



TOWN OF LAC LA BICHE

LAND USE BYLAW

BYLAW NO. 1151/99

1999

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**BYLAW NO. 1151/99
LAND USE BYLAW**

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

PART ONE - GENERAL

1.1 Title

The title of this Bylaw shall be the Land Use Bylaw of the Town of Lac La Biche.

1.2 Purpose

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose amongst other things:

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

1.3 Interpretation

In this Bylaw

- (1) "**Act**" means the Municipal Government Act, 1994, as amended;
- (2) "**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;
- (3) "**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;
- (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, and
 - (b) any other land identified in this Bylaw as adjacent for the purpose of satisfying Section 3.5(6) of this Bylaw;
- (5) "**amenity area**" means an onsite indoor developed space and/or outdoor landscaped area for the personal enjoyment and recreation of the occupants of a dwelling;

- (6) "**amusement establishment**" means a development facility within any building, room or area for entertainment activities where patrons are primarily participants. This shall include such activities as bingo, electronic games, and gambling but does not include indoor recreation facilities;
- (7) "**apartment**" means a dwelling containing three (3) or more dwelling units, but shall not mean row housing, triplexes or fourplexes;
- (8) "**basement suite**" means a self-contained dwelling unit, in the basement of a single detached dwelling, having a common access with a dwelling unit on the main floor;
- (9) "**bed and breakfast establishment**" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of two (2) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (10) "**billboard**" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the billboard is located;
- (11) "**boarding house**" means a building, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public;
- (12) "**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;
- (13) "**business suite**" means a development consisting of one (1) or two (2) dwelling units contained within a building which is primarily dedicated to commercial use, and where each dwelling unit has a separate entrance (separate from the entrance for commercial purposes), and is not located on the ground floor;
- (14) "**convenience store**" means a commercial operation designed to serve the day to day needs of the residents of the area in which it is located. Typical uses include small food stores, variety stores, and small restaurants or take-out food establishments. If the sale of gasoline is involved, such developments must also be approved as gas bars;
- (15) "**corner lot**" means a lot with boundary lines on two separate roads or highways, or with a boundary line on a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot;
- (16) "**corner site**" means a part of a lot adjacent to two separate roads, highways, or lanes, or any combination of them, or adjacent to a single road, highway, or lane that curves at an angle of sixty (60) degrees or more at the subject lot. The corner site shall be the triangular area formed by the intersecting road, highway, or lane right-of-way boundary lines and a straight line joining points on the road, highway or lane right-of-way boundary line a certain specified distance from their intersection;
- (17) "**Council**" means the Council of the Town of Lac La Biche;
- (18) "**coverage**" means the combined area of all buildings or structures on the lot as a percentage of the lot area, measured at the level of the lowest storey above grade, including all porches and verandas, open or covered, but excluding open and enclosed terraces at grade, steps, cornices, eaves and similar projections;

- (19) "**day care center**" means development licensed by the Province that receives, for temporary custody, more than five (5) children under ten (10) years of age not of common parentage, and which is not part of a public school, separate school, private school, or children's mental health center, and does not include overnight accommodation;
- (20) "**development**" means:
- (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or
 - (e) a demolition of a building;
- (21) "**Development Authority**" means the Development Authority established by the municipality's Development Authority Bylaw and appointed by Council;
- (22) "**Development Authority Officer**" means the Development Authority Officer established by the municipality's Development Authority Bylaw and appointed by Council;
- (23) "**development permit**" means a document authorizing a development issued pursuant to this Bylaw;
- (24) "**discretionary use**" means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made;
- (25) "**drive in business**" means an establishment which services customers traveling in motor vehicles driven onto the site where such business is carried on, where the customer normally remains in the vehicle. This does not include service stations or gas bars;
- (26) "**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, and which have a separate access to each dwelling unit;
- (27) "**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 single detached dwellings, manufactured homes, duplexes, row housing, and apartments;
- (28) "**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;

- (29) "**entertainment establishment**" means development providing facilities within an enclosed building specifically intended for live performance or the showing of motion pictures;
- (30) "**floor area**" means the total area of all floors of a building excluding the area of a basement floor, except that all basement suites and all dwelling units in apartment buildings shall be included in the calculation of floor area;
- (31) "**fourplex**" means a dwelling containing four (4) dwelling units arranged such that each of the units is located both beside another unit, sharing a common wall (as in a duplex), and either above or below another unit;
- (32) "**front line**" means the boundary line of a lot 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;
- (33) "**front yard**" means a yard extending across the full width of a lot from the front line to the nearest wall of the main building situated on the lot. In the case of a curved front line, the front yard will also form a curve;
- (34) "**gas bar**" means development used for the retail sale of gasoline, other petroleum products and incidental auto accessories. This use does not include service stations;
- (35) "**grade**" means the average of:
- (a) the mean level of the finished ground adjoining the building at the exterior wall, and
 - (b) the mean level of the finished grade of the street elevations in front of the face of the building;
- (36) "**group home**" means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults;
- (37) "**height**" means, when used with reference to a structure or building, the vertical distance measured from grade level to the peak ridge line of the roof. At the discretion of the Development Authority, chimney stacks, steeples, public utility structures, receiving or transmitting structures, flag poles, or anything determined by the Development Authority as being similar in nature, may not be considered for the purpose of height determination;
- (38) "**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 7.1(6)(c)(vi) of this Bylaw. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - major home occupations and minor home occupations - with specific regulations for each;

- (39) "**institutional use**" means development for the purpose of education, health service, or detention and correction. Uses include schools, hospitals, nursing homes, senior citizen lodges, detoxification centers, and remand and correction centers;
- (40) "**light industrial use**" means development for the purpose of processing raw materials, manufacturing or assembling of goods or equipment, or storage or transshipment of materials, goods or equipment, which will not result in the emission of odors, dust, smoke, gas, noise, or vibration outside the building in which the industrial activity is carried on, and which is carried on entirely indoors, except for storage which may be located outdoors provided it is entirely screened from all adjacent uses except for other industrial uses and from all roads. Notwithstanding the above, light industrial use shall not include the outdoor storage of used goods or materials for any purpose;
- (41) "**lot**" means:
- (a) a quarter section, or
 - (b) a settlement lot, or
 - (c) 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
 - (d) 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;
- (42) "**main building**" means a building in which is conducted the main or principle use of the lot on which it is erected;
- (43) "**main use**" means the use which is the principle use of the lot on which the use is located;
- (44) "**manufactured home**" means a dwelling that 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 a single dwelling unit. If the dwelling does not meet all of the following criteria, it shall be considered a manufactured home:
- (a) a roof pitch greater than 1:4,
 - (b) a depth of eaves greater than 30.4 cm, and
 - (c) a ratio of depth vs. width (or width vs. depth) less than 3:1.
- If the roof pitch is less than 1:4, or if the eaves is less than 30.4 cm, or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home;
- (45) "**manufactured home park**" means any lot on which two or more occupied manufactured homes are harbored or are permitted to be harbored 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;

- (46) "**manufactured home subdivision**" means an area within the RMHS District in this Bylaw which is subdivided by a registered plan into individual lots;
- (47) "**Municipal Planning Commission**" means the Municipal Planning Commission established by the municipality's Municipal Planning Commission Bylaw and appointed by Council;
- (48) "**municipality**" means the Town of Lac La Biche;
- (49) "**neighborhood shopping center**" means a building or group of buildings, containing a limited number of convenience stores and/or personal service shops;
- (50) "**non-conforming building**" means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (51) "**non-conforming use**" means a lawful specific use:
- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;
- (52) "**nuisance**" means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;
- (53) "**offensive**" or "**objectionable**" means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particulate matter; odor; toxic or non-toxic matter; radiation; fire or explosion hazard; heat; humidity; glare; or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighborhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure;
- (54) "**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, or
 - (b) in the case of any other land, the person shown as the owner of a parcel of land on the municipality's assessment roll;
- (55) "**permitted use**" means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made, provided

that all of the regulations of this Bylaw are satisfied and all of the considerations and requirements of the Development Authority are or will be met;

- (56) "**personal service shop**" means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments and laundromats. This does not include health services;
- (57) "**professional and financial office**" means a development primarily used for the provision of professional, management, administrative, consulting or financial services, but does not include health services or government services. Uses include the offices of lawyers, accountants, engineers, architects, dentists, doctors; offices for real estate and insurance firms; clerical, secretarial, employment, and similar office support services; and banks, credit unions, loan offices and similar financial services;
- (58) "**public utility**" means a public utility, as defined in the Act;
- (59) "**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;
- (60) "**public or quasi-public services**" means a building used by the public for the purposes of assembly, instruction, or culture, or providing government services directly to the public. It includes government buildings, churches, community halls, and recreation facilities;
- (61) "**rear line**" means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road;
- (62) "**rear yard**" means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot to the rear line of the lot;
- (63) "**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;
- (64) "**retail store**" means a development used for the retail sale of groceries, beverages, household goods, furniture, clothing, alcoholic beverages, appliances, hardware, printed matter, confections, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and/or similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots, are permitted within retail stores. This does not include developments used for the sale of gasoline, heavy agricultural or industrial equipment; vehicle and equipment sales/rentals; or warehouse development;
- (65) "**row housing**" means a dwelling or dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";
- (66) "**service station**" means development used for the servicing, washing, and/or repairing of vehicles; and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories. The use may also include a restaurant and a convenience store, but does not include specialty motor repair shops or motor vehicle repair shops not selling gasoline, or similar uses;

- (67) "**shopping center**" means a building or a group of buildings, containing retail commercial and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;
- (68) "**side line**" means the boundary line of a lot lying between a front line and a rear line of a lot. 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;
- (69) "**side yard**" means a yard extending from the nearest wall of the main building situated on a lot to the side line, and lying between the front and rear yards on the lot;
- (70) "**sign**" means any visual medium, including its structure and other component parts, which is used, on a permanent or temporary basis, to convey information to advertise, or to attract attention to a product, service, place, activity, person, institution, or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a motor vehicle intended for use on a road;
- (71) "**single detached dwelling**" means a dwelling consisting of one (1) dwelling unit, and, if the provisions of this Bylaw allow, a basement suite, but this term does not include a dwelling that would be considered to be a manufactured home;
- (72) "**stall**" means an area of land upon which a manufactured home 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;
- (73) "**storey**" means that portion of a building which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building which is situated between the top of any floor and the roof above it;
- (74) "**Subdivision and Development Appeal Board**" means the Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board Bylaw and appointed by Council;
- (75) "**substandard lot**" means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;
- (76) "**tie down**" means an apparatus which firmly secures a manufactured home to the ground. This apparatus usually consists of steel cables attached to the manufactured home and concrete pylons strategically placed on the accommodating site;
- (77) "**triplex**" means a dwelling containing three (3) dwelling units arranged such that the units are all located entirely either above or below another unit, or both;
- (78) "**utility services**" means development for public infrastructure purposes. Uses include sewage treatment plants, garbage transfer stations, power stations, incinerators, and recycling plants;
- (79) "**vehicle and equipment sales/rentals**" means development used for the sale or rental of vehicles, machinery or mechanical equipment. Such goods include cars, trucks, manufactured homes, recreation vehicles, boats, farm equipment, and heavy machinery used in construction or oilfield production;

- (80) "**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;
- (81) "**yard**" means a part of a lot 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.

