

ZONING BYLAW No. 150

VILLAGE OF PORT CLEMENTS

1.

Persuant to the Municipal Act the Council of the Village of Port Clements in open meeting assembled hereby enacts:

~~EARLY DRAFT~~

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PART I: INTERPRETATION

BYLAW No. 150

VILLAGE OF PORT CLEMENTS

The Council of the Village of Port Clements in open meeting assembled enacts as follows:

ZONING BY-LAW No. 150

PART I: INTERPRETATION

1.1 TITLE

- (1) This Bylaw may be cited as the Village of Port Clements Zoning Bylaw No. 150", and further referred to herein as "this Bylaw".
- (2) Village of Port Clements Zoning Bylaw No. 41 and amendments thereto, Mobile Home Park Bylaw No. 43 and Board of Variance Bylaw No. 126 are hereby repealed.

1.2 APPLICATION

This Bylaw shall be applicable to the entire geographical area of the Municipality and to all land, buildings and structures therein.

1.3 DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"ACCESSORY" means a use or building which is incidental to a principal use of building situated on the same site, and specifically excludes buildings used for residential use.

"APARTMENT" means a building containing three or more self-contained dwelling units.

"AUTOCOURT or MOTEL" means a building or group of buildings containing sleeping units, occupied or intended to be occupied temporarily by automobile tourists or transients, with each unit having its own individual outside access and parking space located adjacent thereto and each dwelling unit being self-contained with or without cooking facilities, having its own bathroom with a water closet, wash basin, and bath or shower.

"BOARDER or LODGER" means a person who rents a sleeping room, with or without individual toilet facilities in a dwelling unit occupied by a family to which he is not related by blood or marriage.

"CAMPGROUND" means a parcel providing for the seasonal and temporary accommodation of travellers using tents or recreation vehicles, but specifically excludes a mobile home park.

"COMMUNITY SEWER SYSTEM" means a sewage collection and/or disposal system that is owned and operated by a Municipality or Regional District and that has been approved under the Pollution Control Act and the Health Act.

"COMMUNITY WATER SYSTEM" means a system of waterworks which serves two or more parcels and which is owned, operated and maintained by an Improvement District under the Water Act or Municipal Act, or a Regional District, or which is regulated under the Water Utilities Act.

"CONVENIENCE STORE" means a retail sales outlet contained under one roof, having a floor area not exceeding 200 m², and providing for the sale of everyday household items, including food, beverages, books, magazines and household accessories.

"DWELLING UNIT" means one or more habitable rooms, used for the residential accommodation of one or more individuals and contains sleeping, cooking and toilet facilities.

"DWELLING, SINGLE FAMILY" means any detached building consisting of one dwelling unit which is occupied or intended to be occupied as the permanent home or residence of one family.

"DWELLING, TWO FAMILY" means any detached building consisting of two dwelling units each of which are occupied or intended to be occupied as the permanent home or residence of one family.

"PRINCIPAL USE" means the main purpose for which land, buildings or structures is used.

"PARCEL" means a lot.

"PANHANDLE" means a narrow strip of land which, as an integral part of a parcel, provides frontage to a highway.

"NON-CONFORMING USE" means a use as defined in Section 1000 of Part 29 of the Municipal Act.

"NATURAL BOUNDARY" means the visible high water mark of any lake, river, stream, or other body of water where the presence of action of the water is so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself.

"MUNICIPALITY" means the Village of Port Clements or the area within the municipal boundaries as the context requires.

"MOBILE HOME SPACE" means an area of land within a mobile home park for the installation of one mobile home with permissible additions.

"MOBILE HOME PARK" means an unsubdivided parcel of land, not subdivided pursuant to the Condominium Act and amendments thereto, which is used or occupied by any person for the purposes of providing spaces for three or more mobile homes and for imposing a charge or rental for the use of such space.

"MOBILE HOME" means a dwelling unit especially designed to be moved along the highway from time to time, and which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation and supports, and connection of utilities.

"LOT" means a parcel, block, or other area of land that has been registered as such in the Land Title Office or lots developed pursuant to the Condominium Act.

"LANE" means a public way or minor street affording only secondary means of access to a lot, at the side or rear, and not less than 4.75 m in width.

"LAND" includes the surface of water.

"HOTEL" means a building in which there are more than six sleeping units for transient lodgers, with or without a public dining area or cafe.

"HOME OCCUPATION" means a customary accessory use of a gainful nature carried on within a dwelling or accessory structure by the person or persons residing therein, which use is clearly secondary to the use of the premises for residential purposes and does not change the character thereof:

"HIGHWAY" means a street, road, land, pathway, sidewalk, bridge, or any other public way.

"HEIGHT" means the vertical distance from the average finished ground level at the perimeter of the building structure to the highest point of the roof surface of a flat roof, to the decline of a mansard roof, and to the ridge of a gable, hip, or dormer, or other pitched roof, and in the case of a structure without a roof, to the highest point of the structure.

"FRONT LINE" means that length of a parcel which immediately adjoins a highway other than a lane or walkway, or a waterbody where access is via water. In the case of a parcel fronting on more than one highway, the narrower side of the parcel abutting a highway shall be its frontage.

"DWELLING, MULTIPLE FAMILY" means any detached building which is divided into three or more dwelling units, each of which is occupied or intended to be occupied as the home or residence of one family and shall include row houses, apartments, townhouses, triplexes, and fourplexes.

Does not exist?

"RETAIL STORE" means a sales outlet contained under one roof having a gross floor area not exceeding 2,000 m², and providing for the retail sale and display of goods; but specifically excludes industrial uses and gasoline service stations.

"SERVICE STATION" means any building or land, the use of which shall be the retail sale of motor fuels and lubricants and may include automobile diagnostic centres, the servicing and minor repairing of motor vehicles, the sale of automotive accessories, but specifically excludes vehicle sales, body work and painting.

"SETBACK" means the required minimum distance between a building, structure of use and each of the respective lot lines.

"SHOPPING CENTRE" means a group of retail stores in one or more buildings designed as an integrated unit, contained within a single building or structure and located on a single parcel.

"SIGN" includes billboards, signboard, advertisements or advertising devices.

"SITE" means any lot or group of lots upon which a principal use is carried on.

"STORAGE YARD" means an area outside of an enclosed building where construction materials and equipment are stored, baled, piled, handled, sold or distributed. A storage yard shall not be construed to include an automobile wrecking yard, a display yard, or a junk yard.

"STOREY" means a habitable space between two floors, or between any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. A basement which contains habitable accommodation shall be considered as a storey.

"STRUCTURE" means anything with a vertical projection of at least one metre above the ground; but shall not include fences and walls that are less than the maximum permitted height for their respective zones.

"TOWNHOUSE" means a block of at least three dwelling units located on a single parcel, with each dwelling unit being attached to its neighbour at its side and each dwelling unit being separated from each other by a party wall.

"WATERCOURSE" is any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding land, serving to give direction to a current of water at least six months of the year or having a drainage area of two square kilometres or more.

