

TOWN OF GIBBONS



LAND USE BYLAW

BYLAW NO. PLU 8/06

August 9, 2006

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BYLAW NO. PLU 8/06

LAND USE BYLAW

Pursuant to the Municipal Government Act, R.S.A. 2000, as amended, the Council of the Town of Gibbons duly assembled, hereby enacts as follows:

PART ONE - GENERAL

1.1 Title

The title of this Bylaw shall be the Land Use Bylaw of the Town of Gibbons.

1.2 Purpose

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 and economic development of land, and for that purpose amongst other things:

- (1) to divide the municipality into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given; and
- (5) to establish the number of dwelling units permitted on a parcel of land.

1.3 Interpretation

In this Bylaw:

- (1) **"abut"** or **"abutting"** means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it;
- (2) **"accessory building"** means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and located on the same parcel of land;

- (3) **"accessory use"** means a use customarily incidental and subordinate to the principal use or building and located in the same parcel of land with such principal use or building;
- (4) **"Act"** means the Municipal Government Act, R.S.A. 2000, as amended, and any Regulations made pursuant thereto;
- (5) **"adjacent land"** means land that is contiguous to a particular parcel of land and includes:
 - (a) land that would be contiguous if not for a highway, road, river or stream, and
 - (b) any other land identified in this Bylaw as adjacent for the purpose of satisfying Section 3.14 of this Bylaw;
- (6) **"a-frame sign"** means a sign formed by two boards which are hinged at one end;
- (7) **"agricultural industry"** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include the manufacture of processed foods from agricultural products or abattoirs;
- (8) **"amenity area"** means an area which is developed for the active or passive recreation and enjoyment of the occupants of a dwelling or dwellings. Such area may be for either private or communal use and may be under either individual or common ownership;
- (9) **"amusement establishment, indoor"** means a development providing recreational facilities with table games and/or electronic games, played by patrons for entertainment. Major amusement establishments include billiard parlours and electronic games arcades with tables and/or games, and bowling alleys;
- (10) **"amusement establishment, outdoor"** means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses;
- (11) **"animal hospitals"** means a development where livestock as well as domestic pets are cared for and treated. Animal hospitals primarily involve out-patient care, but may include medical procedures involving hospitalisation for more than four (4) days. All animals shall be kept within an enclosed building. Animal hospitals are distinct from veterinary clinics (which serve only domestic pets) and do not include small animal breeding and boarding establishments;
- (12) **"apartment"** means a dwelling containing three (3) or more dwelling units, but shall not mean ground-oriented multiple unit dwellings (row housing). Apartments include, but are not limited to, dwellings commonly referred to as triplexes, fourplexes, sixplexes, and the like;

- (13) **"area of a sign"** means the total surface area within the outer edge of a sign, and, in the case of a sign comprised of individual letters, numerals, or symbols, shall be the area of a rectangle enclosing the letters, numerals, or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of the area of a sign;
- (14) **"Area Structure Plan"** means a Plan adopted as an Area Structure Plan by the Council pursuant to the Act;
- (15) **"auctioneering establishment"** means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets;
- (16) **"automotive and equipment repair shop"** means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, but not body repair or paint shops;
- (17) **"automotive and minor recreational vehicles sales/rentals establishment"** means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. Automotive and minor recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle dealerships, but do not include dealerships for the sale of trucks with a gross vehicle weight rating greater than 4000 kg (8818.5 lbs), or the sale of recreational vehicles with either a gross vehicle weight rating greater than 6000 kg (13,227.7 lbs) or a length greater than 6.7 m (22.0 ft.);
- (18) **"basement"** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above;
- (19) **"bed and breakfast establishment"** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (20) **"boarding and lodging house"** means a development, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Boarding and lodging houses may include student co-operative housing, lodges for senior citizens, but not group homes;
- (21) **"building"** means anything constructed or placed on, in, over, or under land but does not include a highway or road or a bridge forming part of a highway or road;

- (22) **"building area"** means the greatest horizontal area of a building above grade within the glassline of exterior walls, or within the glassline of exterior walls and the centreline of fire walls;
- (23) **"building height"** means the vertical distance measured from the grade immediately adjacent to the subject building to the highest point of the building, exclusive of any accessory roof construction such as a mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device;
- (24) **"business frontage"** means
- (a) any side of a lot or building which abuts a road, or
 - (b) in the case of individual business or tenants within a building, any business which has separate access to a road.
- (25) **"business support services establishment"** means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;
- (26) **"canopy"** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;
- (27) **"canopy sign"** means a sign which is part of or attached to a canopy;
- (28) **"carport"** means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed;
- (29) **"cemetery"** means a development for the entombment of the deceased, which may include the following accessory developments: crematories, cineraria, columbaria, and mausoleums. Cemeteries may include memorial parks, burial grounds and gardens of remembrance;
- (30) **"chattel"** means a movable item of personal property;
- (31) **"commercial school"** means a development where training and instruction in a specific trade, skill or service is provided for the financial gain of the individual or company owning the school. Commercial schools do not include schools operated by a School Division, but includes secretarial, business, hairdressing, beauty culture, dancing, or music schools;
- (32) **"community recreation service"** means a development without fixed seats and with an occupancy capacity of less than five hundred (500) persons, primarily intended for local community purposes, where recreational, social, or multi-

purpose activities occur. Community recreation services include community halls, community centres, and community league buildings operated by a local residents' organization;

- (33) **"convenience retail store"** means a development where goods required by area residents or employees on a day to day basis are bought and sold. The gross leasable area of a convenience retail store shall not exceed 275 sq. m (2,960 sq. ft.). Convenience retail stores include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and person care items, hardware, and/or printed matter;
- (34) **"corner site"** means a site with boundary lines on two separate roads which intersect at an angle of less than one hundred and thirty five (135) degrees, or a single road that curves such that the arc of the inside boundary of the road is less than 45 m (147.6 ft.) in radius over an angle of more than one hundred and thirty-five (135) degrees at the subject site. For the purposes of this definition, a road shall not include a lane;
- (35) **"Council"** means the Council of the Town of Gibbons;
- (36) **"curb cut"** means the lowering of a curb, sidewalk and/or boulevard to provide vehicular and/or pedestrian access to a site;
- (37) **"day care facility"** means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage, but does not include overnight accommodation. Day care facilities include day care centres, day nurseries, kindergartens, nursery school, and play schools and after school or baby-sitting programmes which satisfy this definition. Day care facilities shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division;
- (38) **"day home"** means a provincially licensed child care facility operated from a residence supplying supervision of a maximum of six (6) children under the age of eleven (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire regulations and health regulations;
- (39) **"deck"** means any open structure attached to a building having a height greater than 0.6 m (2 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.) or a roof;
- (40) **"density"** means a measure of the average number of persons or dwelling units per unit of area;
- (41) **"developer"** means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

- (42) **"development"** means:
- (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- and includes:
- (e) any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site; or
 - (f) the placing of refuse or waste material on any land; or
 - (g) the use of land for the storage or repair of motor vehicles or other machinery or equipment; or
 - (h) the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect; or
 - (i) the demolition or removal of a building; or
 - (j) the placement of an already constructed or a partially constructed building on a parcel of land; or
 - (k) the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way; or
 - (l) the removal of topsoil.
- (43) **"Development Authority"** means the Development Authority established pursuant to the Act through the municipality's Development Authority Bylaw;
- (44) **"development permit"** means a document issued pursuant to this Bylaw authorizing a development;
- (45) **"discontinued"** means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or not conforming to this Bylaw, has ceased;
- (46) **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issued, with or without conditions, upon an application having been made, at the discretion of the Development Authority;
- (47) **"domestic pet"** means an animal which is normally kept inside a dwelling. Domestic pets includes, dogs, cats, parrots, and similar-sized animals, but does not include livestock;
- (48) **"double fronting site"** means a site which abuts two roads and which is not a corner site;

- (49) **"drive-in business"** means a development which serves customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include service stations, gas bars, drive-in restaurants, drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes. Banks, eating and drinking establishments, and other service businesses also may have drive through facilities;
- (50) **"drive-in restaurant"** means an eating and drinking establishment which is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive through food pickup services, or parking primarily intended to allow for the on-site consumption of food within a motor vehicle;
- (51) **"duplex"** means a dwelling containing two (2) dwelling units which are located at least in part one above the other, and which may share a common wall;
- (52) **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. Dwellings include single family dwellings, semi-detached dwellings, duplexes, ground-oriented multiple unit dwellings (row housing), apartments, and manufactured home units;
- (53) **"dwelling unit"** means a complete dwelling, a self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking, living and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one (1) household, and which, except for a secondary suite, is not separated from direct access to the outside by another separate dwelling unit;
- (54) **"easement"** means a right to use land, generally for access to other property or as a right-of-way for a public utility;
- (55) **"eating and drinking establishment"** means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site, which is not a drive-in restaurant. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants, but shall not include drive-in restaurants. Eating and drinking establishments shall not contain within them an entertainment establishment unless otherwise provided for in an approved development permit;
- (56) **"entertainment establishment"** means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit;

- (57) **"equipment rental establishment"** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented or serviced;
- (58) **"excavation"** means any breaking of ground, except common household gardening and ground care;
- (59) **"exhibition and convention facility"** means a development which provides permanent facilities for meetings, seminars and conventions; product and trade fairs; carnivals and other exhibitions. Exhibition and convention facilities include exhibition grounds and convention centres;
- (60) **"extended medical treatment facility"** means a development which provides room, board and surgical or other medical treatment for the sick, injured, or infirm, and which may include out-patient services and accessory staff residences. Extended medical treatment facilities include hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres;
- (61) **"exterior wall"** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2 ft.);
- (62) **"family care facility"** means a development which provides resident care service in a dwelling unit to six (6) or fewer individuals. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. Family care facilities include foster or boarding homes for children and group homes;
- (63) **"fence"** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access;
- (64) **"flanking site"** means a corner site on which a side line is abutting onto a road;
- (65) **"fleet services"** means a development which administers a number of vehicles which deliver people, goods, or services, and where such vehicles are not available for sale or long term lease. Fleet services may include the storage and servicing of administered vehicles. Fleet services may include ambulance services, taxi services, bus lines, messenger and courier services, but do not include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3000 kg (6613.9 lbs.);
- (66) **"floor area"** means the total area of all floors of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, but not including the floor area of basements, attached garages, sheds, open porches or breezeways, except that all dwelling units in an apartment shall be included in the calculation of floor area;

- (67) **"foundation"** means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfer the weight of and loads on a building to the ground;
- (68) **"free-standing sign"** means a sign on a standard or column attached to the ground and which is not connected in any way to any building;
- (69) **"front line"** means the boundary line of a site lying adjacent to a road. In the case of a corner site, the shorter of the two boundary lines adjacent to the roads shall be considered the front line. In the case of a double fronting site, both boundary lines adjacent to the roads shall be considered front lines;
- (70) **"front yard"** means a yard extending across the full width of a site from the front line to the nearest exterior wall of the principal building situated on the site, measured at right angles to the front line. In the case of a curved front line, the front yard will also form a curve;
- (71) **"frontage"** means the length of the front line. On double fronting sites, all front lines shall be considered frontage;
- (72) **"funeral services"** means a development where the dead are prepared for burial or cremation and where funeral services are held. Funeral services includes funeral homes and undertaking establishments;
- (73) **"garage"** means an accessory building or that part of a principal building which is designed and/or used primarily for the storage of motor vehicles, but does not include a carport;
- (74) **"gas bar"** means a development where gasoline, lubricating oils, and other automotive fluids and automobile accessories are bought and sold. Gas bars do not include facilities for the servicing or repairing of motor vehicles and do not include service stations;
- (75) **"general advertising"** means advertising which relates to goods or services other than those produced, offered for sale, or obtainable at the site on which the sign is displayed;
- (76) **"general contractor service"** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal use only;
- (77) **"general industrial use"** means a development where;
- (a) raw materials are processed, and/or
 - (b) semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or

- (c) materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
- (d) goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or
- (e) materials, goods and equipment are stored and/or transhipped, and/or
- (f) materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or
- (g) personnel are trained in general industrial operations, in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the general industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. General industrial uses include motor vehicle body and paint shops, but does not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the general industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the general industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors.

- (78) **"general retail establishment"** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail establishments includes convenience retail stores but does not include warehouse sales, or developments where gasoline, new or used motor vehicles, alcohol, heavy agricultural and/or industrial equipment are sold or rented;
- (79) **"government services"** means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices;
- (80) **"grade"** means the ground level adjacent to the exterior walls of a building. If the ground is not entirely level, the grade shall be the average of the elevation of the ground around the perimeter of the building;

- (81) **"greenhouse and plant nursery"** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, and fertilizers and garden care products;
- (82) **"gross leasable area"** means the floor area of a building, plus the horizontal area contained within the exterior of the basement walls, excluding the floor areas of mechanical and utility rooms, public washrooms, stairwells, and elevators;
- (83) **"ground-oriented multiple unit dwelling"**, also known as **"row housing"** means a dwelling or a number of dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access at grade to the outside, but shall not mean "apartment";
- (84) **"ground floor area"** means the total area of the first floor of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, including covered porches and verandas, but excluding open decks, patios, and steps, cornices, eaves and similar projections. Site coverage shall include air wells, and all other space within a building except inner or outer courts;
- (85) **"group care facility"** means a development which provides resident care services to seven (7) or more individuals. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. Group care facilities include supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities, foster or boarding homes, and psychiatric care facilities, but not major institutional care facilities such as hospitals;
- (86) **"group home"** means a building or portion of a building used for the care of rehabilitation of children, adolescents or adults;
- (87) **"habitable room"** means a room or enclosed space within a dwelling used for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms, and dens;
- (88) **"half storey"** means that part of any dwelling, wholly or partly within the framing of the roof, where the habitable floor area is not more than seventy percent (70%) of that of the ground floor;
- (89) **"health service"** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, and dental offices, health clinics and counselling services;
- (90) **"hedge"** means shrubs or other similar perennial plant materials which are used to visually define, separate or screen;

- (91) **"highway commercial use"** means a development serving the travelling public which relies on a highly visible location in proximity to a highway or a major traffic thoroughfare. Highway commercial uses include restaurants, services stations, gas bars, convenience retail stores, hotels, and motels;
- (92) **"home occupation, major"** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided for in Section 2.1 of Part 2 of Schedule B of this Bylaw. A major home occupation may have up to one (1) employee, other than those resident in the dwelling unit, and more than five (5) client visits per week, and a limited amount of outdoor storage of goods. A major home occupation may include, but is not restricted to, hairdressing and cutting, dressmaking, millinery and similar domestic crafts, stamp and coin sales, music and/or dance instruction, minor repairs to household equipment and tutoring. The distinctions between major home occupations and minor home occupations are more fully described in Section 2.1 of Part 2 of Schedule B of this Bylaw;
- (93) **"home occupation, minor"** means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided for in Section 2.1 of Part 2 of Schedule B of this Bylaw. A minor home occupation will have no employees, other than those resident in the dwelling unit, and no more than five (5) client visits per week, and no outdoor storage of any goods. A minor home occupation may include, but is not restricted to, offices of accountants, doctors, business and professional consultants, contractors, lawyers, bookkeepers, architects, catalogue sales, and minor repair shops, but does not include any development that may, in the opinion of the Development Authority, be considered to be a major home occupation. The distinctions between minor home occupations and major home occupations are more fully described in Section 2.1 of Part 2 of Schedule B of this Bylaw;
- (94) **"hotel"** means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include minor and major eating and drinking establishments, meeting rooms, personal services shops, convenience retail stores, and minor alcohol sales, but shall not include any establishment where there is a dance floor larger than 5 sq. m (55 sq. ft.) unless specifically approved by the Development Authority;
- (95) **"household"** means:
- (a) a person, or
 - (b) two (2) or more persons related by blood, marriage, a common law relationship, or adoption, or
 - (c) a group of not more than five (5) persons who are not related by blood, marriage, or adoption,

all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants, up to two (2) boarders or lodgers, or up to four (4) foster children;

- (96) **"household repair service"** means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair services include radio, television, appliance and electronics repair shops, and furniture refinishing and upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage;
- (97) **"industrial vehicle and equipment sales/rentals establishment"** means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicles sales/rental establishments;
- (98) **"institutional use"** means a development of governmental, religious, social, health care, or cultural facilities serving the municipality, area, or region;
- (99) **"Intermunicipal Subdivision and Development Appeal Board"** means the Intermunicipal Subdivision and Development Appeal Board established pursuant to the Act through the municipality's Subdivision and Development Appeal Board Bylaw;
- (100) **"internal site"** means a site which is bordered by only one (1) road;
- (101) **"kennel"** means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale;
- (102) **"landscaping"** means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture;
- (103) **"lane"** means a right-of-way on which motorized vehicles are normally allowed to operate, which is 10 m (32.8 ft.) or less, and 6.0 m (19.7 ft.) or more in width, or an alley as defined in the Highway Traffic Act, R.S.A. 2000, as amended;
- (104) **"libraries and cultural exhibits"** means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits includes libraries, museums, and art galleries;
- (105) **"limited agriculture"** means an agricultural operation which involves the raising of crops, but not livestock;

- (106) **"limited contractor service"** means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be sold, where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles;
- (107) **"livestock"** means livestock as defined in the Agricultural Operation Practices Act. This includes, but is not limited to poultry, horses, cattle, sheep, swine, goats, bison, and fur-bearing animals;
- (108) **"loading space"** means an off-street space on the same site as a building or group of buildings for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded;
- (109) **"lot"** means:
- (a) a quarter section, or
 - (b) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - (c) 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;
- (110) **"maintenance"** means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building;
- (111) **"manufactured home unit"** means a dwelling which is normally constructed off-site and then transported on its own wheels or by other means to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year round use as residential accommodation for one (1) household. However, a manufactured home unit may be entirely constructed on-site. A manufactured home unit shall include a dwelling that would be considered to be a single family dwelling if the roof pitch were equal to or greater than 1:4, if the depth of eaves were greater than 60 cm (24 in.), if the ratio of depth vs. width (or width vs. depth) were less than 2:1, and if it were supported on a permanent foundation or base extending below the frost line. If the roof pitch is less than 1:4, if the depth of eaves is less than 60 cm (24 in.), if the ratio noted above is more than 2:1, or if it is not supported on a permanent foundation or base extending below the frost line, the dwelling shall be considered to be a manufactured home unit;
- (112) **"manufactured home park"** means any site on which two (2) or more occupied manufactured home units are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park;