1.4 Establishment of Districts

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

Restricted Residential District (Large Lot) - RR1
Residential District (Detached Housing) - R1
Residential District (Medium Density) - R2
Residential District (Multi-family) - R3
Residential Manufactured Home Subdivision District - RMHS
Residential Manufactured Home Park District - RMHP
Central Commercial District - C1
Arterial Commercial District - C2
Shopping Center District - C3
Industrial District - M
Parks, Recreation and Open Space District - P
Institutional District - I
Urban Reserve District - U

- (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 center 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. Where a boundary is shown as approximately following the shoreline of Lac La Biche, it shall be deemed to follow such line and in the event of change in the shoreline, it shall be deemed as moving with same.
- Rule 4. In circumstances not covered by Rule 1, Rule 2, or Rule 3, 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 Bylaw.
- (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 Bylaw.
- (6) The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

1.5 Establishment of Land Use District Regulations

Land Use District regulations shall be as set forth in this Bylaw, and which may be amended in the same manner as any part of this Bylaw.

1.6 Establishment of Sign Regulations

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

PART TWO - AGENCIES

2.1 Development Authority

1. The Development Authority of the Town of Lac La Biche shall be as established by the municipality's Development Authority Bylaw.
2. If the Development Authority Officer is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Development Authority Officer.
3. If the Municipal Planning Commission is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Municipal Planning Commission.

2.2 Development Authority Officer

1. The Development Authority Officer shall perform such duties that are specified in subsections 2. and 3. hereof and in PART THREE of this Bylaw.
2. The Development Authority Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereon.
3. For the purposes of Section 542 of the Act, the Development Authority Officer is hereby declared to be the designated officer.

2.3 Municipal Planning Commission

The Municipal Planning Commission shall perform such duties as are specified in PART THREE of this Bylaw.

2.4 Subdivision and Development Appeal Board

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

PART THREE - DEVELOPMENT PERMITS, RULES AND PROCEDURES

3.1 Control of Development

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

3.2 Development Not Requiring a Development Permit

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or 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 approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the said approval.
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1 m in height in front yards and less than 2 m in side and rear yards.
- (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 Bylaw.
- (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 single storey accessory building with a floor area not more than 10 m² in floor area.
- (8) Utility connections and maintenance, including television, telephone, electrical or heating installation work to a building, provided that the use or intensity of use does not change.
- (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 to provide vehicular access from a road to an attached or detached garage or carport.
- (10) Satellite dishes under 1 m in diameter.
- (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 (10) above, both inclusive.

3.3 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 with this Bylaw.
- (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, or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 3.4(12) of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (6) Except as noted in Section 7.1(6)(c)(viii) of this Bylaw, the land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

3.4 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;
 - (d) the estimated cost of the project or contract price; and
 - (e) the estimated commencement and completion dates.

- (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) The Development Authority Officer shall:
 - (a) receive and review all applications to ascertain whether it is complete in accordance with Sections 3.4(1) to 3.4(3) of this Bylaw, both inclusive;
 - (b) consider and decide on applications for a development permit where the uses constitute permitted uses in a District and where the development complies with the regulations for the development;
 - (c) refer to the Municipal Planning Commission, with a recommendation, for its consideration;
 - (i) applications for a development permit where the uses constitute discretionary uses in a District,
 - (ii) applications for a development permit for those uses which constitute permitted uses but where the development does not comply with the regulations for the development;
 - (d) at his discretion, refer to the Municipal Planning Commission any application for a development permit which in his opinion should be decided by the Commission.
- (5) When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. A returned application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- (6) 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.
- (7) In making a decision, the Development Authority may impose such conditions as are required to ensure compliance with this Bylaw.
- (8) The Development Authority may require that as a condition of issuing a development permit, the applicant make satisfactory arrangements for the supply of water, electric power, sewer service, and vehicular and pedestrian access, or any of them, including the

payment of the costs of installation or construction of any such utility or facility by the applicant.

- (9) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement:
 - (i) 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,
 - (ii) to specify the location and number of vehicular and pedestrian access points to the development from roads,
 - (iii) to install or pay for the installation of public utilities other than telecommunications systems or works,
 - (iv) to construct or pay for the construction of off-street or other parking facilities, and loading and unloading facilities,
 - (v) to pay an off-site levy,
 - (vi) to repair or reinstate, or to pay for the repair or reinstatement of, to original condition, any road furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations on the site, and/or
 - (vii) to give security to ensure that the terms of the agreement noted herein are carried out.
- (10) The Development Authority may require any agreement entered into pursuant to Section 3.4(10) above to be caveated against the title of the lot at the Land Titles Office.
- (11) In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District.
- (12) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighborhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighboring parcels of land, and
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (13) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal pursuant to Part Four of this Bylaw, the Development Authority shall not accept the submission of another application for a permit on the same

parcel of land and for the same or similar development by the same or any other applicant for six (6) months after the date of the refusal.

- (14) 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 Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.

3.5 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 or development permit is publicized as described in both Section 3.5(5) and Section 3.5(6). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made pursuant to Part Four of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
- (3) 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.
- (4) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- (5) When a permit has been issued, the Development Authority Officer shall immediately cause to be published, in a newspaper circulating in the municipality, a notice of the decision stating the location of the property for which the application has been made, the use approved, and the nature of the decision.
- (6) In addition, when a permit has been issued for a discretionary use and/or when a permit has been issued involving the relaxation of requirements and regulations, the Development Authority Officer shall immediately mail a written notice to all owners of adjacent land and all other owners of land who, in the sole opinion of the Development Authority Officer, may be affected by the possible development.
- (7) When an application for a development permit has been approved by the Development Authority, the development permit shall not be valid unless and until:
 - (a) any conditions of approval, save those of a continuing nature, have been fulfilled; and
 - (b) no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in PART FOUR - APPEALS.
- (8) 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. In such a case the applicant is not entitled to a fee

rebate. If the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.

PART FOUR - APPEALS

4.1 Appeal Procedure

- (1) An appeal may be made to the Subdivision and Development Appeal Board (the 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 5.1 of this Bylaw.
- (2) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, under Subsection (1), or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Board.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Board, together with reasons and the development appeal fee as established by Council, within fourteen (14) days after
 - (a) the date the order, decision or permit issued by the Development Authority was publicized in accordance with Sections 3.5(5) and 3.5(6) of this Bylaw; or
 - (b) the forty (40) day period referred to in subsection (1)(a) has expired.

4.2 Public Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
- (2) The 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 3.5(3)(c) and any other person who, in the opinion of the Board, are affected by the order, decision or permit; and
 - (d) such other persons as the Board specifies.

- (3) The Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal there from;
or
 - (b) the order of the Development Authority under Section 5.1,as the case may be.
- (4) At the public hearing referred to in subsection (1), the Board shall hear:
 - (a) the appellant or any other person acting on behalf of the appellant;
 - (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 behalf of that person; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Board agrees to hear or a person acting on behalf of that person.

4.3 Decision

- (1) The Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- (2) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal; and
 - (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

**PART FIVE
ENFORCEMENT AND ADMINISTRATION**

5.1 Contravention

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with;
- (a) the Act or the regulations made there under, or
 - (b) a development permit or subdivision approval or any condition attached thereto, or
 - (c) this Bylaw,

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

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
- (ii) demolish, remove or replace the development, and/or
- (iii) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations made there under, a development permit, subdivision approval or this Bylaw,

within the time frame specified by the notice, as the case may be.

- (2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one (1) year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
- (4) Where any person obstructs or hinders the Development Authority or any other person in the exercise or performance of his powers or duties under the Act, that obstructing or hindering person shall be guilty of an offence and liable to a fine or to imprisonment in accordance with Provincial legislation.
- (5) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (6) The Development Authority may suspend or revoke a development permit where:
- (a) the applicant fails to comply with the conditions of the approval of a permit, or
 - (b) development on the lot is undertaken contrary to the terms or conditions of a permit, or

- (c) the application for the development permit contained incorrect information, or information which was subsequently found to be incorrect.
- (7) Any person who undertakes any development without a development permit, or after a permit has been suspended or revoked, shall discontinue such development forthwith upon notice in writing being issued by the Development Authority, and shall not resume such development unless a development permit has been issued or the development permit is reinstated.

5.2 Application to Amend Bylaw

- (1) A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 5.3(1)(a) of this Bylaw.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application therefore.

5.3 Form of Application

- (1) All applications for amendment to this Bylaw 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; and
 - (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, and
 - (c) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable.

5.4 Amending Bylaws

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

5.5 Schedules

Schedules A and B are part of this Bylaw.

5.6 Repealing Existing Controls

Bylaw No. 997-91, as amended, is hereby repealed.

5.7 Date of Commencement

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

PART SIX - GENERAL PROVISIONS

6.1 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.

