

VILLAGE OF FERINTOSH

Land Use Bylaw No. 426

Consolidated by Battle River Planning Agency

FEBRUARY 1997

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PART ONE - GENERAL

1. Purpose

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

- (1) to divide the municipality into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish the office of Development Authority;
- (4) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit;

2. Interpretation

In this Bylaw:

- (1) **ACT** means the Municipal Government Act 1996 with amendments;
- (2) **ACCESSORY BUILDING** – means a building which is separate and subordinate to the main building, the use of which is incidental to the main building and is located on the same parcel of land;
- (3) **APARTMENT** – means a residential use consisting of at least 3 dwelling units, but shall not mean row housing;
- (4) **ACCESSORY USE** – means a use customarily incidental and subordinate to the main use or buildings and is located on the same parcel of land with such main use or building;
- (5) **AGENCY** – means Battle River Planning Agency;
- (6) **BUILDING** – includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;
- (7) **COUNCIL** – means the Council of the Village of Ferintosh;

- (8) **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 of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in a change in the use of the land or building;
- (9) **SUBDIVISION & DEVELOPMENT APPEAL BOARD** – means a Subdivision and Development Appeal Board established under Section 627 of the Act;
- (10) **DEVELOPMENT AUTHORITY** – means a person appointed as a Development Authority pursuant to this Bylaw;
- (11) **DEVELOPMENT PERMIT** – means a document authorizing a development issued pursuant to a land use bylaw or the land use regulations;
- (12) **DISCRETIONARY USE** – means the use of land or a building provided for in a land use bylaw for which a development permit may be issued upon an application having been made, subject to compliance with this bylaw and other requirements of law:
- (13) **DWELLING** – means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, but does not include mobile homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;
- (14) **DWELLING UNIT** – means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking, and separate or shared 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;

- (15) **DUPLEX** – means two dwelling units sharing a common wall, and located side by side or one above the other;
- (16) **FRONT YARD** – means a yard extending across the full width of a parcel from the front line of a parcel to the main wall of the main building situated on the parcel;
- (17) **GROSS FLOOR AREA** – means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floor. Basement suites shall be included in the calculation of gross floor area only in the case of apartment buildings;
- (18) **GROSS FLOOR AREA RATIO** – means the ratio or decimal value resulting from dividing the gross floor area of all buildings by the total site area of the parcel on which the buildings are located;
- (19) **GROUP HOME** – means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults;
- (20) **HAZARDOUS MATERIAL** – means any substance which is volatile, explosive, radioactive, poisonous, or otherwise dangerous, in quantities greater than those allowed in a dwelling under a standard homeowner’s insurance policy;
- (21) **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, and which does not change the character thereof. A home occupation does not include the keeping of a stock in trade, nor the employment of more than one paid assistant other than the occupant and the occupant’s family;
- (22) **LOT** – means
- (a) quarter section, or
 - (b) a river lot or settlement lot shown on an official plan referred to in Section 32 of The Surveys Act that is filed or lodged in a land titles office, or
 - (c) a part of a parcel or parcels where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision, or
 - (d) in part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (23) **MAIN BUILDING** – means a building in which is conducted the main or principle use of the site on which it is erected;

- (24) **MOBILE HOME UNIT** – means a structure, whether ordinarily equipped with wheels or not, that is manufactured to be moved from one point to another by being towed or carried and which provided year round living accommodation for one or more persons and can be connected to utilities;
- (25) **MODULAR UNIT** – means a prefabricated or factory built tubular frame or shell which comprises the wall of siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling, and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side by side or vertically and completed to form one or more complete dwelling units for year round occupancy;
- (26) **MUNICIPALITY** – means the Village of Ferintosh;
- (27) **NON-CONFORMING BUILDING** – means a building
- (a) that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective and;
 - (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not comply with the Land Use Bylaw.
- (28) **NON-CONFORMING USE** – means a lawful specific use
- (a) being made of land or building or intended to be made of a building lawfully under construction, at the date the Land Use Bylaw or any amendment thereof affecting the land or building becomes effective, and;
 - (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.
- (29) **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;
- (30) **PERMITTED USE** – means the use of land or a building for which a development permit shall be issued by the development authority where such uses conform to the provisions of the Land Use Bylaw;
- (31) **PUBLIC UTILITY BUILDING** – means a building as defined in the Municipal Government Act in which the proprietor of the public utility

maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;

- (32) **REGISTERED OWNER** – means
- (a) in the case of land owned by the Crown in right of Alberta or the Crown in the right of Canada, the Minister of the Crown having the administration of the land,
 - (b) or in the case of any other land,
 - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser’s interest that is the subject of a caveat registered against the certificate of title, or
 - (ii) in the absence of a person described in paragraph (i), the person registered under The Land Title Act as the owner of the fee simple estate in the land;
- (33) **ROW HOUSING** – means a residential use where a building or buildings on a lot are each used for at least three dwelling units with each unit having direct access to the outside grade, but shall not mean “apartment”;
- (34) **REAR YARD** – means yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear lane of the parcel;
- (35) **SIDE YARD** – means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side wall of the main building;
- (36) **YARD** – means a part of a parcel upon or over which no main building or portion of a main building above ground is erected;

All other words and expressions have the meanings respectively assigned to them in the Act.

3. Establishment of Districts

- 1) For the purpose of this Bylaw the Village of Ferintosh is divided into the following districts:

- R.1 Single Family Residential Districts
- R.2 Residential District

- C.1 Central Commercial District
- C.2 Fringe Commercial District
- C.3 General Commercial District
- I Industrial District
- A Agricultural District
- P Parks

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

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

Rule 1 Where a boundary is shown as following a street, lane, stream, bank break or canal, it shall be deemed to follow the centre line thereof.

