

*Amended by
Bylaw # 123
Sep + 22nd / 1982*

Copy of original

VILLAGE OF PORT CLEMENTS

ZONING BY-LAW NO. 41

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

INTERPRETATION AND ADMINISTRATION

Title

1.1.0 This By-law may be cited as the "Village of Port Clements Zoning By-law No. 41, 1976".

Definitions

1.2.0 In this By-law, unless the context otherwise requires,

"community sewer system" means a common sewer or a system of sewerage or sewage disposal which serves two or more parcels;

"community water system" means a system of water-works which serves two or more parcels and which is owned, operated and maintained by an Improvement District under the Water Act or the Municipal Act, or a Regional District, or which is regulated under the Public Utilities Act;

"dwelling, single family" means any detached building consisting of one dwelling unit which is intended to be occupied as the home or residence of one family;

"dwelling, multiple families" means any detached building divided into three or more dwelling units, each of which is intended to be occupied as the residence of one family;

"dwelling, two family" means any detached building divided into two dwelling units, each of which is occupied or intended to be occupied as the home or residence of one family"

"family" means an individual, or two or more persons related by blood or marriage, or five or fewer persons not necessarily related by blood or marriage.

"gasoline service station" means premises primarily for the sale of gasoline, lubricating oil and motor vehicle accessories directly to the users of motor vehicles; and the servicing of motor vehicles, excluding body works, painting and major repairs;

"height" means the vertical distance from the average finished ground level at perimeter of the building structure to the highest point of the roof surface of a flat roof, to the declline of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel, or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure,

"lane" means a public way meant for vehicular use not less than 4.75 m. (15.58 feet) nor more than 7.5 m. (24.60 feet)

"Medical Health Officer" means the Medical Health Officer appointed pursuant to the Health Act.

"mobile home" means a single family dwelling unit suitable for year round occupancy, specially 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 supports, connection of utilities, and some incidental assembly;

"street" includes all highways, roads, squares, thoroughfares and any other public way, but not lanes, walkways or bridges.

Prohibition

- 1.3.0 Subject to the provisions of the Municipal Act respecting non-conforming uses, land shall not be used, buildings and structures constructed, altered, located or used, contrary to this by-law.

Non-conforming Uses

- 1.4.0 (1) A lawful use of premises existing or lawfully under construction at the time of the adoption of the Zoning by-law, although such use does not conform to the provisions of this by-law, may be continued, subject to the provisions of Division (3), Part XXI, of the Municipal Act respecting non-conforming uses.
- (2) A building existing prior to the date of this By-law which fails to comply with the siting requirements herein shall not be reason thereof be deemed to be non-conforming. However, any subsequent alterations or additions to such building shall be permitted only in accordance with the siting requirements of this By-law.

Administration

- 1.5.0 (1) The Village Clerk or such other person appointed by the Council shall administer this By-law.
- (2) Person appointed under Subsection (1) may enter any building or premises at any reasonable time for the purpose of administering or enforcing this By-law.

Optic Tank

- 1.6.0 Where there is no community sewer system, development of any lot is subject to the approval of the Medical Health Officer.

Penalty

- 1.7.0 (1) Any person who violates the provisions of this By-law is liable on summary conviction to a penalty not exceeding five hundred dollars (\$500.00), and also the cost of the prosecution.
- (2) Each day during which such violation is continued shall be deemed to constitute a new and separate offence.

Severability

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

Metric Units

1.9.0 Metric Units are used for all measurements in this by-law. The approximate equivalents of those units in currently used units of English Measurements (feet, acres, etc) are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this by-law.

ZONES

Designation

2.1.0 (1) For the purpose of this By-law the area incorporated into the Village of Port Clements is classified and divided into the following zones;

Residential	1	R1
Residential	11	R2
Residential	111	R3
Commercial	1	C1
Commercial	11	C2
Industrial	1	M1

(2) The extent of each zone is shown on Schedule "A" Zoning Map, which is attached to and forms part of this By-law and which bears the words "Schedule A". This is the Zoning Map referred to in Section 2.1.0 of the Village of Port Clements Zoning By-law No. 41", and signed and dated by the Mayor and Clerk.