"YARD" means an open space on a lot unoccupied and unobstructed to the sky, except as otherwise provided for in this Bylaw.

"YARD, FRONT" means that portion of the lot, extending from one side lot line to the other, between the front line of the lot and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front line of the lot and the parallel line. In the case of a through lot there shall be two such front yards. In the case of a lot with a panhandle access the front yard is defined as the narrowest or panhandle portion of the lot with road frontage.

"YARD, REAR" means that portion of the lot, extending from one side lot line to the other, between the rear line of the lot and a line drawn parallel thereto. The depth of such yard means the perpendicular distance between the rear line of the lot and the parallel line.

"YARD, SIDE" means that portion of the lot, extending from the front yard to the rear yard, between the side line of the lot and a line drawn parallel thereto. The width of such yard shall mean the perpendicular distance between the side line of the lot and the parallel line.

PART 2: ADMINISTRATION

BYLAW No. 150

VILLAGE OF PORT CLEMENTS

PART 2: ADMINISTRATION

COMPLIANCE

2.1

Subject to the provisions of the Municipal Act respecting nonconforming uses, no person shall erect, construct, locate, alter, reconstruct or maintain any building, or locate or carry on any industrial, business trade or calling or use any land or building or structure or surface of water or air space contrary to the provisions of this Bylaw.

NONCONFORMING USE

2.2

(1) A lawful use of premises existing or lawfully under construction at the time of the adoption of the zoning bylaw, although such use does not conform to the provisions of this Bylaw, may be continued, subject to the provision of Section 722 of the Municipal Act, respecting nonconforming uses.

(2) A building existing prior to the date of this Bylaw which fails to comply with the siting requirements herein, shall not by reason thereof be deemed to be nonconforming. Any subsequent structural alterations or additions to such buildings shall be permitted only in accordance with the siting requirements of this Bylaw.

(3) Where a parcel exists prior to the effective date of this Bylaw and the site area of the parcel does not conform to the provisions of this Bylaw, such parcel having an area less than the specified site area in the applicable zone may:

(a) be used for only one permitted use in the applicable zone, provided that the requirements of the authority having jurisdiction are met with respect to provision of water and method of sewage disposal, parking requirements, and other specific zone requirements, and the use may not be extended; or

(b) be developed in accordance with the provisions and regulations of the Residential-1 zone.

ENFORCEMENT

2.3

Inspection

(1) The Building Inspector or any employee of the Municipality appointed to administer or enforce this Bylaw, is hereby authorized to enter at all reasonable times upon any property to ascertain whether the regulations and provisions of this Bylaw are being or have been complied with.

Violation

(2) (a) It is unlawful for any person to cause, suffer, or permit any building or structure to be constructed, reconstructed, altered, moved, extended, occupied, or used, or any land to be occupied or used, in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.

(b) It is unlawful for any person to prevent or obstruct, or attempt to prevent or obstruct, the authorized entry of the building inspector or other appointed employee, authorized under this Section of this Bylaw.

PENALTY

2.4

(1) Any person who violates the provision of this Bylaw is liable on summary conviction to a penalty not exceeding one thousand (\$1,000.00) dollars, and not less than five hundred (\$500.00) dollars, and also the cost of prosecution.

(2) Each day during which such violation is continued shall be deemed to constitute a new and separate offense.

Nothing contained in the regulations contained in the zones in this Bylaw shall relieve the owner or developer of any land from the responsibility to seek out and comply with the legislation or regulation applicable to his undertaking.

OTHER REGULATIONS

2.6

If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court, such decision shall not affect the validity of the remaining portions of this Bylaw.

SEVERABILITY

2.5

(3) Upon conviction, the magistrate may direct that no prosecution under subsection (2) may be made, with respect to the continuance of the violation, for such a period as he directs.

PART 3: AMENDMENT PROCEDURES

BYLAW No. 150

VILLAGE OF PORT CLEMENTS

PART 3: AMENDMENT PROCEDURES

REZONING APPLICATIONS

3.1

In addition to the requirements of the Municipal Act, the following requirements for amendment to this Bylaw shall apply:

- (1) Any person applying to have this Bylaw amended shall apply in writing to the Village of Port Clements fully describing the proposed change and furnishing reasons in support of the application. For rezoning, the application shall include a registered plan showing the location of the property sought to be rezoned, a sketch map outlining existing use, including natural features, such as trees, rock outcrops, gullies and creeks, a sketch map outlining the proposed use of the property and if the applicant is not the owner, the owner's consent to the application for rezoning. Rezoning applications shall be completed on the form Schedule "B" of this Bylaw.
- (2) Where an application for amendment to this Bylaw has been refused, no re-application for the same amendment shall be considered within six (6) months of the previous application.

FRS FOR REZONING APPLICATIONS

3.2

- Any application for an amendment to the zoning classifications of this Bylaw shall at the time of application, pay to the Clerk, as a fee for application:
- (1) For processing and inspection - \$150.00.
 - (2) An application to amend this zoning Bylaw in conjunction with a request to amend an Official Community Plan adopted by the Village of Port Clements shall be \$300.00
 - (3) For advertising required by Section 720 - the estimated cost.

BOARD OF VARIANCE

3.3

- (1) Establishment
There is hereby established a Board of Variance for the Municipality.
- (2) Procedures
Any person wishing to appeal to the Board of Variance under Section 727 of the Municipal Act shall notify the Clerk, in writing on the form provided as Schedule "C" of this Bylaw, setting out:
 - (a) the decision appealed from;
 - (b) what section of the Bylaw under Section 734(1) of the Municipal Act is in question;
 - (c) the official who made the decision appealed from, or

- (d) what provision of this Bylaw related to siting, size or shape of the building or structure, or siting in a Mobile Home Park, is alleged to have caused hardship, or
- (e) what building or structure he/she wishes to extend use in and what structural alterations he wishes to make to the building under Section 722(3) of the Municipal Act, or
- (f) what provision of this Bylaw he/she wishes relaxed under Section 729(7) of the Municipal Act.

- (3) The Clerk shall, within 48 hours of receipt of a notice of appeal, notify the Chairman of the Board of Variance.
- (4) The Board of Variance shall set a date for the hearing of the appeal, which shall be held within 30 days of the date of application for the appeal.

DEVELOPMENT PERMITS AND DEVELOPMENT PERMIT AREAS

- (5) The Clerk shall give 7 days notice, under Section 727(3) of the Municipal Act, by double-registered mail, to the owners, as shown on the last revised assessment roll, of all real property located adjacent to the property about which the appeal is being heard, and by regular mail to the occupiers of such property. The notice shall state the date, place and time of the appeal hearing and shall include a copy of the notice of appeal.
- (6) The Board of Variance shall be convened by the Chairman on the date of hearing, at the time and place set out in the notice, and the Board of Variance shall hear all representations made to the Board.
- (7) The Board shall, subject to the provisions of Section 727 of the Municipal Act, give its decision in writing to the Municipal Clerk, who shall send the decision by double-registered mail to the applicant and all persons who made representations at the hearing.
- (8) The Clerk shall serve as the Secretary to the Board of Variance.