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

Rule 3 In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:

- (a) where dimensions are set out on the Land Use District Map, by the dimensions so set out, or
- (b) where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale

(4) Where the application of the above rules does not determine the exact location of the boundary of a district, Council, either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as the circumstances may require.

(5) After Council has fixed a district boundary pursuant to the provisions of subsections (4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.

(6) Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

4. **Measurements**

When an imperial measure is given in brackets after the metric measure, the imperial measure is given for convenience only, and has no standing interpretation of this Bylaw.

5. **Establishment of Land Use District Regulations**

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

6. **Establishment of General Regulations**

General Regulations shall be set forth in Schedule C attached hereto, hereby adopted by reference to be part of this Bylaw, and may be amended in the same manner as any other part of this Bylaw.

PART TWO - AGENCIES

7. Development Authority

- (1) The office of the Development Authority is hereby established and such office shall be filled by a person or persons to be appointed by resolution of the Council, and in the absence of any such resolution, the Municipal Administrator.
- (1) The Development Authority shall perform such duties that are specified in PART THREE of this Bylaw.
- (2) The Development Authority shall keep and maintain for the inspection of the public during all reasonable hours a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions therein and the reasons therefore.
- (3) For the purposes of Section 542 of the Act, the Development Authority is hereby declared to be a designated officer of the municipality.

8. Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board established by Bylaw No. 495 shall perform such duties as are specified in PART FOUR of this Bylaw.

PART THREE

DEVELOPMENT PERMITS, RULES AND REGULATIONS

9. Control of Development

No development other than that designated in Section 10 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

10. Development Not Requiring a Development Permit

The following development shall not require a development permit, provided that such development conforms with ALL PROVISIONS OF THIS BYLAW (setbacks, height, etc.):

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation.
- (2) The completion of a building which was lawfully under construction at the date of the first publication of the official notice required by the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the first publication of the official notice.
- (3) The use of any such buildings as is referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than one metre in height in front yards and less than two m in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure.
- (5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this bylaw.
- (6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.

11. Non-Conforming Buildings and Uses

- (1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of the Land Use Bylaw then in effect.
- (2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- (3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except
 - (a) as may be necessary to make it a conforming building, or
 - (b) as the Development Authority considers necessary for the routine maintenance of the building.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the Land Use Bylaw.
- (6) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building

12. Permission for Development

- (1) An application for a development permit shall be made to the Development Authority in writing in the form of Form A hereto and shall be accompanied by:
 - (a) a site plan in duplicate showing the legal description and the front, rear, and side yards, if any, and any provision for off-street loading and vehicle parking and access and egress points to the site;
 - (b) floor plans and elevation and section in duplicate;
 - (c) a statement of uses;

- (d) a statement of ownership of land and interest of the applicant therein;
 - (e) the estimated commencement and completion dates; and
 - (f) the estimated cost of the project or contract price.
- (2) Each application for a development permit shall be accompanied by a fee, the value of which shall be set by resolution of council.
- (3) The Development Authority shall receive, consider and decide on all applications for a development permit.
- (4) In making a decision, the Development Authority may
- (a) approve the application unconditionally, or impose conditions considered appropriate.
 - (b) as a condition of a development permit, require the applicant to make satisfactory arrangements for the supply of utilities;
 - (c) as a condition of a development permit, require the applicant to enter into a development agreement,
 - (d) approve the permit permanently or for a limited period of time, or
 - (e) refuse the application, stating a reason(s) for the refusal.
- (5) Council may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities, or to pay an off-site levy or redevelopment levy imposed by bylaw.
- (6) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal pursuant to Part 4 of this Bylaw, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the Development Authority for 90 days after the date of the previous refusal.
- (7) In the case where a proposed specific use of land or a building is not provided for in any district in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule B.

- (8) The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority,
- (a) the proposed development would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
 - (b) the proposed development does not conflict with the use prescribed for the land or building in the Bylaw.
- (9) Except as otherwise provided in this Bylaw, the Development Authority may vary up to 50% of the minimum yard setbacks, building size and density of development within a land use district's requirements.
- (10) Deemed Refusal

An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision therein is not made on it by the Development Authority within 40 days after receipt of the application by the Development Authority and the person claiming to be affected may appeal in writing as provided for in PART FOUR of this Bylaw as though he had received a refusal at the end of the period specified in this subsection.

13. Development Permits and Notices

- (1) A permit granted pursuant to this PART does not come into effect until 14 days after the date an order, decision or development permit is issued, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made pursuant to PART FOUR of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) When a permit has been granted upon application for a discretionary use or use pursuant to subsections (7) and (8) of Section 12 the Development Authority shall:

*(13(3) replaced with the following “when a permit has been granted the Development Authority shall: (Bylaw #513-1)

- (a) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) a notice in writing shall be immediately mailed to all registered owners of land within 60 metres (200 feet) and any landowner who in the opinion of the Development Authority may be affected; and/or
 - (c) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- (4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period 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.

14. Municipal Services

All development must be connected to the Village's municipal services, whenever feasible. Should hook-up to the services be considered undesirable, at the discretion of the development authority, then alternative measures may be acceptable, provided that the development meets the requirements of provincial guidelines/regulations/legislations.

PART FOUR - APPEALS

15. Appeal Procedures

- (1) An appeal may be made to the Subdivision and Development Appeal Board by the person applying for the permit or affected by the order, where a Development Authority
 - (a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Section 17, PART 5 of this Bylaw
- (2) An appeal may be made to the Subdivision and Development Appeal Board where the Development Authority
 - (a) refuses or fails to issue a development permit within forty days of receiving an application, or
 - (b) issues a development permit; or
 - (c) issues an order under the Section 17,
 - (i) the person applying for the permit or affected by the order, the case may be, may appeal to the Subdivision and Development Appeal Board.