RESIDENTIAL I ZONE

Permitted Uses

2.2.0 In a Residential I Zone, the use of land, buildings and structures is restricted to:

- (a) single-family and two-family dwellings;
- (b) Mobile homes, subject to the provisions of Section 2.2.7.
- (c) Schools, churches, hospitals, and community halls;
- (d) parks and playgrounds;
- (e) professional practice, homecraft or occupation; provided that the use is conducted by the residents, excluding boarder, and is confined to the interior of a dwelling and does not:
 - (i) create a nuisance by reason of sound, sight or smell;
 - (ii) involve storage exterior to the dwelling of any materials used directly or indirectly in the processing or resulting from the processing of any product of such craft of occupation; or,
 - (iii) involve material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
- (F) public utility buildings or structures, with no exterior storage of any kind and no garages for the repair and maintenance of equipment;

(g) buildings and structures accessory to the uses permitted in Clauses (a), (b), and (c).

Standards

2.2.1 Every use of land and every building or structure or mobile home permitted in Residential 1 Zones shall conform with the provisions of Sections 2.2.2 to 2.2.8 inclusive.

Site Area

2.2.2 (1) The minimum site area per unit is as follows:

TYPE	MINIMUM SITE AREA		
	Sq. Meters	Sq. Meters	Sq. Meters
Community Water Supply & Community sewer system	Community Water Supply But No Community Sewer System	Neither Community Water Supply Nor Community Sewer System	

A. Single Family Dwelling and Mobile Home ^{RL #123}

670 558 m ²	890	1860
(7204 sq. ft.)	(9570 sq. ft)	(20,000 sq.ft)
6000		

B. Two-Family Dwelling

890	1115	3715
(9570 sq.ft.)	(11,989 sq. ft)	(39,946 sq. ft.)

(2) On parcels in Residential 1 Zones that are shown on a plan duly filed in the Land Registry Office prior to the passing of this By-law which has less than the Minimum area required in Sub-Section (1), one unit of living accommodation is permitted on each parcel if the method by which sewage is to be disposed of is satisfactory to the Medical Health Officer, but in no case shall a single family dwelling or a mobile home be erected on a lot with a width of less than ~~15.24~~ ^{RL #123} 15.24 m (50.30 ft), nor a two-family dwelling on a lot with a width of less than 18.5 m (60.69 feet).

Buildings Per Parcel

2.2.3 Not more than one building or mobile home containing a dwelling unit or units shall be located on a parcel.

Lot Coverage

2.2.4 Buildings and structures or mobile homes shall not cover more than thirty-three percent (33%) of the site area.

Setback and Height

2.2.5 (1) No building or structure or mobile home or part thereof, except a fence, shall be located within 7.5. m. (24.60 ft.) of a front lot line.

(2) ~~Where there is a rear lane, no building or mobile home or part thereof shall be located within 1.5 m (4.92 ft) of any side lot line.~~

^{RL #123} (3) ~~Where there is no developed rear lane, no building or mobile home or part thereof shall be located within 3 m (9.84 feet) of one side lot line and 1.5 m (4.92 feet) of the other side lot line.~~

- (4) No building or mobile home other than an accessory building shall be located within 7.5 m (24.60 ft) of a rear lot line.
- (5) No building or mobile home shall exceed 7.5 m (24.60 ft two (2) storeys in height).
- (6) No accessory building or structures shall exceed 3.5 m (11.48 ft in height).

Floor Area

2.2.6 The minimum floor area for a dwelling unit except a mobile home, is 66.5 m (600 Sq. feet).

Mobile Homes

- 2.2.7 (1) All mobile homes shall conform to C.S.A. Standard Z240.
- (2) The minimum floor area for a mobile home is 66.5 m (720 sq. Feet).

- (3) All mobile homes shall be skirted from the underside of the floor to the ground level, or as an alternative shall be placed on a sunken drained pad, so that the floor level is not more than .3 m (12") above the finished grade of the surrounding ground.

(4) Ancillary buildings shall be of similar construction to the mobile home.

(5) All installed mobile homes shall be restricted from moving and be securely anchored against the effect of high winds;

(6) All mobile homes shall be on a permanent foundations;

(7) All foundations for the support of a mobile home or permissible additions shall be designed and installed in accordance with the National Building Code Standards.

Storage

2.2.8 No parcel shall be used for the wrecking or storage of derelict vehicles or as a junkyard, and any vehicle which has not been licensed for a period of one (1) year and which is not housed in a garage or carport shall be deemed to be derelict vehicle or junk.