(1) Voluntary Development Permits

(a) The Council may, on the application of an owner of land, issue a development permit which varies or supplements the provisions of this Bylaw, excluding those provisions affecting density or permitted uses, provided the development permit is intended to do one or more of the following:

- (i) regulate the dimensions and siting of buildings and structures on the land;
- (ii) regulate the siting and design of off-street parking and loading facilities in accordance with the provisions of the permit;
- (iii) require that landscaping or screening be established around different uses in accordance with the standards set out in the permit;
- (iv) require the pavement of roads and parking areas in accordance with the standards set out in the permit;
- (v) require that the land be developed, including:
 - o the provision of sewerage, water and drainage facilities; and
 - o the construction of highways, street lighting, underground wiring, sidewalks and transit service facilities.
- (vi) subject to Section 719A, require the construction of buildings and structures in accordance with the specifications, terms and conditions of the permit;
- (vii) require the preservation or dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the permit;
- (viii) require that an area of land specified in the permit above the natural boundary of streams, rivers, lakes, or the ocean remain free of development, except that specified in the permit;
- (ix) require the provision of areas for play and recreation;
- (x) limit the number, size and type and specify the form, appearance and construction of signs, and
- (xi) regulate the exterior finishing of buildings, other than residential buildings containing three or less self-contained dwelling units, having due regard for requirements made under paragraph (c).

(i) \$50.00 or 25% of the development permit fee, whichever is greater, upon application, and such amount shall not be refundable if the permit is not issued; and

(b) The fee for a development permit shall be based on 0.1% of the total estimated cost of improvements as determined by the Village and the applicant shall pay to the Village:

(a) An application for a development permit shall be completed upon the form provided by the Village of Port Clements which is attached to this Bylaw as Schedule "D".

Application Procedure and Fees (3)

(xi) regulate the exterior finishing of buildings, other than residential buildings containing three or less self-contained dwelling units, having due regard for requirements made under paragraph (c).

(x) limit the number, size and type and specify the form, appearance and construction of signs, and

(ix) require the provision of areas for play and recreation;

(viii) require that an area of land specified in the permit above the natural boundary of streams, rivers, lakes, or the ocean remain free of development, except that specified in the permit;

(vii) require the preservation or dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the permit;

(vi) subject to Section 719A, require the construction of buildings and structures in accordance with the specifications, terms and conditions of the permit;

o the construction of highways, street lighting, underground wiring, sidewalks and transit service facilities.

o the provision of sewerage, water and drainage facilities; and

(v) require that the land be developed, including:

(iv) require the pavement of roads and parking areas in accordance with the standards set out in the permit;

(iii) require that landscaping or screening be established around different uses in accordance with the standards set out in the permit;

(ii) regulate the siting and design of off-street parking and loading facilities in accordance with the provisions of the permit;

(i) regulate the dimensions and siting of buildings and structures on the land;

of the following:
or hold a development permit, which may regulate or require any or all

(b) All owners of land within the designated development permit areas, shall, prior to the commencement of a development, other than the development of three (3) or less self-contained dwelling units, obtain

(a) The Council hereby designates as "development permit areas" those lands so indicated on the zoning map which forms part of this Bylaw.

Designated Development Permit Areas (2)

(b) If Council issues a development permit, the land shall be developed strictly in accordance with the terms, conditions, and provisions of the permit.

- (a) Development permits shall be issued by Council resolution, and the Council may also, by resolution, refuse to authorize or authorize a development permit as amended by Council.
- (b) A development permit shall generally be in the form of the permit attached to this Bylaw as Schedule "E".
- (c) Council shall either authorize or refuse to authorize a development permit within sixty (60) days of application.

Issuance of a Development Permit (4)

- (ii) the outstanding balance of the fee upon issuance of a development permit by the Village.

PART 4: GENERAL PROVISIONS

BYLAW No. 150

VILLAGE OF PORT CLEMENTS

PART 4: GENERAL PROVISIONS

4.1 APPLICATION

The regulations contained in Sections 4.1 to 4.15 of this Bylaw shall apply to all zones.

4.2 FLOOD DAMAGE PROTECTION

(1) For the purpose of this section, the following definitions shall apply:

NATURAL BOUNDARY means the visible high-water mark of the sea, any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the sea, lake, river, stream, or other body of water, a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

WATERCOURSE is any natural or man-made depression with well defined banks and a bed 0.6 metres or more below the surrounding land and serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometres or more, or as required by a designated official of the Ministry of Environment of the Province of B.C.

(2) "Notwithstanding any other regulations of this Bylaw, no building or any part thereof shall be constructed, reconstructed, moved or extended nor shall any mobile home or unit, modular home or structure be located:

(a) within 7.5 m (25 ft.) of the natural boundary of the sea, a lake, swamp or pond.

(b) within 20.0 m (66.0 ft.) of the natural boundary of Kumdís Bay and Kumdís Creek.

(c) with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home or unit the ground level on which it is located, lower than 1.5 m (5 ft.) above the natural boundary of the sea, nor lower than elevation 4.8 m (15.75 ft.) Hydrographic Chart Datum, whichever elevation is higher.

(d) Where landfill is used to achieve the required elevations stated in Clause 2(c) above, no portion of the landfill slope shall be closer than the above listed distances from the natural boundary, and the face of the landfill slope shall be adequately protected against erosion from floodwaters.

Provided that, with the approval of the Deputy Minister of the Environment, or his designate, these requirements may be reduced."

4.3 FENCES

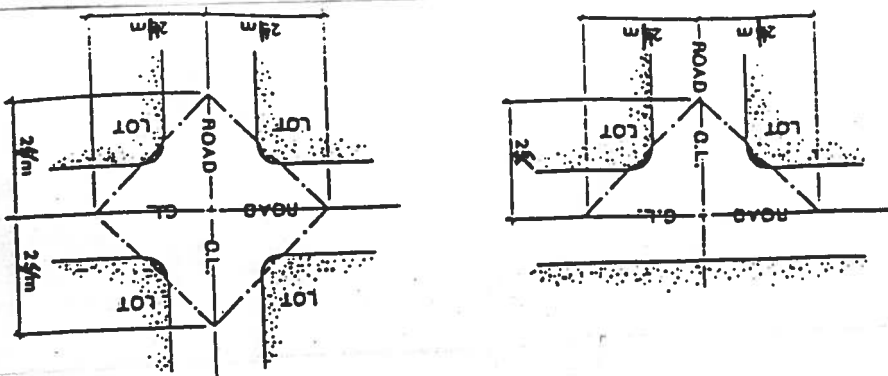
(1) No fence shall exceed 2.0 m in height except for public safety and security reasons, except where it is designated otherwise in each zone.

(2) Barbed wire shall not be used for fencing in any residential zone.

