

THE TOWN OF FORT NELSON ZONING BYLAW NO. 571, 1999

CONSOLIDATED VERSION INCLUDES:

- Bylaw No. 580, 1999 - Temporary Commercial/Industrial Permits**
- Bylaw No. 584, 1999 - Temporary Permits in Industrial Zone Only**
- Bylaw No. 585, 2000 - Deletion of phrase “and no other” from Commercial and Industrial Zones**
- Bylaw No. 592, 2000 - Implementation of Digital Mapping and GPS**
- Bylaw No. 599, 2001 - Amending Child Care Centres/Community Care Facilities**
- Bylaw No. 600, 2001 - Permitting Temporary Greenhouses in Commercial and Industrial Zones**
- Bylaw No. 616, 2001 - Amending Height of Accessory Buildings in the Rural Residential Zone**
- Bylaw No. 617, 2002 - Definitions and Industrial Zone Paving Requirements**
- Bylaw No. 627, 2002 - Backroads Sport and Grill**
- Bylaw No. 628, 2002 - Off Highway Commercial Recreation**
- Bylaw No. 631, 2002 - Temporary Permits**
- Bylaw No. 633, 2002 - Construction Camps**
- Bylaw No. 639, 2003 - BST Standards**
- Bylaw No. 649, 2003 - Construction Camps**
- Bylaw No. 654, 2004 - Commercial/Residential Zone**
- Bylaw No. 657, 2004 - R3 Development**
- Bylaw No. 664, 2004 - Residential Single & Two Family Restricted**
- Bylaw No. 670, 2004 - Hotel/Motel Use in Core Commercial**
- Bylaw No. 673, 2004 - Enhanced Gaming Use**
- Bylaw No. 678, 2004 - Downtown Core Commercial/Highway Commercial Mixed Use Zones**
- Bylaw No. 679, 2005 - Definitions of Card Lock and Bulk Fuel Plant**
- Bylaw No. 684, 2005 - Seasonal and/or Transitional Accommodation Suite**
- Bylaw No. 691, 2005 - Restaurant as a Secondary Permitted Use in C4**

FOR EASE OF PUBLIC USE

A bylaw to regulate Land Use, Parking, Screening, and Signage in the Town of Fort Nelson (hereinafter called "the Town").

WHEREAS, the Council of the Town has determined to make the Regulation hereinafter contained under the provisions of the Municipal Act of the Statutes of British Columbia; and,

WHEREAS all persons who might be affected by this Bylaw have before the passage thereof been afforded the opportunity to be heard on the matters covered therein before the Council of the Town of Fort Nelson in accordance with the provisions of the said Municipal Act;

NOW THEREFORE the Council of the Town in open meeting assembled hereby enacts as follows:

1. **CITATION**

- (1) This Bylaw may be cited for all purposes as "The Town of Fort Nelson Zoning Bylaw No. 571, 1999".

2. **REPEALS**

- (1) The following Bylaws and Amendment Bylaws are hereby repealed in their entirety: The Town of Fort Nelson Zoning Bylaw No. 348, 1987; The Town of Fort Nelson Zoning Amendment (Old Public Works Yard) Bylaw No. 384, 1989; The Town of Fort Nelson Zoning Amendment (Old Fire Hall Site) Bylaw No. 403, 1990, The Town of Fort Nelson Zoning Amendment (Core Commercial Zone) Bylaw No. 412, 1991; The Town of Fort Nelson Zoning Amendment (Commercial - 3 Zone, Alaska Highway North) Bylaw No. 413, 1991; The Town of Fort Nelson Zone Amendment Bylaw No. (Urban Reserve) Bylaw No. 424, 1992; The Town of Fort Nelson Zoning Amendment (Kerber) Bylaw No 444, 1993; The Town of Fort Nelson Zoning Amendment (Reservoir Subdivision) Bylaw No. 448, 1994; The Town of Fort Nelson Zoning Amendment (Mayer) Bylaw No. 456, 1994; The Town of Fort Nelson Zoning Amendment (Setbacks) Bylaw No. 463, 1994; The Town of Fort Nelson Zoning Amendment (Block V Subdivision) Bylaw No. 476, 1995; The Town of Fort Nelson Zoning Amendment (R3 Uses) Bylaw No. 489, 1995;

- (1) The Town of Fort Nelson Zoning Amendment (5224 Airport Drive) Bylaw No. 493, 1995; The Town of Fort Nelson Zoning Amendment (Bulley) Bylaw No. 496, 1995; The Town of Fort Nelson Zoning Amendment (Parking) Bylaw No. 499, 1995; The Town of Fort Nelson Zoning Amendment (C5 Zone/Brown) Bylaw No. 505, 1996; The Town of Fort Nelson Zoning Amendment (C1 Density) Bylaw No. 517, 1996; The Town of Fort Nelson Zoning Amendment (Outlaw Helicopters) Bylaw No. 539, 1997; The Town of Fort Nelson Zoning Amendment (Alaska Highway North) Bylaw No. 549, 1998.

3. VALIDITY OF BYLAW

- (1) 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 of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

4. ZONING BYLAW ADOPTION

- (1) Schedule 'A' comprising of text and Schedule 'B' the Official Zoning Map both forming an integral part of this bylaw is adopted as the Town of Fort Nelson Zoning Bylaw No. 571, 1999 for the Town.

5. EFFECTIVE DATE

- (1) This bylaw shall take effect upon its reconsideration, final passage and adoption.

READ A FIRST TIME this 10th day of May, 1999.

READ A SECOND TIME this 10th day of May, 1999.

SUBMITTED to a Public Hearing this 30th day of May, 1999.

READ A THIRD TIME this 6th day of July, 1999.

APPROVED PURSUANT to the Highways Act this 3rd day of June, 1999.

RECONSIDERED, FINALLY PASSED AND ADOPTED on the 28th day of July, 1999.

*****Approved copy of consolidated zoning bylaw*****

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PART 1 – DEFINITIONS

(1) In this Bylaw:

"ACCESSORY BUILDING OR STRUCTURE" - means a building or structure separate and subordinate to the principal building, the use or intended use of which is incidental to or customarily associated with that of the principal building, it is not used for human habitation, and is located on the same lot as the building to which it is accessory;

"ACCESSORY USE" - means a use customarily incidental and subordinate to the principal use, and which is located on the same lot with such principal use to which is accessory;

"AGRICULTURE" - means the growing, producing, keeping or harvesting of farm products, and includes the processing or auction, retail sale or wholesale on an individual farm of farm products produced on the farm, or storage of farm machinery, implements used on that farm;

"AMENITY AREA" - means space outside a multiple family dwelling unit required for the passive enjoyment and active recreational needs of the residents. Acceptable amenity areas include patios, landscaped areas of the site, recreational facilities on site, communal lounges or other similar on site development;

"AUTO BODY SHOP" - means a building or clearly defined space on a lot used for the storage, repair and servicing of motor vehicles including body repair, painting and engine rebuilding but does not include a service station or auto sales;

"BASEMENT" - means that portion of a building between two floor levels which is partially or wholly underground with at least one-half of the volume of the said portion below the finished grade adjoining its exterior walls and includes cellars;

"BED AND BREAKFAST OPERATION" - means a business operation carried on by members of a family as a home occupation in which bedrooms are rented on a daily basis or weekly basis, with one or more meals being provided, to the travelling public only. For the purpose of this Bylaw a bed and breakfast use shall specifically exclude a boarding house use, rest homes, hotels and motels;

"BOARDING HOUSE USE" - means a use that is carried out within a dwelling unit in which rooms are rented on a month to month or yearly basis, with or without meals being provided, to persons other than members of the family of the lessee, tenant, or owner of the dwelling. For the purposes of this Bylaw a boarding house use shall specifically exclude a bed and breakfast use and rest homes, hotels and motels;

"BOULEVARD" - means that portion of a highway between the lot line and the travelling portion of a highway and includes curbs, sidewalks, ditches and paths;

"BUFFER AREA" - means an area free of all buildings and structures, the purpose of which is to separate different land uses;

"BUILDING" - means a structure having a roof supported by columns or walls used for the shelter or accommodation of persons, animals, chattels or property of any kind and having a fixed base on or fixed connection to the ground, and includes a mobile home when so affixed;

"BUILDING AND GARDEN SUPPLIES" - means the retail or wholesale of building materials, fixtures or hardware, garden furniture or equipment and supplies, animal feed, and includes a lumber yard, building supply outlet, home improvement centre and hardware stores;

"CAMPGROUND" - means the use of a lot occupied and maintained, or intended to be occupied and maintained, for the temporary accommodation of travellers in travel trailers, tent-trailers, tents or similar transportable accommodation, which is operated as a commercial enterprise, but does not include a manufactured home park, motel, hotel, or motor hotel;

"CARE FACILITY" - means a building which contains sleeping units for persons receiving care or assistance which are licensed or funded by provincial or federal agencies, including personal care and intermediate care as defined and regulated under the *Community Care Facility Act*;

"CHILD CARE CENTRE" - means a facility for children which includes group day care, family day care, preschool, out-of-school, child minding, specialized day care and emergency child care as defined, licensed and regulated under the *Community Care Facility Act*.

"CLUSTER HOUSING" - means a group of dwellings, either detached or attached, located on a single lot with shared yard and parking provisions;

"COMMERCIAL RECREATION" - means a bowling alley, billiard/snooker/pool hall, roller rink, curling rink, dance or other hall, gymnasium, fitness club, licensed establishment, theatre (not including drive-in theatre) and other similar uses and where such uses are offered for a fee or charge;

"COMMUNITY SERVICE" - means a use by a non-profit society providing information, referral, counselling, advocacy or physical or mental health services on an out-patient basis, dispensing aid in the nature of food or clothing or providing drop-in or activity space;

"CONTRACTOR, TRADE" - means a building or land used by contractors engaged in plumbing, heating, air conditioning, painting, decorating, electrical, mechanical, masonry, ironwork, carpentry, cabinet-making, drywall, similar construction trades and includes machinists, upholsterers, taxidermists, custom meat-cutters, and similar contractors;

"CONTROLLED ACCESS HIGHWAY" - means a highway designated as a controlled access highway under the *Highway Act*;

"COUNCIL" - means the Council of the Town of Fort Nelson;

"CULTURAL USES" - means a facility which provides for social enlightenment and includes museums and art galleries;

"DECK" - means an above ground level structure which is not roofed or enclosed by walls exceeding two (2) m in height and which is attached to the principal building;

"DEVELOPMENT PERMIT" - means a certificate or document permitting a specified development pursuant to Section 976 of the *Municipal Act*;

"DRIVE-THROUGH BUSINESS" - means an establishment which services customers travelling in motor vehicles driven onto the lot where such business is carried on, where the customer normally remains in the vehicle for service, but shall not include car washes or service stations;

"DUPLEX" - means a building on a separate lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units;

"DWELLING, MULTIPLE-FAMILY" - means a building containing three or more dwelling units;

"DWELLING, SEMI-DETACHED" - means a building with one family dwelling attached to one other "one family dwelling" by a common vertical wall, with each dwelling located on a separate lot;

"DWELLING, SINGLE-FAMILY" - means a building intended for occupancy by one family which is supported on a permanent foundation or basement but does not include modular homes or mobile homes of any kind whether standing on wheels, or supported by blocks, jacks or any other temporary or permanent foundation;

"DWELLING UNIT" - means a self-contained living premises for one family with cooking, sleeping and sanitary facilities;

"EATING ESTABLISHMENT" - means a commercial establishment which services prepared food to the public for consumption on or off the premises and includes coffee shop, restaurant and catering but excludes neighbourhood pubs;

"FAMILY" - means two or more individuals occupying a dwelling who are related by marriage or common law, blood relationship, legal guardianship or a group of not more than three (3) unrelated persons living together in a single dwelling unit;

"FLOOR AREA" - means the total of the areas of every room and passageway contained in a building but not including the area of basements, attached garages, sheds, open porches, or breeze-ways;

"FLOOR AREA, GROSS" - means the sum of the total area of each storey in each building including interior walls;

"FRONTAGE" - means a common boundary shared by the front lot line and a highway, excluding a lane. On a corner lot, the frontage shall be considered to be the shorter of the highway boundaries, regardless of the direction the buildings on the lot are to face;

"GARAGE" - means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles;

"GAS BAR" - means an establishment used for the retail sale of automotive fuels, other petroleum products and incidental auto accessories, but does not include a service station;

"GRADE, BUILDING" - means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building;

"HEIGHT" - in relation to buildings and structures means the vertical distance measured from the average building grade to the highest point of a building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building.