- (113) "**medium industrial use**" means a development which would be considered to be a general industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the medium industrial use; the potential for significant toxic or noxious by-products such as air or water-borne emissions which may be offensive or hazardous to human health, safety or well-being; the storage of toxic, flammable or explosive products in significant quantities; or large-scale outdoor storage that is unsightly or visually offensive. Medium industrial uses may include petro-chemical industry, rendering plants, and alfalfa processing plants;
- (114) "**minor repair shop**" means a development where small-scale products and appliances are repaired or reconditioned and where no outdoor storage exists;
- (115) "**motel**" means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available from grade, either at grade or via stairways. A motel may include minor eating and drinking establishments and convenience retail stores, but shall not include minor or major alcohol sales, or an establishment where there is a dance floor;
- (116) "**Municipal Development Plan**" means the Plan adopted by Council as a Municipal Development Plan pursuant to the Act;
- (117) "**municipality**" means the Town of Gibbons;
- (118) "**non-conforming building**" means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (119) "**non-conforming use**" means a lawful specific use:
- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;
- (120) "**non-habitable room**" means a room or enclosed space within a dwelling not used for human occupancy, including but not limited to bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas, and rooms in basements used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy;

- (121) "**nuisance**" means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;
- (122) "**occupancy**" means the use or intended use of a building or part thereof for the shelter or support of persons or property;
- (123) "**off-site sign**" means a sign that advertises goods, products, services or facilities located on a site which is in a different location from where the sign is located or which directs persons to a different site;
- (124) "**off-street parking lot**" means a parking area which is located on a parcel of land and not accessory to a particular use or development;
- (125) "**offensive**" means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building;
- (126) "**office use**" means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office uses also include insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions; the offices of governmental and public agencies;
- (127) "**outdoor storage**" means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis;
- (128) "**owner**" means the person shown as the owner of land on the assessment roll prepared under the Act;
- (129) "**parcel of land**" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;
- (130) "**parking area**" means the area set aside for the storage and/or parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building such as a carport, a garage, or a parkade;
- (131) "**parking space**" means an area set aside for the parking of one (1) vehicle;

- (132) "**patio**" means any developed surface adjacent to a building on a site which is less than 0.6 m (2.0 ft.) above ground level;
- (133) "**permitted use**" means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made provided that the proposed development complies in all respects with this Bylaw;
- (134) "**personal service shop**" means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, and laundromats, but not health services;
- (135) "**place of worship**" means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms, and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;
- (136) "**portable sign**" means a sign on a standard or column fixed to its own self-contained base and capable of being moved;
- (137) "**primary suite**" means the larger of the two dwelling units on a lot where a secondary suite is located;
- (138) "**principal building**" means a building which:
- (a) occupies the major or central portion of a site;
 - (b) is the chief or main building among one or more buildings on the site, or
 - (c) constitutes by reason of its use the primary purpose for which the site is used.
- (139) "**principal use**" means the primary purpose or purposes for which a building or site is used;
- (140) "**private club**" means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor hotel or motel rentable units. Private clubs may include eating and drinking establishments and rooms for assembly;
- (141) "**project**" when used as a noun means a development comprising one or more multi-family dwellings, a zero lot line development, a manufactured home park, a shopping centre, or any multiple use building;
- (142) "**projecting sign**" means a sign which is attached to a building so that part of the sign projects more than 0.3 m (1 ft.) from the face of the building;
- (143) "**protective and emergency services**" means a development where the administration of the protection of persons and property from injury, harm or

damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations, detention centres, fire stations, and ancillary training facilities;

- (144) "**public education facility**" means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or "charter schools", and their administrative offices and maintenance facilities;
- (145) "**public park**" means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are public operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields;
- (146) "**public use**" means a development where public services are provided by the municipality, by any local board or agency of the municipality, by any department, commission or agency of the Government of Alberta or of Canada, or by any public utility. However, public uses shall not include office uses, protective and emergency services, and major and minor utility services;
- (147) "**public utility**" means a public utility as defined in the Act;
- (148) "**public utility building**" means a building in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in conjunction with the public utility;
- (149) "**rear line**" means the boundary line of a site lying opposite to the front line of the site and/or farthest from a road;
- (150) "**rear yard**" means a yard extending across the full width of a site from the rear line to the nearest exterior wall of the principal building situated on the site, measured at right angles to the rear line. In the case of a curved rear line, the rear yard will also form a curve;
- (151) "**recreational facility**" means a development for sports and active recreation within an enclosed building. Recreational facilities include bowling alleys, ice arenas, curling rinks, and swimming pools;

- (152) **"recreational trailer park"** means a development which is designed for or intended to be used for the temporary location of more than one recreational vehicle;
- (153) **"recreational vehicle"** means a vehicular-type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power, or is mounted on or drawn by another vehicle. Recreational vehicles include vehicles commonly referred to as travel trailers, 5th wheels, tent trailers, camping trailers, truck campers and motor homes;
- (154) **"recycling depot"** means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building or an enclosed compound;
- (155) **"renovation"** means an addition to, deletion from, or change to any building which does not require a permit pursuant to the Safety Codes Act other than a plumbing permit or an electrical permit;
- (156) **"rentable unit"** means a separate unit of a hotel or motel used or intended to be used for the temporary accommodation of one or more persons;
- (157) **"road"** means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act and includes a highway, but does not include a lane;
- (158) **"roof"** means the top of any enclosure, above or within the vertical walls of a building;
- (159) **"roof sign"** means a sign placed on or over a roof or on top of or above the parapet wall of a building;
- (160) **"secondary suite"** means a subordinate self-contained dwelling unit, separate from the dwelling unit in a single family dwelling. If it is within the same dwelling as the primary suite, it may have an access which is either common or separate from that of the primary suite. A secondary suite may also be located within a separate building;
- (161) **"self-service storage facility"** means a development where varying sizes of individual, compartmentalized, and controlled access lockers are provided within a fenced compound or within a building for the storage of a customer's goods or wares. The maximum height of lockers shall be 3.0 m (9.8 ft.). Self-service storage facilities do not include any outdoor storage;
- (162) **"semi-detached dwelling"** means a dwelling containing two (2) dwelling units which share a common wall, and which are located one entirely beside the other;
- (163) **"separation space"** means a horizontal dwelling containing two (2) dwelling units which share a common wall, and which are located one entirely beside the other;

- (164) "**service station**" means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but not including body repair or paint shops;
- (165) "**shopping centre**" means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, office uses, and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;
- (166) "**show home**" means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of a neighbourhood or development in which the show home is located. Show homes may contain offices for the sale of other lots or dwelling units in the municipality and must be located within a dwelling which is either a permitted or a discretionary use in the District in which they are located;
- (167) "**side line**" means the boundary line of a site lying between a front line and a rear line of a site. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line;
- (168) "**side yard**" means a yard extending from the side line to the nearest exterior wall of the principal building situated on the site, and lying between the front and rear yards on the site, measured at right angles to the side line. In the case of a curved side line, the side yard will also form a curve;
- (169) "**sight line triangle**" means the triangular area formed by a line drawn between two (2) points on the curbs of intersecting roads 8 m (26.2 ft.) from the point where the curbs would meet if extended or 5 m (16.4 ft.) from that point in the case of an intersecting lane and road or driveway and road;
- (170) "**sign**" means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any building or portion thereof which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without the generality of the foregoing, a sign includes posters, notices, panels, boardings, and banners;
- (171) "**single family dwelling**" means a dwelling consisting of one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite. A single family dwelling is a dwelling which is normally constructed on-site. However, a single family dwelling may be constructed in pieces off-site, with the pieces being transported to the site for assembly on-site. A single family dwelling shall include a dwelling that would be considered to be a manufactured home unit if the roof pitch were less than 1:4, if the depth of eaves were less than 60 cm (24 in.), if the ratio of depth vs. width (or width vs. depth) were more than 2:1, or if it were not supported on a permanent foundation or base extending below the frost line.

If the roof pitch is equal to or more than 1:4, if the eaves is more than 60 cm (24 in.), if the ratio noted above is less than 2:1, and if it is supported on a permanent foundation or base extending below the frost line, the dwelling shall be considered to be a single family dwelling;

- (172) "**site**" means a lot, a part of a lot, or a number of abutting lots or parts of lots which are considered for a single development or a number of developments, which is owned or managed as a single unit;
- (173) "**site area**" means the total area of a site;
- (174) "**site boundaries**" means the boundaries of a site which enclose the site at its perimeter;
- (175) "**site coverage**" means the sum of the ground floor areas of all buildings on a site, often expressed as a percentage of the total site area;
- (176) "**site depth**" means the average horizontal distance between the front and rear lines of a site measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front line;
- (177) "**site width**", unless otherwise defined in this Bylaw, means the average horizontal distance between the side lines or, where the site width would be shorter, the distance between the side lines at either the minimum required front yard distance or the minimum required rear yard distance, whichever distance is the shorter, measured parallel to the front line or at right angles to the tangent on a curve from the midpoint of a curved front line;
- (178) "**small animal breeding and boarding establishment**" means a development where domestic pets are bred, boarded, or trained. Small animal breeding and boarding establishments include kennels but do not include animal hospitals or veterinary clinics;
- (179) "**stall**" means an area of land upon which a manufactured home unit is to be located within a manufactured home park, and which is reserved for the exclusive use of the residents of that particular manufactured home unit;
- (180) "**storey**" means the space between one floor of a multi-storey building and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey;
- (181) "**structural alterations**" means the addition to, deletion from, or change to any building which requires a permit other than a plumbing permit or an electrical permit pursuant to the Safety Codes Act;
- (182) "**Subdivision Authority**" means the Subdivision Authority established pursuant to the Act through the municipality's Subdivision Authority Bylaw;

- (183) "**substandard lot**" means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;
- (184) "**surveillance suite**" means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the development;
- (185) "**temporary building**" means a building that has been allowed to be located and/or used for a limited time only. Temporary buildings include construction shacks used for administrative and/or storage purposes during construction of a large-scale development;
- (186) "**temporary use**" means a use that has been allowed to be located and/or operate for a limited time only. Temporary uses include pipe, vehicle, or heavy equipment storage compounds, or special events such as circuses, carnivals and rodeos;
- (187) "**transfer station**" means a development where solid and/or liquid wastes are gathered, temporarily stored, and redistributed for disposal and or permanent storage off-site;
- (188) "**truck and recreational vehicle sales/rentals establishment**" means a development where new or used trucks with a gross vehicle weight rating of 4000 kg (8818.5 lbs) or greater, motor homes, and recreational vehicles with a gross vehicle weight rating of 6000 kg (13,227.7 lbs) or greater or a length greater than 6.7 m (22.0 ft.) are sold or rented, together with incidental maintenance services and sale of parts. Truck and recreational vehicle sales/rental establishments include truck dealerships, recreational vehicle dealerships, and truck and recreational vehicle rental agencies, and may include refuelling and/or washing facilities as an integral part of the operation;
- (189) "**trucking and cartage establishment**" means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3000 kg (6613.9 lbs.);
- (190) "**under-canopy sign**" means a sign which is attached to the bottom face of a canopy;
- (191) "**use**" means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained;
- (192) "**utility services**" means a development of a public utility or a public utility building or a government service function. Utility services include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants,

incinerators, waste recycling plants, vehicle, equipment and material storage yards for utilities and services; snow dumping sites; surface reservoirs or storm water management facilities; water towers, water treatment plants; power terminal and distributing substations; communication towers; and gate stations for natural gas distribution;

- (193) **"veterinary clinic"** means a development where domestic pets are cared for and treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics do not include animal hospitals or small animal breeding and boarding establishments;
- (194) **"wall sign"** means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m (1 ft.) from the building. Wall signs may include signs painted on buildings.
- (195) **"warehouse sales establishment"** means a development where bulky goods are sold 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. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores;
- (196) **"yard"** means a part of a site which is unoccupied and unobstructed by any building or portion of a building above the ground level, unless otherwise allowed by this Bylaw;

and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law.

1.4 Metric and Imperial Measurements

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures. As a result, the metric measurement shall take precedence for the purposes of interpretation of this Bylaw.

1.5 Establishment of Districts

- (1) For the purpose of this Bylaw, the Town of Gibbons is divided into the following Districts:

District Name	Symbol
Single Family Residential District	R-1
Single Family Residential District	R-1A
Single Family Residential District	R-1B
Single Family Small Lot Residential District	R-1C

Innovative Design Residential District	R-1D
Single Family Large Lot Residential District	R-S
Two Family Residential District	R-2
Medium Density Residential District	R-3
High Density Residential District	R-4
Manufactured Home Park Residential District	R-MHP
Primary Commercial District	C-1
General Commercial District	C-2
Highway Commercial District	C-3
Industrial District	M-1
Semi-Public District	SP
Urban Reserve District	UR

- (2) For the purposes of this Bylaw, the R-1, R-1A, R-1B, R-1C, R-1D, R-S, R-2, R-3, R-4, and R-MHP Districts shall be considered to be Residential Districts, and the C-1, C-2, and C-3 Districts shall be considered to be Commercial Districts.
- (3) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map, being Schedule A hereto.
- (4) Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:
 - (a) Where District boundaries are shown to approximate the following, they shall be deemed to be:
 - (i) the lot boundaries, or
 - (ii) the municipal boundaries, or
 - (iii) the centre lines of railway rights-of-way, or
 - (iv) the centre lines of the right-of-way of a road or lane.
 - (b) In circumstances not covered by Subsection (a), the location of the boundary shall be determined:
 - (i) where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - (ii) where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- (5) Where Districts have been established in accordance with a proposed subdivision of land, the boundaries of the District shall be understood to conform to the boundaries of the certificate of title or as shown on the Plan of Survey or Descriptive Plan when it is registered in a Land Titles Office. Prior to the registration, the District boundaries shall be determined on the basis of the dimensions stated in the proposed plan of subdivision or on the scale of the Land Use District Map where dimensions are not provided.
- (6) Where the application of the above rules does not determine the exact location of the boundary of a District, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the

degree of detail as to measurements and directions as the circumstances may require.

- (7) After the Council has fixed a District boundary pursuant to the provisions of subsection (4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (8) The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.
- (9) Subsections (3) to (8) above also apply to the overlay regulatory areas and their boundaries shown on the Land Use District Map.

1.6 Establishment of Land Use District Regulations

Land Use District regulations shall be as set forth in the Schedule of Land Use District Regulations, being Schedule B hereto.

1.7 Establishment of Sign Regulations

Sign regulations shall be as set forth in the Schedule of Sign Regulations, being Schedule C hereto.

1.8 Non-applicability of Bylaw

This Bylaw does not apply to roads or lanes.

PART TWO - AGENCIES

2.1 Development Authority

- (1) The Development Authority shall perform such duties that are specified in this Bylaw.
- (2) The Development Authority shall:
 - (a) keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto;
 - (b) keep a register of all applications for development, including the decisions thereon; and
 - (c) ensure that copies of this Bylaw can be purchased by the public at a reasonable cost.
- (3) For the purposes of Section 542 of the Act, the Development Authority is hereby declared to be the designated officer.

2.2 Council

The Council shall perform such duties that are specified for it in this Bylaw.

2.3 Intermunicipal Subdivision and Development Appeal Board

The Intermunicipal Subdivision and Development Appeal Board shall perform such duties as are specified in Part Four of this Bylaw.

PART THREE - DEVELOPMENT PERMITS, RULES AND PROCEDURES

3.1 Control of Development

No development other than that indicated in Section 3.2 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 Development Not Requiring a Development Permit

The following development shall not require a development permit:

- (1) the carrying out of works of maintenance or renovation to any building, provided that such works do not include structural alterations;
- (2) the completion of a building which was lawfully under construction at the date of approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of said approval;
- (3) the use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced;
- (4) the construction, completion, alteration, maintenance, or repair of public works, public services, and public utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- (5) the construction, completion, alteration, maintenance or repair of a road, lane or utility, undertaken upon a road right-of-way, utility easement or other lands or undertaken to connect the same with any lawful use of buildings or land;
- (6) the erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw, provided the temporary building or sign is removed within thirty (30) days of substantial completion or as determined by the Development Authority;
- (7) the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
 - (a) such signs are removed within one (1) day after the election date,
 - (b) such signs do not obstruct or impair vision or traffic,
 - (c) such signs are not attached to fences, trees, or utility poles; and
 - (d) such signs indicate the name and address of the sponsor and the person

responsible for removal;

- (8) the placement of one (1) sign on internal sites, or two (2) signs on corner sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale, with removal to be within one (1) day after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 sq. m (6.5 sq. ft.) in area and provided further that such signs are placed or erected no closer than 3 m (9.8 ft.) to a road right-of-way;
- (9) the placement of signs in Commercial or Industrial Districts provided they are inside the window or inside the building;
- (10) the placement of a portable sign on a site for less than three (3) months, provided that the requirements of Section 1.5 of Schedule C of this Bylaw are satisfied;
- (11) the erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure, unless the gate, fence, wall, etc. exceeds the regulations indicated in Section 1.7 of Part 1 of Schedule B hereof;
- (12) hard-surfacing of any yard area in a Residential District for the purpose of providing vehicular access from a road to an on-site parking space, provided that such hard-surfacing does not exceed 8 m (26 ft.) in width;
- (13) accessory buildings which are accessory to a dwelling and entirely portable, and which are less than 13.4 sq. m (144 sq. ft.) in size and 2.3 m (7.5 ft.) in height, unless the accessory building does not meet the minimum distance requirements outlined in Section 2.6 of Schedule B of this Bylaw;
- (14) a patio in a Residential District that meets the minimum required yard requirements outlined in Section 2.6 of Schedule B of this Bylaw;
- (15) boarding and foster care within a dwelling unit, provided the use, in the opinion of the Development Authority, is not a boarding and lodging house, a day home, a day care facility, a group home, a family care facility, or a group care facility;
- (16) limited agriculture on lots 8 ha (20 acres) or more in area in an Urban Reserve (UR) District;
- (17) landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit; and
- (18) the demolition or removal of any building or structure for the erection of which a development permit would not be required pursuant to subsections (4) through (17) above, both inclusive.

3.3 Non-Conforming Buildings and Uses

- (1) If a development permit has been issued on or before the day on which this Land Use bylaw or an amendment thereto comes into effect, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.
- (2) 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 must conform with this Bylaw.
- (3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.
- (4) A non-conforming use of part of a lot or site may not be exceeded or transferred in whole or in part to any other part of the lot or site and no additional buildings may be constructed upon the lot or site while the non-conforming use continues.
- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building,
 - (b) for the routine maintenance of the building, if the Development Authority considers it necessary, or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 3.5(6) of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

3.4 Development Permit Applications

- (1) An application for a development permit shall be made to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
 - (a) a site plan in duplicate showing:
 - (i) the boundaries of the site including any lots that may make up the site,
 - (ii) all of the existing and proposed buildings on the site,
 - (iii) the front, rear, and side yards, if any,

- (iv) any provision for off-street loading, vehicle standing, and parking areas, and
 - (v) access and egress points to the site;
 - (b) an indication of the proposed uses; and
 - (c) an indication of the ownership of the land and the interest of the applicant therein.
- (2) Each application for a development permit shall be accompanied by a fee as established by Council.
- (3) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
- (a) the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
 - (b) the height and horizontal dimensions of all existing and proposed buildings;
 - (c) outlines of roof overhangs on all buildings;
 - (d) existing and proposed grades on the site and on adjacent sites, roads and lanes;
 - (e) floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the main floor in the principal and accessory buildings;
 - (f) landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way;
 - (g) drainage plans;
 - (h) in a Residential District, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
 - (i) future development plans for a site which is to be partially developed through the applicable development permit;
 - (j) in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week;
 - (k) in the case of the placement of an already constructed or partially constructed building on a site, including a manufactured home unit, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including photographs of the building;
 - (l) any other information or tests required by the Development Authority, at his sole discretion, respecting the site or adjacent lands, including an environmental screening of the site; and
 - (m) a statutory declaration indicating that the information supplied is accurate.
- (4) The Development Authority may also require additional engineering information in order to assess the stability of the site from the perspective of potential bank

erosion or slumping and storm water management, especially in areas close to the valley of the Sturgeon River. That engineering information may include an assessment of the stability of the site, an indication of the means whereby the stability is to be ensured or enhanced in order to make it suitable for any construction proposed, and the means whereby the stability is to be ensured or enhanced through the construction period and subsequent occupancy of the development, including any requirements for the handling of surface or subsurface drainage, and any requirements respecting the location of any facilities containing or dealing with water.