16. Public Hearing

- (1) Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least 5 days notice in writing of the public hearing to
 - (a) the appellant,
 - (b) the Development Authority from whose order, decision or development permit the appeal is made,
 - (c) those registered owners of land in the municipality who were notified under Section 13(3)(b) and any other person who in the opinion of the

Subdivision and Development Appeal Board, are affected by the order, decision or permit, and

- (d) such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including
- (a) the application for the development permit, its refusal and the appeal therefrom, or
 - (b) the order of the Development Authority under Section 17, as the case may be.
- (4) At the public hearing referred to in subsection (1), the Board shall hear
- (a) the appellant or any person acting on his behalf,
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person,
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf, and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

17. Decision

- (1) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.
- (2) In determining an appeal, the Subdivision and Development Appeal Board
 - (a) shall comply with any statutory plan and subject to clause 16.2.3, this Land Use Bylaw;
 - (b) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, any decision or permit of its own;

- (c) may make an order or decision or issue or confirm the issue of a development permit notwithstanding that the proposed development does not comply with this Land Use Bylaw if, in its opinion
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
 - (iii) the proposed development conforms with the use prescribed for that land or buildings in this Land Use Bylaw.

- (3) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 AND 689 of the Act. An application for leave to appeal to the Court of Appeal shall be made
 - (a) to a judge of the Court of Appeal, and
 - (b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed,

and a notice of the application shall be given to the Subdivision and Development Appeal Board and such other persons as the judge may direct.

PART FIVE
ENFORCEMENT AND ADMINISTRATION

18. Contravention

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with
- (a) the Municipal Government Act or the Subdivision Regulations, or
 - (b) a development permit or subdivision approval, or
 - (c) the Land Use Bylaw,
- the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to
- (d) stop the development or use of the land or buildings in whole or in part as directed by the notice, or
 - (e) demolish, remove or replace the development or
 - (f) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations, a development permit, subdivision approval or this Bylaw as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board under Section 645 of the Act or subsection (2) of Section 16 PART 4 of this Bylaw, within the time specified, the council or a person appointed by it may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order. Where the council or a person appointed by it carried out an order, the council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

19. Application to Amend Bylaw

- (1) A person may apply to have this Bylaw amended, by applying in writing, and furnishing reasons in support of the application and paying the fee therefore required under Section 19.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application therefore.

20. Form of Application

All applications for amendment to the Land Use Bylaw shall be made to the Council in the form of Form G hereto and shall be accompanied by the following, namely:

- (a) A certificate of title to the land affected or other documents satisfactory to the Development Authority including the applicant's interest in the said land;
- (b) All drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Authority and shall be fully dimensioned, accurately figured, explicit and complete;
- (c) An application fee, the value of which will be set by resolution of Council, but if the proposed amendment is adopted by the Council, the Council may determine that the whole or part of the application fee be returned to applicant;
- (d) Payment for the advertising, which may be refunded if the application is withdrawn and advertising is not required;
- (e) Permission for municipal staff to enter on to the parcel, and
- (f) Any other information requested by Council.

21. Amending Bylaws

- (1) All amendments to this Bylaw shall be made by Council by bylaw and in conformance with Sections 606 and 692 of the Act.
- (2) All amending bylaws may be referred to the Battle River Planning Agency for comments. A copy of the amending bylaw shall be sent forward to the Agency.

22. Compliance With Other Legislation

- (1) An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any federal, provincial or the municipal legislation.
- (2) All developments shall comply with federal, provincial and other municipal legislation and with the conditions of any easement, covenant or development agreement affecting the land or the building.

And a notice of the application shall be given to the Subdivision and Development Appeal Board and such other persons as the judge may direct.

23. Development Density

Only one dwelling shall be constructed on each parcel, normally.

THIS POLICY WILL BE STATED IN UNDER EACH LAND USE DISTRICT'S REGULATION WHICH STATES IT ALLOWS SOME FORM OF RESIDENTIAL USE.

24. Repeal of Existing Bylaw

The Village of Ferintosh Land Use Bylaw 381 and any previous development control and/or zoning bylaws are hereby rescinded.

SCHEDULE A
LAND USE DISTRICT MAP

SCHEDULE B
LAND USE DISTRICT REGULATIONS

R.1 – Residential District

Purpose:

The purpose of the R.1 Residential District is to provide land for the development for quality residential house.

(1) Permitted Uses:

New single family houses of conventional construction
Parks and playgrounds
Buildings accessory to the above

(2) Discretionary Uses:

Modular homes
Public utility installations
Churches and schools
Home occupations
Swimming pools
Basement suites
Group homes
Similar uses in compliance with Section 12(7) of this Bylaw

Only one dwelling shall be constructed on each parcel, normally.
Two to permit a suite in a single family dwelling. (Bylaw #513-1)

(3) Minimum Site Requirements:

- (i) The minimum Site Area for a residence lot in this District shall be 500 m² (5382 ft²) providing the lots are laned.
- (ii) Laneless lots shall have a minimum site area of 550 m² (5920 ft²).
- (iii) The minimum site width for interior parcels shall have a minimum site area of 15 m (49 ft).
- (iv) Notwithstanding the above, all corner parcels shall have a minimum site area of 600 m² (6458 ft²).
- (v) The minimum site requirements for all other permitted and discretionary uses shall be to the satisfaction of the Development Authority.