4.4 VISIBILITY

On a corner lot in any zone there shall be no obstruction to the line of vision by buildings or structures between the height of 1.0 metres and 3.0 metres above the established grade of streets within an area bounded by the centre lines of intersecting or intersecting streets and a line joining a point on each of the centre lines 24.0 metres from their intersection, as illustrated below:

SIGHT TRIANGLE



STORAGE OF VEHICLES

No site, except as otherwise provided in this Bylaw, shall be used for the wrecking or storage of derelict vehicles or equipment or materials or as a junkyard and any vehicle which has not been licensed for a period of one year and not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

ANIMAL CONTROL

No person keeping animals, domestic or otherwise, shall allow the animals to create a nuisance by means of sound, smell or trespass. The keeping of horses, cows, goats, pigs, sheep, milk or fowl, or the keeping of dogs or other animals or birds for breeding or commercial purposes shall be subject to the Health and Livestock Protection Acts.

SERVICING REQUIREMENTS

(1) Community water and community sewer systems are required for all uses in the following zones:

- (a) Residential Single Family R-1
- (b) Multiple Family R-M-1
- (c) Commercial Core C-1
- (d) Mobile Home Zones MH-1 and MH-2
- (e) Commercial Service C-2
- (f) Marine Commercial M-1

(2) For all other uses, where the lot is not served by a community water or community sewer system, there shall be sufficient lot area to dispose of wastes in accordance with the Sewage Disposal Regulations of the Health Act or as approved by the Pollution Control Board, and there shall be proven sufficient potable water in accordance with the requirements of the Health Act.

SIGNS AND NOTICES

Subject to the Motor Vehicle Act and the Highways Act, the following signs and notices are permitted:

Residential Zones: R1, R2

(a) A single unilluminated sign denoting name and address of property not to exceed 0.10 square metres for any one lot.

(b) A single unilluminated 'For Rent', 'For Sale', professional practice, homecraft or occupation identity sign, not to exceed .75 square metres in area on any lot.

(c) A single unilluminated sign for parks and playgrounds and election signs (for 30 days preceding an election only) not to exceed 1.0 square metres in area on any site.

Residential: Multi-Family (R-M-1) and Mobile Home Park (R-M-1) and (R-M-2) Zones

(a) A single sign denoting name and address of building or development not to exceed 2.0 m² for any site. Sign may be illuminated or unilluminated.

4.8

4.7

4.6

4.5

- (1) Conform to C.S.A. Standard Z240.
- (2) Be placed on permanent foundations which are designed and installed in accordance with the National Building Code Standards.
- (3) Be skirted from the underside of the floor to the ground level.
- (4) Be restricted from moving and be securely anchored against the effect of high winds.

In addition to any specific requirements of the zone in which it is located, all residential mobile homes shall:

4.11 MOBILE HOMES

- (1) No principal building shall be located in any required yard.
- (2) No accessory building shall be located in any required front yard or side yard, except where a zone specifically provides for it.
- (3) Except as otherwise provided in this Bylaw, not more than one principal building shall be located on any lot.

4.10 PRINCIPAL BUILDINGS AND SITING OF BUILDINGS

- (1) Public parks and playgrounds, golf courses.
- (2) Day care centres.
- (3) Public utilities with no exterior storage and no garage for repair and maintenance of equipment.
- (4) Churches.

4.9 USES PERMITTED IN ALL ZONES

- (5) Public Use (P) Zone
 - (a) One school, church or hospital signboard not exceeding 1.5 m² in any area on any site.
 - (b) One sign for an arena, stadium, curling rink or recreation centre not exceeding 5.0 m².
 - (c) For parks and playgrounds, and all other purposes, a single unilluminated sign not exceeding 1.0 m².
- (4) Industrial (I-1) and Heavy Industrial (I-2)
 Industrial: Marine Commercial (M-1), Marine Industrial (M-2), Light Industrial (I-1) and Heavy Industrial (I-2)
 A sign or signs not exceeding 5.0 m² in total on any site are permitted. Signs may be illuminated or unilluminated.
- (3) Commercial: Core Commercial (C-1), Commercial Service (C-2)
 A sign or signs not exceeding 5.0 m² in total on any site are permitted. Signs may be illuminated or unilluminated.
 A sign or signs not exceeding 8.0 m² in total on any site are permitted. Signs may be illuminated or unilluminated.
- (b) One or more unilluminated 'For Rent' or 'For Sale' signs not to exceed .75 m² total area of any site.
- (c) A single unilluminated sign for parks and playgrounds and election signs (for 30 days preceding an election only) not to exceed 1.0 square metres in area on any one site.

4.12 HOME OCCUPATIONS

A professional practice or home occupation is permitted in all zones except the multiple-family (RM-1) zone, subject to the following requirements:

- (1) The occupation shall involve no internal or external structural alterations to the principal building or dwelling unit and no external storage of materials used in or resulting from the home occupation.
- (2) No external indication exists that the building is utilized for any purpose other than the dwelling except for a single wall mounted sign not exceeding .75 m².
- (3) Such occupation shall not involve the use of mechanical equipment save as is ordinarily employed in purely private domestic and household use or for recreational hobbies and does not create a nuisance by reason of sight, sound or smell.
- (4) Such occupation or business shall not require parking or loading area in excess of what is normally required for the residential use and zone in which the residence is located.
- (5) Such occupation is conducted by the residents of the home, excluding boarders, and does not involve any outside employees.

4.13

TEMPORARY STRUCTURES

Notwithstanding any other provision of this Bylaw, structures of a temporary nature shall be permitted in any zone subject to the following requirements:

- (1) Application shall be made in writing to the Clerk, or other such person as may be appointed, for a permit to erect a temporary building or structure.
- (2) The Clerk, or other appointed official, is satisfied that the proposed temporary building or structure would not constitute or cause a public hazard or public nuisance, nor obstruct unnecessarily any public right-of-way. A permit may be granted for a period of not more than 180 days provided, however, that such permit may be renewed, upon written application for a further period not exceeding 180 days.
- (3) A temporary structure permit fee shall be \$20.00.

4.14

HEIGHT OF BUILDINGS AND STRUCTURES

The following shall not be subject to the height requirements of this Bylaw; church spires, belltowers, domes, transmission towers, chimneys, flagpoles, masts, aerials, water tanks, elevators and ventilation machinery penthouses, provided that such structure occupies no more than 20% of the lot, or if situated on a building, not more than 15% of the roof area of the building.

4.15 PARKING AND LOADING SPACES

Off-street parking spaces for each building and use in all zones shall be provided in accordance with the following schedule.

Use	Parking Requirements
Apartment	2 per unit
Auto Sales and Repair, Recreational Vehicle Sales	1 per 100 m ² sales floor, area plus 1 per service bay
Bank, Financial Institution	1 per 45 m ² gross floor area

- (a) Every required off-street parking space shall be of a minimum of 18.5 m² and shall have at all times convenient vehicular access to a public thoroughfare.
- (b) Required off-street parking for residential uses, motels and auto courts shall be on the site.

