



## PART 2

### DEVELOPMENT NOT REQUIRING A PERMIT

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The following listed developments and land uses **are exempted** from the requirement of obtaining a development permit provided the requirements of the bylaw are met.

- 1.1 No development permit is required for any development that is specifically exempt by virtue of its inclusion in an exemption regulation by provincial or federal government.
- 1.2 No development permit is required for the maintenance and repair of public works, roads, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned, managed or controlled.
- 1.3 No development permit is required for the construction, installation, or maintenance of that part of a public utility placed in or upon municipal public property, a public utility easement or right-of-way.
- 1.4 No development permit is required for the use of a building or part thereof as a temporary election polling station, returning officer’s headquarters, candidate’s campaign office and any other official temporary use in connection with a federal, provincial, or municipal election, referendum or census.
- 1.5 No development permit is required for the following, but they must otherwise comply with the requirements and prescribed standards of this bylaw:
  - (a) the carrying out of works of routine maintenance or repair to any building (e.g., painting, reshingling, residing, window or door replacement, etc.) if such works do not include structural alterations or enlarge the footprint of the building;
  - (b) the completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 692 of the *MGA*, provided that:
    - (i) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which that permit was granted; and
    - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice;and the use of any building referred to in Sections 1.5(b)(i) and (ii) above for the purpose for which construction was commenced.
  - (c) the placement of a temporary construction trailer during the construction, alteration, or maintenance of a building for a term not to exceed 12 months providing the trailer is removed

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upon occupancy or issuance of an occupancy permit, whichever occurs first and there shall be no residential occupancy of the construction trailer at any time;

- (d) interior renovations to an existing building which do not:
  - (i) increase the square footage or building footprint,
  - (ii) increase parking requirements,
  - (iii) result in the change of use of a building, or
  - (iv) create another dwelling unit;
- (e) exterior renovations that change the exterior finish (material and color) or roofing material of a building unless it is required as a condition of an authorized development permit;
- (f) the erection, construction or the maintenance of property gates, fences, walls, hedges or other means of yard enclosure which comply with the standards and height limitations of this Bylaw; - refer to Part 5 – (General Standards of Development).
- (g) the erection or placement of up to two accessory buildings or structures, such as a shed, that is portable, detached and located in a rear yard and is 9.3 m<sup>2</sup> (100. sq. ft.) or less in area providing that it otherwise complies with this Bylaw and the applicable site lot coverage is not exceeded (a third or more additional accessory building or structure placed on the parcel or any that exceed 9.3 m<sup>2</sup> (100. sq. ft.) in size will require a development permit);
- (h) uncovered stairs/steps provided they do not project more than the allowed distance into required setbacks – refer to Part 5, Section 19;
- (i) landscaping, decorative ponds, fountains, ornaments, flagpoles (less than 4.88 metres (16 ft.) in height), garden/flower boxes, or other similar landscaping features;
- (j) ground level decks/patios or decks less than 0.61 metres (2 ft.) in height provided they are in the rear yard and meet the minimum setback requirements for accessory structures;
- (k) any residential sidewalk, hard surfaced driveway, gravel driveway, or parking pads not supporting a garage or carport, and/or paving stones provided it meets the requirements of this bylaw and which was not addressed as part of the original development permit;
- (l) internet, satellite or cable television dishes less than 0.91 metres (3 ft.) in diameter provided installation meets all requirements within the Land Use District pertaining to the development;
- (m) temporary, above ground portable swimming pools and hot tubs 11.15 m<sup>2</sup> (120 sq. ft.) or less in size but they are subject to Safety Codes and may require a building permit. (Any private swimming pool with a design depth greater than 0.61 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.) – refer to Part 6, Section 17 for other Swimming Pool standards;
- (n) the placement or installation of air conditioner units provided they do not project more than the allowed distance into required setbacks – refer to Part 5, Section 19;
- (o) the temporary operation of a display Show Home acting as a sales office for new residential home construction provided the dwelling unit was issued an approved development permit for

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the dwelling construction and the use as a sales centre does not exceed 12 months (for a period to exceed 12 months, a discretionary development permit is required);

(p) Temporary Shipping Containers A (less than 6 months/emergency) placed temporarily on a property in the case of an emergency to temporarily accommodate the storage of goods where a dwelling or building has been damaged in a fire or flood in conjunction with salvation and renovation work being done to a building, do not need a development permit subject to Part 6, Use Specific Standards of Development.

1.6. No development permit is required for certain signs as outlined in Part 7 – Sign Regulations, Section 3 (Signs Not Requiring A Permit). Typically, real estate signs, election signs, garage sale signs, municipal addresses, etc. will not require a development permit.

1.7. A development permit is not required for demolition:

(a) if a development permit has been approved for development on the same site and demolition is implicit in that permit; or

(b) for accessory buildings or structures of less than 18.58 m<sup>2</sup> (200 sq. ft.) in area.

All other demolition requires a development permit.

1.8. Although the previous listed items may eliminate the necessity of a Development Permit, the applicant is still responsible for adhering to all applicable Safety Codes, obtaining any required building permit and/or adhering to any other applicable legislation or municipal bylaw.

1.9. If there is any doubt as to whether a development permit is required, the matter shall be referred to the Development Officer or Municipal Planning Commission for a determination of whether a development permit is required.