

**BY-LAW #6-2010
OF THE
TOWN OF VERMILION
(hereinafter referred to as the “Municipality”)
IN THE PROVINCE OF ALBERTA**

**BEING A BY-LAW OF THE TOWN OF VERMILION
TO AMEND BY-LAW NO. 1-2006 PROVIDING FOR
THE LAND USE IN THE TOWN OF VERMILION**

WHEREAS, the Council of the Town of Vermilion deems it advisable to amend By-Law 1-2006 to provide for general provisions and a definition for “Shipping Containers”.

AND WHEREAS it is Council’s intention to pass the By-Law and to hold a Public Meeting, which will be published in the Vermilion Standard on March 24 and 31, 2010.

AND WHEREAS a Public Meeting is to be held on April 6, 2010 at the Town Hall and all persons and groups who wish to make a presentation to Council will be heard.

NOW THEREFORE, the Council of the Town of Vermilion, duly assembled, enacts as follows:

1. That Schedule B, Part 1 General Provisions of By-Law 1-2006 be amended by adding the following:

20. Shipping Containers

- (1) Shipping containers are discretionary and shall only be considered as an accessory use to a legal primary use in the CB, C1, C2, C3, C4, IL, IMH, P, I and UR districts. Shipping containers are prohibited in all other districts.
- (2) Shipping containers are considered accessory buildings and are to be used for cold storage purposes only, excluding dangerous or hazardous materials or containers. Containers shall not be used as a dwelling nor shall they have services connected to them.
- (3) Prior to the Development Authority accepting an application for a Development Permit for a shipping container, colour photographs of all four sides of the proposed container(s) shall be provided.
- (4) In addition to obtaining a Development Permit a Building Permit must also be obtained.
- (5) Shipping containers shall not be stacked one upon another.
- (6) All approved shipping containers shall be located in the rear or side yards only and shall not be permanently fixed to the ground nor project beyond the front face of the principal building on the subject lot.
- (7) Shipping containers must have an exterior finish to match or compliment the exterior finish of other buildings on the subject property and/or be screened from view to the satisfaction of the Development Authority. If the exterior finish is not acceptable the Development Authority may require the container be painted to match the surrounding building colours. Note: Addition of

exterior cladding materials or structural alterations to the container may affect the required separation distances.

- (8) Shipping containers must be kept clean and well maintained and must comply with all other applicable provisions contained within the current Land Use Bylaw. Any breach of these conditions may result in the cancellation of the Development Permit and removal of the container at the owner's expense.
- (9) The maximum number of containers that may be allowed per lot is as follows:
 - i) less than 0.40 ha (1.0 acre) – 2 containers
 - ii) 0.41 ha (1.01 acres) to 1.21 ha (3.0 acres) – 3 containers
 - ii) 1.22 ha (3.01 acres) or more – maximum 5 containers

The above also applies where containers are being sold or rented as part of an authorized business.

- (10) Contractors licensed to operate within the Town of Vermilion may use shipping containers in any zoning district, excluding Residential, for the storage of equipment and materials during the period of construction at the construction site subject to the following:
 - i) The construction must have an approved Development Permit issued by the Town.
 - ii) The container shall be removed from the property no later than seven (7) calendar days after completion of the project.
 - iii) If construction ceases for a period of thirty (30) days or is abandoned, the shipping container shall be removed no later than seven (7) days after notice to remove is issued by the Town.
- (11) Non-permitted containers in existence prior to implementation of this bylaw will be required to obtain a Development Permit and may require alterations with regard to the appearance, screening and/or placement of the container on the subject lot. Containers in contravention of this section will be removed at the owner's expense.

- 2. That Part One – General, Section 3 Interpretation of By-law 1-2006 be amended to add the following definition:

“Shipping Container” means a container that is new or was formerly used for transport of goods by means or rail, truck or sea. These containers are rectangular in shape and are generally made of metal also referred to as a sea cargo container, sea can or cargo container. When used for any other purpose other than transporting freight, a shipping container is considered a structure.

