

TOWN OF OLDS
LAND USE BYLAW
01-23

THIS DOCUMENT REPRESENTS A COMPILATION OF THE TOWN OF OLDS LAND USE BYLAW # 01-23 AND SUCCESSIVE AMENDING BYLAWS UP TO AND INCLUDING September 11, 2006.

TO OBTAIN TRUE COPIES OF THE ORIGINAL BYLAW AND/OR ALL SUCCESSIVE AMENDING BYLAWS, PLEASE CONTACT THE TOWN OF OLDS PLANNING DEPARTMENT FOR AVAILABILITY AND UNIT PRICING.

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BYLAW # 01-23

BEING A BYLAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS IN THE TOWN OF OLDS

WHEREAS the Municipal Government Act, Chapter M-26.1 of the Revised Statutes of Alberta, 1994, and amendments thereto, authorize the Council of a Municipality to enact a Land Use Bylaw to prohibit or regulate and control the use and development of land and buildings within the Municipality.

NOW THEREFORE the Council of the Town of Olds in the Province of Alberta, enacts as follows:

PART ONE: GENERAL

1.1 Short Title

This Bylaw may be cited as "The Town of Olds Land Use Bylaw."

1.2 Purpose

The purpose of this Bylaw is to, amongst other things,

- (1) divide the municipality into districts;
- (2) prescribe and regulate the use for each district;
- (3) establish the office of the Development Officer;
- (4) establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) provide the manner in which notice of the issuance of a development permit is given;
- (6) repeal Land Use Bylaw No. 1340 – 87 and amendments thereto;
- (7) implement the statutory plans of the Town of Olds;
- (8) protect better agricultural land from premature urban development

1.3 Definitions

In this Land Use Bylaw,

"accessory building" means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land;

"accessory residential building" means an accessory building to a residence, and includes such things as garages, garden sheds and greenhouses;

"accessory suite" means a separate and subordinate dwelling unit contained within a detached dwelling;

"accessory retail sales" means the incidental sale of products arising from the main use on a parcel;

"accessory use" means a use customarily incidental and subordinate to the main use and is located on the same parcel of land with such main use;

"accommodation unit" means one or more rooms that provide(s) sleeping accommodation and bathroom facilities for not more than two persons, but is not equipped with self-contained cooking facilities;

"adjacent land" means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream;

"adult care residence" means a building with two or more accommodation units designed to provide long term housing wherein the adult residents, who because of their circumstances cannot or do not wish to maintain their own households, are provided with meal services and may receive such services as housekeeping and personal care assistance;

"adult entertainment establishment" means any premises or part thereof wherein live performances, motion pictures, video tapes, video disks, slides, electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory or similar use to some other business activity which is conducted on the premises.

"apartment" means a residential building consisting of at least 3 dwelling units, but shall not include buildings containing units with separate exterior entranceway(s);

"area redevelopment plan" means a plan adopted by the Council as an area redevelopment plan pursuant to the *Municipal Government Act*,

"area structure plan" means a plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*,

"auction mart" means a parcel and/or a building used for the temporary storage of goods, excluding animals, which are to be sold on the premises by public auction from time to time;

"auto wrecking yard" means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components;

"awning sign" means a sign inscribed on or affixed flat upon the covering material of an awning;

"basement" means the lowest story of a building which is partially or wholly below ground level;

"bed and breakfast establishment" means an owner occupied detached dwelling where temporary accommodation is provided in four or less guest rooms and meals are supplied on a daily basis to registered guests.

"better agricultural land" means land having a Canada Land Inventory Soil Capability for Agriculture rating of Class 1, 2, 3 or 4 or lands having a farmland assessment rating greater than 28 percent, or their equivalent as determined by government agencies or independent consultants, and at the discretion of the development authority may include other cultivated or improved land or potentially irrigable land. Better agricultural land excludes:

- (a) cut-off parcels which are regarded by the local municipality as being of insufficient size to farm, and
- (b) land which the Municipal Planning Commission determines is so badly fragmented by existing use or ownership that the land has a low agricultural capability or cannot logically be used for agricultural purposes;

"billboard" means a sign to which advertising copy is affixed to permit its periodic replacement;

"boarding and rooming house" means a detached dwelling in which a proprietor supplies for a fee sleeping accommodations, with or without meals, for not more than six (6) persons, exclusive of the proprietor's family;

"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 public road;

"building demolition" means the pulling down, tearing down or razing of a building;

"bus depot" means a facility providing for the departure and arrival of passengers and freight carried by bus;

“business support services” means development used to provide support services to businesses which are characterized by one or more of the following features: the use of mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical Uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.

"cartage and freight terminal" means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation;

"car wash" means a facility for the washing of private non-commercial vehicles. A truck wash is a separate use;

"cemetery" means a use of land or a building for interment of the deceased;

"College" means Olds College;

"College office" means a facility providing for the administration of the College;

"commercial recreation and entertainment facility" means a facility or establishment which provides for recreation or entertainment for a gain or a profit. It does not include adult entertainment facilities or drinking establishments;

"Council" means the Council of the Town of Olds;

"day care facility" means a facility that provides care and supervision for 7 or more children for more than 3 but less than 24 consecutive hours in each day that the facility is operating, and is intended to be operated for at least 12 consecutive weeks per year;

"deck" means an accessory building that may or may not be enclosed by a railing that provides a walking surface where the joists surface are not in contact with the ground;

"detached dwelling" means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a manufactured home;

"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 in, on, over or under land of any of them, or
- (c) a change of use or 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;

"development authority" means the person or persons appointed pursuant to Development Authority Bylaw # 1491-95;

"Development Officer" means a person appointed as a Development Officer pursuant to this Land Use Bylaw;

"development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;

"discretionary use" means a use which may be compatible with other uses in the District, for which a development permit may be issued upon an application having been made;

"District" means Land Use District;

"district shopping centre" means a group of commercial establishments planned, owned, developed and managed as a unit with off-street parking established on the same site which serves the needs of the urban centre and surrounding municipalities;

"drinking establishment" means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in respect of which a "Class A" liquor license has been issued and where minors are prohibited by the terms of the licence;

"drive-in business" means an establishment with facilities for on site service to customers who remain in their motor vehicles, but does not include a drive-in theatre;

"drive-in theatre" means a theatre in which customers view motion pictures from their motor vehicles;

"driveway" means a vehicle access route between the carriageway of a road and a use on a parcel;

"duplex" means a separate residential building consisting of two dwelling units only,

"dwelling unit" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

"dwelling unit for the occupancy of the owner, operator or caretaker" means a dwelling unit which is accessory to other development on the parcel;

"eaveline" means the horizontal line that marks the intersection of the roof and the wall of a building;

"educational use" means the use of land or buildings for the purpose of instruction and other public services and facilities related to the operation of provincially accredited educational facilities;

"equipment rentals" means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items.

"existing residence and other related improvements" means a detached dwelling or manufactured home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and with access to the satisfaction of the development authority;

"fascia sign" means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard;

"feed mills and grain elevators" means buildings in which animal feeds or grain are stored for shipment to or from farms and in which animal feeds may be prepared;

"floor area" (for residential buildings) means the total area of all floors in a building measured from the outside of exterior walls, but excluding floor areas of basements, attached garages, sheds, carports, or open porches.

"freestanding sign" means a sign that is supported independently of a building wall or structure but does not include a portable sign;

"front parcel boundary" means, in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shorter of the two boundaries which abut a street [see sketch in Schedule B];

"front yard" means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall(s) of the main building situated on the parcel [see sketch in Schedule B];

"funeral home" means a business establishment where the deceased are prepared for burial or cremation, and where funeral services can be held;

"garden centre" means a development providing for the retail sale of bedding, household and ornamental plants, and associated merchandise, and may include display gardens, but does not include on-site outdoor cultivation or propagation of plants.

"gas bar" means development used for the retail sale of gasoline, other petroleum products and incidental auto accessories. This use class does not include service stations;

"greenhouse, commercial" means a building for the growing of flowers, plants, shrubs, trees, and similar vegetation which are sold directly from the parcel at retail or wholesale and may include the accessory sale of related supplies;

"hard landscaping" means the use of non-vegetative material, other than monolithic concrete, asphalt or gravel, as part of a landscaped area;

"heavy equipment assembly, sales and service" means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities;

"heavy manufacturing" means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land;

"highway" means a primary highway or a secondary road as defined in the *Public Highways Development Act*;

"home occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building;

"hotel" means a building that provides temporary sleeping accommodation where each room / unit has access from a common interior corridor;

"indoor merchandise sales" means the indoor sale and display of merchandise, including indoor storage of merchandise in quantities limited to the needs of the outlet. This includes but is not limited to grocery stores, retail stores, department stores, furniture stores, home improvement stores and liquor stores;

"institutional residence" means

- (a) a building containing 3 or more accommodation units with shared entrance facilities, which are not equipped with self-contained cooking facilities, and
- (b) buildings containing dwelling units where the buildings, vehicle areas, landscaping and all other features have been planned as an integrated development and where the units are rented to people offering or receiving the public use or service for which the parcel has been developed and upon which the residence is located;

"intermunicipal development plan" means a plan adopted by the Council and the Council of Mountain View County as an intermunicipal development plan pursuant to the *Municipal Government Act*;

"joint use facility" means a building or grounds developed by and for the use of the College and the municipality in accordance with a formal agreement between the two parties;

"landscaped area" means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, ornamental plantings, fences, walls and

associated earthworks; however, it shall not include areas occupied by garbage containers, storage, parking lots or driveways;

"Land Use Bylaw" means Bylaw No. 01-23, and amendments thereto;

"Land Use District" means an area as described in Schedule C and shown in Schedule A of this Land Use Bylaw;

"land use policies" means policies established by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*;

"lane" means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;

"length of a driveway" shall be measured from the property line to the closest point of the building;

"light manufacturing" means the manufacture of products, the process of which does not create and emit fumes, gases, smokes, vapours, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land;

"livestock auction market" means a facility where agricultural related items including livestock are bought and sold by public auction;

"m" means metres ("m²" means square metres)

"main building" means a building in which is conducted the main or principal use of the parcel on which it is erected;

"main use" means the principal purpose for which a building or parcel is used;

"manufactured home" means a residential building containing one dwelling unit built in a factory in one or more sections, suitable for long term occupancy designed to be transported to a suitable site.

"mechanized excavation, stripping and grading" means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements;

"manufactured home park" means a parcel comprehensively designed and developed to provide lots and facilities for sale for the placement and occupancy of manufactured homes;

"manufactured home subdivision" means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of manufactured homes on a rental basis;

"motel" means a building or group of buildings that provides temporary sleeping accommodation where each room / unit has its own exterior access;

"multiple housing development" means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development;

"multi-plex" means a building containing between three (3) and eight (8) dwelling units; each sharing a common or party wall with at least one other unit, and each unit having a separate access to the outside grade;

"municipal planning services provider" means the person or persons appointed pursuant to Subdivision Authority Bylaw #1492-95;

"municipality" means the Town of Olds;

"municipal development plan" means a plan adopted by the Council as a municipal development plan pursuant to the *Municipal Government Act*;

"Municipal Government Act" means the *Municipal Government Act*, S.A. 1994, c. M-26.1, as amended;

"Municipal Planning Commission" means a Municipal Planning Commission established by Council pursuant to Section 28 of the *Municipal Government Act*;

"municipal shop and storage yard" means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment;

"natural environment preservation area" means an environmentally sensitive or otherwise locally significant area that is to be preserved because of its natural or amenity value to the Town;

"neighbourhood convenience store" means a commercial establishment with off street parking established on the same site which serves the convenience shopping needs of the immediate neighbourhood only;

"Neighbourhood Identification Sign" means a sign located at the entrance of a neighbourhood intended to provide identification and locations for properties within that neighbourhood.

"non-conforming building" means a building

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or land on which the building is situated becomes effective, and
- (b) that on the date a land use bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw;

"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 a land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this Land Use Bylaw;

"non-renewable resource extraction" means the mining or removal from the ground of deposits of coal, sand, gravel, clay and other minerals;

"occupancy permit" means a document authorizing the use of a development undertaken in accordance with a development permit issued pursuant to this Land Use Bylaw;

"office" means a facility providing for the administration of business, or government, or the provision of professional services;

"open storage yard" means land that is used for the storage of products, goods or equipment;

"owner" means the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the land; or in respect of any property other than land, the person in lawful possession of it;"

"parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

"parcel of land" means

- (a) where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office;
- (b) where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
- (c) a quarter section of land according to the system of surveys under the Surveys Act or any other area of land described on a certificate of title;

"parcel coverage" means the area covered by buildings, parking facilities, driveways, storage areas and display areas;

"parking facility" means a structure or an area providing for the parking of motor vehicles;

"parks and playgrounds" means areas of public land known for their natural scenery and/or preservation for public recreation either active or passive;

"Peace Officer" means

- (i) a member of the Royal Canadian Mounted Police,
- (ii) a member of a Municipal Police Service,
- (iii) a Special Constable, or
- (iv) a By-Law Enforcement Officer appointed by the Council of the Town of Olds.

"permitted use" means a use which is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms with this Land Use Bylaw;

"personal service" means the provision of a service to individuals on a commercial basis, and includes, but is not limited to, such services as photographers, travel agencies, beauty salons and dry cleaners. It does not include drinking establishments;

"portable sign" means a sign which is not in a permanently installed or affixed position;

"projecting sign" means a sign which projects from a structure or a building face;

"public and quasi-public use" means a use of land or a building for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity;

"public utility" means a public utility as defined in Part 17 of the *Municipal Government Act*;

"public utility building" means a building in which the proprietor of a public utility

- (a) maintains its offices, or
- (b) maintains or houses equipment used in connection with the public utility;

"railway uses" means a use of land or a building directly related to the building or operation of a railroad system;

"rear yard" means a yard extending across the full width of a parcel measured perpendicularly from the rear wall(s) of the main building situated on the parcel to the rear property boundary of the parcel [see sketch in Schedule B];

"recreation facilities" means buildings or grounds for community entertainment, relaxation, social activity and other leisure needs and does not include "joint use facilities";

"repair services" means the restoration and maintenance of objects, which is compatible with other uses in the District;

"restaurant" means an establishment for the preparation or sale of food for consumption on the premises and may include takeout food service and entertainment, excluding adult entertainment, as accessory uses. A restaurant does not include a drinking establishment but may include premises for which a "Class A" liquor license has been issued and minors are not prohibited by terms of the license;

“road” means land:

- (a) shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
- (b) used as a public road;

and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway;

"row housing" means a building containing a group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade;

"Safety Codes Officer" means an individual designated as a safety codes officer under section 27 of the Safety Codes Act;

"sales and service outlet for automobiles, trucks, recreation vehicles or manufactured homes" means a facility providing for the sale, rental, service and repair of automobiles, trucks, recreation vehicles or manufactured homes;

"sales and service outlet for farm equipment" means a facility providing for the sale, rental, service or repair of farm equipment;

"screen" means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas;

"seed cleaning plant" means a building for the storage and preparation of seed used in agriculture;

"service for the travelling public" means the provision of overnight accommodation, meals, or vehicular service or repair normally required by travellers;

"service station" means an establishment used for servicing or repairing motor vehicles, the sale of fuels and lubricating oils and other fluids and accessories for motor vehicles;

"set back" means a distance additional to minimum yard requirements which may be required on parcels adjacent to the public roads;

"side yard" means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of main building thereon [see sketch in Schedule B];

"sight triangle" means an area at the intersection of roads or roads and railways in which all buildings, fences, vegetation and finished ground elevations shall be less than 0.5 m (1.64 ft.) in height above the average elevation of the carriageways/rails, in order that vehicle operators may see approaching vehicles in time to avoid collision;

"**sign**" means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure;

"**social care residence**" means a dwelling unit wherein the occupants are provided with specialized care, such as supervisory, medical, counselling or psychiatric services, on a short term basis;

"**soft landscaping**" means the use of vegetative material as part of a landscaped area;

"**solid waste transfer station**" means a facility for the collection and temporary holding of solid waste in a storage container;

"**stacked rowhouse**" means a residential building containing three (3) or more dwelling units, each unit separated by a common or party wall and having either a separate front or rear access to the outside grade. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units;

"**staff residence**" means a dwelling unit for the occupancy of the owner, operator, caretaker or other essential administrative and operational personnel and which is accessory to other development on the parcel;

"**statutory plan**" means a Municipal Development Plan, Intermunicipal Development Plan, an area structure plan or an area redevelopment plan adopted by a bylaw of the municipality, or any one or more of them;

"**street**" means any category of road except a lane;

"**structural alterations**" means altering the main building components which support a building;

"**Subdivision and Development Appeal Board**" means the board established pursuant to the *Municipal Government Act*,

"**Subdivision and Development Regulation**" means the Subdivision and Development Regulation (AR 212/95), as amended;

"**Summons**" means a violation ticket as defined in the Provincial Offences Procedures Act Chapter P-21.5 with amendments;

"**temporary building**" means a building constructed without any foundation, and the use or placement of which is intended to be for periods of time that are less than six months;

"**trail system**" means a hard surfaced recreational pathway system being part of the trail system master plan as approved by Council;

"**truck wash**" means a facility for the washing of large or commercial vehicles.