Parking

2.2.9 Off-street parking shall be provided in accordance with the provisions of Section 3.1.0 and 3.1.1.

RESIDENTIAL II ZONE

Permitted Uses

2.3.0 In a Residential II Zone the use of land, buildings, and structures is restricted to:

- (a) uses permitted in Residential I Zone;
- (b) mobile homes, subject to the provisions of section 2.2.7.
- (c) mobile home parks for the use of mobile homes.

Standards

2.3.1

- (1) Except as otherwise provided in this section, every use of land and every building or structure permitted in Residential II Zone shall conform with the provisions of Sections 2.3.2 to 2.3.9 inclusive.
- (2) Uses permitted in Clause (a) of Section 2.3.0 are subject to the provisions of Residential I Zone except as provided in Section 2.3.2.
- (3) Mobile home parks are subject to the provisions of Section 2.3.2 and the Mobile Home Parks By-law.

Site Area

2.3.2

- (1) The minimum site area required is as follows:

MINIMUM SITE AREA

Level of Services Provided

TYPE	Sq. Meters	Sq. Meters	Sq. Meters
Community Water Supply & Community Sewer System	Community Water Supply But Not Community Sewer System	Neither Community Water Supply Nor Community Sewer System	
A. Single-Family	670 7204 558 m ² (9570 sq. ft.)	890 (9570 sq. ft.)	1860 (20,000 sq. ft.)
B. Two-Family Dwelling	890 (9570 sq. ft.)	1115 (11,989 sq. ft.)	3715 (39,946 sq. ft.)
C. Individual Mobile Home on Individual parcel	670 (7204 sq. ft.)	890 (9570 sq. ft.)	1860 (20,000 sq. ft.)
D. Mobile Home Park	.8 hectare (1.97 acres)	.8 hectare (1.97 acres)	2.02 hectares (4.99 acres)

- (2) On parcels in Residential II Zone that are shown on a plan duly filed in the Land Registry Office prior to the passing of this By-law which have less than the minimum are required in Subsection (1), one mobile home is permitted on each such parcel if the method by which sewage is to be disposed of is satisfactory to the Medical Health Officer.

Mobile Home Per Parcel

2.3.3

Except in the case of a Mobile Home Park not more than one mobile home containing dwelling unit shall be located on a parcel.

Lot Coverage

2.3.4 Mobile homes and buildings or structures shall not cover more than thirty-three per cent (33%) of the site area.

Setback and Height

- 2.3.5 (1) No part of any mobile home or addition or any building or structure or part thereof except a fence shall be located within 7.5 m (24.60 feet) of a front lot line.
- (2) No part of any mobile home or addition or any building or structure or part thereof shall be located within 3.0 m, (9.840 feet) of any other lot line;
- (3) No building or structure shall exceed 3.5. m. (11.48 feet) in height.

Floor Area

2.3.6 The minimum floor area for a mobile home is 66.5 sq. m. (720 sq. feet).

Other Provisions

- 2.3.7 (1) All installed mobile homes shall be restricted from moving and be securely anchored against the effect of high winds;
- (2) All mobile homes shall be on permanent foundations;
- (3) All foundations for the support of a mobile home or permissible additions shall be designed and installed in accordance with the National Building Code Standards.
- (4) All mobile homes shall conform to C.S.A. Standard Z240.
- (5) All mobile homes shall be skirted from the underside of the floor to the ground level, or as an alternative shall be placed on a sunken drained pad, so that the floor level is not more than .3 m (12") above the finished grade of the surrounding ground.
- (6) Ancillary buildings shall be of similar construction to the mobile home.

Storage

2.3.8 No parcel shall be used for the wrecking or storage of derelict vehicles or as a junkyard, and any vehicle which has not been licensed for a period of one year and which is not housed in a garage or carport shall be deemed to be a derelict vehicle and junk.

Parking

2.3.9 Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

RESIDENTIAL III ZONE

Permitted Uses

2.4.0 In a Residential III Zone the use of land, buildings, and structures is restrict to:

- (a) uses permitted in Residential I Zone:
- (b) multiple family dwellings;

Standards

2.4.1 (1) Except as otherwise provided in this section, every use of land and every building or structure permitted in Residential III Zone shall conform with the provisions of Sections 2.4.2 to 2.4.8 inclusive.