- (5) Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may refuse to accept an application for a development permit where, in his sole opinion, the information supplied by the applicant in accordance with Subsections (1) and (4) hereof is insufficient or of insufficient quality to properly evaluate the application. If this is the case, the Development Authority shall notify the applicant in writing of any deficiencies in the application. The time period for consideration of a development permit application shall not commence until the Development Authority is satisfied, in his sole opinion, that the development permit application is complete.
- (6) Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may make a decision on a development permit application without all of the information required by Subsections (1) and (4) hereof or where, in his sole opinion, the information supplied by the applicant is sufficient to properly evaluate the application.

3.5 Decision Process and Re-Application

- (1) The Development Authority shall receive, review, consider and decide on all applications for a development permit.
- (2) Prior to making a decision on an application for a development permit for a discretionary use or pursuant to Subsection (6) below, the Development Authority may require that the applicant display, for no less than seven (7) days, in a conspicuous place on the site (and no further from the road or roads abutting the site than the Development Authority directs) a notice or notices setting out the proposed use in a form prescribed by the Development Authority. The notice required by the Development Authority shall state:
 - (a) the proposed development on the site,
 - (b) that an application respecting the proposed development will be considered by the Development Authority,
 - (c) that any person who objects to the proposed development on the site may deliver to the Development Authority a written statement of his objection to such development indicating
 - (i) his full name and the address for service of any notice to be given to him in respect of the objection, and
 - (ii) the reasons for his objection to the proposed development, and
 - (d) that the statement must be received by the Development Authority not later than the day specified in the notice.

- (3) In making a decision, the Development Authority may
 - (a) approve the application unconditionally,
 - (b) approve the application subject to those conditions he considers appropriate,
 - (c) approve the application permanently or for a limited period of time, or
 - (d) refuse the application.
- (4) The erection of a building on any site may be prohibited where it would otherwise be allowed under this Bylaw when, in the opinion of the Development Authority, satisfactory arrangements have not been made by the developer for the supply of required improvements as specified under Section 3.6 below, including payment of the costs of installing or constructing any such facilities by the developer.
- (5) In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District in Schedule B.
- (6) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (7) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority unless the applicant has entered into a written agreement with the Development Authority to extend the forty (40) day period. The person claiming to be affected may appeal in writing as provided for in Part Four of this Bylaw as though he has received a refusal at the end of the forty (40) day period or any agreed-to extension thereof as specified in this Subsection.
- (8) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal pursuant to Part Four of this Bylaw, at his discretion, the Development Authority may or may not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.
- (9) Notwithstanding any other provisions of this Bylaw to the contrary, if the Development Authority discovers that a decision made by him on a development permit application was either

- (a) incorrect, that is, not in compliance with the provisions and requirements of this Bylaw, or
 - (b) based on information which was subsequently determined to be incorrect or misunderstood by the Development Authority,
- the Development Authority may rescind the approval of the development permit. In such a circumstance, the appeal period provided for under Part Four of this Bylaw begins from the date the applicant is advised that the permit approval has been rescinded.
- (10) If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit, and carried out within two (2) years of the commencement, the permit is deemed to be void, unless an extension to this period is granted in writing by the Development Authority.

3.6 Conditions of Approval

- (1) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality
- (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct or pay for the construction of
 - (i) a pedestrian walkway system to serve the development, or
 - (ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development,
 or both;
 - (c) to install or pay for the installation of public utilities or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of
 - (i) off-street or other parking facilities, and
 - (ii) loading and unloading facilities;
 - (e) to pay an off-site levy; and/or
 - (f) to give security to ensure that the terms of the agreement are carried out.
- (2) The Development Authority may require that as a condition of issuing a development permit, the applicant undertake construction in accordance with and complete the site plans, landscaping plans, drainage plans, and grading plans submitted; undertake any remedial measures recommended or required by any engineering or environmental screening reports provided to the Development Authority during the development permit application process; and that the agreement indicated in Subsection (1) above be registered by way of caveat against the title of the subject site.
- (3) The Development Authority may require that as a condition of issuing a development permit, the applicant undertake landscaping, drainage, grading, or remedial measures in accordance with the Development Authority's requirements.
- (4) A person to whom a development permit has been issued shall obtain, where applicable, from the appropriate authority, permits relating to building, grades,

sewers, water mains, electricity and roads, and all other permits required in connection with the proposed development in accordance with any other Town, Provincial or Federal legislation, bylaws, regulation, or standards.

- (5) The person to whom a development permit has been issued shall notify the Development Authority
 - (a) following the preliminary layout of the site, but prior to the commencement of actual construction thereon, and
 - (b) upon completion of any construction for which approval has been given and which has been authorized by the issuance of a development permit.
- (6) The Development Authority may require that, further to Subsection (5)(a) above, the applicant arrange with the Development Authority for on-site inspection before commencing construction.
- (7) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
- (8) The applicant shall prevent excess soil or debris from being spilled on roads, lanes and sidewalks, and shall not place soil or any other materials on adjacent properties without permission in writing from adjacent property owners.
- (9) Subsections (7) and (8) above may be enforced pursuant to this Bylaw. Any costs incurred as a result of neglect to public property may be collected by whatever means are available to the Town.
- (10) The Development Authority may require certification from an Alberta Land Surveyor that any required grades have been established.
- (11) The Development Authority may require that the person to whom a development permit is issued keep
 - (a) a copy of the development permit or a placard indicating that posted in a conspicuous place on the site for which the permit was issued, and/or
 - (b) a copy of the approved drawings and specifications to which the permit pertains on the subject site at all times during construction.

3.7 Notice of Decision

- (1) The decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (2) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- (3) When a development permit has been issued for a permitted use and no relaxation of any regulation has been granted as provided for by Section 3.5(6) of this Bylaw, the Development Authority shall immediately post a notice of the decision conspicuously in the Town municipal office. The Development Authority shall

require that the applicant post the same notice on the site of the development permit application at the front line of the site, and shall further require that the applicant display the notice on the site for a period of no less than fourteen (14) days.

- (4) When a development permit has been issued for a discretionary use or for a permitted use where a relaxation of a regulation has been granted as provided for by Section 3.5(6) of this Bylaw, the Development Authority shall forthwith, in addition to the requirements of Subsection (3) above:
 - (a) cause the applicant to display a notice, for no less than fourteen (14) days after the permit is issued, on a conspicuous place on the site and no further from the road or roads abutting the site than the Development Authority directs, and/or
 - (b) publish a notice of the decision in a newspaper circulating in the municipality, and/or
 - (c) mail a notice in writing to all owners of land within 60 m (197 ft.) of the subject site, and to those other owners of land who, in the sole opinion of the Development Authority, may be affected.
- (5) Whether notification is given in accordance with Subsection (4) above by way of posting on the property, by way of publishing, by way of mail, any two, or all three, shall be entirely at the discretion of the Development Authority.
- (6) The notice indicated in Subsections (3) and (4) shall state:
 - (a) the legal description and the street address of the site of the proposed development,
 - (b) the uses proposed for the subject development,
 - (c) any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Officer when the development permit was approved,
 - (d) the date the development permit was issued, and
 - (e) how an appeal might be made to the Intermunicipal Subdivision and Development Appeal Board and the deadline for such appeal.

3.8 Effective Date of Permit

- (1) A permit granted pursuant to this Part does not come into effect until fifteen (15) days after the date notification is given of a decision on a development permit as described in Section 3.7 hereof. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made pursuant to Part Four of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.

PART FOUR - APPEALS

4.1 Appeal Procedure

- (1) An appeal may be made to the Intermunicipal Subdivision and Development Appeal Board (the Board) where a Development Authority
 - (a) refuses or fails to issue a development permit to a person, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Section 5.1 of this Bylaw.
- (2) Notwithstanding Subsection (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, under Subsection (1), or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Board.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Board within fourteen (14) days after
 - (a) the date a notice of the decision or permit issued by the Development Authority was given in accordance with Section 3.7(3) or 3.7(4) of this Bylaw; or
 - (b) the date an order was given in accordance with Section 5.1(1) of this Bylaw; or
 - (c) the forty (40) day period or any extension referred to in Section 3.5(7) has expired.

4.2 Appeal Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the Board shall hold an appeal hearing respecting the appeal.
- (2) The Board shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) those land owners who were notified under Section 3.7(4)(c) and any other person that the Board considers to be affected by the order, decision or permit; and
 - (d) such other persons as the Board specifies.
- (3) The Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the Development Authority under Section 5.1,

as the case may be.

- (4) At the appeal hearing referred to in Subsection (1), the Board shall hear:
 - (a) the appellant or any other person acting on his behalf;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Board agrees to hear or a person acting on his behalf.

4.3 Decision

- (1) The Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- (2) 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 Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal; and
 - (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART FIVE ENFORCEMENT

5.1 Contravention

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with
 - (a) the Act or the regulations made thereunder, or
 - (b) a development permit or subdivision approval, or
 - (c) this Bylaw,the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to
 - (i) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (ii) demolish, remove or replace the development, and/or
 - (iii) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw,as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one (1) year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
- (4) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (5) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (6) Violation Tickets
 - (a) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.

- (b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the Town.
- (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (d) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (e) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (f) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

PART SIX ADMINISTRATION

6.1 Application to Amend Bylaw

- (1) A person may apply to have this Bylaw amended, by applying in writing to the Town, in care of the Development Authority, furnishing reasons in support of the application and paying the fee therefore required under Section 6.2(1)(a), which fee shall include the cost of advertising for the required public hearing.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application therefore.

6.2 Form of Application

- (1) All applications for amendment to this Bylaw shall be made on the form as determined by the Development Authority, and shall be accompanied by:
 - (a) an application fee as established by Council for each application;
 - (b) a recent title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in the said land;
 - (c) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and
 - (d) where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application.
- (2) Where the amendment is to change the District applicable to a site, the Development Authority may require that the applicant undertake and provide an environmental screening of the site as part of the amendment application.

6.3 Amending Bylaws

All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act.

6.4 Schedules

Schedules A, B, and C are adopted as part of this Bylaw, and may be amended in the same manner as any other part of this Bylaw.

6.5 Repealing Existing Controls

Bylaw No. PLU 2/98, as amended, is hereby repealed.

6.6 Date of Commencement

This Bylaw comes into effect upon the date of it finally being passed.

6.7 Attached Figures

Various Figures are included within this Bylaw for information purposes, but they do not form part of this Bylaw unless specifically referenced to in the text of the Bylaw.

READ A FIRST TIME IN COUNCIL THIS 9th DAY OF AUGUST, A.D. 2006.

ORIGINAL DOCUMENT IS SIGNED _____
Mayor

ORIGINAL DOCUMENT IS SIGNED _____
Town Manager

READ A SECOND TIME IN COUNCIL THIS 23rd DAY OF AUGUST, A.D. 2006.

ORIGINAL DOCUMENT IS SIGNED _____
Mayor

ORIGINAL DOCUMENT IS SIGNED _____
Town Manager

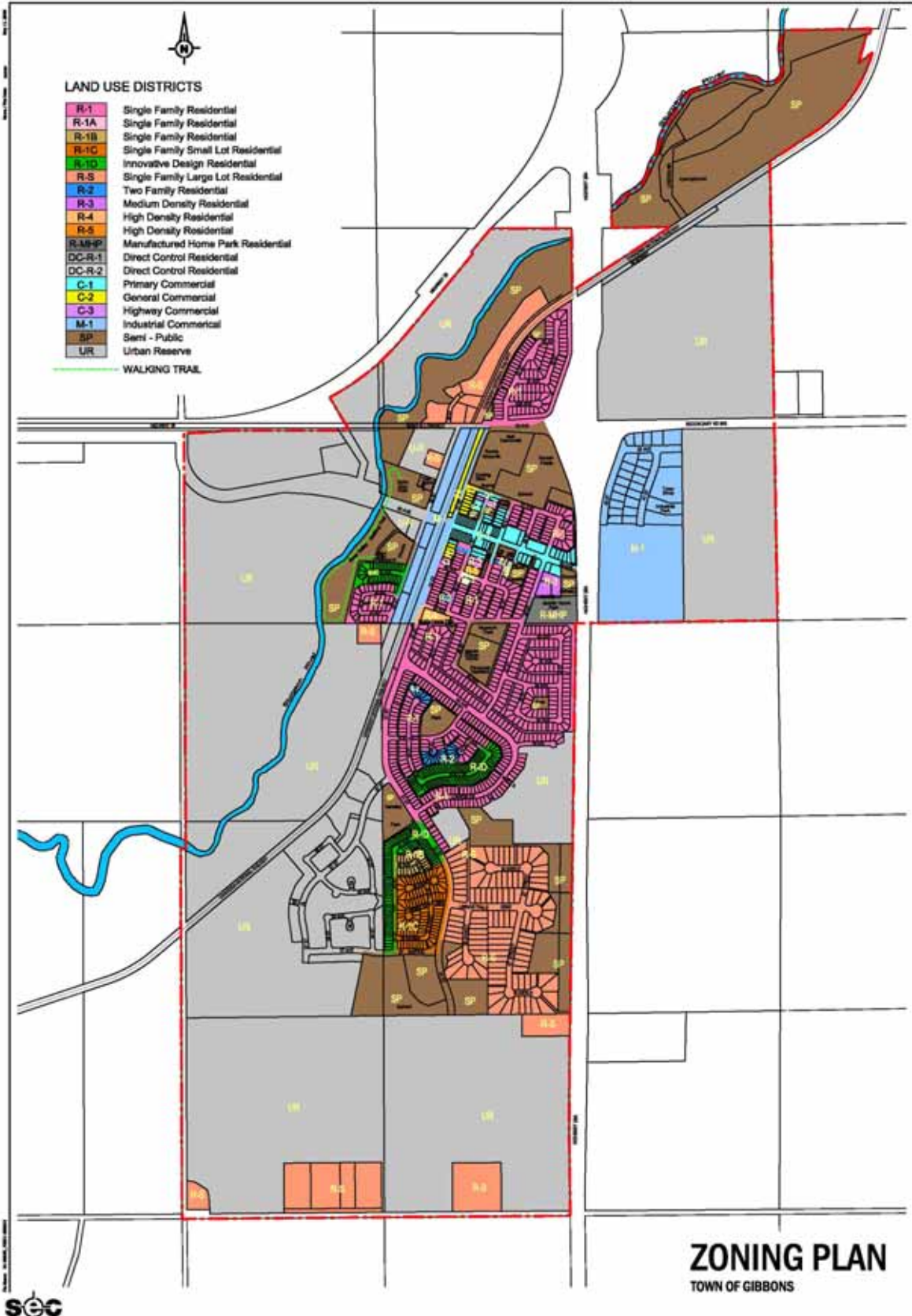
READ A THIRD TIME IN COUNCIL THIS 23rd DAY OF AUGUST, A.D. 2006.

ORIGINAL DOCUMENT IS SIGNED _____
Mayor

ORIGINAL DOCUMENT IS SIGNED _____
Town Manager

SCHEDULE A - LAND USE DISTRICT MAP

(Note: This is 2 maps – one relating specifically to Section 1.25 of Part 1 of Schedule B.



SCHEDULE B

SCHEDULE OF LAND USE DISTRICT REGULATIONS

PART 1 - GENERAL PROVISIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

1.1 Limited Access to Major Roads

- (1) No access for vehicles will be allowed from a road designated as an Arterial Road in the Municipal Development Plan to:
 - (a) any residential site, unless the access serves three (3) or more dwelling units, or
 - (b) any site, unless the turning space is provided on the site such that vehicles entering upon the site may turn before re-entering the road, or
 - (c) any site where, in the opinion of the Development Authority, there would be an excessive number of access points onto the road.

1.2 Access from Roads and Lanes

- (1) No direct access shall be allowed from a lane to a parking space unless:
 - (a) the front of the parking space is located no less than 7.0 m (23.0 ft.) from the closest boundary of the lane, and, further,
 - (b) that, in the opinion of the Development Authority, there is sufficient room for a vehicle with a length of 6.1 m (20.0 ft.) to be located so as to still provide a minimum of 1.0 m (3.3 ft.) from the vehicle to the property boundary.
- (2) All off-street parking areas shall be designed to provide adequate access to and exit from each parking space at all times by means of clearly defined manoeuvring aisles designed to the satisfaction of the Development Authority.

1.3 Emergency Access to Buildings

- (1) Developments shall be so designed that, in the opinion of the Development Authority, appropriate access for firefighting equipment is afforded to all buildings.
- (2) On at least two (2) sides of any apartment which exceeds two (2) storeys in height, one of which shall be the longest side, there shall be firm, level areas accessible from the road for firefighting equipment for at least 75% of the length of each of the two sides of the building. Such areas shall not be less than 4.25 m (13.9 ft.) in width and not more than 3.0 m (9.8 ft.) from the building, and no permanent building or vehicular parking shall be allowed thereon.

- (3) A lane or lanes for the purpose of allowing the access of firefighting equipment to all major access points of shopping centre buildings and to all fire risk utilities on a shopping centre site shall be provided, and no permanent building or vehicular parking may be provided thereon.

1.4 Pollution Control, Nuisance and Maintenance

- (1) No storage or activity may be undertaken within the Town which, in the opinion of the Development Authority, constitutes a danger or annoyance to persons on the site, on public property, or on any other sites, by reason of the generation of:

noise	radiation hazards
vibration	fire and explosive hazards
dust and other particulate matter	heat, humidity and glare
smoke	refuse matter
odour	waste and waterborne waste
toxic and noxious matter	water or steam
- (2) All garbage shall be stored in weather-proof and animal-proof containers and shall be in a location easily accessible for pick up.
- (3) Sites and buildings in the Town shall be maintained in a clean and tidy condition, free from all rubbish and debris.

