

TOWN OF VERMILION

LAND USE BY-LAW

BY-LAW 1-2006

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BY-LAW 13-96

LAND USE BY-LAW

Pursuant to the Municipal Government Act, 1994, as amended, the Council of the Town of Vermilion duly assembled, hereby enacts as follows:

PART ONE - GENERAL

1. Title

The title of this By-law shall be the Land Use By-law of the Town of Vermilion.

2. Purpose

The purpose of this By-law is to prohibit or 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.
- (5) to establish the number of dwelling units permitted on a parcel of land.

3. Interpretation

In this By-law

- (1) "Accessory building: means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land.
- (2) "Accessory use" means a use customarily incidental and subordinate to the main use or building and is located in the same parcel of land with such main use or building.
- (3) "Act" means the Municipal Government Act, 1994, as amended.
- (4) "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;
 - (b) any other land identified in this By-law as adjacent for the purpose of satisfying Part One, Section 14(4) of this By-law.
- (5) "Adult mini-theatres" means establishments or any part thereof, where, for any form of consideration, live entertainment, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are shown as a main use, or are shown as an accessory use to some other business activity which is conducted on the premises, and where individual viewing areas or booths have a seating capacity of 10 persons or less.
 - (6) "Apartment building" means development comprised of three or more dwelling units contained within a building having shared entrance facilities in which the dwellings are arranged in any horizontal or vertical configuration and which does not conform to the definition of any other residential use.
 - (7) "Basement suite" means a self-contained dwelling unit, in the basement of a one family dwelling, having a common access with a dwelling unit on the main floor.
 - (8) "Bed and breakfast" means a development within a dwelling which shall not change the principal or external appearance of the dwelling where temporary sleeping accommodations up to a maximum of five (5) bedrooms, with or without meals, are provided for remuneration to members of the public.
 - (9) "Boarding house" means a development within a dwelling which shall not change the principal or external appearance of the dwelling where temporary sleeping accommodations up to a maximum of five (5) bedrooms, with or without meals, are provided for remuneration to members of the public.
 - (10) "Building" includes 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.
 - (11) "Building height" means the vertical distance measured from the average grade level at the subject building to the higher of the highest point of a flat roof, or the average level between the eaves of the subject building and the top ridge of a pitched roof on the subject building. This dimension shall be exclusive of any accessory roof construction such as a chimney, steeple or antenna.
 - (12) "Corner lot" means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane.
 - (13) "Council" means the Council of the Town of Vermilion.

- (14) "Day care" means a provincially licensed child care facility operated from a building or a portion thereof used for the provision of care, maintenance and supervision of seven (7) or more children under the age of fifteen (15) years, by persons unrelated to the children by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours. For the purposes of this definition, a day care shall include all day-care centres, nurseries, and after school or baby-sitting programmes which satisfy this definition. However, this definition shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division.
- (15) "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.
- (16) "Deck" means any open structure attached to the main dwelling having a height greater than 0.61 m (2.0 ft.) above ground level, and thereby requiring stairs and railings as outlined in the Alberta Building Code. A deck shall not have a roof or walls higher than 1.25 m (4.1 ft.).
- (17) "Development" means:
- (a) an excavation or stockpile and the creation of either of them;
 - (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;
 - (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;
 - (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;
 - (e) the demolition or removal of a building;
 - (f) the placement of an already constructed or a partially constructed building on a parcel of land.
- (18) "Development Authority" means the Development Authority established by the municipality's Development Authority By-law and appointed by Council.
- (19) "Development permit" means a document authorizing a development issued pursuant to this By-law.
- (20) "Discretionary use" means the use of land or a building provided for in this By-law for which a development permit may be issued upon an application having been made.

- (21) "Drinking and eating establishment" means premises where patrons may consume alcoholic beverages and/or food on site - the consumption of alcoholic beverages being the primary activity. A drinking and eating establishment does not include such premises when contained as part of a hotel or motor hotel.
- (22) "Duplex" means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other.
- (23) "Dwelling" means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include one family dwellings, duplexes, row housing, and apartments, but shall not include manufactured home units of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation.
- (24) "Dwelling unit" means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking 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 a household, and which is not separated from direct access to the outside by another separate dwelling unit.
- (25) "Family care facility" means a facility which provides resident service in a dwelling to six (6) or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, group homes and family homes.
- (26) "Fourplex" means a development comprised of four (4) dwelling units each having a separate direct entrance from grade or landscaped area.
- (27) "Front line" means the boundary line of a parcel of land lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line.
- (28) "Front yard" means a yard extending across the full width of a parcel of land from the front line to the leading wall of the main building situated on the parcel of land. In the case of a curved front line, the front yard will also form a curve.
- (29) "Gross floor area" means the total area of all floors of all buildings including accessory buildings located on any parcel of land, excluding the area of basement floors, EXCEPT THAT all dwelling units in apartment buildings shall be included in the calculation of gross floor area.
- (30) "gross floor area ratio" means the ratio or decimal resulting from dividing the gross floor area of all buildings by the total area of the parcel of land on which the buildings are located.

- (31) "Group care facility" means a facility which provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals are handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities and foster or boarding homes.
- (32) "Group home" means a building or portion of a building used for the care of rehabilitation of children, adolescents or adults.
- (33) "Home occupation" means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small sign as provided for in Section 1 of Part 2 of Schedule B of this Bylaw. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - home occupations - major and home occupations - minor - with specific regulations for each as indicated in Section 1 of Part 2 of Schedule B of this Bylaw. A home occupation - major does not include any business, occupation, trade, profession, or craft in which more than one employee, other than the occupant of the dwelling and the occupant's family, comes to or works in the dwelling.
- (34) "Household" means:
- (a) a person, or
 - (b) two (2) or more persons related by blood, marriage, or adoption, or
 - (c) a group of not more than three (3) 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;
- (35) "Lane" means a road 7.6 m (24.9 ft.) or less in width.
- (36) "Leading wall" means the outermost part of a wall, including any bay window or cantilevered section of wall, the outer wall of a fireplace chase, etc.
- (37) "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.
- (38) "Main building" means a building in which is conducted the main or principle use of the parcel of land on which it is erected.
- (39) "Manufactured home unit" means a structure that conforms to CSA provisions, is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as dwelling accommodation for a single household. This definition shall include a building that would otherwise be considered to be a one family dwelling if the roof pitch were greater than 1:4, if the depth of eaves were greater than 30.4 cm (12 in.), or if the ratio of depth vs. width (or width vs. depth) were less than 3:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (12 in.), or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home unit. For the purpose of this By-law, two types of manufactured home units may, from time to time, be distinguished, as follows:
- (a) "manufactured home unit, single-wide" means a manufactured home unit consisting of a single unit designed to be towed in a single load;
- (b) "manufactured home unit, double-wide" means a manufactured home unit consisting of two sections separately towable, but designed to be joined together at the site to form one dwelling unit;
- (40) "Manufactured home park" means any lot on which two 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, which complies with relevant government regulations governing manufactured home parks.
- (41) "Modular unit" means a prefabricated or factory built frame or shell which comprises of a wall or siding of a proposed dwelling, more specifically, a modular unit may represent only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side by side or vertically and completed to form one or more complete dwelling units for year round occupancy.
- (42) "Municipality" means the Town of Vermilion.
- (43) "Neighbourhood shopping centre" means a building or group of buildings, containing retail and commercial operations of the convenience type (eg: grocery store, personal services, bank etc.).

- (44) "Non-conforming building" means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use by-law or any amendment thereof affecting the building or the land on which the building is situated becomes effective;
 - (b) that on the date the land use by-law becomes effective does not, or when constructed will not, comply with the land use by-law;
- (45) "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 by-law affecting the land or building becomes effective;
 - (b) that on the date the land use by-law becomes effective does not, or in the case of a building under construction will not, comply with the land use by-law.
- (46) "One family dwelling" means a dwelling consisting of one (1) dwelling unit and, if the provisions of this By-law allow, a basement suite.
- (47) "Owner" means:
- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land;
 - (b) in the case of any other land:
 - i. the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title;
 - ii. in the absence of a person described in subsection (i), the person shown as the owner of a parcel of land on the municipality's assessment roll.
- (48) "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.
- (49) "Patio" means any developed surface adjacent to the main dwelling which is less than 0.61 m (2.0 ft.) above ground level and therefore does not require stairs or railings as outlined in the Alberta Building Code.

- (50) "Peace officer" means a member of the Royal Canadian Mounted Police, a member of a municipal police service, a Special Constable appointed by the town of Vermilion pursuant to the provisions of the Police Act, RSA 2000, c.P-17, as amended or repealed and replaced from time to time, or a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act.
- (51) "Permitted use" means the use of land or a building provided for in this By-law for which a development permit shall be issued upon an application having been made.
- (52) "Personal service shop" means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, tailors, dress makers, shoe repair shops, dry cleaners and massage therapists.
- (53) "Public utility" means a public utility, as defined in the Act.
- (54) "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.
- (55) "Rear line" means the boundary line of a parcel of land lying opposite to the front line of the parcel and/or farthest from a highway or road.
- (56) "Rear yard" means a yard extending across the full width of a parcel of land from the leading wall of the main building situated on the parcel to the rear line of the parcel of land.
- (57) "Rentable unit" means a separate unit of a motel used or intended to be used for the temporary dwelling accommodation of one or more persons.
- (58) "Restaurant" means premises where patrons may consume food on site. The consumption of alcoholic beverages may also be allowed, but as a secondary activity.
- (59) "Row housing" means a dwelling or dwellings, each of which consists of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment".
- (60) "Shopping centre" means a building or a group of buildings, comprising retail commercial and similar uses, with shared off-street parking facilities, and which may be managed as a single unit.
- (61) "Side line" means the boundary line of a parcel of land lying between a front line and a rear line of a parcel of land. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side line.
- (62) "Side yard" means a yard extending from the leading wall of the main building situated on a parcel of land to the side line, and lying between the front and rear yards on the parcel of land.

- (63) "Site" means a lot, a part of a lot, or a number of lots located adjacent to one another which are considered for a single use or a mixture of uses, which is owned or managed as a single unit.
- (64) "Stacked row housing" means development consisting of Row Housing, except that the dwellings may be arranged two deep, either vertically so that the dwellings may be placed over others, or horizontally so that dwellings may be attached at the rear as well as at the side. Each dwelling unit shall have separate access, not necessarily directly to grade, provided that no more than two dwellings may share access to grade.
- (65) "Stall" means an area of land upon which a manufactured home unit is to be located, and which is reserved for the exclusive use of the residents of that particular manufactured home unit, located within a manufactured home park.
- (66) "Subdivision and Development Appeal Board" means the Subdivision and Development Appeal Board established by the Council by the Subdivision and Development Appeal Board By-law adopted pursuant to the Act.
- (67) "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 Residential District in which the lot is located.
- (68) "Triplex" means a development comprised of three (3) dwelling units each having a separate direct entrance from grade or landscaped area.
- (69) "Violation tag" means a tag or similar documents issued by the Municipality pursuant to the Municipal Government Act.
- (70) "Violation ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedures Act, and the regulations thereunder.
- (71) "Width" means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard.
- (72) "Yard" means a part of a parcel of land upon or over which no main building is erected.

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.

4. Metric and Imperial Measurements

Within this By-law, 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.

5. Establishment of Districts

- (1) For the purpose of this By-law, the Town of Vermilion is divided into the following Districts:

- R1 Residential District
- R2 Residential District
- R3 Residential District
- R4 Residential District
- R5 Residential District
- R6 Residential District
- RMH1 Residential Manufactured Home Subdivision District
- RMH2 Residential Manufactured Home Park District
- CB Central Business District
- C1 Commercial District
- C2 Commercial District
- C3 Highway Commercial District
- C4 Shopping Centre District
- C5 Neighbourhood Commercial District
- IL Light Industrial District
- IMH Medium/Heavy Industrial District
- P Community District
- I Institutional District
- UR Urban Reserve District
- DC Direct Control District
- DC1 Direct Control District
- DC2 Direct Control District
- DC3 Direct Control District
- AVO Airport Vicinity Overlay District

- (2) The boundaries of the districts listed in subsection (1) are as delineated on the Land Use District Map, being Schedule A hereto.

- (3) Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary is shown as following a highway, road, lane, or water course, it shall be deemed to follow the centre line thereof.

Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3. In circumstances not covered by Rule 1 or 2, the location of the boundary shall be determined:

(a) where dimensions are set out on the Land Use District Map, by the dimensions so set, or

(b) 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.

(4) 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 By-law and the degree of detail as to measurements and directions as the circumstances may require.

(5) 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 By-law.

(6) The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

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, which Schedule is hereby adopted to be part of this By-law, and which may be amended in the same manner as any other part of this By-law.

7. Establishment of Sign Regulations

Sign regulations shall be as set forth in the Schedule of Sign Regulations, being Schedule C hereto, which Schedule is hereby adopted to be part of this By-law, and which may be amended in the same manner as any other part of this By-law.

8. Establishment of Airport Vicinity Protection Area Regulations

Regulations in the vicinity of the Vermilion Airport shall be as set forth in the Schedule of Airport Vicinity Protection Area Regulations, being Schedule D hereto, which Schedule is hereby adopted to be part of this By-law. These regulations apply, in addition to any other regulations of this By-law, to the area outlined on the Land Use District Map.

PART TWO - AGENCIES

9. Development Authority

- (1) For the purposes of this By-law, the Development Authority shall be:
 - (a) the person or persons appointed to be the Development Authority pursuant to the municipality's Development Authority By-law.
 - (b) only within the DC District, the Council.

with their duties and responsibilities that are specified in Part Three and in the Schedules of this By-law.

- (2) If the Council is to be making the decision on a development permit application, the term "Development Authority", when used in this By-law in relation to the decision-making process, shall be the Council.
- (3) The Development Authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this By-law and all amendments thereto; keep a register of all applications for development, including the decisions thereof and the reasons therefore.
- (4) For the purposes of Section 542 of the Act, the Development Authority is hereby declared to be the designated officer.

10. Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board By-law shall perform such duties as are specified in Part Four of this By-law.

PART THREE - DEVELOPMENT PERMITS, RULES AND PROCEDURES

11. Control of Development

- (1) No development other than that designated in Section 12 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- (2) In the case where land is being developed by way of subdivision, the developer or owner of the land shall not undertake works prior to obtaining the necessary approvals. These works shall include:
 - (a) clearing, piling and burning of trees and shrubs.
 - (b) grading.
 - (c) any other development which may unduly affect the lands or the neighbouring lands.

12. Development Not Requiring a Development Permit

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit.
- (2) The completion of a building which was lawfully under construction at the date of the first publication of the notice required by Section 606 of the Act, 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 months from the said date of the first publication of the notice.
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
- (4) 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 6(1) of Schedule B hereof.
- (5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this By-law.

