; whereas the Development Authority should be able to require this for developments adjacent to any rural municipal road, regardless of the land use district.	2

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
2.12	Include regulations for statutory (ASP or ARP) and non-statutory (Master Site Plan) comprehensive planning regarding <u>multi-lot subdivision proposals</u>	N/A	The draft Order proposes the following for all Land Use Districts: <ul style="list-style-type: none"> The SAB <u>shall</u> require the developer to submit a plan prior to a subdivision application proposing 5 or more new lots. The Special Areas Board (SAB) <u>may</u> require a developer to submit a plan prior to a subdivision application proposing 2-4 new lots. 	2
2.12.3(g)	Clarify when <u>agricultural lands</u> should be preserved for agricultural operations.	34(1)	Soils must be considered in the preparation of an area structure plan (ASP) or area redevelopment plan (ARP). The draft order proposes an ASP or ARP is required to support subdivision applications proposing 5 or more new lots.	2,3,5,6
2.13	Provide regulations to require new <u>residential development</u> to sign a declaration when proposed near existing, high-impact developments such as confined feeding operations, or wind farms. Clarify registering the declaration on title could be a condition of development permit approval.	35 (2), 36 (9), 37(2),	The requirement is not new and found in various sections of the existing Order but is intended for new residential developments only. For this reason, it has been removed from industrial and commercial sections of the draft Order and put under this section, so it is consistently applied to the correct application type.	2,3,5

Proposed LUO Section #	Proposed Change	Existing LUO Section #	Rationale	Supports MDP Goal(s) (No. 1 – 5)
2.13	<p>Clarify regulations for <u>minimum floor areas</u> per dwelling type.</p> <p>Decrease the minimum floor area for detached dwellings from 800 to 700 sq. ft.</p>	20(3)(e)	<p>Minimum Floor areas for detached and manufactured homes currently only apply to the Hamlet Residential District. The proposed floor areas will be consistently applied to all land use districts for each dwelling type.</p> <p>The minimum floor area for detached dwellings is proposed to decrease to allow applicants more flexibility. See Table 1 at the end of this summary.</p>	2,3,5

Part 3: SPECIFIC LAND USE REGULATIONS				
3.1	Include regulations for <u>Accessory Buildings, Structures and Uses</u> .	Various	Since some accessory buildings and structures will not require a permit, it is important to outline base requirements that are not contained in the land use districts (such as setbacks to principal buildings on the same parcel).	3, 5
3.2	Include regulations for <u>cannabis</u> related developments.		<p>Cannabis Retail Sales must comply with all <u>provincial and federal regulations</u>. They are discretionary in the Agricultural District, Rural Commercial District, Rural Industrial District, and Hamlet District.</p> <p>Cannabis Production Facilities must comply with all <u>municipal, provincial, and federal</u> regulations. They are discretionary in the Agricultural District, Rural Commercial District, and Rural Industrial District.</p>	1,3,4,5
3.3	Removed <u>Communication Tower</u> from permitted and discretionary use lists	54	Communication Towers are under the jurisdiction of Industry Canada and therefore exempt from the Land Use Order. SAB is a consider a stakeholder and may provide input when a new tower is proposed through Industry Canada's process.	3,5

3.4	Include provisions for <u>Data Centers</u> .	N/A	New terms are defined: Data Centre – Type 1 Stand Alone (generator powered) and Data Centre – Type 2 Grid (generator as backup power only). Type 1 and 2 are proposed to be discretionary in the Agricultural District, and Rural Industrial District. Type 2 is proposed as discretionary in the Hamlet District and Rural Commercial District.	1,2,3,4
3.5	Include provisions for <u>Day Care Centers</u>	N/A	Regulations indicate what factors the Development Authority will consider when reviewing an application for a Daycare Centre (e.g., traffic generation, impact on nearby residents, proximity to parks, etc.).	1, 3,5
3.6	Clarify when a development is in proximity to <u>airports and private airstrips</u>	53	Development of aeronautics is under the jurisdiction of Transport Canada. If a development is proposed within 1000 m of an aeronautics facility (i.e., aerodrome) regulated by Transport Canada, then the Development Authority must refer the proposal to Transport Canada to confirm it will not impact flight operations.	5
3.7	Include provisions for <u>Farm Animals</u> in districts except for the A - Agricultural District. One Farm Animal Unit is permitted per 0.81 ha (2 ac); with a maximum of 10 Farm Animals Units on a parcel. See chart below for proposed Animal Units. See Table 2 at the end of this summary.	52	The existing Order references <i>Agricultural Operations and Practices Act (AOPA)</i> to determine how many animals equate to one animal unit; however, this did not provide applicants clarity on how many animals they can apply for if they are not in the Agricultural District.	3,5,6