(4) Minimum Yard Requirements:

- (i) Front Yard: 7 m (23 ft)
- (ii) Side Yard: 1.5 m (5 ft) on both sides of the building shall be required except:
- where the site width exceeds 15 m (49 ft), a minimum of 10% of site width up to a maximum of 3 m (10 ft) shall be required on both sides of the building;
 - in laneless subdivision, where one side yard shall be 1.5 m (5 ft) and the other 3 m (10 ft);
 - on a corner lot, where a 3 m (10 ft) side yard abutting the side street is required.
- (iii) Rear Yard: No part of the main building shall be closer than 7 m (23 ft) to the rear property line.
- (iv) Other Requirements: Accessory buildings shall be located in accordance with the regulations prescribed in Schedule C – General Regulations.

(5) Minimum Floor Area:

- (i) The minimum floor area for a residence in this District shall be 85 m² (914 ft²).
- (ii) The minimum floor area for all other permitted and discretionary uses shall be to the satisfaction of the Development Authority.

(6) Maximum Building Height:

The maximum height of any main building in this District shall be 10 m (33 ft) and 5 m (16 ft) for any accessory buildings.

(7) Maximum Site Coverage:

Buildings on any one lot shall not cover more than 35% of the total site area.

(8) Regulations Regarding Specific Uses:

- (i) The Development Authority may refer applications for development permits for discretionary uses to the Agency for Comment.
- (ii) Home Occupations may be permitted if:

- in the opinion of the Development Authority, the dwelling has adequate floor space and the use conforms with the residential nature of the dwelling;
 - the occupations is carried on entirely within the building and that no outside employees are engaged; and
 - the Development Authority attaches the condition that no display of goods be visible on the premises.
- (iii) Minimum parking requirements shall be in accordance with those regulations prescribed in Schedule C – General Regulations.

R.2 – Residential District

Purpose:

The purpose of the R.2 Residential District is to provide land for a variety of residential developments.

(1) Permitted Uses:

- (i) Single family dwelling units
- (ii) Duplexes
- (iii) Single and duplex modular buildings
- (iv) Basement suites
- (v) Parks and playgrounds
- (vi) Public utility installations
- (vii) Accessory buildings to the above

(2) Discretionary Uses:

- (i) Apartments
- (ii) Row houses
- (iii) Moved-in single family dwellings
- (iv) Churches and schools
- (v) Home occupations
- (vi) Institutional and public uses
- (vii) Mobile homes
- (viii) Mobile home parks
- (ix) Swimming Pools
- (x) Group homes
- (xi) Similar uses in compliance with Section 12(7) of this Bylaw

Only one dwelling shall be constructed on each parcel, normally.

Up to twelve dwelling units as apartments are a discretionary use in this district (Bylaw #513-1).

(3) Minimum Site Requirements:

- (i) The minimum site area for single family dwelling and mobile home lots in this District shall be 420 m² (4521 ft²) with a minimum lot width of 13 m (43 ft.).
- (ii) The minimum site area for each side of a duplex shall be 325 m² (3498 ft²) or 650 m² (6997 ft²) in total.
- (iii) The minimum site area for row houses shall be 230 m² (2476 ft²) for both interior and corner parcels.
- (iv) The minimum site area for apartments are as follows:
 - 1 bedroom apartment unit 80 m² (861 ft²) per unit
 - 2 bedroom apartment unit 95 m² (1023 ft²) per unit
 - 3 bedroom apartment unit 120 m² (1292 ft²) per unit
- (v) The minimum site area for all other permitted and discretionary uses shall be to the satisfaction of the Development Authority.

(4) Minimum Floor Area

- (i) The minimum floor area for a single family dwelling unit in this District shall be 70 m² (753 ft²), 65 m² (700 ft²) for a duplex dwelling unit and row house unit and 55 m² (592 ft²) for an apartment unit.
- (ii) The minimum floor area for all permitted and discretionary uses shall be to the satisfaction of the Development Authority.

(5) Minimum Yard Requirements

- (i) Front Yard: 7 m (23 ft). Landscaping shall be to the satisfaction of the Development Authority.
- (ii) Side Yard: 1.5 m (5 ft) on both sides of the building except:
 - a 2-storey building shall have a side yard of 2 m (6.6 ft); or 3 m (10 ft) in the case of a 3-storey building;
 - where the site width exceeds 15 m (49 ft), a minimum of 10% of the site width up to a maximum of 3 m (10 ft) shall be required on both sides of the building;

- in a laneless subdivision, where one side yard shall be 1.5 m (15 ft) and the other 3 m (10 ft);
 - on a corner parcel, where a 3 metre (10 ft) side yard abutting the side street is required).
- (iii) Rear Yard: no part of the main building shall be closer than 7 m (23 ft) to the rear of the property.
- (iv) Other Yard Requirements Accessory building shall be located in accordance with the regulations prescribed in Schedule C – General Regulations.

(6) Maximum Building Height

The maximum main building height in this District shall be 10 m (33 ft), and 5 m (16 ft) for any accessory building.

(7) Maximum Site Coverage

The maximum site coverage by residential buildings in this District shall be 35%, and 60% for institutional buildings. In the case of apartment buildings, the development density shall be restricted by a 60% maximum building floor/site area ratio.

(8) Regulations Regarding Specific Uses

- (i) Those regulations prescribed for the R.1 Residential District shall apply to the R.2 Residential District.
- (ii) Minimum parking requirements shall be in accordance with those regulations prescribed in Schedule C – General Regulations.
- (iii) A permit may be granted to move a single family dwelling unit or mobile home into the R.2 District provided that:
- the Development Authority inspect the building or mobile home or cause it to be inspected by a person he so appoints at the applicants expense;
 - certain works of alteration, repair or maintenance as deemed necessary by the Development Authority of the buildings or mobile home and/or landscaping of the proposed site be carried out as a condition of the issue of a development permit insuring quality control;
 - the building or mobile home be placed on a foundation to the satisfaction of the Development Authority;

- mobile homes be skirted with approved building material and wheels removed;
- mobile homes be placed on a concrete pad or minimum gravel base with concrete piles with tie down loops; and the mobile home is C.S.A. approved.