"**use**" means a building or an area of land and the function and activities therein or thereon;

“Veterinary Clinic” means a facility for the medical care and treatment of animals, and includes provision for the keeping of animals overnight but does not include outdoor pens, runs and enclosures.

“Veterinary Hospital” means a facility for the medical care and treatment of animals, and includes provision for the keeping of animals and confinement in outdoor pens, runs and enclosures.

"Violation Tag" means a violation ticket as defined in the Provincial Offences Procedures Act Chapter P-21.5 with amendments;

"warehousing" means a facility for the indoor storage of goods and merchandise;

"yard" means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.

All other words and expressions have the meaning respectively assigned to them in Part 17 of the *Municipal Government Act* and the Subdivision and Development Regulation.

1.4 Establishment of Development Officer

- (1) The office of the Development Officer is hereby established and a person or persons to be appointed by resolution of Council shall fill such office.
- (2) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things
 - (a) keeping and maintaining for the inspection of the public during all reasonable hours, a copy of this Land Use Bylaw and all amendments thereto, and
 - (b) keeping a register of all applications for development, including the decisions thereon and the reasons therefore.

1.5 Establishment of Forms

For the purpose of administering this Land Use Bylaw, the development authority shall prepare such forms and notices as he or she may deem necessary.

1.6 Establishment of Supplementary Regulations

Supplementary Regulations as set forth in Schedule "B" hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.7 Establishment of Land Use District Regulations

Land Use District Regulations as set forth in Schedule "C" a hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.8 Establishment of Districts

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

Low Density Residential R1	Central Commercial C1
General Residential R2	Highway Commercial CH
Medium Density Residential R3	Highway Commercial A CHA
Manufactured Home R4	Light Industrial I1
Country Residential R5	Heavy Industrial I2
Country Residential A R5A	Industrial Business IB
Direct Control DC	Recreation Facility RF
Direct Control 1 DC1	Environmental Open Space EOS
Direct Control 2 DC2	Urban Reserve UR
College COL	

- (2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All public roads, watercourses and lakes are excluded from the Land Use Districts.
- (3) Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
- a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
 - a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
 - a boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

1.9 Amendment of the Land Use Bylaw

- (1) The Council on its own initiative may give first reading to a bylaw to amend this Land Use Bylaw.
- (2) A person may make application to the development authority for amendment to this Land Use Bylaw. The application shall include:
- a statement of the specific amendment requested;
 - the purpose and reasons for the application;
 - if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
 - the applicant's interest in the lands; and

- (e) an application fee of \$200.00 of which \$100.00 will be refunded if the proposed amendment is not given first reading and advertised.
- (2.1) If the amendment is for a redesignation of land, the development authority may require:
- (a) an outline plan for the area to be redesignated to the level of detail specified by the development authority; and
 - (b) payment of a fee to the Town equal to the costs incurred by an authorised municipal planning services provider to review the proposed redesignation and related outline plan, or if necessary to prepare an outline plan.
- (3)
- (a) Upon receipt of an application for amendment to this Land Use Bylaw, the development authority, if he/she considers the application to be minor in nature, may refer it to an authorised municipal planning services provider for comment. If the development authority considers the application to be major in nature, he/she shall refer the applicant to an authorised municipal planning services provider for discussion and comment.
 - (b) upon receipt of an application for amendment to this Land Use Bylaw, the development authority shall determine when the application will be placed before Council and shall issue not less than five (5) days notice to the applicant advising that he/she may appear before Council at that time and speak to the application. An application for amendment shall be placed before Council within (60) sixty days of its receipt by the development authority.
- (4) The Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:
- (a) refuse the application; or
 - (b) refer the application for further information; or
 - (c) pass first reading to a bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
 - (d) defeat first reading of a bylaw to amend this Land Use Bylaw; or
 - (e) pass first reading of an alternative amendment to this Land Use Bylaw, with or without conditions.
- (5) Following first reading to an amending bylaw, the Council shall:
- (a) establish the date, time and place for a public hearing on the proposed bylaw;
 - (b) if a bylaw to establish procedures for public hearings has not been passed;

- (i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
 - (ii) outline the procedure by which the public hearing will be conducted.
- (6) Following first reading of an amendment bylaw, the development authority must give notice of the public hearing by:
 - (a) publishing notice at least once a week for (2) two consecutive weeks in at least one newspaper or other publication, and /or
 - (b) mailing or delivering notice to every residence in the area to which the proposed bylaw relates.
- (7) A notice of a public hearing must be advertised at least (5) five days before the public hearing occurs.
- (8) A notice must contain:
 - (a) a statement of the general purpose of the proposed bylaw and public hearing,
 - (b) the address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected,
 - (c) the date, place and time where the public hearing will be held.
- (9) In the case of an amendment to change the district designation of a parcel of land, the development authority must, in addition to the requirements of subsection (6),
 - (a) include in the notice:
 - (i) the municipal address, if any, and the legal address of the parcel of land, and
 - (ii) a map showing the location of the parcel of land.
 - (b) give written notice containing the information described in clause (a) and subsection (6) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
 - (c) give written notice containing the information described in clause (a) and subsection (6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- (10) If the land referred to in subsection (9)(c) is in Mountain View County, the written notice must be given to that municipality and to each owner of adjacent land at

the name and address shown for each owner on the tax roll of Mountain View County.

- (11) Notwithstanding subsection (5), the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- (12) In the public hearing, the Council:
 - (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by the Council, and
 - (b) may hear any other person who wishes to make representations and whom the Council agrees to hear.
- (13) After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, the Council may:
 - (a) pass the Bylaw;
 - (b) refer it for further information or comment;
 - (c) make any amendment to the Bylaw it considers necessary and proceed to pass it without further advertisement or hearing, or
 - (d) defeat the Bylaw.
- (14) In this section:
 - (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes:
 - (i) land that would be contiguous if not for a highway, road, river or stream, and
 - (ii) any additional land identified by the development authority.
 - (b) “owner” means the person shown as the owner of land on the assessment roll prepared pursuant to *the Municipal Government Act*.
- (15) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- (16) After third reading of the proposed bylaw, the development authority shall send a copy of it to
 - (a) the applicant;

- (b) the registered owner of the land if not the applicant;
 - (c) an approved municipal planning services provider;
 - (d) Mountain View County, if it received a copy of the proposed bylaw pursuant to subsection (10).
- (17) The development authority shall not accept an application for an amendment which is identical or similar to an application which was refused by the Council, for a period of (6) six months after the date of the refusal unless, in the opinion of the development authority, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

1.10 Sections Found Invalid

If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

PART TWO: DEVELOPMENT PERMITS, CONTRAVENTION AND APPEAL

2.1 Purpose of Development Permits

Development permits are required to ensure that all development is achieved in an orderly manner.

- (1) No development other than that designated in Section 2.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- (2) The following development undertaken within the municipality shall be constructed or developed by a qualified trades person, as determined by the Safety Codes Officer.
- (3) Development sites must be kept tidy and clear from all debris and garbage.
- (4) Development sites must not be used as storage areas for vehicles or other materials not related to construction.

2.2 Development Not Requiring a Development Permit

All development undertaken in the municipality requires an approved development permit prior to commencement, except:

- (1) the carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
- (2) the completion of any development which has lawfully commenced before the passage of this Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
- (3) the use of any such development as is referred to in subsection (2) for the purpose for which development was commenced;
- (4) the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 m (3.28 ft.) in height in front yards and less than 2.0 m (6.56 ft.) in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure provided that such development complies with all applicable provisions of Schedule B;
- (5) a temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use Bylaw;

- (6) a temporary use of a parcel not exceeding 6 months for the sole purpose of mobile commercial sales (e.g. fish trucks, fruit trucks, etc.), providing a business license is obtained from the municipality and the location of the business is to the satisfaction of the development authority;
- (7) the installation, maintenance and repair of utilities;
- (8) any development carried out by or on behalf of the Crown but not including that carried out by or on behalf of a Crown Corporation;
- (9) any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
- (10) one accessory building used as a garden or tool shed on a residential parcel, such building not to exceed 9.5 m² (102.26 sq. ft.) in floor area and 2.5 m (8.2 ft.) in height, provided that such development complies with all applicable provisions of Schedule B;
- (11) development specified in Section 618 of the *Municipal Government Act*, which includes:
 - (a) a highway or public road,
 - (b) a well or battery within the meaning of the *Oil and Gas Conservation Act*,
 - (c) a pipeline or an installation or structure incidental to the operation of a pipeline, or
 - (d) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation,
- (12) the erection of one unilluminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs;
 - (a) a fascia sign for the purpose of identification, direction and warning not exceeding 0.2 m² (2.15 sq. ft.),
 - (b) a fascia sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m² (3.23 sq. ft.),
 - (c) a fascia or freestanding sign relating to a religious, educational, cultural, recreational or similar institution, or to an apartment not exceeding 1.0 m² (10.76 sq. ft.),
 - (d) a portable sign, not exceeding 4.5 m² (48.44 sq. ft.) in area, relating to
 - (i) sale or lease of land or buildings,
 - (ii) sale of goods or livestock by auction,

- (iii) carrying out of construction,
 - (iv) announcement of any local event of a religious, educational, cultural, political or governmental nature,
 - (e) notwithstanding the provisions of Section 5(4) Schedule B, a maximum of two "A" frame signs, not exceeding 0.55 m² (5.92 sq. ft.) in area and 1.0 m (3.28 ft.) in height on the parcel to which their advertising relates, or on the immediate adjacent road allowance located behind the curb line
 - (f) a flag attached to a single upright flagpole.
- (13) one satellite dish antenna, less than 1.0 m (3.3 ft.) in diameter, per parcel provided it is sited to the sole satisfaction of the Development Authority.
- (14) demolition of a building less than 25.0 m² (269.1 sq. ft.).

2.3 Permission for Development

- (1) (a) An application for a development permit shall be made to the Development Officer in writing on the form prescribed by the development authority and shall be accompanied by:
- (i) a scaled site plan showing the treatment of landscaped areas if required, 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 parcel;
 - (ii) scaled floor plans, elevations and sections;
 - (iii) a statement of existing and proposed uses;
 - (iv) if the applicant is not the owner, a statement of the applicant's interest in the land together with the written consent of the owner to the application;
 - (v) the estimated commencement and completion dates;
 - (vi) the estimated cost of the project or contract price; and
 - (vii) such other plans and information as the development authority may consider necessary to properly evaluate the proposed development.
 - (viii) when an application to develop a Neighbourhood Identification Sign is received, a notice shall be prepared and mailed out by the Town of Olds to all landowners within 100m of the proposed location of the sign, advising of intention to develop a Neighbourhood Identification Sign. Comments received shall be considered at the time this application is reviewed by the Municipal Planning Commission.

- (b) The Development Officer may refuse to accept an application for a development permit where the information required by subsection 2.3(1)(a) has not been supplied or where, in the opinion of the development authority, the quality of the material supplied is inadequate to properly evaluate the application.
 - (c) The development authority may deal with an application and make a decision without all of the information required by subsection 2.3(1)(a), if it is the opinion of the development authority that a decision on the application can be properly made without such information.
 - (d) An application for a development permit is, at the option of the applicant, deemed to be refused if the decision of the development authority is not made within 40 days of receipt of the application unless the applicant has entered into an agreement with the development authority to extend the 40 day period.
- (2) (a) Each application for a development permit shall be accompanied by a non-refundable processing fee.
- (b) Development that has commenced prior to obtaining development approval by the Development Authority shall be, to the sole discretion of the Development Authority, subjected to triple the current non-refundable processing fee rates.
- (3) The Development Officer shall:
- (a) receive all applications for a development permit; and
 - (a.1) refer all applications for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board, if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the development authority, an infill development, and
 - (b) consider and decide on applications for a development permit which meet the standards of this Land Use Bylaw for permitted uses.
 - (c) refer with his/her recommendations, to the Municipal Planning Commission for its consideration and decision all other applications for a development permit; and
 - (d) at his/her discretion refer to the Municipal Planning Commission any application which in his/her opinion should be decided by the Municipal Planning Commission; and
 - (e) refer any application to Mountain View County or any other agency or person which in his opinion may provide relevant comments or advice respecting the application.

- (4) The Municipal Planning Commission may grant a variance to reduce the requirements of any use of the Land Use Bylaw and that use will be deemed to comply with this bylaw.
- (5) The Development Officer may grant a variance to reduce the requirements of the Land Use Bylaw for a permitted use and the permitted use will be deemed to comply with this bylaw. Variances may be granted for:
- (i) areas which may be developed for accessory buildings - up to 15 % of the maximum allowable size.
 - (ii) building height - up to 15 % of the maximum allowable height.
 - (iii) front yard - up to 15 % of the minimum requirement.
 - (iv) rear yard - up to 15 % of the minimum requirement.
 - (v) side yard – up to 15 % of the minimum requirement.
- (6) For a permitted use in any District,
- (a) the development authority shall approve an application for a development permit for a permitted use if the application conforms to the requirements of the Land Use Bylaw, the Act and Regulation and statutory plans, and the development authority may attach conditions to the permit necessary to ensure any of the following:
 - (i) Arrangements satisfactory to the development authority for the supply of utilities including, but not limited to, water, electric power, sanitary sewer, storm sewer, natural gas, cable, or any one or more of them, including payment of the cost of installation or construction of any such utility or facility by the applicant;
 - (ii) Arrangements satisfactory to the development authority for vehicular and pedestrian access from public roads and trails, on-site vehicular and pedestrian circulation, parking, loading, landscaping or drainage, or any one or more of these matters, including payment of the costs of installation or constructing any such facility by the applicant
 - (iii) That the developer enters into a development agreement or an interim agreement, which shall form part of such development permit and may be required to be registered by caveat against title to the site at the Land Titles Office, to do any or all of the following:
 - (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct, or pay for the construction of:

- (i) a pedestrian walkway system to serve the development, or
 - (ii) pedestrian walkways or trail systems to connect the pedestrian walkway or trail system serving the development with a pedestrian walkway or trail system that serves or is proposed to serve an adjacent development, or both;
 - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of:
 - (i) off-street or other parking facilities; and
 - (ii) loading and unloading facilities;
 - (iv) That the developer pays an off-site levy or redevelopment levy imposed by a bylaw adopted pursuant to the Municipal Government Act, 1994;
 - (v) That the developer provides security to ensure compliance with this Bylaw, a development permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the site.
- (b) If an application for a development permit for a permitted use does not conform to the requirements of the Land Use Bylaw, the Municipal Government Act and the Subdivision and Development Regulation and statutory plans, the development authority:
- (i) may refuse the application giving reasons for the refusal; or
 - (ii) may approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the Municipal Government Act and the Subdivision and Development Regulation and statutory plans; or
 - (iii) may approve the application pursuant to section 640(6) of the Municipal Government Act, and such a development application shall be deemed to be subject to those regulations of this Bylaw that pertain to an application for a discretionary use permit, excepting Section 2.3(5)(a)(vi) below.
- (5) For a discretionary use in any District,
- (a) The development authority, in its discretion, may approve the application subject to the following conditions:

- (i) Arrangements satisfactory to the development authority for the supply of utilities including, but not limited to, water, electric power, sanitary sewer, storm sewer, natural gas, cable, or any one or more of them, including payment of the cost of installation or construction of any such utility or facility by the applicant;
- (ii) Arrangements satisfactory to the development authority for vehicular and pedestrian access from public roads and trails, on-site vehicular and pedestrian circulation, parking, loading, landscaping or drainage, or any one or more of these matters, including payment of the costs of installation or constructing any such facility by the applicant;
- (iii) A development agreement or an interim agreement, which shall form part of such development permit and may be required to be registered by caveat against title to the site at the Land Titles Office, to do any or all of the following:
 - (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct, or pay for the construction of:
 - (i) a pedestrian walkway system to serve the development, or
 - (ii) pedestrian walkways or trail systems to connect the pedestrian walkway or trail system serving the development with a pedestrian walkway or trail system that serves or is proposed to serve an adjacent development, or both;
 - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of:
 - (i) off-street or other parking facilities; and
 - (ii) loading and unloading facilities;
- (iv) Payment of an off-site levy or redevelopment levy imposed by a bylaw adopted pursuant to the Municipal Government Act, 1994;
- (v) Provisions of security to ensure compliance with this Bylaw, a development permit, an agreement under this clause, or a statutory plan which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the site.