3.9	Encourage minimal impact <u>Home Occupations</u> .	31	Home Occupations are proposed to have 3 categories: Phone & Desk, Minor, and Major. A Major requires a permit in all districts. A Minor only requires a permit in the Hamlet District, and Phone & Desk does not require a permit if it complies with the Order. See Table 3 at the end of this summary.	1,3,6
3.10	Update <u>industrial and commercial</u> development regulations.	36, 37	Removed regulations that belong in other sections, such as determining site suitability for sewage is under section 1.11.3 where it may be applied to any development at the Development Authority's discretion.	5
3.12	Include provisions for <u>loading areas</u> for non-residential developments.	N/A	Section 3.12 explains what the Development Authority is looking for when an applicant is requested to include information on loading areas.	5
3.14	Clarify when a <u>Manufactured Home</u> 15 years or older may be permitted by the Development Authority.	43	If the applicant can prove the home is in good condition by providing photos, inspection reports, or allowing a site visit by a municipal employee, then the Development Authority may approve it.	1,3,5,6
3.16	Include <u>parking</u> provisions.	40	The existing Order has some parking regulations within the districts. Moving those regulations to the Specific Regulations means they apply to all districts consistently for each use.	5
3.17	Include provisions for <u>screening, and garbage and waste storage</u> .	various	Requirements for screening/ buffering between residential and non-residential developments are dispersed in the existing Order. Section 3.17 applies to all districts.	5

3.18	Include provisions for <u>Secondary Suites</u> .	N/A	Existing Order does not regulate Secondary Suites specifically but would require a permit under Section 45. The draft Order proposes a Secondary Suite does not require a permit if it meets section 3.18 and all other section of the Order, as applicable to the parcel and development.	1,2,3,5,6
3.19	Include provisions for <u>Shipping Containers</u>		Shipping Containers have become a popular choice for storage options. Section 3.19 outlines requirements for using temporary and permanent shipping containers as storage. Shipping Containers are proposed as 'prohibited' in the GCR -Grouped Country Residential District.	3, 5
3.20	Include specific provisions for Signs within Hamlets, including separation distances between signs, sign size, sign location in relation to sidewalks, buildings and curbs, and insurance requirements for any sign overhanging public property.	39	Providing sign regulations tailored to the needs of the community is important to support businesses while also promoting community character.	3,5

3.21	Include provisions for <u>Solar Energy Systems – Commercial</u>	55	<p>The existing Order groups commercial solar developments with microgeneration (private) installations.</p> <p>While commercial solar projects are approved by the Alberta Utility Commission (AUC), the proponent must engage with the municipality and residents as part of the AUC approval process. The regulations in Section 3.21 provide municipal setbacks the proponent would be asked to comply with; however final requirements will be set by the AUC.</p>	1,2,3,5
3.22	Include provisions for <u>Solar Energy Systems – Microgeneration</u>	55	<p>The draft Order proposes no permit is required for Solar Microgeneration if: solar panels are <u>attached</u> to a building and meet the requirements of the <u>principal building</u> for that district. Standalone solar energy systems must obtain a permit.</p>	3,5
3.23	Include provisions for <u>Tiny Homes</u>		<p>Tiny homes represent a trend where people prefer to live in dwellings that are typically between 300-700 ft².</p> <p>Tiny Homes are often seen as a more affordable housing option than traditional detached homes.</p>	1,3,6
Part 4: LAND USE DISTRICTS				