(9) Mobile Home Parks

(1) Prior to the granting of a development permit for a mobile home park, the developer shall enter into an agreement with the municipality specifying the respective obligations to be assumed by him and the municipality regarding:

- (i) The establishment, operations and maintenance or the following:
 - Storm sewers and ditches
 - Sanitary sewers
 - Water, power, gas
 - Roadways, sidewalks
 - Snow removal
 - Garbage collections
 - Fire fighting
 - Parks and playgrounds
 - Other services deemed necessary by the Development Authority
- (ii) Standards of construction of any of the above; and
- (iii) Such other matters as deemed necessary by the Development Authority.

(2) General Regulations

- (i) A mobile home unit shall not be located on any site within a mobile home park unless and until the necessary license required under the Municipal Government Act, Chapter M-26, R.S.A. 1980, Section 236, has been issued to the owner / manager / supervisor of the mobile home park or the owner / occupant of the mobile home by the responsible municipal official.

- (ii) Each application for a development permit shall be accompanied by a site development plan as well as a landscaping plan which shall be to the satisfaction of the Development Authority. In addition, the applicant shall, upon approval of the permit, deliver a penalty bond to the amount of 25% of the estimate cost of landscaping to ensure completion of landscaping.
- (iii) All accessory structures such as patios, porches, additions, skirting and storage facilities shall be of a quality satisfactory to the Development Authority, so that the design and construction will compliment the mobile home.
- (iv) The undercarriage of each mobile home shall be suitably enclosed from view by skirting or such other means satisfactory to the Development Authority. Hitches shall be removed or properly screened.
- (v) Adequate common storage areas, incorporated within the mobile home park, shall be provided for the storage of seasonal recreational equipment, etc. Such storage area shall be enclosed or properly screened to the satisfaction of the Development Authority.
- (vi) Each mobile home shall be placed upon a concrete pad and supported by blocks as approved by the Development Authority.
- (vii) All support utilities shall be underground and roads shall be paved or surfaced to a level satisfactory to the Development Authority
- (viii) All mobile homes must be C.S.A. approved.

(3) Unit Lot Coverage

The area the mobile home occupies shall not exceed 35% of the lot area upon which it is located. Total unit lot coverage shall not exceed 40%.

(4) Minimum Mobile Home Park Site Area

- (i) Minimum park area shall be 0.8 hectares (2 acres).
- (ii) Minimum area for a unit shall be 400 m² (4306 ft²) and the boundaries of each lot shall be clearly marked by permanent markers.
- (iii) The minimum lot width shall be 12 m (39 ft).

(5) Density

Maximum gross density shall be 15 units per hectare (six units per acre) of the court site.

(6) Set Backs

- (i) In a mobile home park the mobile home lots shall be located at least 6 m (20 ft) from that boundary of the park abutting a public street or highway, and at least 5 m (16 ft) from the remaining boundaries of the park. These setbacks shall be treated as amenity strips and suitably landscaped and protected from any sort of development which will comprise their intended use.
- (ii) Mobile homes, including any porch or addition, shall be separated from each other by at least 5 m (16 ft).
- (iii) The distance from any side, end, or addition to a mobile home shall in no instance be less than 1.5 m (5 ft) to the adjacent lot line.
- (iv) Every mobile home shall be set back at least 3 m (10 ft) from the adjoining internal access road or common parking area.

(7) Parking

There shall be at least two car parking stalls on each mobile home lot, and provision shall be made for visitor parking at the ratio of three spaces to every two mobile home lots. The visitor parking shall be dispersed throughout the court to be conveniently located for all parts of the mobile home park.

(8) Recreation

No less than 5% of the gross area of the court shall be designed for recreational uses. This area shall be conveniently located and supplied with recreational equipment.

(9) Signs Permitted

- (i) An identification sign to a maximum height of 2 m (6.6 ft) above the grade, and to a maximum area of 3 m² (32 ft²) may be located at the principal entrance to the park.
- (ii) Directional signs within the mobile home park must be integrated in design and appearance and kept in scale with the immediate surroundings to the satisfaction of the Development Authority.

(10) Board of Health Regulations

Every mobile home park shall comply with the provisions of the Provincial Board of Health Regulations.

C.1 – Central Commercial District

Purpose

The purpose of C.1 Central Commercial District is to provide land for the development of retail land uses.

(1) Permitted Uses:

- Banks
- Personal service shops
- Bakeshops
- Business and professional offices
- Dry cleaners and laundries
- Eating establishments
- Retail stores
- Theatres, halls and hotels
- Funeral parlours
- Utility installations
- Liquor stores
- Hotels
- Public libraries
- Post offices
- Transportation depots
- Wholesale/retail and warehousing – where the front portion of the building consists of not less than 60% of the floor space is used for office space, and where open storage of goods is not permitted

(2) Discretionary Uses:

- Dwelling units above the first floor
- Utility installations
- Work shops accessory to permitted uses
- Parks
- Auction rooms
- Pool halls
- Bowling alleys
- Cinemas
- Private clubs and lodges
- Public and quasi-public buildings
- Similar uses in compliance with section 12(7) of the Bylaw
- Private residences
- Two dwelling units to allow for a suite in a home yard requirements same as R2 (Bylaw #513-1)

(3) Minimum Site Requirements:

The minimum site area for a lot in this District shall be 140 m² (1507 ft²), with a lot width of at least 5 m (16 ft).