- (vi) Any conditions that the development authority may deem appropriate to ensure compatibility with the amenities of the neighborhood and the use, enjoyment and value of neighboring parcels of land, including, but not limited to, the following:
 - (a) Limiting the time of operation including hours of the day, days of the week, and parts of the year;
 - (b) Limiting the number of patrons;
 - (c) Requiring attenuation or mitigation of noise or any other nuisances that may be generated by the proposed development;
 - (d) Regarding the location, character and appearance of buildings;
 - (e) Regarding the grading of the site or such other matters as are necessary to protect the site from other developments or to protect other developments from the site;
 - (f) Establishing the period of time during which a development may continue.

or,

- (b) The development authority, in its discretion, may refuse an application for a discretionary use permit giving reasons for its refusal.
- (6) The development authority may:
- (a) approve, with or without conditions, an application for a development permit, or
 - (b) advise that a real property report appears to conform with the Land Use Bylaw, or
 - (c) recommend approval of an application for subdivision approval.

notwithstanding that the proposed development or subdivision does not comply with the Bylaw or is a non-conforming building, if in the opinion of the development authority the proposed development or subdivision or non-conforming building:

- (i) would not
 - (a) unduly interfere with the amenities of the neighbourhood, or
 - (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

- (ii) conforms with the use prescribed for that land or building in this Land Use Bylaw.
- (7) The development authority may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement with the municipality to do all or any of the following:
 - (a) to construct or pay for the construction of a road required to give access to the development, or
 - (b) to construct or pay for the construction of pedestrian walkway systems, or
 - (c) to install or pay for the installation of utilities, other than telecommunications systems or works, that are necessary to serve the development, or
 - (d) to construct or pay for the construction of
 - (i) off-street or other parking facilities, and
 - (ii) loading and unloading facilities, or
 - (e) to pay an off-site levy or redevelopment levy imposed by bylaw.
 - (f) to give security to ensure that the terms of the agreement under this section are carried out.
 - (g) to pay to the Town the costs paid by the Town to its Engineers, Planners, or any other person for the preparation or review of site development plans, review of construction drawings, materials testing, inspections, monitoring of construction, and any other engineering, planning and legal costs and expenses to which the municipality is put in connection with the preparation, administration and enforcement of the Development Agreement.
- (8) Prior to imposing any condition upon the issue of a development permit pursuant to subsection (7), the development authority shall consult with the Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the development permit.
- (9) The municipality may register a caveat pursuant to the provisions of the *Land Titles Act* and the *Municipal Government Act* in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
- (10) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal to the Subdivision and Development Appeal Board, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any

other applicant may not be accepted by the development authority for at least 6 months after the date of the final decision unless in the opinion of the development authority the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

- (11) Upon receipt of an application for a development permit in a Direct Control District, the Development Authority shall review the application and forward its comments and recommendations thereon to Council.
- (12) Council may notify the public of the development permit application and may establish means whereby the public may provide input on the application.

2.4 Development Permits and Notices

- (1)
 - (a) a development permit for all discretionary use or any permitted use for which a variance or relaxation was granted, issued pursuant to this Part, does not come into effect until 14 days after the date on which the notice of issuance of the permit is given under subsection (3). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
 - (b) the date of issue of a permit for all discretionary uses or any permitted use for which a variance or relaxation was granted, shall be the date of notification pursuant to subsection (3).
 - (c) the date of issue of a permit for any permitted use that conforms in all respects to the requirements of this Land Use Bylaw and was approved with or without conditions pursuant to this Part comes into effect immediately upon approval by the development authority.
- (2) Where an appeal is made to the Subdivision and Development Appeal Board, a development permit that has been issued shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) Notice shall be given of all development permits that have been issued in any or all of the following forms:
 - (a) publish in a newspaper circulating in the municipality a notice of the decision and/or
 - (b) mail a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the development authority, be affected; and/or
 - (c) post a notice of the decision conspicuously on the property for which the application has been made.

A development permit for a discretionary use or any permitted use for which a variance or relaxation was granted is deemed to be issued on that date that the

development authority publicizes a notice of the issuance of the permit in any or all of the forms described above.

- (4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, nor carried out with reasonable diligence as determined by the development authority, the permit ceases to be effective, unless an extension of this period, being no longer than an additional 12 months, has previously been granted by the development authority.
- (5) A decision of the development authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) When the development authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

2.5 Cancellation

The development authority may cancel a development permit if

- (a) the permit was issued in error, or
- (b) the permit was issued on the basis of incorrect information.

2.6 Contravention

- (1) If the Development Authority finds that a development, land use or use of a building is not in conformity with

- (a) the Land Use Bylaw, Part 17 of the Municipal Government Act or Subdivision and Development Regulation, or
- (b) a development permit or subdivision approval,

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

- (c) stop the development or use of the land or building in whole or in part as directed by the notice,
- (d) demolish, remove or replace the development, or
- (e) carry out other actions required by the notice so that the development or use of the land or building complies with the Land Use Bylaw, Part 17 of the Municipal Government Act or Subdivision and Development Regulation, a development permit or subdivision approval,

and in such order establish a time for reasonable compliance with such order.

- (2) If a person fails or refuses to comply with an order under subsection (1) or an order of the Subdivision and Development Appeal Board made pursuant to Part

17 of the Municipal Government Act, the municipality may enter on the land or building and take any action necessary to carry out the order.

- (3) The municipality may register a caveat under the Land Titles Act in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order, but if it does so the municipality must discharge the caveat when the order has been complied with.

2.7 Appeal Procedure

An appeal of an order, a decision or a failure to make a decision of the development authority may be made in writing to the Subdivision and Development Appeal Board in accordance with the provisions set forth in the Subdivision and Development Appeal Board Bylaw.

2.8 Offences and Penalties

- (1) A person who contravenes or does not comply with
- (a) the Land Use Bylaw,
 - (b) Part 17 of the Municipal Government Act,
 - (c) the Subdivision and Development Regulation,
 - (d) an order under Section 2.6(1) of this Bylaw,
 - (e) a development permit or subdivision approval, or a condition therein,
 - (f) a decision of the Subdivision and Development Appeal Board, or
 - (g) a person who obstructs or hinders any person in the exercise or performance of his powers or duties under this Land Use Bylaw,
- is guilty of an offence.
- (2) A person shall be considered to be guilty of an additional offence if the offence referred to in Section 2.8(1) and 2.8(2) continues or is allowed to continue fourteen (14) days past summary conviction thereof or if the offence referred to in Section 2.8(1) and 2.8(2) continues or is allowed to continue fourteen (14) past payment of a violation tag.
- (3) (a) A person who is guilty of an offence referred to in Section 2.8(1) and 2.8(2) shall be liable upon summary conviction thereof, to a fine of not less than \$2500.00 and, in addition thereto, to a fine of not less than \$500.00 and not more than \$2,500.00 for every day that the offence continues, plus costs and damages and in default thereof to imprisonment for a period not exceeding 60 days unless the fine and costs, including the costs of committal, are sooner paid.

- (b) (i) A violation tag may be issued by a Peace Officer to a person who is believed to be guilty of an offence referred to in Section 2.8(1) and 2.8(2) and the said violation tag shall provide for payment within seven (7) days from the date of issue to the Town in the amount of not less than \$250.00. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution of the same offence;
- (ii) The violation tag shall be issued by personally serving it upon the alleged offender or by leaving it at the residence of the alleged offender;
- (iii) If a violation tag is issued pursuant to 2.8(3)(b)(i) above and if the amount that is specified upon the violation tag is not paid within seven (7) days from the date of issue of the violation tag, then an information shall be laid before a Provincial Judge, and prosecution for the alleged offence shall proceed as though no violation tag had ever been issued;
- (iv) Any person who is issued a violation tag under the provisions of this By-Law shall immediately cease and desist the offence for which the violation tag was issued.

2.9 Occupancy Permits

- (1) An occupancy permit is not required unless stipulated as a condition of approval for a development application or required in a development agreement.
- (2) An application for an occupancy permit shall be made to the development authority. The development authority shall issue an occupancy permit on the form prescribed by the Council, if he is satisfied that
 - (a) the development has been completed in accordance with the approved plans and development permit, or
 - (b) the development will, subject to such conditions as may be appropriate in the circumstances, be completed in accordance with the approved plans and development permit.

2.10 Compliance with other Legislation

Compliance with the requirements of this Land Use Bylaw does not exempt any person from

- (1) the requirements of any federal, provincial or municipal legislation; and
- (2) complying with any easement, covenant, agreement or contract affecting the development.

2.11 Repeal of Land Use Bylaw

Land Use Bylaw No. 1340 – 87 is hereby repealed and this Bylaw shall take effect on the day of the final passing thereof.

SCHEDULE A: LAND USE DISTRICT MAP

SCHEDULE B: SUPPLEMENTARY REGULATIONS

1. Buildings

1(1) Accessory Buildings

(a) Residential Districts

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
- (ii) An accessory building on an interior parcel shall be situated so that the exterior wall is at least 1.0 m (3.28 ft.) from the side and rear boundaries of the parcel.
- (iii) An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1.0 m (3.28 ft.) to the other side parcel boundary or the rear parcel boundary.
- (iv) An accessory building shall not be more than 4.5 m (14.76 ft.) in height, and shall not exceed the height of the main building.
- (v) Notwithstanding subsections (ii) and (iii) of this Section, an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
- (vi) An accessory building erected or placed on a parcel shall not be used as a dwelling nor shall it contain, as a portion of its initial construction or any subsequent renovations, any bedrooms.
- (vii) In the rear yards of the following types of houses, the maximum total area that may be developed for accessory buildings are as follows:
 - (I) Detached houses,
 - (A) in R-1, and R-2 Districts, 70.0 m² (753.5 sq. ft),
 - (B) in R-5 District, 130.0 m² (1,399.4 sq. ft.)
 - (II) Duplexes, 50 m² (538.2 sq. ft.),
 - (III) Row houses, 41 m² (441.3 sq. ft.),
 - (IV) Other residential Districts not listed above, 70.0 m² (753.5 sq. ft).

(b) Other Districts

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.

1(2) Building Orientation and Design

The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the development authority having due regard to:

- (a) amenities such as daylight, sunlight and privacy,
- (b) the character of existing development in the District,
- (c) its effect on adjacent parcels, and
- (d) all architectural controls in place for the area being developed.

1(3) Number of Buildings on a Parcel

- (a) A development permit shall not be issued for more than one main building on an unsubdivided parcel, except where it is proposed to develop more than one main building to form a single, unified group of buildings.
- (b) The number of dwelling units permitted on a parcel shall be limited to one, except where
 - (i) in the opinion of the development authority, either
 - (A) the building is clearly designed to be divided into more than one dwelling, or
 - (B) the development of the parcel is clearly designed to include more than one dwelling, and
 - (ii) the use conforms to the uses prescribed in Schedule “C” for the District in which the parcel is located, and
 - (iii) subject to Section 2.3(6) of Part Two, the development complies with the provisions of this Land Use Bylaw, and
 - (iv) a development permit is issued for the use.

1(4) Relocation of Buildings

- (a) No person shall
 - (i) place on a parcel a building which has previously been erected or placed on a different parcel, or
 - (ii) alter the location on a parcel of a building which has already been constructed on that parcel

unless a development permit has been issued by the development authority.

- (b) In addition to the requirements of Section 2.3(1), PART TWO, the development authority may require an application for a development permit to be accompanied with
 - (i) recent colour photographs showing all sides of the building;
 - (ii) a statement on the age, size and structural condition of the building; and
 - (iii) a statement of proposed improvements to the building.
- (c) An application for a development permit may be approved by the development authority if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (d) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the development authority may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (e) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

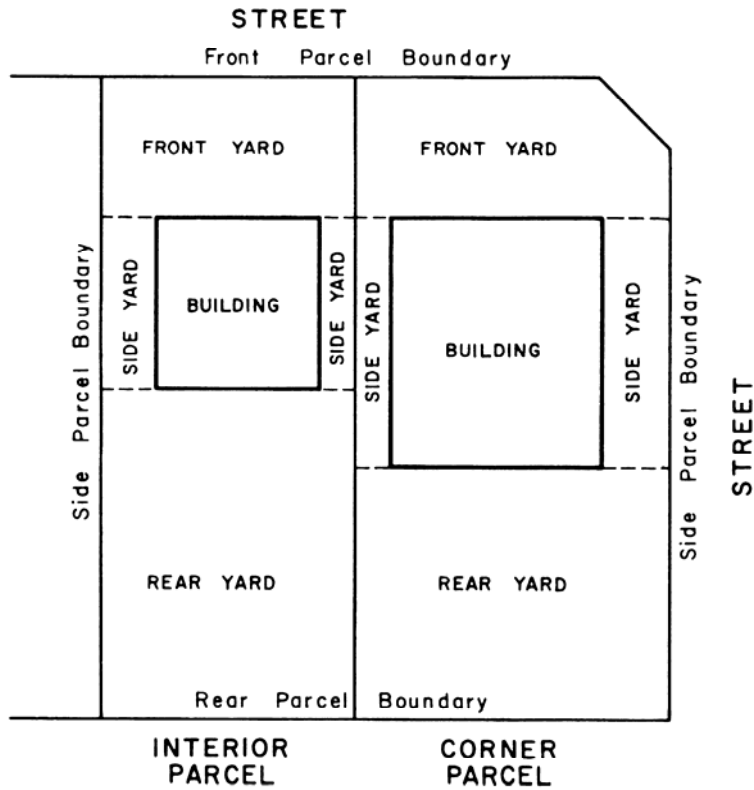
1(5) Building Demolition

An application to demolish a building shall not be approved without a statement or plan which indicates

- (a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
- (b) the final reclamation of the parcel

which is satisfactory to the development authority.

2. Yards



2(1) Projections Over Yards

Projections on foundation walls and footings, or on piles are deemed to be part of the building, and shall not be considered as a projection over a yard.

(a) In residential districts the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:

(i) Side Yard

Chimney chases, unenclosed steps, or eaves, not exceeding one-half of the minimum sideyard required for the building, except in laneless subdivision where Section 2(5)(a) of Schedule B shall apply:

(ii) Front and Rear Yards

(a) Any projection not exceeding 1.0 m (3.28 ft.) over or on the minimum front or rear yard, and

(b) Unenclosed steps, if they do not project more than 2.5 m (8.20 ft.) over or on a minimum front or rear yard.

- (b) In all other Districts, the portion of and attachment to a main or accessory building which may project over or on a minimum yard are:
 - (i) any projection not exceeding 1.5 m (4.92 ft.) into a front or rear yard;
 - (ii) any projection not exceeding 0.6 m (1.97 ft.) into a side yard;
 - (iii) any projection that is an exterior fire escape not exceeding 1.2 m (3.94 ft.) in width.
- (c) No portion of a building other than signs or canopies shall project into a public or private right-of-way.
- (d) Notwithstanding subsections (a) through (c) above, projections into a minimum yard, except for eaves, shall not exceed 3 metres in length.

2(2) Objects Prohibited or Restricted in Yards

- (a) No person shall allow a motor vehicle that is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a residential district, unless it is suitably housed or screened to the sole satisfaction of the development authority.
- (b) No person shall have exterior storage of piles of wood or metal, or other salvage materials that are in an unsightly condition on a parcel in any district, unless it is suitably housed or screened to the sole satisfaction of the development authority.
- (c) A holiday trailer, motorhome or camper parked in a residential District may be used for living and sleeping accommodation for a maximum period of 30 days per annum.
- (d) No person shall allow a vehicle of more than 4,540 kg (10,009.0 lbs) (GVW) and/or a length of more than 6.9 m (29.53 ft.) other than a holiday trailer, motorhome or camper, to be parked or stored in a residential District.

