

- (1) Council may impose conditions on land or a portion of the lands by registering a restrictive covenant through *Land Titles* to register easements, right-of-ways, and/ or other provincial or municipal legislation particularly affecting any lands or portion of lands;
- (2) A landowner/ developer may register a restrictive covenant to protect and maintain the characteristics of the subdivision or development area or a portion of lands based on exterior building materials, landscaping, building floor area and other cosmetic characteristics.

3.3 Development Not Requiring a Development Permit

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance, repair, or renovation to any building, provided that such works do not include structural alterations or any development that would compromise safety codes or cause safety concerns;
- (2) The completion of a building which was lawfully under construction at the date of approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of said approval;
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced;
- (4) The construction, completion, alteration, maintenance, or repair of public works, public services, and public utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (5) The construction, completion, alteration, maintenance or repair of a road, lane or utility, undertaken upon a road right-of-way, utility easement or other lands or undertaken to connect the same with any lawful use of buildings or land;
- (6) The erection or placement of a temporary building or sign, 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, provided the temporary building or sign is removed within thirty (30) days of substantial completion or as determined by the Development Authority;

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- (7) The erection of campaign signs for federal, provincial, municipal, school board or other public elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
 - (a) such signs are removed within three (3) days after the election date;
 - (b) such signs do not obstruct or impair vision or traffic; and
 - (c) such signs are not attached to fences, trees, or utility poles;
 - (d) such signs shall not be larger than 0.50 m² (5.4 ft²) in area.
 - (8) The placement of one (1) sign on internal sites, or two (2) signs on corner sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale, with removal to be within one (1) day after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 m² (6.5 ft²) in area and provided further that such signs are placed or erected no closer than 3.0 m (9.8 ft) to a road right-of-way;
 - (9) The placement of signs in Commercial or Industrial Districts provided they are inside the window or inside the building;
 - (10) The placement of a portable sign on a site provided that the requirements of Section 1 of Part Three, of this Bylaw are satisfied;
 - (11) Hard-surfacing of any yard area in a Residential District for the purpose of providing vehicular access from a road to an on-site parking space, provided that such hard-surfacing does not exceed 8.0 m (26 ft) in width. All hard surfacing shall have proper drainage slopes to the satisfaction of the Development Authority.
 - (12) Accessory buildings that are accessory to a dwelling which are less than 10.0 m² (107.6 ft²) in size, unless the accessory building does not meet the minimum distance requirements outlined in Section 2 of Part Two of this Bylaw;
 - (13) A patio in a Residential District that meets the minimum required yard requirements outlined in Section 2 of Part Two of this Bylaw;
 - (14) Development within a basement of a dwelling which does not change or add to the uses within the dwelling, excluding the development of a bedroom;
 - (15) Boarding and foster care within a dwelling unit, provided the use, in the opinion of the Development Authority, is not a boarding and lodging house, a day home, a day care facility, a group home, a family care facility, or a group care facility;
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- (16) The erection of satellite dishes with a diameter of 0.80 m (2.62 ft) or less;
- (17) Extensive agriculture on lots 8 Hectares (20 acres) or more in area in an Urban Reserve (UR) District;
- (18) Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit; and
- (19) The demolition or removal of any building or structure for the erection of which a development permit would not be required pursuant to subsections (4) through (19) above, both inclusive.

3.4 Non-Conforming Buildings and Uses

- (1) As stated in the *Municipal Government Act*, in Section 643, If a development permit has been issued on or before the day on which this Land Use Bylaw or an amendment thereto comes into effect, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.
- (2) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
- (3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.
- (4) A non-conforming use of part of a lot or site may not be exceeded or transferred in whole or in part to any other part of the lot or site except by approval of the Development Authority.
- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building; or
 - (b) for the routine maintenance of the building, if the Development Authority considers it necessary.