1.5 Landscaping

- (1) Landscaping in all developments shall be to the satisfaction of the Development Authority.
- (2) Landscaping plans shall include the following information which adheres to the following standards:
 - (a) the final grading of the area and the placing and spreading of topsoil.
 - (b) all physical features, both existing and proposed, including: shrubs and trees and their size; grassed areas; flower beds; berms showing contours; walls; fences; outdoor furniture; surface utilities; water features; and decorative paving; and
 - (c) playground equipment and public seating areas if the area forms part of a communal amenity area.
- (3) When the implementation of landscaping plans is a condition of the approval of a development permit, all such landscaping and planting must be carried out, to the satisfaction of the Development Authority, within six (6) months (weather permitting) of the occupancy or the commencement of operation of the proposed development.
- (4) The owner of the site or his successors or assignees shall be responsible for proper maintenance of the landscaping. If plant material does not survive a two (2) year maintenance period, commencing when the Development Authority determines that the landscaping has been completed in accordance with approved plans, it must be replaced with plant material of similar type and size.

1.6 Sump Pumps

- (1) No person shall discharge storm water, surface water, roof runoff, sub-surface drainage, cooling water, or unpolluted industrial water to a sanitary sewer.
- (2) Every building in the Town containing a basement shall employ a sump pump system, to the satisfaction of the Town, for the purpose of transferring sub-surface drainage to the on-street drainage system.
- (3) Weeping tiles and similar appurtenances will not be allowed to discharge into sanitary sewers. Weeping tiles may be connected to sumps with pumped discharging directly to the ground surface. Splash pads will be required.
- (4) The sump pump discharge shall drain away from the building foundation and be located in such a manner as to not drain onto adjacent property or over future sidewalks and driveways.

1.7 Fences

- (1) Notwithstanding any regulation respecting required minimum yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a site.
- (2) Notwithstanding any other provision of this Bylaw to the contrary, if a proposed fence does not conform with the regulations of this Section 1.7 of Part 1 of Schedule B of this Bylaw, a development permit is required prior to the erection or construction of the fence.
- (3) Unless otherwise provided in this Bylaw, in any Residential District, no fence, wall or hedge shall be:
 - (a) higher than 1.88 m (6 ft. 2 in.) above grade in side yards and rear yards; or
 - (b) higher than 1.0 m (3.3 ft.) above grade in front yards; or
 - (c) higher than 1.0 m (3.3 ft.) above grade in side yards or rear yards which are located within 3.0 m (9.8 ft.) of the front line; or
 - (d) higher than 1.3 m (4.25 ft.) above grade in side yards or rear yards within 4.5 m (15 ft.) of the front line.
- (4) The maximum height of a fence in any District other than a Residential District shall be as determined by the Development Authority.
- (5) No fences comprised of barbed wire or page wire shall be allowed in the Town, except in the Industrial District and in the Urban Reserve District, but even there, at the sole discretion of the Development Authority.
- (6) No electrification of fences shall be allowed.
- (7) Materials and exterior finishing of all fencing shall be to the satisfaction of the Development Authority, who shall have regard to the appearance of the fence and

the general amenity of the District in which the fence is located or to which the fence is adjacent.

- (8) The Development Authority may require that a fence or other screen be provided to a height of at least 1.5 m (4.9 ft.) surrounding the following where they would be visible from a road or from any adjacent dwellings:
 - (a) outdoor storage areas,
 - (b) garbage collection areas, and
 - (c) loading or vehicle service areas.

1.8 Objects Prohibited or Restricted in Yards

No person shall keep or permit in any part of any yard in any Residential District:

- (1) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District in which it is located; or
- (2) any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
- (3) more than one (1) wrecked or unlicensed or inoperable vehicle for more than fourteen (14) consecutive days; or
- (4) unless it is covered, any wrecked or unlicensed or inoperable vehicle for more than fourteen (14) consecutive days.

1.9 On-Site and Off-Site Services and Improvements

- (1) Where any on-site services or improvements or any off-site local improvements are required to service a proposed development, a person shall not begin any excavation for the foundation nor commence any development until the Development Authority is satisfied that such services or improvements will be undertaken.
- (2) No development permit shall be issued for a development to be served by private sewage disposal or water supply systems until the systems have been approved by the appropriate authorities.

1.10 Public Utility Buildings

A person erecting a public utility building or placing public utility equipment on a site shall cause it to be placed in a location and with setbacks which are satisfactory to the Development Authority.

1.11 Utility Easements

Subject also to any conditions of the utility easement, no permanent building other than a fence shall be constructed or placed on a utility easement unless:

- (a) in the opinion of the Development Authority, the said building does not restrict access to the utility easement or the utility for the purpose of installation and maintenance of the utility, and
- (b) written consent has been obtained from the person or utility or both for whose use the easement has been granted.

1.12 Building Exteriors

- (1) Unless forming part of a single project which has been proposed and designed to be built under one development permit, no single family dwellings of identical (or, in the opinion of the Development Authority, similar) roof or front elevations and fronting on a road shall be located within eight (8) sites from each other.
- (2) The exterior finish on all buildings shall be of permanent material satisfactory to the Development Authority.

1.13 Site Grading

- (1) In all cases, site grades shall be established to prevent drainage from one site to another except where the grades conform to a local or subdivision drainage plan approved by the Town.
- (2) Site grading plans shall provide an indication of sump pump drainage location.

1.14 Corner and Double Fronting Sites

- (1) In Residential Districts, where a site abuts two or more roads, the Development Authority may determine that one yard is the front yard, in which case the front yard setback of the District shall apply to that yard determined to be the front yard and the exterior side yard shall apply to the other. An exterior side yard adjacent to a road shall be a minimum of 4.0 m (13 ft.) and an exterior side yard adjacent to a lane shall be a minimum of 2.1 m (7.0 ft.).
- (2) Notwithstanding Subsection (1) above and other regulations of this Bylaw, Section 2.6(4)(b)(ii) of Part 2 of Schedule B of this Bylaw applies.
- (3) Notwithstanding any other provision of this Bylaw, no person shall place or maintain any object, building, fence, hedge, shrub, or tree more than 0.9 m (3 ft.) in height in or on that part of a corner site located within any District other than a Commercial District which lies within a triangle formed by a straight line drawn between two points on the boundary lines of the site adjacent to the roads located 8 m (26.2 ft.) from the point of intersection of the two boundary lines.
- (4) In all cases, the location of buildings on corner sites shall be subject to approval by the Development Authority, who shall take into account the location of existing adjacent buildings or the required setback on adjacent sites where a building does not exist.

- (5) Fences shall be located as specified in Section 1.7(3) of Part 1 of Schedule “B” of this Bylaw.

1.15 Dwelling Units on a Lot

- (1) Subject to Subsections (2) and (4) below, no persons shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel of land.
- (2) The Development Authority may issue a development permit to allow the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
 - (a) is contained in a building that, or in buildings each of which, is designed for or divided into two (2) or more dwelling units,
 - (b) is a manufactured home unit located within a manufactured home park, or
 - (c) is a building or a development, as defined in the Condominium Property Act, that is the subject of a condominium plan or a bare land condominium plan to be registered or already registered in a Land Titles Office.
- (3) Nothing in this Section authorizes a development that is not allowed under the Land Use Bylaw.
- (4) A Development Authority may, in a development permit decision, exempt any person or land from the operation of Subsection (1) above.

1.16 Railway Setback

- (1) Any lot proposed to be subdivided for the purposes of accommodating a dwelling shall be of suitable dimension so as to accommodate the size and type of the dwelling proposed in such a manner as to have a 30 m (98.4 ft.) setback from the nearest part of said dwelling and the boundary of the railway right-of-way.
- (2) All dwellings shall be located a minimum 30 m (98.4 ft.) from the boundary of any railway right-of-way, as determined by the Development Authority.
- (3) Any lot proposed to be subdivided for the purposes of accommodating a commercial or industrial development shall be of suitable dimension so as to accommodate the size and type of the development proposed in such a manner as to have a 15 m (49.2 ft.) setback from the nearest part of said development and the boundary of the railway right-of-way.
- (4) All commercial and industrial development shall be located a minimum 15 m (49.2 ft.) from the boundary of any railway right-of-way, as determined by the Development Authority.

1.17 Pipeline Right-of-Way Setback

- (1) Any lot proposed to be subdivided for the purposes of accommodating a dwelling, a commercial development, or an industrial development shall be of suitable dimension so as to accommodate the size and type of the dwelling, commercial

development, or industrial development proposed in such a manner as to have a 15 m (49.2 ft.) setback from the nearest part of said dwelling or development and the boundary of the railway right-of-way.

- (2) All dwellings, commercial developments, and industrial developments shall be located a minimum 15 m (49.2 ft.) from the boundary of any railway right-of-way, as determined by the Development Authority.

1.18 Relocation of Buildings

- (1) No person shall:
 - (a) place a building on a site which has previously been erected or placed on a different site, or
 - (b) alter the location of a building on a site which has already been constructed on that site,unless the Development Authority approve a development permit authorizing the placement.
- (2) A development permit shall not be approved under Subsection (1) above unless the Development Authority is satisfied that:
 - (a) the placement or location of the building would meet the requirements of this Bylaw,
 - (b) the building and the site meet the requirements of this Bylaw and the Land Use District in which the site is located, and
 - (c) the building will not, in the sole opinion of the Development Authority, detract from the appearance or amenity of the neighbourhood in which the development is proposed.

1.19 Substandard Lots

With the approval of the Development Authority the minimum site area, site depth, and site width may be less in the case of existing substandard lots which are held in separate title from abutting substandard lots as of the date of the approval of this Bylaw.

1.20 Subdivision of Land

- (1) Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has been registered at the Land Titles Office and the subject lot has been fully serviced with municipal piped water supply and sewage disposal facilities and a road built to standards acceptable to the Development Authority.
- (2) Subject to Subsection (3) below, any application to subdivide land in the municipality shall conform with the Act, regulations made pursuant to the Act, and this Bylaw.
- (3) The Subdivision Authority may approve an application for subdivision or a bare land condominium plan even though the proposed subdivision or bare land

condominium plan does not comply with the regulations of this Bylaw if, in the opinion of the Subdivision Authority:

- (a) the proposed subdivision or bareland condominium plan would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- (b) the proposed subdivision or bareland condominium plan conforms with the use prescribed for that land or building in this Bylaw.

1.22 Hazardous Materials

- (1) No anhydrous ammonia (AA) or liquefied petroleum gas tank or (LPG) storage tank with a water capacity exceeding 9080 l (2000 gal.) shall be allowed within the municipality.
- (2) All developments which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics will comply with Provincial and Federal legislation and regulations.
- (3) No development in any District shall emit air or water contaminants in excess of the standards prescribed Provincial and Federal legislation and regulations.
- (4) All commercial or industrial developments involving the following hazardous materials shall submit a written description of the materials and operations being undertaken on the site at the time of development permit application or at the time the operation begins using the materials:
 - (a) poisonous and infections agents;
 - (b) pesticides;
 - (c) corrosives and explosives;
 - (d) flammable and combustible liquids;
 - (e) manures; and
 - (f) radiation.
- (5) No development shall create or discharge toxic materials in amounts or quantities that exceed the levels prescribed by Provincial and Federal legislation and regulations.
- (6) No development shall discharge toxic or noxious materials:
 - (a) across the boundaries of a site,
 - (b) through infiltration into the soil,
 - (c) into the municipal sewage disposal system, except as otherwise directed by the municipality, or
 - (d) into a water body, any surface water channel, or any below surface water course.

1.23 Amenity Areas

Where required in any District, private and/or communal amenity areas shall be provided in accordance with the following:

- (1) Private outdoor amenity areas shall be designed for the occupants of an individual dwelling unit and shall:
 - (a) be located immediately adjacent to, and with direct access from, the dwelling it is intended to serve,
 - (b) be located in a yard other than a front yard,
 - (c) be landscaped and surfaced for convenient use for outdoor activities,
 - (d) be of a width and length of at least 4 m (13.2 ft.), and
 - (e) be developed as open space unencumbered by any accessory buildings or future additions.
- (2) Notwithstanding Subsection (1)(d) above, balconies may be considered private outdoor amenity areas provided they are unenclosed and have a minimum depth of 2.0 m (6.6 ft.).
- (3) Communal amenity areas shall be designed for the recreational use of all residents of the development or for the use and enjoyment of the public in the case of a non-residential development. The area shall be indoor or outdoor space, or a combination thereof, including but not limited to landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms, and children's play areas complete with equipment.
- (4) In multi-family dwelling developments of 15 dwelling units or more, a minimum communal amenity area of 2.5 sq. m (26.9 sq. ft.) per dwelling unit shall be provided and be developed as children's play space or other communal recreation space, and be aggregated into areas of not less than 50 sq. m (528.2 sq. ft.).
- (5) In multi-family dwelling developments, at least ten percent (10%) of the open space area required on the site shall be provided for recreational purposes; and in multi-family dwelling developments of 15 units or more, recreational equipment shall be provided on this area to the satisfaction of the Development Authority. This requirement may be relaxed at the discretion of the Development Authority where indoor recreational facilities are provided.

1.24 Development of a Project

- (1) Prior to the granting of approval of a subdivision application or a development permit for a project, as the case may be, the developer shall provide the municipality with a proposed site development and landscaping plan and enter into an agreement with the municipality specifying the respecting obligations of the developer and the municipality regarding all of the following as are applicable:
 - (a) the establishment, operation and maintenance of facilities for:
 - (i) storm water management,
 - (ii) sanitary sewage collection and disposal,
 - (iii) water, power and gas supply,
 - (iv) access via roads, sidewalks, walkways and curbs,
 - (v) snow removal,

- (vi) garbage collection, including garbage collection areas and buffering of same,
 - (vii) fire protection,
 - (viii) parks, playgrounds, buffers and other amenity areas,
 - (ix) landscaping and fencing, and
 - (x) any other facility deemed necessary by the Development Authority;
- (b) the standards of construction for same and the provision of security to ensure completion of any or all of them;
 - (c) the manner in which costs of same are to be met or recovered;
 - (d) the period of time agreed upon for completion of construction or installation of the facilities;
 - (e) the provision to the municipality of as-built site and utility plans showing the boundaries of all lots and the location of all buildings and services; and
 - (f) such other matters as may be deemed necessary by the Development Authority.
- (2) In considering a condominium plan or a bareland condominium plan, the following shall apply:
- (a) except as provided for in Subsection (4) below, the development regulations of the District in which the condominium plan or bareland condominium plan is located shall apply;
 - (b) roadway and municipal engineering standards may, at the discretion of the Development Authority, be relaxed within the condominium plan or the bareland condominium plan provided that:
 - (i) adequate emergency vehicle access, legal road access, and municipal servicing is provided and maintained to the satisfaction of the Development Authority, and
 - (ii) the developer and his heirs and assigns or the condominium corporation assumes all responsibility for the construction, maintenance, repair and replacement of all such roads and services within the condominium plan or bareland condominium plan.
- (3) All uses in a project containing multiple use building shall be either permitted or discretionary uses in the District in which the building is located.
- (4) The site area, lot sizes, lot coverage and density within a project shall adhere to the regulations of the District in which the project is located, except that the site size, site coverage, and density may be relaxed in part of the development where the minimum site area is achieved and the maximum density on the site is not exceeded.
- (5) No building within a project shall be located closer to a front, side, or rear line than specified within the District in which the project is located.
- (6) Internal separation space between buildings within a project shall be to the satisfaction of the Development Authority, based on site design considerations and the need for access between buildings. In no case shall such separation space be less than 2.5 m (8.2 ft.) where building height is 2 storeys or less and 4.25 m (13.9 ft.) where building height exceeds 2 storeys.

1.25 Development in Proximity to the Sturgeon River Valley

- (1) This regulation applies within the area identified on Map 2 of Schedule A as the area affected by the Sturgeon River Valley regulation.
- (2) Within the area identified on Map 2 of Schedule A as the area affected by the Sturgeon River Valley regulation, prior to the issuance of a development permit for any development, the Development Authority may require the applicant to provide the additional information as indicated in Section 3.4(4) of this Bylaw, plus any additional information the Development Authority deems relevant to his/her decision on the subject site bearing in mind the site's proximity to the Sturgeon River Valley.

PART 2 – SPECIAL LAND USE REGULATIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

2.1 Places of Worship

- (1) The site on which a place of worship is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 900 sq. m (9688 sq. ft.) except in the case where a building for a clergyman's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1440 sq. m (15,500 sq. ft.).
- (2) Minimum front, side and rear yards shall be those required within the District in which the place of worship is located except where the maximum height regulation is exceeded, in which case the minimum yards shall be at the discretion of the Development Authority.
- (3) Notwithstanding any other provision of this Bylaw to the contrary, a portion of the required minimum number of parking spaces may be located on a site other than that of the subject place of worship if it is demonstrated to the satisfaction of the Development Authority that such off-site parking spaces are available for the use of the patrons of the place of worship.

2.2 Drive-In Businesses

- (1) A drive-in business may be located only where it can be shown, to the satisfaction of the Development Authority, that the development would not inhibit safe traffic movement or where it is provided within a shopping centre site.
- (2) Site Area and Coverage
 - (a) Except as provided in Subsection (b) hereof or Table 2, the minimum site area shall be 600 sq. m (6458 sq. ft.), the minimum frontage shall be 30 m (98.4 ft.), and the maximum floor area of buildings shall be 90 sq. m (969 sq. ft.).

TABLE 2

Site Area and Site Coverage Drive-in Businesses

<u>Type of Business</u>	<u>Site Area (Minimum)</u>	<u>Site Coverage (Maximum)</u>
Drive-in Restaurant	600 sq. m (6458 sq. ft.)	20%
Gas Bars (not associated with other developments)	60 sq. m (646 sq. ft.) for each fuel pump not including the area covered by buildings	15%
Service Stations	1200 sq. m (12,917 sq. ft.)	20% including pump islands
Car Washes	600 sq. m (6458 sq. ft.)	20%

Service Station & Car Wash
together

1200 sq. m. (12,917 sq. ft.)

20%

- (b) Where a drive-in business forms part of a shopping centre of multiple use development, the minimum site area, maximum site coverage, and maximum building floor area may be varied at the discretion of the Development Authority.
- (3) Curb Cuts
- (a) The nearest edge of a curb cut to the property line on the adjacent road shall be not less than 6.0 m (19.7 ft.).
 - (b) The maximum width of the curb cut shall be 10.0 m (32.8 ft.).
 - (c) The minimum distance between curb cuts on the same site line shall be 6.0 m (19.7 ft.). The Development Authority may increase this minimum distance for situations where, in his sole opinion, public safety or convenience would be improved.
- (4) Queuing Space
- (a) Queuing space and traffic circulation shall be provided in accordance with the following:
 - (i) a drive-through development with a drive-up service window shall provide a minimum of 3 in-bound and 1 outbound queuing spaces per service window,
 - (ii) a drive-through vehicle service establishment shall provide a minimum of 4 in-bound and 1 out-bound queuing spaces per service bay,
 - (iii) a full service car wash shall provide 4 in-bound and 2 out-bound queuing spaces, or such other number as required by the Development Authority taking into consideration the number of wash bays,
 - (iv) queuing spaces must be a minimum of 6.0 m (19.7 ft.) long and 3.0 m (9.8 ft.) wide,
 - (v) queuing spaces must allow for vehicle turning and maneuvering, and
 - (vi) pump islands must be located to allow a through traffic lane with a minimum width of 6.0 m (19.7 ft.).
 - (b) With the exception of a drive-through restaurant, a queuing space does not include any space occupied by a motor vehicle during the provision of service.
- (5) Site and Building Requirements
- (a) All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
 - (b) The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.
 - (c) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.
 - (d) A minimum of ten percent (10%) of the site area of a drive-in business shall be landscaped to the satisfaction of the Development Authority.