<p>4.5 A – Agricultural District</p>	<ul style="list-style-type: none"> • Update purpose statement. • Increase permitted uses. • Clarify minimum parcel areas. • Increase maximum number of parcels per quarter from 1 to 3. <p>Increased the number of allowable dwellings per parcel so the first 2 dwelling units are permitted, and the third or more dwelling unit is discretionary.</p>	<p>19</p>	<ul style="list-style-type: none"> • Indicates uses should support a healthy rural economy and community. • Reduces red tape for approvals that meet the purpose statement. • Clarifies estates wishing to subdivide Extensive Agricultural parcels must comply with the parcel area requirements of the district (e.g., no 80-acre splits). • Allowing 3 parcels per quarter section encourages community growth by allowing residents to subdivide Farmsteads from agricultural lands <i>and</i> still being able to subdivide to accommodate one of the permitted or discretionary uses. See Figure 3 at the end of this summary. <p>Allowing a minimum of 2 dwelling units per parcel supports MDP policies for housing choice.... and allows applicants to get a decision from the Development Officer instead of going to MPC. See Figure 4 at the end of this summary.</p>	<p>1,4,5,6</p>
<p>4.5.6 (a)</p>	<p>The clause stating no agricultural lands will be less than 64.7 ha has been reworded and applied specifically to <u>Extensive Agriculture</u>.</p>	<p>34</p>	<p>The term ‘agricultural land’ is not a defined use in the existing Order. By applying the regulation to Extensive Agriculture, it clarifies that to subdivide a smaller parcel in the Agricultural District, you will need to do so as either a Vacant Parcel (for a permitted or discretionary use), or as a subdivision proposing to separate an existing farmstead.</p>	<p>2, 5</p>

4.6 GCR – Grouped Country Residential District	<ul style="list-style-type: none"> • Rename Country Residential District • Update Purpose statement • Increase maximum parcel area. <p>Moved clauses in ‘special requirements’ to Section 2 and use requirements to Section 3</p>	27	<p>The original intent of this district is to accommodate the subdivision and development of multiple residential lots not associated with Extensive Agriculture or other commercial-scale agricultural operations.</p> <p>Increasing the maximum parcel area allows for more flexibility to accommodate development proposals.</p> <p>Moving subdivision and use requirements to appropriate parts of the Order ensure they are applied consistently between districts.</p>	1,3,5,6
4.7 H – Hamlet District	<p>Merge Hamlet Districts into one mixed-use district called the <u>Hamlet District</u></p> <p>Clarify minimum parcel dimensions and setbacks based on level of servicing and principal use of the parcel</p>	20, 21, 22, 23	<p>Merging the districts reduces the need for rezonings, which require Minister approval. The permit process for discretionary uses still allows for public notification and an appeal period.</p> <p>Mixed-use districts require more detailed regulations to address the interface between residential and non-residential uses. The ones proposed in the draft Order are predominantly taken from the existing Order or have been proposed based on standards used by other rural Alberta municipalities.</p>	1,2,3

4.8 RC – Rural Commercial District	<ul style="list-style-type: none"> • Rename Highway Commercial District to the 'Rural Commercial District' • Update Purpose statement • Increase minimum parcel area from 0.4ha (1 ac) to 0.81 ha (2 ac) • Increase rear setback to abutting parcels from 6.1m (20 ft) to 7.62m (25ft) 	24	<p>Renaming the district clarifies commercial development may occur in all rural areas and not just along highways.</p> <p>Increasing the parcel area allows for more flexibility to accommodate development proposals.</p> <p>Increasing the rear setback from the existing HWY-C district makes it consistent with the rear setbacks required for non-residential parcels in other districts.</p>	1,3,6
4.9 RI – Rural Industrial District	<ul style="list-style-type: none"> • Updated purpose statement. • Removed parcel requirements from Extensive Agriculture • Removed minimum parcel width. • Clarified side yard setbacks. • Moved subdivision requirements to Part 2 and use requirements to Part 3 	25	<p>Extensive Agricultural parcels should not be rezoned to Rural Industrial; therefore, Extensive Agricultural references have been removed.</p> <p>Removing the minimum parcel width allows for more flexibility to accommodate development proposals.</p> <p>Moving subdivision and use requirements to appropriate parts of the Order ensure they are applied consistently between districts.</p>	1,3,5
4.10 RMU – Rural Mixed-Use District	<ul style="list-style-type: none"> • Rename Rural Small Holdings District to the Rural Mixed-use District • Update Purpose Statement • Increase maximum parcel size from 4.04 ha (10 ac) to 8.09 ha (20 ac) 	28	<p>This district is intended to be a mix of residential and non-residential parcels that may require larger parcel sizes to accommodate.</p> <p>Increasing the maximum parcel size allows for more flexibility to accommodate development proposals.</p>	1,3,4,6
PART 5: DEFINITIONS				