"HIGHWAY" - means any street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property;

"HOME INDUSTRY" - means a use that is secondary to the residential use on the lot and may involve some outside storage. Generally, home industries include but are not limited to activities such as trucking contractors, trade contractors, construction contractors, or oil field service contractors associated repair and storage of contracting equipment, and small scale manufacturing and fabricating industries. Home industries shall not include auto-wrecking or salvage operations;

"HOME OCCUPATION" - means any occupation, trade, profession or craft, including a bed and breakfast operation as defined in this Bylaw, carried on by an occupant of a residential building as a use secondary to the residential use of the building and which does not change the character thereof or have any exterior evidence of such secondary use and does not employ persons other than occupants of the dwelling in which a home occupation is carried on;

"HOTEL " - means a building used exclusively for the accommodation of the travelling public and may include a lobby, a public dining room, café, or restaurant, banquet rooms, licensed liquor establishments including beer and wine stores, lounges, beer parlours, neighbourhood pubs, nightclubs, convention facilities, indoor recreation and personal services;

"INDUSTRIAL-LIGHT" - means a use providing for the processing, fabricating, manufacture, storage, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials or, things; includes communication, electric, gas, sanitary service, the selling of heavy industrial equipment, and incidental office facilities;

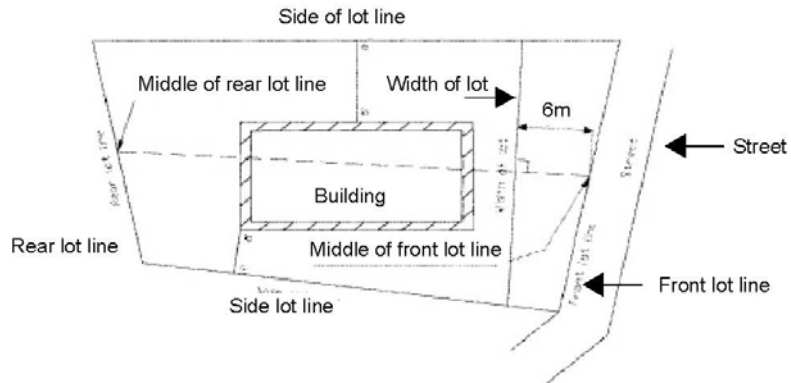
"INSTITUTIONAL USE" - means a non-profit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, auditoriums, or land used for public purpose;

"LANDSCAPE SCREEN" - means a hedge of compact plant material, fence, or wall, when such hedge, fence, or wall is continuous except for access driveways and walkways;

"LANDSCAPING" - means any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch, decorative boulders, decorative paving, foundations, sculptures, decorative fences and the like, arranged and maintained so as to enhance, and embellish the appearance of a lot or where necessary to screen a lot. This shall not include paved parking areas, uncleared natural bush, undergrowth or uncontrolled weeds;

"LICENSED ESTABLISHMENT" - means an establishment licensed under the *Liquor Control and Licensing Act of BC*;

DIAGRAM 2
ILLUSTRATION OF AN IRREGULAR LOT



"**LOT**" - means the smallest unit as shown on the records of the Land Title Office in which land is held, or into which land is subdivided, and includes a strata lot created under the Bare Land Strata Regulation pursuant to the *Condominium Act*, but specifically excludes any other strata lot created pursuant to the *Condominium Act* or highway or portion thereof;

"**LOT, AREA**" - means the total area of a lot taken on a horizontal plane;

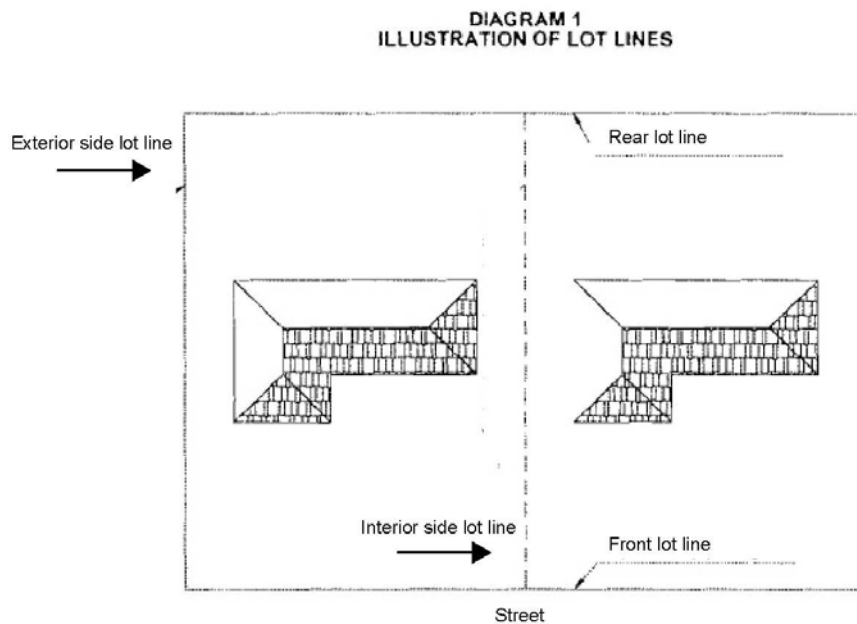
"**LOT, CORNER**" - means a lot at the intersection of two abutting streets;

"**LOT COVERAGE**" - means the combined area of all buildings or structures upon the lot, measured at the approved grades, including all porches and verandas, enclosed terraces and decks at grade, steps, corrices, eaves, and similar projections; such area shall include air wells, and all other space within an enclosed building. This coverage shall be expressed as a percentage of the total lot area;

"LOT LINE, FRONT YARD" - means the lot line separating the lot from a highway.

"LOT LINE, REAR YARD" - means the lot line opposite and most distant from the front line, or where the rear portion of the lot is bounded by intersecting side lot lines, shall be deemed to be the point of intersecting lines;

"LOT LINE, SIDE" - means a lot line other than a front or rear lot line;



"LOT, SUBSTANDARD" - means a lot which has less than the required minimum area or width as established by the zone in which it is located and provided that such lot was of record as a legally created lot on the effective date of this Bylaw;

"MANUFACTURED HOME" - means a single-family dwelling unit built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture. In British Columbia, manufactured homes include mobile and modular homes which are either completely self-contained dwellings or are incomplete dwellings which are stitched together and completed on site. All new manufactured homes must be constructed to either CAN/CSA Z240 (mobile home) or CAN/CSA A277 Standards;

"MANUFACTURED HOME PARK" - means a lot under single ownership on which a development of two or more manufactured homes are placed;

"MINI STORAGE" - means a development that provides walk-in sized cubicles for public rent for the storage of goods;

"MOBILE HOME" - means a transportable, single or multi-sectional dwelling conforming to the CAN/CSA Z240 MH Series at the time of manufacture. It is ready for occupancy upon completion of set-up in accordance with required factory recommended installation instructions;

"MODULAR HOME" - means finished section(s) of a complete dwelling built in a factory for transport to a lot for installation. Finished means fully enclosed on the exterior and interior but need not include interior painting, taping, installation of cabinets, floor covering, fixtures, heating systems, and exterior finishes. In British Columbia, modular homes constructed and certified as meeting the CAN/CSA A277-90 Standards are deemed to meet specifications of the British Columbia Building Code;

"MUNICIPALITY" - means the Town of Fort Nelson;

"NEIGHBOURHOOD CONVENIENCE STORE" - means the use of a building or portion thereof with a gross lease area of not more than 190m² for the sale of foodstuffs and convenience goods and may include the accessory sale of fast foods;

"NURSERY OR GREENHOUSE" - means the growing, producing, keeping, harvesting of bedding plants, flowers, nursery stock, forest seedlings, or vegetables produced on the same lot for retail sale and includes the retail sale of landscaping materials or garden furniture, equipment or supplies;

"OFF-STREET LOADING SPACE" - means a space or berth used for the loading or unloading of cargo, products, or material from vehicles;

"OFF-STREET PARKING" - means an open area of a lot, other than a highway, which is used for the parking of motor vehicles of clients, customers, employees, residents, or tenants;

"PERSONAL SERVICE ESTABLISHMENT" - means a development used for the provision of personal services to an individual which are related to the cleaning and repair of personal effects or of the care and appearance of the body including: hairdressers, shoe repair, dress makers, laundry facility, jeweller, massage therapy, tanning salons and other similar uses;

"PRINCIPAL BUILDING" - means a building in which is conducted the principal use of the lot on which it is located;

"PRINCIPAL USE" - means the primary purpose for which a building or lot is used;

"PRIVATE CLUB OR LODGE" - means a development used for the meeting, social or recreational activities of members of non-profit, philanthropic, social service, athletic, business or fraternal organizations, and does not include any on-lot residence(s);

"PROFESSIONAL, FINANCIAL, OFFICE, AND BUSINESS SUPPORT SERVICE" - means development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the following and similar uses as offices of lawyers, accountants, engineers, planners, doctors, dentists and architects; offices for real estate, insurance firms, and travel agencies; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices and similar financial uses; and printing establishments, film processing establishments, janitorial firms and business equipment repair shops;

"PUBLIC USE" - means a development which is publicly owned, supported or subsidized involving public assembly or use. Public uses typically may include the following and similar uses as public schools, parks, libraries, arenas, museums, churches, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational activities;

"PUBLIC UTILITY" - means a use providing for public utility facilities for water, sewer, electrical, telephone and similar services;

"RECREATIONAL VEHICLE PARK" - means a lot on which two or more recreational vehicle sites are located, established or maintained, or intended to be maintained, for occupancy by recreational vehicles of the general public as temporary living accommodations for recreation or vacation purposes;

"RECYCLING DEPOT" - means a building which is used for or intended to be used for the collecting, sorting, refunding and redistributing recyclable materials and excludes processing;

"RESTAURANT" - means a building or buildings where food and beverages are prepared, served and consumed within the building or buildings for a fee or charge and which may be licensed to serve beer, wine or spirits;

(B617) "RETAIL ESTABLISHMENT" - means a development used for the retail sale of a wide variety of consumer goods including the following and such similar uses as, groceries and beverages, electronic goods, furniture and appliances, household goods, printed matter, confectionery, pharmaceutical and personal care items, office supplies, stationery, wine and liquor, books, coffee, music, pets, sporting goods, toys, variety stores, photography studios and camera equipment, bakery stores, antique stores, pawn shops, consignment stores, souvenir stores, clothing stores and other similar goods and may include small scale, on-site production and repair of, but not limited to the aforementioned goods ;

"RETAIL WAREHOUSE" - means retail of goods in bulk quantities and the retail of household goods such as furniture and carpeting, from a warehouse building;

"SALVAGE OR WRECKING YARD" - means the storage, wrecking, dismantling or sale of inoperable motor vehicles, recreational vehicles, trailers, farm or industrial equipment, the parts thereof, or recyclable, reusable or discarded goods or materials of any kind or parts thereof, and includes incineration, heat recovery and recycling materials;

"SCREENING" - means a continuous wall, fence, compact hedge or combination thereof, supplemented by landscape planting, that would effectively screen from view at street level the lot which it encloses, and is broken only by access drives and walkways;

"SECONDARY SUITE" - means a room or suite of rooms added to and wholly contained within a single-family detached dwelling unit, for use as a complete, independent living facility with provision within the secondary suite for cooking, eating, sanitation and sleeping. A secondary suite is an accessory use to the main dwelling unit;