2(3) Satellite Dish Antennae

- (a) satellite dish antennae in excess of 1.0 meters (3.28 feet) in diameter require a development permit prior to installation.
- (b) no advertising other than the manufacturer's name/logo shall be allowed on a satellite dish antenna.
- (c) the illumination of a satellite dish antenna is prohibited.

2(4) Zero Side Yard Developments

- (a) In the Central Commercial District, the minimum side yard is 0 metres in accordance with Schedule C.

- (b) In other Districts, the development authority may allow one side yard of the main or accessory building to be 0 metres where
 - (i) the registered owner(s) of the adjoining parcel or parcels grant(s) a maintenance and eave and footing encroachment easement equivalent to two minimum yard requirements. The easements shall be to the satisfaction of the development authority and shall be registered against the title of the said parcel; and
 - (ii) all roof drainage from any building shall be directed onto the parcel upon which such building is situated by means of eavestroughs and downspouts, or other suitable means.

2(5) Laneless Subdivisions

- (a) In a laneless subdivision in a residential District, one side yard shall not be less than
 - (i) 1.5 m (4.92 ft.), in the case of a detached dwelling with attached garage, or
 - (ii) 3 m (9.84 ft.), in the case of a detached dwelling without attached garage;
 and both side yards shall not be less than
 - (iii) 1.5 m (4.92 ft.), in the case of a duplex with attached garages, or
 - (iv) 3.0 m (9.84 ft.), in the case of a duplex without attached garages.
- (b) In a laneless subdivision in a commercial or industrial District one side yard shall be not less than 6.0 m (19.69 ft.). This does not apply to an accessory building where such building is located to the rear of the main building and separated from it by a minimum distance of 12.0 m (39.37 ft.)

2(6) Setbacks on Future Major Roads

Where a parcel abuts a street for which a setback is established, the minimum yard requirement shall be increased by the amount of the applicable setback shown below.

Street	From	To	Setback Required
57 Avenue (west side)	(1) Highway 27	51 Street (closed Section)	5.18 m (17.0 ft)
	(2) Lane to rear of 58 Street lots (south side)	Town boundary (south)	5.18 m (17.0 ft)
	(3) N.E. 6-33-1-5 (south boundary)	N.E. 6-33-1-5 (north boundary)	5.18 m (17.0 ft)
54 Street (south side)	53 Avenue	48 Avenue	
Highway 2A (west side)	Highway 27	53.64 m (176 ft) south of 44 Street	5.03 m (16.5 ft)
Highway 2A (east side)	Highway 27	Town boundary (north)	5.03 m (16.5 ft)
Highway 27 (south side)	(1) 61 Avenue	57 Avenue	15.25 M (50.0 ft)
	(2) 56 Avenue	50 Avenue	5.18 m (17.0 ft) where not already dedicated as road widening
	(3) 50 Avenue	49 Avenue	2.02 m (6.67 ft)
	(4) 49 Avenue	Highway 2A	2.60 m (8.53 ft)
Highway 27 (north side)	(1) SW 6-33-1-5 (east end of dedicated service road)	SW 6-33-1-5 (east boundary)	30.48 m (100.0 ft.)
	(2) 55 Avenue	Highway 2A	5.18 m (17.0 ft) where road widening or service road not already dedicated

2(7) Yards Adjoining Railway Property

All development undertaken on parcels adjoining railway property may be required to erect fencing to standards approved by the development authority.

3. Vehicles

3(1) Parking

(a) The following minimum number of parking spaces shall be provided and maintained upon the use of a parcel or a building in any District as described in Schedule C of this Land Use Bylaw. Any calculation of the number of parking spaces which produces a requirement for part of a space shall be rounded up to the next highest integer.

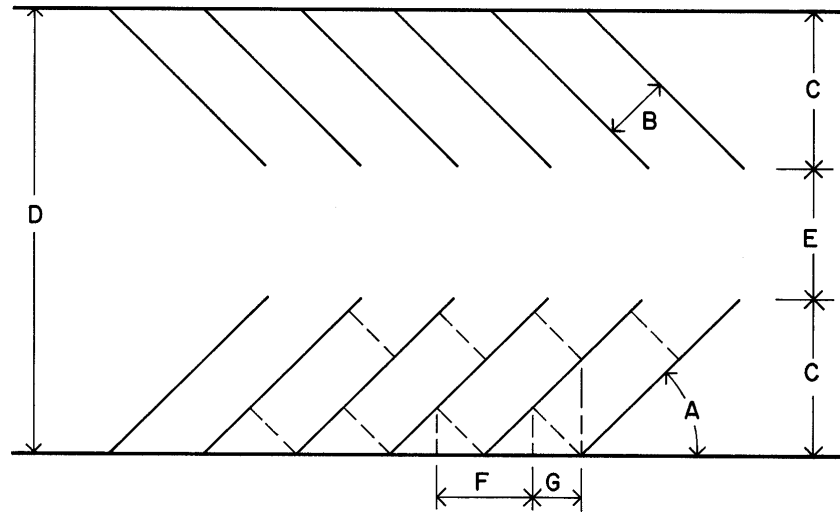
<u>Uses</u>	<u>Parking Spaces</u>
Commercial	
Indoor merchandise sales	
District shopping centres	5.0 / 100 m ² (1,076.4 sq. ft.)
Neighbourhood shopping centres	4.0 / 100 m ² (1,076.4 sq. ft.)
Other	3.5 / 100 m ² (1,076.4 sq. ft.)
Offices	2.5 / 100 m ² (1,076.4 sq. ft.)
Motels	1.0 / guest room
Personal services	2.5 / 100 m ² (1,076.4 sq. ft.)
Repair services	2.0 / 100 m ² (1,076.4 sq. ft.)
Restaurants, lounges and taverns	1.0 / 4 seats
Vehicle and equipment sales	2.0 / 100 m ² (1,076.4 sq. ft.)
Industry	
Manufacturing industry	
Minimum provision	6.0
Office area	2.0 / 100 m ² (1,076.4 sq. ft.)
Other area	1.0 / 100 m ² (1,076.4 sq. ft.)
Warehousing and Storage	
Minimum provision	4.0
Office area	2.0 / 100 m ² (1,076.4 sq. ft.)
Storage area	0.7 / 100 m ² (1,076.4 sq. ft.)
Public	
Hospitals and nursing homes	1.0 / 4 beds and 1.0 / 2 workers
Places of worship	1.0 / 4 seats
Public assembly buildings	1.0 / 4 seats
Schools	
Elementary and junior high	1.0 / 1 worker
Senior high	1.0 / 1 worker and 1.0 / 20 students
College	1.0 / 1 worker and 2.0/3 students
Residential	
Apartments and Multi-plexes	1.75 / dwelling
Accessory Suite	1.0 / suite
Adult Care Residence	2.0 / 3 units of accommodation
Bed & Breakfast Establishment	1.0 / guest room
All other	2.0 / dwelling

Uses not listed above

The number of spaces shall be determined by the development authority having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.

- (b) When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.
- (c) The parking space requirement on a parcel that has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.
- (d) Any loading space provided pursuant to subsection 3(2) of this Schedule may be used as parking space.
- (e) Each parking space shall have dimensions of not less than 2.75 m (9.02 ft.) by 5.5 m (18.04 ft.)
- (f) Loading Spaces may be required to be screened by a method approved by the Development Authority.

- (f) The dimensions of parking areas shall be as set out in the following diagram and table



A Parking Angle	B Stall Width	C Stall Depth	D Overall Depth	E Manoeuvring Space	F Curb Length	G Row End Length
0	2.75 m (9.02 ft)	2.75 m (9.02 ft)	9.00 m (29.53 ft)	3.50 m (11.48 ft)	6.70 m (21.98 ft)	0.00 m
30	2.75 m (9.02 ft)	5.00 m (16.4 ft)	13.50 m (44.29 ft)	3.50 m (11.48 ft)	5.45 m (17.89 ft)	0.85 m (2.79 ft.)
45	2.75 m (9.02 ft)	5.70 m (18.7 ft)	15.40 m (50.52 ft)	4.00 m (13.12 ft)	3.85 m (12.63 ft)	2.05 m (6.72 ft)
60	2.75 m (9.02 ft)	6.00 m (19.69 ft)	17.50 m (57.41 ft)	5.50 m (18.04 ft)	3.20 m (10.49 ft)	2.00 m (6.56 ft)
90	2.75 m (9.02 ft)	5.50 m (18.04 ft)	18.00 m (59.06 ft)	7.00 m (22.97 ft)	2.75 m (9.02 ft)	0.00 m

- (g) a minimum standard of 24.75 m² (266.4 sq. ft.) per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.
- (h) In Central Commercial Districts (CH), in lieu of providing parking spaces and subject to the approval of the Council, a payment may be made to the Town at a rate per space, which the Council has determined.

- (i) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the development authority, the spaces may be located on another parcel within 50.0 m (164.0 ft.) walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (j) Hard surfacing (i.e. concrete, pavement) of the parking area shall be required, where a parking area enters a paved public road.
- (k) Tandem parking stalls are not allowed in any district.

3(2) Loading Spaces

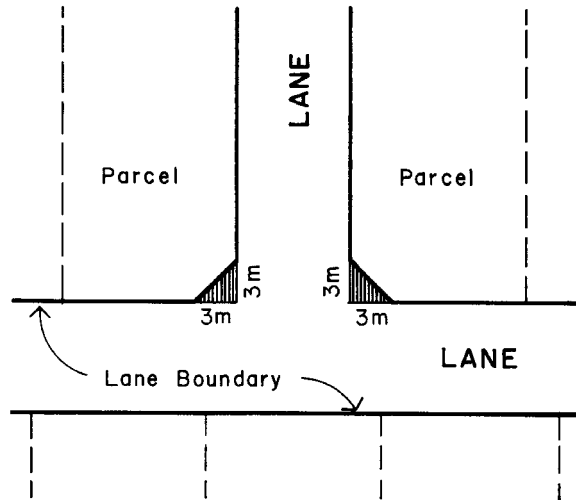
- (a) Loading spaces shall be required for all non-residential development and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a public road.
- (c) Loading spaces shall be located in rear and side yards only.
- (d) A loading space shall be at least 3.5 m X 8.0 m (11.48 ft. X 26.25 ft.), with an overhead clearance of at least 4.6 m (15.09 ft.)
- (e) Hard surfacing of the loading space shall be required, where a loading space enters a paved public road, otherwise, the surfacing shall be all-weather.
- (f) Loading Spaces may be required to be screened by a method approved by the Development Authority.

3(3) Vehicle Access to Buildings

- (a) Any building into which a vehicle may enter shall have a driveway on the parcel at least 6.0 m (19.69 ft.) in length, except where the driveway enters a lane, where it shall be either between 1.0 m (3.28 ft.) and 2.0 m (6.56 ft.) or at least 6.0 m (19.69 ft.)

3(4) Sight Lines at Intersections of Roads

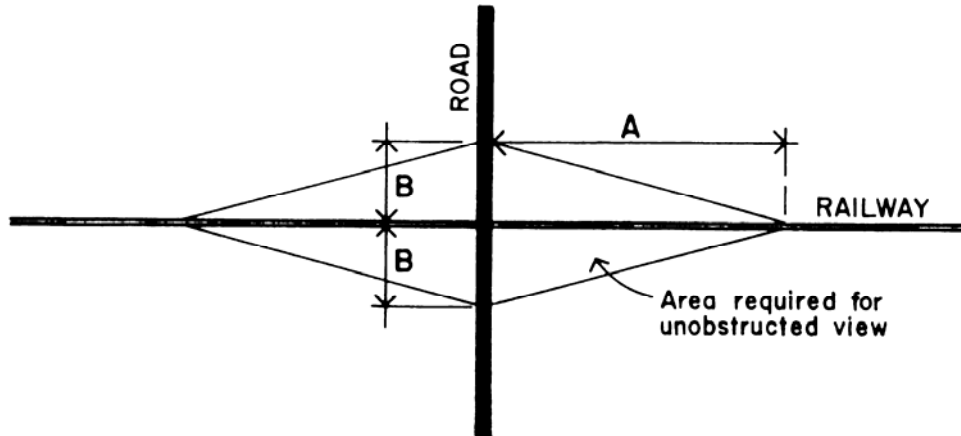
- (a) At the intersection of lanes, a 3.0 m (9.84 ft.) sight triangle shall be provided (see the following diagram).



- (b) At the intersection of other roads, the development authority may require the calculation of sight triangles where:
- (i) one or more right-of-ways is less than 15.0 m (49.21 ft), or
 - (ii) regulated vehicle speed exceeds 50 km/h, or
 - (iii) one of the carriageways is not centred in its right-of-way, or
 - (iv) an intersection leg is curved or skewed, or
 - (v) an intersection leg is sloped at 2% or greater.
- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roads.

3(5) Sight Triangles at Road and Rail Intersections

- (a) At the intersections of roads and railways, which are unprotected by automatic warning signals, sight triangles shall be determined using the diagram and table below.



Maximum Train Speed		Sight Distance A From Crossing		Maximum Vehicle Speed		Sight Distance B From Crossing			
kmh	(mph)	m	(ft)	kmh	(mph)	m	(ft)*	m	(ft)**
32.19	(20)	91.44	(300)	32.19	(20)	32.00	(105)	18.29	(60)
48.28	(30)	137.16	(450)	48.28	(30)	53.34	(175)	28.96	(95)
64.37	(40)	182.88	(600)	64.37	(40)	79.25	(260)	44.20	(145)
80.47	(50)	228.60	(750)	80.47	(50)	112.78	(370)	64.01	(210)
96.56	(60)	274.32	(900)	96.56	(60)	150.88	(495)	85.34	(280)
112.65	(70)	320.04	(1,050)	112.65	(70)	192.02	(630)	111.25	(365)
128.74	(80)	365.76	(1,200)						
144.84	(90)	411.48	(1,350)						
160.93	(100)	457.20	(1,500)						

* distances based on level approach grade and good traction

** panic stop distances

- (b) At the intersections of roads and railways, which are protected by automatic warning signals, the development authority may require the calculation of sight triangles where:
- (i) one or more of the rights-of-way is less than 15.0 m (49.21 ft.), or
 - (ii) regulated vehicle speed exceeds 50 km/h, or
 - (iii) either the carriage way or the railway is not centred in its right-of-way, or
 - (iv) an intersection leg is curved or skewed, or

- (v) an intersection leg is sloped at 2% or greater.
- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing site distances for roads, with the provision that distance between the nearest rail and the front of the stopped motor vehicle be between 5.0 m (16.40 ft.) and 15.0 m (49.21 ft.) as required by the *Highway Traffic Act*.

3(6) Driveways

- (a) At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
 - (i) 6.0 m (19.69 ft.) where the driveway serves not more than four dwelling units, or
 - (ii) 15.0 m (49.21 ft.) for all other uses,

except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a driveway shall be 10.0 m (32.28 ft.)
- (c) The minimum distance between driveways shall be:
 - (i) nil, where the driveways serve single dwelling units,
 - (ii) 6.0 m (19.69 ft.), where the driveways serve any other use,

except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a driveway to a use which generates high traffic volumes shall be 70 degrees.
- (e) To ensure that the movement of traffic is both safe and efficient, driveways are not allowed on the streets identified on Schedule A, unless alternative access is unavailable.
- (f) Hard surfacing (i.e. concrete, asphalt or other similar material suitable to the Development Authority) of a driveway shall be required in all districts if access is gained directly from or to a hard surfaced public road.
- (g) In circumstances where the length of a driveway, measured from the lane boundary, exceeds 9.0 m (29.53 ft.), permission may be granted, to the sole discretion of the Development Authority, for the use of all weather surfacing for the remainder of the driveway length.

4. Non-conforming Buildings and Uses

- (a) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- (b) 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, shall not be enlarged or added to and no structural alterations shall be made to it or in it.
- (c) A non-conforming use of part of a parcel may not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings may be constructed on the parcel while the non-conforming use continues.
- (d) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
 - (i) to make it a conforming building,
 - (ii) for routine maintenance of the building, if the development authority considers it necessary, or
 - (iii) in accordance with the provisions of Section 2.3(6).
- (e) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the market value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- (f) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

5. Signs

5(1) General Provisions

- (a) A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings or be liable to create a cluttered appearance to the streetscape.
- (b) No sign shall project higher than the roof-line of the building to which it is attached.
- (c) A sign shall not project closer than 0.75 m (2.46 ft.) to the existing or future curb line.
- (d) Where a sign projects over public property, a minimum clearance of 2.5 m (8.20 ft.) above grade level shall be maintained.
- (e) Notwithstanding subsection (d), where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.09 ft.) above grade level shall be maintained.
- (f) A sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- (g) A sign shall not display lights that may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.