5	Define every use term and clarify when a term is for a 'use' or is a 'general term' with a definition specific to the draft Order.		To ensure clarity of the Order, words are consistently used and defined throughout. Various use terms have been updated to ensure they regulate the use, and not the "user". For example, according to the <i>MGA</i> , a Land Use Order cannot regulate on the basis of age or household structure.	
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5	<p>Update <u>dwelling terms</u>:</p> <ul style="list-style-type: none"> Existing Terms: Detached, Duplex, Multiple Unit, Manufactured, Modular, Park Model, Ready-to-move, Recreational Vehicle, Moved-on, Semi-detached. Proposed: Detached, Duplex, Ground-oriented multi-unit, manufactured, prefabricated, Recreational Vehicle, Rural, Secondary Suite, Tiny Home A 'Dwelling, Recreational Vehicle' must be listed in a district for the potential to be used as a dwelling unit. A permit must be obtained to use a recreational vehicle as a dwelling unit. Apartments are prohibited; only multi-units with individual entrances to the street are permitted as 'Ground-oriented multi-unit' dwellings. 		<ul style="list-style-type: none"> Manufactured home is undefined and treated the same as detached units; it's proposed to have its own definition and requirements in Section 2 Modular, Park Model, and Ready-to Move, are now called "Prefabricated." Rural Dwelling is in some use lists to signify the first 2 dwelling units on a parcel are permitted in one or more of the following forms: Detached, Duplex, Manufactured, Prefabricated, or Secondary Suite, but does not include Dwelling, Tiny Home. It's important to accommodate the development of Secondary Suites for housing options in the community. By providing regulations for Tiny Homes, the SAB has criteria to use to review a proposal and ensure it fits in with the surrounding community. The density and activity for an apartment is not considered to be compatible with existing residential buildings and community character. The proposed change to Recreational Vehicles clarifies when one can be used as a permanent dwelling and when it can be parked on a parcel for storage purposed (Recreational Vehicle Storage Facility) 	3,5
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PART 6: MAP (ZONING) CHANGES	Proposed Change	Rationale
Part 6	<p>Zoning maps are proposed to be updated to match the new names of the districts.</p> <ul style="list-style-type: none"> All Hamlet Residential, Hamlet Industrial, Hamlet Commercial, and Hamlet General Districts are now zoned as “Hamlet District.” 	The proposed zoning changes reflect the draft land use districts. See draft maps below.

Referenced Figures and Tables from the Land Use Order – Draft (September 2023)

Figure 1: Proposed Corner Visibility Triangle. No objects between 3-10 ft. in height are permitted within the triangle. (Figure 4 in the Land Use Order)