(B617) "SERVICE AND REPAIR SHOP" - means a building or part of a building wherein the primary use is the repair and servicing of electric appliances, television sets, radios, furniture and similar articles or goods and it, specifically, does not include light industrial establishments or any use involved in the servicing and repair of motor vehicles;

"SERVICE STATION" - means a use providing for the retail sale of motor fuels or lubricating oils including the servicing or repair of motor vehicles, the sale of automobile accessories, and the rental of trailers and motor vehicles, food stuffs and convenience goods; excludes all other sales and services, auto body shops, fender work, and painting;

"SETBACK" - means the minimum horizontal distance that the nearest point of the exterior wall of a development, or a specified portion of it, must be set back from a lot boundary/lot line;

"SHOPPING CENTRE" - means one or more architecturally unified buildings which contain retail and personal service establishments located on a lot planned and developed as a single development and characterized by the sharing of common parking areas and driveways;

"SIGHT TRIANGLE" - means that triangle formed by two highway right-of-way boundaries and a line joining two points on those boundaries measured 6.0 metres from the point of intersection;

"SIGN" - means any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertize, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination, or projected images but not including a traffic control device or a sign placed by the Municipality;

"SIGN, AREA" - means the entire face of a sign, including the advertising surface and any framing, trim or moulding but not including the supporting structure;

"SIGN, BILLBOARD" - means a sign supported by one or more uprights, braces or pylons, which stands independently of a building and may or may not contain advertising copy related to the development within the lot upon which the billboard sign is located;

"SIGN, CANOPY" - means a canopy or awning, which may be illuminated, and which projects from a structure or building and displays the building or proprietor's identification;

"SIGN, FASCIA" - means a sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached, but in no case does its vertical dimension exceed 1.5m;

"SIGN, FREESTANDING" - means a sign supported by one or more uprights, braces or pylons and which stands independently of a building and contains only advertising copy related to the development within the lot upon which the freestanding sign is located;

"SIGN, PORTABLE" - means a sign mounted on a frame or on a trailer, stand or similar support which together with the support can be relocated to another location, and may include copy that can be changed manually through the use of detachable characters;

"SIGN, PROJECTING" - means a sign other than a canopy or awning sign which projects at right angles from a structure or a building face or wall. This does not include a sign attached to the ground;

"SIGN, ROOF" - means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building;

"SIGN, TEMPORARY" - means a sign which may or may not be portable in nature, and which is located on a lot for a limited or specified period of time;

"SIGN, UNDER-CANOPY" - means a sign which is attached to the bottom face of a canopy;

"SITE" - means an area of land consisting of one or more adjoining lots used as a unit devoted to or intended for a certain use or occupied by a building or structure or group of buildings and structures united by a common interest, use or development;

"STRUCTURE" - means anything constructed on or fixed to the ground, supported by or sunk into land or water, excluding asphalt or concrete or similar surfacing of a lot;

"SURVEILLANCE SUITE" - means a single family dwelling, as defined in this Bylaw, or a manufactured home, as defined in this Bylaw, without a basement, used solely to accommodate a person or persons related as a family, or employee, whose official function is to provide surveillance, maintenance and/or security for a development provided for in the zoning districts in which surveillance suites are listed as a permitted use. The single family dwelling, or manufactured home as defined herein shall form part of the development with which it is associated and clearly be a subordinate use of the lot on which it is located;

"TOWN OF FORT NELSON" - means, as the case may be, an incorporated municipality known as registered as the Town of Fort Nelson, the Council of the Town of Fort Nelson and/or any person(s) authorized by the Council of the Town of Fort Nelson to undertake activities prescribed in and associated with the Zoning Bylaw in accordance with the Zoning Bylaw or any other bylaw, resolution or adopted procedure;

"USE" - means the purpose for which a building, structure or land is used, designed, arranged or intended, or for which it is occupied or maintained;

"WRECKED VEHICLE" - means a vehicle that:

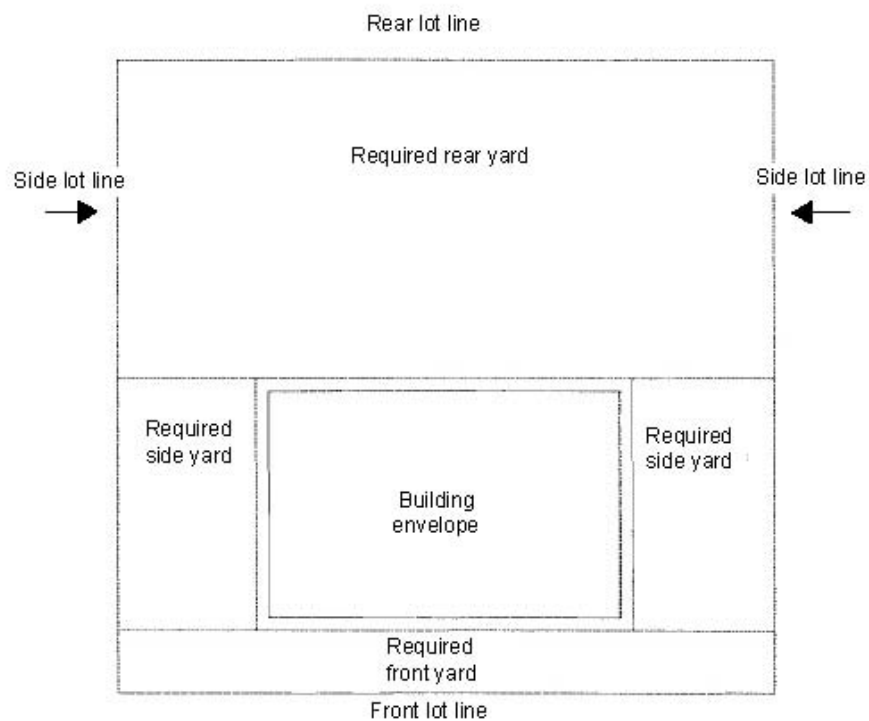
- (i) is physically wrecked or disabled so it cannot be operated by its own mode of power;
- (ii) is wrecked or parts of a physically wrecked or disabled vehicle.

"YARD, FRONT" - means a yard extending across the full width of a lot from the front wall of the principal building situated on the lot to the front boundary line of the lot;

"YARD, REAR" - means a yard extending across the full width of a lot from the rear wall of the principal building situated on the lot to the rear boundary line of the lot;

"YARD, SIDE" - means a yard extending along the exterior side of a lot between the front and rear walls of the principal and any accessory building situated on the lot to the side boundary line of the lot.

DIAGRAM
ILLUSTRATION OF FRONT, SIDE, AND REAR YARD



PART 2 - ADMINISTRATION AND ENFORCEMENT

2.1 APPLICATION

This Bylaw applies to all of the land within the boundaries of the Town of Fort Nelson.

2.2 METRIC DIMENSIONS

Metric dimensions are used for all measurements in this Bylaw.

2.3 GENERAL COMPLIANCE

- (1) No land, or building or structures on a lot shall hereafter be used or occupied and no building or structure or part thereof shall be erected, moved, altered or enlarged unless in conformity with this Bylaw.
- (2) Nothing contained in this Bylaw shall relieve any person from the responsibility to seek out and comply with other legislation applicable to their undertaking.

2.4 SEVERABILITY

If any section, subsection, clause, subclause, sub-subclause or phrase of this Bylaw is for any reason found invalid by the decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

2.5 ENFORCEMENT

- (1) The Bylaw Enforcement Officer, or any other officer of the Municipality who may be appointed by Council, is hereby authorized to enter at all reasonable times upon any lot, subject to the regulations of this Bylaw to determine whether the regulations are being or have been observed.
- (2) Where a person has been directed to comply with this Bylaw and fails to take the required action, Council may:
 - (i) direct that the Municipality, by its employees or agents, take the necessary actions at the expense of the person in default; and

- (ii) recover the expense from the person, together with costs and interest at the rate prescribed under the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.

2.6 VIOLATIONS

Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing to be done or thing which is required to be done by any of the provisions of this Bylaw, commits an offense against this Bylaw and is liable to the penalties hereby imposed.

2.7 PENALTY

Any person who commits an offense under this Bylaw is liable on summary conviction to a penalty not exceeding Five Thousand Dollars (\$5000.00) per day, in addition to the cost of prosecution.

2.8 DAILY VIOLATION

Each day during which an offense takes place shall be deemed to constitute a new and separate offense.

PART 3 - ESTABLISHMENT OF ZONING DISTRICTS

3.1 DESIGNATION OF ZONES

For the purposes of this Bylaw, the town of Fort Nelson is hereby divided into the following zoning districts:

ZONE DESIGNATION	SHORT FORM
Residential - Single Family Dwelling & Duplex	R1
Residential – Single and Two Family - Restricted	R1-A
Residential - Multiple Family	R2
Residential - Mixed	R3
Residential - Rural	R4
Residential - Manufactured Home Park	MH
Downtown Commercial Core	CC
Downtown Core Commercial - Shopping Centre District	CC1
General Commercial	C1
Highway Commercial	C2
Service Commercial	C3
Commercial Campground	C4
Off Highway Commercial Recreation (B.628)	C5
Industrial - Light	IN
Parks and Recreation	PR
Public/Institutional	PI

3.2 ZONING MAP

(1) The location of the zoning districts established by this Bylaw are shown on Schedule B, Town of Fort Nelson Official Zoning Map which, with all explanatory matter thereon, is hereby made and declared to be an integral part of this Bylaw.

(B. 592) The boundaries of the Zoning Districts listed in S. 3.2 of this Bylaw, together with any explanatory legends, notations and references in respect thereof, are delineated and described on the “Zone Map” which Zone Map consists of a computer record compiled by means of geographical information software and a global positioning system. The Zone Map is kept in the office of the Municipal Clerk and in the Department of Public Works at the Town Square. The Zone Map forms part of this Bylaw.

A generalized diagrammatic representation of the Zone Map is annexed to this Bylaw as Schedule "A", the Zone Map shall govern and where and to the extent only that a Zoning District boundary also forms a boundary of a parcel delineated on a plan deposited in the Land Title Office, the Zoning District boundary shall, in the event of conflict or inconsistency between the deposited Plan and the Zone Map, be conclusively determined by reference to the Plan on deposit in the Land Title Office.

- (2) Where uncertainty arises as to the precise location of the boundary of any district as shown on the Official Zoning Map, the following rules shall apply in determining district boundaries:
 - (i) Where district boundaries are shown to approximate the following, they shall be deemed to be:
 - (a) the lot boundaries; or
 - (b) the municipal boundaries; or
 - (c) the centre line of road rights-of-way.
 - (ii) District boundaries not referenced specifically to items indicated in Subsection 2(a) shall be determined on the basis of the scale of the map.
 - (iii) Where a zoning district has been established in accord with a proposed subdivision of land, the districts shall be understood to conform to the plan of survey when registered in a land titles office. Prior to registration, the district boundaries shall be determined from the scale of the map.

PART 4 - GENERAL PROVISIONS

4.1 PERMITTED USES

- (1) No person shall use land or buildings for any use, except for those specifically permitted in the Zone in which the land or building is located either in that Zone or in Part 4. A use not specifically permitted in a zone is an unlawful use.

4.2 PERMITTED USES IN ANY ZONE

The following uses are permitted in any zone:

- (1) Public utility;
- (2) Municipal parks and playgrounds;
- (3) Public uses and institutional uses as defined in this bylaw.

4.3 BUILDINGS PER LOT

- (1) Not more than one principal building per lot shall be permitted unless specifically permitted in this Bylaw.

4.4 ACCESSORY BUILDINGS AND STRUCTURES

- (1) Accessory buildings and structures are permitted in all Zones.
- (2) In all Zones, no structures shall be sited within the required yard setback with the exception of fences, utility poles, lighting poles, and flag poles - which are excluded from this requirement.
- (3) No accessory building or structure shall be erected on any lot unless the principal building or use to which the accessory building is an ancillary use has been erected or will be erected simultaneously with said accessory building. The total combined floor area of accessory buildings shall not exceed ten per cent of the area of the lot.
- (4) Where a accessory building or structure is attached to a principal building, it is to be considered a part of the principal building and shall comply in all respects with the requirements of the bylaw applicable to the principal building.
- (5) No accessory building or structure shall be located closer than 1.8m from any principal building.