5(2) Fascia and Projecting Signs

- (a) No fascia or projecting sign shall be lower than 2.5 m (8.20 ft.) above grade, except in the case of signs intended solely for the information of pedestrians in which case the height shall be determined by the development authority having regard, amongst other things, to clarity and safety.
- (b) No fascia or projecting sign on a single storey building shall be higher than the eave line of the building.
- (c) No fascia sign shall project more than 0.4 m (1.31 ft.) over a street or public property.
- (d) No fascia or projecting sign on a building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall.
- (e) The maximum size for projecting signs shall be 1.0 m² (10.76 sq. ft.)
- (f) On corner sites, projecting signs shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall.

- (g) Projecting signs shall not project more than 1.0 m (3.28 ft.) over a street or public property.
- (h) Only one projecting sign may be erected on each street frontage of a building.

5(3) Freestanding Signs and Billboards

- (a) No freestanding sign or billboard shall extend beyond 6.0 m (19.68 ft.) above grade or be larger than 4.5 m² (48.44 sq. ft.) except in a Highway Commercial District where
 - (i) the maximum in all cases other than a district shopping center shall be 7.0 m (22.97 ft.) in height and 18.58 m² (200 sq. ft.) in area, and
 - (ii) at a district shopping center, the maximum shall be 8.5 m (27.89 ft) in height and 18.58 m² (200 sq. ft.) in area.
- (b) Only one freestanding sign or billboard may be erected on each of a parcel's boundaries with a street.
- (c) No freestanding sign or billboard shall be erected in such proximity to a Recreation Facility or Environmental Open Space District that it would detract from the natural aesthetics of that District.
- (d) Freestanding signs and billboards shall be separated by a minimum distance of 30.0 m (98.43 ft.) from each other.
- (e) Freestanding signs and billboards shall only be erected on sites to which their display relates except in the case of
 - (i) advance directional signs which may be approved by the development authority in locations where it considers the free and safe flow of traffic may be enhanced, or
 - (ii) signs used solely by community organizations.

5(4) Portable Signs

- (a) A development permit shall be required for all portable signs and be accompanied by a scaled site plan indicating exact area for placement of the portable sign and payment of the required fee.
 - (i) The content of all portable signs shall be such as to not be offensive to public standards to the sole discretion of the development authority.
 - (ii) Portable signs subject to subsection 5(4)(b) and 5(4)(c) may only be used to advertise the business operation or organization located on or directly adjacent to the parcel where the portable sign is placed.

- (iii) Permission for placement of a portable sign on a road allowance, right of way or property owned by the Town of Olds directly adjacent to the parcel of the business operation or organization may be granted by the development authority subject to subsection 5(4)(a)(vii) provided that the portable sign is only used to advertise that business operation or organization.
 - (iv) No portable sign shall be higher than 2.0 meters (6.56 ft.) above grade (including supports).
 - (v) No portable sign shall be larger than 4.645 square meters (50 square feet) in area.
 - (vi) Portable signs shall not be internally illuminated or have direct external illumination.
 - (vii) The placement of portable signs shall be located no closer than 2 meters (6.56 feet) from the curb adjacent to the parcel.
 - (viii) Where a portable sign is located on a road allowance, right of way or property owned by the Town of Olds, the development authority may revoke the portable sign development permit on providing 30 days written notice.
 - (ix) The placement of portable signs shall be limited to one portable sign for every 50 meters (164.04 feet) of parcel frontage or portion thereof.
- (b) Special event portable sign permit approvals may be issued for such initiatives as a Midnight Madness Sale or a special promotion by an individual business or organization.
- (i) The maximum duration for such sign placement would be up to 7 days.
 - (ii) Special events signs may be permitted for a maximum of 3 times per year for a business or organization.
- (c) Community organizations may be issued a portable sign permit approval for continuous placement of a portable sign for periods not exceeding six months.
- (i) Where a portable sign is located on a road allowance, right of way or property owned by the Town of Olds, the development authority may revoke the portable sign development permit on providing 30 days written notice.
- (d) Where the use or placement of a portable sign does not comply with the Land Use Bylaw, the development authority may cancel a portable sign development permit on providing written notice.

5(5) Awning Signs

Awning signs shall only be permitted if the awning is a minimum of 2.5 m (8.20 ft.) above grade level.

5(6) Other Signs

The development authority may approve other signs subject to the General Provisions of subsection 5(1).

5(7) Sign Removal

Where a sign no longer fulfils its function under the terms of the approved development permit, the development authority may recommend that the Council resolve to order the removal of such a sign, and the lawful owner of the sign or where applicable, the registered property owner, shall, upon such a resolution,

- (a) remove such a sign and all related structural components within 30 days from the date of receipt of such a removal notice,
- (b) restore the immediate area around the sign to the satisfaction of the development authority,
- (c) bear all the costs related to such removal and restoration.

5(8) Neighbourhood Identification Signs

- a) Neighbourhood Identification Signs shall only be located at the entrance locations of a neighbourhood, as approved by the Town of Olds.
- b) The overall design, aesthetic character, dimensions, materials and finishing of the Neighbourhood Identification Signs shall be approved by the Town of Olds.
- c) Each Neighbourhood Identification Sign must be consistent in overall design, aesthetic character, dimensions, materials and finishing with other neighbourhood signs in an area, or as approved by the Town of Olds.
- d) The location of Neighbourhood Identification Signs shall take into account other Neighbourhood Identification Signs, freestanding signs and billboard signs.
- e) The number of Neighbourhood Identification Signs for a neighbourhood shall be approved by the Town of Olds.
- f) The applicant may be required to enter into an agreement with the Town of Olds to maintain and update the sign.
- g) The Development Authority may require a professional engineer's seal for signs projecting over public property.

h) In residential areas:

- I. Neighbourhood Identification Signs shall only display the name of the subdivision.
- II. Neighbourhood Identification Signs shall not exceed 2.44m (8.0 ft) in height to top of the sign.

i) All other areas:

- I. Neighbourhood Identification Signs shall only display the name(s) and/or name of the subdivision, logo and location of businesses within that neighbourhood.
- II. Neighbourhood Identification Signs shall not exceed 2.44m (8.0 ft) in height to the top of the sign.

6. Miscellaneous

6(1) Home Occupations

Home occupations shall comply with the following:

- (a) a home occupation shall not include any use or operation which detracts from the amenities of a residential neighbourhood, by way of creating dangerous or objectionable conditions;
- (b) a home occupation shall be incidental and subordinate to both the residential use and any accessory residential building;
- (c) there shall be no exterior display or advertisement;
- (d) there shall be no outside storage of materials, commodities or finished products;
- (e) no commodity other than the product or service of the home occupation shall be sold on the premises; and
- (f) a home occupation shall not be staffed on-site by any person other than a resident of the dwelling;
- (g) not more than one (1) business vehicle used in or for the home occupation shall be parked on-site or on any street adjacent thereto;

6(3) Swimming Pools

Every private swimming pool shall be secured against entry of the public other than owners, tenants or their guests.

6(4) Dangerous Goods

Prior to making any decision on a development application that involves dangerous goods or development on adjacent land or in close proximity to any known dangerous goods, the development authority shall refer the development proposal to the appropriate regulatory authority for comments.

6(5) Mechanized Excavation, Stripping and Grading of Parcels

- (a) A temporary fence shall be erected around all excavations that, in the opinion of the development authority, may be hazardous to the public.
- (b) Where finished ground elevations are established, all grading shall comply therewith.
- (c) All parcels shall be graded to ensure that storm water is directed to a road without crossing adjacent land, except as permitted by the development authority.
- (d) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

6(6) Landscaping, Environmental Conservation and Development

Unless otherwise specified in Schedule C, the following standard of landscaping or equivalent landscaping provisions may be required for all areas of a parcel not covered by buildings, driveways, storage and display areas:

- (a) the conservation of existing trees and shrubs to the maximum extent possible;
- (b) the retention, in their natural state, of
 - (i) swamps, gullies and natural drainage courses,
 - (ii) unstable land,
 - (iii) land subject to flooding by a 1:100 year flood, and
 - (iv) land with a natural gradient of 15% or greater.
- (c) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and public roads;
- (d) the planting of additional trees and shrubs to provide
 - (i) a minimum overall density of one tree per 35 m² (376.75 sq. ft.) of landscaped area,
 - (ii) a minimum of 33% coniferous trees, and
 - (iii) a minimum height of 1.5 m (4.92 ft.) for deciduous trees and 1.0 m (3.28 ft.) for coniferous trees;
- (e) minimize parcel area being hard-landscaped;

- (f) a sufficient depth of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded or left with its natural grass cover; and
- (g) completion of the landscaping by the end of the first full growing season following completion of construction or the commencement of the use, whichever first occurs.

6(7) Development in Proximity to Oil and Gas Wells

In accordance with the Subdivision and Development Regulation, no building shall be constructed within 100 m (328.1 ft.) of the well head of a gas or oil well, unless, in the opinion of the development authority, it may be considered an infill development or is otherwise approved in writing by the Alberta Energy and Utilities Board.

6(8) Development Setbacks from Wastewater Treatment Plants

In accordance with the Subdivision and Development Regulation,

- (a) a school, hospital, food establishment or residential building must not be approved and a residential building must not be constructed within 300 m (984.25 ft.) of the working area of an operating wastewater treatment plant, and
- (b) a wastewater treatment plant must not be approved unless the working area of the plant is at least 300 m (984.25 ft.) from any existing or proposed school, hospital, food establishment or residential building,

unless the development is approved in writing by the Deputy Minister of the Department of Environment.

6(9) Development Setbacks from Landfills and Waste Sites

In accordance with the Subdivision and Development Regulation,

- (a) a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within the distances from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulation, and
- (b) a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, food establishment or residence specified in the Subdivision and Development Regulation,

unless the development is approved in writing by the Deputy Minister of the Department of Environment.

6(10) Land Use Policies

Every action undertaken by the municipality and the development authority must be consistent with any land use policies established pursuant to the *Municipal Government Act*.

6(11) Decks

A development permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.61 m (2.0 ft.) above grade.

6(12) Drainage

- (a) All roof drainage from a building shall be directed onto the parcel upon which the building is situated by means satisfactory to the development authority.
- (b) Any landscaping and/or re-contouring shall be done so that the finished grade does not direct surface drainage or cause the impounding of drainage onto an adjoining site unless otherwise approved by the Development Authority.

6(13) Accessory Suites

- (a) Approved accessory suites may only be situated in a detached dwelling.
- (b) The number of accessory suites per detached dwelling is limited to one (1).
- (c) One additional off-street parking space will be provided in accordance with Section 3(1) of Schedule B.
- (d) Accessory suites must meet Alberta Building Code standards.

6(14) Bed & Breakfast Establishments

- (a) the residential nature of the dwelling and the neighbourhood shall be preserved as much as is reasonably possible.
- (b) the maximum number of guest rooms shall be four (4) per detached dwelling.
- (c) a dwelling that is being used for a bed and breakfast establishment shall not be used as a boarding and rooming house at the same time.
- (d) off-street parking shall be provided as per Section 3(1) of Schedule B.
- (e) the granting of a development permit for a bed and breakfast establishment does not exempt compliance with any provincial regulations or other permit requirements.

6(15) Adult Entertainment Establishments

Unless otherwise approved by Council, an adult entertainment establishment shall not be located on a parcel having a minimum radial separation distance of less than 150 m from the boundary of a parcel in a residential district, and from the boundary of a parcel accommodating a public, separate or private school, church, public park or playground or any other adult entertainment facility;

6(16) Impact of Incompatible Uses on Residential Districts

The development authority may require the applicant for a development permit for a proposed commercial or industrial use that is in close proximity (as determined by the development authority) to a residential district to submit an impact statement as part of the development permit application indicating the measures to be taken to ensure that noise, visual, and other possible impacts will be addressed so that the proposed development will not negatively affect the adjoining residential district(s).

6(17) Building Identification

- (a) The owner of a property on which a structure has been erected shall cause the correct municipal address identification (i.e. house number) to be displayed, at a location plainly visible at all times from the road to which the property is addressed.
- (b) The owner of a property on which a structure has been erected which also has access to a lane shall, in addition to the requirements of Section 6(17)(a), shall also cause the correct municipal address identification (i.e. house number) to be displayed, at all times, at a location plainly visible at all times from the lane adjacent to the property.
- (c) Each municipal address identification number and/or letter shall be of a contrasting color to the building face or structure of which it is affixed and shall be clearly legible. The minimum size of the characters shall be as follows:

Distance of Building or Structure Setback from Adjacent Curb line or lane	Minimum Character Size
0 – 15 m (0 – 49.2 ft.)	10 cm (4 in.)
15 – 20 m (49.2 – 65.6 ft.)	15 cm (6 in.)
Greater than 20 m (65.6 ft.)	20 cm (8 in.)

7. Guidelines for Other Land Uses

All uses which are not covered by specific regulations in Schedule C shall, in accordance with the following guidelines, be

- (a) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses,

- (b) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan,
- (c) set-back from any parcel boundary abutting a road a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses,
- (d) of a height which will be consistent with that prevailing in the area,
- (e) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent public roads, and
- (f) developed in conformance with any applicable statutory plan.

8 Fees, Charges, Bonds, and Levies

Council may provide, by policy, for fees, charges, bonds, or levies to be applied for any development.

9 Trail Systems

All new development activities undertaken on lands identified in the Town of Olds Trail System Master Plan shall incorporate trail systems as a part of that development. The trail system shall be a minimum of 2.5 meters in width and shall be hard surfaced. (i.e. concrete, asphalt or other similar material suitable to the Development Authority)

10 Municipal Garbage and Recycling pickups

The development authority may require, as a condition of approval for a development permit in any land use district, that satisfactory on-site provisions be made for municipal garbage and recycling pickups for the lands that are being developed.

SCHEDULE C: LAND USE DISTRICT REGULATIONS

LOW DENSITY RESIDENTIAL DISTRICT (R1)

- General Purpose: To provide an area for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.
- Permitted Uses: Accessory residential buildings
Detached dwellings
- Discretionary Uses: Accessory uses
Building demolition
Duplexes existing at the date of passage of this Land Use Bylaw
Home occupations
Manufactured homes
Mechanized excavation, stripping and grading
Parking facilities for uses in this District
Parks and playgrounds
Public and quasi-public uses
Public utility buildings
Signs
Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to detached dwellings and manufactured homes

- Minimum Parcel Area: Interior Parcels 445 m² (4,843.92 sq. ft.)
Corner Parcels 500 m² (5,382.13 sq. ft.)
- Minimum Front Yard: 6.0 m (19.69 ft.)
- Minimum Side Yard: 1.5 m (4.92 ft.) except where it abuts a road – 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater
- Minimum Rear Yard: 6.0 m (19.68 ft.)
- Maximum Parcel Coverage: 55%
- Minimum Floor Area: 85 m² (914.96 sq. ft.)
- Landscaped Area: In the case of applications for development permits for uses other than detached dwellings, refer to Schedule B.
- Maximum Building Height: 8.5 m (27.89 ft.)
- Utilities: All utility services and all utility wires and conduits shall be installed underground.

Manufactured Home Design: The external appearance of manufactured homes must be acceptable to the development authority having regard to compatibility with other buildings in the vicinity and must have:

1. A minimum roof pitch of 4:12
2. A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall
4. A maximum length to width ratio of 3:1
5. A minimum width of 6.7 m (22.0 ft.)
6. A permanent foundation.

Supplementary Regulations: All uses must comply with the regulations in Schedule B

The regulations for all other uses shall be as established in Schedule B.