(4) Minimum Yard Requirements:

1. For all permitted and discretionary uses, except single family houses:

- (i) Front yard: not required
- (ii) Side yard: not required unless directly abutting a residential district, in which case the side yard shall be at least 2 m (6.6 ft) or one-half the building height, whichever is greater.
- (iii) Rear yard: 3 m (10 ft), to provide for loading and waste disposal, as specified in Schedule C – General Regulations.

2. For single family houses, those yard requirements of the R.2 Residential District shall apply.

(5) The Maximum Height:

The maximum height in this district shall not exceed 10 m (33 ft).

(6) Regulations Regarding Specific Uses:

- (i) Each lot in this District shall not exceed 10 m (33 ft).
- (ii) Loading, parking and signing provisions shall be in accordance with the regulations prescribed in Schedule C - General Regulations.

C.2 – Fringe Commercial District

Purpose:

The purpose of the C.2 Fringe Commercial District is to provide land for those commercially orientated land uses requiring larger tracts of land for efficient operation.

(1) Permitted Uses:

Those uses permitted in the C.1 District
Wholesale and retail uses

(2) Discretionary Uses:

Those discretionary uses in C.1 District
Car and truck washes
Moving and cartage companies
Eating establishments
Automotive and machinery sales and repair
Gasoline service stations
Bulk oil and gas depots
Convenience stores
Other appropriate uses as deemed acceptable by the Council
Private residences
Two dwelling units per lot to allow for suite in a single dwelling – same yard requirements as R2 (By-law #513-1)

(3) Minimum Site Requirements:

The minimum site area for all permitted and discretionary uses in this District shall be 600 m² (6458 ft²) with the exception of gasoline service stations, which shall have an area of at least 750 m² (8073 ft²). The minimum site width shall be 15 m (49 ft).

(4) Minimum Yard Requirements

1. For all permitted and discretionary uses except single family houses:

- (i) Front Yard: Except for gasoline service stations, in which case the building shall be set back at least 12 m (39 ft), the minimum front yard requirement shall be 4.5 m (15 ft).
- (ii) Side Yards: For a gasoline service station, one yard setback shall be at least 12 m (39 ft) and the other shall not be less than 1.5 m (5 ft), provided that where these uses are located on a flanking street the setback of 12 m (39 ft) shall be provided on the side of the building abutting the flankage street. In all other case, the yard setback shall be at least 3 m (10 ft) on both sides of the main building, or one-half the height of the building, whichever is greater.
- (iii) Rear Yard: The minimum setback shall be 3 m (10 ft).

(5) Maximum Building Height

The maximum building height in this District shall not exceed 10 m (33 ft).

(6) Regulations Regarding Specific Uses

- (i) Parking, loading and signing provisions shall be in accordance with the regulations prescribed in Schedule C – General Regulations.

C.3 – General Commercial District

Purpose:

The purpose of the C.3 General Commercial District is to provide land for the development of land uses orientated to serve the motoring public.

(1) Permitted Uses:

All those permitted and discretionary C.2 Fringe Commercial uses
Gasoline service stations
Motels and hotels
Travel bureaus, trailer parks and campsites
Drive-in restaurants and cafes
Automotive sales, including truck and farm equipment
Cabaret and dancing establishments

(2) Discretionary Uses:

Car washes
Mobile home sales
Bowling alleys
Public parks
Similar uses in compliance with Section 12(7 of this Bylaw
No dwelling units (Bylaw #513-1)

(3) Minimum Site Requirements:

- (i) The minimum site area for all permitted and discretionary uses shall be 1100 m² (11,841 ft²) area of at least 750 m² (8073 ft²).
- (ii) The minimum lot width shall be 30 m (98 ft) except for gasoline service stations which shall have a minimum width of 45 m (148 ft).

(4) Minimum Yard Requirements:

- (i) Front Yard: All buildings shall be set back a minimum of 7 m (23 ft) from the front property line except for gasoline service stations which shall be set back at least 12 m (39 ft). Service station

gasoline pumps shall not be closer than 4 m (13 ft) to the property line.

- (ii) Side Yards: A minimum side yard setback of 3 m (10 ft) is required. In the event the land is abutting a residential land use, any side yard shall be one-half the building height of 3 m (10 ft), whichever is greater.
- (iii) Rear Yard The minimum rear yard of 5 m (16 ft) is required.

(5) Maximum Building Height:

The maximum building height in this District shall not exceed 10 m (33 ft).

(6) Regulations Regarding Specific Uses:

- (i) Parking, loading and signing provisions shall be in accordance with the regulations prescribed in Schedule C – General Regulations.
- (ii) Any highway commercial operations shall be served by a service road. Direct highway access shall only be allowed on the advice of Alberta Transportation.

I – Industrial District

Purpose:

The purpose of the I-Industrial District is to provide land on which industry of various forms may locate.

(1) Permitted Uses:

- (i) Heavy and light industrial uses including:

Manufacturing
Processing
Repairing
Warehousing
Storage

Warehousing distributions, providing the operation does not create objectionable conditions respecting:

- noise
- vibrations
- odour
- unsightliness
- smoke, dust
- radiation hazards

- heat
- glare

- (ii) Servicing Establishments
- (iii) Accessory buildings to the above.

(2) Discretionary Uses:

- Abattoir
- Auto wreckers
- Bulk fertilizer
- Packing plants
- Auction marts
- Veterinary clinics
- Municipal utility plants
- Parks
- Other uses deemed acceptable by the Council
- No dwelling units (Bylaw #513-1)

(3) Minimum Site Requirements:

The minimum site area for a lot in this District shall be 700 m² (7535 ft²) with a site width of 23 m (75 ft).

(4) Minimum Yard Requirements:

- (i) Front Yard: The minimum front yard requirements shall be 8 m (26 ft).
- (ii) Side Yard: The minimum side yard requirements shall be not less than 6 m (20 ft) on one side and 2m (6.6 ft) on the other side of the building.
- (iii) Rear Yard: The minimum rear yard requirements shall be 6m (20 ft).