- (6) An accessory building or structure shall not be used as a dwelling unless otherwise permitted in this Bylaw.

4.5 CHILD CARE CENTRES/COMMUNITY CARE FACILITIES (B. 599)

- (1) A community care facility, including day care, is permitted in any zone, provided the facility is pursuant to the Community Care Facility Act.

4.6 LOCATION AND SITING OF BUILDINGS

- (1) No building shall be constructed or placed in a required yard unless expressly permitted elsewhere in this bylaw.

4.7 PROJECTIONS INTO REQUIRED YARDS

The following features may project into a required front, side, or rear yard:

- (1) Steps, eaves, gutters, cornices, sills, chimneys, or other similar features, excluding attached decks more than 0.6 metres in height, provided that such projections do not project more than 1m into the required yard nor 50 percent of the width of a required yard which is less than 3m. Building entry stairs may project 1m into a required front yard only.
- (2) A free standing sign, lighting pole/utility pole, warning device, antenna, flag pole, or fence subject to s. 4.16.

4.8 HOME OCCUPATIONS

- (1) All home occupations shall be in possession of a valid business license.
- (2) A home occupation shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling in which it is located.
- (3) A home occupation shall not occupy more than 25 percent nor more than 50m² of the gross floor area of the principal dwelling unit, whichever is the lesser.
- (4) No advertisement or sign visible from the exterior of the dwelling shall be permitted as part of a home occupation other than that provided for under Section 4.8(5).

- (5) Subject to Part 6 - Signs of this Bylaw, it is permissible to have one non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.275m² in area placed within or flat against the dwelling unit.
- (6) The owner and the operator of the Home Occupation must be a family member who is a resident of the dwelling unit located on the lot which the home occupation is carried on. Each owner and/or operator is considered to be an employee for the purposes of this bylaw.
- (7) A home occupation shall not create a source of inconvenience, materially interfere with or affect the use, enjoyment or value of a neighbouring lot by way of excessive noise, odour, smoke, steam, toxic or noxious matter, dust, vibration or refuse matter which would not commonly be found in the neighbourhood nor shall it create or cause a fire hazard, electrical interference or traffic congestion on the street.
- (8) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference in radio or television reception.
- (9) A home occupation shall not generate pedestrian or vehicular traffic or parking shortage in excess of that which is characteristic of the land use district in which is located. All parking must be accommodated on the lot.
- (10) There shall be no outside storage or outdoor display of materials, containers or finished product.
- (11) Home Occupations which provide offices for businesses, such as building trades and contractors, where the business activity is performed at varying locations shall have no restrictions on the number of employees who are not employed on the lot which the home occupation is operated.
- (12) Home occupations must occur wholly within a building which may be either the dwelling unit or an accessory building or both provided that the maximum floor area specified in these regulations is not exceeded.
- (13) The sale of a commodity not produced on the premises is prohibited, except that telephone or mail order sales of goods are permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods.

- (14) Home occupations shall specifically exclude automotive and equipment repair, welding, tow truck operations, retail sale of goods, wares or merchandise other than those produced on site, manufacturing, medical, dental, doctor, and real estate offices.
- (15) A home occupation that attracts clients, students, customers, children or students to the premises shall be limited to a maximum of eight persons in attendance at any one time.

4.8.1 Bed and Breakfast Operations

In addition to other home occupations regulations included in Section 4.8, bed and breakfast establishments shall comply with the following conditions:

- (1) A bed and breakfast operation shall be limited to residential land use districts and shall be contained entirely within the principal building.
- (2) Bed and breakfast operations shall be limited to not more than three (3) rental bedrooms and accommodate not more than six (6) persons at any one time.
- (3) In addition to the off-street parking requirements for the dwelling unit itself, as stipulated in Part 5 - Off-Street Parking and Loading of this Bylaw, one (1) additional off-street parking space per guest room shall be required for a bed and breakfast operation.
- (4) All parking of vehicles must be accommodated on the lot containing the bed and breakfast operation.

4.9 HEIGHT OF BUILDINGS

- (1) Notwithstanding any other height provisions of this bylaw, the following types of structures or structural parts shall not be subject to the building height restrictions of this bylaw: church spires, belfries, domes, monuments, fire and hose towers, cooling towers, radio towers, masts, aerials (excluding satellite dish antennae), monitors, floodlights, warning devices, cranes or silos, provided that no such structure shall cover more than 20 percent of the lot or, if located on a building, not more than 10 percent of the roof area of the principal building.
- (2) All buildings in a development permit areas shall have a maximum storey height.

4.10 TEMPORARY COMMERCIAL AND INDUSTRIAL PERMITS (B. 580)

- (1) Pursuant to Section 921 of the Municipal Act, Council may, by resolution, on application of an owner of land, issue a temporary commercial or industrial use permit which may:

- (B. 584)**
- (a) permit temporary commercial or industrial uses in the Industrial Zone only of the Town of Fort Nelson until the date the permit expires, or two (2) years after the permit was issued, whichever occurs first;
 - (b) permit the construction or use of buildings or structures to accommodate persons who work at the commercial or industrial enterprise in respect of which the permit is issued;
 - (c) specify conditions under which the temporary commercial or industrial use may be carried out;

- (B.631)**
- (d) all holders of temporary permits will be required, as a condition of the permit, to give an undertaking to demolish or remove a temporary building or structure or accessory building which was established to accommodate a temporary use, and to restore the land to a “found” condition, within thirty (30) day of the end of the permit term; the undertaking will form part of the permit. If the Owner fails to comply with the undertaking, the Town will enter onto the land and carry out the demolition, removal or restoration, at the expense of the Owner.

- (2) The Council, may, as a condition of issuing a temporary use permit, require that the applicant provide to the Council, security in the form of an Irrevocable Letter of Credit or cash, to guarantee the performance of the terms of the permit.

- (3) A person to whom a temporary commercial or industrial use permit has been issued may apply to have the permit renewed, however the permit may be renewed only once.

- (B. 600)**
- (4) Temporary Greenhouses are permitted in any commercial or industrial zone for the period April through September of any year, conditional that:

- (i) required parking shall not be negatively affected by installation of the temporary greenhouse nor by display of the product(s);

- (ii) the temporary greenhouse shall be attached to or in close proximity to a principle building;
- (iii) the temporary structure shall be aesthetically pleasing.

4.11 PARKING AND STORAGE IN RESIDENTIAL ZONES

No person shall keep or permit in any part of a yard in a residential land use district:

- (1) Any dismantled, wrecked, or non-operational vehicle for more than one month in any 12 month period or any vehicle which has not been licensed for a period of one year which is not covered with a fitted vehicle cover or housed in a garage or carport.
- (2) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- (3) Commercial vehicle(s) and/or construction equipment loaded or unloaded with a combined weight of not more than 5500 kg.

4.12 SECONDARY SUITES

- (1) A secondary suite shall not be used or occupied unless it complies with all of the provisions of this Bylaw and to all health, fire and building bylaws and regulations in force, from time to time in the municipality.
- (2) Only one (1) secondary suite is permitted in a single family dwelling.
- (3) A secondary suite must occupy less than forty percent (40%) of the habitable floor space of the building to a maximum area of 90m².
- (4) One additional off-street parking space must be provided on the lot exclusively for the suite.

4.13 COMBINED COMMERCIAL USE AND RESIDENTIAL DWELLING UNIT

- (1) Where permitted in this bylaw, a residential dwelling unit contained in a commercial use shall:
 - (i) be fully contained in the principal building;

- (ii) be located over, behind or under the principal use;
 - (iii) have a separate outside entrance;
 - (iv) have a maximum area of the lesser of 140m² or 33 percent of the total area of the principal building within which the dwelling unit is contained; and
 - (v) occupied by the owner or the owner's employee, for the protection of the business permitted on the lot.
- (2) Only one residential dwelling unit may be included in a commercial building.

4.14 SURVEILLANCE SUITES

The issuance of a building permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:
The issuance of a building permit for a surveillance suite, or a seasonal and/or transitional accommodation suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:

- (1) A building permit for a surveillance suite will only be issued if a surveillance suite as defined in this Bylaw, is provided for as permitted use in the land use zone in which the subject lot is located.
- (2) Only one of either a surveillance suite shall be permitted on any one lot.
- (3) Where a surveillance suite is attached to the principal building on a lot by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building.
- (4) Detached surveillance suites shall be situated in accordance with setback regulations specified in the zone within which the subject lot is located or in accordance with the following requirements, whichever are more stringent:
 - (i) a minimum of 2.0m from any buildings; and
 - (ii) a minimum of 2.0m from the rear and side lot lines; and
 - (iii) no closer than the front line of the principal building.

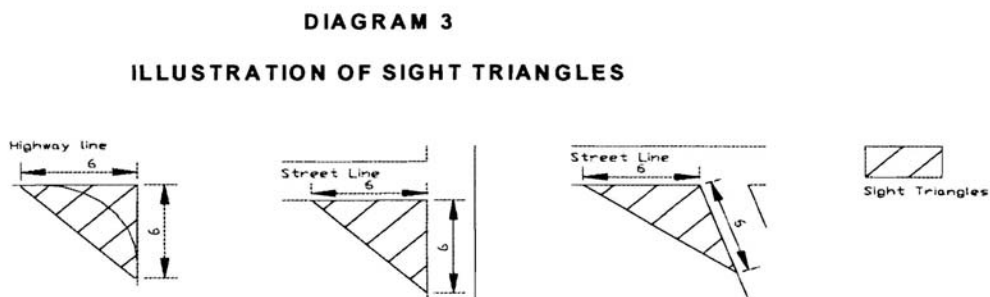
- (5) Where a surveillance suite is a manufactured home (trailer) unit, the following shall apply:
 - (i) the unit shall have C.S.A. certification or equivalent and meet the standards contained in this Bylaw. Proof of this shall accompany the building permit application; and
 - (ii) the unit shall be secured and properly skirted.
- (6) The maximum floor area of any surveillance suite, as defined in this bylaw, shall not exceed 91.0m² in area.
- (7) A building permit for a surveillance suite shall not be issued until the principal building/development with which the surveillance suite or a seasonal and/or transitional accommodation suite is to be associated has been built.

4.15 BOARDERS AND LODGERS

- (1) A boarding house use shall comply with the following conditions:
 - (i) accommodate not more than two (2) boarders;
 - (ii) give no indication, from the outside, that the dwelling unit is being used for boarding house purposes; and
 - (iii) provide one additional off-street parking space per boarder.

4.16 VISION CLEARANCE AT INTERSECTIONS

In a residential zone with a corner lot, no fence, building, sign, structure or other screening shall be erected or planted to a height greater than 0.6m in the triangle formed by two highway right-of-way boundaries and two points on those boundaries measured 6.0m from the point of intersection as shown in the following diagram labelled sight triangle.



4.17 FENCING

- (1) Any fence, wall or similar structure located in any residential zone shall not be:
 - (i) Higher than 1.8m unless it complies with the height and yard restrictions applicable to principal buildings for the Zone in which it is located;
 - (ii) Higher than 1.2m when it is located within a required front yard or side yard on a flanking street.
- (2) Where a fence, wall or similar structure is located on top of a retaining wall, the height of the fence shall include the height of the retaining wall, except that where their combined height exceeds 1.8m in height, the fence, wall or similar structure by itself may have a height of not more than 1.0m. The height of such wall shall be determined by measuring from the building grade on each side of the wall and taking the average of the two measurements.
- (3) Restrictions under this Section shall not apply to any hedge, bush, shrub, tree or natural growth.
- (4) In residential zones, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences, walls, or hedges, on such a rear lot shall not be greater than the height permitted on the side line of an adjoining lot at the point of abutment.