GENERAL RESIDENTIAL DISTRICT (R2)

General Purpose:	To provide an area for a variety of dwelling types and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential buildings Detached dwellings Duplexes
Discretionary Uses:	All discretionary uses in the R1 District Accessory suites, in detached dwellings only Adult care residence Bed and breakfast establishments Boarding and rooming houses Day care facilities Neighbourhood convenience stores Social care residences Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to detached dwellings, manufactured homes and duplexes:

Minimum Parcel Area:	Detached dwellings and manufactured homes: Interior parcels 375 m ² (4,036.60 sq. ft.) Corner parcels 420 m ² (4,521.00 sq. ft.) Duplexes: Interior parcels 275 m ² (2,960.17 sq. ft.) per unit Corner parcels 325 m ² (3,498.39 sq. ft.) per unit
Maximum Parcel Coverage:	55%
Minimum Front Yard:	6.0 m (19.69 ft.)
Minimum Side Yard:	1.5 m (4.92 ft.), except where it abuts a road – 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard:	6.0 m (19.68 ft.)
Maximum Building Height:	8.5 m (27.89 ft.)
Minimum Floor Area:	85 m ² (914.96 sq. ft.) per dwelling
Landscaped Area:	In the case of applications for development permits for uses other than detached dwellings, manufactured homes and duplexes, refer to Schedule B.

Utilities: All utility services and all utility wires and conduits shall be installed underground.

Manufactured Home Design: The external appearance of manufactured homes must be acceptable to the development authority having regard to compatibility with other buildings in the vicinity and must have:

1. A minimum roof pitch of 4:12
2. a roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall
4. A maximum length to width ratio of 3:1
5. A minimum width of 6.7 m (22.0 ft.)
6. A permanent foundation

Adult Care Residences and Social Care Residences: All regulations regarding height, front, side and rear yard, parcel area and parcel coverage shall be determined by the Municipal Planning Commission having regard to the design of the building and adjacent uses and buildings.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

MEDIUM DENSITY RESIDENTIAL DISTRICT (R3)

General Purpose: To provide an area for various forms of multiple family housing and compatible uses, herein listed which are connected to the municipal sewer and water systems.

Permitted Uses: Accessory residential buildings
 Apartments
 Multi-plexes
 Row housing

Discretionary Uses: Accessory uses
 Accessory suites, in detached dwellings only
 Adult care residences
 Bed and breakfast establishments
 Boarding and rooming houses
 Building demolition
 Day care facilities
 Existing detached dwellings built before May 1980
 Home occupations
 Mechanized excavation, stripping and grading
 Multiple housing developments
 Neighbourhood convenience stores
 Parking facilities for uses in this District
 Parks and playgrounds
 Public and quasi-public uses
 Public utility buildings
 Signs
 Social care residences
 Stacked Rowhouses
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to rowhouses/stacked rowhouses, multi-plex, apartments and multiple housing developments:

Minimum Parcel Area:

Rowhouses/stacked rowhouses:
 Interior parcels 185 m² (1,991.39 sq. ft.) per unit
 Corner parcels 275 m² (2,960.17 sq. ft.) per unit

Multi-plex:
 The building's first floor area and the area required for the minimum yards, landscaped area, parking facilities and driveways shall be totalled.

Apartments:
 1.3 times the building's total floor area

Multiple housing developments:

The ground area of non-recreational buildings, of the parking facilities and driveways and the minimum amenity area (described below) shall be totalled.

Minimum Parcel Area:	<u>Minimum Amenity Area*</u>
	<ul style="list-style-type: none"> • bachelor unit 15 m² (161.46 sq. ft.) per unit • one bedroom unit 20 m² (215.29 sq. ft.) per unit • two bedroom unit 55 m² (592.03 sq. ft.) per unit • three bedroom unit 90 m² (968.78 sq. ft.) per unit • four bedroom unit 110 m² (1,184.07 sq. ft.) per unit <p>* Minimum amenity area includes hard and soft-landscaped areas, balconies, recreational facilities and communal lounges.</p>
Maximum Parcel Coverage:	<p>Rowhouses/stacked rowhouses and multi-plex: 55%</p> <p>Apartments: 75%</p> <p>Multiple housing developments: Determined by subtracting the minimum amenity area from the parcel area.</p>
Minimum Front Yard:	6.0 m (19.69 ft.)
Minimum Side Yard:	<p>1.5 m (4.92 ft.), except where it abuts a road – 3.0 m (9.84 ft.) or as required by the Alberta Building Code, whichever is greater</p> <p>Apartments: 3.0 m (9.84 ft.) except where it abuts a road – 6.0 m (19.69 ft.), or as required in the Alberta Building Code, whichever is greater.</p> <p>Multiple housing development: Sufficient separation or screening must exist, in the opinion of the development authority, to maintain the privacy of each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater.</p>
Minimum Rear Yard:	9.0 m (29.53 ft.), except in multiple housing developments dwelling units with ground level private access where each unit shall have a private, screened yard area of not less than 45 m ² (484.39 sq. ft.)
Maximum Building Height:	<p>8.5 m (27.89 ft.)</p> <p>Apartments: 12.0 m (39.37 ft.)</p>
Utilities:	All utility services and all utility wires and conduits shall be installed underground.
Landscaped Area:	Rowhouses/stacked rowhouses, multi-plex, apartments and all housing types developed as multiple housing developments:

The landscaped area required by Section 6(6) of Schedule B shall be designed to separate parking facilities from all windows of living rooms, dining rooms and bedrooms on first floors and in basements by a minimum of 6.0 m (19.69 ft.)

Adult Care Residences and
Social Care Residences:

All regulations regarding height, front, side and rear yard, parcel area and parcel coverage shall be determined by the Municipal Planning Commission having regard to the design of the building and adjacent uses and buildings.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

MANUFACTURED HOME DISTRICT (R4)

General Purpose: To provide an area for and to regulate the development and use of land for manufactured homes, and other uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed parks and subdivisions. The area is to be connected to municipal sewer and water systems.

Permitted Uses: Manufactured homes
 Manufactured home park
 Manufactured home subdivision
 Accessory residential buildings/structures

Discretionary Uses: All discretionary uses found in the R1 District, Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

In this District,

"lot" means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupant(s);

"structure" means a subordinate building which is an addition to or supplements the facilities provided by a manufactured home, such as awnings, storage structures, carports, porches and skirting.

(1) Manufactured Home Park Standards

Maximum Gross Density: 17 manufactured homes per hectare (7 per acre)

Minimum Park Area: 2 hectares (4.94 acres)

Minimum Lot Area: 278.5 m² (2,997.8 sq. ft.)

Maximum Lot Coverage: 55%

Minimum Yard Requirements: Manufactured homes and their attached structures shall be at least:

- i) 3.5 m (11.48 ft.) from one another
- ii) 8.0 m (26.25 ft.) from any park boundary
- iii) 3.0 m (9.84 ft.) from any internal access road or common parking area
- iv) 1.2 m (3.94 ft.) from any side lot line
- v) 3.0 m (9.84 ft.) from any rear lot line, in accordance with an overall plan for the manufactured home park.

Minimum Manufactured Home Floor Area:	85 m ² (914.96 sq. ft.)
Minimum Manufactured Home Width:	4.25 m (13.94 ft.)
Recreation Area:	<p>A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area.</p> <p>Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the development authority.</p>
Landscaped Areas:	<p>All areas of a manufactured home park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other developed facilities, including paved playgrounds, shall be landscaped. A manufactured home park shall have on its perimeter a landscaped area not less than 3 m (9.84 ft.) in width between any manufactured home lot and a boundary line of the development. This buffer shall not comprise part of the 5% recreation area requirement.</p>
Roads:	<p>All mobile home park roads shall have at least a 12.0 m (39.37 ft.) right-of-way and a carriageway no less than 8.0 m (26.25 ft.) in width.</p>
Walkways:	<p>Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (4.92 ft.) in width.</p>
Storage Areas:	<p>Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be screened. Such storage areas shall have an area of not less than 20 m² (215.29 sq. ft.) per mobile home lot.</p>
Utilities:	<p>All utility services and all utility wires and conduits shall be installed underground.</p>
Fences and Lot Lines:	<p>Fences and hedges shall be allowed only if they are erected and maintained by the manufactured home park operator to a uniform standard throughout the manufactured home park.</p> <p>All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.</p>
Garbage Storage:	<p>Garbage storage shall</p> <p>(a) be prohibited in front yards, and</p>

- (b) be screened from view from any internal access road

Building Design:

All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home development. Each manufactured home shall be levelled, blocked and skirted, and the hitch removed within 30 days of being placed on a lot.

(2) Manufactured Home Subdivision Standards

The following regulations apply to manufactured homes:

Minimum Parcel Area: Interior parcels 278.5 m² (2,997.8 sq. ft.)
 Corner parcels 314.5 m² (3,385.4 sq. ft.)

Maximum Parcel Coverage: 55%

Minimum Yard Requirements: Manufactured homes shall be sited at least:

- i) 3.5 m (11.48 ft.) from one another (except attached structures), and
- ii) 3.0 m (9.84 ft.) from the rear parcel boundary.

The front and side yards shall be in accordance with an overall plan for the subdivision which shall be prepared by the developer of the subdivision in conjunction with and subject to the approval of the Development Officer. The plan shall provide for front yards to be a minimum of 3.0 m (9.84 ft.) and side yards to be either 0 m or 1.2 m (3.94 ft.) except abutting public roads where 3.0 m (9.84 ft.) shall be provided.

In the case of those parcels where a 0 m side yard is required by the plan, easements for a 1.2 m (1.64 ft.) eave encroachment, satisfactory to the development authority, shall be registered against the title of the adjoining parcel.

Maximum Building Height: (a) the distance between the ground level and the floor of the manufactured home shall not exceed 1.0 m (3.28 ft.), or
 (b) the distance between the ground level and the underside of the subfloor shall not exceed 0.75 m (2.46 ft.),

whichever is the greater.

Minimum Floor Area: 85 m² (914.96 sq. ft.)

Minimum Manufactured Home Width: 4.25 m (13.94 ft.)

Building Design: All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. The hitch and all wheels must be removed and the manufactured home placed on permanent foundation, or concrete piers within 30 days of being placed on a lot.

Utilities: All utility services and all utility wires and conduits shall be installed underground.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

COUNTRY RESIDENTIAL DISTRICT (R5)

General Purpose:	To provide an area for acreage residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential buildings Detached dwellings
Discretionary Uses:	Accessory uses Bed and breakfast establishments Building demolition Home occupations Manufactured homes Mechanized excavation, stripping and grading Parks and playgrounds Public and quasi-public uses Public utility buildings Signs Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to detached dwellings and manufactured homes

Minimum Parcel Area:	0.405 ha (1.0 ac.)
Maximum Parcel Coverage:	35%
Minimum Front Yard:	15.0 m (49.20 ft.)
Minimum Side Yard:	4.5 m (14.76 ft.)
Minimum Rear Yard:	12.0 m (39.36 ft.)
Minimum Floor Area:	One-storey dwellings 110 m ² (1,183.6 sq. ft.) Split-level dwellings 130 m ² (1,398.8 sq. ft.) Two-storey dwellings 145 m ² (1,560.2 sq. ft.)
Landscaped Area:	In the case of applications for development permits for uses other than detached dwellings, refer to Schedule B.
Maximum Building Height:	8.5 m (27.89 ft.)
Utilities:	All utility services and all utility wires and conduits shall be installed underground.
Manufactured Home Design:	The external appearance of manufactured homes must be acceptable to the development authority having regard to compatibility with other buildings in the vicinity and must have:

1. A minimum roof pitch of 4:12
2. A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall
4. A maximum length to width ratio of 3:1
5. A minimum width of 6.7 m (22.0 ft.)
6. A permanent foundation.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

COUNTRY RESIDENTIAL DISTRICT A (R5A)

General Purpose: To provide an area for acreage residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems. Under no circumstances shall subdivision be allowed in this district whereby any resulting parcel size created is less than 0.405 ha (1.0 ac.) and under no circumstance shall a variance or alteration of this minimum size criterion shall be granted in this district when an application for subdivision is being deliberated.

Permitted Uses: Accessory residential buildings
 Detached dwellings
 Minimum parcel size shall be not less than 0.405 ha (1.0 ac.).

Discretionary Uses: Accessory uses
 Bed and breakfast establishments
 Building demolition
 Home occupations
 Manufactured homes
 Mechanized excavation, stripping and grading
 Parks and playgrounds
 Public and quasi-public uses
 Public utility buildings
 Signs
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

Minimum Parcel Area: 0.405 ha (1.0 ac.) - Under no circumstances shall subdivision be allowed in this district whereby any resulting parcel size created is less than 0.405 ha (1.0 ac.) and under no circumstance shall a variance or alteration of this minimum size criterion shall be granted when an application for subdivision is being deliberated.

The following regulations apply to detached dwellings and manufactured homes

Maximum Parcel Coverage: 35%

Minimum Front Yard: 15.0 m (49.20 ft.)

Minimum Side Yard: 4.5 m (14.76 ft.)

Minimum Rear Yard: 12.0 m (39.36 ft.)

Minimum Floor Area: One-storey dwellings 110 m² (1,183.6 sq. ft.)
 Split-level dwellings 130 m² (1,398.8 sq. ft.)
 Two-storey dwellings 145 m² (1,560.2 sq. ft.)

Landscaped Area: In the case of applications for development permits for uses other than detached dwellings, refer to Schedule B.

Maximum Building Height: 8.5 m (27.89 ft.)

Utilities: All utility services and all utility wires and conduits shall be installed underground.

Manufactured Home Design: The external appearance of manufactured homes must be acceptable to the development authority having regard to compatibility with other buildings in the vicinity and must have:

1. A minimum roof pitch of 4:12
2. A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall
4. A maximum length to width ratio of 3:1
5. A minimum width of 6.7 m (22.0 ft.)
6. A permanent foundation.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

DIRECT CONTROL DISTRICT (DC)

General Purpose: To provide for developments consistent with the Town of Olds Municipal Development Plan that, due to their unique characteristics, innovative ideas or because of unusual site constraints, require specific regulations unavailable in other land use districts. This district is not intended to be a substitution for any other land use district in this Bylaw that could be used to achieve the same result. All development is to be connected to the municipal sewer and water systems.

Permitted Uses: Nil

Discretionary Uses: All land use applications shall be evaluated on their merits by Council, which will establish the appropriate development standards.

The following regulations apply to all uses:

Minimum Parcel Area: All the land contained in the existing Certificate of Title, unless otherwise approved by the Development Authority, having regard to future use of the parcel and the form of future subdivision and development.

Utilities: All utility services and all utility wires and conduits shall be installed underground.

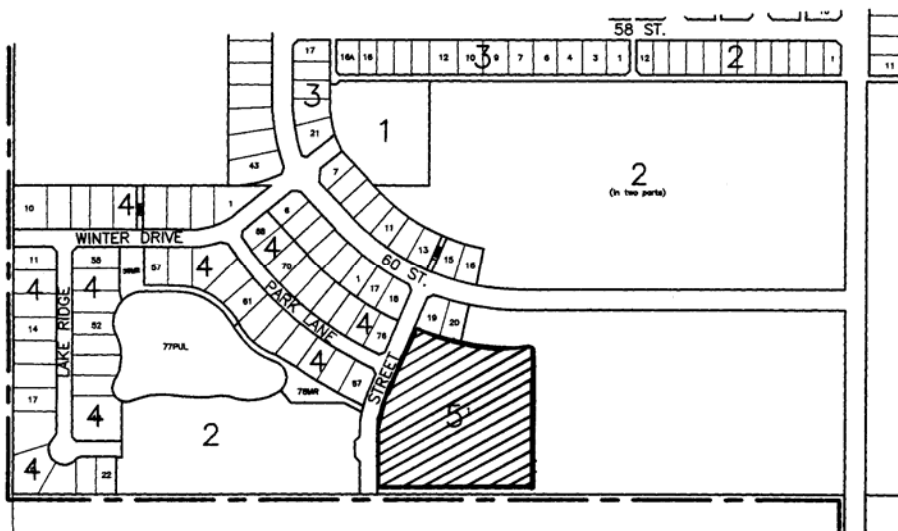
Supplementary Regulations:

All uses must also comply with the regulations in Schedule B.

DIRECT CONTROL DISTRICT 1 (DC1)

Lot 1, Block 5, Plan 991-2788; as shown on the sketch below, is designated

Direct Control District 1 (DC1).



General Purpose: To provide an area for comprehensively designed bareland condominium residential development.