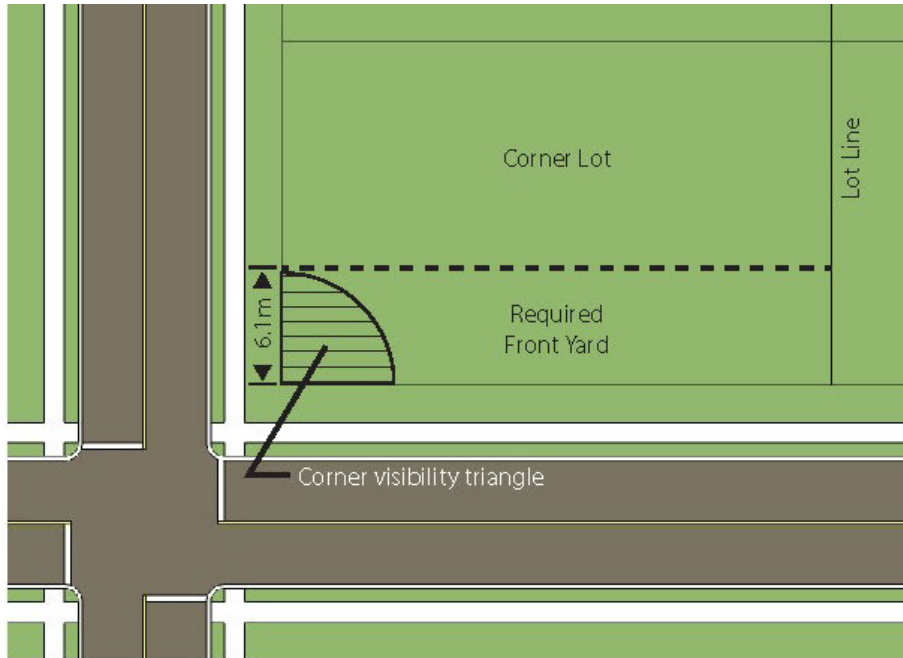


Table 1: Minimum Floor Area per Dwelling Unit (see Section 2.13 in the Land Use Order)

Use	Minimum Floor Area per Dwelling Unit
(a) Dwelling, Detached	65.03 sq.m (700 sq.ft.)
(b) Dwelling, Duplex	65.03 sq.m (700 sq.ft.)
(c) Dwelling, Ground-Oriented Multi-Unit	65.03 sq.m (700 sq.ft.)
(d) Dwelling, Apartment	65.03 sq.m (700 sq.ft.)
(a) Dwelling, Secondary Suite	38.0 sq.m (400 sq.ft.)
(b) Dwelling, Tiny Home	27.87 sq.m (300 sq.ft.)
(c) All other dwelling types	At the discretion of the Development Authority

Table 2: Proposed Farm Animal Units (Table 1 in the Land Use Order)

Category of Animal	Number of Animals that Equate to one (1) Farm Animal Unit
Cow	1
Horse	1
Mule	1
Donkey	1
Bison	1
Swine	1
Poultry (chicken, turkeys, ducks, geese)	20
Sheep / Goats	4

Figure 2: Corner Parcel and Reverse Corner Parcel (Figure 7 in the Land Use Order)

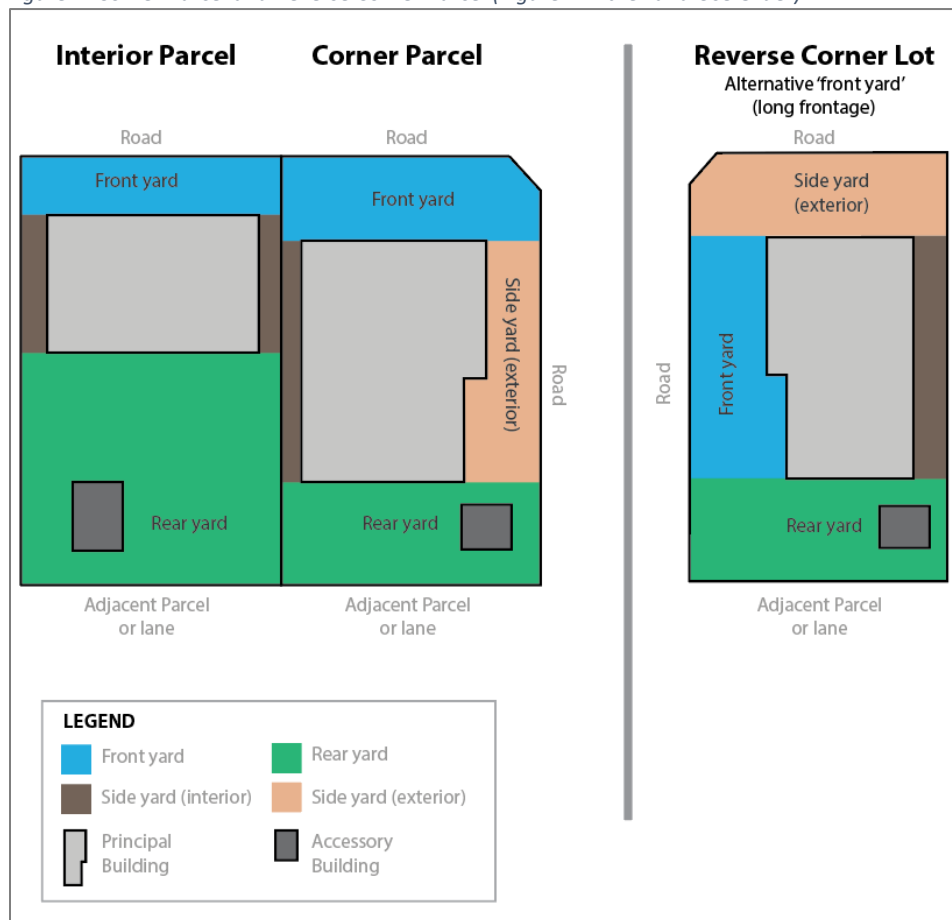
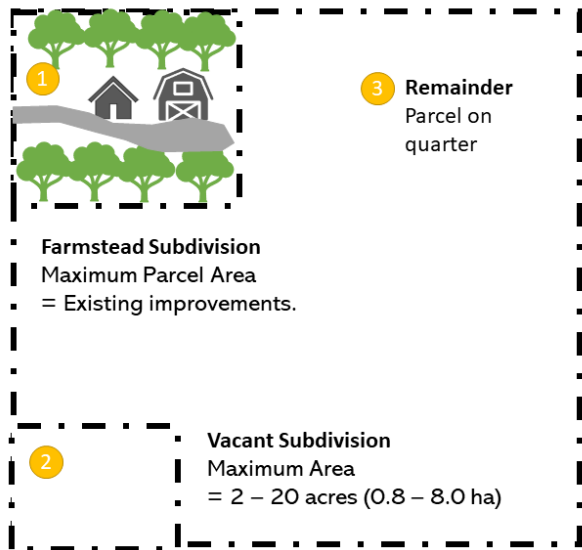