- (6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land, which is publicly owned or controlled.
- (7) A building or structure with a gross floor area of under 9.0 sq. m (96.9 sq. ft.) which is not on a permanent foundation.
- (8) A deck or patio in a Residential District that meets the minimum distance requirements outlined in Section 16 of Part 1 of Schedule B of this Bylaw.
- (9) Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the hard-surfacing of part of a lot in a Residential District for the purposes of providing vehicular access from a road to an attached or detached garage or carport, provided that such hard-surfacing does not exceed 7.5 m (24.6 ft.) in width, except for a deck or patio in a Residential District that does not meet the minimum distance requirements outlined in Section 16 of Part 1 of Schedule B of this Bylaw.
- (10) Development within a basement which does not change or add to the uses within a dwelling.
- (11) The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (4) through (8) above, both inclusive.

13. Non-Conforming Buildings and Uses

- (1) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this By-law.
- (2) 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.
- (3) A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.
- (4) 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.

- (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 14(11) of this By-law to approve a development permit notwithstanding any non-compliance with the regulations of this By-law.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than seventy five (75%) percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this By-law.
- (6) Except as noted in Section 1 of Part 2 of Schedule B, 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.

14. Permission for Development

- (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 the legal description; the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site.
 - (b) a statement of the proposed uses.
 - (c) a statement of 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 floor plans, elevations and sections of any proposed buildings; grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located.
- (4) Within the area outlined on Map 2 of Schedule A of this By-law, if the development proposal includes any construction which is or may be visible from a road, the Development Authority shall require additional information respecting the relationship of the proposed development to the Vermilion Main Street Programme Guidelines before consideration of the development permit application shall commence.

- (5) The Development Authority shall:
- (a) refer to the Council for its consideration and decision applications for a development permit in the DC Direct Control District, unless otherwise provided for in this By-law.
 - (b) receive, review, consider and decide on all other applications for a development permit.
- (6) Council has approved the contents of the Vermilion Downtown Historic Area Guidelines and the philosophy of the Alberta Main Street Programme as their intent for the designated historic area outlined on Map 2 of Schedule A of this By-law. The Development Authority shall make known the Vermilion Downtown Historic Area Guidelines to individuals requesting an application for all development permits within the designated historic area if their development proposal includes any construction which is or may be visible from a road.
- (7) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (8) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
- (9) 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 By-law, 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.
- (10) In the case where a proposed specific use of land or a building is not provided for in any District in the By-law, 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.
- (11) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this By-law, 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;
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
 - (b) the proposed development conforms to the use prescribed for that land or building in this By-law.
- (12) 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. The person claiming to be affected may appeal in writing as provided for in Part Four of this By-law as though he has received a refusal at the end of the forty (40) day period specified in this subsection.

15. Development Permits and Notices

- (1) A permit granted pursuant to this Part does not come into effect until fifteen (15) days after the date a decision on a development permit is publicized as described in subsection (3). 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 By-law, 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.
- (3) When a permit has been issued, the Development Authority shall immediately:
 - (a) in the R1, R2, R3, RMH1, or RMH2 Districts, post a notice in the Town Hall in the case of permits for permitted uses.
 - (b) in the case of development permits issued for Home Occupations - Major or Basement Suites, mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected.
 - (c) in all other circumstances:
 - i. immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - ii. immediately mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected; and/or

- iii. immediately publish a notice of the decision in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- (4) 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 with reasonable diligence, the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.
- (5) A 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.
- (6) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART FOUR - APPEALS

16. Appeal Procedure

- (1) An appeal may be made to the Subdivision and Development Appeal Board where a Development Authority
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Section 19 of this By-law.
- (2) Notwithstanding subsection (1) above, if a development permit is issued directly by the Council, there shall be no appeal to the Subdivision and Development Appeal Board.
- (3) 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 By-law were relaxed, varied or misinterpreted.
- (4) 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 Subdivision and Development Appeal Board.
- (5) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development appeal Board within fourteen (14) days after
 - (a) the date the order, decision or permit issued by the Development Authority was publicized in accordance with Section 15(3) of this By-law; or
 - (b) the forty (40) day period referred to in subsection (1)(a) has expired.
- (6) Each notice of appeal shall be accompanied by a fee as established by Council.

17. Public Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold a public hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the public hearing to:
 - (a) the appellant.

- (b) the Development Authority from whose order, decision or development permit the appeal is made.
 - (c) those adjacent land owners who were notified under Section 15(3)(c) and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit.
 - (d) such other persons as the Subdivision and Development Appeal Board specify.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:
- (a) the application for the development permit, its refusal and the appeal therefrom.
 - (b) the order of the Development Authority under Section 19.
- as the case may be.
- (4) at the public hearing referred to in subsection (1), the Subdivision and Development Appeal 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.
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

18. Decision

- (1) The Subdivision and Development Appeal 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 By-law 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.

- (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART FIVE

ENFORCEMENT AND ADMINISTRATION

19. 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.
 - (b) a development permit or subdivision approval.
 - (c) this By-law.

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;
- ii. demolish, remove or replace the development;
- iii. take such other measures as are specified in the notice so that the development or use of the land or buildings complies with the Act, the regulations made thereunder, a development permit, subdivision approval or this By-law.

within the time set out in the notice.

- (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 as set out in Schedule D of this Bylaw.
- (4) Where the Development Authority carries out an order, the Council may cause the costs and expenses incurred in carrying out the order to be placed on the tax roll for the lands, in accordance with section 553 of the Act. Thereafter, any amounts added to the tax roll shall be deemed to be a property tax and shall form a special lien against the lands in favour of the Town from the date such costs are added to 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) Violation Tags

- (a) the Development Authority, the Peace Officer or any other person identified as a designated officer by the Council for the purposes of this, may issue a violation tag to any person whom he has reasonable grounds to believe has contravened a provision of this Land Use Bylaw, or a development permit or subdivision approval.
- (b) a Violation Tag shall be served upon such a Person Personally, or in the case of a corporation, by serving the Violation Tag Personally upon the Manager, Secretary or other Officer of the corporation, or a Person apparently in charge of a branch office, or by mailing a copy to such Person by registered mail.
- (c) where Personal service cannot be affected upon a Person, the Development Authority or the Peace Officer may serve the Violation Tag by leaving it with a Person on the Premises who has the appearance of being at least eighteen (18) years of age.
- (d) a Violation Tag shall be in a form approved by Council, as set out in Schedule D, and shall contain the following information:
 - i. the name of the Person to whom The Violation Tag is issued;
 - ii. the date of issuance;
 - iii. a description of the offence, the section number of the Bylaw, and the date on which the offence occurred;
 - iv. the appropriate penalty for the offence as specified in Schedule D of this Bylaw;
 - v. that the penalty shall be paid within 21 days of the issuance of the Violation Tag, in order to avoid prosecution;
 - vi. any other information as may be required by the Chief Administrative Officer from time to time.
- (e) Where a Violation Tag has been issued pursuant to section 20(1), the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town, the penalty specified on the Violation Tag, within the time period provided.

(6) Violation Tickets

- (a) In those cases where a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*.

- (b) Notwithstanding section 21(1) above, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw, notwithstanding that a Violation Tag has not first been issued.
- (c) Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

20. Application to Amend By-law

- (1) A person may apply to have this By-law amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 21.
- (2) Council may at any time initiate an amendment to this By-law by directing the Development Authority to initiate an application therefore.

21. Form of Application

- (1) All applications for amendment to this By-law shall be made to the Council on the form provided by the municipality 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.
- (2) If the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee be returned to the applicant.

22. Amending By-laws

All amendments to this By-law shall be made by Council by By-law and in conformity with the Act.

23. Schedules

Schedules A, B, and C are part of this By-law.

24. Repealing Existing Controls

By-law No. 13-96, as amended, is hereby repealed.

25. Date of Commencement

This By-law comes into effect upon the date of it finally being passed.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____,
A.D. 2006.

Mayor

Town Manager

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____,
A.D. 2006.

Mayor

Town Manager

READ A THIRD TIME IN COUNCIL THIS ____ DAY OF _____,
A.D. 2006.

Mayor

Town Manager

SCHEDULE A

LAND USE DISTRICT MAP 1

VERMILION DOWNTOWN HISTORIC AREA GUIDELINES MAP 2

SCHEDULE B

SCHEDULE OF LAND USE DISTRICT REGULATIONS

PART ONE - GENERAL PROVISIONS

1. Subdivision of Land

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.

2. Dwelling Units on a Parcel

In the R1, R2, R3, RMH1, and RMH2 Districts, no permit shall be granted for the erection of more than one (1) dwelling unit on a single parcel of land, or if a basement suite is approved within the dwelling on the parcel of land, more than two (2) dwelling units.

3. Substandard Lots

With the approval of the Development Authority the minimum lot area may be less in the case of existing substandard lots.

4. Manufactured Home Units in the R2 District

Where a Manufactured Home Unit exists in the R2 District, such a mixture of residential use may continue until the Manufactured Home Unit is removed or demolished. When a Manufactured Home unit is removed or demolished in the R2 District, it shall be replaced with a permitted or a discretionary use for that District.

5. Top Soil Excavation

No person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon the occupancy of the development, a minimum topsoil coverage of 15.0 cm (6 in.) and the affected area shall be landscaped to the satisfaction of the Development Authority.

6. Fences and Walls

(1) Notwithstanding any regulation respecting required yard to the contrary in this By-law, a fence or hedge may be constructed along a boundary line of a parcel of land.

(2) No fence, wall or hedge in the R1, R2, R3, RMH1, or RMH2 District shall be:

(a) higher than 1.83 m (6.0 ft.) in side yards and rear yards, such height to be measured as the average elevation from the ground at the fence or wall unless otherwise provided in this By-law.

- (b) higher than 0.92 m (3.02 ft.) in front yards, except in the case of a corner lot, the side yard adjacent to the road or highway shall be deemed to be a front yard for the purpose of this subsection.
 - (c) higher than 0.92 m (3.02 ft.) within 6.0 m (19.7 ft.) of the intersection of lanes, roads, highways, or any combination of them.
- (3) All apartment or row housing developments shall provide, to the satisfaction of the Development Authority, a wall, hedge or solid fence of not less than 1.2 m (3.9 ft.) nor more than 2.14 m (7.02 ft.) in height, along any side lines adjacent to any Residential District.
 - (4) All commercial uses adjacent to any Residential District shall provide, to the satisfaction of the Development Authority, a solid fence of not less than 1.82 m (5.97 ft.) in height for screening. In addition, garbage containers and outdoor storage shall be screened to the satisfaction of the Development Authority.
 - (5) All drive-in businesses, car washing establishments, service stations and gas bars adjacent to any Residential District shall provide and maintain, to the satisfaction of the Development Officer, a solid fence of not less than 1.5 m (4.9 ft.) nor more than 2.14 m (7.02 ft.) in height.

7. Landscaping

- (1) When landscaping or planting 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 two months (weather permitting) of the occupancy or the commencement of operation of the proposed development.
- (2) Off-street parking lots in Commercial Districts shall be landscaped by the planting of trees in a manner and number satisfactory to the Development Authority.
- (3) All apartment or row housing developments shall include a landscaped area to be developed to the satisfaction of the Development Authority.
- (4) Landscaping shall be provided and maintained for all drive-in businesses, car washing establishments, service stations and gas bars, to the satisfaction of the Development Authority.

8. Objects Prohibited or Restricted in Yards

- (1) No person shall keep or permit in any part of any yard in any Residential District:
 - (a) any dismantled or wrecked vehicle for more than fourteen (14) successive days.

- (b) 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.
 - (c) 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.
 - (d) a heavy vehicle which means a vehicle with or without load exceeding any one of the following:
 - i. 11 meters in length;
 - ii. a maximum allowable weight of 7,200 kg.;
 - iii. tractor units which form by attaching as a power unit to semi-trailer(s).
- (2) No person shall keep or permit in any part of any front yard in any Residential District:
- (a) a heavy vehicle which means a vehicle with or without load exceeding any one of the following:
 - i. 11 meters in length;
 - ii. a maximum allowable weight of 7,200 kg.;
 - iii. tractor units which form by attaching as a power unit to semi-trailer(s).
 - (b) any accessory use or parking space, without the specific approval of the Development Authority.

9. Projection into Yards

- (1) Except as provided in this part, and except for fences as noted in Section 6(1) of this Schedule, no portion of a building shall be located or project into a required yard.

(2) Front Yards

The following features may project into a required front yard:

- (a) steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority.
- (b) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 0.92 m (3.02 ft.).

- (c) exterior balconies on apartments provided that:
 - i. they are cantilevered and not enclosed, and designed as an integral part of the building, and;
 - ii. they do not project more than 1.98 m (6.5 ft.) into the front yard.
- (d) any other features which, in the opinion of the Development Officer, are similar to the foregoing.

(3) Side Yards

The following features may project into a required side yard; except where a side yard of 2.59 m (8.50 ft.) is required for vehicular passage:

- (a) steps, chimneys and decks, provided such projection does not exceed 50% of the width of the required side yard.
- (b) patios, which can project to the side line.
- (c) eaves, gutters and sills or other similar projections, with the amount of the projection to be as allowed by the Development Authority.
- (d) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 0.92 m (3.02 ft.).
- (e) exterior balconies on apartments provided that:
 - i. they are cantilevered and not enclosed, and designed as an integral part of the building, and;
 - ii. they do not project more than 0.92 m (3.02 ft.) into a required side yard and in no case are closer than 1.98 m (6.5 ft.) to a side line.
- (f) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

10. Site Development

The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures 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.

11. Protection from Exposure Hazards

- (1) The location of any anhydrous ammonia (AA) or liquefied petroleum gas (LPG) storage tank with a water capacity exceeding 9080 l (2000 gal.) shall be in accordance

with the requirements of the Development Authority, but in no case be less than a minimum distance of 121.9 m (399.9 ft.) from assembly, institutional, commercial or residential buildings.

- (2) AA or LPG containers with a water capacity of less than 9080 l (2000 gal.) shall be located in accordance with regulations under the Gas Protection Act.
- (3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Fire Prevention Act.

12. Sour Gas Facility

- (1) No development shall be permitted within 100 m (328.08 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy and Utilities Board.
- (2) No development shall be permitted within 500 m (1640.4 ft.) of a Level 2 sour gas facility as determined by the Alberta Energy and Utilities Board.
- (3) No development shall be permitted within 1500 m (4921.2 ft.) of a Level 3 or Level 4 sour gas facility as determined by the Alberta Energy and Utilities Board.

13. Off-Street Loading

- (1) When required by the Development Authority, loading spaces shall:
 - (a) have dimensions of not less than 3.0 m (9.84 ft.) in width, 7.6 m (24.9 ft.) in length, and 4.25 (13.9 ft.) in height.
 - (b) provide vehicular ingress to, and egress from, a road, highway, or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in nearby roads, highways, or lanes.
 - (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.
- (2) Number of Off-Street Loading Spaces

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 of less than 465 sq. m (5005 sq. ft.) of gross floor area:

- i. one (1) space for a development of less than 465 sq. m (5005 sq. ft.) of gross floor area;
 - ii. two (2) spaces for a development of between 465 sq. m (5005 sq. ft.) and 2322.6 sq. m (25,000.2 sq. ft.) of gross floor area;
 - iii. one (1) additional space for each additional 2322.6 sq. m (25,000.2 sq. ft.) of gross floor area or fraction thereof.
- (b) For an office building, place of public assembly, public convalescent home, institution, club or lodge, public utility, school or any similar use, one (1) space for a development of less than 2787.0 sq. m (29,998.99 sq. ft.) of gross area, and one (1) additional space for each additional 2787.0 sq. m (29,998.00 sq. ft.) of gross floor area or fraction thereof.
- (c) For a development in the Neighbourhood Commercial (C5) District, one (1) space.