4.18 CORNER AND DOUBLE FRONTING LOTS

In all land use zones, a lot abutting onto two streets or more shall have a front yard setback on each street in accordance with the front yard requirements of this Bylaw. For purposes of determining the setback requirements, the long front yard shall be referred to as the flanking front yard.

4.19 DEVELOPMENT OF ADJOINING LOTS

If a developer intends to develop one of two adjoining commercial lots as a parking lot for the primary commercial development, the lots must be legally amalgamated.

4.20 CONSTRUCTION BUILDINGS, STRUCTURES OR CAMPS (B.633 & B.649)

- (1) A building, structure or camp may be erected for construction purposes on a lot being developed for a period not to exceed the duration of such construction.
- (2) A bond in the amount of Five Thousand (\$5,000) Dollars will be provided to the Town of Fort Nelson for the building structure or camp, to ensure the removal of said building, structure or camp, following the completion of the lot being developed.
- (3) In the event the owner of the property fails to remove the building, structure or camp, the Town will enter onto the property and remove said building, structure or camp.”

PART 5 - OFF-STREET PARKING AND LOADING

5.1 PROCEDURE

Every building permit application for a new, enlarged, or remodelled building, structure, or use shall include a parking lot plan drawn to scale and fully dimensioned, showing all off-street parking and loading facilities and related site improvements.

5.2 VOLUNTARY ESTABLISHMENT OF PARKING FACILITIES

Where off-street parking or loading facilities are provided when not required or in excess of the requirements of Part 5, the location, design and operation of such facilities shall comply with all the regulations of Part 5.

5.3 GENERAL REQUIREMENTS

- (1) The minimum number of off-street parking or loading spaces required for each building class, type or use shall be provided as indicated in Part 5. In the case of a use not specifically mentioned, the required number of off-street parking or loading spaces shall be the number required for the most similar use.
- (2) Where there is more than one use on a lot, the total requirements for off-street parking or loading spaces shall be the sum of requirements for the various uses computed separately.
- (3) Where the number of employees is used as a unit of measurement for determining off-street parking spaces, it shall mean the greatest number of employees at the workplace at any time of the day or night in a particular building or for a particular use during any season of the year.
- (4) Where seating accommodation is used as a unit of measurement for determining off-street parking spaces, and such accommodation consists of benches, pews, booths, and the like, each 0.5m of width of such seating accommodation shall be counted as one seat.
- (5) Where the calculation of the required off-street parking or loading spaces results in a fraction, one (1) parking or loading space shall be provided in respect of that fraction.
- (6) The required off-street parking shall be on or within 150m of the principal lot. The off-street parking not located on the principal lot shall be restricted for use as a parking lot by a covenant registered under the *Land Title Act*.

- (7) Notwithstanding Clause (6), the required off-street parking for a residential or overnight accommodation use shall be located on the same lot as the principal use.

5.4 OFF-STREET PARKING DIMENSIONS

- (1) The minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with Table 5.4.
- (2) Notwithstanding Table 5.4, where the side of a parking stall is against any permanent structure greater than 0.2m in height at any point in the front 3.6m of the stall (measured in the centre perpendicular to the front of the stall) the minimum width of a stall shall be 0.3m wider than the normal width required.

TABLE 5.4

MINIMUM OFF-STREET PARKING DIMENSIONS					
-a- Angle of Parking (degrees)	-b- Minimum Stall Width (metres)	-c- Depth of Stall with Curb Overhang (metres)	-d- Height (metres)	-e- Minimum Aisle Width (metres)	
				One-Way	Two-Way
90	2.8	5.5	5.5	6	6.7
60	2.8	5.5	5.8	5	7
45	2.8	5	6.2	4	7
0	2.5	5.5	6.5	3.5	7

5.5 REQUIRED PARKING SPACES

Lots and buildings are classified by use and the required number of off-street parking spaces for each lot use or building class, type or use are prescribed below:

MINIMUM NUMBER OF PARKING SPACES	
Automotive repair and service	1 space per every 46m ² of gross floor area plus 2 per service bay.
Banks and financial institutions	1 per 16m ² of gross floor area.
Billiard and pool hall	2 per table
Bingo Hall	10 spaces for every 100m ² gross floor area used for public assembly; where a bingo hall contains a restaurant or lounge area, the number of stalls required for those areas shall be 1 space for every 4 seats.
Bowling Alley	3 per bowling lane.
Building materials and supplies	1 per 2 employees on maximum shift plus space for every 45m ² of gross floor area and 1 space for every 100m ² of warehouse space.
Car wash	2 per stall.
Child care/nursery school	1 space for every 34m ² of gross floor area plus 1 per staff member.
Church	1 per 5 seats.
Community care facility/ nursing home and senior citizen lodges	1 space for every 100m ² plus one additional space for every two employees on maximum shift.
Cultural uses	1 space for every 28m ² of gross floor area.
Eating establishments, beer parlour, cocktail lounge, bar and similar establishment for the sale and consumption of food or beverages on the premises	1 space for every 4 seats
Furniture, carpet store	3 spaces for every 100m ² plus one additional space for every two employees on maximum shift.

Home Occupation	1 space in addition to a residential parking requirements.
Hospital	1 space for every 100m ² of gross floor area.
Hotel/motel	1 space per rentable unit plus 1 space for each 3 employees on maximum shift.
Industrial use	1 per every 3 employees on maximum shift.
Laundromat	1 per 3 washing machines.
Liquor Stores	1 per 13m ² of gross floor area plus one per employee.
Manufactured Home Park	2 spaces per unit plus 1 additional visitor space for every 4 units.
Manufacturing and industrial use building, display and storage, rental or retail sales ¹ servicing and repair in the Light Industrial Zone	1 per 3 employees plus 1 per 93m ² of floor and lot area used for display, purposes.
Medical or Dental Clinics	1.0 per 30m ² of gross floor area.
Multiple Family Dwelling	1.5 for each dwelling unit plus 1 visitor parking space for every 4 dwelling units.
Neighbourhood Pub	1 space per every 4 seats provided plus 1 space for every 3 employees on maximum shift.
Nurseries and Greenhouses	1 space per 100m ² of total sales area.
Office	1 per 47m ² of gross floor area.
One and two family dwellings and manufactured (mobile) home	2 per dwelling unit and mobile home.
Place of public assembly including arena, assembly hall, club, lodge, public library, gymnasium, theatre and similar use	1 per 10 seats plus one for each 10m ² of floor area without fixed seats used for public assembly, classrooms or offices, but excluding playing surfaces.
Post Office	1 per every 14m ² plus 1 per employee.

Recreational uses: curling rink, skating rink, swimming pool, and similar uses	1 per every 47m ² of gross floor area plus one per 10 spectator seats.
Restaurant - Drive-In	1 per 4 seating spaces or 1 space for every 2.8m ² of gross floor area.
Retail stores, service commercial and personal service establishment and other similar uses	1 space for every 28m ² of gross floor area.
Retail Warehouse	2 spaces for every 100m ² plus one additional space for every two employees on maximum shift.
School - kindergarten and elementary	1 per employee plus 0.5 per 4 classrooms.
School - senior, high, trade or college	1 per employee plus 1 per 5 students.
Secondary Suite	1 space for each suite.
Senior citizens' self contained	1 space for each 4 units plus one additional dwelling unit (home) space for every seven units.
Shopping centre, department store and supermarket exceeding a retail floor area of 186m ²	6 parking spaces per 100m ² of retail floor area.
Taxi Office	1 per each vehicle customarily operating from the office.
Warehousing and Storage	1 for each 180m ² of gross floor area.

5.6 DESIGN, DEVELOPMENT AND MAINTENANCE STANDARDS

General Regulations:

- (1) All off-street parking and loading areas and maneuvering aisles shall be graded to provide an even surface, and all storm water shall be collected on-site and discharged by underground storm mains to the municipal storm drainage system. Where a municipal underground storm drainage system does not exist, then surface drainage shall be discharged to the open ditch drainage system. In no case shall grades be established that would permit drainage to cross lot boundaries or sidewalks.

- (2) All parking and loading areas shall be provided with adequate curbs, bollards or other similar restraints in order to retain all vehicles within such permitted parking or loading area, and to ensure that fences, walls, hedges or landscaped areas, as well as any buildings, will be protected from parked or manoeuvring vehicles.
- (3) Where more than four (4) parking spaces are provided, they shall be so designed that no vehicle shall be required to back out onto any highway other than a lane.
- (4) Where 24 or fewer parking spaces are provided, at least one (1) access point shall be provided, and where more than 24 parking spaces are provided, at least two (2) separate access points shall be provided.
- (5) Every off-street parking and loading areas and manoeuvring aisles shall be surfaced with asphaltic or cement pavement, except in the following:
 - (i) all residential zones providing the use is for single family residential,
 - (ii) commercial campground zone,
 - (iii) public parks and recreation,
 - (iv) parking areas specifically designated to accommodate recreation vehicles and large trucks, and
 - (v) vacant commercial and industrial lots provided no other use is being made of the lot,
- (B. 639)** (vi) all industrial zoned lots shall be paved to a Bitumen Surface Treatment (BST) standard provided that in all designated parking areas such surfaces are gravelled, compacted, and treated to suppress dust and kept free of weeds.
- (6) All lighting used to illuminate any off-street parking or loading area shall be arranged and installed so that all direct rays of light are reflected upon such parking area and not upon adjoining premises or highways.
- (7) Signs or other markers shall be utilized within an off-street parking or loading area to ensure safe and efficient traffic operation and shall be maintained in a neat and legible condition.

- (8) Pedestrian access to all buildings shall be as convenient as possible and well lit for safety reasons.
- (9) No off-street parking spaces shall be permitted to overhang any public sidewalk.
- (10) No part of a parking area shall be located within 1.5m of any principal building except at or adjacent to loading entrances to such buildings.
- (11) All off-street parking or loading areas shall be freely accessible to a highway.
- (12) For single family dwellings and duplexes, the total area utilized for driveways and parking of vehicles may not exceed thirty three percent (33%) of the required front yard setback and further provided that no off-street parking space shall be permitted within the required front yard setback except in the said driveway.

5.7 RECREATIONAL VEHICLES AND LARGE TRUCKS

- (1) All recreation vehicle and large truck parking space shall have a clear length of not less than 12m and a clear width of not less than 4m and a clear height of not less than 4m.
- (2) All recreation vehicle and large truck parking areas shall be provided with unobstructed maneuvering aisles in addition to access to an exit from a highway or traffic aisle.
- (3) All recreation vehicle and large truck parking areas shall be clearly identified.

5.8 DISABLED PARKING

- (1) Provision of parking spaces for disabled persons shall be in accordance with the British Columbia Building Code.

5.9 LOADING SPACES

- (1) Notwithstanding any provisions in Part 5, off-street loading spaces shall:
 - (i) be provided on the same lot as the use served, but not within the required front yard and shall be not less than 8.5m in length, 4.0m in width, and have overhead clearance of 5.3m in height;

- (ii) have vehicular access to and exit from a highway either directly or by a clearly defined traffic aisle;
 - (iii) be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;
 - (iv) be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross lot boundaries or sidewalks;
 - (v) be paved or hard, dust free surfaced;
 - (vi) be screened on each side adjoining or fronting on any lot in a residential district by a wall, fence, earth berm or hedge of not less than 2.0m in height.
- (2) Lots and buildings are classified by use and the required number of off-street loading spaces for each use are prescribed below:

USE OF BUILDING	REQUIRED NUMBER OF OFF-STREET LOADING SPACES
Assembly and exhibition	1 space for every 4645m ² of gross floor area.
Commercial, industrial or other similar use	1 per 1858 m ² of gross floor area.
Hotels/Motels	1 space for every 4645 m ² of gross floor area.
Industrial and manufacturing	1 per 1858 m ² of gross floor area.
Office	1 space for every 4645 m ² of gross floor area.
Personal care, seniors lodge, hospitals and other uses	1 space for every 4645 m ² of gross floor area.
Bar, neighbourhood pub and similar uses	1 space for every 4645 m ² of gross floor area.
Retail and wholesale establishments	1 space for every 1858 m ² of gross floor area.
Warehouse	1 space for every 1858 m ² of gross floor area.