6.2 Dwelling Units on a Lot

No permit shall be issued for more than one (1) dwelling unit on a single lot unless the second dwelling unit is within a basement suite, a duplex, an apartment, or row housing.

6.3 Substandard Lots

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

6.4 Top Soil Excavation

Conditions of a development permit approving topsoil removal shall require that a minimum topsoil coverage of 15.0 cm shall be maintained and the affected area shall be landscaped to the satisfaction of the Development Authority, including appropriate conservation measures.

6.41 Stripping, Excavation and Grading

1. For the purposes of this Section, excavation shall include the stripping of topsoil, infilling and the construction of artificial bodies of water.
2. The Development Authority shall consider every application to excavate land as a use within the designated land use district of this bylaw which effects the subject land. No person shall commence or continue the stripping, excavation and grading, without first obtaining a Development Permit.
3. The Development Authority may require the following additional information to accompany every application to excavate or strip land:
 - a. a plan illustrating the location, boundaries of the site, and depth excavation;
 - b. a description of the proposed operation;
 - c. the existing land use and vegetation;
 - d. a storm water drainage plan;
 - e. the proposed timing and phasing program;
 - f. a plan showing land reclamation proposals, where applicable, upon the eventual completion of the operation; and
 - g. an explanation of the precautions to be taken to ensure minimal dust and environmental disturbance
4. Where, in the process of development, areas require leveling or filling, the topsoil shall be removed before work commences, and shall be stockpiled and replaced following the completion of work. Upon occupancy of a development the minimum topsoil coverage of 15 cm shall be provided.
5. Where certain commercial or industrial developments are concerned, replacement of topsoil may not be necessary. However, topsoil shall be removed prior to permanent construction, paving, or graveling operations in areas for loading zones, display or parking lots, and driveways, etc.

6.5 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 one (1) year of the occupancy or the commencement of operation of the proposed development.
- (2) Off-street parking lots any district shall be landscaped by the planting of trees in a manner and number satisfactory to the Development Authority.

6.6 Site Development and Architectural Appearance

The design, sitting, 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.

6.7 Protection from Exposure Hazards

- (1) The location of any anhydrous ammonia (AA) or liquefied petroleum gas (LPG) storage tank with a water capacity exceeding 9000 litres shall be in accordance with the requirements of the Development Authority, but in no case be less than a minimum distance of 190 m from assembly, institutional, commercial or residential buildings. For all such containers, the Development Authority shall refer to the regulations under the Safety Codes Act.
- (2) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- (3) Setbacks from pipelines and other utility corridors shall be as required by the Development Authority and the appropriate Provincial legislation or regulations.

6.8 Off-Street Vehicular Loading and Unloading Facilities

When any new development is proposed, including a change of use of existing development, or when any existing development is, in the opinion of the Development Authority, substantially enlarged or increased in capacity, off-street loading and unloading spaces shall be provided in accordance with the following:

- (1) **Size of Off-Street Loading and Unloading Spaces**

Off-street loading and unloading spaces shall have dimensions of not less than 3.5 m in width, 7.5 m in length, and 4.0 m in height.
- (2) **Location of Off-Street Loading and Unloading Spaces**
 - (a) All off-street loading and unloading spaces shall be located on the lot so that no backing or turning movements of vehicles going to or from the site causes interference with traffic on the adjoining or abutting roads, highways, lanes, sidewalks, or boulevards.
 - (b) All off-street loading and unloading spaces shall be sited at an elevation convenient to a major floor level in building or to a utility elevator serving each major floor level.
 - (c) All off-street loading and unloading spaces shall be so graded and drained as to dispose of all storm water runoff in a manner satisfactory to the Development Authority.
 - (d) Facilities for unloading of school buses shall be provided on school property.
- (3) **Minimum Number of Off-Street Loading and Unloading Spaces**

<u>Use of Building or Lot</u>	<u>Total Floor Area of Building</u>	<u>Spaces Required</u>
any retail, industrial, commercial or similar development	less than 640 m ²	1
	640 m ² to 2300 m ²	2
	each additional 2300 m ² or fraction thereof	1 additional
any office building, place of public assembly, institution, public utility or similar development	up to 2800 m ²	1
	each additional 2800 m ² or fraction thereof	1 additional

(4) Off-Street Loading and Unloading Spaces in the C1 District

The Development Authority may allow an applicant to provide a lesser number of off-street loading and unloading spaces in the C1 District if the development is to occupy an existing building in the C1 District where no or little space is available for off-street loading and unloading spaces on the lot.

6.9 Off-Street Vehicular Parking

When any new development is proposed, including a change of use of existing development, or when any existing development is, in the opinion of the Development Authority, substantially enlarged or increased in capacity, off-street vehicular parking or garage spaces shall be provided in accordance with the following:

(1) Location and Standards of Off-Street Vehicular Parking

(a) All off-street vehicular parking areas and accessory off-street parking areas:

- (i) shall not be located within 1 m 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 to the satisfaction of the Development Authority,
- (iii) shall have necessary curb cuts located to the satisfaction of the Development Authority, and
- (iv) shall be provided on the same lot as the development to be served. (If this provision is waived, the Town shall enter into an agreement with the developer and may caveat the title of the land on which the parking is located to ensure that the land is used for parking as long as it is required under this Bylaw.)

(b) All off-street vehicular parking spaces shall conform to the requirements outlined in Table 1:

Table 1
Minimum Parking Standards

a	b	c	d	e	f
Parking	Width	Depth of Space	Width of Space	Overall	Width of

Angle in Degrees	of Space	Perpendicular to Aisle	Parallel to Aisle	Depth	Maneuvering Aisle
0	2.8 m	2.8 m	7.0 m	9 m	One Way 4 m
30	2.8 m	5.2 m	5.5 m	14 m	One Way 4 m
45	2.8 m	5.8 m	4.0 m	15 m	One Way 4 m
60	2.8 m	6.1 m	3.2 m	18 m	One Way 6 m
90	2.8 m	6.1 m	2.8 m	18 m	One Way 7 m

(See the diagram below for definitions of column headings)

(2) Surfacing and Drainage

- (a) All off-street vehicular parking area shall be hard surfaced if its access is also hard surfaced. In all other cases, the surfacing of the parking area shall be to the satisfaction of the Development Authority.
- (b) All off-street vehicular parking areas 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 Vehicular Parking Spaces

- (a) The minimum number of off-street vehicular parking spaces required for each development shall be calculated from Table 2.
- (b) In the case of a use not specifically listed in Table 2, the required number of off-street vehicular parking spaces shall be the same as for a similar use as determined by the Development Authority.
- (c) In the case of the multiple use of a lot, the Development Authority shall calculate the number of off-street vehicular parking spaces required for each individual use, and the total shall be deemed to be the required parking for the lot, unless the applicant can demonstrate, to the satisfaction of the Development Authority, that there is a complementary use of the parking facilities which would warrant a

reduction in the number of off-street vehicular parking spaces required. Where such a reduction is made, the Development Authority shall indicate the reduction and the reasons for the reduction on the development permit.

- (d) Where the total number of off-street vehicular parking spaces is determined by reference to a unit such as the number of seats or floor area, the next higher whole number shall be required where the calculation results in a fractional number of off-street vehicular parking spaces.
- (e) 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. The applicant shall, if required by the Development Authority, pay the municipality a payment equal to the cost of establishing an equivalent public parking space provided elsewhere in the District.

**Table 2
Number of Off-Street Parking Spaces**

Use of Building or Development	Minimum Number of Parking Spaces
<u>Residential Uses</u>	
Single detached dwellings, duplexes, and manufactured homes in subdivisions	1 per dwelling unit
Apartments, row housing and manufactured home parks	1.5 per dwelling unit
Basement suites	1 per basement suite
Boarding houses	1 per sleeping unit
Major home occupations	as required by the Dev. Authority
Business suites	1 per dwelling unit
<u>Commercial Uses</u>	
Retail and personal service shops, banks and offices	in the C1 District, 1 space per 85 m ² of gross floor space in all other Districts, 1 space per 50 m ² of gross floor space
<u>Except</u>	
Shopping centers	1 per 30 m ² of floor area
Strip commercial centers	1 per 40 m ² of floor area
Barber shops and beauty salons	1 per chair

Eating and drinking establishments
Hotels, motor hotels, and motels

1 per 5 seating spaces
1 per sleeping unit or rentable unit

Hospitals and Similar Uses

Hospitals

1 per 2 beds

Nursing homes

1 per 5 beds

Senior citizen homes

1 per 2 housing units

Places of Public Assembly

Auditoriums, churches, halls, clubs,
theatres, and other amusement or recreation
places

As required by the Development
Authority, but not less than 1 per
5 seating spaces.

Schools

Elementary and junior high schools

5, plus 1 per classroom

Senior high schools

4 per classroom

Industrial Uses

Manufacturing and industrial plants,
warehousing, wholesale and storage
buildings and yards, servicing and repair,
research, public utility installations

1 per 64 m² of gross floor area

PART SEVEN - RESIDENTIAL DISTRICTS

7.1 Requirements for Developments in Residential Districts

(1) Projection into Yards

(a) Except as provided in this part, and except for fences as noted in Section 7.1(4)(a) of this Bylaw, no portion of a building shall be located or project into a required yard.

(b) Front Yards

The following features may project into a required front yard:

- (i) steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- (ii) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1 m;
- (iii) exterior balconies on apartments provided that:
 - 1. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - 2. they do not project more than 2 m into the front yard; and
- (iv) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

(c) Side Yards

The following features may project into a required side yard; except where a side yard of 3 m is required for vehicular passage:

- (i) steps, chimneys and sundecks, provided such projection does not exceed 50% of the width of the required side yard;
- (ii) eaves, gutters and sills or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- (iii) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1 m;
- (iv) exterior balconies on apartments provided that:
 - 1. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - 2. they do not project more than 1 m into a required side yard and in no case are closer than 2 m to a side line; and

- (v) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

(2) Accessory Buildings and Uses

- (a) An accessory building shall not be used as a dwelling.
- (b) Accessory garages shall be located such that the minimum distances shown on Figures 1 and 2 between the accessory buildings and main buildings, lot lines, and other buildings, structures, and uses are provided.
- (c) The siting of an accessory building on an irregularly-shaped lot shall be as required by the Development Authority.
- (d) No accessory buildings or uses, other than fences that otherwise comply with this Bylaw, shall be located in the front yard nor a side yard which abuts a road or highway.
- (e) No accessory building other than a fence, pool, deck, or patio shall be located closer than 2 m to a main building.
- (f) The height of an accessory building shall not exceed 4.6 m nor one storey.
- (g) 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.
- (h) The total area of all accessory buildings on a lot shall not exceed twelve percent (12%) of the area of the lot.