(2) Parking Provisions

Use	Parking Requirements
Boat Sales and Repair	1 per 2 employees plus 1 per 90 m ² display area (incl. outside)
Boarding House	1 per unit plus 1 space
Building Materials Supply	1 per 2 employees plus 1 per 185 m ² covered sale & storage
Campground	1 per camp space
Gas Station, Tire Repair	1 per 2 employees on duty & 1 per service bay
Grocery, Convenience Store	1 per 30 m ² retail floor area
Hotel	1 per 1 unit & 1 per 8 seats in restaurant and bar
Institutional	
- Church	1 per 10 seats
- Cultural	1 per 40 m ² gross floor area
- Firehall	1 per employee on shift
- Hospital	1 per 2 employees counted as total of 2 shifts plus 1 per 5 beds
- Police	1 per 2 employees counted as 2 shifts
- School, Elementary	1 per employee
- School, Secondary	1 per employee and 1 per 10 students
Laundromats	1 per 3 washing machines
Motel	1 per unit and 1 per 8 seats in restaurant
Machinery Sales	1 per 2 employees plus 1 per 90 m ² sales floor area
Mobile Home Park	2 parking spaces per unit, plus visitor parking to be provided at the rate of 1 parking space per every 4 mobile home units
Marina	1 per 4 berths
Offices	1 per 45 m ² gross leaseable area
- Business	1 per 45 m ² gross leaseable area
- Professional, Governmental	1 per 45 m ² gross leaseable area
- Medical & Clinics	4 per doctor or dentist
Residential, Single & Two-Family	2 per dwelling unit
Retail Stores	1 per 45 m ² gross floor area
Stores, Personal Service	1 per 45 m ² gross floor area
Shopping Centre	1 per 16.5 m ² leaseable area
Theatre, Indoor	1 per 6 seats
Warehouse	1 per employee per shift
Restaurants, Licensed Public Houses	1 per 8 seats

- (3) Loading Requirements
- (c) Required off-street parking for uses other than referred to in subsection (b) shall be on or within 153 m of the site.
- (d) Required off-street parking area to accommodate three or more vehicles shall have a surface which is continually dust free and shall have individual parking spaces, manoeuvring aisles, entrances, and exits clearly marked.
- (e) Buildings conforming as to use but non-conforming as to required off-street parking spaces or off-street loading spaces may be occupied, but shall not be extended unless the required off-street parking spaces are provided.
- Every owner of land which is the site of a structure or yard involved in the receipt or delivery of goods or materials by vehicles shall, on the lot in question, provide and maintain one off-street loading space for:
- (a) Every 185.0 m² of floor space, or fraction thereof, of structures involved in the receipt or delivery of goods or materials by vehicles.
- (b) Every 185.0 m² or fraction thereof, of yard involved in the receipt or delivery of goods or materials by vehicle.

PART 5: ZONE REQUIREMENTS

BYLAW NO. 150

VILLAGE OF PORT CLEMENTS

PART 5: ZONE REQUIREMENTS

ZONE DESIGNATIONS

5.1

For the purpose of this Bylaw, the whole of the area within the boundary of the Municipality is hereby divided into the following zones and their short-title abbreviations:

<u>Zone</u>	<u>Short-Title</u>
Residential Urban	R-1
Rural Residential	R-2
Multiple-Family Residential	RM-1
Mobile Home Park	MH-1
Mobile Home Subdivision	MH-2
Commercial Core	C-1
Service Commercial	C-2
Marine Commercial	M-1
Marine Industrial	M-2
Light Industrial	I-1
Heavy Industrial	I-2
Public Use and Park	P
Resource Areas	RS

(1) The extent of each zone is shown on Schedule "A" Zoning Map which is attached to and forms part of this Bylaw, hereinafter referred to as the "Zoning Map".

(2) When the zone boundary is designated as following a road allowance or creek, the centre line of such road allowance or creek shall be the zone boundary.

(3) Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, location of the boundary shall be determined by scaling from the zoning map.

5.2 RESIDENTIAL URBAN ZONE (R-1)

5.2.1 PERMITTED USES

- (1) Single family dwellings.
- (2) Two family dwellings.
- (3) Boarding houses restricted to not more than two boarders.
- (4) Accessory buildings and structures.

5.2.2 MINIMUM LOT SIZE

- (1) Minimum lot size 558 m².

5.2.3 ACCESSORY BUILDINGS

- (1) Shall not exceed 3.5 m in height.

- (2) Shall be permitted in the rear yard, but shall be a minimum of 1.5 m from the rear property line.

- (3) Shall have a combined floor area not exceeding 10% of the gross lot area.

5.2.4 YARDS

- (1) Front yard minimum 6 m.

- (2) Rear yard minimum 6 m.

- (3) Side yard minimum 1.5 m except where side yard flanks a street in which case the minimum is 3.0 m.

5.2.5 LOT COVERAGE

- (1) Buildings and structures, including accessory buildings shall not cover more than 50% of the site area.

- (2) Not more than one residential building shall be permitted on a lot.

5.2.6 BUILDING HEIGHT

The height of principal buildings shall not exceed 2 storeys to a maximum of 9.0 m.

5.2.7 MINIMUM FLOOR AREA

The minimum gross floor area per dwelling unit shall be 83.6 m² (900 sq. ft.).

5.3 RURAL RESIDENTIAL ZONE (R-2)

5.3.1

PERMITTED USES

- (1) Single family dwellings and two family dwellings.
- (2) Boarding houses restricted to not more than two boarders.
- (3) Agricultural uses including field crops, horticulture, silviculture, poultry, other stock raising and beekeeping.
- (4) Sale of produce grown on the premises provided the sales area does not exceed 46.5 m², and is not located within 15.0 m of any property line.
- (5) Animal hospitals and kennels.
- (6) Forestry and logging, but no manufacturing except by small mill for on-site domestic use, provided such operation does not involve outside employees and is not located within 15.0 m of any property line.
- (7) Accessory buildings and structures.

5.3.2

MINIMUM LOT SIZE

A lot shall have a minimum site area of .5 hectares.

5.3.3

ACCESSORY BUILDINGS

- (1) Shall not exceed 7.5 m in height.
- (2) Shall not be permitted in any required front or side yard.

5.3.4

YARDS

- (1) Front and rear yard minimum 7.5 m.
- (2) Side yards minimum 3.0 m.

5.3.5

LOT COVERAGE

Buildings and structures shall not cover more than 33% of the site area.

5.3.6

BUILDING HEIGHT

Principal buildings shall not exceed 2 storeys to a maximum of 9.0 m.

5.3.7

DWELLINGS PER LOT

Not more than one single family dwelling unit or one two-family dwelling unit shall be located on a lot.

5.4 RESIDENTIAL MULTIPLE FAMILY ZONE (RM-1)

5.4.1 PERMITTED USES

- (1) Two family dwellings, triplexes, fourplexes.
- (2) Apartments.
- (3) Townhouses or row houses.
- (4) Accessory buildings and structures.

5.4.2 MINIMUM SITE AREA

- (1) For a two-family dwelling 558 m².
- (2) For triplexes and fourplexes 1116 m².
- (3) For apartments and townhouse complexes 2232 m².