14. Off-Street Automobile Parking

(1) Location of Site and Site Standards:

- (a) All off-street parking areas and accessory off-street parking areas:
- i. shall not be located within 0.91 m (2.98 ft.) feet of a lot boundary line common to the lot and to a road or highway;
 - ii. shall be constructed so that adequate access to, and exit from each parking space is provided at all times by means of manoeuvring aisles designed to the satisfaction of the Development Authority;
 - iii. shall have necessary curb cuts located to the satisfaction of the Development Authority.

(b) All parking spaces shall conform to the following requirements:

Minimum Parking Standards:

a	b	c	e	f
Parking Angle in <u>Degrees</u>	Width of Space in M (Ft.)	Depth of Space Perpendicular to <u>Aisle in M (Ft.)</u>	Overall Depth in M (Ft.)	Width of Manoeuvring <u>Aisle in M (Ft.)</u>
i. <u>Full Sized Cars</u>				
0	2.74 (9)	2.74 (9)	9.14 (30)	One Way 3.65 (12)
30	2.74 (9)	5.18 (17)	14.02 (46)	One Way 3.65 (12)
45	2.74 (9)	5.79 (19)	15.24 (50)	One Way 3.65 (12)
60	2.74 (9)	6.09 (20)	18.28 (60)	One Way 6.09 (20)
90	2.74 (9)	5.48 (18)	18.28 (60)	One Way 7.31 (24)

ii.	<u>Compact Cars</u>				
	0	2.28 (7.5)	2.28 (7.5)	7.92 (26)	One Way 3.35 (11)
	30	2.28 (7.5)	4.57 (15)	12.8 (42)	One Way 3.65 (12)
	45	2.28 (7.5)	5.18 (17)	14.02 (46)	One Way 3.65 (12)
	60	2.28 (7.5)	5.48 (18)	17.06 (56)	One Way 5.48 (18)
	90	2.28 (7.5)	4.87 (16)	16.76 (55)	One Way 7.01 (23)

(See following figure for definitions of column headings)

(2) Surfacing and Drainage:

- (a) Every off-street parking space provided, and the access thereto, shall be hard surfaced if the access is from a road, highway, or lane which is hard surfaced.
- (b) Parking areas must be paved or of a gravel mixture as approved by the Development Authority.
- (c) Each parking area shall 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.

(3) Required Number of Off-Street Parking Spaces:

- (a) The minimum number of off-street parking spaces required for each development shall be calculated from the following table. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one use as listed, the required number of spaces shall be the sum of the requirements for each of the uses listed.

Use of Building or Development

Minimum Number of Parking Spaces

Residential Uses

One family dwellings	1.0 per dwelling unit
Apartments/Condominiums	1.5 per dwelling unit (Where this results in a fractional requirement, the total requirement shall be the next whole number.)
Duplex, Triplex, Fourplex, Row Housing	1.5 per dwelling unit (Where this results in a fractional requirement, the total requirement shall be the next whole number.)
Basement suites	1.0 per basement suite

Boarding houses	1.0 per sleeping unit
<u>Commercial Uses</u>	
Shopping centres	5.5 per 92.9 sq. m (1,000 sq. ft.) of gross leasable floor area
Retail and personal service shops, banks and offices	1 per 46.45 (500 sq. ft.) of gross leasable floor area
Accessory dwellings above commercial developments	1 per dwelling unit
Discretionary apartments within same building in Commercial District	1 per dwelling unit
Restaurants, cocktail bars, taverns drinking and eating establishments	1 per 5 seating spaces plus 1 per 3 employees
Hotels, motor hotels and motels	1 per sleeping unit plus 1 per 3 employees
Bed and breakfasts	1 per sleeping unit
Home occupations	1 in addition to the requirements for the residential use
<u>Places of Public Assembly</u>	
Auditoriums, churches, halls, clubs, theatres and other amusement or recreation places	To the satisfaction of the Development Authority, but not less than 1 per 10 seating spaces.
<u>Schools</u>	
Public, separate or private, with or without an auditorium, gymnasium or swimming pool	1 per employee, plus 1 for every 10 students
<u>Industrial Uses</u>	
Manufacturing and industrial plants, warehousing, wholesale and storage buildings and yards, servicing and repair establishments, research laboratories and public utility buildings.	1 per 3 employees on maximum shift, provided that this standard may be varied by the Development Authority
<u>Hospitals & Similar Uses</u>	
Hospitals, sanatoriums, convalescent homes, etc.	1 per 929.0 sq. m (1000 sq. ft.) of gross floor area, or 1 per 4 beds and one for every 2 employees on maximum shift, whichever is greater

- (b) The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project. Subject to the approval of Council, the applicant may, at his option, pay the municipality a payment equal to the cost of an equivalent public parking space provided elsewhere in the District.
 - (c) If insufficient parking is provided by an approved development, the Development Authority may advise the land owner that he may be required to help pay for parking facilities in the future if required by Council in accordance with the Act or any other available legislation.
- (4) Developments shall be allowed parking spaces for compact automobiles provided that:
- (a) the compact automobile parking spaces account for a maximum of 15% of the total parking required.
 - (b) the compact automobile spaces are grouped together in a separate parking area designated for compact automobiles only.
- (5) Combined or Shared Parking
- A maximum of 20% of the required parking may be combined or shared parking provided that a legal agreement is entered into between the users or land owners, and further that the parking arrangements are acceptable to the Development Authority. Any change of use will require a development permit and may require a new agreement. The Development Authority has the authority to refuse an application not fully complying with parking requirements.
- (6) Developments to convert existing buildings to drinking and eating establishments shall comply with the parking requirements.

15. Corner Lots

- (1) On corner lots in a residential district, no fence, wall, tree, bush, structure or thing more than 0.92 m (3.02 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or highway lines and a straight line joining points on the road or highway lines 6.09 m (19.98 ft.) from their intersection.
- (2) On corner lots in all Districts other than Residential Districts, no fence, wall, tree, bush, structure or thing more than 0.92 m (3.02 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or highway lines and a straight line joining points of the road or highway 4.55 m (14.9 ft.) from their intersection.

16. Accessory Buildings

- (1) An accessory building shall not be used as a dwelling.
- (2) Accessory buildings shall be located such that the minimum distances shown on Figure "A" between the accessory buildings and main buildings, lot lines, and other buildings, structures, and uses are provided.
- (3) The siting of an accessory building on an irregularly-shaped lot shall be as approved by the Development Authority.
- (4) No accessory buildings, other than fences that otherwise comply with this By-law, shall be located in the front yard.
- (5) No accessory building, other than a fence, deck or patio, shall be located closer than 1.2 m (3.9 ft.) to a main building.
- (6) The height of an accessory building shall not exceed 4.58 m (15.03 ft.) nor one storey.
- (7) Where a structure is attached to the main building on a lot by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the main building and is not an accessory building.
- (8) The total area of all accessory buildings on a lot shall not exceed 12% of the area of the lot.
- (9) In addition to any other requirements of this Bylaw, accessory swimming pools shall be entirely enclosed by a fence of a minimum of 1.82 m (5.97 ft.) in height, and any gates into the enclosed area shall be lockable.

17. Relocation of Buildings

In making his decision on a development permit application to relocate an already constructed or partially constructed building, the Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be located, and may refuse a development permit if the building is incompatible with the neighbourhood.

18. Limited Vehicular Access to 50th Avenue

- (1) The construction of a driveway from a site in any Residential District to 50th Avenue shall not be allowed unless there is no other practical alternative method of vehicle access to the site and the location of the driveway is acceptable to the Development Authority.
- (2) For a site where vehicle access to the site is provided from 50th Avenue, such access shall not result in the designation of the site as a non-conforming use as described under Section 13 of the Town of Vermilion Land Use By-Law. The access to the site

shall be allowed to continue unless the current main building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation.

- (3) The Development Authority may use discretion in assessing the value of existing buildings and other improvements on a site when considering a proposal retaining access to 50th Avenue.

19. Accessory Commercial Apartment Requirements

- (1) Apartment housing shall be permitted only in buildings where the first storey is used for commercial purposes.
- (2) The housing component shall have an access at grade, which is separate from the access for the commercial premises.
- (3) The apartment component of the development shall be designed and sited so as to minimize any impacts to the commercial component of the development related to noise, traffic circulation or loss of privacy.
- (4) Maximum of six (6) units – exempt from amenity space requirements. Seven (7) or more units and amenity space must be provided as required.

Figure "A"

- Siting of Accessory Buildings

PART TWO - SPECIAL PROVISIONS

1. Home Occupations

All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.

- (1) A home occupation - major shall comply with the following regulations:
 - (a) A home occupation - major shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 30 sq. m (322.9 sq. ft.), whichever is less, of the dwelling unit for business usage. Except as noted in subsection (3)(c) herein, there shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
 - (b) The home occupation - major shall not, in the opinion of the Development Authority, generate pedestrian or vehicular traffic or parking, in excess of that which is characteristic of the District in which it is located.
 - (c) The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
 - (d) There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage related to the business activity shall be allowed in either the dwelling or accessory buildings.
 - (e) The home occupation - major 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.
- (2) A home occupation - minor shall comply with the following regulations:
 - (a) A home occupation - minor shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 30 sq. m (322.9 sq. ft.), whichever is less, of the dwelling unit for business usage. Except as noted in subsection (3)(c) herein, there shall be no exterior signage, display or advertisement, and all sales relating to the home occupation shall occur off the premises.
 - (b) The home occupation - minor shall not employ any person on-site other than a resident of the dwelling. Nor shall the business be such that any clients come to the dwelling.

- (c) There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage and the business activity itself shall only be allowed inside the dwelling and not in an accessory building. The home occupation - minor does not involve the display of goods in the interior of the residence.
- (3) All home occupations shall comply with the following requirements:
- (a) The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
 - (b) 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.
 - (c) Notwithstanding any other provisions of this By-law to the contrary, a dwelling in which a home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.186 sq. m (2.0 sq. ft.) in area.
 - (d) In addition to a Development Permit Application, each application for a home occupation - major shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
 - (e) 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.
 - (f) Home occupations shall not involve:
 - i. activities that use or store hazardous material in quantities exceeding those found in a normal household;
 - 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.

2. Bed and Breakfast Establishments

- (1) A bed and breakfast establishment shall comply with the following regulations:
- (a) A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of five (5) sleeping bedrooms.
 - (b) cooking facilities shall not be located within the sleeping units.

- (c) In addition to any other parking requirements of this By-law, one (1) additional parking space shall be provided for each sleeping unit.
- (d) A Bed and Breakfast establishment shall comply with all of the requirements for a Home Occupation - Major described in Subsections (1) and (3) of Section 1 of Part 2 of Schedule B hereof.

3. Industrial Development

- (1) An application for the establishment of an industrial use shall be considered by the Development Authority after requesting advisory comment by the following authorities whose interest or jurisdiction may be affected:

Alberta Transportation & Utilities
Alberta Agriculture, Food and Rural Development
Alberta Environmental Protection
East Central Regional Health Authority

The Development Authority shall request that such comments be made in writing.

- (2) Each application for an industrial use shall be accompanied by the following information related to the application, in addition to the information required pursuant to Section 14(1) of this By-law:

Type of industry
Size of buildings
Number of employees
Estimated water demand and anticipated source
Type of effluent and method of treatment
Transportation routes to be used (rail and road)
Reason for specific location
Any accessory works required (pipeline, railway spurs, etc.)

and/or any such other information as may be reasonably required by the Development Authority.

- (3) All site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority, in accordance with the District in which the site is located.

4. Service Stations (Including Gas Bars)

- (1) Service stations or gas bars shall be developed in such a manner that:
 - (a) no entrance or exit thereto for motor vehicles shall be located within 60.9 m (199.8 ft.) of an entrance to or exit from a Firehall, public or private school, playground, library, church, hospital, children's or senior citizen's home, or other similar public or quasi-public institutions.

- (b) no part of any building or any pump or other accessory building, structure, or use shall be located within 6.0 m (19.7 ft.) of a side or rear line.
- (c) there shall be a front yard of not less than 12.0 m (39.4 ft.), provided, however, that gasoline pumps may be located as little as 6.0 (19.7 ft.) from the front line.
- (d) all fuel storage tanks shall be set back from adjacent buildings in accordance with Regulations passed pursuant to the Fire Prevention Act.

(2) Lot Area and Coverage:

- (a) The minimum lot area shall be 668.0 sq. m (7190.3 sq. ft.) and the maximum building coverage shall be 25% of the lot area. When a car wash is included, the minimum lot area shall be 1114.0 sq. m (11,991.0 sq. ft.).
- (b) In the case of a service station or gas bar designed and built as part of a shopping centre, the ratio of building space to parking space shall be determined as by the Development Authority.

(3) Lighting:

Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the lot only and not on any adjoining lots.

(4) Use and Maintenance of Lot and Building:

The owner, tenant, operator or person in charge of a service station or gas bar shall, at all times:

- (a) be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available in any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which constitutes a nuisance or annoyance to residences or businesses in the immediate vicinity of the service station or gas bar by reason of dust, noise, gases, odour smoke or vibration.
- (b) be responsible for the proper, safe and orderly operation thereof of motor vehicles using said service station or gas bar, or being repaired or serviced thereat, and without restricting the generality of the foregoing shall see:
 - i. that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station or gas bar;
 - ii. that operators of motor vehicles enter and leave the service station or gas bar only at the entrances and exits provided for such purposes and not elsewhere.

- (c) maintain on the boundaries of the lot, where required by the Development Authority, an appropriate fence not less than 1.5 m (4.9 ft.) in height.

5. Car Washes

(1) Site Location

In addition to those locations permitted in this Schedule, a car wash may be allowed as a discretionary use as part of a shopping centre if the Development Authority is satisfied that it will not adversely affect an adjoining land use or traffic circulation within and adjacent to the shopping centre.

(2) Lot Area

The minimum lot area shall be 557.0 sq. m (5995.5 sq. ft.) and shall contain space for ten (10) vehicles to wait or be parked prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations or gas bars including car washes, minimum lot area shall be 1114.0 sq. m (11,991.0 sq. ft.).

(3) Site and Building Requirements

All site and building requirements pertaining to drive-in businesses shall also apply to car washes.

6. Drive-In Businesses

(1) Access

Points of access and egress shall be located to the satisfaction of the Development Authority.