(3) Objects Prohibited or Restricted in Yards

- (a) No person shall keep or permit in any part of any yard in any Residential District:
 - (i) any dismantled or wrecked vehicle for more than fourteen (14) successive days;
 - (ii) 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;
 - (iii) any excavation, storage or piling up of materials during construction unless all necessary safety measures are undertaken 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;
 - (iv) a commercial vehicle, loaded or unloaded, of a maximum weight in excess of 4000 kg.
- (b) No person shall keep or permit in any part of any front yard in any Residential District a commercial, recreational, or agricultural vehicle, unless the vehicle is parked on a driveway.

FIGURE 1

FIGURE 2

(4) Fences/Walls/Hedges

- (a) Notwithstanding any regulation respecting required yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a lot except within a corner site.
- (b) For the purposes of this Section, fences, walls or hedges shall be measured from the highest point of the abutting road or lane.
- (c) No fence, wall or hedge in any Residential District shall:
 - (i) be higher than 1.85 m in rear yards and in side yards not abutting a road;
 - (ii) be higher than 1 m in front yards and in side yards abutting a road;
 - (iii) be higher than 1 m within 6 m of the intersection of lanes, roads, highways, or any combination of them; or
 - (iv) include any barbed wire.
- (d) Notwithstanding Subsection (c) above, where a residential lot is in close proximity to an arterial or a major collector road, the Development Authority may, at its sole discretion, issue a development permit for a wall or fence of a greater height subject to the following:
 - (i) No wall or fence shall be higher than 2.14 m in rear yards and in side yards not abutting a road.
 - (ii) No wall or fence shall be higher than 1.85 m in front yards and in side yards abutting a road.
- (e) A wall, hedge or wooden fence of not less than 1 m nor more than 2.14 m in height shall be provided along any side and rear lines of all apartment or row housing developments, to the satisfaction of the Development Authority.

(5) Corner Sites

- (a) In Residential Districts, corner sites shall have sides 6 m long adjacent to roads, highways, and lanes.
- (b) No fence, wall, tree, bush, structure or thing more than 1 m in height shall be erected, placed or maintained within corner sites in any Residential District.

(6) 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 neighborhood in which it is located.

- (a) A major home occupation shall comply with the following regulations:

- (i) The major home occupation 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.
 - (ii) The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
 - (iii) 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.
 - (iv) Articles offered for sale shall be limited to those produced within the dwelling or the accessory building(s).
 - (v) The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.
- (b) A minor home occupation shall comply with the following regulations:
- (i) The minor home occupation 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.
 - (ii) 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 minor home occupation does not involve the display of goods in the interior of the residence.
- (c) All home occupations shall comply with the following requirements:
- (i) The home occupation shall not create any nuisance by way of noise, dust, odor, or smoke, or anything of an offensive or objectionable nature.
 - (ii) The peace, quiet, dignity and other amenities of the neighborhood shall not be disturbed in any manner.
 - (iii) A home occupation shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 35 m², whichever is less, of the dwelling unit for business usage. There shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
 - (iv) No more than one commercial vehicle used in or for the home occupation shall be parked on the subject site or on the adjoining road.
 - (v) 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.
 - (vi) In addition to a Development Permit Application, each application for a home occupation 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.

(vii) 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.

(viii) Home occupations shall not involve:

1. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
2. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighboring properties.

(7) Multiple Dwelling Developments

(a) Before any application for development of row housing or an apartment can be considered, the applicant must submit to the Development Authority, in addition to those requirements of Section 3.4(1) and (3) of this Bylaw:

(i) design plans and working drawings, including elevations; and

(ii) site plans showing the proposed:

1. location and position of structures on the lot, including any signs,
2. location and number of parking spaces, exits, entries, and drives,
3. location of an access to garbage storage areas, and
4. landscape plan of the entire site which shall also show intended fencing and surfacing for drives and parking areas.

(b) The aforementioned plans will append the application. If the development permit is approved, the plans shall be deemed conditions of approval.

(c) Matters such as architectural appearance, the provision of adequate light, air, privacy, and landscaping, shall be shown upon the site plans of the whole development, and shall be carried out to the satisfaction of the Development Authority.

(8) Group Homes and Day Care Centers

(a) All group homes and day care centers shall conform to regulations under the Safety Codes Act and any other relevant Provincial legislation and regulations.

(b) In making a decision on a development permit for a group home or a day care center, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account: potential traffic generation, proximity to park or other open or recreation areas, separation of the proposed location from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful

enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.

(9) Group Homes

In addition to all other regulations of this Bylaw, a group home development shall comply with the following regulations:

- (a) The maximum number of residents shall be established by the Development Authority who shall have regard for the nature of the group home and the density of the District in which it is located.
- (b) The group home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.

(10) Day Care Centers

In addition to all other regulations of this Bylaw, a day care center development shall comply with the following regulations:

- (a) The maximum number of children for which care may be provided in a day care center shall be established by the Development Authority who shall have regard for the nature of the facility, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
- (b) The number of children within a day care center established as an accessory use within a dwelling unit in any Residential District shall not exceed four (4).
- (c) A day care center with more than four (4) children shall be in a separate facility, either within the main building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.

(11) Bed and Breakfast Establishments

In addition to all other regulations of this Bylaw, a bed and breakfast establishment development shall comply with the following regulations:

- (a) A bed and breakfast establishment shall be operated by a live-in owner as a secondary use to a dwelling unit only, with a maximum of two (2) commercial accommodation units in each development.
- (b) A bed and breakfast establishment shall not change the residential character of the dwelling involved.
- (c) The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
- (d) In addition to any other parking requirements identified in Section 6.9 of this Bylaw, 0.5 additional parking spaces shall be provided on-site for each accommodation unit. Where there is a fractional number of parking spaces required, the next highest number of spaces shall be provided.

- (e) No accommodation shall include a kitchen.
- (f) Notwithstanding any other provisions of this Bylaw to the contrary, a dwelling in which a bed and breakfast establishment is located may have one sign placed on the property, providing that the sign does not exceed 0.25 m² in area.

7.2 Restricted Residential District (Large Lot) - RR1

(1) Purpose of District

To provide for the development of larger single detached dwellings at a low density.

(2) Permitted Uses

- (a) Single Detached Dwellings
- (b) Parks and Playgrounds
- (c) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Minor and Manor Home Occupations
- (b) Public Buildings, Utilities and Uses
- (c) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Site Requirements (for detached dwellings)

- (a) Minimum Lot Area 740 m²
- (b) Minimum Lot Width 20 m
- (c) Minimum Lot Depth 37 m
- (d) Minimum Side Yard 1.5 m, except:

➤ All corner lots must have a minimum side yard of 4 m adjacent to a road or highway. This requirement may be reduced by 0.2 m for each 0.3 m distance the main building is located back (in addition to the minimum front yard) from the road

- (e) Minimum Front Yard 8 m
- (f) Minimum Rear Yard 8 m
- (g) Maximum Lot Coverage Main bldg - 28% (40% with attached garage)
Accessory buildings - 12%

(5) Building Requirements (for residential uses)

- (a) Minimum Floor Area, excluding garage
 - Single Storey Dwelling 100 m²
 - Main Floor of a Multi-storey/split Dwelling 110 m²
- (b) Maximum Height 8 m

(6) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 7.1 "Requirements for Developments in Residential Districts".

7.3 Residential District (Detached Housing) - R1

(1) Purpose of District

To provide for the development of detached dwellings in a residential environment.

(2) Permitted Uses

- (a) Single Detached Dwellings
- (b) Minor Home Occupations
- (c) Parks and Playgrounds
- (d) Accessory Buildings and Uses

7.4 Residential District (Medium Density) - R2

(1) Purpose of District

To provide for the development of multi-family residential housing in a comprehensively planned medium density residential environment.

(2) Permitted Uses

- (a) Single Detached Dwellings
- (d) Duplexes
- (c) Minor Home Occupations
- (d) Parks and Playgrounds
- (e) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Basement Suites
- (b) Bed and Breakfast Establishments
- (c) Convenience Stores (only as part of a residential development - not as free-standing building or buildings)
- (d) Day Care Centers
- (e) Fourplexes
- (f) Group Homes
- (g) Major Home Occupations
- (h) Row Housing
- (i) Triplexes
- (j) Public Buildings, Utilities and Uses
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Site Requirements (for residential uses)

- (a) Minimum Lot Area (See also Section 7.4(4)(h))

Single Detached Dwellings	540 m ²
Duplexes (per dwelling unit)	324 m ²
Triplexes (per dwelling unit)	290 m ²
Fourplexes (per dwelling unit)	290 m ²
Row Housing (per dwelling unit)	230 m ²

- (b) Minimum Lot Width

Single Detached Dwellings	15 m
Duplexes (per two units)	18 m
All Others	21 m

- (c) Minimum Lot Depth

Row Housing	30 m
All Others	36 m

- (d) Minimum Side Yard

Single Detached Dwellings and Duplexes	1.5 m
Row Housing	10% of lot width, minimum 3 m
All Others	15% of lot width, except a minimum of 4 m where adjacent to R1 District

Except:

- All corner lots must have a minimum side yard of 4 m adjacent to a road or highway. This requirement may be reduced by 0.2 m for each 0.3 m distance the main building is located back (in addition to the minimum front yard) from the road
- In laneless subdivisions, one yard must be a minimum of 3 m

(e) Minimum Front Yard
Triplexes and Fourplexes 9 m
All Others 6 m

(f) Minimum Rear Yard
Triplexes and Fourplexes 9 m
All Others 7 m

(g) Maximum Lot Coverage Main building - 28%
Accessory buildings - 12%

(h) Maximum Density (See also Section 7.4(4)(a))
Row Housing 40 dwelling units/ha
Triplexes and Fourplexes
➤ For every studio unit, 75 m² of lot area required
➤ For every one bedroom unit, 98 m² of lot area required
➤ For every two (or more) bedroom unit, 135 m² of lot area required

(5) Building Requirements (for residential uses)

(a) Minimum Floor Area (per dwelling unit)
Single Detached Dwelling 80 m²
Duplexes 70 m²
Row Housing 65 m²
All Others
Studio Units 33 m²
One Bedroom Units 45 m²
Two or more Bedroom Units 56 m²

(b) Maximum Height
Single Detached Dwellings 8 m
Duplexes and Row Housing 10 m
All Others 15 m

(c) Outdoor Living Space/Amenity Area

Row Housing

- each unit shall have an outdoor living area a minimum of 8 m deep. Within this area shall be a privacy zone a minimum of 5 m deep, contained by a fence a minimum of 1.5 m high.