5.4.3 ACCESSORY BUILDINGS

- (1) Shall not exceed 4 m in height.
- (2) Shall have a combined floor area not exceeding 10% of the lot area except where the building serves as a parking structure in which case the floor area may be increased not to exceed 20% of the lot area.
- (3) Shall be located a minimum of 3.5 m from any side or rear lot line, and shall not be located within any required front yard.

5.4.4 YARDS

- (1) Front yard minimum 7.5 m.
- (2) Rear yard minimum 6 m.
- (3) Side yard minimum 3.5 m.

5.4.5 LOT COVERAGE

- (1) For a two-family dwelling, triplexes and fourplexes maximum coverage of all buildings and structures shall not exceed 35%.
- (2) For apartments and townhouses, the maximum lot coverage of all buildings and structures shall not exceed 50%.

5.4.6 BUILDING HEIGHT

- (1) For two-family dwellings and townhouses, the height of principal buildings shall not exceed 9.0 m or two storeys.
- (2) For apartments, the height of principal buildings shall not exceed 12.0 m or three storeys.

5.4.7 MAXIMUM UNIT DENSITY

The maximum number of units permitted on the site shall be governed by the following schedule:

No. of Bedrooms per Unit	Gross Site Area Required per Dwelling Unit
1 bedroom or less	250 m ²
2 bedrooms	285 m ²
3 bedrooms or more	325 m ²

5.4.8

MINIMUM FLOOR AREA

Minimum floor areas of each dwelling unit within the multiple-family (RM-1) zone shall be as follows:

- (1) Bachelor suite (or studio) 37 m².
- (2) One bedroom suite 44.5 m².
- (3) Two bedroom suite 55 m².
- (4) Three or more bedrooms 11 m² additional per bedroom.
- (5) Two family dwellings 83.6 m².

5.4.9

PARKING

- (1) Off-street parking shall be provided in accordance with the provisions of Section 4.15 of this Bylaw.
- (2) Parking spaces shall be located at least 6.0 metres away from windows of habitable rooms at or below grade.
- (3) Parking spaces shall be located at least 2.5 metres away from windows of habitable rooms where the sill is 1.75 metres or more above grade.
- (4) No parking space or area shall be located within 1.5 metres of any property line.

5.5 MOBILE HOME PARK ZONE (MH-1)
5.5.1 PERMITTED USES

- (1) Mobile homes or modular homes on rental pads within a comprehensive mobile home park.
- (2) Accessory buildings and structures.
- (3) Common storage area for resident storage of recreation vehicles, boats, etc.
- (4) Common area for visitor parking.
- (5) Recreation area and facilities for resident use.
- (6) One dwelling unit for the accommodation of the owner/operator.

5.5.2 CONDITIONS OF USE

- (1) Areas zoned for mobile home park (MH-1) use shall not be used for tourist accommodation.
- (2) Mobile Home Park shall comply with the standards and provisions of Schedule "F" of this zoning Bylaw in addition to the provisions of Section 5.5.

5.5.3 MINIMUM SITE AREA

- (1) For a mobile home park - .8 ha (1.97 acres)
- (2) For each mobile home space - 370 m².

5.5.4 MAXIMUM DENSITY

The maximum density for a Mobile Home Park shall be 20 mobile home spaces per hectare.

5.5.5 MINIMUM FLOOR AREA

The minimum gross floor area shall be 60.2 m² (648 sq. ft.).

5.5.6 ACCESSORY BUILDINGS, ADDITIONS, AND STRUCTURES

- (1) Shall not exceed 3 m in height.
- (2) Shall be compatible in appearance and exterior finish with the mobile home.
- (3) Accessory buildings, additions and structures shall be limited to one and shall not exceed the gross floor area of the mobile home.
- (4) Shall not be located in side or front yard setbacks.

5.6 MOBILE HOME SUBDIVISION ZONE (MH-2)

5.6.1 PERMITTED USES

- (1) Mobile homes or modular homes on individual lots, subdivided pursuant to the Condominium Act or registered as lots in the Land Title Office.
- (2) Accessory buildings and structures.

5.6.2 MINIMUM LOT SIZE AND SITE AREA

- (1) Minimum lot size - 465 m².
- (2) Minimum lot width - 15.0 m.
- (3) Minimum zoned site area - .8 hectares.

5.6.3 ACCESSORY BUILDING, ADDITIONS AND STRUCTURES

- (1) Shall not exceed 3 m in height.
- (2) Shall be compatible in appearance and exterior finish with the mobile home.
- (3) Accessory buildings, additions and structures shall be limited to one and shall not exceed the gross floor area of the mobile home.
- (4) Shall not be located in side or front yard setbacks.

5.6.4 SITE COVERAGE

- (1) Only one addition per mobile home shall be permitted.
- (2) The combined floor area of the mobile home and addition shall not cover more than 35% of the lot.

5.6.5 DENSITY

The maximum density for a mobile home subdivision shall be 15 lots per hectare.

5.6.6 YARDS AND SETBACKS

- (1) Front and rear yard minimum 5.0 m.
- (2) Side yard minimum 1.5 m, except where property line flanks a street in which case the side yard shall be 3.0 m.

5.6.7 BUILDING HEIGHT

No mobile home or addition shall exceed 7.5 m in height.

5.6.8 STANDARDS

- (1) All mobile homes shall conform to the provisions of Section 4.11 of this Bylaw.
- (2) Notwithstanding the provisions of Sections 5.6.2 and 5.6.5, mobile home subdivisions in the MH-2 zone shall conform to the subdivision standards as specified in Village of Port Clements Subdivision Bylaw No. 127.

5.6.9 MINIMUM FLOOR AREA

The minimum gross floor area shall be 60.2 m² (648 sq. ft.).

5.7 COMMERCIAL CORE ZONE (C-1)

5.7.1

PERMITTED USES

(1) Retail stores, except those which require outside storage or display areas, and specifically excludes automobile sales and service stations.

(2) Business and professional offices, governmental offices.

(3) Banks and financial institutions.

(4) Medical and dental clinics.

(5) Hotels, motels and public houses licensed under the Liquor Control Act.

(6) Theatres, places of entertainment, excluding drive-in theatres.

(7) Restaurants, excluding drive-in restaurants.

(8) Personal service establishments, including barbers, beauty salons, photo studios, dry cleaners etc.

(9) Printing and publishing.

(10) Public transportation depots.

(11) Undertaking parlours or funeral homes.

(12) Community halls, libraries and other public uses.

(13) Public utility buildings and structures necessary for public service and excluding storage, repairs and manufacturing.

(14) Combined commercial residential uses.

(15) Buildings and structures accessory to uses permitted in clauses (1) to (13) inclusive.

5.7.2

MINIMUM SITE AREA

(1) Hotel, motel - 1,115 m².

(2) Combined commercial and residential use - 368 m².

(3) Other commercial uses - 225 m².