(5) Maximum Building Height:

The maximum height of any building in this District shall be 10 m (33 ft) without the approval of the Municipal Fire Chief.

(6) Regulations Regarding Specific Uses:

- (i) Parking, loading and signing provisions shall be in accordance with the regulations prescribed in Schedule C – General Regulations.

- (ii) Burning will be permitted within the Industrial District only if the burning facilities have been approved by the Fire Chief and Environmental Protection.
- (iii) Outdoor storage of materials shall be permitted only when accessory to a permitted principal use. The area shall be screened to a height deemed necessary by the Development Authority.
- (iv) The entire site and all buildings shall be maintained in a neat and tidy manner including the trimming and upkeep of landscaped areas, and the removal of debris and unsightly matter.
- (v) Easements and Rights-of Way:
 - (a) No building shall be sited closer than 15 m (49 ft) to the centre line of a pipeline (as defined in the Pipeline Act, Chapter P-8, R.S.A. 1980) or the centre line of the pipeline right-of-way, whichever is lesser.
 - (b) No building shall be located closer than 5 m (16 ft) to a railway right-of-way.
 - (c) No building shall be sited closer than 10 m (33 ft) from the centre line of a utility within an easement, or closer than 3 m (10 ft) from the boundary of any easement or right-of-way containing the utility.
- (vi) Each industrial lot shall not have more than 2 approaches to any roadway, and shall be laid out having regard to traffic flow and safety to the satisfaction of the Development Authority.

A – Agricultural District

Purpose:

The purpose of the A – Agricultural District is to designate land for future urban conversion. In such areas, capital improvements will be kept to an absolute minimum.

(1) Permitted Uses:

- (i) Farming (agriculture and horticulture), excluding any intensive animal operations.
- (ii) Single family dwelling units.
- (iii) Building accessory to the above.

(2) Discretionary Uses:

Two dwelling units allowed to permit a suite in a single family dwelling. (By-law #513-1). Such interim uses that will not impede the eventual conversion of the land to normal, planned urban uses.

(3) Minimum Site Areas:

The minimum site area for a lot in this District shall be 64 hectares (158 acres), or such small size as deemed acceptable to the Council. In view of the future development potential of a particular agriculturally classified area, the Council may wish to allow the creation of smaller lots to facilitate growth and development.

(4) Minimum Yard Requirements:

- (i) Front Yard: The minimum front yard requirements shall be 7 m (23 ft).
- (ii) Side Yard: The minimum side yard requirements shall be 1.5 m (5 ft).
- (iii) Rear Yard: The minimum rear yard requirements shall be 7 m (23 ft).

(5) Regulations Regarding Specific Uses:

- (i) No livestock, fowl or fur-bearing animals may be kept in this District unless the parcel is greater than 1.2 hectares (3 acres), in which case a single, pony, horse or cow may be permitted for every 1.2 hectares (3 acres) or part thereof in excess of 1.2 hectares (3 acres).
- (ii) The maximum building height – 10 m (33 ft) without the approval of the Municipal Fire Chief.

PR – Parks and Recreation

Purpose:

This district is generally intended to establish an area for development of public parks and to meet active or passive recreational and leisure pursuits.

(1) Permitted Uses:

- (i) Active and passive recreational facilities and buildings.
- (ii) Accessory buildings

(2) Discretionary Uses:

- (i) Refreshment booths
- (ii) Municipally owned campgrounds
- (iii) Schools

No dwelling units (Bylaw 513-1)

(3) Minimum Site Areas:

- (i) All site requirements shall be at the discretion of the Development Authority.
- (ii) Design, siting, landscaping, screening and buffering shall be to the satisfaction of the Development Authority who shall have the best interests of the surrounding area in mind.

(4) Parking:

- (i) The provision of parking shall be at the discretion of the Development Authority.

SCHEDULE C
GENERAL REGULATIONS

1 GARAGES AND ACCESSORY BUILDINGS

- (1) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building and not as an accessory building.
- (2) In Residential Districts:
 - (a) Numbers
No more than two accessory buildings shall be placed on one residential lot.
 - (b) Height
An accessory building shall not exceed one storey nor 4 m (13 ft) in height, but at the discretion of the Development Authority, may reach 5 m (16 ft).
 - (c) Site Coverage
The total combined floor area of accessory buildings shall not exceed 12% of the site area.
 - (d) Siting of Buildings
Unless otherwise provided in this Bylaw, detached garages and accessory buildings shall be located:
 - (i) A minimum of 2 m (6.6 ft) from the dwelling;
 - (ii) No closer to the front property line than the front of the principal building;
 - (iii) No closer than 1 metre (3.3 ft) from the rear property line, except where the vehicle doors of the detached garage face a lane abutting the site, in which case the garage shall be no closer than 6 m (20 ft) from the lane;.
 - (iv) No closer than 1 metre (3.3 ft) from the side property line, except where an agreement exists between the owners of adjoining properties to build their garage centered on the property line, in which case a fire wall shall be constructed to the satisfaction of the Fire Chief;
 - (v) No closer than 1 metre (3.3 ft) from the side property line and from the rear property line in the case of an angular or curved approach from a lane;
 - (vi) With no roof overhang within 0.5 m (20 inches) of the side or rear property line.

- (3) In all other districts the provision of garages and accessory buildings shall be at the discretion of the Development Authority unless otherwise provided for in this Bylaw.

2 OFF-STREET AUTOMOBILE PARKING

The following chart is offered as a guide to the Development Authority in requiring a minimum number of off-street parking spaces in relation to various new development proposals. Discretion shall be exercised by the Development Authority in this matter.