Triplexes & Fourplexes – a landscaped area available to the occupants of the development on the same lot shall be provided on the following basis:

- for each studio unit 20 m²
- for each one bedroom unit 28 m²
- for each two bedroom unit 70 m²

➤ for each three (or more) bedroom unit 93 m²

Side yards and vehicle parking areas shall not be considered as part of any amenity provision

(6) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 7.1 "Requirements for Developments in Residential Districts".

7.5 Residential District (Multi-family) - R3

(1) Purpose of District

To provide multi-family residential sites in appropriate settings.

(2) Permitted Uses

- (a) Apartments
- (b) Minor Home Occupations
- (c) Parks and Playgrounds
- (d) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Bed and Breakfast Establishments
- (b) Convenience Stores (only as part of a residential development - not as free-standing building or buildings)
- (c) Day Care Centers
- (d) Group Homes
- (e) Major Home Occupations
- (f) Public Buildings, Utilities and Uses
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Site Requirements (for residential uses)

- (a) Minimum Lot Area (See also Section 7.5(4)(h)) 800 m²
- (b) Minimum Lot Width 21 m
- (c) Minimum Lot Depth 36 m
- (d) Minimum Side Yard 15% of lot width, minimum 3 m, Except:
 - A minimum of 4 m where adjacent to R1 District
 - All corner lots must have a minimum side yard of 4 m adjacent to a road or highway. This requirement may be reduced by 0.2 m for each 0.3 m distance the main building is located back (in addition to the minimum front yard) from the road
 - In laneless subdivisions, one yard must be a minimum of 3 m
- (e) Minimum Front Yard 9 m
- (f) Minimum Rear Yard 9 m
- (g) Maximum Lot Coverage Main building - 28%
Accessory buildings - 12%
- (h) Maximum Density (See also Section 7.5(4)(a))
 - for every studio unit, 75 m² of lot area required
 - for every one bedroom unit, 98 m² of lot area required
 - for every two (or more) bedroom unit, 135 m² of lot area required

(5) Building Requirements (for residential uses)

- (a) Minimum Floor Area (per dwelling unit) 64 m²
- (b) Maximum Height 15 m
- (c) Outdoor Living Space/Amenity Area - A landscaped area available to the occupants of the development on the same lot shall be provided on the following basis:
 - for each studio unit 20 m²
 - for each one bedroom unit 28 m²
 - for each two bedroom unit 70 m²
 - for each three (or more) bedroom unit 93 m²

Side yards and vehicle parking areas shall not be considered as part of any amenity provision

(6) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 7.1 "Requirements for Developments in Residential Districts".

7.6 Residential Manufactured Home Subdivision District - RMHS

(1) Purpose of District

To allow the development of manufactured home subdivisions in which each manufactured home is located on a separate lot.

(2) Permitted Uses

- (a) Manufactured Homes
- (b) Minor Home Occupations
- (c) Parks and Playgrounds
- (d) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Bed and Breakfast Establishments
- (b) Day Care Centers
- (c) Major Home Occupations
- (d) Public Buildings, Utilities and Uses
- (e) Single Detached Dwellings
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Site Requirements (for residential uses - laned subdivisions only*)

- (a) Minimum Lot Area 465 m²
- (b) Minimum Lot Width 15 m
- (c) Minimum Side Yard 1.5 m on one side, 3 m on the other side, unless an attached carport or garage is provided, in which case the side yards may be reduced to 1.2 m

Notwithstanding the above requirements, each manufactured home shall be separated from every other manufactured home by at least 6 m. Any part of an addition is to be regarded as part of the manufactured home for the purpose of this separation.

- (e) Minimum Front Yard 4.5 m
- (f) Minimum Rear Yard 6 m
- (g) Maximum Lot Coverage Dwelling units - 26%
Accessory buildings - 12%

(5) Building Requirements (for residential uses - laned subdivisions only *)

- (a) Minimum Ground Floor Area 54 m²
- (b) Minimum Width 3.6 m
- (c) Maximum Height (all buildings) 6 m
- (d) All manufactured homes shall be skirted around the base of the home within sixty (60) days of the placement of the manufactured home on the lot. Such skirting shall be of a manufactured or similar type to harmonize with the manufactured home.

- (e) The hitch and wheels of a manufactured home shall be removed within sixty (60) days of its placement on a lot.
- (f) Every manufactured home shall be attached to a permanent foundation or basement to the satisfaction of the Development Authority. The base shall be between 0.15 m and 1 m above grade.
- (g) All additional porches, garages, and other accessory structures shall be of an equivalent quality and appearance as the manufactured home and shall compliment the exterior of the home.
- (h) All manufactured homes shall have current CSA certification (or the equivalent thereof as determined by the Development Authority).

(6) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 7.1 "Requirements for Developments in Residential Districts".

* (7) Other Requirements

Site requirements and building requirements for all other uses and situations shall be at the discretion of the Development Authority.

7.7 Residential Manufactured Home Park District - RMHP

(1) Purpose of District

To allow the development of manufactured home parks wherein stalls for manufactured homes are provided on a rental or leased basis.

(2) Permitted Uses

- (a) Manufactured Homes within Manufactured Home Parks which have, themselves, received a development permit
- (b) Minor Home Occupations
- (c) Parks and Playgrounds
- (d) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Bed and Breakfast Establishments
- (b) Day Care Centers
- (c) Major Home Occupations
- (d) Manufactured Home Parks
- (e) Manufactured Homes within Manufactured Home Parks which have, themselves, not received a development permit
- (f) Public Buildings, Utilities and Uses
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Site Requirements (for Manufactured Home Parks and Manufactured Homes*)

- (a) Minimum Lot Area (Manufactured Home Park) 2.0 ha
- (b) Maximum Density 20 manufactured homes per hectare at each stage of development
- (c) Minimum Manufactured Home Stall Area
 - (i) Single Wide Manufactured Home 370 m²
 - (ii) Double Wide Manufactured Home 420 m²
- (d) Minimum Manufactured Home Stall Width
 - (i) Single Wide Manufactured Home 12 m
 - (ii) Double Wide Manufactured Home 14 m
- (e) Minimum Yards (for each Manufactured Home Stall)
 - (i) Front Yard 3 m
 - (ii) Side Yard 3 m
 - (iii) Rear Yard 3 m

Notwithstanding the above requirements, each manufactured home shall be separated from every other manufactured home by at least 6 m. Any part of an addition is to be regarded as part of the manufactured home for the purpose of this separation.

(g) Maximum Stall Coverage 40%

(5) Building Requirements (for Manufactured Home Parks*)

Stalls

- (a) Every stall shall front onto an internal roadway rather than a road or highway. All stalls shall be located a minimum of 3 m from the Park boundary.
- (b) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

Internal Roadways

- (c) All internal roadways shall have a minimum right-of-way of 9 m and a minimum carriage way of 4.5 m.
- (d) All internal roadways shall be hard surfaced, well drained, and maintained to the satisfaction of the Development Authority.

Utilities

- (e) All Manufactured Home Parks shall be connected to municipal water supply and sanitary sewage disposal services. All utilities shall be provided underground to all stalls.
- (f) Roadway lighting shall be to the same standard as that in a conventional residential neighborhood.

Common Areas

- (g) At least five percent (5%) of the lot shall be developed as playground space/ amenity area in locations convenient to all park residents.
- (h) A storage compound shall be provided for recreational vehicles and other equipment at the ratio of 14 m²/manufactured home.

Landscaping

- (i) All open areas and common areas shall be fully landscaped to the satisfaction of the Development Authority within two (2) years of the issue of the development permit for the Park or for the individual manufactured homes. This shall include the yard area of each stall.
- (j) Screen fences or walls shall be erected around laundry yards, refuse collection areas and storage areas to the satisfaction of the Development Authority.

Signs

- (k) Only one (1) main free standing identification sign shall be allowed. It should be in keeping with the residential character of the area and located near the entrance to the Park.
- (l) Direction signs within the Park must be integrated in design and appearance, be kept in scale with the surroundings, and constructed of durable material.

(6) Building Requirements (for Manufactured Homes in Manufactured Home Parks*)

- (a) Minimum Ground Floor Area 54 m² (excluding additions)
- (b) Minimum Width 3.6 m
- (c) Each manufactured home shall be placed on a suitable hard surfaced base within the stall.
- (d) All manufactured homes shall be skirted around the base of the home within sixty (60) days of the placement of the manufactured home on the lot. Such skirting shall be of a manufactured or similar type to harmonize with the manufactured home.
- (e) All additional porches, garages, and other accessory structures shall be of an equivalent quality and appearance as the manufactured home and shall compliment the exterior of the home.
- (f) All manufactured homes shall have current CSA certification (or the equivalent thereof as determined by the Development Authority).

(7) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 7.1 "Requirements for Developments in Residential Districts".