Site Area

2.4.2

(1) The minimum site area per unit is as follows:

MINIMUM SITE AREA PER UNIT	
Level of Services Provided	
Community Water Supply & Community Sewer System	Community Water Supply But No Community Sewer System
Sq. Meters	Sq. Meters
670 558 m ² (7204 sq. ft.) 6000	890 (9570 sq. ft.)
	Neither Community Water Supply Nor Community Sewer System
	Sq. Meters
	1860 (20,000 sq. ft.)

A. Single Family Dwelling

B. Two-Family Dwelling

C. Multiple Family Dwelling (Each Dwelling unit)

Sq. Meters	Sq. Meters	Sq. Meters
890 (9570 sq. ft.)	1115 (11,989 sq. ft.)	3715 (39,946 sq. ft.)

NOT PERMITTED

(2) On parcels in Residential III Zones that are shown on a plan duly filed in the Land Registry Office prior to the passing of this By-law which has less than the minimum area required in Sub-section (1), one unit of living accommodation is permitted on each such parcel if the method by which sewage is to be disposed of is satisfactory to the Medical Health Officer, but in no case shall a single family dwelling be erected on a lot with a width of less than 15.24 m (50.00 feet) nor a two family dwelling on a lot with a width of less than 18.5 m (60.69 feet).

Buildings Per Parcel

- 2.4.3 Not more than one building containing a dwelling unit or units shall be located on a parcel, except in the case of a comprehensive development.

Lot Coverage

- 2.4.4 Buildings and structures shall not cover more than fifty per cent (50%) of the site area.

Setback and Height

- 2.4.5
- (1) No building or structure or part thereof, except a fence, shall be located within 7.5 m (24.60 ft) of a front lot line.
 - (2) ~~Where there is a rear lane, no building or part thereof shall be located within 1.5 m (4.92 ft) of any side lot line.~~
 - (3) ~~Where there is no developed rear lane, no building or part thereof shall be located within 3 m (9.840 ft) of one side lot line and 1.5 m (4.92 ft) of the other side lot line.~~
 - (4) No building other than an accessory building shall be located within 7.5 m (24.60 ft) of a rear lot line.
 - (5) No building shall exceed 10.5 m (34.40 ft) or three (3) storeys height.
 - (6) No accessory building or structures shall exceed 3.5 m (11.48 ft) in height.

Floor Area

- 2.4.6 The minimum floor area for a dwelling unit is 28 square meters (301.3 square feet).

Storage

- 2.4.7 No parcel shall be used for the wrecking or storage of derelict vehicles or as a junkyard, and any vehicle which has not been licensed for a period of one (1) year and which is not housed in a garage or carport shall be deemed to be a derelict vehicle and junk.

Parking

- 2.4.8 Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

COMMERCIAL 1 ZONE

Permitted Uses

- 2.5.0 In a Commercial 1 Zone the use of land, buildings, and structures is restricted to:
- (a) retail stores;
 - (b) business and professional offices;
 - (c) banks;

- (d) post office;
- (e) medical and dental clinics;
- (f) hotels and motels;
- (g) restaurants;
- (h) personal service establishments, including barber shops, beauty parlours, shoe repair shops, electric and electronic repair shops, launderette, laundry and dry cleaning shops, florist shops, tailor or dressmaking shops, and similar uses;
- (i) community halls, fraternal lodges, churches, libraries and other similar uses;
- (j) bus terminal for the loading and unloading of passengers.
- (k) gasoline service stations;
- (l) single family dwellings;
- (m) combined commercial and residential uses;
- (n) butcher shops with retailing on premises;
- (o) bakeries;
- (p) buildings and structures accessory to the uses permitted in Clauses (a) to (o), inclusive;
- (q) theatres.

Standards

2.5.1 Every use of land and every building or structure permitted in a Commercial I Zone shall conform with the provisions of Sections 2.5.2 to 2.5.8 inclusive.

Combined Commercial and Residential Dwelling Unit

- 2.5.2
- (1) Where a parcel is used for combined commercial and residential use, the residential use shall:
 - (i) be contained in the same building;
 - (ii) be located over or behind the other use; and
 - (iii) have a separate entrance from outside.
 - (2) Where a parcel is used for service station, motel or auto court, dwelling unit may be a part of or separate from the service station building.
 - (3) The minimum floor area of a dwelling unit shall be 28 sq. meters (301.3 sq. feet).