Uses:

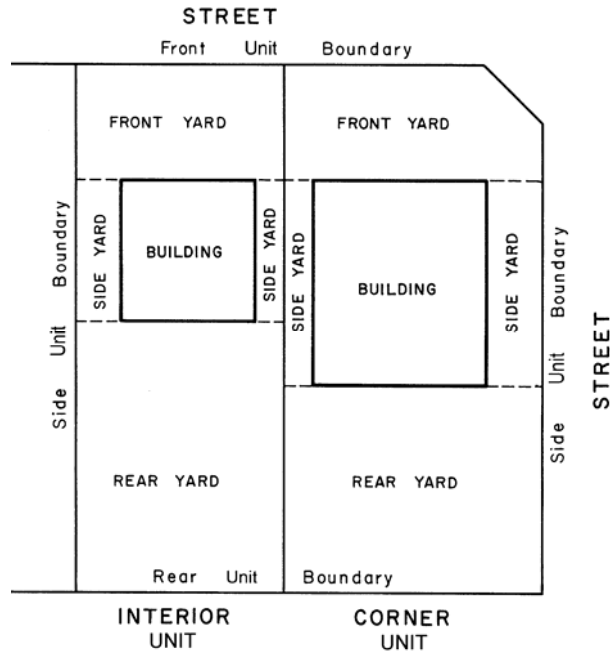
- Duplexes
- Row housing
- Parking facilities
- Private roads providing access to bareland condominium units
- Public and quasi-public uses
- Public utility buildings
- Signs

In this District, “street” means a private road within a bareland condominium plan.

Minimum Bareland Condominium Unit Area:

Duplexes:	
Interior Units:	365 m ² (3929 sq. ft.)
Corner Units:	385 m ² (4144 sq. ft.)
Row houses:	
Interior Units:	275 m ² (2960 sq. ft.)
End Units:	375 m ² (4037 sq. ft.)
End Units on a Corner:	415 m ² (4467 sq. ft.)

The following sketch identifies bareland condominium unit boundaries and yards in this District:



- Maximum Unit Coverage: 50%, excluding driveways
- Minimum Front Yard Setback: 4.0 m (13.1 ft.)
- Minimum Side Yard Setback: 1.5 m (4.9 ft.) except 2.0 m (6.6 ft.) on corner units, or as required by the Alberta Building Code, whichever is greater.
- Minimum Rear Yard Setback: 5.0 m (16.4 ft.)
- Maximum Building Height: 8.5 m (27.9 ft.)
- Minimum Street Width: 7.5 m (24.6 ft.)
- Minimum Parking Spaces: 2 per dwelling
- Recreational Vehicle Parking: Establish, to the satisfaction of the Development Authority, a designated area to be utilized by the residents for Recreational Vehicle Parking
- Unit Access: Vehicle access to any bareland condominium unit containing a dwelling unit shall be via a street only.
- Site Development: The site plan, relationship between buildings, structures, open space, parking layout, architectural treatments, and the provision of landscaping shall be subject to the approval of Council.

DIRECT CONTROL DISTRICT 2 (DC2)

The area as shown on the sketch below, is designated Direct Control District 2 (DC2).



General Purpose: To provide an area for a comprehensively designed new smaller lot Single Family Detached Housing development.

Permitted Uses: Detached Single Family Dwellings
 Home Occupations, which in the sole opinion of the Development Authority do not generate significant additional traffic
 Public and quasi-public uses
 Public utility buildings

The following regulations apply to the subdivision area.
 The entire perimeter of the subdivision area shall be completely fenced to a standard that is acceptable to the sole discretion of the Development Authority.

The following regulations apply to Detached Single Family Dwellings

Maximum Parcel Coverage: 55%

Minimum Front Yard: 6.0 m (19.69 ft.)

Minimum Side Yard: Minimum building-to-building side yard separation shall be not less than 3.0 meters (9.84 feet). The minimum building to MR separation shall be not less than 0.0 meters. The minimum building to ROW, roadway or future development shall be not less than 1.5 meters (4.92 feet).

In instances the proposed placement of any portion of a building, which includes eaves and unenclosed steps, will be less than 0.50 meters from the parcel boundary that is adjacent to another residential parcel, an easement of not less than 1.0 meter shall be registered against that adjacent residential parcel for the purpose of access to maintain the proposed building.

- Minimum Rear Yard: 6.0 m (19.69 ft.)
- Maximum Building Height: 8.5 m (27.89 ft.)
- Minimum Total Floor Area: 148 m² (1593.06 sq. ft.) excluding basement
- Minimum Parking Spaces: 2 per dwelling which are to be provided off-street. Not withstanding Schedule B Section 3(1)(k), off-street parking provisions may be provided using tandem parking. Each individual parking stall shall be a minimum of 2.75 meters (9.02 feet) in width and a minimum of 5.50 meters (18.04 feet) in length.

In this district, the minimum front, side and rear yards shall be measured from the nearest point of contact with the building's superstructure which also includes eaves and unenclosed steps, or as required by the Alberta Building Code, whichever is greater.

- Supplementary regulations: All uses must also comply with the regulations in Schedule B. The regulations for all other uses shall be as established in Schedule B.

Provisions must be made by the parcel owner to provide suitable locations for municipal garbage and recycling pickup points as well as for Canada Post community super mailbox locations to the sole satisfaction of the Development Authority.

DIRECT CONTROL DISTRICT 3 (DC3)

General Purpose: To provide site specific control regulations for the development of a Bed and Breakfast Establishment ensuring that the development is compatible with the existing residential development in the area.

Uses: Accessory Residential Buildings
 Bed and Breakfast Establishments
 Detached Dwellings
 Signs

Area of Application: **5310 – 57 Ave (Lot 1, Block 2, Plan 7054 JK)** (The area as shown on the sketch below, is designated Direct Control District 3 (DC3).



The following regulations apply to Detached Dwellings.

- Minimum Parcel Area: Corner Parcels 500m² (5382.13 sq ft)
- Minimum Front Yard: 6.0 m (19.69 ft.)
- Minimum Side Yard: 1.5m (4.92 ft) except where abuts a road – 3.0m (9.84 ft), or as required by the Alberta Building Code, whichever is greater.
- Minimum Rear Yard: 6.0 m (19.69 ft.)
- Maximum Parcel Coverage: 55%
- Maximum Building Height: 8.5 m (27.89 ft.)
- Minimum Floor Area: 85 m² (914.96 sq. ft)

Utilities: All utility services and all utility wires and conduits shall be installed underground

Supplementary Regulations:

Minimum Parking Requirements: A minimum of two (2) off-street parking stalls shall be required for a detached dwelling plus a minimum of one (1) off-street parking stall per guest room for a bed and breakfast establishment.

All parking for the bed and breakfast establishment must be located in the back yard and must be screened in such a way as to reduce the effect on adjacent land uses. Tandem parking for a bed and breakfast establishment is not allowed.

Parking areas for the detached dwelling use may be permitted in the front and side yards.

Additional Sign Regulations: Where there is a bed and breakfast establishment, a maximum of one (1) fascia or freestanding sign shall be allowed on site. No other form of sign is permitted.

A fascia sign shall have a maximum size of 0.56 m² (6 ft²).

A freestanding sign shall have a maximum size of 0.56 m² (6 ft²) and a maximum height of 1.22 m (4 ft).

All uses must also comply with the regulations in Schedule B.

Direct Control District 4 (DC 4)

General Purpose: To provide Council greater control and site specific control regulations for the development of light industrial uses. This district shall be developed to a high standard with specific emphasis on minimizing external objectionable or dangerous conditions beyond the parcel boundary, landscaping and maximizing visual appeal of buildings. This District is intended to serve as a buffer between industrial and residential uses.

Permitted Uses: Business Support Services
 Equipment rentals
 Funeral homes
 Light Manufacturing
 Offices
 Repair Services
 Sales and Service outlets for automobiles, trucks, recreation vehicles, farm equipment and manufactured homes.
 Signs
 Warehousing
 Veterinary Clinics

Discretionary Uses Accessory Uses
 Commercial Recreation and Entertainment Facilities
 Greenhouses, Commercial
 Municipal shops and storage yards
 Parking facilities for uses in this district
 Public and Quasi-public uses
 Public Utility Buildings
 Temporary buildings
 Veterinary Hospitals
 Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

Development Authority:

1. For this district the Development Authority for permitted uses shall be the Municipal Planning Commission.
2. For this district the Development Authority for discretionary uses shall be Town Council.

The following regulations shall apply to all uses:

Performance Standards: **1)** No use, operation, storage or activity may be undertaken which, in the sole opinion of the Development Authority constitutes a danger or annoyance to persons on the parcel, on public property, or on any other sites, by reason of the generation of:

- Noise
- Radiation hazards
- Vibration
- Fire and explosive hazards
- Dust, and other particulate matter
- Heat, humidity and glare
- Smoke
- Refuse matter
- Odour
- Water or waterborne waste
- Toxic and noxious matter
- Water or steam
- Glare
- High brightness light sources
- Or any other activity which in the sole opinion of the Development Authority is of an objectionable nature.

2) Notwithstanding any other bylaw standards, limitations and exclusions, any and all generation of noise in this District shall be subject to the same standards, limitations and exclusions as in residential districts within the municipality.

Minimum Parcel Frontage:	15.0 m (49.21 ft)
Minimum Front Yard:	6.0 m (29.53 ft)
Minimum Side Yard	3.0 m (9.84 ft) or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.68 ft)
Maximum Building Height	10 m (32.8 ft)
Maximum Parcel Coverage	80%

Minimum Landscaping Requirements: 20%

An area with a minimum width of 3 m (9.8 ft) adjacent any property boundary with a public road or residential property shall be landscaped to the satisfaction of the Development Authority.

In addition to the landscaping standards in Section 6(6) of Schedule B, areas directly adjacent residential districts shall require tree planting to a minimum overall density of one tree per 17 m² (183 sq. ft.) of required landscaped area, including a minimum of 33% coniferous trees, and a minimum height of 1.5 m (4.92 ft.) for deciduous trees and 1.0 m (3.28 ft.) for coniferous trees.

Screening:

The Development Authority may require satisfactory screening to reduce any impact a use in this District may have on adjacent properties. This may include fencing, building placement, landscaping or a combination of these items.

Lighting:

On-site exterior lighting shall not spill over into or create excessive glare or light pollution for adjacent residential areas.

Supplementary Regulations: All uses must comply with the regulations in Schedule B

COLLEGE DISTRICT (COL)

General Purpose: To provide an area for the use and development of land for the purposes of public education and other public services and facilities in accordance with an overall site plan.

Permitted Uses: Accessory buildings
Accessory uses
Accessory retail sales
Building demolition
College uses
Educational residences
Joint use facilities
Mechanized excavation, stripping and grading
Recreation facilities
Parks and playgrounds
Parking facilities
Public utility buildings
Signs
Staff residences
Any other use existing at the date of annexation of the College

Discretionary Uses: Any use that is similar, in the opinion of the development authority, to the permitted uses described above.

Minimum Front, Side &
Rear Yards: Dwelling units: 10.0 m (32.81 ft.)
All other buildings: 20.0 m (65.62 ft.)

Minimum Separation
Distance: Accessory buildings used for intensive livestock operations shall be a minimum of 300 m (984.25 ft.) from dwellings on adjacent land.

Maximum Parcel Coverage: 80%

Supplementary Regulations: All uses must also comply with the Regulations in Schedule B.

CENTRAL COMMERCIAL DISTRICT (C1)

General Purpose: To provide an area for intensive commercial use, offering a wide variety of goods and services, and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.

Permitted Uses: Indoor merchandise sales
Offices
Personal services
Restaurants

Discretionary Uses: Accessory uses
Apartment
Building demolition
Bed and Breakfast Establishments
Bus depots
Commercial recreation and entertainment facilities
Drinking establishments
Dwelling units above the ground floor
Mechanized excavation, stripping and grading
Parking facilities
Public and quasi-public uses
Public utility buildings
Repair services excluding vehicular and heavy equipment
Signs
Service stations
Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Minimum Front Yard: Nil

Minimum Side Yard: Nil, or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: Nil

Maximum Parcel Coverage: 100%

Outdoor Storage and Display: Outdoor storage and display areas shall not exceed 5% of the main building's floor area.

Advertisements: 1. Notwithstanding the provisions of Section 5(4) Schedule B, subject to (2) below, advertisements shall be permitted only if they are

- (a) of a fascia design affixed to the building to which the advertisement relates, or
 - (b) inscribed on or affixed flat upon the covering material of an awning, and
 - (c) non-illuminated or illuminated internally or by indirect means.
2. Free standing advertisements may be permitted upon an assessment of their individual merits in accordance with Section 5(4) of Schedule B.

Miscellaneous Provisions:

Awnings, as extensions to the main building on a parcel, may be approved by the development authority subject to the following requirements being met:

- (a) awning coverings being of cloth or similar material only,
- (b) the projection over the minimum front yard from the main wall of the building being a maximum of 0.75 m (2.6 ft.),
- (c) the distance from the lowest part of the awning to grade level being a minimum of 2.5 m (8.2 ft.),
- (d) there being no signs on the awning, other than that permitted under 'Advertisements' above, and
- (e) approvals being limited to a maximum of 3 years.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B, except, at the sole discretion of the development authority, as follows:

1. Loading spaces

Commercial uses may be exempted from the provisions of Section 3(2)(a) to (d) of Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B, subject to the following:

1. Dwelling units above the ground floor:

- (a) Pedestrian access:
All dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

- (b) Car parking:
All residential uses shall comply with the provisions of Section 3(1) of Schedule B.

2. Loading spaces:

Commercial uses, at the sole discretion of the development authority, may be exempted from the provisions of Section 3(2)(a) to (d) of Schedule B.

HIGHWAY COMMERCIAL DISTRICT (CH)

General Purpose: To provide an area for commercial uses and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles.

Permitted Uses: Drive-in businesses
 Sales and service outlets for automobiles, trucks, recreation vehicles and manufactured homes
 Sales and service outlets for farm equipment
 Services for the travelling public

Discretionary Uses: Accessory uses
 Building demolition
 Commercial recreation and entertainment facilities
 District shopping centres
 Drinking establishments
 Drive-in theatres
 Dwelling unit for the occupancy of the owner, operator or caretaker
 Funeral Home
 Mechanized excavation, stripping and grading
 Offices
 Parking facilities
 Public and quasi-public uses
 Public utility buildings
 Signs
 Temporary buildings
 Veterinary Clinic
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Minimum Parcel Frontage: 15.0 m (49.21 ft.) adjacent to a service or local road
 46.0 m (150.92 ft.) without a service road

Minimum Front Yard: 9.0 m (29.53 ft.) adjacent to a service or local road

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: 6.0 m (19.69 ft.)

Maximum Parcel Coverage: 80%

- Outdoor Storage and Display**
1. All outdoor storage of items not for sale shall be screened
 2. All outdoor display of items for sale shall be screened from residential Districts.

Maximum Building Height: 10.0 m (32.81 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B.

HIGHWAY COMMERCIAL A DISTRICT (CHA)

General Purpose: To provide an area for commercial uses and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which will create an attractive environment, primarily accessible to motor vehicles. This District is located adjacent to residential uses and, as such, any external, objectionable or dangerous conditions beyond the parcel boundary shall be minimised so as to reduce impacts to neighbouring parcels.

Permitted Uses: Business support services
 Personal Services
 Professional, Financial and Office Support Services
 Restaurants

Discretionary Uses: Accessory uses
 Building demolition
 Drive-in businesses
 Dwelling unit for the occupancy of the owner, operator or caretaker
 Funeral Home
 Parking facilities
 Public and quasi-public uses
 Public utility buildings
 Sales and service outlets for automobiles, trucks, recreation vehicles and manufactured homes
 Sales and service outlets for farm equipment
 Services for the travelling public
 Signs
 Temporary buildings
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to all uses:

Performance Standards: **(1)** No use, operation, storage or activity may be undertaken which, in the sole opinion of the Development Authority constitutes a danger or annoyance to persons on the parcel, on public property, or on any other sites, by reason of the generation of:

- | | |
|------------------------------------|-------------------------------|
| Noise | Radiation hazards |
| Vibration | Fire and explosive hazards |
| Dust, and other particulate matter | Heat, humidity and glare |
| Smoke | Refuse matter |
| Odour | Water or waterborne waste |
| Toxic and noxious matter | Water or steam |
| Glare | High brightness light sources |

Or any other activity in the sole opinion of the Development Authority is of an objectionable nature.

(2) Notwithstanding any other bylaw standards, limitations and exclusions, any and all generation of noise in this District shall be subject to the same standards, limitations and exclusions as in residential districts within the municipality.

Objectionable Items in Yard: No person shall keep or permit in any part of a yard

- (1)** Any inoperable or unregistered vehicle or any vehicle that is in a dilapidated or unsightly condition unless it is suitably housed or screened to the sole satisfaction of the Development Authority, or
- (2)** Any object or chattel, which in the sole opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the neighbouring parcels, and
- (3)** All exterior storage shall be adequately screened from adjacent parcels to the sole satisfaction of the Development Authority.