- (e) In addition to the fencing, landscaping, and environmental protection requirements indicated in Part 1 of this Schedule B, a berm and/or fence shall be erected and maintained by the developer of a drive-in business along any site lines abutting or across a lane or walkway from a Residential District.
- (f) If a car wash is located on a site which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority.

2.3 Motels

- (1) Notwithstanding the provisions of the District in which it is located, a motel shall have a minimum required front yard of 6.0 m (19.7 ft.).
- (2) Notwithstanding any other provisions of this Bylaw to the contrary, a minimum of 10% of the site area of a motel development shall be landscaped in accordance with Part 1 of this Schedule and to the satisfaction of the Development Authority.

2.4 Private Swimming Pools and Hot Tubs

- (1) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a private swimming pool or hot tub.
- (2) Private swimming pools and hot tubs shall not be located within any required minimum front yard.

2.5 Fire Pits

- (1) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a fire pit.
- (2) Fire pits shall not be located within any required minimum front yard or side yard.

2.6 Accessory Buildings in Residential Districts, including Garages, Sheds, Decks, etc.

- (1) Where a building is attached to the principal building by an open or enclosed roofed structure, the building is to be considered a part of the principal building and not an accessory building.
- (2) Notwithstanding the provisions of the District in which it is located, the total combined floor area of accessory buildings shall not exceed twelve percent (12%) of the site area.
 - (a) For the purposes of this Subsection, no building under 10.2 sq. m (110 sq. ft.) in size and 2.3 m (7.5 ft.) in height shall be considered an accessory building.

- (3) No development permit for an accessory building, including a garage, will be approved unless there is a principal building on the same site as the proposed accessory building.
- (4) In Residential Districts, unless otherwise provided:
 - (a) an accessory building shall not exceed one storey nor 4.5 m (15 ft.) in height,
 - (b) accessory buildings shall be located:
 - (i) a minimum of 1.2 m (3.9 ft.) from a dwelling,
 - (ii) no closer to the road than the front of a principal building, except that in the case of a double fronting or corner site, an accessory building may be located as close as 4.5 m (15 ft.) from the front line or exterior side line provided that, in the opinion of the Development Authority, adjacent developments would not be adversely affected,
 - (iii) no closer than 1.0 m (3.3 ft.) to a side line, provided, however, that where an agreement exists between the owners of adjoining properties to build garages centred on the property boundary,
 - (iv) no closer than 1.0 m (3.3 ft.) to a rear line where there is no lane, and
 - (v) at any distance from a rear line where there is a lane, provided that there shall be no encroachment into the lane (such as by a roof or eaves overhanging the lane, by a door opening into the lane, or by a concrete pad or any appurtenance or grading encroaching into the lane), and provided further that where the vehicle doors of a garage face the lane, the garage shall be no closer than 5.0 m (16.4 ft.) to the lane.
 - (c) Notwithstanding Subsection (b)(v) above, if, in the opinion of the Development Authority, the rear yard cannot accommodate a garage with a separation of 5.0 m (16.4 ft.) between the garage doors and the lane, then a garage may be placed adjacent to the lane provided that there is no encroachment into the lane such as by a roof or eaves, a door opening into the lane, or by a concrete pad or any appurtenance or grading, and provided further that there is no parking of any vehicles in the lane adjacent to the garage.
 - (d) No accessory building shall be developed above a gas line, any other utility line, or any easement, unless the owner accepts responsibility, in writing, for any costs associated with development over the gas line, other utility, or other easement.
- (5) All decks and verandas in Residential Districts shall be located such that they do not project into minimum required yards.
- (6) Notwithstanding Subsection (5) above, any deck or veranda which the Development Authority allows, at his sole discretion, to project into a minimum required front yard in a Residential District, may be roofed but shall not be enclosed.
- (7) In those Districts where secondary suites are allowed, they shall abide by all the regulations in this Section for accessory buildings, except that if the secondary

suite is above an accessory building which has a garage in its first storey, the maximum height of that specific accessory building may be 2 storeys or 6.7 m (22 ft.), whichever is the lower.

- (8) The exterior finish on all accessory buildings shall be of permanent material and shall either be the same as the exterior finish on the principal building on the site in terms of material, texture, and colours, or otherwise be to the satisfaction of the Development Authority.
- (9) There shall be no connection to the sanitary sewer system from a garage or other accessory building other than a secondary suite unless a sump pump is installed to prevent oil and dirt from entering the sanitary sewer system.

2.7 Accessory Buildings in Districts Other Than Residential Districts

- (1) In Districts other than Residential Districts, regulations governing the development of accessory buildings shall be at the discretion of the Development Authority, unless otherwise indicated in this Bylaw.
- (2) At the discretion of the Development Authority, a development permit may be issued for the temporary erection of a factory-manufactured building for use as an accessory building provided that the following additional conditions are met:
 - (i) the development permit approval shall not be for a period of more than six (6) months,
 - (ii) if an extension to the six (6) month period is desired by the applicant, the applicant must submit a new development permit application to locate the building for a further six (6) months.

2.8 Home Occupations

- (1) Home occupations shall not be allowed on a site unless a dwelling unit is located on the site on which the home occupation is to be located.
- (2) All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in his opinion, the home occupation is or has become detrimental to the amenities of the neighbourhood in which it is located or if there is any change or intensification of the home occupation as originally approved.
- (3) The Development Authority may, in his sole discretion, place time limits on the period for which a development permit for a home occupation is valid.
- (4) All home occupations shall comply with the following requirements:
 - (a) No home occupation shall change the principal character or external appearance of the dwelling involved or of any accessory buildings.
 - (b) Home occupations shall be incidental and subordinate to the principal use of the dwelling.
 - (c) No more than 20% or 30 sq. m (323 sq. ft.), whichever is less, of the dwelling unit shall be occupied by the home occupation.

- (d) There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation allowed on the site.
 - (e) The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
 - (f) There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.
 - (g) When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
 - (h) Pedestrian or vehicular traffic or parking, shall not, in the opinion of the Development Authority, be generated in excess of that which is characteristic of the District in which the home occupation is located.
 - (i) Only one (1) commercial vehicle, of a capacity not exceeding 1.0 tonne (2400 lbs), shall be used in conjunction with the home occupation, or parked or maintained on the site or on the road in proximity to the site. Truck trailers or vehicle accessories or equipment shall not be allowed.
 - (j) Home occupations shall not involve:
 - (i) activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - (ii) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- (5) A major home occupation shall also comply with the following regulations:
- (a) There may be a limited volume of on-premises sales; however, no commodity other than the product of the business shall be sold on the premises.
 - (b) Pedestrian or vehicular traffic or parking, shall not, in the opinion of the Development Authority, be generated in excess of that which is characteristic of the District in which the major home occupation is located.
 - (c) The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
 - (d) The number of clients or customers on-site shall not exceed two (2) at any time.
 - (e) Storage related to the business activity and the business activity itself may be allowed in either the dwelling or accessory buildings.
 - (f) The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or an Industrial District, having regard for the overall compatibility of the use with the residential character of the area.
 - (g) The dwelling in which a major home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.4 sq. m (4 sq. ft.) in area.
- (6) A minor home occupation shall also comply with the following regulations. If it does not, it shall be considered to be a major home occupation and an approved development permit will be necessary to operate:

- (a) All sales relating to the minor home occupation shall occur off the premises.
- (b) No person shall be employed on-site other than a resident of the dwelling unit.
- (c) There shall be no more than five (5) client or customer visits to the minor home occupation per week.
- (d) Storage related to the business activity and the business activity itself shall only be allowed inside the dwelling and not in an accessory building or outside on the site. A minor home occupation does not involve the display of goods in the interior of the residence.
- (e) There may not be a sign relating to a minor home occupation.

2.9 Bed and Breakfast Establishments

- (1) A bed and breakfast establishment shall only be developed as an accessory use to a dwelling unit.
- (2) A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of four (4) sleeping bedrooms.
- (3) Cooking facilities shall not be located within the sleeping units.
- (4) In addition to the above, a bed and breakfast establishment shall comply with all of the requirements for a major home occupation described in this Bylaw.

2.10 Show Homes

- (1) In addition to the requirements of Section 3.4 of this Bylaw, a development permit application for a show home shall be accompanied by information indicating:
 - (a) the location and area intended as the site for the show home,
 - (b) proposed parking, exterior lighting and signs.
- (2) Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.
- (3) The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

2.11 Animal Care and Related Uses

- (1) These regulations shall apply to all animal care and related uses, including: animal hospitals, small animal breeding and boarding establishments, and veterinary clinics.
- (2) The Development Authority shall require that development of these uses pay particular attention to Section 1.4 Part 1 of this Schedule, specifically noise and

odour which may cause nuisance or negative external impact. Pens, rooms, and runs shall be adequately soundproofed.

- (3) Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
- (4) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments

2.12 Shopping Centres

- (1) The maximum building height shall be 10.7 m (35.1 ft.) or two (2) storeys, whichever is less.
- (2) Notwithstanding Schedule C of this Bylaw, one (1) pole sign or one (1) ground identification sign, but not a lighted sign of the flashing or animated type, not exceeding 10.7 m (35.1 ft.) in height shall be allowed on a site, provided no portion of the sign shall project over a road or lane.
- (4) All shopping centres shall satisfy the Development Authority as to:
 - (a) the orientation, exterior design, and architectural appearance of buildings,
 - (b) the location of development in relation to adjacent land uses,
 - (c) vehicular traffic flow patterns within and access to and from the site,
 - (d) safe pedestrian access and egress within the site and from any pedestrian way, and
 - (e) the location of exterior signs.
- (5) A shopping centre shall only contain those uses listed as permitted or discretionary uses within the District in which the shopping centre is located.
- (6) The Development Authority may require any other matters, regulations, or conditions relating to the development as, in his opinion, are necessary, having regard to the nature of the proposed shopping centre development and adjacent land uses.

2.13 Secondary Suites

- (1) Secondary suites may only be located in those Districts where secondary suites are indicated as a permitted or discretionary use.
- (2) A secondary suite may be located within the dwelling containing the primary suite, within a separate building, or, if the garage is within a separate building, within the building containing the garage. In all instances, the secondary suite shall, among other requirements, comply with all regulations and requirements of the Alberta Safety Codes Act.

- (3) Unless it is located in the basement of the building in which the primary suite is located, a secondary suite shall have a floor area greater than 50% of the floor area of the primary suite on the subject lot.
- (4) If a secondary suite is located on a lot, all yard, coverage and parking requirements shall be met by the development on the lot.

2.15 Day Care Facilities

- (1) In considering a development permit application, the Development Authority shall consider, among other matters, if the development would be suitable for the proposed location, taking into account, among other matters, potential traffic, proximity to park and recreation areas, isolation of the site from dwellings, buffering or other techniques limiting interference with other uses and the peaceful enjoyment of nearby dwellings, and consistency in terms of intensity of use with other development in the area.
- (1) The Development Authority shall establish the maximum number of children for which care may be provided, having regard for the nature of the facility, the density of the District in which the day care is located, and potential impacts, including traffic, on the other uses in the vicinity of the development.

2.16 Recreational Trailer Parks

- (1) The construction and maintenance of all internal roadways shall be the responsibility of the developer. Internal roadways shall have a minimum driving surface width of 6 m (20 ft.), except for one-way roadways, which shall have a minimum driving surface width of 3.65 m (12 ft.).
- (2) Each recreational vehicle parking area shall be a minimum width of 10 m (32.8 ft.) and a minimum area of 250 sq. m (2691.0 sq. ft.).
- (3) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
- (4) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary roads to provide access to the development.

2.17 Conversion of Single Family Dwellings to Other Uses

- (1) In considering any application for the conversion of a single family dwelling into an other use, the Development Authority shall ensure that the Development complies with the following requirements:
 - (a) The use shall be listed as a permitted or a discretionary use in the District in which the single family dwelling is located.

- (b) Parking shall be provided in accordance with this Bylaw, except that on-street parking may be taken into account and a number of on-street parking stalls subtracted from the number of off-street parking stalls required at the discretion of the Development Authority.
- (c) Off-street parking shall be located at the rear of the principal building and accessible from the lane only, except in the case of a corner site where parking may be allowed between the side of the principal building and the road, if the parking is screened from adjacent roads to the satisfaction of the Development Authority.
- (d) Where the conversion involves exterior renovation, such renovation shall be of a nature which maintains a height, exterior finish, design and coverage to the satisfaction of the Development Authority.
- (e) Existing healthy vegetation should be retained whenever possible and to the satisfaction of the Development Authority.
- (f) All signs shall be in keeping with Part 3 of this Schedule.

PART 3 – PARKING AND LOADING PROVISIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

3.1 Off-Street Parking Areas

- (1) Unless otherwise approved by the Development Authority, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated from the following table.

Use of Building or Site	Minimum Number of Parking Spaces
<u>Residential Uses</u>	
Multi-family dwellings	
dwelling units with 1 or fewer bedrooms	1.5 per dwelling unit
dwelling units with 2 or more bedrooms	2 per dwelling unit
Seniors apartments	2 for each 3 dwelling units
Boarding and lodging houses	1 per sleeping unit
Senior citizen homes	2 for each 3 dwelling units
Secondary suites	1 per dwelling unit
Manufactured homes	2 per manufactured home unit plus 1 visitor parking space per 3 manufactured home units
All other dwellings	2 per dwelling unit
<u>Commercial Uses</u>	
Office uses and government services	1 per 40 sq. m (430 sq. ft.) of gross leasable area
Health services	1 per 30 sq. m (325 sq. ft.) of gross leasable area or 3 spaces for each full time or part-time professional, whichever is greater
Eating and drinking establishments (except as noted below)	1 per 4 seating spaces or 1 per 3 employees, whichever is greater
Eating and drinking establishments (all food taken off-site to be consumed off site)	1 per 13 sq. m (140 sq. ft.) of gross leasable area plus or 1 per 3 employees on maximum shift

Drive-in restaurants	1 per 3 sq. m (32.3 sq. ft.) of gross leasable area or 1 per 5 seating spaces, whichever is the greater
Other drive-in businesses	8
Hotels and motels	1 per rentable unit plus 1 per 3 employees on maximum shift
Bed and breakfast establishments	1 per sleeping unit
Major and minor home occupations	1 in addition to the requirements for the residential use
All other commercial uses	
For the first 1000 sq. m (10,764) sq. ft. of gross leasable area	1 per 30 sq. m (325 sq. ft.) of gross leasable area
For the next 3000 sq. m (32,291) sq. ft. of gross leasable area	1 per each 20 sq. m (215 sq. ft.) of gross leasable area
For the any additional gross leasable area beyond 4000 sq. m (43,055 sq. ft.)	1 per each 17 sq. m (183 sq. ft.) of gross leasable area
 <u>Places of Public Assembly</u>	
Auditoriums, places of worship, halls, clubs, theatres and other recreation places	1 per 7.5 seating spaces or 1 per 7 sq. m (75.3 sq. ft.) used by patrons, whichever is greater
 <u>Schools</u>	
Elementary and junior high schools	1 per school employee during regular school hours, plus 5
High schools	4 per 10 students
Commercial schools	1 per student
 <u>Industrial Uses</u>	
	1 per employee on maximum shift
 <u>Hospitals & Similar Uses</u>	
Hospitals, sanitoriums, convalescent homes, senior citizen lodges, nursing homes, group care facilities, etc.	1 per 100 sq. m (1076 sq. ft.) of gross area or 1 per 4 beds, whichever is greater, plus 1 for every 2 employees on maximum shift

- (a) In the case of a use not specifically mentioned, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
 - (b) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
 - (c) Where a fractional number of parking spaces are required, the next highest number of spaces shall be provided.
 - (d) If the Development Authority approves, one or more developments or uses may pool their minimum required parking spaces within one or more communal parking areas and may thereby collectively fulfil the requirements of this Bylaw.
- (2) The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown to the satisfaction of the Development Authority that the standard is not applicable to the project due to
- (a) the relationship of the development to other parking areas;
 - (b) differing hours of demand for parking; or
 - (c) the scale and character of the development.
- (3) Notwithstanding Subsection (1) above, in the Primary Commercial (C-1) District, the following provisions shall apply:
- (a) in the case of major renovations and architectural modifications to an existing building, no parking spaces in addition to those existing prior to undertaking the renovations or modifications shall be required;
 - (b) in the case of expansion to the floor area of an existing building, additional parking spaces shall be required based on the size and use of the expansion only; and
 - (c) in the case of a change in the use of an existing building, no parking spaces in addition to those existing prior to the change in use shall be required provided that no alteration to the floor area of the building occurs.
- (4) Surfacing and Drainage
- (a) All parking areas shall be clearly marked, hard surfaced, landscaped, adequately lit with lighting directed away from adjacent sites, adequately graded and drained to dispose of all storm water run-off, and contain the necessary curb cuts.
 - (b) Notwithstanding Subsection (a) above, where the access to or egress from a parking areas is from a gravelled road, or where the development involves the expansion of an existing building on a site where the existing parking area is not hard surfaced, the parking area may, at the option of the developer, be gravelled to the satisfaction of the Development Authority.
 - (c) Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.
- (5) All parking spaces shall conform to the requirements shown in Table 1.

TABLE 1

Minimum Parking Space Dimensions
Width of parking space (e) = 2.75 m (9.0 ft.)

a Parking Angle in Degrees	b Perpendicular Depth of Space (curb<0.2m) in m (ft.)	c Perpendicular Depth of Space (curb>0.2m) in m (ft.)	d Aisle Width in m (ft.)	
			One Way	Two Ways
0	2.8 (9.2)	2.8 (9.2)	3.4 (11.2)	6.7 (22.00)
30	3.9 (12.8)	4.9 (16.1)	3.6 (11.8)	
45	4.9 (16.1)	5.8 (19.0)	3.6 (11.8)	
60	5.5 (18.0)	6.2 (20.3)	5.5 (18.0)	
90	5.5 (18.0)	5.5 (18.0)	7.0 (23.0)	7.0 (23.0)

(See figure following for definitions of column headings)

Note: 0.1 m = 3.937 in.