Site Area

2.5.3 The minimum site area required is as follows:

MINIMUM SITE AREA			
Level of Services Provided			
TYPE	Community Water Supply and Community Sewer System	Community Water Supply But No Community Sewer System	Neither Community Water Supply Nor Community Sewer System
A. Hotel, motel and auto court (i) Site Area	1115 (11,989 Sq. Ft.)	1115 (11,989) Sq. Ft.)	1860 (20,000 Sq. Ft.)
B. Gasoline Service Station	1115 (11,989 Sq. Ft.)	1115 (11,989) Sq. Ft.)	1860 (20,000 Sq. Ft.)
C. Other Commercial Uses	225 (2,419 Sq. Ft.)	445 (4,785 Sq. Ft.)	1860 (20,000Sq. Ft.)
D. Commercial Use and Dwelling Unit Combined	670 (7,204 Sq. Ft.)	890 (9,570 Sq. Ft.)	1860 (20,000 Sq. Ft.)
	Sq. Meters	Sq. Meters	Sq. Meters

- 2.5.4. Where the parcel is not served by a Community sewer system, there shall be sufficient area in the parcel to dispose of human and other wastes to the satisfaction of the Medical Health Officer, but in no case shall a single family dwelling be erected on a lot with a width of less than ~~15.5 m~~ ^{15.24} ~~50.85 feet.~~ ^{50 feet.}

Sewage Disposal

BL #
123

2.5.5. Lot Coverage
Building and structures shall not cover more than sixty (60%) per cent of the site area.

2.5.6. Setback and Height
(1) No building or structure of Part thereof, except a fence, shall be located within 7.5 m (24.60 ft.) of a front lot line.

(2) No building or structure or part thereof, except a fence, shall be located within the setback prescribed below.
(a) Rear (i) where there is no rear lane, 4.5 m (14.7 feet) from the rear property line;
(ii) where there is a rear lane, 4.5 m (14.7 feet) from the centre of the lane;

4.92 ft.

- (b) Side | (i) Where there is no developed lane, ~~3.5~~ ^{1.5} m (~~9.84~~ ft) along one side property line; ^{4.92}
- (ii) Where a parcel abuts a residential zone, ~~3.0~~ ^{1.5} m (~~9.84~~ ft) along that side property line;

- (3) Gasoline service station pumps or pump island shall be located no closer than 4.5 m (14.7 ft) to any property line;
- (4) No building shall exceed three storeys or 10.5 m (34.40 ft) in height;
- (5) No accessory buildings or structures shall exceed 3.5 m (11.48 ft) in height.

Parking

2.5.7 Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1

Loading

2.5.8 Adequate space for loading, unloading, and maneuvering of trucks shall be provided on the site.

MARINE COMMERCIAL ZONE C-2

Permitted uses

2.6.0 In a Marine Commercial Zone the use of land, buildings and structures is restricted to:

- (a) Retail stores;
- (b) business and professional offices;
- (c) hotels and motels;
- (d) restaurants;
- (e) gasoline service stations;
- (f) wharfage, anchorage, drydocking and similar facilities in connection with harbouring and servicing marine craft;
- (g) marine service stations;
- (h) Marinas;
- (i) bulk storage of fuel;
- (j) single family dwelling;
- (k) butcher shop with retailing on premises;
- (l) bakeries;
- (m) buildings and structures accessory to the user permitted in (a) (l) inclusive.

Standards

6.1 Every use of land, every building or structure permitted in a Commercial II Zone shall conform with the provisions of Sections 2.6.2 to 2.6.8 inclusive.

Combined Commercial
and Residential
Dwelling Unit

2.6.2

- (1) Where a parcel is used for combined commercial and residential use, the residential use shall;
- (i) be contained in the same building;
 - (ii) be located over or behind the other use;
 - (iii) have a separate entrance from outside.
- (2) Where a parcel is used for service station, motel or auto court, dwelling unit may be part of or separate from the service station building.
- (3) The minimum floor area of a dwelling unit shall be 28.0 m. square (301.3 sq.ft)

Office Area

2.6.3

The minimum site area required is as follows:

MINIMUM SITE AREA		
Level of Services Provided		
Community Water Supply and Community Sewer System	Community Water Supply But No Community Sewer System	Neither Community Water Supply Nor Community Sewer System
Sq. Meters	Sq. Meters	Sq. Meters

A. Hotel, motel and auto court

<input type="radio"/> (i) Site Area	1115	1115	1860
	(11,989 Sq. Ft)	(11,989 Sq.Ft)	(20,000 Sq.Ft.)
<input type="radio"/> (ii) Area Per Unit	95	185	465
	(1022) Sq. Ft)	(1989 Sq. Ft)	(5000 Sq Ft)

The larger of A. (i) and A (ii) Applies in each case.