(2) Lot Area and Coverage

The minimum lot area shall be 557.0 sq. m (5995.5 sq. ft.). There shall be a provision for at least eight (8) customer vehicles to wait or be parked on the lot.

(3) Site and Building Requirements

- (a) All parts of the lot to which vehicles may have access shall be hardsurfaced 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) The owner/operator of a drive-in shall be responsible for the safe and orderly operation of motor vehicles using the lot.

7. Motels

(1) Site Requirements

<u>Minimum Lot Area/Unit</u>	<u>Minimum Required On-Site Parking</u>	<u>Minimum Floor Area/Unit</u>
--One Storey 139.3 sq. m (1499.4 sq. ft.)	One per Rentable Unit	26.4 sq. m (284.2 sq. ft.)
--Two Storey 92.9 sq. m (1000.0 sq. ft.)	One per Rentable Unit	26.4 sq. m (284.2 sq. ft.)

(2) Space Between Buildings:

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.65 m (11.97 ft.) of clear and unoccupied space shall be provided between each rentable unit and any other building on the lot.

(3) Driveways:

Each rentable unit shall face onto or about a driveway not less than 6.09 m (19.98 ft.) in width, and shall have unobstructed access thereto.

(4) Entrances and Exits:

Not more than one entrance and one exit for vehicles to a road or highway, each of a minimum width of 7.6 m (24.9 ft.), shall be permitted, provided however, that one combined motor vehicle entrance and exit may be permitted, not less than 9.1 m (29.85 ft.) in width.

(5) Maintenance of Site and Buildings and Business:

The owner, tenant, operator or person in charge of a motel shall at all times:

- i. maintain the lot and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
- ii. maintain garbage to the satisfaction of the Development Authority;
- iii. maintain an appropriate fence, where required by the Development Authority, not less than 1.5 m (4.9 ft.) in height, around the boundaries of the lot;
- iv. shall landscape and keep the site landscaped to the satisfaction of the Development Authority.

8. Churches

- (1) The lot on which a church is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 929 sq. m (9999.7 sq. ft.) except in the case where a building for a clergyman's residence is to be erected on the same lot. The combined area of the lot in this case shall not be less than 1393, 5 sq. m (14,999.5 sq. ft.).
- (2) Minimum front, side and rear yards shall be those required within the District in which the church is located.

9. Multiple Dwelling Developments

- (1) Before any application for development of duplex, row housing or an apartment development can be considered, the applicant must submit to the Development Authority:
 - (a) design plans and working drawings, including elevations.
 - (b) site plans showing the proposed:
 - i. location and position of structures on the site, including any "For Rent" or identification signs;
 - ii. location and number of parking spaces, exits, entries, and drives from roads, lanes, or highways;
 - iii. location of an access to garbage storage areas, and the fencing and landscaping of these facilities;
 - iv. landscape plan of the entire site which shall also show intended surfacing for drives and parking areas.
- (2) The aforementioned plans will append the application. If the development permit is approved, the plans shall be deemed conditions of approval. The Development Authority may require that security be provided to ensure that the conditions are satisfied.
- (3) The relationship of buildings to each other and to the landscape, in particular such matters as architectural appearance, the provision of light, air, privacy, and landscaping, shall be shown upon the site plans. All this information shall be provided to the satisfaction of the Development Authority.

10. Manufactured Home Units

- (1) Manufactured home units shall have Canadian Standard Association Certification.

- (2) All accessory structures, such as patios, porches, additions and skirting, 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.
 - (c) erected only after obtaining a Development Permit.
- (3) 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.
- (4) 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.
- (5) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
- (6) Any furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the lot or communally, which shall conform to the Building, Fire, Electrical, and Plumbing Codes.
- (7) The following regulations apply to manufactured home units located in all subdivisions:
 - (a) The hitch and wheels are to be removed from the manufactured home unit.
 - (b) All manufactured home units shall be placed on a foundation or base. The manufactured home unit is to be attached by means of bolting or otherwise to the foundation or base.
 - (c) The lot is to be fully landscaped within one year from the date of issuance of the development permit.
 - (d) Minimum lot area and width may be less in the case of existing registered sub-standard lots, with the approval of the Development Authority.
- (8) The following regulations also apply to manufactured home parks:
 - (a) The stalls shall be located at least 3.0 m (9.8 ft.) from a property boundary line. This 3.0 m (9.8 ft.) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
 - (b) All roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.0 m (29.5 ft.).

- (c) A safe, convenient, all season pedestrian walkway of at least 0.9 m (2.95 ft.) in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
- (d) Visitor parking spaces shall be provided at a ratio of at least 1 space for every 2 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.
- (e) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (f) All municipal utilities shall be provided underground to stalls.
- (g) A minimum of 5% of the gross site area shall be devoted to recreational use.
- (h) 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. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- (i) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.
- (j) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (k) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (l)
 - i. 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;
 - ii. 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.
- (m) Manufactured home units shall be separated from each other by at least 3.0 m (9.7 ft.) in all directions, and by at least 4.5 m (14.8 ft.) in all directions when either unit has a window on the subject side. Any porch or addition to the

manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation.

- (n) The minimum lot area shall be 2.0 ha (4.94 ac.).
- (o) The maximum permissible density for a manufactured home park shall be 3.25 manufactured home units per gross developable hectare (8.03 per ac.) of the lot being developed at each stage of development.
- (p) The minimum area for a manufactured home stall shall be 370.0 sq. m (3982.6 sq. ft.).

11. Drinking and Eating Establishments

Developments to convert existing buildings to drinking and eating establishments shall be required to comply with the parking requirements of this Bylaw.

PART THREE - DISTRICT SCHEDULES

1. R1 RESIDENTIAL DISTRICT

The General Purpose of this District is to provide a low-density residential area with a mixture of housing types and residential accommodation and at the same time control, regulate, and encourage the development of residential uses that are compatible with the neighbourhood, the immediate site, and neighbourhood design as provided in the Municipal Development Plan.

(1) Permitted Uses

- (a) One family dwellings
- (b) Home occupations - Minor
- (c) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Basement suites
- (b) Bed and breakfasts
- (c) Churches
- (d) Day cares
- (e) Day homes
- (f) Modular Homes
- (g) Home occupations - Major
- (h) Public or quasi-public buildings required to serve the immediate area
- (i) Public utilities required to serve the immediate area
- (j) Small parks and playgrounds
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (l) Buildings and uses accessory to discretionary uses

(3) Regulations

- (a) Relating to One Family Dwellings
 - i. Minimum lot area - 510.0 sq. m (5489.6 sq. ft.);
 - ii. Minimum front yard - 6.0 m (19.7 ft.);
 - a) For Lots 1-21, Block 3, and Lots 1-10, Block 2, Plan 802 2872, and any further subdivision of this area, the minimum front yard shall be 4.9m (16.1 ft.);
 - iii. Minimum rear yard - 7.5 (24.6 ft.);
 - iv. Minimum side yard - 1.5 m (4.9 ft.);
 - Corner lot - 3.0 m (9.8 ft.) abutting road or highway;
 - v. Minimum floor area
 - 92.9 sq. m (1000.0 sq. ft.) for 1 storey, 1.5 storey, split level, or bi-level
 - 130.0 sq. m (1399.3 sq. ft.) for 2 storey
 - 139.0 sq. m (1496.2 sq. ft.) when the lot area exceeds 836.2 sq. m (9000.8 sq. ft.)

- vi. Maximum lot coverage - 40%;
- vii. Maximum building height:
 - a) Dwelling -9.15 m (30 ft.).
 - b) Accessory - 4.6 m (15.1 ft.).
- (b) Other uses - as required by the Development Authority.
- (c) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

2. R2 RESIDENTIAL DISTRICT

Purpose

The General Purpose of this District is to provide a low-density residential area with a mixture of housing types and residential accommodation and at the same time control, regulate, and encourage the development or re-development of residential uses that are compatible with both neighbourhood, immediate site, infill, and re-development options as provided in the Municipal Development Plan.

(1) Permitted Uses

- (a) One family dwellings
- (b) Home occupations - Minor
- (c) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Basement suites
- (b) Bed and breakfasts
- (c) Churches
- (d) Day cares
- (e) Day homes
- (f) Family care facilities
- (g) Funeral parlours
- (h) Group care facilities
- (i) Home occupations - Major
- (j) Modular Homes
- (k) Public or quasi-public buildings required to serve the immediate area
- (l) Public utilities required to serve the immediate area
- (m) Small parks and playgrounds
- (n) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (o) Buildings and uses accessory to discretionary uses

(3) Regulations

- (a) Relating to One Family Dwellings
 - i. Minimum lot area - 500.0 sq. m (5382.2 sq. ft.);
 - ii. Minimum front yard - 6.0 m (19.7 ft.);
 - iii. Minimum rear yard - 7.5 (24.6 ft.);
 - iv. Minimum side yard - 1.5 m (4.9 ft.)
- Corner lot - 3.0 m (9.8 ft.) abutting road or highway;
 - v. Minimum floor area - 74.0 sq. m (796.5 sq. ft.) for 1 storey, 1.5 storey, split level, and bi-level
- 111.0 sq. m (1194.8 sq. ft.) for 2 storey;
 - vi. Maximum lot coverage - 40%;

- vii. Maximum building height:
 - a) Dwelling - 9.15 m (30 ft.);
 - b) Accessory - 4.6 m (15.1 ft.).
- (b) Other uses - as required by the Development Authority.
- (c) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

3. R3 RESIDENTIAL DISTRICT

Purpose

The General Purpose of this District is to provide a low-density innovative residential area with a mixture of housing types and residential accommodation and at the same time control, regulate, and encourage the development of residential uses that are compatible with both neighbourhood, the immediate site, and areas with special slope and visual characteristics or larger lots.

(1) Permitted Uses

- (a) One family dwellings
- (b) Home occupations - Minor
- (c) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Basement suites
- (b) Bed and breakfasts
- (c) Day cares
- (d) Day homes
- (e) Home occupations - Major
- (f) Public or quasi-public buildings required to serve the immediate area
- (g) Public utilities required to serve the immediate area
- (h) Small parks and playgrounds
- (i) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (j) Buildings and uses accessory to discretionary uses

(3) Regulations

(a) Relating to One Family Dwellings

i. Minimum front yard:

The minimum front yard shall be at the discretion of the Development Officer and according to a consistent pattern to protect the character of the District;

ii. Minimum rear yard - 7.5 m (24.6 ft.);

iii. Minimum side yard - 1.5 m (4.9 ft.)

- Corner lot 3.0 m (9.8 ft.) abutting road or highway;

iv. Minimum floor area;

- a) One storey, 1.5 storey, split level, or bi-level dwellings, a minimum ground floor area of 130.0 sq. m (1399.3 sq. ft.), exclusive of any attached garage.

- b) 2 storey dwellings, a minimum ground floor area of 929.0 sq. m (1000.0 sq. ft.), exclusive of any attached garage, and a minimum total floor area of 130.0 sq. m (1399.3 sq. ft.).
- v. Maximum lot coverage - 40%;
- vi. Maximum building height:
 - a) Lots 1 to 11, Block 19, and Lots 2, 7 and 8, Block 18, Plan 782-3515, and Lot 10A, Plan 842-1709 - 2 storeys or 8.25 m (27.1 ft.);
 - b) Lot 1 and Lots 3 to 6, Block 18, Plan 782-3515 - 1 storey or 5.8 m (19.0 ft.);
 - c) All other buildings - 10.75 m (35.3 ft.);
 - d) Accessory - 4.6 m (15.1 ft.).
- vii. Minimum lot area:
 - a) Lots 1 to 4, Block 19, Plan 782-3515 - 790.0 sq. m (8503.5 sq. ft.).
 - b) Remainder of Plan 782-3515 - 1300.0 sq. m (13,993.1 sq. ft.).
 - c) All other new areas - 790.0 sq. m (8503.5 sq. ft.).
- (b) Other uses - as required by the Development Authority.
- (c) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

4. R4 RESIDENTIAL DISTRICT

Purpose

To establish a district in which land is used for a variety of low to medium density residential developments with a mixture of housing types and residential accommodation, with each unit having separate direct access at grade and at the same time control, regulate, and encourage the development or re-development of residential uses that are compatible with both the neighbourhood and the immediate site.

(1) Permitted Uses

- (a) Duplexes
- (b) Triplexes
- (c) Home Occupations - Minor
- (d) Building and uses accessory to permitted uses

(2) Discretionary Uses

- (a) One family dwellings
- (b) Bed and Breakfast
- (c) Boarding Houses
- (d) Day Cares
- (e) Day Homes
- (f) Family Care Facilities
- (g) Group Care Facilities
- (h) Home Occupations - Major
- (i) Modular Units
- (j) Other uses which, in the opinion of the Development Authority are similar to the above mentioned permitted and discretionary uses
- (k) Building and uses accessory to discretionary uses

(3) Regulations

- (a) Relating to Duplexes
 - i. Minimum lot area:
 - a) “Up and down” units - 575.0 sq. m. (6189.2 sq. ft.), provided the combined gross floor area does not exceed 186.0 sq. m. (2002.1 sq. ft.).
 - b) “Side by side” or “Semi detached” units - 668.0 sq. m. (7190.3 sq. ft.).
 - ii. Minimum yards:
 - a) Front - 6.0 m. (19.7 ft.).
 - b) Rear - 7.5 m (24.6 ft.).
 - c) Side - 1.5 m. (4.9 ft.)
 - Corner lot - 3.0 m. (9.8 ft.) abutting road or highway.

- iii. Maximum lot coverage - 40%;
 - iv. Maximum building height:
 - a) Dwelling - 10.75 m (35.3 ft.);
 - b) Accessory - 4.6 m (15.1 ft.).
- (b) Relating to Triplexes
- i. Minimum lot area:
 - a) “Up and down” units - 862.0 sq. m. (9283.0 sq. ft.), provided the combined gross floor area does not exceed 279.0 sq. m. (3003.0 sq. ft.).
 - b) “Side by side” or “Semi detached” units - 1002.0 sq. m. (10,785.0 sq. ft.).
 - ii. Minimum yards:
 - a) Front - 6.0 m. (19.7 ft.).
 - b) Rear - 7.5 m (24.6 ft.).
 - c) Side - 1.5 m. (4.9 ft.).
 - Corner lot - 3.0 m. (9.8 ft.) abutting road or highway.
 - iii. Maximum lot coverage - 40%;
 - iv. Maximum building height:
 - a) Dwelling - 10.75 m (35.3 ft.).
 - b) Accessory - 4.6 m (15.1 ft.).
- (c) Other uses as required by the Development Authority.
- (d) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

5. R5 - RESIDENTIAL DISTRICT

Purpose

To establish a district in which land is used for medium-density urban multiple residential lifestyle, primarily as fourplex or row housing, with each unit having separate direct access to grade and at the same time control, regulate, and encourage the development or re-development of residential uses that are compatible with both the neighbourhood and the immediate site.