USE	MINIMUM REQUIRED PARKING SPACES
<u>Residential</u>	
1 & 2 family dwelling units	1.0 per dwelling unit
3 family and greater dwelling units	1.5 per dwelling unit
<u>Commercial</u>	
Retail stores	1.0 per employee
Restaurants, cafes, etc.	1.0 per 3 employees 1.0 per 10 seating spaces
Hotels, motels, etc.	1.0 per employee 1.0 per sleeping unit
<u>Places of Public Assembly</u>	
Churches, halls, etc.	1.0 per 3 employees
<u>Schools</u>	
Elementary and Junior High	1.0 per employee
Senior High School	1.0 per employee 1.0 per 20 students
<u>Industrial</u>	
Manufacturing, wholesale, etc.	1.0 per employee
<u>Hospitals and Similar Uses</u>	
	1.0 per employee 1.0 per 4 beds
Other	To the satisfaction of the Development Authority

3 OFF-STREET LOADING

The following chart is offered as a guide to the Development Authority in requiring a minimum number of off-street loading spaces in relation to various new development proposals. Complete discretion shall be exercised by the Development Authority in the matter, but in no case shall a development not provide any off-street loading spaces.

USE	MINIMUM NUMBER OF SPACES
Retail, industrial or similar developments	1 per 500 m ² (5382 ft ²) of gross floor area 2 spaces required between 500 m ² (5382 ft ²) and 2500 m ² (26,911 ft ²) of gross floor area, and additional space for each additional 2500 m ² (26,911 ft ²) of gross floor area or fraction thereof
Office buildings, schools, institutions, etc.	1 per 2500 m ² (26,911 ft ²)

4 SITE LANDSCAPING

The Development Authority shall use his discretion in requiring all developments to be properly screened and maintained.

5 SIGNS

The erection of signs for whatever purpose must be approved by the Development Authority who shall exercise discretion in sign specifications. Should there be a need, the Agency will act as an advisor.

6 PROHIBITED OBJECTS IN YARDS

No person shall keep on any visible part of any residential lot:

- (i) any dismantled or wrecked vehicle for more than one month, and/or
- (ii) any object which, in the opinion of the Development Authority, is unsightly or will offend neighbours.

7 BUILDING DESIGN ELEVATION AND TREATMENT

All buildings shall be finished to the satisfaction of the Development Authority.

8 LOT GRADING

In all cases, lot grades shall be established to prevent drainage from one lot to the next.

9 CHURCHES

- (i) The site on which a church is situated shall have a frontage of at least 30 m.

- (ii) Front side and rear yards shall be those required within the district in which the church site is located.
- (iii) Parking requirements are as specified in Schedule C – General Regulations.

10 SWIMMING POOLS

(1) Entry Restrictions

- (i) Every private swimming pool shall be secured against the entry of the public other than owners, tenants, or their guests.
- (ii) No privately owned outdoor swimming pool shall be constructed or maintained unless there is erected and maintained entirely around such pool an approved fence, except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.
- (iii) Every fence enclosing an outdoor swimming pool shall be at least 2 m (6.6 ft) in height above the level grade outside the enclosure, and shall be of closed board, chain link or other approved design such that it will reasonably deter children from climbing over or crawling through or under to gain access to the fenced-in area. Gates in the aforementioned fence shall provide protection equivalent to the fence and shall be equipped with a self-latching device and be locked near the top and on the inside of the gate. Every gate shall be locked except when the fenced-in area is actually in use and supervised by the owner of the premises or other adult person authorized by the owner to supervise use of the pool.
- (iv) No barbed wire nor device for projecting an electric current shall form part of a fence or gate.

(2) Safety Requirements

A private swimming pool shall be constructed that:

- (a) the depth of the pool shall be clearly marked in ft and m at the deepest point and the shallowest point;
- (b) it is provided with at least one exit ladder or stair from the deepest part of the pool, where the greatest dimension of the pool does not exceed 10 m (33 ft). An additional ladder or stair is to be provided at the opposite end of the pool where the pool exceeds 10 m (33 ft).

(3) Treatment of Water

The method and degree of treatment of water for all private swimming pools shall be to the satisfaction of the Medical Officer of Health.

11 FENCING

Fencing of various land uses shall be to the discretion of the Development Authority. The Agency will act as an advisor should there be a need.

12 APARTMENTS

In addition to the specific regulations noted in this Bylaw, the Development Authority, when issuing a development permit for an apartment building, may impose such conditions as he thinks necessary regarding building size, location on a lot, setbacks, parking, access, landscaping, and such other matters as appear necessary to protect the interest of future residents of the proposed building, neighbouring residents, and the municipality as a whole.

13 C.3 DRIVE-IN BUSINESS

Drive-in businesses shall only be located where it can be demonstrated that traffic will not be impeded. There shall also be a provision for at least 8 customer parking spaces on site in addition to that specified in Section 2 of this Schedule. In issuing a development permit for a drive-in business, the Development Authority may impose whatever conditions he feels necessary to ensure building quality and site control.

14 SERVICE STATIONS

Service stations are encouraged to be located at the intersection of two or more streets.

15 SOLAR COLLECTORS

No development permit shall be issued for the construction or enlargement of any building which would significantly reduce the amount of sunlight falling on any solar collection system which is complete or under construction at the time of application for the permit.

16 DAMAGES TO LOCAL IMPROVEMENTS

The Development Authority may require, as a condition of issuing a development permit, that a developer post bond to cover cost of repairing local improvements which may be

damaged during the process of development. The bond shall be refunded if no damage results from the development.

17 **UTILITY EASEMENTS**

No building shall be constructed or placed on a utility easement unless:

- (i) in the opinion of the Development Authority, the building does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and

- (ii) written consent has been obtained from the utility company to which the easement has been granted.