PART 6 – SIGNS

6.1 GENERAL REGULATIONS

- (1) Subject to the provisions of this Bylaw, signs shall be permitted to locate on a lot only if they advertise a product, service, place, activity, person, institution, or business located on the same lot.
- (2) No sign shall be equipped with flashing, oscillating or moving light beacons in such a manner as to cast a direct beam on any highway or residential premises or to interfere with the visibility of motorists on a highway.
- (3) No permit for a sign is required for the following:
 - (i) In all but residential land use districts, a sign which is posted or exhibited inside a building.
 - (ii) A sign posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign.
 - (iii) A statutory or official notice of a function of, or activity lawfully allowed to be undertaken by, the Town of Fort Nelson.
 - (iv) The erection of campaign signs for federal, provincial, municipal, or school board elections on private lot for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - (a) such signs are removed, or caused to be removed by the owner of the lot on which the sign is situated, ten (10) days after the election date;
 - (b) the consent of the lot owner or occupant is obtained;
 - (c) such signs do not obstruct or impair vision or traffic; and
 - (d) such signs are not attached to utility poles.
 - (v) A temporary sign if the temporary sign:
 - (a) is limited to advertising a lawn sale, garage sale or other special event;

- (b) is located on private property or is to be situated within a roadway right-of-way or other public property designated for such purposes by Resolution of Council;
 - (c) is not larger than 0.55 m²; and
 - (d) is removed from within 72 hours of it being erected on the lot.
- (vi) A temporary sign if the temporary sign:
- (a) is limited to advertising the location of real estate for the purposes of public viewing together with the name/logo of the associated realtor(s)/real estate company(ies);
 - (b) is not larger than 0.55m²; and
 - (c) is removed within 72 hours of it being erected.
- (vii) A sign that is posted or exhibited solely for the identification of the land or building on which it is displayed including signs for professional, corporate or trade nameplates identifying the occupants, if the sign:
- (a) does not exceed 1.0m² in area; and
 - (b) is posted only at each entrance from which access from a highway to the building is provided.
- (viii) A sign that is posted or exhibited for sale, lease or rental of land or a building if the sign:
- (a) is 3.0m² or less in area; and
 - (b) is posted only on each side of the building or land facing a different highway.
- (ix) A sign of a building contractor relating to constructional work in progress on the land on which such signs are erected, provided that:
- (a) such signs shall be removed within fourteen (14) days of occupancy; and
 - (b) such signs shall be limited in size to a maximum of 4.0m² and limited in number to one sign for each

boundary of the lot under construction which fronts onto a highway.

- (x) A community-oriented and/or public service-type cloth sign, authorized by the Building Inspector or Council, as the case may be, that is proposed to cross a public roadway provided the sign is to be located at least 6.5m above the highway.
- (4) A permit may be issued if:
- (i) the sign only advertises or draws attention to goods or services sold or provided on the lot on which the sign is located; or
 - (ii) the sign is an announcement for a particular public community event and will be removed after the occurrence of that event; or
 - (iii) the sign is for the identification of a neighborhood and is to be placed at the major entry points of the neighborhood; or
 - (iv) the sign is for the identification of a land use district contained within the geographic area shown on the sign; and
 - (v) the sign is specifically permitted by this Bylaw and complies with this Part of the Bylaw in all respects.
- (5) The Building Inspector may require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safe design and placement of a sign, awning or canopy.
- (6) No person shall erect or place a sign so that it would be considered to be a traffic hazard or obstruct the vision of vehicular traffic.
- (7) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 25.0m².
- (8) Without limiting the generality of Section 6.1(2), no person shall exhibit or place an illuminated sign that permits or provides for:
- (i) A current interrupting or flashing device unless there is a continuous source of concealed illumination on the translucent portions of the sign.
 - (ii) A flashing beacon of a type that is the same or similar to those used by emergency vehicles.

- (iii) A flashing device, animator or revolving beacon within 50.0m of the intersection of two or more public roadways.
- (9) For purposes of calculating the area of a sign, only one side of a back-to-back or double faced sign shall be computed.
- (10) In the rural residential zone only, one farm business identification sign shall be permitted in order to raise consumer awareness of home grown products. Such sign shall be no more than 2.9m² in area.
- (11) All signs together with their supporting structures and any electrical equipment, shall be kept fully operable, in good repair and maintained in a safe, neat, clean and attractive condition.
- (12) Billboard signs shall not be permitted anywhere within the Town.
- (13) No sign shall be permitted to be located on a public right-of-way unless otherwise specifically permitted elsewhere in this Bylaw.

6.2 FREESTANDING SIGNS

- (1) Freestanding signs may be permitted in all land use zones, excepting residential land use zones where freestanding signs are provided for under the following special provisions:
 - (i) Within a residential land use zone, one identification freestanding sign may be permitted to identify the name of an apartment, multiple-family complex, manufactured home park or a subdivision, and which does not:
 - (a) exceed 2.0m² in area; or
 - (b) project within 0.6m from the lot line; or
 - (c) exceed 2.5m in height.
 - (ii) Freestanding signs identifying the name of a community, neighbourhood or subdivision shall blend in with the architecture or development theme of the surrounding area.
 - (iii) A neighbourhood identification sign shall not contain an advertisement in any form but may contain the name or logo of the company or companies which developed the neighbourhood.

- (2) Within all land use zones, excepting residential zones, the following shall apply:
 - (i) One freestanding sign may be allowed per lot and where a lot has in excess of 90.0m, or portion thereof, of street frontage abutting the developed portion of said lot.
 - (ii) Where a lot is considered to be double fronting, each frontage may have a freestanding sign provided that the signs are no closer than 90.0m apart.
 - (iii) The maximum height of freestanding signs shall be no more than 12.0m in height.
 - (iv) The maximum sign area shall be not more than 25m² in area for each sign.
 - (v) The freestanding sign shall not project within 2.0m of overhead utility lines nor 0.6m from a lot line.

6.3 CANOPY SIGNS

- (1) Subject to Section 6.3(2), canopy signs may be permitted in all but residential land use districts.
- (2) In a residential land use district, canopies shall not be attached to or be constructed so as to be considered a part of any sign other than an apartment name sign.
- (3) A canopy sign shall have a clearance of not less than 3.0m between the bottom of the canopy and the sidewalk, walkway or ground level.
- (4) Where the front portion of a building extends or is allowed to extend out to the front lot line, the canopy sign shall not project more than 2.0m over the sidewalk and in no case shall any support pillar/pole forming part of the canopy sign project beyond the front lot line.
- (5) Notwithstanding Sections 6.3(3) and (4), no canopy sign shall be permitted where the canopy or awning obstructs the free movement or access to pedestrians, vehicles or repairs to overhead utility lines.
- (6) The copy area of a canopy sign shall not exceed 30 percent of the canopy area.
- (7) The vertical height of a canopy sign should not be more than 1.5m.

6.4 PROJECTING SIGNS

- (1) Projecting signs shall be permitted in all commercial and light industrial areas as follows:
 - (i) For any building located less than 6.0m from the lot line, not more than one projecting sign, 3.0m² or less in area, shall be erected;
 - (ii) No part of the sign shall:
 - (a) extend above the parapet of the building;
 - (b) extend more than 2.0m from the face of the building;
or
 - (c) be less than 3.0m above ground or sidewalk grade.
- (2) The area of the sign shall be computed exclusive of supports and structural members provided that such supports and structural members are free of advertising and are so constructed that they do not form part of the advertisement.

6.5 FASCIA SIGNS

- (1) Fascia signs may be permitted in all land use zones, excepting residential land use zones wherein it is permissible to have one non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.275m² in area placed within or flat against the dwelling unit or any accessory building.
- (2) One fascia sign only will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a height of 1.5m and a horizontal dimension greater than the length of the bay which the proprietor's sign identifies. In no case shall the fascia sign exceed 30 percent of the building face or bay which the sign identifies.
- (3) Notwithstanding Section 6.5(2), an owner of a double fronting building may apply for a fascia sign permit for the second fronting building face.
- (4) A wall sign in the service commercial or light industrial land use district shall not exceed an area of more than 45 percent of the wall to which it is attached.
- (5) A wall sign shall not extend beyond the limits of the wall to which it is attached.

- (6) Notwithstanding Sections 6.5(2) and (4), fascia and wall signs for a commercial or industrial building containing more than one bay shall maintain the same character and size of sign throughout the building face and from bay to bay.
- (7) Any identification wall signs with non-illuminated letters up to but not exceeding 0.7m in height, nor 0.4m² in area, are not restricted and may be permitted in addition to regulated signs.

6.6 PORTABLE SIGNS

- (1) Portable signs shall not be permitted in residential areas or areas designated Public Institutional except on a show home lot.
- (2) Any support structure for a portable sign shall be set back a minimum of 1.0m from any lot line and no part of the sign shall encroach onto an adjacent lot or road right-of-way.
- (3) Not more than one (1) portable sign shall be displayed on a lot and no portable sign shall exceed 2.5m in height. The maximum area of the sign shall not exceed 2.9m² in total area on one face.
- (4) A portable sign shall not be placed on a lot so as to conflict with parking, loading or walkway areas.
- (5) A portable sign shall not be placed on a lot for more than fourteen (14) consecutive days and for more than 45 days in any one calendar year.

6.7 ROOF SIGNS

- (1) Roof signs may be allowed in commercial and industrial zones only.
- (2) No portion of a roof sign shall overhang the roof on which it is located.
- (3) The maximum vertical dimension of a roof sign, including the support structure shall not exceed one-fifth of the height of the building or 3.0m, whichever is less.
- (4) All roof signs shall be erected in such a manner that the structural support elements are designed or concealed to appear as an integral part of the overall sign design and such that no angle iron bracing, guide wires or similar support elements are visible from a public roadway.

7 - ZONE REGULATIONS

7.1 RESIDENTIAL SINGLE FAMILY DWELLING & DUPLEX (R1)

(1) Intent

The intent of this zone is to provide for conventional single family and two family dwelling units.

(2) Permitted Uses

The following uses and no other are permitted in the R1 zone:

- Accessory building
- Boarding house use subject to Section 4.15 of this Bylaw
- Duplex
- Home occupation
- Modular home (minimum width shall be 5.6 m)
- One single family dwelling
- Secondary suite

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

USE	WIDTH	DEPTH	AREA
Single Family	15m	31m	640m ²
Duplex	21m	35m	1050m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.
- (ii) For pie or irregular shaped lots, the minimum lot width shall be measured 6.0m back from the front yard lot line.

(4) Lot Coverage

The lot coverage shall be no more than 40%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	7.6m	7.6m
Front Yard on Flanking Street	3.0m	3.0m
Side Yard	1.5m	1.5m
Rear Yard	7.0m	1.2m

(6) Height of Buildings

- (i) *Principal Building:*
The height shall not exceed 9m.
- (ii) *Accessory Building:*
The height shall not exceed 6m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(7) Off-Street Parking and Loading

Off-street parking and loading requirements shall be in accordance with Part 5 of this Bylaw.

(8) Other Provisions

In addition, land use regulations including the following are applicable:

- (i) General provisions on use are set out in Part 4 General Provisions, of this Bylaw.
- (ii) Sign regulations are set out in Part 6 Signs, of this Bylaw.
- (iii) Subdivisions shall be subject to "The Subdivision and Development Servicing Bylaw".

7.2 RESIDENTIAL SINGLE AND TWO FAMILY-RESTRICTED (R1-A)

(1) Intent

The intent of this zone is to provide for conventional single family and two family dwelling units. This zone permits a reduced front yard setback.

(2) Permitted Uses

The following uses and no other are permitted in the R1-A zone:

- Accessory buildings
- Boarding house use subject to Section 4.15 of this Bylaw
- Duplex
- Home Occupation
- Modular Home (minimum width shall be 5.6m)
- One single family dwelling
- Secondary suite

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

USE	WIDTH	DEPTH	AREA
Single Family	15m	31m	640m ²
Duplex	21m	35m	1050m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.
- (ii) For pie or irregular shaped lots, the minimum lot width shall be measured 6.0m back from the front yard lot line.