(1) Permitted Uses

- (a) Fourplexes
- (b) Row Housing
- (c) Stacked Row Housing
- (d) Home Occupations - Minor
- (e) Building and uses accessory to permitted uses

(2) Discretionary Uses

- (a) One family dwellings
- (b) Duplexes
- (c) Triplexes
- (d) Bed and Breakfast
- (e) Boarding Houses
- (f) Day Cares
- (g) Day Homes
- (h) Family Care Facilities
- (i) Group Care Facilities
- (j) Home Occupations - Major
- (k) Modular Units
- (l) Public or quasi-public buildings required to serve the immediate area
- (m) Public utilities required to serve the immediate area
- (n) Other uses which, in the opinion of the Development Authority are similar to the above mentioned permitted and discretionary uses
- (o) Building and uses accessory to discretionary uses

(3) Regulations

- (a) Relating to Fourplexes
 - i. Maximum density and Minimum floor area:

Type of Dwelling Unit	Minimum Floor Area in a Dwelling Unit	Minimum Lot Area Per Dwelling Unit
Bachelor	32.5 sq. m (349.8 sq. ft.)	74.0 sq. m 796.5 sq. ft.
One Bedroom	46.4 sq. m (499.4 sq. ft.)	97.5 sq. m 1049.5 sq. ft.
Two Bedrooms	55.5 sq. m (597.4 sq. ft.)	134.7 sq. m 1449.9 sq. ft.
Three or more Bedrooms	65.0 sq. m (699.7 sq. ft.)	134.7 sq. m 1449.9 sq. ft.

- ii. Minimum lot area - 798.0 sq. m (8589.6 sq. ft.);

- iii. Maximum building height:
 - a) Dwelling - 10.75 m (35.3 ft.) or three storeys, whichever is shorter.
 - b) Accessory - 4.6 m (15.1 ft.).
- iv. Maximum lot coverage - 40%;
- v. Minimum yards:
 - a) Front - 6.0 m (19.8 ft.).
 - b) Rear - 7.5 m (24.6 ft.).
 - c) Side - 2.5 m (8.2 ft.).
 - Corner lot - 3.0 m (9.8 ft.) abutting road or Highway.
- vi. Amenity area:
 - a) A development shall have a balcony or a landscaped, outdoor amenity area for the enjoyment and recreation of the residents of the development. The required amenity area shall be the sum of the following:
 - For each bachelor or one bedroom dwelling unit - 18.5 sq. m (199.1 sq. ft.);
 - For each two bedroom dwelling unit - 27.8 sq. m (299.2 sq. ft.);
 - For each three or more bedroom dwelling unit - 55.5 sq. m (597.4 sq. ft.).
 - b) Parking areas shall not be considered as part of or contributing to any amenity area.

(b) Relating to Row Housing

- i. Minimum lot area:
 - a) 185.0 sq. m (1991.3 sq. ft.) for each internal dwelling unit.
 - b) 278.0 sq. m (2992.4 sq. ft.) for each end dwelling unit abutting a road or highway on the side.
 - c) 232.0 sq. m (2497.2 sq. ft.) for each end dwelling unit not abutting a road or highway on the side.
- ii. Minimum lot width:
 - a) 6.0 m (19.8 ft.) for each internal dwelling unit.
 - b) 9.0 m (29.5 ft.) for each end dwelling unit abutting a road or highway on the side.
 - c) 7.5 m (24.6 ft.) for each end dwelling unit not abutting a road or highway on the side.

- iii. Maximum building height:
 - a) Dwelling units - 10.75 m (35.3 ft.) or three storeys, whichever is shorter.
 - b) Accessory buildings - 4.6 m (15.1 ft.).
- iv. Maximum lot coverage - 40%;
- v. Outdoor living area:

Each dwelling unit shall have an outdoor living area with a minimum depth of 7.5 m (24.6 ft.) adjacent to it. A minimum of 4.5 m (14.6 ft.) of this depth must be designed for the exclusive use of the occupants of the dwelling unit. This may be achieved by the provision of fences, screening or landscaping, with the details of this matter to be at the discretion of the Development Authority.

- vi. Arrangements and spacing of dwelling units:
 - a) The principal entry for every dwelling unit must be separate and be directly accessible to ground level.
 - b) The arrangement and spacing of dwellings is subject to the approval of the Development Authority.
- vii. Minimum yards:
 - a) Front - 6.0 m (19.8 ft.).
 - b) Rear - 7.5 m (24.6 ft.).
 - c) Side - 1.5 m (4.9 ft.).
 - Corner lot - 3.0 m (9.8 ft.) abutting road or highway.

(c) Relating to Stacked Row Housing:

- i. Maximum density and Minimum floor area

Type of Dwelling Unit	Minimum Floor Area in a Dwelling Unit	Minimum Lot Area Per Dwelling Unit
Bachelor	32.5 sq. m (349.8 sq. ft.)	74.0 sq. m 796.5 sq. ft.
One Bedroom	46.4 sq. m (499.4 sq. ft.)	97.5 sq. m 1049.5 sq. ft.
Two Bedrooms	55.5 sq. m (597.4 sq. ft.)	134.7 sq. m 1449.9 sq. ft.
Three or more Bedrooms	65.0 sq. m (699.7 sq. ft.)	134.7 sq. m 1449.9 sq. ft.

- ii. Minimum lot area - 798.0 sq. m (8589.6 sq. ft.);
- iii. Maximum building height:
 - a) Dwelling – 10.75 m (35.3 ft.) or 2 storeys, whichever is shorter.
 - b) Accessory - 4.6 m (15.1 ft.).
- iv. Maximum lot coverage - 50%;

- v. Minimum yards:
 - a) Front - 6.0 m (19.8 ft.).
 - b) Rear - 7.5 m (24.6 ft.).
 - c) Side - 4.0 m (13.12 ft.).

- vi. Amenity area:
 - a) A Stacked Row Housing development shall have a balcony or landscaped outdoor amenity area for the enjoyment and recreation of the residents of the development. The required amenity area shall be the sum of the following:
 - For each bachelor or one bedroom dwelling unit - 18.5 sq. m (199.1 sq. ft.);
 - For each two bedroom dwelling unit - 27.8 sq. m (299.2 sq. ft.);
 - For each three or more bedroom dwelling unit - 55.5 sq. m (597.4 sq. ft.).
 - b) Parking areas shall not be considered as part of or contributing to any amenity area.
 - c) All other uses - as required by the Development Authority.
 - d) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

6. R6 RESIDENTIAL DISTRICT

Purpose

To establish a district in which land will provide for a high-density urban multiple residential lifestyle, primarily as apartment/condominium housing with each unit using a common point of entry at grade.

(1) Permitted Uses

- (a) Apartments/Condominiums
- (b) Home Occupations - Minor
- (c) Building and uses accessory to permitted uses

(2) Discretionary Uses

- (a) One family dwellings
- (b) Row Housing
- (c) Fourplexes
- (d) Triplexes
- (e) Duplexes
- (f) Bed and Breakfast
- (g) Boarding Houses
- (h) Day Cares
- (i) Day Homes
- (j) Family Care Facilities
- (k) Group Care Facilities
- (l) Home Occupations - Major
- (m) Modular Units
- (n) Public or quasi-public buildings required to serve the immediate area
- (o) Public utilities required to serve the immediate area
- (p) Other uses which, in the opinion of the Development Authority are similar to the above mentioned permitted and discretionary uses
- (q) Building and uses accessory to discretionary uses

(3) Regulations

- (a) Relating to Apartments/Condominiums
 - i. Maximum density and Minimum floor area:

Type of Dwelling Unit	Minimum Floor Area in a Dwelling Unit	Minimum Lot Area Per Dwelling Unit
Bachelor	32.5 sq. m (349.8 sq. ft.)	74.0 sq. m 796.5 sq. ft.
One Bedroom	46.4 sq. m (499.4 sq. ft.)	97.5 sq. m 1049.5 sq. ft.
Two Bedrooms	55.5 sq. m (597.4 sq. ft.)	134.7 sq. m 1449.9 sq. ft.
Three or more Bedrooms	65.0 sq. m (699.7 sq. ft.)	134.7 sq. m 1449.9 sq. ft.

- ii. Minimum lot area - 798.0 sq. m (8589.6 sq. ft.);

- iii. Maximum building height:
 - a) Dwelling - 18.3 m (60 ft.) or 5 storeys, whichever is shorter.
 - b) Accessory - 4.6 m (15.1 ft.).
- iv. Maximum lot coverage - 50%;
- v. Minimum yards:
 - a) Front - 6.0 m (19.8 ft.).
 - b) Rear - 7.5 m (24.6 ft.).
 - c) Side - 4.0 m (13.12 ft.).
- vi. Amenity area:
 - a) An apartment/condominium development shall have a balcony or landscaped outdoor amenity area for the enjoyment and recreation of the residents of the apartment/condominium. The required amenity area shall be the sum of the following:
 - For each bachelor or one bedroom dwelling unit - 18.5 sq. m (199.1 sq. ft.);
 - For each two bedroom dwelling unit - 27.8 sq. m (299.2 sq. ft.);
 - For each three or more bedroom dwelling unit - 55.5 sq. m (597.4 sq. ft.).
 - b) Parking areas shall not be considered as part of or contributing to any amenity area.
- (b) All other uses - as required by the Development Authority.
- (c) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

(4) Special Bonus Conditions

- (a) The Development Authority may consider applications for development permits that do not comply exactly with the requirements of the Bylaw if:
 - i. additional facilities are provided that would improve the amenities of the area, and;
 - ii. the development conforms with the use prescribed for that land or building.

- (b) The bonus features to be considered may include but are not limited to the following:
- i. underground parking;
 - ii. extra recreation space;
 - iii. recreation equipment;
 - iv. facilities for handicapped people;
 - v. improved landscaping.

7. RMH1 RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT

Purpose

The General Purpose of this district is to permit development of manufactured home subdivisions, in which each unit is located on a separately registered parcel of land.

(1) Permitted Uses

- (a) Manufactured home units
- (b) Home occupations - Minor
- (c) Public parks and playgrounds
- (d) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Day cares
- (b) Day homes
- (c) Family care facilities
- (d) Home occupations - Major
- (e) Public or quasi-public buildings required to serve the immediate area
- (f) Public utilities required to serve the immediate area
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (h) Buildings and uses accessory to discretionary uses

(3) Regulations

- (a) Maximum building height:
 - i. Manufactured home units - 6.10 m (20 ft.);
 - ii. Accessory buildings - 4.6 m (15.1 ft.).
- (b) Minimum floor area:
 - i. Manufactured home units - 46.5 sq. m (500.5 sq. ft.), excluding attached porches.
- (c) Minimum lot area:
 - i. Manufactured home units - 408.0 sq. m (4391.7 sq. ft.).
- (d) Minimum yards:
 - i. Front - 4.5 m (14.8 ft.), or as required by the Development Authority;
 - ii. Side - 1.5 m (4.9 ft.);
 - iii. Rear - 4.5 m (14.8 ft.) or as required by the Development Authority.
- (e) Maximum lot coverage - 40%.

- (f) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

8. RMH2 RESIDENTIAL MANUFACTURED HOME PARK DISTRICT

Purpose

The General Purpose of this district is to permit and regulate manufactured home parks wherein stalls are provided on a rental basis.

(1) Permitted Uses

- (a) Manufactured home units
- (b) Home occupations - Minor
- (c) Public parks and playgrounds
- (d) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Day cares
- (b) Day homes
- (c) Family Care facilities
- (d) Home occupations - Major
- (e) Manufactured home parks
- (f) Public or quasi-public buildings required to serve the immediate area
- (g) Public utilities required to serve the immediate area
- (h) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (i) Buildings and uses accessory to discretionary uses
- (j) Recreation vehicle

(3) Regulations

- (a) Maximum building height:
 - i. Manufactured home units - 6.10 m (20 ft.);
 - ii. Accessory buildings - 4.6 m (15.1 ft.).
- (b) Minimum lot area - 2.0 ha (4.9 ac.).
- (c) Minimum stall area:
 - i. Single wide manufactured home units - 371.0 sq. m (3993.4 sq. ft.);
 - ii. Double wide manufactured home units - 464.5 sq. m (4999.8 sq. ft.).
- (d) Minimum yards (relating to stalls):
 - i. Front - 6.0 m (19.7 ft.), or as required by the Development Authority;
 - ii. Side - 1.5 m (4.9 ft.) or as required by the Development Authority;
 - iii. Rear - 1.5 m (4.9 ft.) or as required by the Development Authority.
- (e) Maximum stall coverage - 40%.

- (f) A manufactured home park must provide for a common recreation area or areas, containing a minimum of 10% of the total manufactured park area.
- (g) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

9. CB CENTRAL BUSINESS DISTRICT

Purpose

The General Purpose of this District is to permit/promote medium to high-density commercial development that will conserve, and where possible, promote the unique character of the historic area of downtown Vermilion.

(1) Permitted Uses

- (a) Banks
- (b) Grocery stores
- (c) Household appliance sales
- (d) Offices
- (e) Personal service shops
- (f) Restaurants
- (g) Retail stores
- (h) If the floor space area used is not greater than 372.0 sq. m. (4004.2 sq. ft.), the manufacturing or treatment of products essential to the retail business conducted on the premises, for example:
 - a bakery
 - the manufacture of candy, confectionery, ice cream or jam

(2) Discretionary Uses

- (a) Apartments
- (b) Clinics
- (c) Clubs or lodges
- (d) Dance halls
- (e) Dance studios
- (f) Drinking and eating establishments
- (g) Funeral parlours
- (h) Gas bars (with underground tanks only)
- (i) Hotels
- (j) Music studios
- (k) Parking lots
- (l) Photographic studios
- (m) Public or quasi-public buildings and uses
- (n) Public utilities
- (o) Shopping centres
- (p) Theatres
- (q) If the floor space area used is not greater than 372.0 sq. m. (4004.2 sq. ft.), the manufacturing or treatment of products essential to the retail business conducted on the premises, for example: a dyeing or cleaning plant or establishment
- (r) Accessory dwelling units in a building used for any of the above mentioned permitted or discretionary uses
- (s) Other commercial uses which, in the opinion of the Development Authority, are appropriate
- (t) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - 167.0 sq. m (1797.6 sq. ft.).
- (b) Minimum lot width - 4.5 m (14.8 ft.).
- (c) Minimum yards:
 - i. Front - None, except where the Development Authority may deem it necessary to conform with existing development;
 - ii. Side - None, if the subject lot is bordered on both sides by land classified C1 or CB or as required by the Development Authority;
 - iii. Rear - 6.0 m (19.7 ft.), or as required by the Development Authority.
- (d) Maximum site coverage:

80%, provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- (e) Special considerations:

Where shopping centres or groups of commercial uses are to be built on a single lot or grouping of lots, regulations shall be determined by the Development Authority, who shall deal with the overall scheme for the site, taking into account buildings, access, parking, specific commercial uses and, if possible, the Vermilion Downtown Historic Area Guidelines.
- (f) Existing use special considerations:

Existing uses not in conformance with the above stated permitted uses may not alter or expand their existing facility. Regular maintenance and upkeep is permitted. Establishment of a new or replacement of an existing non-permitted or non-conforming use is not allowed.
- (g) Any building façade, including all signs, awnings and lighting, alteration, maintenance, repair and/or additions respecting buildings within this district are encouraged to conform to the Vermilion Downtown Historic Area Guidelines.
- (h) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

10. C1 COMMERCIAL DISTRICT

Purpose

The General Purpose of this District is to permit commercial development appropriate for the Central Business District of the municipality and involving fairly high-density development. The regulations do not permit obnoxious uses or those involving excessive outside storage.