5.7.3

LOT COVERAGE

Buildings and structures including required parking, may cover 100% of the site area.

5.7.4

YARDS

(1) Rear yard minimum 3.0 m from rear property line if there is no rear lane. Where there is a rear lane, setback shall be 3.0 m from centre of the lane.

(2) Side yard minimum 3.0 m required only where the abutting property is zoned Residential or Multiple Family Residential.

5.7.5

BUILDING HEIGHT

The height of principal buildings shall not exceed 12 m or three storeys. Accessory buildings shall not exceed 3.5 m in height.

Where a site is used for combined commercial and residential use, the residential use shall:

- (1) Be contained in the same building, except in the case of a motel.
- (2) Be located over or behind the commercial use, except in the case of a hotel or motel.
- (3) Have a separate entrance from outside.
- (4) The minimum floor area of a dwelling unit shall be 55.0 m².

5.7.6

COMBINED COMMERCIAL AND RESIDENTIAL USE

5.7.7

PARKING AND LOADING FACILITIES

- (1) Off-street parking shall be provided in accordance with the provisions of Section 4.15 of this Bylaw.
- (2) No parking shall be situated within 1.75 metres of any property line where the abutting property is zoned residential or multiple family residential.
- (3) Loading facilities shall be provided in accordance with the provisions of Section 4.15 of this Bylaw.

5.8 COMMERCIAL SERVICE ZONE (C-2)

5.8.1 PERMITTED USERS

- (1) Automobile sales, parts and service.
- (2) Recreation vehicle sales, display yards.
- (3) Convenience stores.
- (4) Neighbourhood shopping centre.
- (5) Retail building supplies.
- (6) Retail garden supplies, nursery, greenhouses.
- (7) Restaurants, including drive-in.
- (8) Personal service establishments, including barbers, beauty salons, dry cleaners, photo studios, etc.
- (9) Undertaking parlor or funeral home.
- (10) Contractor's offices, with no outside storage of materials or equipment.
- (11) Motels.
- (12) Publishing and printing.
- (13) Gasoline service stations.
- (14) Combined commercial residential uses.
- (15) Buildings and structures accessory to the uses permitted in clauses (1) to (14) inclusive.

5.8.2 MINIMUM SITE AREA

Minimum site area required is 558 m².

5.8.3 LOT COVERAGE

Buildings and structures shall not cover more than 60% of the site area.

5.8.4 YARDS

- (1) Front yard minimum 7.5 m.
- (2) Rear yard minimum 3.0 m.

(3) Side yard minimum 3.0 m, except where abutting property is zoned Residential or Multiple Family Residential, in which case the minimum is 6.0 m.

5.8.5 BUILDING HEIGHT

No principal building or structure shall exceed 9.0 m in height. No accessory building shall exceed 3.6 m in height.

5.8.6 COMBINED COMMERCIAL AND RESIDENTIAL USE

Where a site is used for combined commercial and residential use, the residential use shall:

- (1) Be contained in the same building.

- 5.8.7 PARKING AND LOADING FACILITIES
- (2) Be located over or behind the commercial use, except in the case of a hotel or motel.
 - (3) Have a separate entrance from outside.
 - (4) The minimum floor area of a dwelling unit shall be 55.0 m².
- (1) Off-street parking shall be provided in accordance with the provisions of Section 4.15 of this Bylaw.
 - (2) No parking shall be situated within 3.0 m of any side property line.
 - (3) Adequate space for loading, unloading and maneuvering of trucks shall be provided on the site.

(1) Be contained in the same building, except in the case of a motel.
Where a site is used for combined commercial and residential use, the residential use shall:

5.9.1 PERMITTED USES

- (1) Height of principal buildings and structures shall not exceed 9.0 m.
- (2) Accessory buildings and structures shall not exceed 3.5 m in height.

5.9.2 MINIMUM SITE AREA

- (1) Retail stores.
- (2) Hotels and motels.
- (3) Licensed public houses.
- (4) Restaurants, excluding drive-in.
- (5) Wharfrage, anchorage, dry-docking, launching ramps, and similar facilities in connection with harbouring and servicing marine craft, including float planes.
- (6) Marinas, including marine service stations.
- (7) Combined commercial residential use.
- (8) Accessory buildings and structures.

5.9.3 LOT COVERAGE

- (1) For retail stores, licensed public houses, restaurants - 368 m².
 - (2) For hotel and motel uses - 1,115 m².
 - (3) For other uses - 500 m².
- 5.9.4 YARDS
- (1) Side yard minimum 3.0 m required only where abutting property is zoned Residential or Multiple-Family Residential.
 - (2) Rear yard minimum 3.0. Where the natural boundary of the sea is the rear lot line, the provisions of Section 4.2 shall apply for all buildings and structures except those structures required for construction of wharves, floats, launching ramps and dry docks, which are exempt from this rear-yard setback.

5.9.5 MAXIMUM DENSITY

- (1) Motels - 75 m² gross land area per unit.
 - (2) Hotels - 55 m² gross land area per unit.
- 5.9.6 BUILDING HEIGHT
- (1) Height of principal buildings and structures shall not exceed 9.0 m.
 - (2) Accessory buildings and structures shall not exceed 3.5 m in height.

5.9.7 COMBINED COMMERCIAL AND RESIDENTIAL USE

Where a site is used for combined commercial and residential use, the residential use shall:

- (1) The maximum number of hotel and motel units per site shall conform to the following schedule:

5.9 MARINE COMMERCIAL ZONE (M-1)

- (2) Be located over or behind the commercial use, except in the case of a hotel or motel.
- (3) Have a separate entrance from outside.
- (4) The minimum floor area of a dwelling unit shall be 55.0 m².

- (1) One single-family dwelling is permitted as an accessory use.
- (2) The residential use may be located separate from or as part of the industrial use.
- (3) The dwelling unit must have a separate entrance from outside and have a minimum floor area of 55.0 m².

5.10.6 RESIDENTIAL USE

Height of buildings shall not exceed 12.0 m.

5.10.5 BUILDING HEIGHT

- (1) Front yard setback 6.0 m.
- (2) Side and rear yards not required except where abutting property is zoned Residential or Multiple Family Residential, in which case the setback shall be 6.0 m.
- (3) Where the natural boundary of the sea is the rear or side lot line, the provisions of Section 4.2 shall apply to all buildings, except those structures required for construction of wharves, floats, launching ramps and marine ways, which are exempt from this setback.

5.10.4 YARDS

Maximum lot coverage including required parking shall be 80%.

5.10.3 LOT COVERAGE

Minimum site area required is 1,000 m².

5.10.2 MINIMUM SITE AREA

- (1) Fuel installations including bulk fuel storage, marine and aircraft fueling.
- (2) Wharves, launching ramps, anchoring, dry-docking and similar facilities in connection with harbouring and servicing marine craft, including float planes.
- (3) Log booming, dumping, dry-land sort and de-watering facilities.
- (4) Industrial port facilities, including barge loading, roll-on-roll-off truck facilities, storage and warehousing facilities.
- (5) Fish packing and processing operations.
- (6) Boat building, marine ways and boat repairs.
- (7) Limited staff accommodation.
- (8) Sawmill, shake mill, lumber processing and other wood industries requiring water access.
- (9) Accessory buildings and structures.