3.2 Off-Street Loading Areas

- (1) Where a proposed development will, in the opinion of the Development Authority, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.
- (2) When required by the Development Authority, loading spaces shall:
 - (a) have dimensions of not less than 4.0 m (13.1 ft.) in width, 8.0 m (26.2 ft.) in length, and 4.3 m (14.1 ft.) in height above grade;
 - (b) have vehicular ingress to, and egress from, a road or lane either directly or by a clearly defined traffic aisle;
 - (c) be sited at an elevation or elevations convenient to a major floor level in building or to a utility elevator serving each major floor level;
 - (d) be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority;
 - (e) be paved or hard surfaced where a parking area is required to be paved or hard surfaced;
 - (f) have adequate lighting to the satisfaction of the Development Authority; and
 - (g) be screened on each side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.5 m (4.9 ft.) and not more than 2.0 m (6.6 ft.) in height.

- (3) The number of loading spaces required to be provided in a development shall be as follows:
- (a) For a retail, industrial, warehouse, or similar development,
 - (i) one (1) space for a development of less than 1000 sq. m (10,764 sq. ft.) of gross leasable area, plus
 - (ii) one (1) space for the next 1000 sq. m (10,764 sq. ft.) of gross leasable area or fraction thereof in a development, plus
 - (ii) one (1) additional space for each additional 2000 sq. m (21,528 sq. ft.) of gross leasable area or fraction thereof in a development.
 - (b) For an office use, place of public assembly, convalescent home, institution, club or lodge, school or any similar use, one (1) space for a development of less than 3000 sq. m (32,293 sq. ft.) of gross floor area, and one (1) additional space for each additional 3000 sq. m (32,293 sq. ft.) of gross floor area or fraction thereof.
 - (c) For multi-family dwellings, one (1) space for each ten (10) dwelling units or fraction thereof.
 - (d) Any other building or use shall provide loading spaces as required by the Development Authority.
 - (e) Where a fractional number of loading spaces are required, the next highest number of spaces shall be provided.

PART 4 – DISTRICT PROVISIONS

4.1 Single Family Residential (R-1) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Minor home occupations
 - (ii) Day homes
 - (iii) Public parks
 - (iv) Single family dwellings
 - (v) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Bed and breakfast establishments
 - (ii) Family care facilities
 - (iii) Group care facilities
 - (iv) Major home occupations
 - (v) Places of worship
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Secondary suites
 - (viii) Show homes
 - (ix) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (x) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth - 33.5 m (110 ft.)

- (b) Minimum site width
 - (i) In the case of Road and Lane systems
 - A. internal sites - 15 m (49.2 ft.)
 - B. corner sites - 16.5 m (54.1 ft.)

 - (ii) In the case of Laneless systems
 - A. internal sites – 17.5 m (57.4 ft.)
 - B. corner sites – 19 m (62.3 ft.)

- (c) Minimum site area
 - (i) In the case of Road and Lane systems – 511 sq. m (5500 sq. ft.)
 - (ii) In the case of Laneless systems – 593 sq. m (6380 sq. ft.)

(3) Development Regulations

- (a) Secondary suites will only be allowed where the site area of the subject lot is a minimum of 25% larger than the minima indicated in Subsection 2(c) above.

- (b) Maximum Site Coverage - 35%
- (c) Maximum Building Height – 10 m (32.8 ft.)
- (d) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.) nor a front yard of more than 13.5 m (44.3 ft.).

(e) Minimum Required Side Yard

- (i) The minimum required side yard on each site shall be a minimum of 1.5 m (4.9 ft.) on each side, except that this may be reduced to 1.2 m (4 ft.) for a carport which is attached to the principal building, however, the principal building must maintain a side yard of a minimum of 1.5 m (4.9 ft.).
- (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided at the front or side of the dwelling, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
- (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
- (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

(f) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be reduced to 4.5 m (14.8 ft.).

(g) Minimum Setback from Highways

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

(h) Minimum Floor Area

- (i) Single family dwellings
 - A. 1 storey – 93 sq. m (1001 sq. ft.)
 - B. 1½ storey and split level – upper floor – 37 sq. m (400 sq. ft.)
- lower floors – 69 sq. m (743 sq. ft.)
 - C. 2 storey – each floor – 60 sq. m (646 sq. ft.)
- (ii) Other uses - at the discretion of the Development Authority

- (i) **Parking**
 - (i) In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling.
 - (ii) In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling.
 - (iii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.2 Single Family Residential (R-1A) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Minor home occupations
 - (ii) Day homes
 - (iii) Public parks
 - (iv) Single family dwellings
 - (v) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Bed and breakfast establishments
 - (ii) Family care facilities
 - (iii) Group care facilities
 - (iv) Major home occupations
 - (v) Places of worship
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Secondary suites
 - (viii) Show homes
 - (ix) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (x) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth - 33.5 m (110 ft.)

- (b) Minimum site width
 - (i) In the case of Road and Lane systems
 - A. internal sites – 16.5 m (54.1 ft.)
 - B. corner sites – 18 m (59.1 ft.)

 - (ii) In the case of Laneless systems
 - A. internal sites – 19.5 m (64.0 ft.)
 - B. corner sites – 21 m (68.9 ft.)

- (c) Minimum site area
 - (i) In the case of Road and Lane systems – 562 sq. m (6050 sq. ft.)
 - (ii) In the case of Laneless systems – 664 sq. m (7150 sq. ft.)

(3) Development Regulations

- (a) Secondary suites will only be allowed where the site area of the subject lot is a minimum of 25% larger than the minima indicated in Subsection 2(c) above.

- (b) Maximum Site Coverage - 35%

(c) Maximum Building Height – 10 m (32.8 ft.)

(d) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.) nor a front yard of more than 13.5 m (44.3 ft.).

(e) Minimum Required Side Yard

- (i) The minimum required side yard on each site shall be a minimum of 1.8 m (6 ft.).
- (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided at the front or side of the dwelling, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
- (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
- (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

(f) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be reduced to 4.5 m (14.8 ft.).

(g) Minimum Setback from Highways

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

(h) Minimum Floor Area

- (i) Single family dwellings
 - A. 1 storey – 139.5 sq. m (1500 sq. ft.)
 - B. 1½ storey and split level – upper floor – 55.8 sq. m (600 sq. ft.)
- lower floors – 93 sq. m (1000 sq. ft.)
 - C. 2 storey – upper floor – 74.4 sq. m (800 sq. ft.)
lower floor – 93 sq. m (1000 sq. ft.)
- (ii) Other uses - at the discretion of the Development Authority

(i) Parking

- (i) In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling.

- (ii) In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling.
- (iii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.3 Single Family Residential (R-1B) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Minor home occupations
 - (ii) Day homes
 - (iii) Public parks
 - (iv) Single family dwellings
 - (v) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Bed and breakfast establishments
 - (ii) Family care facilities
 - (iii) Group care facilities
 - (iv) Major home occupations
 - (v) Places of worship
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Show homes
 - (viii) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (ix) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth - 33.5 m (110 ft.)

- (b) Minimum site width
 - (i) In the case of Road and Lane systems
 - A. internal sites – 12.2 m (40 ft.)
 - B. corner sites – 13.7 m (45 ft.)

 - (ii) In the case of Laneless systems
 - A. internal sites – 15 m (49.2 ft.)
 - B. corner sites – 16.5 m (54.1 ft.)

- (c) Minimum site area
 - (i) In the case of Road and Lane systems – 408.8 sq. m (4400 sq. ft.)
 - (ii) In the case of Laneless systems – 503 sq. m (5412 sq. ft.)

(3) Development Regulations

- (a) Maximum Site Coverage - 35%

- (b) Maximum Building Height – 10 m (32.8 ft.)

(c) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.) nor a front yard of more than 13.5 m (44.3 ft.).

(d) Minimum Required Side Yard

- (i) The minimum required side yard on each site shall be a minimum of 1.5 m (5 ft.).
- (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided at the front or side of the dwelling, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
- (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
- (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

(e) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be reduced to 4.5 m (14.8 ft.).

(f) Minimum Setback from Highways

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

(g) Minimum Floor Area

- (i) Single family dwellings
 - A. 1 storey – 93 sq. m (1001 sq. ft.)
 - B. 1½ storey and split level – upper floor – 37 sq. m (400 sq. ft.)
- lower floors – 69 sq. m (743 sq. ft.)
 - C. 2 storey – upper floor – 60 sq. m (646 sq. ft.)
lower floor – 60 sq. m (646 sq. ft.)
- (ii) Other uses - at the discretion of the Development Authority

(h) Parking

- (i) In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling.
- (ii) In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling.

- (iii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.4 Single Family Small Lot Residential (R-1C) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Minor home occupations
 - (ii) Day homes
 - (iii) Public parks
 - (iv) Single family dwellings
 - (v) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Bed and breakfast establishments
 - (ii) Family care facilities
 - (iii) Group care facilities
 - (iv) Major home occupations
 - (v) Places of worship
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Show homes
 - (viii) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (ix) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth - 33.5 m (110 ft.)

- (b) Minimum site width
 - (i) internal sites – 12.2 m (40 ft.)
 - (ii) corner sites – 13.7 m (45 ft.)

- (c) Minimum site area – 408.8 sq. m (4400 sq. ft.)

(3) Development Regulations

- (a) All dwellings shall have attached, front drive garages.

- (b) Maximum Site Coverage - 35%

- (c) Maximum Building Height – 10 m (32.8 ft.)

- (d) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.) nor a front yard of more than 13.5 m (44.3 ft.).

- (e) **Minimum Required Side Yard**
- (i) The minimum required side yard on each site shall be a minimum of 1.5 m (4.9 ft.).
 - (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided at the front or side of the dwelling, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
 - (iii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
 - (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
 - (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

(f) **Minimum Required Rear Yard**

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be reduced to 4.5 m (14.8 ft.).

(g) **Minimum Setback from Highways**

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

(h) **Minimum Floor Area**

- (i) **Single family dwellings**
 - A. 1 storey – 93 sq. m (1001 sq. ft.)
 - B. 1½ storey and split level – upper floor – 37 sq. m (400 sq. ft.)
- lower floors – 69 sq. m (743 sq. ft.)
 - C. 2 storey – each floor – 60 sq. m (646 sq. ft.)

- (ii) Other uses - at the discretion of the Development Authority

(i) **Parking**

- (i) In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling.
- (ii) In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling.
- (iii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.5 Innovative Design Residential (R-1D) District

(1) Purpose

This District is generally intended to provide for a street-oriented mix of comprehensively planned lots for single family and two family developments of a single family character. A high quality of design and livability is essential. This District will normally be applied in new areas and on sites which due to their size, configuration and location, form suitable sites appropriate for comprehensive planning. This District will be used where planned zero side yard developments are proposed.

(1) Permitted and Discretionary Uses

(a) Permitted Uses

- (i) Minor home occupations**
- (ii) Day homes**
- (iii) Public parks**
- (iv) Single family dwellings**
- (v) Buildings and uses accessory to permitted uses**

(b) Discretionary Uses

- (i) Bed and breakfast establishments**
- (ii) Family care facilities**
- (iii) Group care facilities**
- (iv) Major home occupations**
- (v) Places of worship**
- (vi) Public utilities that have no office or workshop as a part of the development**
- (vii) Show homes**
- (viii) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses**
- (ix) Buildings and uses accessory to discretionary uses**

(2) Subdivision Regulations

- (a) Minimum site depth - 33.5 m (110 ft.)**
- (b) Minimum site width**
 - (i) internal sites – 10 m (32.8 ft.)**
 - (ii) corner sites – 11.5 m (37.8 ft.)**
- (c) Minimum site area – 335 sq. m (3606 sq. ft.)**

(3) Development Regulations

- (a) Maximum Site Coverage**
 - (i) Principal building – 37%**
 - (ii) All buildings – 45%**

- (b) Maximum Building Height – 10 m (32.8 ft.)
- (c) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 5.5 m (18 ft.).

(d) Minimum Required Side Yard

- (i) The minimum required side yard on each site shall be zero for one side and as indicated in Subsection (iii) below on the other, except that no zero side yard will be allowed on a side yard abutting another District.
- (ii) Notwithstanding subsection (i) above, where a site has a parking space provided in the required side yard which is adjacent to a zero side yard of another unit, the minimum side yard where the parking space is provided shall be 3.5 m (11.5 ft.).
- (iii) The minimum required side yard other than in the situations described in Subsections (i) and (ii) above shall be:
 - A. 2.74 m (9 ft.) for an interior side yard,
 - B. 3.2 m (10.5 ft.) for an exterior side yard adjacent to a road, and
 - C. 2.134 m (7 ft.) for an exterior side yard adjacent to a lane.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
- (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
- (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

(e) Easements Required for Zero Side Yard Developments

- (i) Where a zero side yard is allowed, an easement shall be provided on the side abutting that side yard for the maintenance of all buildings and for any overhang of any building onto that adjacent site. The Development Authority may require that an easement plan be registered in addition to the normal plan of subdivision.
- (ii) Where an accessory building is allowed to have a zero side yard abutting a lot, the landowner will be responsible for the negotiation and registration of any easements required pursuant to Subsection (i) above prior to the issuance of a development permit for the zero side yard development proposal.

(f) Grading and Drainage for Zero Side Yard Developments

Prior to the approval of any zero side yard development, plans showing grading and drainage on adjacent sites acceptable to the Development Authority must be submitted.

(g) Provision for Future Zero Side Yard Development

Where a plan is accepted for a zero side yard project or zero side yard site, and where than plan indicates the location or alternative locations for future accessory buildings (including garages) on the site, easements required pursuant to Subsection (e) above shall be provided for all possible alternative future locations of accessory buildings at, or prior to, the time of the development of the principal building.

(h) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be reduced to 4.5 m (14.8 ft.).

(i) Minimum Setback from Highways

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

(j) Minimum Floor Area

- (i) Single family dwellings – 74.3 sq. m (800 sq. ft.)
- (ii) Other uses - at the discretion of the Development Authority

(k) Parking

- (i) In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling.
- (ii) In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling.
- (iii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(l) Separation Space

A minimum of 2.74 m (9 ft.) shall separate each dwelling. Except where adjacent lots are developed as a project, separation space shall be provided within the lot which the development is proposed.

(m) Design Requirements

The design of dwellings must ensure individuality and variety within a unified project to the satisfaction of the Development Authority. This will require consideration of elevations, colours, materials, and textures, as well as setbacks, orientations, massing, floor plans, roof lines, and wall openings.

- (n) Non Zero Side Yard Development
- (i) Side yards shall total at least 20% of the side width, with a minimum side yard of 1.38 m (4.5 ft.), except that the minimum side yard for buildings over 7.5 m (24.6 ft.) in height shall be 2 m (6.6 ft.).
 - (ii) Where there is no lane abutting the site, one side yard shall be at least 3 m (9.8 ft.) for vehicular access, unless there is an attached garage or a garage which is an integral part of the dwelling on the site.
 - (iii) On a corner site where the building fronts on the front yard, the minimum side yard abutting the road other than a lane shall be 3.2 m (10.5 ft.).
 - (iv) On a corner site where the building fronts on the side yard facing the road, the minimum side yard abutting the road other than a lane shall be 5.5 m (18 ft.) and the minimum yard abutting the lane shall be 2.134 m (7 ft.).

4.6 Single Family Large Lot Residential (R-S) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Minor home occupations
 - (ii) Day homes
 - (iii) Public parks
 - (iv) Single family dwellings
 - (v) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Bed and breakfast establishments
 - (ii) Family care facilities
 - (iii) Group care facilities
 - (iv) Major home occupations
 - (v) Places of worship
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Secondary suites
 - (viii) Show homes
 - (ix) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (x) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth - 55 m (180.4 ft.)

- (b) Minimum site width
 - (i) internal sites – 22 m (72.2 ft.)
 - (ii) corner sites – 23.5 m (77.1 ft.)

- (c) Minimum site area – 1300 sq. m (13,993 sq. ft.)

(3) Development Regulations

- (a) Secondary suites will only be allowed where the site area of the subject lot is a minimum of 25% larger than the minima indicated in Subsection 2(c) above.

- (b) Maximum Site Coverage - 35%

- (c) Maximum Building Height – 10 m (32.8 ft.)

- (d) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which

the site is located; however, in no case shall the Development Authority allow a front yard of less than 7.5 m (24.6 ft.).

- (e) Minimum Required Side Yard
 - (i) Corner and double fronting sites – 4.5 m (14.8 ft.)
 - (ii) Other sites, 3 m (9.84 ft.).
 - (iii) Except as provided in subsection (i) above, corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
 - (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
 - (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

- (f) Minimum Required Rear Yard – 15 m (49 ft.)

- (g) Minimum Setback from Highways

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

- (h) Minimum Floor Area
 - (i) Single family dwellings
 - A. 1 storey – 116.25 sq. m (1250 sq. ft.)
 - B. 1½ storey and split level – upper floor – 46.5 sq. m (500 sq. ft.)
- lower floors – 93 sq. m (1000 sq. ft.)
 - C. 2 storey – upper floor – 65.0 sq. m (700 sq. ft.)
lower floor – 83.6 sq. m (900 sq. ft.)
 - (ii) Other uses - at the discretion of the Development Authority
- (i) Parking
 - (i) A parking area shall be provided to the rear or side of the dwelling.
 - (ii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.7 Two Family Residential (R-2) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Minor home occupations
 - (ii) Day homes
 - (iii) Public parks
 - (iv) Semi-detached dwellings
 - (v) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Bed and breakfast establishments
 - (ii) Duplexes
 - (iii) Family care facilities
 - (iv) Group care facilities
 - (v) Major home occupations
 - (vi) Places of worship
 - (vii) Public utilities that have no office or workshop as a part of the development
 - (vii) Single family dwellings
 - (viii) Show homes
 - (ix) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (x) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth - 33.5 m (110 ft.)

- (b) Minimum site width
 - (i) In the case of Road and Lane systems
 - A. internal sites – 9.8 m (32 ft.) for each dwelling unit
 - B. corner sites – 11.2 m (37 ft.) for each dwelling unit

 - (ii) In the case of Laneless systems
 - A. internal sites – 10.6 m (35 ft.) for each dwelling unit
 - B. corner sites – 12.2 m (40 ft.) for each dwelling unit

- (c) Minimum site area
 - (i) In the case of Road and Lane systems – 327 sq. m (3,520 sq. ft.) for each dwelling unit
 - (ii) In the case of Laneless systems – 357.6 sq. m (3,850 sq. ft.) for each dwelling unit

(3) Development Regulations

- (a) Single family dwellings shall only be allowed on lots which satisfy the requirements for single family dwellings in the R-1 District. In addition, single family dwellings shall be developed in such a manner as to satisfy all the regulations of the R-1 District.
- (b) Duplex dwellings shall only be allowed on lots which would satisfy the requirements for a pair of semi-detached dwellings.
- (c) Maximum Site Coverage - 40%
- (d) Maximum Building Height – 10 m (32.8 ft.)
- (e) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.) nor a front yard of more than 12.2 m (40 ft.).