(1) Permitted Uses

- (a) Banks
- (b) Coin laundries
- (c) Grocery stores
- (d) Household appliance sales
- (e) Offices
- (f) Personal service shops
- (g) Restaurants
- (h) Retail stores
- (i) If the floor space area used is not greater than 372.0 sq. m. (4004.2 sq. ft.), the manufacturing or treatment of products essential to the retail business conducted on the premises, for example:
 - a bakery
 - the manufacture of candy, confectionery, ice cream or jam

(2) Discretionary Uses

- (a) Apartments
- (b) Auto and light truck sales
- (c) Bowling alleys
- (d) Clinics
- (e) Clubs or lodges
- (f) Dance studios
- (g) Day cares
- (h) Drinking and eating establishments
- (i) Funeral parlours
- (j) Hotels
- (k) Music studios
- (l) Parking lots
- (m) Photographic studios
- (n) Public or quasi-public buildings and uses
- (o) Public utilities
- (p) Service stations and gas bars (with underground tanks only) for automobiles and light trucks.
- (q) Shopping centres
- (r) Theatres
- (s) If the floor space area used is not greater than 372.0 sq. m. (4004.2 sq. ft.), the manufacturing or treatment of products essential to the retail business conducted on the premises i.e.: a dyeing or cleaning plant or establishment
- (t) Accessory dwelling units in a building used for any of the above mentioned permitted or discretionary uses

- (u) Other commercial uses which, in the opinion of the Development Authority are appropriate
- (v) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - 167.0 sq. m (1797.6 sq. ft.).
- (b) Minimum lot width - 4.5 m (14.8 ft.).
- (c) Minimum yards:
 - i. Front - None, except where the Development Authority may deem it necessary to conform with existing development;
 - ii. Side - None, if the subject lot is bordered on both sides by land classified C1 or as required by the Development Authority;
 - iii. Rear - 6.0 m (19.7 ft.), or as required by the Development Authority.
- (d) Maximum site coverage:

80%, provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- (e) Special considerations:

Where shopping centres or groups of commercial uses are to be built on a single lot or grouping of lots, regulations shall be determined by the Development Authority, who shall deal with the overall scheme for the site, taking into account buildings, access, parking and specific commercial uses.
- (f) Special bonus considerations:

The Development Authority may consider special applications that do not comply with the requirements of the By-law if:

 - i. additional facilities are provided that would improve the amenities of the area;
 - ii. the development conforms with the use prescribed for that land or building.
- (g) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

11. C2 COMMERCIAL DISTRICT

Purpose

The General Purpose of this District is to permit commercial development of a secondary nature, involving contractor/workshop type uses, and at the discretion of the Development Authority, more land extensive uses.

(1) Permitted Uses

- (a) Contractor Services - including but not limited to:
 - i. building construction, cabinet making, electrical, plumbing, heating, painting, welding, landscaping, pipefitting, upholstery, metal working, gas fitting, collision repair, decorating and pipe fitting.

(2) Discretionary Uses

- (a) Apartments
- (b) Automobile garages
- (c) Dance studios
- (d) Frozen food lockers
- (e) Funeral parlours
- (f) Garden centres
- (g) Motels
- (h) Music studios
- (i) Photographic studios
- (j) Public or quasi-public buildings and uses
- (k) Public utilities
- (l) Service stations and gas bars (storage tanks must be underground if adjacent to a residential district)
- (m) Storage and/or sales of:
 - i. Automobiles and light trucks
 - ii. Building supplies
 - iii. Farm machinery
 - iv. Lumber
- (n) Veterinary clinics
- (o) Wholesale warehouses
- (p) Other commercial uses which, in the opinion of the Development Authority, are appropriate
- (q) Renovations, additions, accessory uses and building to existing dwellings on Lots 9, 10, 11, 15 & 16, Block 34, Plan 4097S
- (r) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - 167.0 sq. m (1797.6 sq. ft.).
- (b) Minimum lot width - 4.5 m (14.8 ft.).

- (c) Minimum yards:
 - i. Front - None, except where the Development Authority may deem it necessary to conform with existing development;
 - ii. Side - None, if the subject lot is bordered on both sides by land classified CB, C1 or C2 or as required by the Development Authority;
 - iii. Rear - 6.0 m (19.7 ft.), or as required by the Development Authority.
- (d) Maximum site coverage:

80%, provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- (e) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

12. C3 HIGHWAY COMMERCIAL DISTRICT

The General Purpose of this District is to permit commercial uses, which will serve the travelling public.

(1) Permitted Uses

- (a) Hotels
- (b) Motels
- (c) Service stations and gas bars
- (d) Restaurants
- (e) Drive-in restaurants

(2) Discretionary Uses

- (a) Car washes
- (b) Curio shops
- (c) Handicraft shops
- (d) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (e) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - 334.0 sq. m (3595.1 sq. ft.).
- (b) Minimum lot width - 9.0 m (29.5 ft.).
- (c) Minimum yards:
 - i. Front - 6.0 m (19.7 ft.), or as required by the Development Authority;
 - ii. Side - 1.5 m (4.9 ft.), or as required by the Development Authority;
 - iii. Rear - 6.0 m (19.7 ft.), or as required by the Development Authority.
- (d) Maximum site coverage - 40%.
- (e) Maximum building height - 14.0 m (45.9 ft.), unless otherwise determined by the Development Authority.
- (f) Access to all developments within this District shall be by service road or by similar standard for controlling turning traffic, such as one-way roads and lanes, to the satisfaction of the Development Authority. The number of accesses provided to a road or highway from a development or service road shall be to the satisfaction of the Development Authority and Alberta Transportation and Utilities (if necessary).
- (g) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

13. C4 SHOPPING CENTRE DISTRICT

Purpose

The General Purpose of this District is to regulate the development of shopping centres containing a broad mix of retail, service, and office uses serving the community and region.

(1) Permitted Uses

- (a) Banks
- (b) Clinics
- (c) Dance studios
- (d) Drinking and eating establishments
- (e) Entertainment establishments
- (f) Music studios
- (g) Offices
- (h) Personal service shops
- (i) Photographic studios
- (j) Recreation establishments
- (k) Restaurants
- (l) Retail stores
- (m) Shopping centres

(2) Discretionary Uses

- (a) Car washes
- (b) Public or quasi-public buildings and uses
- (c) Public utilities
- (d) Service stations and gas bars
- (e) Veterinary clinics for domestic animals only
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (g) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - 0.4 ha (.99 ac.).
- (b) Maximum lot area - 2.05 ha (5.07 ac.).
- (c) Maximum lot coverage - 50%.
- (d) Minimum off-street parking requirement - 5.5 spaces/93.0 sq. m (5.5 per 1001.4 sq. ft.) of gross leasable floor area.
- (e) Off-street loading requirement - as required by the Development Authority.
- (f) Minimum yards - 3.0 m (9.8 ft.), which must be landscaped to the satisfaction of the Development Authority.

(g) Outdoor storage:

Outdoor storage areas must be screened to the satisfaction of the Development Authority.

(h) Drainage:

All roof and surface drainage shall be contained on-site and directed to a storm sewer.

(i) Lighting:

All on-site lighting shall be located, oriented and shielded so as to prevent the direct illumination of any neighbouring dwellings.

(j) Access:

Future shopping centres will have access only onto arterial roads.

(k) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

14. C5 NEIGHBOURHOOD COMMERCIAL DISTRICT

Purpose

The General Purpose of this District is to designate areas for small neighbourhood stores providing convenience goods and services to local residents providing the developer can demonstrate that the adjacent community supports the proposal.

(1) Permitted Uses

- (a) Confectionaries
- (b) Grocery stores

(2) Discretionary Uses

- (a) Public utilities
- (b) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted uses
- (c) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) The total floor area of any one store shall not exceed 280.0 sq. m (3013.8 sq. ft.).
- (b) Minimum site area shall be 550 sq. m (5920.34 sq. ft.) and the maximum 0.6 ha (1.48 ac.).
- (c) Minimum yards
 - i. Front - 9.0 m (29.5 ft.);
 - ii. Side - 3.0 m (9.8 ft.);
 - iii. Rear - 9.0 m (29.5 ft.).
- (d) No development shall commence until the Development Authority has approved a landscaping plan for the site.
- (e) Required landscaped yards:
 - i. A minimum landscaped yard of 3.0 m (9.8 ft) shall be required where a site abuts a public roadway, other than a Lane;
 - ii. A minimum landscaped yard of 3.0 m (9.8 ft) shall be required where the rear or side lot line of the site abuts the lot line of a site in a Residential District.
 - iii. All required landscaped yards must be grass-covered and trees shall be planted to meet the following requirement:

- a) One tree for each 25m² (269 ft²) and one shrub for each 15m² (161 ft²) of required yard space abutting a road or lane;
- b) One tree for each 20m² (215 ft²) and one shrub for each 10m² (108 ft²) of required yard space abutting an adjacent residential property.
- (f) All accesses/egresses, curb crossings and drainage must be outlined on a grading plan and approved by the Director of Engineering & Public Works.
- (g) Free-standing signs shall not exceed the height of the building.
- (h) Screening:

Areas adjacent to residential shall also provide a solid fence, to the satisfaction of the Development Authority, for screening that is consistent with the character and quality of the design and materials of the principal building and shall be no higher than:

- i. 1.83 m (6.0 ft) for the portion of a fence that does not extend beyond the foremost portion of the building abutting the front yard, nor beyond the foremost portion of the building where it abuts a side yard abutting a public road other than a lane;
- ii. 0.92 m (3.02 ft) for the portion of a fence that does extend beyond the foremost portion or portions of the building on the site.

- (i) Outdoor storage:

Outdoor storage areas are not permitted.

- (j) Garbage containers:

All garbage containers shall be screened using a solid fence, to the satisfaction of the Development Authority, that is no more than 1.83 m (6.0 ft) in height.

- (k) Drainage:

All roof and surface drainage shall be outlined on the grading plan and shall be contained on-site and directed to a storm sewer.

- (l) Lighting:

All on-site lighting shall be located, oriented and shielded so as to prevent the direct illumination of any neighbouring dwellings.

- (m) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

15. IL LIGHT INDUSTRIAL DISTRICT

Purpose

The General Purpose of this District is to provide an area that will facilitate services or businesses in a wide range of light industrial uses that are compatible with each other and do not adversely affect surrounding non-industrial land uses. Uses and operations within this district shall not cause or permit any objectionable or dangerous conditions that are apparent outside the building/s which house such operations. Objectionable features include (but are not limited to) noise, vibration, smoke, dust, and other kinds of particulate matter, odour, toxic and noxious matter, radiation hazards, fire and explosive hazards, humidity and glare.

(1) Permitted Uses

- (a) Light manufacturing and fabrication
- (b) Servicing establishments
- (c) Warehousing; storage, and distribution of raw materials, processed or manufactured goods
- (d) Workshops
- (e) Heavy/Agricultural equipment sales and service

(2) Discretionary Uses

- (a) Automobile garages
- (b) Dance Studios
- (c) Frozen food lockers
- (d) Funeral parlours
- (e) Garden centres
- (f) Heavy truck and equipment storage
- (g) Motels
- (h) Municipal uses that are not restrictive and are compatible with an industrial area
- (i) Music studios
- (j) Photographic studios
- (k) Public or quasi-public buildings & uses
- (l) Public utilities
- (m) Recreational uses that are not restrictive and are compatible with an industrial area
- (n) Service stations and gas bars, which may include bulk fuel storage
- (o) Storage and/or sales of:
 - i. Automobiles and light trucks
 - ii. Building supplies
 - iii. Farm machinery
 - iv. Lumber
- (p) Veterinary clinics
- (q) Wholesale warehouses
- (r) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (s) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - as required by the Development Authority.
- (b) Minimum yards:
 - i. Front - 9.0 m (29.5 ft.);
 - ii. Side - as required by the Development Authority;
 - iii. Rear - 9.0 m (29.5 ft.), or as required by the Development Authority.
- (c) Maximum lot coverage - 60%.
- (d) Maximum building height - 45.8 m (150.3 ft.).
- (e) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

16. IMH MEDIUM/HEAVY INDUSTRIAL DISTRICT

Purpose

The General Purpose of this District is to provide an area that will facilitate medium to high density industrial development including but not limited to manufacturing, processing, fabricating and distribution services including large scale or specialized operations whose external effects are likely to be felt to some degree by surrounding districts. Those uses with established functions in the economy but having a well-known nuisance potential are to be permitted only within this district. This zone will be located so that it does not interfere with the safety, use, amenity or enjoyment of any surrounding districts.

(1) Permitted Uses

- (a) Heavy/Agricultural equipment sales, service and/or storage
- (b) Manufacturing, processing, assembly, distribution and fabrication services or retail outlets.
- (c) Servicing establishments
- (d) Warehousing; storage, and distribution of raw materials, processed or manufactured goods
- (e) Workshops

(2) Discretionary Uses

- (a) Adult mini-theatres
- (b) Bulk fuel sales and storage
- (c) Industrial uses that may be obnoxious by reason of emission of odours, dust, smoke, gas, noise or vibration
- (d) Municipal uses that are not restrictive and are compatible with an industrial area
- (e) Recreational uses that are not restrictive and are compatible with an industrial area
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (g) Buildings and uses accessory to permitted and discretionary uses

(3) Regulations

- (a) Minimum lot area - as required by the Development Authority.
- (b) Minimum yards:
 - i. Front - 9.0 m (29.5 ft.);
 - ii. Side - as required by the Development Authority;
 - iii. Rear - 9.0 m (29.5 ft.), or as required by the Development Authority.
- (c) Maximum lot coverage - 60%.
- (d) Maximum building height - 45.8 m (150.3 ft.).

- (e) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

17. P COMMUNITY DISTRICT

Purpose

The General Purpose of this District is to permit the use of land for service, mainly of a public nature, which have a primary orientation toward the community.

(1) Permitted Uses

- (a) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses.
- (b) Buildings and uses accessory to permitted uses.

(2) Discretionary Uses

- (a) Cemeteries.
- (b) Public utilities.
- (c) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses.
- (d) Buildings and uses accessory to discretionary uses.

(3) Regulations

- (a) All regulations shall be as required by the Development Authority.
- (b) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

18. I INSTITUTIONAL DISTRICT

Purpose

The General Purpose of this District is to permit development of uses of either a public or private nature which provide services to the community.