* (8) Other Requirements

Site requirements and building requirements for all other uses and situations shall be at the discretion of the Development Authority.

PART EIGHT - COMMERCIAL AND INDUSTRIAL DISTRICTS

8.1 Requirements for Developments in Commercial and Industrial Districts

- (1) **Projection into Yards**
No portion of any building shall project onto or into a required yard.
- (2) **Accessory Buildings and Uses**
The siting of all accessory buildings shall be at the discretion of the Development Authority Officer.
- (3) **Prohibited or Restricted Objects**
No business shall keep in any part of any lot any object which, in the sole opinion of the Development Authority, may adversely affect the amenities of the District or of adjacent uses.
- (4) **Corner Sites**
 - (a) In Commercial and Industrial Districts, corner sites shall have sides 4.5 m long adjacent to roads, highways, and lanes.
 - (b) No fence, wall, tree, bush, structure or thing more than 1 m in height shall be erected, placed or maintained within corner sites in any Commercial or Industrial District.
 - (c) Subsection 8.1(4)(b) above shall not apply within the C1 District.
- (5) **Garbage Containers and Outside Storage**
 - (a) Garbage containers shall be provided for all commercial and industrial developments to the satisfaction of the Development Authority.
 - (b) Garbage containers and outdoor storage areas shall be screened to the satisfaction of the Development Authority and designed to be accessible for convenient pick up. Screening shall include a fence of a minimum height of 1.85 m which is either solid or of another form of construction which will limit the ability to see through the fence, or an equivalent.
- (6) **Landscaping**
 - (a) Commercial developments in or adjacent to Residential Districts shall be screened from view by means of a fence, not less than 1.5 m and not more than 2.1 m in height, which shall be designed and constructed to the satisfaction of the Development Authority.
 - (b) Landscaping shall be provided for 10% of the lot for commercial developments in or adjacent to Residential Districts.
 - (c) All yards, setbacks and buffer strips in Commercial and Industrial Districts shall be landscaped to the satisfaction of the Development Authority. Details of such landscaping shall be included in development permit applications for all developments in these Districts.
- (7) **Access**

All access locations and curb crossings shall be to the satisfaction of the Development Authority.

(8) Service Stations and Gas Bars

(a) Service stations or gas bars shall be developed in such a manner that:

- (i) no entrance or exit thereto for motor vehicles shall be located within 60 m of an entrance to or exit from a fire hall, school, playground, library, church, hospital, children's or senior citizen's home, or other similar public or quasi-public institutions;
- (ii) no part of any building or any pump or other accessory building, structure, or use shall be located within 6 m of any property line;
- (iii) there shall be a front yard of not less than 12 m; and
- (iv) all fuel storage tanks shall be set back from adjacent buildings in accordance with Regulations pursuant to the Safety Codes Act.

(b) Lot Area and Coverage

The minimum lot area shall be 740 m² and the maximum building coverage shall be 25% of the lot area. When a car wash is included, the minimum lot area shall be 1110 m².

(c) 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.

(d) 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:

- (i) be prohibited from the carrying on of the business of a public garage or parking garage. This, however, does not preclude the use of space on any approved service station site for short-term vehicle storage for repair purposes;
- (ii) be prohibited from operating any business or activity which is obnoxious or offensive, or which may constitute a nuisance or annoyance to residents or businesses in the immediate vicinity of the service station or gas bar by reason of dust, noise, gases, odor smoke or vibration;
- (iii) be responsible for the proper, safe and orderly operation of the service station or gas bar and 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:
 - 1. that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station or gas bar, and

2. that operators of motor vehicles enter and leave the service station or gas bar site only at the entrances and exits provided for such purposes and not elsewhere.
 - (iv) construct and maintain on the boundaries of the lot, where required by the Development Authority, an appropriate fence not less than 1.5 m in height.
- (9) Car Washes and Drive-In Businesses
- (a) Minimum Lot Area Requirements
 - (i) Combination service station or gas bar and car wash - 1110 m²
 - (ii) All other uses - 560 m²
 - (b) Site and Building Requirements
 - (i) Points of access and egress shall be located to the satisfaction of the Development Authority.
 - (ii) All parts of the lot to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
 - (iii) There shall be a provision for at least 8 customer vehicles on the site.
 - (iv) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.
 - (c) Queuing Space Requirements
 - (i) For any drive-in food service establishment or drive-through vehicle service establishment, a minimum of three (3) in-bound queuing spaces shall be provided for vehicles approaching the drive-up service window or service bay.
 - (ii) All queuing spaces shall be a minimum of 6.5 m long and 3 m wide.
- (10) Motels
- (a) Minimum Lot Area per Rentable Unit
 - (a) One Storey - 140 m²
 - (b) Two Storeys - 93 m²
 - (b) Minimum Floor Area per Rentable Unit - 26 m²
 - (c) Minimum Yards
 - (i) Front - 7.5 m
 - (ii) Side - 3 m, except 5 m where adjacent to a Residential District
 - (iii) Rear - 3 m

(d) Driveways

Each rentable unit shall face onto or abut a driveway not less than 6 m in width and shall have unobstructed access thereto.

(e) Entrances and Exits

Not more than two (2) accesses for vehicles to a road, each of a minimum width of 7.5 m, shall be permitted, provided however, that one (1) combined motor vehicle entrance and exit may be permitted, not less than 9 m in width.

(11) Industrial Development

(1) An application for the establishment of an industrial use shall be considered by the Development Authority after requesting advisory written comment by those Provincial agencies or authorities whose interest or jurisdiction may be affected.

(2) In addition to the requirements of Sections 3.4(1) and 3.4(3) of this Bylaw, the Development Authority may require that all applications for a development permit for industrial development be accompanied by the following additional information:

- (i) location of proposal;
- (ii) type of industry;
- (iii) size of buildings;
- (iv) number of employees;
- (v) estimated water demand and anticipated source;
- (vi) type of effluent and method of treatment;
- (vii) transportation routes to be used (rail and road);
- (viii) reason for specific location;
- (ix) any accessory works required (e.g., pipelines, railway spurs);
- (x) anticipated residence location of employees; and/or
- (xi) any such other information as may be required by the Development Authority.

8.2 Central Commercial District - C1

(1) Purpose of District

To provide higher density commercial development suitable for Lac La Biche's central business district.

(2) Permitted Uses

- (a) Business Offices and Office Buildings
- (b) Grocery Stores, Supermarkets
- (c) Hotels
- (d) Medical Clinics
- (e) Personal Service Shops
- (f) Professional and Financial Offices
- (g) Retail Stores
- (h) Restaurants

(3) Discretionary Uses

- (a) Business Suites
- (b) Convenience Retail Stores
- (c) Day Care Centers
- (d) Drive in Businesses
- (e) Entertainment and Amusement Establishments
- (f) Funeral Parlors
- (g) Group Homes
- (h) Motels and Motor Hotels
- (i) Public Buildings, Utilities and Uses
- (j) Service Stations, Car Washes and Gas Bars
- (k) Parking Lots (for customers/clients - located on a lot other than that of the development which the Lot serves)
- (l) Vehicle and Equipment Sales and Rentals
- (m) Veterinary Clinics (for small animals)
- (n) Workshops for Construction and Building Trades
- (o) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (p) Accessory Buildings and Uses

(4) Regulations

- (a) Minimum Lot Area - 280 m²
- (b) Minimum Lot Width - 7.5 m
- (c) Minimum Yards
 - (i) Front - nil, except where the Development Authority may deem it necessary to conform to or compliment existing development
 - (ii) Rear - 7.5 m
 - (iii) Side - nil, except where the subject lot is adjacent to a residential use allowed under this Bylaw. In such instances, the minimum side yard abutting the residential use shall be 1.5 m.

- (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) Maximum Height - 14 m
- (f) Special Considerations

Where shopping centers or groups of commercial uses are to be built on a single lot or grouping of lots, specific regulations shall be determined by the Development Authority, who shall consider the development on an overall scheme basis by taking into account the location of buildings, access and parking, and the nature of the proposed commercial uses.

- (g) Business Suites
 - (i) Business suites shall have an entrance separate from any entrance to any commercial establishment on the lot on which it located.
 - (ii) Business suites shall not be located on the ground floor.
 - (iii) Minimum Floor Area - 47 m²
 - (iv) Section 7.5(5)(c) of this Bylaw shall apply.

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 8.1 "Requirements for Developments in Commercial and Industrial Districts".

8.3 Arterial Commercial District - C2

(1) Purpose of District

To provide for businesses which are vehicle-oriented.

(2) Permitted Uses

- (a) Drive In Businesses
- (b) Motels and Motor Hotels
- (c) Restaurants
- (d) Service Stations, Car Washes and Gas Bars
- (e) Vehicle and Equipment Sales and Rentals
- (f) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Campgrounds
- (b) Convenience Retail Stores
- (c) Entertainment and Amusement Establishments
- (d) Farm Machinery and Farm Supply, Sales and Service
- (e) Lumber Yards, Building Supply Sales
- (f) Public Buildings, Utilities and Uses
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Regulations

- (a) Minimum Lot Area - 700 m²
- (b) Minimum Lot Width - 15 m
- (c) Minimum Yards
 - (i) Front - 6 m
 - (ii) Rear - 6 m
 - (iii) Side - nil, provided that the building meets the regulations pursuant to the Safety Codes Act. Otherwise, side yards shall be a minimum of the greater of ten percent (10%) of the lot width on each side of the building, or 2 m. Except, that if a side yard abuts a road or lane, the minimum side yard shall be 3 m; and if a side yard abuts a Residential District, the minimum side yard shall be 6 m.
- (d) Maximum Site Coverage - 60%
- (e) Maximum Height - 14 m
- (f) Access

Development within this District shall be located such that it may be served directly and efficiently by the major road system. The number of access points provided shall be to the satisfaction of the Development Authority, who may require the provision of a road widening, a service road, or a road right-of-way dedication and/or construction as a condition of development.

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 8.1 "Requirements for Developments in Commercial and Industrial Districts".