(4) Lot Coverage

The lot coverage shall be no more than 40%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	4.6m	4.6m
Front Yard on Flanking Street	3.0m	3.0m
Side Yard	1.5m	1.5m
Rear Yard	7.0m	1.2m

(6) Height of Buildings

- (i) *Principal Building:*
The height shall not exceed 9m.
- (ii) *Accessory Building:*
The height shall not exceed 6m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(7) Off-Street Parking and Loading

Off-street parking and loading requirements shall be in accordance with Part 5 of this Bylaw.

(8) Other Provisions

In addition, land use regulations including the following are applicable:

- (i) General provisions on use are set out in Part 4 General Provisions, of this Bylaw.
- (ii) Sign regulations are set out in Part 6 Signs, of this Bylaw.
- (iii) Subdivisions shall be subject to "The Subdivision and Development Servicing Bylaw".

7.3 **RESIDENTIAL MULTIPLE FAMILY (R2)**

(1) Intent

The intent of this zone is to accommodate demand for a variety of housing types on full municipal servicing including row houses, townhouses, and three (3) storey walk-up garden apartments. Locational criteria includes, but not limited to, direct access to major roads in order to avoid excessive traffic on local low density residential roads, located near commercial uses, recreational facilities and parks, and in select small areas having unique scenic and locational attributes. Siting of such uses should take into consideration climatic factors relating to northern climates such as shelter from north wind and south facing exposures.

(2) Permitted Uses

The following uses and no other are permitted in the R2 zone:

- Accessory building
- Boarding house use
- Group day care
- Home occupation
- Multiple family dwelling
- Secondary suite
- Single family dwelling

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

Width	Depth	Area
22m (72 feet)	35m	1300m ²

- (i) For pie or irregularly shaped lots, the minimum width shall be measured 6.0m back from the front yard lot line.

(4) Lot Coverage

The lot coverage shall be no more than 40%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	7.6m	7.6m
Front Yard on Flanking Street	7.6m	7.6m
Side Yard	7.6m	1.5m
Rear Yard	7.6m	1.2m

(6) Height of Buildings

- (i) *Principal building*
The height shall not exceed 10.6m.
- (ii) *Accessory building and structures*
The height shall not exceed 6m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(7) Off-Street Parking and Loading

Off-street parking and loading shall be in accordance with Part 5 of this Bylaw.

(8) Other Provisions

In addition, land use regulations including the following are applicable:

- (i) General provisions on use are set out in Part 4 General Provisions, of this Bylaw.
- (ii) Sign regulations are set out in Part 6 Signs, of this Bylaw.
- (iii) Subdivisions shall be subject to "The Subdivision and Development Servicing Bylaw".
- (iv) More than one multiple family building may be located on a lot.

7.4 **RESIDENTIAL - MIXED (R3)**

(1) **Intent**

The intent of this zone is to provide for manufactured housing, conventional single family and two family dwelling units in order to provide a variety of housing options, styles and prices within the municipality.

(2) **Permitted Uses**

The following uses and no other are permitted in the R3 zone:

- Accessory building or structures
- Boarding house use
- Duplex
- Home occupation
- Manufactured home
- One single family dwelling
- Secondary suite
- Semi-detached dwelling

(3) **Minimum Lot Dimensions**

USE	WIDTH	DEPTH	AREA
Single Family	15m	35m	630m ²
Duplex	21m	35m	1050m ²
Semi-detached dwelling	15m	35m	630m ²
Manufactured home	15m	35m	630m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) **Lot Coverage**

The lot coverage shall be no more than 40%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	7.0m	7.0m
Front Yard on Flanking Street	3.0m	3.0m
Side Yard	1.5m	1.5m
Rear Yard	5.0m	1.2m

- (i) Rear yard setback may be reduced to 3.0m for manufactured (mobile) homes only.

(6) Height of Buildings

- (i) *Principal building*
The height shall not exceed 9m.
- (ii) *Accessory building and structures*
The height shall not exceed 6m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(7) Off-Street Parking and Loading

Off-street parking and loading shall be in accordance with Part 5 of this Bylaw.

(8) Other Provisions

In addition, land use regulations including the following are applicable:

- (i) General provisions on use are set out in Part 4 General Provisions, of this Bylaw.
- (ii) Sign regulations are set out in Part 6 Signs, of this Bylaw.
- (iii) Subdivisions shall be subject to "The Subdivision and Development Servicing Bylaw".
- (iv) Installation of manufactured homes and foundation requirements shall meet or exceed the CAN/CSA Z240.10.1-94 Standard.

7.5 **RURAL RESIDENTIAL (R4)**

(1) Intent

The intent of this zone is to accommodate large lot rural residential areas of land within Town boundaries for single family and two family residential use in addition to a limited number of specific accessory uses.

(2) Permitted Uses

The following uses and no other are permitted in the R4 zone:

- Accessory building or structure
- Agriculture use (as an accessory use)
- Boarding house use
- Duplex
- Home industry
- Home occupation
- Manufactured home
- Secondary suite
- Single family dwelling
- Veterinary clinic

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

Width	Depth	Area
70m	150m	1.3ha

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 20%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	7.6m	7.6m
Front Yard on Flanking Street	7.6m	7.6m
Side Yard	3.0m	3.0m
Rear Yard	7.6m	7.6m

(6) Height of Buildings

- (i) *Principal building*
The height shall not exceed 9m.
- (B.616)** (ii) *Accessory building and structures*
The height shall not exceed 9m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(7) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(8) Screening and Landscaping

- (i) Loading areas and garbage containers shall be screened from the view of highways and residential lots to a height of at least 2.0 metres. This landscaping shall be maintained.

(9) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Outdoor storage of goods, materials and supplies is specifically prohibited between the front of the principal building and a highway.

7.6 **RESIDENTIAL - SMALL LOT (R5)**

(1) Intent

The intent of this zone is to provide for an existing conventional single family dwelling on a reduced lot size. It has been recognised that previous zoning regulations had permitted building on smaller lot sizes. The R5 zone designation provides for those existing small lots.

(2) Permitted Uses

The following uses and no other are permitted in the R5 zone:

Accessory building
Home Occupation
Manufactured Home (Minimum width shall be 5.6m)
One single family dwelling unit

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

USE	WIDTH	DEPTH	AREA
Single Family	15m	25m	411m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.
- (ii) For pie or irregular shaped lots, the minimum lot width shall be measured 6.0m back from the front yard lot line.

(4) Lot Coverage

The lot coverage shall be no more than 40%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	4.6m	4.6m
Front Yard on Flanking Street	3.0m	3.0m
Side Yard	1.5m	1.5m
Rear Yard	7.0m	1.2m

(6) Height of Buildings

- (i) *Principal Building:*
The height shall not exceed 9m.
- (ii) *Accessory Building:*
The height shall not exceed 4.6m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(7) Off-Street Parking and Loading

Off-street parking and loading requirements shall be in accordance with Part 5 of this Bylaw.

(8) Other Provisions

In addition, land use regulations including the following are applicable:

- (i) General provisions on use are set out in Part 4 General Provisions, of this Bylaw.
- (ii) Sign regulations are set out in Part 6 Signs, of this Bylaw.
- (iii) Subdivisions shall be subject to "The Subdivision and Development Servicing Bylaw".

7.7 **MANUFACTURED HOME PARK (MH)**

(1) **Intent**

The intent of this zone is to provide for manufactured home parks on a site of at least two hectares in size. This zone should be read in conjunction with the "*Town of Fort Nelson Manufactured Home Park Bylaw No. 494, 1995*".

(2) **Permitted Uses**

The following uses and no other are permitted in the MH zone:

- Manufactured home park
- Home occupation
- Neighbourhood convenience store
- Service buildings
- Accessory building

(3) **Minimum Lot Area**

The minimum area for a lot created by subdivision shall be no less than 2.0 hectares.

(4) **Minimum Dimension and Area for a Manufactured Home Space**

USE	WIDTH	DEPTH	AREA
Space for a single-wide manufactured home	12m	35m	400m ²
Space for a double-wide manufactured home	15m	35m	525m ²
Cul-de-sac space	7.6m	-	400m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(5) **Manufactured Home Space Coverage**

Building coverage of individual manufactured home spaces within the manufactured home park shall be no more than 45%.

(6) Yards and Setbacks

- (i) *Manufactured home park*
A continuous perimeter buffer area 7.6m in width shall be provided.
- (ii) *Manufactured home space*
Building setbacks from a line delineating a manufactured home space must be no less than:

	Principal Building	Accessory Building/Structure
Front Yard	7.5m	7.5m
Front Yard on Flanking Street	5.0m	5.0m
Side Yard	1.5m	0.5m
Rear Yard	4.5m	0.5m

(7) Height of Buildings

- (i) *Principal building*
The height shall not exceed 9m.
- (ii) *Accessory building and structures*
The height shall not exceed 6m.
- (iii) *Accessory Building:*
The height of the accessory building must not exceed the height of the principal building and must blend with the appearance of the principal building design.

(8) Other Requirements

- (i) Installation of manufactured homes and foundation requirements shall meet or exceed the CAN/CSA Z240.10.1-94 Standard.
- (ii) No person shall place no more than 17 manufactured homes for each hectare of land in a manufactured home park.

7.8 DOWNTOWN COMMERCIAL CORE (CC)

(1) Intent

The intent of this zone is to concentrate major commercial activities in a central location. This district should provide for a wide range of commercial uses including major business, finance, real estate, office, entertainment, cultural and major retail uses in a compact, pedestrian friendly environment.

(2) Permitted Uses

The following uses are permitted in the CC zone:

- Bakery
- Coffee shop
- Commercial recreation
- Community service
- Cultural use
- Eating establishment
- Hotel
- Laundromat & Drycleaning
- Licensed establishment
- Liquor store
- Motel
- Personal services establishment
- Professional, financial office, and business support service
- Public use
- Retail establishment
- Service and repair shop

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
10m	30m	400m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 85%.

(5) Yards and Setbacks

- (i) *Side Yard*
No side yard shall be required except that where a commercial lot abuts a residential district in which case a side yard of 4.5m shall be required.

(6) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(7) Screening and Landscaping

- (i) Loading areas and garbage containers shall be screened from the view of highways and residential lots to a height of at least 2.0m. This landscaping shall be maintained.

(8) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities. Outside storage of any material is not permitted in this Zone.

7.9 DOWNTOWN COMMERCIAL CORE - SHOPPING CENTRE DISTRICT (CC1)

(1) Intent

The intent of this zone is to maintain major commercial activities in a central location. This district will provide for the development of shopping centres and will provide for a wide range of commercial uses including major business, finance, real estate, medical office, office, entertainment, cultural and major retail uses in a pedestrian friendly environment. All parking in this area will be confined on-site.

(2) Permitted Uses

The following uses are permitted in the CC1 zone:

- Bakery
- Child Care Centre
- Coffee shop
- Commercial recreation
- Community service
- Cultural use
- Eating establishment
- Gas bar
- Hotel
- Laundromat & Dry Cleaning
- Licensed establishment
- Liquor store
- Motel
- Personal services establishment
- Professional, financial office, and business support service
- Public use
- Retail establishment
- Shopping centre

(3) Minimum Lot Dimensions

WIDTH	DEPTH	AREA
50m (164 feet)	75m	5000m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 60%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	7.6m	7.6m
Front Yard on Flanking Street	6.0m	6.0m
Side Yard	6.0m	6.0m
Rear Yard	6.0m	6.0m

(6) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(7) Screening and Landscaping

- (i) Loading areas and garbage containers shall be screened from the view of highways and residential lots to a height of at least 2.0m. This landscaping shall be maintained.

(8) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities, outdoor garden areas, and gasoline/convenience stations. Outside storage of any material is not permitted in this Zone.
- (iii) More than one commercial building may be located on a lot when such use is associated with a shopping centre development.