(1) Permitted Uses

- (a) Churches
- (b) Community Halls
- (c) Federal, Provincial and Municipal buildings and uses
- (d) Hospitals and Nursing Homes
- (e) Schools
- (f) Senior citizens homes and similar buildings
- (g) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Cemeteries
- (b) Clubs or Lodges
- (c) Day cares
- (d) Public or quasi-public buildings and uses
- (e) Public utilities
- (f) Recreational uses
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (h) Buildings and uses accessory to discretionary uses
- (i) Heliports

(3) Regulations

- (a) All regulations shall be as required by the Development Authority.
- (b) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

19. UR URBAN RESERVE DISTRICT

Purpose

The General Purpose of this District is to reserve those lands on the periphery of the municipality which, by their relationship to existing land uses, the main road system, and the established utility systems, will in time become suitable for general urban uses.

(1) Permitted Uses

- (a) One-family dwellings on existing parcels only
- (b) Farming and cultivation of land, but not including such agricultural uses as feed lots, hog barns, poultry farms and fur farms
- (c) The subdivision of the existing residence from the NW32-50-6-W4
- (d) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Any strictly temporary use or building which in the opinion of the Development Authority will not prejudice the possibility of conveniently and economically re-plotting or developing the area in the future
- (b) Public or quasi-public buildings and uses
- (c) Public utilities
- (d) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (e) Buildings and uses accessory to discretionary uses

(3) Regulations

- (a) No development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish a plan showing the subdivision design, the proposed land use classification, public reserve dedications and utilities policies.
- (b) Relating to One-family Dwellings:

Minimum yard dimensions shall be as required by the Development Authority.
- (c) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

20. DC DIRECT CONTROL DISTRICT

Purpose

The purpose of this District is to make available a district where the potential for various uses has required that flexibility be used in deciding the appropriate land use. In addition, this District would permit the application of conditions unavailable under the existing districts and beyond the limits of the discretionary powers of the Development Authority. This district is not intended to be used in substitution of any standard Land Use District which could be used to regulate development and achieve the same result.

(1) Uses and Rules

All land use applications will be evaluated on their merits by the Council, who will establish the appropriate development standards.

(2) Regulations

- (a) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

21. DC1 DIRECT CONTROL DISTRICT

Purpose

The purpose of this District is to effect the transition of an existing manufactured home park to development standards acceptable to the Council.

(1) Permitted Uses

- (a) Manufactured home units
- (b) Buildings and uses accessory to permitted uses

(2) Discretionary Uses

- (a) Recreation vehicles

(3) Regulations

- (a) Permits for new manufactured homes may be issued by the Development Authority providing:
 - i. the location conforms to the stalls as illustrated in the attached plan (Appendix 1);
 - ii. where the stall is larger than 371.5 sq. m (3998.8 sq. ft.), the siting of the manufactured home shall conform to the standards of the RMH2 District of this By-law;
 - iii. where the stall is smaller than 371.5 sq. m (3998.8 sq. ft.), lot coverage by the manufactured home shall not exceed 23%;
 - iv. the side and rear yards shall be no less than 1.2 m (3.9 ft.); and the minimum front yard shall be at the discretion of the Development Authority;
 - v. accessory buildings shall not be located within the minimum front, side or rear yards;
- (b) Development applications which do not meet these standards may be approved by Council providing the long term conformity with appendix 1 is not compromised.
- (c) Permits for recreation vehicles may be issued by the Development Authority providing:
 - i. the location of the recreation vehicle conforms to the standards for manufactured homes above;
 - ii. permits shall be issued for a temporary period not in excess of six months.

- (d) Notwithstanding any of the regulations and restrictions outlined in this Land Use District, any development proposed for this Land Use District, either permitted or discretionary, that falls within the Airport Vicinity Overlay District will follow the regulations laid out in the Airport Vicinity Overlay District.

22. DC2 DIRECT CONTROL DISTRICT

Purpose

To establish a Direct Control District to accommodate a high density multiple family development consisting of a Condominium and to establish site development regulations to ensure compatibility with the surrounding development.

(1) Area Application

This area shall apply to Lots 21, 22, and 23, Block 2, Plan 6647 S encompassing an area of 1,672.2 sq. m. as indicated on the plan attached to this Bylaw as Schedule "A".

(2) Permitted Uses

- (a) Condominiums

(3) Discretionary Uses

- (a) Single family residential as provided in Residential District R-2.
- (b) Home Occupations – Minor.

(4) Regulations

- (a) Parkade Entrance on 51st Street.
- (b) Off-street parking should be paved and the parking requirements will be 1.25 stalls/unit which would require five stalls from the south east corner of the building to the west property line.
- (c) Repair or replacement of curbs, sidewalks to meet the Town specifications. Construction of a sidewalk to meet Town specifications on the east side adjacent to 51st Street.
- (d) Front yard setback 6 m.
- (e) Rear yard setback 3 m.
- (f) Side yard setback - minimum of 6 m. If land area may accommodate 40% of building height, or 15% of the lot width whichever is greater.
- (g) Maximum height to building peak from grade 15.5 m.
- (h) Minimum landscaped area - 10% of the lot area. Landscaping shall consist of boulevard trees, shrubs, or hedges, and sidewalks.

- (i) Amenity Area:
 - i. A condominium development shall have a balcony or landscaped, outdoor amenity area for the enjoyment and recreation of the residents of the condominium. The required amenity area shall be the sum of the following:
 - for each bachelor or one bedroom dwelling unit - 18.5 sq. m. (199.1 sq. ft.);
 - for each two bedroom dwelling unit - 27.8 sq. m. (299.2 sq. ft.);
 - for each three or more bedroom dwelling unit - 55.5 sq. ft. (597.4 sq. ft.).
- (j) Lot coverage not to exceed 42%.
- (k) Maximum units 18 with a minimum floor area of 700 sq. ft. each.
- (l) Exterior building finishes shall consist of brick or other texture masonry materials and cedar or other appropriate siding materials of durable quality, attractive in appearance, and used either separately or in combination.
- (m) Roof shall be sloped and of residential character and finished with cedar shakes, asphalt shingles or clay tiles.
- (n) External storage of goods and materials will not be permitted.
- (o) Exterior finishing materials shall be limited to muted tones with strong colours limited to use as accents.
- (p) Garbage collection area shall be screened to the satisfaction of the Development Authority.
- (q) The building shall have a sprinkler system installed and a stand pipe system with outside fire department connections in accordance with the Alberta Building Code.

(5) Development Permits

The Development Authority shall consider and decide upon all Development Permit applications.

23. DC3 DIRECT CONTROL DISTRICT

Purpose

To establish a Direct Control District to accommodate a high density multiple family development consisting of a Condominium and to establish site development regulations to ensure compatibility with the surrounding development.

(1) Area Application

This area shall apply to Lots 16 - 20, Block 13, Plan 6647 S encompassing an area of 1,672.2 sq. m. as indicated on the plan attached to this Bylaw as Schedule "A".

(2) Permitted Uses

- (a) Condominiums
- (b) Assisted Living Accommodation

(3) Discretionary Uses

- (a) Single family residential as provided in Residential District R-2
- (b) Home Occupations - Minor

(4) Regulations

- (a) Parkade entrance on 48th Street.
- (b) Thirty nine off-street parking stalls should be hard surfaced with total parking requirements 1.25 stalls/unit for each of the sixteen (16) condominium units and 1.0 stalls/unit for each of the nineteen (19) assisted living accommodations.
- (c) Grade level parkade will provide for stalls of off-street parking requirements.
- (d) Front yard setback 6 m.
- (e) Rear yard setback 9.6 m.
- (f) Side yard setback a minimum of 4.0 m. on west side and 3.6 m. on the east side yard.
- (g) Height to building peak from grade 17.825 m.
- (h) Lot coverage not to exceed 47.4%.
- (i) Minimum landscaped area - 10% of the lot area. Landscaping shall consist of boulevard trees, shrubs, or hedges, and sidewalks.

- (j) Amenity Area:
 - i. A condominium development shall have a balcony or landscaped, outdoor amenity area for the enjoyment and recreation of the residents of the condominium. The required amenity area shall be the sum of the following:
 - for each bachelor or one bedroom dwelling unit – 18.5 sq. m. (199.1 sq. ft.);
 - for each two bedroom dwelling unit – 27.8 sq. m. (299.2 sq. ft.);
 - for each three or more bedroom dwelling unit – 55.5 sq. ft. (597.4 sq. ft.).
- (k) Maximum units 16 units – condominium
19 units – assisted living accommodation.
- (l) Exterior building finishes shall consist of brick or other texture masonry materials and cedar or other appropriate siding materials of durable quality, attractive in appearance, and used either separately or in combination.
- (m) Roof shall be sloped and of residential character and finished with cedar shakes, asphalt shingles or clay tiles.
- (n) External storage of goods and materials will not be permitted.
- (o) Exterior finishing materials shall be limited to muted tones with strong colours limited to use as accents.
- (p) Garbage collection area shall be screened to the satisfaction of the Development Authority.
- (q) The building shall have a sprinkler system installed and a stand pipe system with outside fire department connections in accordance with the Alberta Building Code.

(5) Development Permits

The Development Authority shall consider and decide upon all Development Permit applications

24. AVO AIRPORT VICINITY OVERLAY DISTRICT

Purpose

The General Purpose of this District is to ensure appropriate uses in the vicinity of the Vermilion Airport.

(1) District Boundaries

This District overlays all of the land designated on Map 1 and identified as follows:

SW Section 4	Twp. 51-R6-W4
S1/2 Section 5	Twp. 51-R6-W4
N1/2 Section 32	Twp. 50-R6-W4
SE Section 32	Twp. 50-R6-W4
Section 33	Twp. 50-R6-W4
S1/2 Section 34	Twp. 50-R6-W4
NE Section 28	Twp. 50-R6-W4
N1/2 Section 27	Twp. 50-R6-W4
Ptn SE Section 27	Twp. 50-R6-W4

(2) Permitted Uses

Those uses outlined in the specific land use district applying to the subject lands. However, if these land uses create conflicts such that they attract birds, create electrical disturbance, or create dust or smoke they may be refused.

(3) Discretionary Uses

Those uses outlined in the specific land use district applying to the subject lands. However, if these land uses create conflicts such that they attract birds, create electrical disturbance, or create dust or smoke they may be refused.

(4) Regulations

- (a) No development may take place unless a development permit has been issued, with the exception of the following:
 - i. the carrying out of works of maintenance or repair to any building if those works do not include structural alterations or major works of renovation;
 - ii. a building referred to in this subsection that is used for the purpose for which construction was commenced;
 - iii. the erection or construction of gates, fences, walls or other means of enclosure less than 1.8 metres high;

- iv. a temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued under the land use bylaw;
 - v. the maintenance and repair of public works, services and utilities carried out or on behalf of federal, provincial or municipal public authorities on land, which is publicly owned or controlled.
- (b) The Development Authority and/or the Subdivision and Development Appeal Board may attach conditions to a development permit, in accordance with the land use bylaw, as long as they do not conflict with this District.
 - (c) The Development Authority shall review all development permits for their potential at attracting birds, creating dust and smoke, or electronic interference with aviation related installations and determines if the impacts are significant and should preclude the approval of the development.
 - (d) Minimum lot area – as determined by the individual land use district.
 - (e) Minimum lot width – as determined by the individual land use district.
 - (f) Minimum yards – as determined by the individual land use district.
 - (g) Minimum set backs – as determined by the individual land use district.
 - (h) Minimum site coverage – as determined by the individual land use district.
 - (i) Location of shelter belts and trees must consider the height restrictions adjacent to the airport and the Development Authority may request a signed agreement with the landowner, placing a caveat on the title (in the case of subdivision) to maintain the trees at an acceptable height.
 - (j) Height limitations – development shall not exceed the height of any of the following surfaces, as illustrated on Maps 2 and 3:
 - i. Take-off/approach surface. These are the surfaces abutting and extending out from each end of the basic runway strip. In each case the surface is an imaginary inclined plane, starting at the end of the basic strip, diverging outward on each side as it rises, at a rate of 15% measured from the respective projected side of the basic strip, and ends at its intersection with the outer surface;
 - ii. Transition surface. This area is associated with each side of the basic strip. It is an imaginary surface consisting of an inclined plane that commences and abuts the sides of the basic strip. It rises at a slope ratio of 1:7 from an elevation at the centre point of the runway and ends at its intersection with the outer surface and the take-off/approach surfaces;

- (k) Outer surface – the outer surface is considered a recommended practice guideline by Transport Canada, a referral to Transport Canada is required when a development proposal is deemed to contravene the outer surface:
 - i. The Outer Surface. This is an imaginary plane established at a constant level of 45 metres above the airport zoning reference point elevation and extending 4 kilometres from the centre point of the runway.
- (l) If the development is a railway, the highest point of the development shall be deemed to be 6 metres higher than the actual height of the rails.
- (m) If the development is a highway or a public roadway, the highest point shall be deemed to be 4.5 metres higher than the actual part of the highway or public roadway on which vehicles travel.
- (n) The elevation of the airport, to which all heights will be compared, is the airport reference point, measured at 615.6 metres above sea level.
- (o) Developments exceeding the height restrictions, outlined in Section (j) and illustrated on Map 2, may be approved if additional conditions are applied to the development permit including posting of notice in the Canada Flight Supplement, notification of NavCan and installation of hazard lights on the highest point of the structure.
- (p) Uses particularly sensitive to noise should not be approved in close proximity to the airport.
- (q) Where housing is approved in close proximity to the airport, construction shall conform to the exterior acoustic insulation requirements of Part II of the *Alberta Building Regulations, 1985 (Alta. Reg. 186/85)*. Where this condition is considered appropriate, the Development Authority shall indicate as such on the development permit.
- (r) Approval of development shall be at the discretion of the Development Authority. The impact of the proposed development on the operations of the airport, and the impact of the airport operations on the proposed development shall be the primary considerations of the Development Authority.

SCHEDULE C

SCHEDULE OF SIGN REGULATIONS

1. Definitions

For the purposes of this By-law, certain terms or words herein shall be interpreted or defined as follows:

- (1) "Animated signs" means any sign or portion of a sign having moving parts or electronically controlled colour changes or lights that depict action or give motion to the sign, and includes flashing lights.
- (2) "Area of a sign" means the total area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of the area of a sign.
- (3) "Billboard" means a fixed structure, primarily self-supporting, which is used for the display of general advertising.
- (4) "Business frontage" means
 - (a) any side of a lot or building which abuts a road or highway.
 - (b) in the case of individual business or tenants within a building, any business which has separate access to a road or highway.
- (5) "Fascia sign" means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m (0.98 ft.) from the building.
- (6) "Free-standing portable sign" means a sign on a standard, column or frame fixed to its own self-contained base and capable of being moved manually.
- (7) "Free-standing sign" means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure.
- (8) "General advertising" means advertising which relates to goods or services other than those produced, offered for sale, or obtainable at the lot on which the sign is displayed.
- (9) "Marquee or canopy" means a projection outward from the face of a building, primarily designed to provide protection from climatic elements.
- (10) "Marquee or canopy sign" means a sign attached to a marquee or canopy.