8.4 Shopping Center District - C3

(1) Purpose of District

To accommodate the development of shopping centers in a form compatible with adjacent uses.

(2) Permitted Uses

- (a) Day Care Centers
- (b) Entertainment and Amusement Establishments
- (c) Grocery Stores, Supermarkets
- (d) Medical Clinics
- (e) Offices
- (f) Personal Service Shops
- (g) Professional and Financial Offices
- (h) Retail Stores
- (i) Restaurants
- (j) Accessory Buildings and Uses

(3) Discretionary Uses

- (a) Automotive Display, Sales and Service
- (b) Hotels, Motels and Motor Hotels
- (c) Drive in Businesses
- (d) Public Buildings, Utilities and Uses
- (e) Service Stations, Car Washes and Gas Bars (provided there is no exterior storage)
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Regulations

All regulations shall be determined by the Development Authority, who shall deal with the overall scheme, taking into account buildings, access, parking, and proposed commercial uses.

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 8.1 "Requirements for Developments in Commercial and Industrial Districts".

8.5 Industrial District - M

(1) Purpose of District

To provide opportunities for workshop, light industrial and manufacturing uses, with heavier industry allowed in approved locations. Uses and operations within this District shall not cause or permit any external objectionable or dangerous conditions apparent beyond any building containing processes wherein such effects may be produced. Including but limiting the generalities thereof, the following are objectionable features: noise, vibration, smoke, dust and other kinds of particulate matter, odor, toxic and noxious matter, radiation hazards, fire and explosive hazards, heat, humidity and glare.

(2) Permitted Uses

- (a) Light Industrial Uses
- (b) Servicing Establishments
- (c) Workshops for Construction and Building Trades
- (d) Warehousing, including Storage and Distribution of Raw Materials, Processed or Manufactured Goods
- (e) Veterinary Clinics (for small and large animals)

(3) Discretionary Uses

- (a) Auto Wrecking Yards
- (b) Building and Construction Supplies Sales and Services
- (c) Bulk Oil, Propane, and Fertilizer Storage and Sales
- (d) Equipment Sales, Service and Rentals
- (e) Industrial Uses that may be obnoxious by reason of the emission of odors, dust, smoke, gas, noise or vibration, provided that such uses meet the requirements of any Provincial legislation, regulation or requirement
- (f) Processing Industries
- (g) Public Buildings, Utilities and Uses
- (h) Such Recreational, Commercial or Public Service Uses that do not restrict and are compatible with an Industrial Area
- (i) Vehicle and Equipment Sales and Rentals
- (j) Accessory Buildings and Uses
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Regulations

- (a) Minimum Lot Width - 30 m
- (b) Minimum Yards - 6 m, except that this amount can be increased at the sole discretion of the Development Authority if the lot is adjacent to a Residential District or on the basis of the type of industrial development proposed.
- (c) Maximum Site Coverage - 60%
- (d) Maximum Height - 14 m
- (e) Performance Standards

- (i) Any industrial operation, including production, processing, cleaning, testing, repair, storage or distribution of any good or material shall conform to the following standards:
1. Smoke, dust, ash, odor, and toxic gases shall only be released to the atmosphere in such amounts and under such conditions and safeguards as shall have been approved by the Development Authority and any Provincial or Federal authority having jurisdiction.
 2. No industrial operation shall be carried out which would produce glare, heat, noise, or vibration so as to be offensive beyond the boundary of the subject lot.
 3. No industrial waste shall be discharged into any sewer which does not conform to the standards established from time to time by the municipality's Bylaws, policies, manuals, and regulations.
 4. External storage of goods or materials is allowed if kept in a neat and orderly manner or suitably enclosed by a fence or wall, to the satisfaction of the Development Authority.
 5. Auto wrecking yards shall be completely enclosed by a solid wall or uniformly painted fence not less than 2 m high, and no salvage or scrap shall be piled to a height exceeding the surrounding wall or fence.
 6. The operation of all uses shall comply with any Provincial legislation or regulations. If the Development Authority believes that a proposed use may conflict with these requirements, the development permit application shall be referred to the appropriate Provincial agency for comment prior to considering a decision on the development permit application.
- (ii) The onus of proving to the Development Authority's satisfaction that a proposed development does and will comply with these performance standards rests with the developer.

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 8.1 "Requirements for Developments in Commercial and Industrial Districts".

PART NINE - SPECIAL PURPOSE DISTRICTS

9.1 Requirements for Developments in Special Purpose Districts

(1) Projection into Yards

No portion of any building shall project onto or into a required yard.

(2) Accessory Buildings and Uses

The siting of all accessory buildings shall be at the discretion of the Development Authority.

(3) Off-Street Loading

If the Development Authority is of the opinion that off-street loading facilities are required, the Development Authority shall have regard to the provisions contained in Section 6.8 of this Bylaw.

(4) Development Adjacent to Residential Districts

All developments adjacent to Residential Districts shall be screened with design and materials satisfactory to the Development Authority.

(5) Landscaping

Landscaping shall be provided as required by, and to the Development Authority.

(6) Corner Sites

On corner sites, no fence, wall, tree, bush, or structure more than 1 m in height shall be erected, placed or maintained within the triangular area formed by the intersecting road lines 4.5 m from their intersection.

(7) Objects Prohibited or Restricted in Yards

No business shall keep in any part of any yard any object which, in the sole opinion of the Development Authority, may adversely affect the amenities of the District or of adjacent uses.

(8) Outside Storage

Garbage containers and outdoor storage areas shall be screened to the satisfaction of the Development Authority and designed to be accessible for convenient pick up.

(9) Churches and other places of Religious Assembly:

(a) Minimum Lot Frontage - 30 m

(b) Minimum Lot Size with dwelling - 1400 m²

(c) Minimum Lot Size without dwelling - 930 m²

- (d) Notwithstanding any other provision of this Bylaw to the contrary, a Church or other place of Religious Assembly shall only be allowed on a corner lot, that is, a lot which is at the intersection of two roads.

9.2 Parks, Recreation and Open Space District - P

(1) Purpose of District

To permit the use of land for services, mainly of a public nature, which have a primary orientation toward the community.

(2) Permitted Uses

- (a) Exhibition Grounds and Fair Grounds
- (b) Parks, Playgrounds, and Recreation Areas
- (c) Recreational Buildings, including Arenas and Swimming Pools
- (d) Accessory Buildings and Uses

(3) Discretionary Uses

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

(4) Regulations

- (a) Minimum Yards
 - (i) Front and Rear - 7.5 m
 - (ii) Side - 6 m
- (b) Maximum Site Coverage - 60%
- (c) Maximum Height - 10 m
- (d) All other regulations shall be as required by the Development Authority.

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 9.1 "Requirements for Developments in Special Purpose Districts".

9.3 Institutional District - I

(1) Purpose of District

To permit development of uses of either a public or private nature which provide services to the community.

(2) Permitted Uses

- (a) Churches and other Places of Religious Assembly
- (b) Community Halls
- (c) Fire Halls and Police Stations
- (d) Hospitals and Nursing Homes
- (e) Libraries and Museums
- (f) Schools
- (g) Senior Citizens' Homes and Similar Buildings
- (h) Accessory buildings and uses

(3) Discretionary Uses

- (a) Cemeteries
- (b) Day Care Centers
- (c) Public Buildings and Uses
- (d) Public Utilities
- (e) Recreational Uses
- (e) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Regulations

- (a) Minimum Yards
 - (i) Front and Rear - 7.5 m
 - (ii) Side - 6 m
- (b) Maximum Site Coverage - 60%
- (c) Maximum Height - 10 m
- (d) All other regulations shall be as required by the Development Authority.

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 9.1 "Requirements for Developments in Special Purpose Districts".

9.4 Urban Reserve District - U

(1) Purpose of District

To reserve lands in the undeveloped areas of the Town which will, in time, become suitable for general urban use, subdivision and development.

(2) Permitted Uses

- (a) Farming and Cultivation of Land, but not including the keeping or raising of livestock, poultry, or any other animals
- (b) Horticultural Nurseries, Greenhouses and Market Gardens
- (c) Minor Home Occupations
- (d) Single detached dwellings on existing parcels only
- (e) Accessory buildings and uses

(3) 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-subdividing or developing the area in the future
- (b) Institutional, Public or Quasi-Public Buildings and Uses
- (c) Major Home Occupations
- (d) Public Utilities
- (e) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(4) Regulations

- (a) No subdivision or development other than for the above uses shall take place until an overall plan for the area has been approved by Council. This plan shall comply with the provisions of the municipality's Municipal Development Plan and should establish a satisfactory road network, all proposed land use classifications, the location of public reserve dedications, and means of utility servicing.
- (b) All regulations shall be as required by the Development Authority

(5) Other Site Development Requirements

See also Section 6.9 "Off-Street Vehicular Parking" and Section 9.1 "Requirements for Developments in Special Purpose Districts".

READ A FIRST TIME IN COUNCIL THIS 9th DAY OF November, A.D. 1999.

AND ADVERTISED THE 16th day of November, 1999 and the 23rd day of November, 1999 in the Lac La Biche Post.

PUBLIC HEARING HELD THE 30th day of November, 1999.

READ A SECOND TIME IN COUNCIL THIS 22nd DAY OF February, A.D. 2000.

READ A THIRD TIME AND FINALLY PASSED THIS 22nd DAY OF February, A.D. 2000.