7.10 GENERAL COMMERCIAL (C1)

(1) Intent

The intent of this zone is to provide for a broad range of commercial uses which require larger lots than uses in the Commercial Downtown Core and oriented more toward automobile traffic rather than pedestrians. Such uses generally require highway exposure, larger buildings and are not as land intensive as "core" commercial uses. Commercial uses accommodated in this zone generally include stand-alone retail/wholesale uses requiring large, low-profile buildings with visual exposure, automobile oriented office uses such as public administration as well as commercial recreation developments.

(2) Permitted Uses

(B. 585) The following uses are permitted in the C1 zone:

- Bakery
- Child Care Centre
- Coffee shop
- Commercial recreation
- Community service
- Cultural use
- Eating establishment
- Hotel
- Laundromat & Dry Cleaning
- Licensed establishment
- Motel
- Personal services establishment
- Private club or lodge
- Professional, financial office, and business support service
- Public use
- Retail establishment
- Service and repair shop

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
20m	40m	800m ²

- i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 85%.

(5) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(6) Screening and Landscaping

- i) Loading areas and garbage containers shall be screened from the view of highways and residential lots to height of at least 2.0m. This landscaping shall be maintained.

(7) Other Regulations

In addition, land use regulations including the following are applicable:

- i) Sign regulations are established in Part 6 of this Bylaw.
- ii) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities. Outside storage of any material is not permitted in this Zone.

7.11 HIGHWAY COMMERCIAL (C2)

(1) Intent

The intent of this zone is to provide for a limited range of commercial uses located adjacent to the Alaska Highway to serve the travelling public, visitors and tourists. Development in this zone should provide an attractive visual appearance from the roadway. Highway commercial uses catering to recreational vehicles and/or large truck traffic should provide suitable parking accommodations to cater to their customers' needs on-site.

(2) Permitted Uses

(B. 585) The following uses are permitted in the C2 zone:

- Automotive and light truck, recreation vehicle sales, rental and services
- Bus terminal
- Car or truck wash
- Cultural use
- Drive-through business
- Eating establishment
- Enhanced gaming
- Gas bar
- Hotel
- Laundromat & Dry Cleaning
- Licensed establishment
- Motel
- Neighbourhood convenience store
- Retail Establishment
- Retail warehouse
- Service station
- Tourist information

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
20m	40m	800m ²

- i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 50%.

(5) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(6) Screening and Landscaping

- (i) Loading areas and garbage containers shall be screened from the view of highways and residential lots to a height of at least 2.0m.
- (ii) Any commercial use abutting a residential area must provide a solid decorative fence or a landscaping screen at least 2.0m in height. This landscaping shall be maintained.

(7) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.

7.12 SERVICE COMMERCIAL (C3)

(1) Intent

The intent of the service commercial zone is to provide for service commercial uses which have a repair, maintenance and distribution component combined with a retailing component. Land is developed at a low density with part of the lot providing for outside storage and display of goods and services.

(2) Permitted Uses

(B.585)

The following uses are permitted in the C3 zone:

- Automotive and light truck, recreation vehicle sales, rental and services
- Auction sales
- Building and garden supplies
- Bus terminal
- Car and truck wash
- Combined commercial use and residential dwelling unit
- Equipment rental, leasing and sales
- Gas bar
- Licensed establishment
- Manufactured home sales
- Nursery or greenhouse
- Radiator Shops
- Recycling depot
- Retail warehouse
- Service and repair shop
- Service station
- Taxidermy shop
- Tire Shops
- Trade contractor
- Transportation depot
- Veterinary clinic

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
20m	40m	1000m ²

- i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 60%.

(5) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(6) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Regulations governing combined commercial and residential dwelling unit are established under section 4.13 of this Bylaw.

7.13 **COMMERCIAL CAMPGROUND (C4)**

(1) **Intent**

The intent of this zone is to accommodate and regulate the development of commercially operated campgrounds/recreational vehicle accommodation and accessory development directly associated with such operations.

(2) **Permitted Uses**

(B.585) The following uses are permitted in the C4 zone:

- Accessory building or structure
- Commercial campground
- One single family dwelling or one manufactured home for managers residence only
- Public utility
- Recreational vehicle storage
- Restaurant (Secondary Use Only)

(3) **Minimum Lot Dimensions**

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
50m	100m	2.0 ha

(i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) **Lot Coverage**

The lot coverage shall be no more than 20%.

(5) **Yards and Setbacks**

	Principal Building	Accessory Building/Structure
Front Yard	7.6m	7.6m
Front Yard on Flanking Street	7.6m	7.6m
Side Yard	7.6m	7.6m
Rear Yard	7.6m	7.6m

(6) Height of Building

The height shall not exceed 10m.

(7) Off-Street Parking and Loading

- (i) Part 5 of this Bylaw shall apply.
- (ii) In addition to parking requirements under Part 5 of this Bylaw, a suitable number of stack-up parking spaces to accommodate recreational vehicles should be provided at guest registration areas to ensure that vehicles do not obstruct or interfere with highway rights-of-way. In no case shall less than four (4) stack-up parking spaces be provided. Stack-up spaces may be situated end-to-end.

(8) Screening and Landscaping

- (i) A continuous buffer area 7.6m in width shall be maintained around the perimeter of the development.

(9) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Outdoor storage of goods, materials and supplies is specifically prohibited between the front of the principal building and a highway.

7.14 OFF HIGHWAY COMMERCIAL RECREATION (C5) (B.628)

(1) Intent

The intent of this zone is to accommodate and regulate off highway commercial recreation development. The development may contain one multi-use building to house a permitted use or combination thereof, provided they are contained within the multi-use building and said uses are compatible.

(2) Permitted Uses

(B.585) The following uses are permitted in the C5 zone:

- Accessory building or structure
- Bus Terminal
- Coffee Shop
- Combined commercial use and residential dwelling
- Commercial campground
- Commercial recreation
- Community service
- Drive through business
- Eating establishment
- Hotel
- Licensed Establishment
- Motel
- Personal services establishment
- Professional, financial office and business support service
- Private hall
- Public utility
- Retail Warehouse
- Retail Establishment

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
N/A	N/A	2.0 ha

(4) Lot Coverage

The lot coverage shall be no more than:

Principal building: 50%
Accessory building: 10%

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	7.6m	7.6m
Front Yard on Flanking Street	7.6m	7.6m
Side Yard	7.6m	7.6m
Rear Yard	7.6m	7.6m

(6) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(7) Screening and Landscaping

- (i) A continuous buffer area 7.6m in width shall be provided around the perimeter of a C5 zone parcel, except at entrance or exit locations. This area shall be maintained.

(8) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Outdoor storage of goods, materials and supplies is specifically prohibited between the front of the principal building and a highway.

7.15 LIGHT INDUSTRIAL (IN)

(1) Intent

The intent of this zone is to permit and regulate a wide range of light industry, service industrial uses and limited compatible commercial uses, and to reduce potential impacts on the surrounding area.

(2) Permitted Uses

(B.585) The following uses are permitted in the IN zone:

- Animal Hospital
- Animal Shelter
- Accessory building or structure
- Auction sales
- Auto body and paint shop
- Building and garden supplies
- Car and truck washing
- Card Lock
- Cartage, hauling, moving and storage
- Contractor, trade
- Equipment rental including industrial equipment
- Funeral parlour
- Heavy equipment and repair, storage
- Industrial, light
- Mini storage
- Nursery or greenhouse
- Public utility
- Radiator Shops
- Recreational vehicle sales
- Recycling depot
- Redi-mix operation
- Salvage or wrecking yards
- Surveillance suite
- Tire Shops
- Vehicle rental, repair, or maintenance
- Veterinary clinic
- Vehicle storage and parking facilities including truck and recreational vehicles
- Warehouse and storage
- Wholesale business

(3) Minimum Lot Dimensions

The minimum dimensions for a lot created by subdivision are as follows:

WIDTH	DEPTH	AREA
20m	40m	1500m ²

- (i) Minimum Width multiplied by the Minimum Depth does not necessarily = Minimum Area. However, all minimum requirements must be met.

(4) Lot Coverage

The lot coverage shall be no more than 50%.

(5) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	1.5m	1.5m
Front Yard on Flanking Street	4.6m	4.6m
Side Yard	1.5m	1.5m
Rear Yard	4.6m	4.6m

(6) Height of Buildings

The height shall not exceed 10m.

(7) Off-Street Parking and Loading (B.617)

- (i) All new property owners in the Industrial Zone are required to sign a covenant which would waive the requirement to pave until the streets and roads fronting their properties are paved.
- (ii) Corner property owners are permitted to defer their paving until both fronting roads are paved.
- (iii) The Town is not responsible for private property paving inspections.

- (iv) Registration of the covenant is the responsibility of and at the cost of the property owner. Following registration, the property owner is required to provide proof of registration to the Town and in the event an owner is unwilling to sign or register a covenant or fails to provide proof of registration, they will be required to pave their property immediately.
- (v) All new property owners within the Industrial zone having swampy, soft, substrate soil conditions are permitted to rectify the soil conditions prior to paving, provided the rectification is completed within three (3) years.
- (vi) When paving is undertaken, Part 5 of this Bylaw shall apply.

(8) Screening and Landscaping

- (i) All salvage or wrecking yards shall be completely screened or solidly fenced to a height of at least 2.0m.
- (ii) Outdoor, open storage in the rear and side yards shall be completely screened to height of at least 2.0m by buildings, a solid fence, or landscaping.
- (iii) All screening shall be maintained.

(9) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Outdoor storage of goods, materials and supplies is specifically prohibited between the front of the principal building and a highway.

(10) Size and Area of Accessory Building

- (i) The size and area of an accessory building cannot exceed the size and area of the principal building.

7.16 **PARKS AND RECREATION (PR)**

(1) Intent

The intent of this zone is to establish an area for the use and development of public areas to meet the active and passive recreational and leisure needs at the neighbourhood, municipal and regional district level. This zone permits buildings and structures required to meet recreational needs of the community.

(2) Permitted Uses

The following uses and no other are permitted in the PR zone:

- Accessory building or structure
- Parks, passive recreation
- Public utility
- Public use

(3) Yards and Setbacks

	Principal Building	Accessory Building/Structure
Front Yard	6.0m	6.0m
Front Yard on Flanking Street	6.0m	6.0m
Side Yard	6.0m	6.0m
Rear Yard	6.0m	6.0m

(4) Height of Buildings

The height shall not exceed 10m.

(5) Off-Street Parking and Loading

Part 5 of this Bylaw shall apply.

(6) Screening and Landscaping

- (i) A continuous buffer area 6.0m in width shall be provided around the perimeter of the development.
- (ii) Outdoor, open storage in the rear yards shall be completely screened to a height of at least 2.0m by buildings, a solid fence, or landscaping.

(7) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Garbage containers shall not be located within any required setback area adjacent to any residential lot.

7.17 **PUBLIC - INSTITUTIONAL (PI)**

(1) **Intent**

The intent of this zone is to accommodate public and institutional uses.

(2) **Permitted Uses**

The following uses and no other are permitted in the PI zone:

Accessory building or structure
Institutional use
Public utility
Public use

(3) **Yards and Setbacks**

	Principal Building	Accessory Building/Structure
Front Yard	6.0m	6.0m
Front Yard on Flanking Street	6.0m	6.0m
Side Yard	6.0m	6.0m
Rear Yard	6.0m	6.0m

(4) **Lot Coverage**

The lot coverage shall be no more than 40%.

(5) **Off-Street Parking and Loading**

Part 5 of this Bylaw shall apply.

(6) **Height of Buildings**

- (i) Principal Building
The height shall not exceed 10m.
- (ii) Accessory Buildings and Structures
The height shall not exceed 10m.

(7) Other Regulations

In addition, land use regulations including the following are applicable:

- (i) Sign regulations are established in Part 6 of this Bylaw.
- (ii) Garbage containers shall not be located within any required setback are adjacent to any residential lot.