B. Gasoline Service Station

1115	1115	1860
(11,989 Sq. Ft)	(11,989Sq. Ft)	(20,000 Sq.Ft)

C. Other Commercial Uses

225	445	1860
(2,419 Sq. Ft)	(4,785 Sq. Ft)	(20,000 Sq.Ft)

D. Commercial Use and Dwelling Unit Combined

670 368 m ²	890	1860
(7204 Sq. Ft)	(9,570 Sq.Ft)	(20,000 Sq.Ft)
3960 sq.		

Sewage Disposal

2.6.4.

Where the parcel is not served by a community sewer system, there shall be sufficient area in the parcel to dispose of human and other wastes to the satisfaction of the Medical Health Officer, but in no case shall a single family dwelling be erected on a lot with a width of less than 15.5 m. (50.85 feet).

Lot Coverage

8.6.5 Buildings and structures shall not cover more than sixty per cent. (60%) of the site area.

Setback and Height

2.6.6 (1) No building or structure or part thereof, except a fence, shall be located within the setback prescribed below:

(a) Rear (i) where there is no rear lane, 4.50 m (14.7 ft) from rear property line.

(ii) where there is a rear lane, 4.50 m (14.7 ft) from the centre of the lane;

(b) Side #123 (i) where there is no developed lane, ^{1.5m} ~~3m~~ (9.48 ft) along one side property line,

(ii) where a parcel abuts a residential zone, ^{1.5} ~~3~~ (1.5) ^{4.92} ~~(9.48)~~ ft) along that side property line;

(2) Gasoline service station pumps or pump islands shall be located not closer than 4.50 m. (14.7 ft) to any property line;

(3) No building shall exceed three storeys or 10.5 m. (34.40 ft) in height;

(4) No accessory buildings or structures shall exceed 3.5 m. (11.48 ft) in height.

Parking

2.6.7 Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

Loading

2.6.8 Adequate space for loading, unloading, and maneuvering of trucks shall be provided on the site.

INDUSTRIAL I ZONE

Permitted Uses

2.7.0 In an Industrial I Zone the use of land, buildings, and structures is restricted to:

- (a) automotive repair garages for passenger and commercial vehicles, including body repairs, painting, battery manufacturing, engine rebuilding, tire retreading or rebuilding.
- (b) automotive part sales showrooms and car sales lot;

- (c) bakery;
- (d) boat building, boat showrooms and display yards;
- (e) Building supply and lumber yards;
- (f) cold storage plant and frozen food locker;
- (g) contractors, offices, shops, and yards;
- (h) fuel storage and wholesale distribution;
- (i) garage and parking lot for the storage of motor vehicles;
- (j) gasoline service stations;
- (k) machine shop and parts manufacture, machinery and assembly not involving forging, casting, punch presses, or drop forges;
- (l) plumbing and sheet metal workshops;
- (m) printing and other reproduction processes;
- (n) restaurants;
- (o) sash and door and other woodworking shops;
- (p) septic tank service;
- (q) storage, including auto wreckers and junk yards;
- (r) warehousing and wholesale establishments;
- (s) trailer manufacture, repairs, sales, and display yards;
- (t) welding shop.
- (u) car wash
- (v) clearing-dyeing establishments;
- (w) laundrettes- laundries

Standards

2.7.1 Every use of land and every building or structure permitted in an Industrial Zone 1 shall conform with the provisions of Sections 2.7.2 to 2.7.9 inclusive.

Living Quarters

2.7.2 One dwelling unit in conjunction with industrial use for the accomodation of the owner, operator, or an employee of the establishment is permitted. Such dwelling unit shall have a minimum floor area of 28 m. (301.3 Sq. Ft)

Site Area

2.7.3 The minimum site area required is as follows:

MINIMUM SITE AREA		
Level of Services Provided		
Sq. Meters	Sq. Meters	Sq. Meters
Community Water Supply and Community Sewer System	Community Water Supply But No Community Sewe System	Neither Community Water Supply NOR Community Sewer System

Uses Permitted	Sq. Meters	Sq. Ft	Sq. Ft
670 558 m ²	890	1860	
(7204) 81	9570	(20,000)	
#123	6000		

Waste Disposal

2.7.4 Where the parcel is not served by a community sewer system, there shall be sufficient area in the parcel to dispose of human and other wastes to the satisfaction of the Medical Health Officer.