- (f) Minimum Required Side Yard
 - (i) The minimum required side yard for each semi-detached dwelling unit (one half of a dwelling containing two such units) shall be nil on one side and a minimum of 1.5 m (4.9 ft.) on the other side, except that this may be reduced to 1.2 m (4 ft.) for a carport which is attached to the principal building, however, the principal building must maintain a side yard of a minimum of 1.5 m (4.9 ft.).
 - (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided at the front or side of the dwelling, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
 - (iii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
 - (iv) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.
 - (v) Verandahs, steps, porches, eaves, bay or oval windows, chimneys, and other appurtenances of a building shall not project more than 0.6 m (2 ft.) beyond into any required minimum side yard.

- (g) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.) or 23% of the depth of the lot, whichever is the greater, except in the case of a corner site, where the rear yard next to a lane may be reduced to 4 m (13 ft.).

- (h) Minimum Setback from Highways

Where development is adjacent to a Provincial Highway, there shall be a minimum setback of 63 m (206 ft.) between any dwelling unit and the highway right-of-way, except that this may be reduced by the Development Authority

when, in his sole opinion, sufficient landscaping and noise attenuation will be provided to mitigate the noise and impact of the Highway.

- (i) Minimum Floor Area
 - (i) Semi-detached dwellings – 74.3 sq. m (800 sq. ft.) for each dwelling unit
 - (ii) Other uses - at the discretion of the Development Authority

- (j) Parking
 - (i) In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling.
 - (ii) In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling.
 - (iii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.8 Medium Density Residential (R-3) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Day homes
 - (ii) Ground-oriented multiple unit dwellings (Row housing)
 - (iii) Minor home occupations
 - (iv) Public parks
 - (v) Buildings and uses accessory to permitted uses
- (b) Discretionary Uses
 - (i) Boarding and lodging houses
 - (ii) Duplexes
 - (iii) Family care facilities
 - (iv) Group care facilities
 - (v) Major home occupations
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Semi-detached dwellings
 - (viii) Senior citizens' homes
 - (ix) Single family dwellings
 - (x) Show homes
 - (xi) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (xii) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations for Ground-Oriented Multiple Unit Dwellings (Row Housing)

- (a) Minimum site depth – 33.5 m (110 ft.)
- (b) Minimum site width – 24.3 m (80 ft.)
- (c) Minimum site area – 818.4 sq. m (8800 sq. ft.)

(3) Subdivision and Development Regulations for Duplexes and Semi-Detached Dwellings

The subdivision and development regulations for duplexes and semi-detached dwellings shall be the same as for duplexes and semi-detached dwellings within the R-2 District.

(4) Subdivision and Development Regulations for Single Family Dwellings

The subdivision and development regulations for single family dwellings shall be the same as for single family dwellings within the R-1 District.

(5) Development Regulations for Ground-Oriented Multiple Unit Dwellings (Row Housing) and Other Uses

- (a) Maximum Site Coverage - 37%
- (b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 7.5 m (24.6 ft.) for a one (1) or two (2) storey building, 9.1 m (30 ft.) for a three (3) storey building, and 10.6 m (35 ft.) for a four (4) storey building.

- (c) Minimum Required Side Yard – 15% of the site width or one-half the height of the building, whichever is the greater, except, in no case shall side yard be less than 3.0 m (9.8 ft.) on interior sites and 4.5 m (15 ft.) on corner sites.
- (d) On corner sites, site lines shall be protected pursuant to Section 1.9 of Part 1 of Schedule B of this Bylaw.
- (e) Minimum Required Rear Yard – 7.5 m (24.6 ft.) or one half the height of the building, whichever is the greater.
- (f) Maximum Height – 10.6 m (35 ft.)
- (g) Maximum Density - 30 dwelling units per ha (12 per ac.) except, at his sole discretion the Development Authority may increase this density to a maximum of 34.6 per ha (14 per ac.) where special circumstances warrant the increase
- (h) Minimum Floor Area
 - (i) In ground-oriented multiple unit dwellings (row housing), per dwelling unit - 74 sq. m (797 sq. ft)
 - (ii) In senior citizens' homes – 42 sq. m (452 sq. ft.)
 - (iii) Other uses - at the discretion of the Development Authority
- (i) Minimum Proportion of Site Covered in Landscaping - 25%
- (j) Parking
 - (i) A parking area shall be provided for each development in a location satisfactory to the Development Authority.
 - (ii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

4.9 High Density Residential (R-4) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Apartments
 - (ii) Ground-oriented multiple unit dwellings (Row housing)
 - (iii) Minor home occupations
 - (iv) Public parks
 - (v) Buildings and uses accessory to permitted uses
- (b) Discretionary Uses
 - (i) Boarding and lodging houses
 - (ii) Convenience retail stores
 - (iii) Day homes
 - (iv) Family care facilities
 - (v) Group care facilities
 - (vi) Public utilities that have no office or workshop as a part of the development
 - (vii) Senior citizens' homes
 - (viii) Show homes
 - (ix) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (x) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site area - 880 sq. m (9472.2 sq. ft.)

(3) Development Regulations for Ground-Oriented Multiple Unit Dwellings (Row Housing)

The development regulations for ground-oriented multiple unit dwellings (row housing) shall be the same as for ground-oriented multiple unit dwellings (row housing) within the R-3 District.

(4) Development Regulations for Other Uses

- (a) Maximum Site Coverage - 25%
- (b) Maximum Height – 15.2 m (50 ft.) or four (4) storeys, whichever is the lesser
- (c) Maximum Density – 86.5 dwelling units per ha (35.0 per ac.)
- (d) Minimum Floor Area
 - (i) Dwelling unit - 55 sq. m (592 sq. ft)
 - (ii) Other uses - at the discretion of the Development Authority

(e) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 7.5 m (24.6 ft.) for a one (1) or two (2) storey building, 9.1 m (30 ft.) for a three (3) storey building, and 10.6 m (35 ft.) for a four (4) storey building.

(f) Minimum Required Side Yard – 15% of the site width or one-half the height of the building, whichever is the greater, except, in no case shall the side yard be less than 3.0 m (9.8 ft.) on interior sites and 4.5 m (15 ft.) on corner sites.

(g) On corner sites, site lines shall be protected pursuant to Section 1.9 of Part 1 of Schedule B of this Bylaw.

(h) Minimum Required Rear Yard – 7.5 m (24.6 ft.) or one half the height of the building, whichever is the greater.

(i) Minimum Proportion of Site Covered in Landscaping - 30%

(j) Parking

(i) A parking area shall be provided for each development in a location satisfactory to the Development Authority.

(ii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(k) In addition to the above, all development shall take place to the satisfaction of the Development Authority with respect to:

(i) provision of storage of garbage, and access thereto,

(ii) access for fire fighting purposes,

(iii) light between buildings,

(iv) privacy for dwelling units within and adjacent to the development,

(v) orientation of the buildings and the general appearance of the development, and

(vi) pedestrian access to and from the road adjacent to the development.

4.10 Manufactured Home Park Residential (R-MHP) District

(1) Permitted and Discretionary Uses

(a) Permitted Uses

- (i) Manufactured home units in manufactured home parks which have an approved development permit**
- (ii) Minor home occupations**
- (iii) Public parks**
- (iv) Buildings and uses accessory to permitted uses**

(b) Discretionary Uses

- (i) Convenience retail stores**
- (ii) Day homes**
- (iii) Manufactured home units in manufactured home parks which do not have an approved development permit**
- (iv) Manufactured home parks**
- (v) Places of worship**
- (vi) Public utilities that have no office or workshop as a part of the development**
- (vii) Show homes**
- (viii) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses**
- (ix) Buildings and uses accessory to discretionary uses**

(2) Subdivision Regulations

- (a) Minimum site area – 1.2 ha (3.0 ac.)**

(3) Development Regulations

(a) For a Manufactured Home Park:

- (i) Prior to consideration of a development permit for a manufactured home park, in addition to the information required pursuant to Section 3.4 of this Bylaw, the developer shall provide information specifying the obligations to be assumed by him respecting:
 - A. the establishment, operation and maintenance of service during the life of the manufactured home park for storm sewers and ditches, sanitary sewers, water supply facilities, power facilities, gas facilities, roadways, sidewalks, walkways, curbs, solid waste collection and disposal, snow clearance, firefighting, parks, playgrounds, buffers, and any other matter deemed reasonable\,**
 - B. standards of construction, and**
 - C. the period of time for completion of construction or installation.****
- (ii) As a condition of the approval of a development permit for a manufactured home park, the Development Authority may require that any**

or all of the obligations indicated in Subsection (i) above be undertaken by the developer to the satisfaction of the Development Authority.

- (iii) Maximum Density – 19.7 manufactured home units per ha (8 per ac.)
- (iv) Minimum required front yard - 7.5 m (24.6 ft.)
- (v) Minimum required side and rear yards - 4.5 m (14.8 ft.)
- (vi) A storage area shall be established for the storage of any furniture, domestic equipment, or seasonally used equipment which is not stored inside manufactured home units. This area shall be set aside and screened to the satisfaction of the Development Authority.
- (vii) All roadways within a manufactured home park shall be built and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.0 m (29.5 ft.).
- (viii) A safe, convenient, all season pedestrian walkway of at least 1.0 m (3.3 ft.) in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
- (ix) Visitor parking spaces shall be provided at a ratio of at least one (1) space for every three (3) manufactured home units. The visitor parking shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (x) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (xi) All municipal utilities shall be provided underground to stalls.
- (xii) A minimum of five percent (5%) of the gross site area shall be devoted to recreational use
- (xiii) All areas not occupied by manufactured home units and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority within one (1) year from the date of issuance of the development permit for a manufactured home park. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- (xiv) No part of the park shall be used for non-residential purposes except such uses as are required for a convenience retail store and for the management and maintenance of the park.
- (xv) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (xvi) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (xvii) (A) Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.

- (B) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (b) For a Manufactured Home Stall:
- (i) Minimum Stall Area – 371.6 sq. m (4000 sq. ft.)
 - (ii) Maximum Stall Coverage - 45%
 - (iii) Minimum Floor Area of a Manufactured Home Unit
 - (A) Single-wide manufactured home unit – 65 sq. m (700 sq. ft.)
 - (B) Double-wide manufactured home unit – 130 sq. m (1400 sq. ft.)
 - (iv) Minimum Required Yards within Stalls
 - (A) Front - 3.1 m (10.2 ft.)
 - (B) Side - 1.2 m (3.9 ft.)
 - (C) Rear - 3.1 m (10.2 ft.)
 - (v) Minimum Distance Between Manufactured Home Units - 4.5 m (14.8 ft.)
 - (vi) All accessory structures, such as patios, porches, additions and skirtings, shall be
 - (A) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units,
 - (B) considered as part of the main building, and
 - (C) erected only after obtaining a development permit.
 - (vii) A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home unit.
 - (viii) The maximum permitted floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit, and this relationship shall be determined by the Development Authority.
 - (ix) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit stall.
 - (x) The hitch and wheels are to be removed from the manufactured home unit.
 - (xi) All manufactured home units shall be placed on a foundation or base as required by the Development Authority. The manufactured home unit is to be attached by means of bolting or otherwise to the foundation or base.

4.11 Primary Commercial (C-1) District

(1) Permitted and Discretionary Uses

(a) Permitted Uses

- (i) Business support services establishments
- (ii) Commercial schools
- (iii) Eating and drinking establishments
- (iv) General retail establishments
- (v) Government services
- (vi) Health services
- (vii) Hotels
- (viii) Household repair services
- (ix) Indoor amusement establishments
- (x) Libraries and cultural exhibits
- (xi) Office uses
- (xii) Off-street parking lots
- (xiii) Personal service shops
- (xiv) Public parks
- (xv) Public uses
- (xvi) Public utilities that have no workshop as a part of the development
- (xvii) Veterinary clinics
- (xviii) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (i) Auctioneering establishments
- (ii) Automotive and minor recreation vehicle sales/rentals establishments
- (iii) Day care facilities
- (iv) Drive-in businesses
- (v) Dwelling units in buildings where there is a commercial use on the ground floor
- (vi) Entertainment establishments
- (vii) Equipment rental establishments
- (viii) Fleet services
- (ix) Funeral services
- (x) Limited contractor services
- (xi) Minor repair shops
- (xii) Motels
- (xiii) Private clubs
- (xiv) Public utilities that have a workshop as a part of the development
- (xv) Recreational facilities
- (xvi) Recycling depots
- (xvii) Service stations and gas bars
- (xviii) Workshops or places of manufacture provided that the goods created are specifically for the use of or for sale by a use listed as a permitted or a discretionary use in this District for which a development permit has been issued
- (xix) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(xx) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site depth – 30.5 m (100 ft.)
- (b) Minimum site width – 4.6 m (15 ft.)
- (c) Minimum site area – 139.5 sq. m (1500 sq. ft.)

(3) Development Regulations

- (a) The design, siding, external finish, architectural appearance and landscaping of all developments, including any accessory buildings and signs and any reconstruction shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent buildings and that there may be adequate protection afforded to the amenities of any adjacent residential uses.
- (b) Where groups of buildings are built, or buildings which are to accommodate a number of individual establishments on one site, development requirements shall be determined by the Development Authority having in mind the overall development and the parking requirements of this Bylaw.
- (c) Maximum Site Coverage - 100%, provided that adequate provision, in the opinion of the Development Authority, for access, parking, loading and garbage facilities.
- (d) Minimum Required Front Yard – None
- (e) Minimum Required Side Yard – None, unless the site abuts a Residential District, in which case the minimum required side yard shall be 2.4 m (8.0 ft.) or one-half the height of the building, whichever is the greater.
- (f) Minimum Required Rear Yard – None, except as required to provide loading, parking, or garbage facilities.
- (g) Maximum Height – 13.7 m (45 ft.), or the maximum height of a more restrictive abutting District.
- (h) Parking and Loading

Parking and loading shall be provided in accordance with Part 3 of this Schedule.
- (i) Landscaping

When a commercial use is proposed adjacent to a Residential District, a landscaped buffer shall be provided and maintained on the site of the commercial use between the commercial use and the Residential District. The buffer may be comprised of any or all of the following: landscaped green space, closed or open

fencing, trees, and/or earth berming. All details of the buffer, including its size, width, and components, shall be to the satisfaction of the Development Authority.

(j) Outdoor Storage

No outdoor storage shall be allowed in the C-1 District, even as an accessory use to a permitted or a discretionary use which is allowed.

(k) Dwelling Units

The following regulations shall apply to dwelling units within the C-1 District:

- (i) Dwelling units shall be allowed only in buildings where at least part of the first storey is used for commercial purposes.
- (ii) Dwelling units shall have access at grade which is separate from any access for any commercial use.
- (iii) Dwelling units shall meet the requirements for dwelling units in the High Density Residential (R-4) District, except for minimum site area, minimum required yards, and maximum site coverage, which shall all be at the sole discretion of the Development Authority.
- (iv) Where more than two (2) dwelling units are to be provided, a minimum of 7.5 sq. m (80.7 sq. ft.) of amenity area per dwelling unit shall be provided in accordance with the regulations of this Bylaw.

4.12 General Commercial (C-2) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Warehouse sales establishments
 - (ii) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Auctioneering establishments
 - (ii) Automotive and minor recreation vehicle sales/rentals establishments
 - (iii) Business support services establishments
 - (iv) Bus depots
 - (v) Car washes
 - (vi) Commercial schools
 - (vii) Day care facilities
 - (viii) Drive-in businesses
 - (ix) Dwelling units in buildings where there is a commercial use on the ground floor
 - (x) Eating and drinking establishments
 - (xi) Entertainment establishments
 - (xii) Equipment rental establishments
 - (xiii) Fleet services
 - (xiv) Funeral services
 - (xv) General retail establishments
 - (xvi) Government services
 - (xvii) Health services
 - (xviii) Hotels
 - (xix) Household repair services
 - (xx) Indoor amusement establishments
 - (xxi) Industrial vehicle and equipment sales/rentals establishments
 - (xxii) Libraries and cultural exhibits
 - (xxiii) Limited contractor services
 - (xxiv) Minor repair shops
 - (xxv) Motels
 - (xxvi) Office uses
 - (xxvii) Off-street parking lots
 - (xxviii) Personal service shops
 - (xxix) Private clubs
 - (xxx) Public parks
 - (xxxi) Public uses
 - (xxxii) Public utilities
 - (xxxiii) Recreational facilities
 - (xxxiv) Recycling depots
 - (xxxv) Self-service storage facilities
 - (xxxvi) Service stations and gas bars
 - (xxxvii) Truck and recreational vehicle sales/rentals establishments
 - (xxxviii) Trucking and cartage establishments
 - (xxxix) Veterinary clinics

- (xl) Workshops or places of manufacture provided that the goods created are specifically for the use of or for sale by a use listed as a permitted or a discretionary use in this District for which a development permit has been issued
- (xli) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (xlii) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.

(3) Development Regulations

- (a) The siting and architectural appearance of all developments and the landscaping of the site shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent developments and that there may be adequate protection afforded to the amenities of any adjacent residential uses.
- (b) Maximum Site Coverage - 100%, provided that adequate provision, in the opinion of the Development Authority, for access, parking, loading and garbage facilities.
- (b) Minimum Required Front, Side and Rear Yards
 - (i) The minimum required front, side and rear yards shall be as required in the C-1 District.
 - (ii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
 - (iii) On corner sites, site lines shall be protected pursuant to Section 1.14 of Part 1 of this Schedule.

- (c) Maximum Height – 13.7 m (45 ft.)

- (d) Landscaping

When a commercial use is proposed adjacent to a Residential District, a landscaped buffer shall be provided and maintained on the site of the commercial use between the commercial use and the Residential District. The buffer may be comprised of any or all of the following: landscaped green space, closed or open fencing, trees, and/or earth berming. All details of the buffer, including its size, width, and components, shall be to the satisfaction of the Development Authority.

- (e) Outdoor Storage

Outdoor storage shall be allowed in the C-2 District, but only as an accessory use to a permitted or a discretionary use which is allowed.

(f) **Parking and Loading**

Parking and loading shall be provided in accordance with Part 3 of this Schedule.

4.13 Highway Commercial (C-3) District

(1) Permitted and Discretionary Uses

(a) Permitted Uses

- (i) Automotive and minor recreational vehicles sales/rentals establishments
- (ii) Convenience retail stores
- (iii) Drive-in businesses
- (iv) Eating and drinking establishments
- (v) Highway commercial uses
- (vi) Hotels
- (vii) Motels
- (viii) Private clubs
- (ix) Public parks
- (x) Service stations and gas bars
- (xi) Veterinary clinics
- (xii) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (i) Animal hospitals
- (ii) Auctioneering establishments
- (iii) Business support services establishments
- (iv) Bus depots
- (v) Car washes
- (vi) Commercial schools
- (vii) Day care facilities
- (viii) Dwelling units in buildings where there is a commercial use on the ground floor
- (ix) Entertainment establishments
- (x) Equipment rental establishments
- (xi) Fleet services
- (xii) Funeral services
- (xiii) General retail establishments
- (xiv) Government services
- (xv) Health services
- (xvi) Household repair services
- (xvii) Indoor amusement establishments
- (xviii) Industrial vehicle and equipment sales/rentals establishments
- (xix) Institutional uses
- (xx) Libraries and cultural exhibits
- (xxi) Limited contractor services
- (xxii) Minor repair shops
- (xxiii) Office uses
- (xxiv) Off-street parking lots
- (xxv) Personal service shops
- (xxvi) Public uses
- (xxvii) Public utilities
- (xxviii) Recreational facilities
- (xxix) Recreational trailer parks

- (xxx) Recycling depots
- (xxxi) Self-service storage facilities
- (xxxii) Truck and recreational vehicle sales/rentals establishments
- (xxxiii) Trucking and cartage establishments
- (xxxiv) Warehouse sales establishments
- (xxxv) Workshops or places of manufacture provided that the goods created are specifically for the use of or for sale by a use listed as a permitted or a discretionary use in this District for which a development permit has been issued
- (xxxvi) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (xxxvii) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to allow for the clustering of a variety of uses in a compact area.