Table 3: Proposed Home Occupation Requirements (Table 3 in the Land Use Order)

Requirement	Home Occupation Classifications		
	Phone & Desk	Minor	Major
(a) Development Permit Required?	No	Only in “H” Hamlet District	Yes
(b) Annual Business License Required?	No	No	No
a) Use of Accessory Building?	No	Yes	Yes
(c) On-premises sales or customer visits?	No	Max. 10 per week	Max. 20 per week
(d) Commercial Deliveries Allowed?	No	No	Yes
(e) On-site storage of commercial vehicles?	No	No	Max. 2
(f) Food prepared and/or sold on site?	No	No	Yes
(g) Off-site employees? (persons not living in the Dwelling Unit)	No	Yes	Yes
(h) Outdoor Storage or Display of materials, commodities or finished products related to the use?	No	No	Yes
(i) On-site advertising?	No	1 non-illuminated sign or name plate not exceeding 2.97 sq.m.	

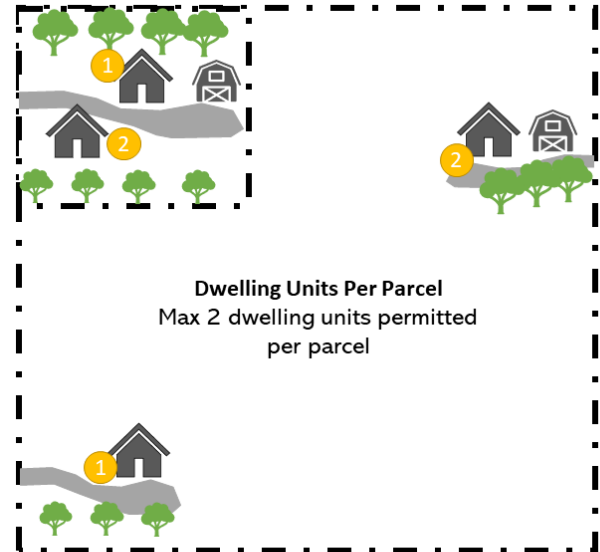


AG Subdivision Regulations

■ Denotes separate title

Maximum 3 parcels per quarter in AG (without re-zoning)

Figure 4: Proposed Subdivision Regulations for the Agricultural District (see Section 4.5.11 in the Land Use Order)



AG Dwelling Unit Regulations

■ Denotes separate title

Maximum 2 dwelling units per parcel in AG (without re-zoning)

Figure 3: Proposed Dwelling Units per Parcel in the Agricultural District (see Section 4.5.11 in the Land Use Order)