- (11) "Merchandising aid" means a device used for the display of merchandise and related advertising material.
- (12) "Point-of-sale advertising" means advertising which relates to the name of the occupier or firm, the nature of the business conducted and/or the goods produced, and/or the main products and services sold or obtainable at the lot on which the advertising is displayed.
- (13) "Projecting sign" means a sign which is attached to a building or structure so that part of the sign projects more than 0.3 m (0.98 ft.) from the face of the building or structure.
- (14) "Roof" means the top of any enclosure, above or within the vertical walls of a building.
- (15) "Roof sign" means any sign placed on or over a roof.
- (16) "Sandwich board sign" means any readily transportable sign used for point-of-sale advertising that can easily be relocated to another location or temporarily be set up and removed from a site which is not permanently attached to the ground, building or vehicle.
- (17) "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 structure, 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 restricting the generality of the foregoing, a sign includes posters, notices, panels, boardings, and banners.
- (18) "Sky sign" means a roof sign comprising individual letters or symbols on an open framework.
- (19) "Temporary community notification sign" means a sign used to display educational material and community events or notices that are erected for a specified period of time announcing an event of limited duration.

2. Exemptions from Sign Regulations

- (1) The following signs shall be exempted from the provisions of these sign regulations:
 - (a) signs displayed on enclosed land where they are not readily visible to the public.
 - (b) signs displayed within a building.
 - (c) signs displayed on door plates, door boards, or kick plates.

- (2) The following specified signs are also exempted from these sign regulations and may be erected without application being made to the Development Authority, provided that the permission hereby granted in respect of any such signs specified below shall be subject to any conditions or limitations specified in this By-law in the case of the particular signs, and be subject to all other orders, by-laws and regulations affecting such signs:
- (a) statutory and official notices and functional advertisements of local authorities and public transport authorities.
 - (b) traffic and directional signs authorized by Council.
 - (c) notices of identification in respect to the land or buildings on which they are displayed, and professional business and trade name plates relating to the occupants of the land or buildings on which they are displayed, provided that:
 - i. each notice or name plate shall not exceed 0.186 sq. m (2.00 sq. ft.) in area;
 - ii. there shall be a limit of one (1) notice for each occupant or each firm or company represented within the building, at one (1) entrance on each different road or highway.
 - (d) notices relating to the sale, lease or rental of the buildings, or land to which they are attached, provided that:
 - i. the notices shall not be illuminated;
 - ii. each notice shall not exceed 0.465 sq. m (5.00 sq. ft.) in area;
 - iii. there shall be a limit of one (1) notice for each side of the land or buildings on a different road or highway.
 - (e) posters relating specifically to a pending election, provided that such posters shall be removed within fourteen (14) days after the election.
 - (f) notices of land or buildings used for religious, educational, cultural, recreational, medical or similar public or quasi-public purposes, provided that:
 - i. each notice shall not exceed 1.12 sq. m (12.06 sq. ft.) in area;
 - ii. there shall be a limit of one (1) notice for each side of the land or buildings on a different road or highway.
 - (g) signs of building contractors relating to construction work in progress on the land on which signs are erected, provided that:
 - i. such signs shall be removed within fourteen (14) days of occupancy;

- ii. such signs shall be limited in size to a maximum of 2.98 sq. m (32.08 sq. ft.), and in number to one (1) sign for each boundary of the property under construction which fronts onto a road or highway.
- (h) temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
 - i. such signs shall not be illuminated and shall be constructed of paper, canvass, cardboard or other light materials or painted on glass and intended to be displayed for a short period of time only;
 - ii. such signs shall not be erected more than seven (7) days before the commencement of the sale to which they refer, and shall be removed within eight (8) days of the completion of the said sale.
- (i) sandwich board signs, provided that:
 - i. any such sign does not create a pedestrian or vehicular hazard or hindrance;
 - ii. the overall height shall not be greater than 1.22 m (4.0 ft.) above ground level;
 - iii. the maximum area of the sign shall not exceed 1.12 sq. m (12.06 sq. ft.);
- (j) signs on merchandising aids, provided that:
 - i. any device shall be placed wholly within the lot lines;
 - ii. the overall height of any sign shall not be greater than 1.83 m (6.0 ft.) above ground level;
 - iii. the maximum area of any sign shall be 1.12 sq. m (12.06 sq. ft.).
- (k) temporary community notification signs, provided that:
 - i. any such sign does not create a pedestrian or vehicular hazard or hindrance;
 - ii. the overall height shall not be greater than 1.22 m (4.0 ft.) above ground level;
 - iii. the maximum area of the sign shall not exceed 1.12 sq. m (12.06 sq. ft.);
 - iv. the sign be removed within 24 hours of the conclusion of an event.

3. Details of Application

- (1) Application for a development permit shall be made to the Development Authority. The application shall:
 - (a) be made out on the official form provided by the Development Authority.
 - (b) be supported by two (2) copies of drawings drawn to scale.
 - (c) include drawings which indicate:
 - i. the location of the sign by elevation drawing and/or site plan;
 - ii. the overall dimensions of the sign;
 - iii. the size of the letters or letter;
 - iv. the amount of projection from the face of the building;
 - v. the amount of projection over municipal property;
 - vi. the height of the sign above the road, highway, or sidewalk or the height above the average ground level at the face of the building;
 - vii. the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction;
 - viii. the least distance that the sign will be erected from an intersection of a road or highway with another. Also, the least distance from any device for the control of traffic at such an intersection.
- (2) No person shall erect or of place a sign differing from or larger than the sign for which a development permit has been issued. If during the progress of erecting or placing a sign, the applicant desires to deviate in any way from the terms of the original approved development permit, he shall notify the Development Authority and submit amended drawings, and, if the Development Authority, at his sole discretion, deems it necessary, shall make application to the Development Authority for approval of the sign as amended.
- (3) A development permit shall not be required to clean, repair, or repaint any sign.

4. General Provisions

- (1)
 - (a) With the exception of the special provisions relating to billboards, all signs shall contain "point-of-sale-advertising" only, as defined.
 - (b) No sign shall be permitted which is attached to a fence, pole, tree or any object in a road or highway or a publicly-owned place.

- (c) No sign shall be permitted which is attached to or standing on the ground in any road or highway or publicly-owned place.
 - (d) No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, a pedestrian crossing or at any location where it may interfere with , or be confused with, any authorized traffic sign, signal or device.
- (2) All signs must be maintained in a satisfactory manner or notice will be served to perform the necessary repairs or remove the sign(s) within thirty (30) days.

5. Fascia Signs

- (1) With the exception of the exemptions as provided for in Section 2 of this Schedule, fascia signs shall only be permitted in the Commercial, Industrial, Institutional and Community Districts. All fascia signs shall be erected so that they:
- (a) do not project more than 46.0 cm (18.1 in.) above the top of the vertical face of the wall to which they are attached.
 - (b) do not exceed in area the equivalent of 25% of the superficial area of the wall comprising the business frontage.
 - (c) are located on a business frontage.
- (2) Fascia signs on a flank or gable wall which is not a business frontage shall be at the discretion of the Development Authority according to the merits of the individual application.
- (3) On commercial and industrial buildings which are non-conforming uses in Residential Districts, fascia signs shall be at the discretion of the Development Authority according to the merits of the individual application.

6. Marquee, Canopy and Roof Signs

- (1) Marquee and canopy signs shall be considered as fascia signs according to the provisions of Section 5 of this Schedule, provided that:
- (a) they shall be attached to the front edge of the marquee or canopy.
 - (b) no additional supporting wires or stays shall be attached to the canopy or wall.
 - (c) no portion of the sign shall project below the bottom edge or more than 18 inches above the top edge of the marquee or canopy.
 - (d) a sign not exceeding 30.5 cm (12 in.) by 1.22 m (4.0 ft.) in outside dimensions may be suspended below a marquee or canopy provided no part of the sign shall be closer than 2.45 m (8.04 ft.) to the ground or sidewalk.

- (2) Roof signs shall be considered as fascia signs according to the provisions of Section 5 of this Schedule, provided that:
 - (a) the sign shall be attached to the front edge of the roof.
 - (b) no additional supporting wires or stays shall be attached to the roof.
 - (c) no portion of a sign shall project more than 46.0 cm (18.1 in.) above the roof.

7. Projecting Signs

- (1) With the exception of the exemptions as provided for in Section 2 of this Schedule, projecting signs shall only be permitted in the Commercial, Industrial, Institutional and Community Districts. All projecting signs shall be erected so that:
 - (a) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 3.0 m (9.8 ft.) above the ground or sidewalk grade.
 - (b) no part of the sign shall project more than 46.0 cm (18.1 in.) above the top of the vertical face of the wall to which it is attached.
 - (c) the space between the sign and supporting structure shall not be more than 0.61 m (2.0 ft.).
 - (d) there shall be only one projecting sign for each business frontage, provided that, if a business frontage shall exceed 15.0 m (49.2 ft.) a further projecting sign shall be permitted for each additional 15.0 (49.2 ft.) or portion thereof.
 - (e) the permitted area of the sign shall be related to the amount of projection from the face of the building, as follows:

amount of projection:	1.83	1.53	1.22	0.92	m or less
	6.0	5.0	4.0	3.0	(ft.)
maximum area of sign:	3.26	4.5	5.6	7.0	sq. m
	35.1	48.4	60.3	75.3	(sq. ft.)

- (f) support shall not be provided by an "A" frame.

8. Free-Standing Signs

- (1) With the exception of the exemptions provided for in Section 2 of this Schedule, free-standing signs shall only be permitted in the Commercial, Industrial, Institutional and Community Districts. All free-standing signs shall be erected so that:
 - (a) no part of the sign, excluding that portion which is used for the support and which is free of advertising, shall be less than 1.0 m (3.3 ft.) nor more than 9.2 m (30.1 ft.) above ground or sidewalk grade.

- (b) no part of the sign shall project beyond the lot line.
 - (c) the area of the sign shall not exceed the ratio of 929 sq. cm (1.0 sq. ft.) for each linear metre of business frontage to a maximum of 8.4 sq. m (90.4 sq. ft.), with the area of the sign being computed exclusive of the pylon or support provided that it is free of advertising.
 - (d) there shall not be more than one (1) free-standing sign for each business frontage.
 - (e) the portion used for support be painted and/or finished to the satisfaction of the Development Authority.
- (2) Billboards shall be considered by the Development Authority according to the merits of each individual application and shall be subject to the conditions that:
- (a) the structure shall not exceed 3.7 m (12.1 ft.) in height and 10.0 m (32.8 ft.) in length.
 - (b) the vertical posts supporting the structure shall not project above the upper edge of the boarding.
 - (c) any additional bracing shall be contained within the front and rear faces of the vertical posts.
 - (d) the rear of any billboard which is plainly visible from a road or highway shall be covered with wooden slats or trellis fixed against the rear edge of the vertical posts and painted.
 - (e) no part of the structure shall project over public property; or placed on road or highway right-of-way.
 - (f) no billboard shall be erected less than 150.0 m (492.1 ft.) from any existing billboards.
 - (g) the structure shall at all times be maintained, in the opinion of the Development Authority, in a satisfactory manner, for the term of the permit.
 - (h) All signs shall be limited to:
 - i. local advertising;
 - ii. facilities located within a radius of 48 km (30 mi.);
 - iii. indirect lighting, which excludes flashing or animated lighting;
 - iv. one sign for each licensed business development.

(3) Free-Standing Portable Signs

With the exception of the exemptions provided for in Section 2 of this Schedule, free-standing portable signs shall only be permitted in the Commercial, Industrial, Institutional and Community Districts. A portable sign may be permitted only if:

- (a) the sign area does not exceed 5.0 m² (53.8 ft²) and does not exceed 2.6 m (8.5 ft) in height or 2.7 m (8.9 ft) in width including any structural supports.
- (b) the sign maintains a separation distance of 30 m (98.4 ft) from another approved portable sign and/or 10 m (32.8 ft) from an approved permanent sign.
- (c) the sign is not located within 3.0 m (9.8 ft) of a site access or 10 m (32.8 ft) from an intersection.
- (d) no part of the sign shall project beyond the lot line.
- (e) there shall not be more than one (1) free-standing sign for each business frontage.
- (f) the sign shall contain point-of-sale advertising only.
- (g) the portion used for support be painted and/or finished to the satisfaction of the Development Authority.

9. Illuminated Roof and Sky Signs

- (1) Illuminated roof and sky signs may be only allowed in Commercial Districts. They shall be considered by the Development Authority according to the merits of each individual application, provided that:
 - (a) the sign shall be attached to a flat roof on a building more than 10.7 m (35.1 ft.) high.
 - (b) the Development Authority shall be satisfied that the purpose of the sign cannot be achieved by another type of sign.
 - (c) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 1.2 m (3.9 ft.) or more than 4.6 m (15.1 ft.) above the level of the roof.
 - (d) the sign refer to the principal use of the building on which it is erected.

10. Inflatable Signs

- (1) Inflatable signs may only be allowed in Commercial or Industrial Districts. They shall be considered by the Development Authority according to the merits of each individual application, provided that:

- (a) the sign is located no closer than 30 m (98.4 ft) to a residential district.
- (b) the sign does not exceed the height limit for the district in which it is located.
- (c) not more than one inflatable sign may be located on a site at one time.
- (d) the sign must not be located at a site for more than 10 consecutive days or for more than 90 days in a calendar year.

11. Other Signs

Any other types of signs, such as animated signs, may only be allowed in Commercial or Industrial Districts and may be considered by the Development Authority according to the merits of each application

12. Variances

Where there are exceptional circumstances or conditions applicable to a particular property to the extent that practical difficulties, or results inconsistent with the general purposes of these regulations may result from their strict and literal interpretation and enforcement, variances shall be considered by the Development Authority according to the merits of the individual application.

13. Existing Signs

These Sign Regulations shall not be applied to signs legally in existence at the date of the adoption of this By-law.

SCHEDULE D

VIOLATION PENALTIES

SPECIFIED PENALTIES FOR OFFENCES UNDER LAND USE BYLAW

Description of Offence	1st Offence	2nd Offence	3rd of Subsequent Offence
Schedule C Section 4 (1) - Displaying a sign without a required permit	\$250.00	\$500.00	\$1000.00
Schedule C – Displaying a sign in contravention of this Bylaw	\$250.00	\$500.00	\$1000.00
Displaying a Sign in contravention of the conditions of a development permit	\$250.00	\$500.00	\$1000.00
Section 11 (1) Commence development without a permit	\$250.00	\$500.00	\$1000.00
Section 8 (1)(d) Parking a heavy vehicle in any part of any residential yard.	\$250.00	\$500.00	\$1000.00
Failure to comply with the conditions of a development permit	\$250.00	\$500.00	\$1000.00

IMPOUNDING AND STORAGE CHARGES

Item	Authorized Charge
Impounding of signs	\$50.00 per sign
Storage of signs: less than or equal to 1.5 m ² (16.1 ft ²)	\$3.00 per sign per day
Storage of signs: greater than 1.5 m ² (16.1 ft ²)	\$5.00 per sign per day