Site Coverage

2.7.5 Buildings and structures shall not cover more than sixty per cent (60%) of the site area.

Setback and Height

2.7.6 (1) No building or structure or part thereof except a fence, shall be located within 7.5 m (24.60 ft.) of front lot line.

(2) No building or structure or part thereof shall be located within 7.5 m (24.60 ft.) of a highway on which a parcel fronts, such setback shall only be used for landscaping or parking areas:

(3) No building or structure or part thereof, except a fence, shall be located within the setback prescribed below;

(a) Rear (i) 3.0 m (9.48 ft) from the rear property line;

(ii) where a rear property line in Industrial I Zone abuts a residential zone, 6 m. (19.68 ft) from the rear property line or centre line of the rear lane; ^{1.5.} _{4.92}
(b) Side (i) where there is no developed rear lane, ~~3.5~~ m (11.48 ft.) along one side of the property

(ii) where a side property line in Industrial I Zone abuts a residential zone, ~~6 m.~~ ^{1.5 m} _{4.92} ft. from that side of the property line.

(4) In the case of a corner lot, no building or structure or part thereof, except a fence, shall be located within 4.5. m (14.70 ft.) of a flanking highway.

(5) No building or structure shall exceed 10.5 m (34.40 ft.) in height.

Screening

2.7.7 (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 (6.5 ft.) in height.

(2) The provisions of Subsection (1) do not apply to car, boat or trailer sales lots, gasoline service stations.

Parking

2.7.8 Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

Loading

2.7.9 Adequate space for loading, unloading and manoeuvring of trucks shall be provided on the site.

OFF-STREET PARKING

Off-Street Parking

3.1.0 (1) Off-street parking spaces for each building and permitted use. All zones shall be provided in accordance with the following table.

USE

PARKING REQUIREMENT

Mobile homes	(1) One parking space per sleeping or living unit.
Detached House	
Duplex	
Row House	
Apartment House	
Motel and Auto Court	

Hotel	(1) One parking space per two sleeping rooms.
Boarding House	

Store	(1) One parking space per 45.6 sq. m. (500.5 sq. ft.) of gross floor area or fraction thereof.
Office	
Restaurant	

Industrial Uses	(1) One parking space per 2 persons employed.
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School	(1) One parking space per 10 auditorium, church seats or per 4.50 m. (14.7 ft.) of bench seating or fraction thereof, whichever is the greater.
Church	
Theatre	
Community Hall	

Marina	(1) One parking space for each two boat berths.
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Provisions

3.1.1	(1) Every required off-street parking space shall be of a minimum area of 18.5 m (199.1 feet) and shall have at all times convenient vehicular access to a public thoroughfare.
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	(2) Required off-street parking for residential uses, motels and auto courts shall be on the site.
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	(3) Required off-street parking for uses other than referred to in Section (2) shall be on or within 153 m. (501.90 ft.) of the site.
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	(4) 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.
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Flood Control
Requirements

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

"Natural Boundary" - means the visible high-water mark of 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 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.

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

(a) with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by flood-waters, or in the case of a mobile home or unit, the ground level on which it is located, lower than 1.5 meters (4.92 ft.) above the natural boundary of the sea, nor lower than elevation 4.8 meters (15.75 ft.) Hydrographic Chart Datum whichever elevation is the higher.

(b) within 7.5 meters (24.6 ft.) of the natural boundary of the sea. If landfill is used to achieve the required elevation, no portion of the landfill slope shall be closer than the above distance(s) 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 redused. "

READ A FIRST TIME THIS 4th day of November, 1976.

READ A SECOND TIME THIS 4th day of November, 1976.

READ A THIRD TIME THIS 25th day of April, 1977.

RECONSIDERED AND FINALLY ADOPTED THIS 13th DAY OF June , 1977.

MAYOR

[Handwritten signature]

CLERK

[Handwritten signature]

Certified a true copy of
By-Law No. 41 being "Village
Of Port Clements Zoning By-law,
1977.

CLERK

[Handwritten signature]

A true copy of By-Law No. 41
registered in the office of the Inspector
of Municipalities/this 13th day of
April 1977.

[Handwritten signature]
Deputy Inspector of Municipalities.