(3) Development Regulations

- (a) The siting and architectural appearance of all developments and the landscaping of the site shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent developments and that there may be adequate protection afforded to the amenities of any adjacent residential uses.
- (b) Maximum Site Coverage - 40%
- (c) Minimum Required Front Yard – 7.6 m (25 ft.)
- (d) Minimum Required Side Yard
 - (i) The minimum required side yard shall be 10% of the width of the site or 4.5 m (15 ft.), whichever is the less. The minimum required side yard may be reduced to 1.5 m (5 ft.) provided, in his sole opinion of the Development Authority, the location of buildings and the appearance of the site would be improved.
 - (ii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
 - (iii) On corner sites, site lines shall be protected pursuant to Section 1.9 of Part 1 of this Schedule.
- (e) Minimum Required Rear Yard – 7.6 m (25 ft.) when adjacent to a Residential District; otherwise, 6.0 m (19.7 ft.) at the level of the first storey of the development. Upper storeys of a development may extend to the rear line except in a site abutting a Residential District. Where not adjacent to a Residential District, the minimum required rear yard may be reduced to 1.5 m (5 ft.) provided, in the sole opinion of the Development Authority, the location of the buildings and the appearance of the site would be improved.

(f) Maximum Height – 13.7 m (45 ft.)

(g) Parking and Loading

Parking and loading shall be provided in accordance with Part 3 of this Schedule.

4.14 Industrial (M-1) District

(1) Permitted and Discretionary Uses

(a) Permitted Uses

- (i) Automotive and equipment repair shops
- (ii) Business support services establishments
- (iii) Equipment rental establishments
- (iv) Fleet services
- (v) Industrial vehicle and equipment sales/rentals establishments
- (vi) Limited contractor services
- (vii) Public uses
- (viii) Veterinary clinics
- (ix) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (i) Agricultural industry
- (ii) Animal hospitals
- (iii) Auctioneering establishments
- (iv) Automotive and minor recreational vehicles sales/rentals establishments
- (v) Bus depots
- (vi) Car washes
- (vii) Commercial schools
- (viii) Convenience retail stores
- (ix) Drive-in businesses, not including drive-in restaurants
- (x) A dwelling unit as an accessory use to an approved permitted or discretionary use
- (xi) Eating and drinking establishments
- (xii) Entertainment establishments
- (xiii) Funeral services
- (xiv) General contractor services
- (xv) General industrial uses
- (xvi) Government services
- (xvii) Health services
- (xviii) Household repair services
- (xix) Indoor amusement establishments
- (xx) Major utility services
- (xxi) Medium industrial uses
- (xxii) Minor repair shops
- (xxiii) Office uses
- (xxiv) Outdoor amusement establishments
- (xxv) Outdoor storage
- (xxvi) Private clubs
- (xxvii) Public utilities
- (xxviii) Recycling depots
- (xxix) Self-service storage facilities
- (xxx) Small animal breeding and boarding establishments
- (xxxi) Truck and recreational vehicle sales/rentals establishments
- (xxxii) Trucking and cartage establishments

- (xxxiii) Warehouse sales establishments
- (xxxiv) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (xv) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site area – 650 sq. m (6996 sq. ft.)

(3) Development Regulations

- (a) Maximum Site Coverage – 60%
- (b) Minimum Required Front Yard – 6.0 m (19.7 ft.), unless a greater yard is deemed necessary by the Development Authority. No loading or storage area shall be allowed within the required minimum front yard.
- (c) Minimum Required Side Yard
 - (i) The minimum required side yard shall be 6.0 m (20 ft.) on one side and 1.5 m (5 ft.) on the other for a building up to a height of 4.5 m (15 ft.). For a building over 4.5 m (15 ft.), the minimum required side yard shall be increased by 0.3 m (1 ft.) for every 1.0 m (3.3 ft.) of height up to a maximum requirement of 6.0 m (19.7 ft.).
 - (ii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 1.14 of Part 1 of this Schedule.
 - (iii) On corner sites, site lines shall be protected pursuant to Section 1.9 of Part 1 of this Schedule B.
- (d) Minimum Required Rear Yard – 6.0 m (20 ft.), except that where the rear yard is adjacent to a Public Utility Lot, the Development Authority may reduce the required rear yard.
- (e) Maximum Height – 13.7 m (45 ft.)
- (f) Setbacks from Pipelines and Utilities
 - (i) No building shall be located within 15.2 m (50 ft.) of the centreline of a pipeline or the centreline of a pipeline right-of-way, whichever is the lesser.
 - (ii) No building shall be located within 5.2 m (17 ft.) of a railroad right-of-way.
 - (iii) No building shall be located within 7.6 m (25 ft.) of the centreline of a utility within an easement.
- (g) Access
 - (i) Each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections, all in the opinion of the Development Authority.
 - (ii) No site shall have more than one access or approaches to any road.

(h) Parking and Loading

Parking and loading shall be provided in accordance with Part 3 of this Schedule.

(i) Outdoor Storage and Waste Management Facility

All outdoor storage and the waste management facility on any development site shall be screened where visible from an adjacent Residential District or a Provincial Highway to the satisfaction of the Development Authority.

(j) Landscaping

All yards shall be landscaped with trees, shrubs and planted ground cover in accordance with plans approved by the Development Authority.

(k) Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(l) Regulations for Dwelling Units

(i) All regulations for dwelling units shall be at the discretion of the Development Authority.

(ii) All dwelling units shall be developed in such a manner as to satisfy all regulations established under the Safety Codes Act and any other provincial regulation or legislation.

4.15 Semi-Public (SP) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Institutional uses
 - (ii) Places of worship
 - (iii) Public education facilities
 - (iv) Public parks
 - (v) Recreational facilities
 - (vi) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (i) Cemeteries
 - (ii) Day care facilities
 - (iii) Exhibition and convention facilities
 - (iv) Extended medical treatment facilities
 - (v) Government services
 - (vi) Group care facilities
 - (vii) Health services
 - (viii) Libraries and cultural exhibits
 - (ix) Private clubs
 - (x) Protective and emergency services
 - (xi) Public uses
 - (xii) Recreational trailer parks
 - (xiii) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (xiv) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.

(3) Development Regulations

- (a) All site regulations shall be at the discretion of the Development Authority.
- (b) The Development Authority shall require that the design, siting, landscaping, screening and buffering of any development minimize and compensate, in his sole opinion, for any objectionable aspects or potential incompatibility with development in abutting Districts.
- (c) In considering whether or not to approve a development application for a discretionary use, the Development Authority shall evaluate the proposal in terms of its scale and the extent to which it is, in his sole opinion, consistent with, and not prejudicial to, the overall purpose of this District.

4.16 Urban Reserve (UR) District

(1) Permitted and Discretionary Uses

- (a) Permitted Uses
 - (i) Limited agriculture
 - (ii) Buildings and uses accessory to permitted uses
- (b) Discretionary Uses
 - (i) Agricultural industry
 - (ii) Greenhouses and plant nurseries
 - (iii) Major and minor home occupations
 - (iv) Public parks
 - (v) Public uses
 - (vi) Single detached dwellings
 - (vii) Small animal breeding and boarding establishments
 - (viii) Utility services
 - (ix) Temporary uses which, in the sole opinion of the Development Authority, will not prejudice the possibility of conveniently and economically subdividing or developing the site in the future
 - (x) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (xi) Buildings and uses accessory to discretionary uses

(2) Subdivision Regulations

- (a) Minimum site area – 8 ha (19.8 ac.)
- (b) Notwithstanding Subsection (a) above, a subdivision of an existing family dwelling may be allowed provided that the lot is a minimum of 0.2 ha (0.5 ac.) and a maximum of 4.0 ha (10 ac.) in area. The single family dwelling shall be fully constructed and habitable prior to a favourable decision on the subdivision application being rendered by the Subdivision Authority. Only one such lot shall be allowed on a quarter section.

(3) Development Regulations

- (a) Maximum Height – 11 m (36.1 ft.), except in the case of buildings which are part of or accessory to extensive agriculture other than a dwelling.
- (b) All other site regulations shall be at the discretion of the Development Authority.
- (c) The Development Authority may specify the length of time any use is approved in this District, having regard to the servicing and future development of the subject area.

SCHEDULE C

SCHEDULE OF SIGN REGULATIONS

In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:

1.1 General Regulations

- (1) Signs will only be allowed within Districts as indicated in this Schedule.
- (2) The Development Authority may refer to Council for its consideration of a resolution on the removal, repair or renovation of any sign which in his opinion is, or has become unsightly, or is in such a state of disrepair as to constitute a hazard. The Development Authority shall issue an order pursuant to the Act where Council has made a resolution.
- (3) Minimum yard requirements shall be observed for any sign located on a parcel and, at the discretion of the Development Authority, the sign shall not be further than 30 m (98.4 ft.) from the principal building. No sign shall be of such size or design as to, in the opinion of the Development Authority, obstruct the vision of persons using roads abutting the parcel.
- (4) In any District where a place of worship or school or other public institution is allowed, one sign of not more than 2 sq. m (21.5 sq. ft.) in area shall be allowed to be erected on the parcel occupied by the place of worship, school or public institution. Notwithstanding Subsection (3) above, such a sign shall be located no closer than 1.5 m (4.9 ft.) from any property boundary. At the discretion of the Development Authority, a second or third sign may be allowed, provided that all signs are on different roads.
- (5) No sign shall be erected which would be in view of the public from public or private property except where a permit specifying allowed locations has been granted, or where a permit for such a sign is not required pursuant to this Bylaw.
- (6) Quality, aesthetic character, and finishing of sign construction shall be to the satisfaction of the Development Authority.
- (7) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 35 sq. m (376.75 sq. ft.).
- (8) Notwithstanding any other regulations of this Bylaw, where, in the opinion of the Development Authority, a proposed sign in a Commercial or an Industrial District might be objectionable to a resident in an adjacent Residential District, the Development Authority may impose such other regulations as he feels would protect the interests of residents.
- (9) Flashing, animated or interiorly illuminated signs shall not be allowed in developments where, in the opinion of the Development Authority, they might

- (a) affect residents in adjacent housing or Residential Districts, or
 - (b) interfere with the interpretation of traffic signs or controls.
- (10) Public information signs may be allowed at the discretion of the Development Authority in Commercial or Industrial Districts only, provided that the other regulations of this Schedule apply.
- (11) Buildings fronting on more than one road may not combine allowable signs for one frontage with another frontage for the purposes of placing the combined area or types of signs on one frontage.
- (12) Notwithstanding any other provision in this Bylaw to the contrary, any identification wall signs with non-illuminated letters up to but not exceeding 7.5 cm (2.9 in.) in height or 0.4 sq. m (4.3 sq. ft.) in area are allowed in addition to regulated signs, but only in the Districts where signs are allowed.

1.2 Freestanding Signs

- (1) Freestanding signs may be allowed, at the discretion of the Development Authority, in Commercial and Industrial Districts and in the Semi-Public (SP) District, but only as accessory uses to approved developments.
- (2) Freestanding signs may be allowed in the Urban Reserve (UR) District at the discretion of the Development Authority.
- (3) Freestanding signs may be allowed in the R-3, R-4 and R-MHP Districts at the discretion of the Development Authority.
- (4) All freestanding signs shall be anchored or otherwise attached into the ground.
- (5) A maximum of one (1) freestanding sign may be allowed per site except:
- (a) where a site has in excess of a 90 m (295.3 ft.) frontage, one (1) additional freestanding sign may be erected for each additional 90 m (295.3 ft.) or portion thereof of frontage abutting the developed portion of the said site, or
 - (b) where a site is considered by the Development Authority to be a double fronting site, each frontage may have freestanding signs providing that the freestanding signs are at least 90 m (295.3 ft.) apart.
- (6) The total sign area of all freestanding signs on a site shall not exceed 0.3 sq. m (3.2 sq. ft.) in area for each lineal metre of frontage, to a maximum of 19 sq. m (204.5 sq. ft.).

1.3 Projecting Signs

- (1) Projecting signs may be allowed, at the discretion of the Development Authority, only in Commercial and Industrial Districts and in the Semi-Public (SP) District, but only as accessory uses to approved developments.

- (2) No projecting sign shall project over another site, a road, or a lane or across the boundaries of a lot unless permission in writing has been granted by the owner of the adjacent lot.
- (3) Projecting signs on the same development shall be located at least 90 m (295.3 ft.) apart, except on corner lots where the signs are located around the corner from each other.
- (4) No projecting sign shall extend more than 3.0 m (9.8 ft.) beyond a property line or within 0.6 m (1.97 ft.) of an existing or proposed curb.
- (5) A projecting sign shall have a vertical clearance of a minimum of 3 m (9.8 ft.) from grade.

1.4 Off-Site Signs

- (1) Off-site signs may be allowed, at the discretion of the Development Authority, only in all Commercial and Industrial Districts and in the Semi-Public (SP) District, but only as accessory uses to approved developments.
- (2) Freestanding signs may be allowed in the Urban Reserve (UR) District, at the discretion of the Development Authority.
- (3) At the discretion of the Development Authority, off-site signs may be erected on ground, roof, or wall locations subject to the following conditions:
 - (a) On the same road and facing the same traffic flow, signs shall not be placed closer together than 90 m (295.3 ft.). Double face signs shall be considered to face both directions of flow.
 - (b) The maximum size of the sign shall be at the discretion of the Development Authority, but shall not exceed 28 sq. m (301 sq. ft.).
 - (c) Where the back of the sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
 - (d) The area around signs shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) to the rear and sides of the signs and the front property line, and, if on a corner site, to both property lines.
 - (e) No part of a sign shall be closer to any property line adjacent to a road than the front of the nearest building within 30 m (98.4 ft.) of it, except where a sign is located between two buildings that are within 30 m (98.4 ft.) of the said sign in which case no part shall be closer to any property line adjacent to a road than a line drawn from the nearest front corner of the two buildings.
 - (f) No part of any sign that is located in such a manner as to face or be visible from a highway and which is located within 200 m (656 ft.) of the edge of the highway's pavement shall be more than 7.5 m (24.6 ft.) above the grade of the highway or 15 m (49.2 ft.) above the grade of the site of the sign, whichever is the higher.

1.5 Portable Signs

- (1) Portable signs may be allowed, at the discretion of the Development Authority, in all Districts except Residential Districts.
- (2) No portable sign shall be located on any lane or road right-of-way.
- (3) No more than one (1) portable sign shall be located on a site except that the Development Authority may, at his sole discretion, allow a second portable sign on a site on a temporary basis to announce a special event, sale, or time limited function.
- (4) Notwithstanding Subsection (3) above, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is located closer to another than 15.0 m (49.2 ft.).
- (5) The Development Authority may specify the length of time that a permit for a portable sign remains in effect; however, the maximum length of time shall be three (3) months. At the end of the approval period, an application for an extension may be made, but it shall be considered a new development permit application for a new development permit.
- (6) Portable signs shall not be placed on a site so as to cause a traffic hazards, or to conflict with or take up space for parking, loading, or walkways.
- (7) No person shall locate a temporary sign within 6 m (19.6 ft.) of the curb of a double fronting or corner lot unless otherwise allowed by the Development Authority.
- (8) Inflatable portable signs shall be securely grounded and located a minimum of 10 m (32.8 ft.) from utilities, lanes, and road rights-of-way.

1.6 Roof Signs

- (1) Roof signs may be allowed, at the discretion of the Development Authority, only in all Commercial and Industrial Districts and in the Semi-Public (SP) District, but only as accessory uses to approved developments.
- (1) Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself.
- (2) No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (3) All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the building on which the roof sign is located.

1.7 Wall Signs

- (1) Wall signs may be allowed, at the discretion of the Development Authority, only in all Commercial and Industrial Districts and in the Semi-Public (SP) District, but only as accessory uses to approved developments.
- (2) Notwithstanding any other regulation in this Bylaw:
 - (a) where an advertiser has no freestanding, roof, or projecting sign on the same site, 45% of the wall sign or permitted background area may be used for the area of copy,
 - (b) where an advertiser has a freestanding sign, but no roof or projecting sign on the same site, 30% of the wall sign or permitted background area may be used for the area of copy, and
 - (a) where an advertiser has a projecting or roof sign, but no freestanding sign on the same site, 15% of the wall sign or permitted background area may be used for the area of copy,

1.8 Signs in Residential Districts

- (1) Except as provided in Subsections (2) and (3) below, no sign shall be allowed in Residential Districts except for places of worship, schools or other public institutions and except for signs advertising residential property for sale, either specifically, or in relation to a neighbourhood or community.
- (2) An approved major home occupation may display a sign, not larger than 0.2 sq. m (2.15 sq. ft.) on the dwelling. The sign, if outside, shall be placed flat against the wall of the dwelling or from the inside of a window of the dwelling.
- (3) Name or number signs shall have a surface area of no more than 0.3 sq. m (3 sq. ft.).
- (4) One (1) freestanding sign per site may be allowed for the purpose of identifying the name of a multi-family dwelling, a manufactured home park, or a boarding or lodging house, provided the sign area does not exceed 1.0 sq. m (10.76 sq. ft.).

1.9 Signs in Commercial and Industrial Districts

- (1) For each office building, one identification sign only shall be allowed, which sign shall not exceed 3 sq. m (32.3 sq. ft.) in area.
- (2) One wall sign only shall be allowed to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a total area of 0.9 sq. m (9.7 sq. ft.) of copy for each lineal metre of building occupancy.
- (3) If the occupancy is on a corner, one wall sign shall be allowed for each face.

- (4) If the building includes a canopy, each occupancy shall be allowed one under canopy sign of no more than 0.5 sq. m (5.4 sq. ft.).

1.10 Signs Adjacent to Highway Rights-of-Way

- (1) In addition to any other regulations of this District applicable to a particular sign, any sign located on a lot which is adjacent to a highway right-of-way and any other sign which is directed towards highway traffic, together with any sign which is designed, located and/or oriented so as to be visible from a highway shall be subject to any jurisdiction of Alberta Transportation that Alberta Transportation cares to effect.