5.10.1 PERMITTED USES

5.10 MARINE INDUSTRIAL (M-2)

5.11 LIGHT INDUSTRIAL ZONE (I-1)

5.11.1 PERMITTED USES

(1) Automobile and recreation vehicle sales, service and body shops, excluding auto wreckers and junk yards.

(2) Building supply and lumber yards.

(3) Public utilities buildings, garages, storage yards, repair facilities.

(4) Industrial and agricultural equipment sales, rentals and storage yards.

(5) Light manufacturing, processing and assembly, including food and beverage products, machine shops, woodworking shops.

(6) Warehousing, moving and wholesale establishments.

(7) Contractors offices, shops and yards.

(8) Fuel storage and wholesale distribution; gasoline service stations.

(9) Printing and other reproduction processes.

(10) Mobile and prefabricated home manufacturing, display and sales.

(11) Restaurants.

(12) Transportation depots and facilities; airports.

(13) One single-residential dwelling accessory to principal use, where such accommodation is essential to the operation of the industry.

(14) Temporary mobile home park - permit required.

(15) Accessory buildings and structures.

(16) Veterinary hospital and kennel.

5.11.2 MINIMUM SITE AREA

(1) For sites with community water and community sewer services, the minimum site area required is 930 m².

(2) For sites with community water but no community sewer system, minimum site area is 1394 m².

(3) For sites with no community water and no community sewer system, the minimum site area is 1860 m².

5.11.3 LOT COVERAGE

Buildings and structures shall not cover more than 75% of the site area.

5.11.4 YARDS

(1) Front yard minimum 7.5 m.

(2) Rear and side yards minimum 5.0 m, except where abutting property is zoned Residential or Multiple Family Residential, in which case the rear or side yard shall be 7.5 m.

5.11.5 BUILDING HEIGHT

No building or structure shall exceed 10.5 m in height.

5.11.6 CONDITIONS OF USE

(1) All industrial activity and storage not contained within a building shall be enclosed by a wall or tight board fence no less than 2 m in height.

(2) Nothing shall be permitted which is or can become an annoyance or nuisance to surrounding areas by reason of unsightliness, odor emission, liquid effluents, dust, noise, fumes or smoke. Uses which are considered offensive under the "Health Act" are strictly prohibited.

5.12 HEAVY INDUSTRIAL ZONE (I-2)

5.12.1 PERMITTED USES

(1) All uses permitted in the Light Industrial (I-1) zone.

(2) All manufacturing, processing and assembly industries which are not offensive within the meaning of the Health Act, including but not limited to:

- (a) Junk yards, auto wreckers.
- (b) Sawmills and shakemills, lumber processing.
- (c) Gravel extraction, storage and processing.
- (d) Storage yards.

(3) One single-residential dwelling accessory to the principal use, where such accommodation is essential to the operation of the industry.

(4) Accessory buildings and structures.

5.12.2 MINIMUM LOT SIZE

(1) For light industrial uses the minimum lot size shall be 2,000 m².

(2) For all heavy industrial uses as permitted under Section 5.12.1 (2), the minimum lot size shall be 8,000 m².

5.12.3 LOT COVERAGE

Buildings, structures, storage areas or outdoor operations areas shall not cover more than 80% of the site.

5.12.4 YARDS

No building or structure except a fence shall be located within the following setbacks.

(1) Front yard minimum 7.5 m.

(2) Rear and side yards minimum 6.0 m if abutting property is zoned Industrial. Rear and side yards shall be 10.0 m if property abuts any use other than Industrial.

5.12.5 HEIGHT

No building or structure shall exceed 12 m in height.

5.12.6 LANDSCAPING AND SCREENING

(1) Where a Heavy Industrial use abuts any zone other than industrial, the Heavy Industrial use shall provide a wall or fence which provides a complete visual screen not less than 2 m in height.

(2) In the case of junk yards or auto wreckers all industrial activity not contained within a building shall be enclosed by a wall or fence which provides a complete visual screen not less than 2 m in height.

(3) In a junk yard, material not contained within a building shall not be piled higher than the enclosing wall of fence.

5.12.7 PARKING, LOADING AND STORAGE

(1) Off-street parking shall be provided in accordance with the provisions of Section 4.15.

(2) No parking, loading or outdoor storage shall be permitted within any required yard.

5.13 PUBLIC USE AND PARK ZONE (P-1)

5.13.1

PERMITTED USES

- (1) Schools, colleges.
- (2) Hospitals and related facilities, nursing homes.
- (3) Parks and playgrounds, Municipal campgrounds.
- (4) Community centres, libraries and public recreation facilities.
- (5) Halls and auditoriums.
- (6) Cemeteries.
- (7) Day care centres.
- (8) Government offices.
- (9) Accessory buildings and structures.

5.13.2

MINIMUM LOT SIZE

The minimum site area required is 368 m².

5.13.3

LOT COVERAGE

- (1) Buildings and structures shall not cover more than 40% of the site area.
- (2) Buildings and structures for all other uses shall not cover more than 20% of the site area.

5.13.4

YARDS

- (1) Front yard minimum for schools and hospitals 15.0 m.
- (2) Front yard minimum, other uses 7.5 m.
- (3) Side yard minimum 3.0 m.
- (4) Rear yard 3.0 m.

5.13.5

BUILDING HEIGHT

The height of principal buildings shall not exceed 9.0 m. Accessory buildings shall not exceed 3.6 m in height.

5.13.6

PARKING

- (1) No required parking shall be located within 3.0 m of any property line.
- (2) Parking shall be provided on the site or off-street within a 150 m radius of the site.

5.14 RESOURCE USE ZONE (RS-1)

5.14.1

PERMITTED USES

(1) Two single family dwellings or one two-family dwelling.

(2) Agricultural uses, including field crops, horticulture, silviculture, poultry, other stock raising and beekeeping.

(3) Sale of produce grown on the premises provided the sales area does not exceed 46.5 m².

(4) Professional practice or home occupation.

(5) Forestry and logging, but no manufacturing except by small mill for on-site domestic use, provided such operation does not involve outside employees and is not located within 15.0 m of any property line.

(6) Light manufacturing, processing and assembly of wood products.

(7) Animal hospital and kennels.

(8) Accessory buildings and structures.

5.14.2

MINIMUM LOT SIZE

The minimum site area required is 4.0 hectares.

5.14.3

LOT COVERAGE

Buildings and structures shall not cover more than 33% of the site area.

5.14.4

YARDS

(1) Front yard minimum 7.5 m.

(2) Rear and side yards minimum 4.5 m.

5.14.5

BUILDING HEIGHT

No building or structure shall exceed 12 m in height.

5.14.6

DWELLING PER LOT

Not more than two single family dwelling units or one two-family dwelling unit shall be located on a site.