"Ralph Whitford"

Mayor

"Don Benson"

Town Manager

SCHEDULE A

LAND USE DISTRICT MAP

SCHEDULE B SCHEDULE OF SIGN REGULATIONS

1. Definitions

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

- (1) "**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, and its supporting structure.
- (2) "**Area of sign**" means the total superficial area within the outer periphery of a 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.
- (3) "**Awning or canopy**" means a projection outward from the face of a building, primarily designed to provide protection from climatic elements.
- (4) "**Awning or canopy sign**" means a sign attached to a marquee, awning, or canopy.
- (5) "**Billboard**" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.
- (6) "**Business frontage**" means
 - (a) any side of a lot or building which abuts a road or highway, or
 - (b) in the case of individual businesses or tenants within a building, any business which has separate access to a road or highway.
- (7) "**Fascia sign**" means a sign placed flat and parallel to the face of the building so that no part projects more than 30 cm from the building.
- (8) "**Freestanding sign**" means a sign on a standard or column permanently attached to the ground, which is not connected in any way to any building or other structure, and does not include a portable sign.
- (9) "**Home occupation sign**" means a sign placed flat and parallel to the face of the main building.
- (10) "**Merchandising aid**" means any device used for the display of merchandise and related advertising material.
- (11) "**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.
- (12) "**Portable sign**" or "**Temporary sign**" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually.
- (13) "**Projecting sign**" means a sign which is attached to a building or structure so that part of the sign projects more than 30 cm 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) **"Sky sign"** means a roof sign comprising individual letters or symbols on an open framework.

2. General Sign Provisions

- (1) No sign shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved a development permit has been issued in accordance with Section 4 of this Schedule.
- (2) No sign or advertising structure shall be erected on or affixed to private property without the prior written consent of the property owner or tenant.
- (3) All proposed signs, with the exception of the exemptions as provided for in Section 3 of this Schedule, shall be authorized by the Development Authority prior to any development permit being issued.
- (4)
 - (a) With the exception of the special provisions relating to billboards, all signs shall contain point of sale advertising.
 - (b) No sign shall be permitted which is attached to a fence, pole, tree or any object in a road or publicly-owned place.
 - (c) No sign shall be permitted which is attached to or standing on the ground in any road or publicly-owned place.
 - (d) No sign shall be erected so as to obstruct free and clear vision or vehicular traffic, or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device.
- (5) 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.

3. Exemptions from Sign Provisions

- (1) No development permit is required for the following signs:
 - (a) signs displayed on enclosed land where they are not readily visible to the public;
 - (b) signs displayed within a building;
 - (c) signs displayed in or on an operational vehicle;
 - (d) signs displayed on door plates, door boards, or kick plates; and
 - (e) sandwich boards.
- (2) The following specified signs are also exempted from these sign provisions and may be erected without further 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 Bylaw in the case of the particular

signs, and be subject to all other orders, Bylaws 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 or a Provincial authority;
- (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 0.2 m² in area, and
 - (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 0.5 m² in area, and
 - (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 m² in area, and
 - (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, and
 - (ii) such signs shall be limited in size to a maximum of 3 m², 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) the signs shall not be illuminated and shall be constructed of paper, canvas, cardboard or other light materials or painted on glass and intended to be displayed for a short period of time only, and
 - (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; and

- (i) signs on merchandising aids, provided that:
 - (i) any such sign shall be placed wholly within the lot lines,
 - (ii) the overall height of any sign shall not be greater than 2 m above ground level, and
 - (iii) the maximum area of any sign shall be 1 m².

4. 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. Where a building is involved, the scale shall not be smaller than 1:200; and.
 - (c) include drawings which indicate:
 - (i) the location of the sign by elevational drawing 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, and
 - (viii) the least distance that the sign will be erected from an intersection of a road or highway with another; and
 - (ix) the least distance that the sign will be erected from any device for the control of traffic at such an intersection.
- (2) No person shall perform any work of erection or of placing a sign differing from or enlarging the work for which a development permit has been issued. If during the progress of the work 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.

5. **Awning and Canopy Signs**

- (1) Awning or canopy signs may be allowed in all Commercial and Industrial District.
- (2) The awning or canopy sign shall have a clearance of not less than 2.5 m between the bottom of the canopy or awning and the sidewalk, walkway or ground level.
- (3) In Commercial Districts, where the front portion of the building extends out to the front line, the canopy or awning sign shall not project more than 2 m over the sidewalk.
- (4) Notwithstanding clauses (2) and (3) above, no canopy sign shall be permitted where, in the opinion of the Development Authority, the canopy or awning obstructs the free movement or access of pedestrians or vehicles, or repairs to overhead utility lines.

6. **Billboards**

- (1) Billboards may be allowed in the Arterial Commercial (C2), Shopping Center (C3), Industrial (M), and Urban Reserve (UR) Districts in accordance with the following:
 - (a) The design, character, location and construction of a billboard shall be to the satisfaction of the Development Authority, who shall take into consideration the following aspects:
 - (i) compatibility with the general architectural lines and forms of nearby buildings and the character of the streetscape or area within which it is to be located;
 - (ii) the restriction of natural light to the surrounding buildings;
 - (iii) wall mounted billboards shall not extend vertically above either the roofline for flat-roofed buildings, or the eave line for all other buildings;
 - (iv) the billboard shall be positioned so that it does not severely obstruct the horizon line when it is viewed from vehicular traffic traveling past it from any direction;
 - (v) a billboard shall not project over public property or be placed on a road right-of-way; and
 - (vi) a billboard shall have only indirect lighting, which excludes flashing or animated lighting.
 - (b) The face of the billboard shall not exceed a vertical dimension of 5 m or a horizontal dimension of 10 m.
 - (c) A billboard shall not be located within a minimum distance of 150 m from any other billboard on the same side of a road. Where a billboard sign is located on a corner or double fronting lot, each frontage may have a billboard provided that the signs are no less than 150 m apart.
 - (d) A billboard shall not project within 5 m of a property line.
 - (e) No part of any billboard that is highway-oriented and within 200 m of the edge of the pavement shall be more than 7.5 m above the grade of the highway or 15 m above the grade of the site of the sign, whichever is the lower.
 - (f) Billboards shall be limited to:
 - (i) local advertising
 - (ii) facilities located within a radius of 50 km of the municipality.

7. Cloth Signs

- (1) The Development Authority shall not issue a development permit for a cloth sign that is proposed to cross a road unless the sign will be located at least 6.5 m above the road.

8. Fascia Signs

- (1) Fascia signs may only be allowed in Commercial and Industrial Districts.
- (2) All fascia signs shall be erected so that they:
 - (a) do not project more than 0.5 m 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; and
 - (c) are located on a business frontage.
- (3) Fascia signs on a flank or gable wall which is not a business frontage shall be considered by the Development Authority according to the merits of the individual application.
- (4) On commercial and industrial buildings which are non-conforming uses in Residential Districts, fascia signs shall be considered by the Development Authority according to the merits of the individual application.

9. Roof Signs

- (1) Roof signs shall be considered as fascia signs, and conform to the regulations 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; and
 - (c) no portion of a sign shall project more than 0.5 m above the roof.

10. Freestanding Signs

- (1) Freestanding signs may be allowed in Residential Districts under the following special provisions:
 - (a) One (1) identification freestanding sign may be allowed to identify the name of an apartment, a multi-family complex, a manufactured home park, a neighborhood park, or a subdivision, provided that it does not:
 - (i) exceed 2 m² in area;
 - (ii) project within 0.6 m of a property line; and
 - (iii) exceed 3.5 m in height.
- (2) Within all Land Use Districts other than Residential Districts, one (1) freestanding sign may be allowed per lot as follows:
 - (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 m nor more than 9 m above ground or sidewalk grade.

- (b) No part of any freestanding sign that is highway-oriented and within 200 m of the edge of the pavement shall be more than 9 m above the grade of the highway or 15 m above the grade of the site of the sign, whichever is the lower.
- (c) The area of the freestanding sign shall not exceed the ratio of 1 m² for each 5 linear metres of business frontage to a maximum of 10 m², with the area of the sign being computed exclusive of the pylon or support provided that it is free of advertising.
- (d) No part of the sign shall project beyond the lot line.

11. Projecting Signs

- (1) With the exception of the exemptions as provided for in Section 2 of this Schedule, projecting signs shall only be allowed in Commercial and Industrial 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 m above the ground or sidewalk grade;
 - (b) no part of the sign shall project more than 0.5 m 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 0.5 m;
 - (d) there shall be only one (1) projecting sign for each business frontage, provided that, if a business frontage shall exceed 15 m, a further projecting sign shall be permitted for each additional 15 m 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:	2	1.5	1	m or less
maximum area of sign	3.5	4.5	6.5	m ²
 - (f) support shall not be provided by an "A" frame.

12. Illuminated Roof and Sky Signs

- (1) Illuminated roof and sky signs may be allowed only in Commercial Districts.
- (2) Illuminated roof and sky signs shall be considered by the Development Authority according to the merits of each individual application, provided that:
 - (a) the Development Authority shall be satisfied that the purpose of the sign cannot be achieved by another type of sign;
 - (b) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 1 m or more than 5 m above the level of the roof;

- (c) the sign refer to the principal use of the building on which it is erected; and
- (d) the sign shall be attached to a flat roof on a building more than 10 m high.

13. Temporary Signs

- (1) Temporary signs may be allowed in all Districts excepting Residential Districts.
- (2)
 - (a) The Development Authority may grant one (1) sign permit per lot for a temporary sign to a person announcing a special event, sale, relocation of a business, new business, or the future proposed development of a building or structure, or other function.
 - (b) Only one (1) sign permit per lot for a temporary sign may be granted to a person in a calendar year.
- (3) A permit for a temporary sign granted under Subsection (2) above shall specify the period of time during which the temporary sign is permitted to be exhibited but shall not exceed:
 - (a) sixty (60) days from the date the permit is issued; or
 - (b) two (2) days after the event occurs,whichever is the shorter period.
- (4) No person shall;
 - (a) locate a temporary sign so that it causes a traffic hazard, or conflicts with parking, loading or walkway areas;
 - (b) locate a temporary sign within 6 m of the curb of a double fronting or corner lot unless otherwise allowed by the Development Authority;
 - (c) locate a temporary sign within a road right-of-way or on public property unless consent is received from the municipality;
 - (d) erect or place on a lot a temporary sign if it has a flashing device, animator, or flashing beacon attached to or operating in connection with it; or
 - (e) exhibit a temporary sign that is higher than 2.5 m above grade level.
- (5) Inflatable temporary signs shall be securely grounded and a minimum of 10 m away from utility lines and road rights-of-way, and shall be located no higher than 10 m above grade level.