Minimum Parcel Frontage: 15.0 m (49.21 ft.) adjacent to a service or local road
46.0 m (150.92 ft.) without a service road

Minimum Front Yard: 6.0 m (29.53 ft.) adjacent to a service or local road

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: 6.0 m (19.69 ft.)

Maximum Parcel Coverage: 55%

Maximum Building Height: 10.0 m (32.81 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

SHOPPING CENTRE COMMERCIAL DISTRICT (C-SC)

General Purpose: To provide for the development of large district shopping centres adjacent to a major thoroughfare and intended to service both the Town and the surrounding area. Shopping centres shall be comprehensively designed and utilize shared parking and access as well as a high standard of landscaping and appearance.

Permitted Uses: Banks
 Car washes
 Commercial recreation and entertainment facilities
 Drinking establishments
 Drive-in businesses
 Gas bars
 Indoor merchandise sales
 Hotels
 Neighbourhood convenience stores
 Offices
 Outdoor garden centres (where combined with indoor merchandise sales)
 Motels
 Personal Services
 Restaurants
 Sales and service outlets for automobiles, trucks, and recreation vehicles (excluding manufactured homes)
 Service stations
 Signs
 Veterinary Clinics

Discretionary Uses: Accessory uses
 Public and quasi-public uses
 Public utility buildings
 Temporary buildings
 Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above.

The following regulations apply to **ALL** uses:

Minimum Front Yard: 9.0 m (29.53 ft.)

Minimum Side Yard: 3.0 m (19.7 ft.) or
 9.0 m (29.53 ft.) if adjacent a residential district

Minimum Rear Yard: 6.0 m (19.69 ft.) or
 9.0 m (29.53 ft.) if adjacent a residential district

Maximum Building Height: 10.0 m (32.8 ft.), for the purpose of determining height in this district, an architectural feature, such as a tower or peak, shall be excluded from the calculation of the Height of the building.

Minimum Site Area: 2.0 ha (4.94 ac)

Maximum Floor Area: 35% of total site area

Minimum Parking: 4.5 Parking Spaces per 100m² (1076 sq ft)
 Notwithstanding Section 3(1)(a) of Schedule B, all uses forming part of a shopping centre under this district shall provide a minimum of 4.5 parking spaces per 100 m² of gross floor area. Any calculation of the number of parking spaces which produces a requirement for part of a space shall be rounded up to the next highest integer.

Maximum Parcel Coverage: 85%

Minimum Landscaped Area: 15%

An area with a minimum width of 3 m (9.8 ft) adjacent any property boundary with a public road or residential property shall be landscaped to the satisfaction of the Development Authority.

In addition to the landscaping standards in Section 6(6) of Schedule B, areas directly adjacent residential districts shall require tree planting to a minimum overall density of one tree per 17 m² (183 sq. ft.) of required landscaped area, including a minimum of 33% coniferous trees, and a minimum height of 1.5 m (4.92 ft.) for deciduous trees and 1.0 m (3.28 ft.) for coniferous trees.

Site Area Plan: A comprehensive concept plan, which shall include all lands which are contiguous and designated Shopping Centre Commercial District, shall be prepared to the satisfaction of the Development Authority prior to the issuance of any development permits. This plan shall illustrate the architectural treatment of all buildings, and demonstrate the relationship between buildings, traffic flow, parking, signs, and landscaped spaces.

Subdivision of Site Area: Subdivision, less than 2.0 ha (4.94 ac), may occur in this district provided;

- A) that the subdivision is consistent with an approved Site Area Plan,
- B) that a joint use access agreement is registered on title to the satisfaction of the Town of Olds, and
- C) that all parcels within the Site Area are integrated allowing direct, onsite access connections to facilitate the convenient efficient and free-flowing traffic movement between sites.

Access: The location of ingress/egress points to the parking areas for a comprehensively designed shopping centre shall be setback an adequate distance from any on-site or off-site intersection to ensure sufficient stacking distance to the satisfaction of the Development Authority.

Drive-in Businesses: Drive-in businesses, including gas bars and carwashes, shall be located only where the Development Authority is satisfied that the development and resulting vehicle circulation patterns will not adversely affect the functioning of public roadways, internal roadways or internal vehicle circulation routes.

For drive-in food related services and other development having a service window or automated machine, a minimum of five (5) inbound queuing spaces shall be provided for vehicles approaching the service window or automated machine. One (1) outbound queuing space shall be provided on the exit side of the service window or automated machine.

Each queuing space shall be a minimum of 5.5 m (18 ft) long and 3.05 m (10 ft) wide. Queuing lanes shall provide sufficient space for turning and manoeuvring.

Loading Spaces: In addition to Section 3(2) of Schedule B, all outside loading and unloading spaces shall be located at the side or rear of the building and shall be visually screened from view from any adjoining streets or adjacent residential areas to the satisfaction of the Development Authority.

Screening: The Development Authority may require satisfactory screening to reduce any impact a use in the Shopping Centre Commercial District may have on adjacent properties. This may include fencing, building placement, landscaping or a combination of these items.

Outdoor Eating Areas: No outdoor eating or drinking area shall be located within 15.2 m (50 ft) of an adjacent residential property.

Lighting: On-site exterior lighting shall not spill over into or create excessive glare or light pollution for adjacent residential areas.

Signage: Only two types of freestanding signs shall be allowed in the Shopping Centre Commercial District. "Freestanding pylon sign" means a single sign with advertising for multiple businesses and having a height greater than 5m. "Freestanding monument sign" means a single sign with advertising for multiple businesses and having a height less than 5m.

Notwithstanding Section 5(3) of Schedule B, freestanding signs in the Shopping Centre Commercial District shall meet the following requirements:

- (a) Each freestanding pylon sign shall have a maximum height of 11 m (36.1 ft) and a maximum sign area of 29.0 m² (312.2 ft²).

- (b) Each freestanding monument sign shall have a maximum height of 4.8 m (15.7 ft) and a maximum sign area of 9.3 m² (100.1 ft²).
- (c) The sign area of a freestanding pylon sign shall be a minimum of 2.5 m (8.2 ft) above grade level.
- (d) Each freestanding sign shall be located at least 50 m (164 ft) from any other freestanding sign on the same site and at least 25 m (82 ft) from each parcel boundary which does not abut a public roadway. When determining setback requirements of freestanding signs from parcel boundaries, distances from parcel boundaries are from the overall comprehensive planned site boundary.
- (e) The number of freestanding signs allowed on a site shall be calculated based on one (1) sign per site plus one (1) sign per 2.0 hectares of site area. The maximum number of freestanding signs on a single site shall not exceed eight (8) signs.
- (f) A mixture of freestanding monument signs and freestanding pylon signs shall be provided to the satisfaction of the Development Authority.

Supplementary Regulations: Unless specified above, all uses must also comply with the regulations in Schedule B.

LIGHT INDUSTRIAL DISTRICT (I1)

General Purpose: To provide an area for light industrial uses, and other uses, herein listed, which are compatible to the area which are located in an attractive environment; to accommodate uses which do not cause any external, objectionable or dangerous conditions beyond the parcel boundary.

Permitted Uses: Light manufacturing
 Repair services
 Warehousing

Discretionary Uses: Accessory uses
 Adult entertainment establishments
 Building demolition
 Dwelling unit for the occupancy of the owner, operator or caretaker
 Heavy equipment assembly, sales and service
 Livestock auction markets
 Mechanized excavation, stripping and grading
 Municipal shops and storage yards
 Non-renewable resource extraction
 Parking facilities for uses in this District
 Public and quasi-public uses
 Public utility buildings
 Railway uses
 Recreation facilities
 Sales and service outlets for automobiles, trucks, recreation vehicles, farm equipment and manufactured homes
 Signs
 Solid waste transfer station
 Temporary buildings
 Veterinary Clinic
 Veterinary Hospital
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Minimum Parcel Frontage: 15.0 m (49.21 ft.), except where abutting a highway without a service road, in which case 30.0 m (98.43 ft.) shall be required.

Minimum Front Yard: 9.0 m (29.53 ft.)

Minimum Side Yard: 3.0 m (9.84 ft., or as required in the Alberta Building Code, whichever is greater.

Maximum Parcel Coverage: 80%

Minimum Rear Yard: 6.0 m (19.69 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The following regulations apply to discretionary uses:

Minimum Parcel Frontage: 15.0 m (49.21 ft.), except where abutting a highway without a service road, in which case 30.0 m (98.43 ft.) shall be required.

Minimum Front Yard: 9.0 m (29.53 ft.)

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Maximum Parcel Coverage: 80%

Minimum Rear Yard: 6.0 m (19.69 ft.)

Dwelling unit for the occupancy of the owner, operator or caretaker:

The maximum floor area of the dwelling unit shall be no larger than 85 m² (914.96 sq. ft.)

The regulations for all other discretionary uses shall be as established in Schedule B.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

HEAVY INDUSTRIAL DISTRICT (I2)

General Purpose: To provide an area for heavy industrial uses, and other uses, herein listed, which are compatible with the area with heavy industry permitted in approved locations at the discretion of the development authority.

Permitted Uses: Heavy equipment assembly, sales and service
Heavy manufacturing
Light manufacturing
Municipal shops and storage yards
Repair services
Veterinary clinic
Warehousing

Discretionary Uses: Accessory uses
Auto wrecking yards
Building demolition
Cartage and freight terminals
Feed mills and grain elevators
Livestock auction markets
Mechanized excavation, stripping and grading
Non-renewable resource extraction
Open storage yards
Parking facilities for uses in this District
Railway uses
Seed cleaning plants
Signs
Solid waste transfer stations
Temporary buildings
Utility uses
Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Minimum Parcel Frontage: 15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.

Minimum Front Yard: 9.0 m (29.53 ft.)

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Maximum Parcel Coverage: 80%

Minimum Rear Yard: 6.0 m (19.69 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B.

INDUSTRIAL BUSINESS DISTRICT (IB)

General Purpose: To provide an area for industrial business uses, herein listed, which are compatible to the area, which are located in an attractive environment; to accommodate uses which do not cause any external, objectionable or dangerous conditions beyond the parcel boundary. This District is intended to serve as a buffer between industrial and residential or other non-industrial uses.

Permitted Uses: Light manufacturing
 Repair services
 Warehousing
 Equipment rentals
 Business support services
 Professional, Financial and Office Support Services

Discretionary Uses: Accessory uses
 Building demolition
 Funeral Home
 Parking facilities for uses in this District
 Personal Services
 Public and quasi-public uses
 Public utility buildings
 Restaurants
 Signs
 Temporary buildings
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Performance Standards: (1) No use, operation, storage or activity may be undertaken which, in the sole opinion of the Development Authority constitutes a danger or annoyance to persons on the parcel, on public property, or on any other sites, by reason of the generation of:

- | | |
|------------------------------------|-------------------------------|
| Noise | Radiation hazards |
| Vibration | Fire and explosive hazards |
| Dust, and other particulate matter | Heat, humidity and glare |
| Smoke | Refuse matter |
| Odour | Water or waterborne waste |
| Toxic and noxious matter | Water or steam |
| Glare | High brightness light sources |

Or any other activity in the sole opinion of the Development Authority is of an objectionable nature.

(2) Notwithstanding any other bylaw standards, limitations and exclusions, any and all generation of noise in this District shall be subject to the same standards, limitations and exclusions as in residential districts within the municipality.

Objectionable Items in Yard: No person shall keep or permit in any part of a yard
(1) Any inoperable or unregistered vehicle or any vehicle that is in a dilapidated or unsightly condition unless it is suitably housed or screened to the sole satisfaction of the Development Authority, or
(2) Any object or chattel, which in the sole opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the neighbouring parcels, and
(3) All exterior storage shall be adequately screened from adjacent parcels to the sole satisfaction of the Development Authority.

Minimum Parcel Frontage: 15.0 m (49.21 ft.), except where abutting a highway without a service road, in which case 30.0 m (98.43 ft.) shall be required.

Minimum Front Yard: 6.0 m (19.69 ft.)

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Maximum Parcel Coverage: 80%

Minimum Rear Yard: 6.0 m (19.69 ft.)

Supplementary Regulations: All uses must also comply with regulations in Schedule B.

The following regulations apply to discretionary uses:

Performance Standards: **(1)** No use, operation, storage or activity may be undertaken which, in the sole opinion of the Development Authority constitutes a danger or annoyance to persons on the parcel, on public property, or on any other sites, by reason of the generation of:

- | | |
|------------------------------------|-------------------------------|
| Noise | Radiation hazards |
| Vibration | Fire and explosive hazards |
| Dust, and other particulate matter | Heat, humidity and glare |
| Smoke | Refuse matter |
| Odour | Water or waterborne waste |
| Toxic and noxious matter | Water or steam |
| Glare | High brightness light sources |

Or any other activity in the sole opinion of the Development Authority is of an objectionable nature.

(2) Notwithstanding any other bylaw standards, limitations and exclusions, any and all generation of noise in this District shall be subject to the same standards, limitations and exclusions as in residential districts within the municipality.

Objectionable Items in Yard: No person shall keep or permit in any part of a yard
(1) Any inoperable or unregistered vehicle or any vehicle that is in a dilapidated or unsightly condition unless it is suitably housed or screened to the sole satisfaction of the Development Authority, or
(2) Any object or chattel, which in the sole opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the neighboring parcels, and
(3) All exterior storage shall be adequately screened from adjacent parcels to the sole satisfaction of the Development Authority.

Minimum Parcel Frontage: 15.0 m (49.21 ft.), except where abutting a highway without a service road, in which case 30.0 m (98.43 ft.) shall be required.

Minimum Front Yard: 6.0 m (19.69 ft.)

Minimum Side Yard: 3.0 m (9.84 ft., or as required in the Alberta Building Code, whichever is greater.

Maximum Parcel Coverage: 55%

Minimum Rear Yard: 6.0 m (19.69 ft.)

Supplementary Regulations: All uses must also comply with regulations in Schedule B.

RECREATION FACILITY DISTRICT (RF)

General Purpose: To provide an area for the development of land for major multi-use recreational facilities, and other uses, herein listed, which are compatible with the area.

Permitted Uses: Parks and playgrounds

Discretionary Uses: Accessory uses
 Building demolition
 Cemeteries
 Mechanized excavation, stripping and grading
 Parking facilities
 Public and quasi-public uses
 Public utility buildings
 Recreation facilities
 Signs
 Temporary buildings
 Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses and public and quasi-public uses:

Minimum Front Yard: 4.5 m (17.46 ft.)

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: 6.0 m (19.69 ft.)

Maximum Parcel Coverage: 80%

Outdoor Storage and Display:

1. Outdoor storage shall be screened
2. Outdoor display is not allowed

Maximum Building Height: 12.0 m (39.37 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.

ENVIRONMENTAL OPEN SPACE DISTRICT (EOS)

General Purpose: To provide an area for either the preservation of public land in its natural state, or for its development as a park.

Permitted Uses: Natural environmental preservation
Parks and playgrounds

Discretionary Uses: Accessory uses
Building demolition
Mechanized excavation, stripping and grading
Public utility buildings
Signs (public)
Any use that is similar, in the opinion of the development authority, to the permitted or discretionary uses described above.

The following regulations apply to all uses:

Outdoor Storage and Display: Outdoor storage or display are not allowed

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

URBAN RESERVE DISTRICT (UR)

General Purpose: To reserve land for future subdivision and development until an overall plan is prepared for and approved by Council.

Permitted Uses: Nil

Discretionary Uses: Accessory uses
 Building demolition
 Existing residence and other related improvements
 Farms and farming operations, excluding feedlots
 Mechanized excavation, stripping and grading
 Parking facilities for uses in this District
 Public utility buildings
 Signs
 Temporary buildings
 Uses that will not, in the opinion of the development authority,
 (1) materially alter the use of the land from that existing on the date the land was designated to this Land Use District, or
 (2) conflict with future urban expansion
 Any use that is similar, in the opinion of the development authority, to the discretionary uses described above.

The following regulations apply to all uses:

Minimum Parcel Area: All the land contained in the existing Certificate of Title, unless otherwise approved by the development authority, having regard to future use of the parcel and the form of future subdivision and development.

Outdoor Storage and Display: 1. Outdoor storage shall be screened
 2. Outdoor display shall be screened from residential Districts

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.