

Village of Telkwa  
Zoning Bylaw No. 514, 2002

SCHEDULE A

Village of Telkwa Zoning Bylaw No 514, 2002

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**1 TITLE AND APPLICATION.**

**1.1 Title**

This Bylaw may be cited for all purposes as the "Village of Telkwa Zoning Bylaw No. 514, 2001.

**1.2 Application**

1.2.1 This Bylaw shall be applicable to all of the area within the boundaries of the Village of Telkwa.

1.2.2 The location of the zones established by this Bylaw is shown on Schedule, "A" which is attached to, and forms part of this Bylaw.

**1.3 Severability**

If any section, subsection, sentence or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, it shall not affect the validity of the remaining parts of this Bylaw or the validity of this Bylaw as a whole.

**1.4 Repeal of Previous Bylaws**

The "Village of Telkwa Zoning Bylaw No. 363, 1994" and amendments thereto are hereby repealed.

## **2 ADMINISTRATION**

### **2.1 General Compliance**

2.1.1 No person shall use or occupy or suffer or permit any person to use or occupy any land or building in contravention of the provisions of this Bylaw.

2.1.2 Nothing contained in this Bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to their undertaking.

2.1.3 Every use of land, building and structure permitted in each zone shall conform to all of the regulations of the applicable zone and all other regulations in the Bylaw.

### **2.2 Inspection**

The Building Inspector or such other person appointed by Council is hereby authorized to enter at all reasonable times upon any property, subject to the regulations of this Bylaw, to ascertain whether the regulations of this Bylaw are being or have been observed.

### **2.3 Violation**

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 offence against this Bylaw and is liable to the penalties hereby imposed. Each day that a violation is permitted to exist shall constitute a separate offence.

### **2.4 Penalty**

A person who contravenes a provision of this Bylaw is guilty of an offence and is liable upon conviction for a first offence to a penalty of not less than \$100.00 and not more than \$2000.00, and for a second or subsequent offence, to a penalty of not less than \$200.00.

### **2.5 Bylaw Amendments**

Any person applying to have any provision of this Bylaw amended shall apply in writing by submitting an application to the Administrator of the Village of Telkwa, in the form and manner set out in Schedule B which is hereby made an integral part of this Bylaw

## **2.6 Bylaw Appeal**

The Board of Variance, established by the Village of Telkwa, shall hear and determine any appeal pursuant to the regulations of Sections 899, 900, 901, and 902 of the Local Government Act.

### **3 ESTABLISHMENT OF ZONES**

#### **3.1 Zones**

For the purposes of this Bylaw, the Village of Telkwa is hereby divided into the following zones:

<b>Residential Zones</b>	<b>Zone Short Form</b>
Single Family Residential	R-1
Single, Two and Multi-Family Residential	R-2
Mobile Home	R-3
Country Residential (.2 ha)	CR-1
Country Residential (.4 ha)	CR-2
<b>Rural Zones</b>	
Rural Residential - Planning Reserve	RR-1
Rural Acreage Reserve (16 ha)	RAR
<b>Commercial Zones</b>	
Downtown Commercial Core	C-1
Highway Commercial	C-2
<b>Industrial Zones</b>	
Light Industrial	I-1
Rural Industrial	I-2
<b>Public Institutional Zones</b>	
Public Institutional	P1
Parks	P2

#### **3.2 Zoning Map**

The location and extent of each zone established by this Bylaw is shown on the Schedule "A" Zoning Map of the Village of Telkwa, which forms part of this Bylaw.

### **3.3 Zone Boundaries**

- 3.3.1 When the zone boundary is shown on the zoning map as following a road allowance or creek, the centre line of such road allowance or creek shall be the zone boundary.
- 3.3.2 Where a zone boundary does not follow a legally defined line, and where distance are not specifically indicated, the location of such boundary shall be determined by the use of a scale ruler from the Schedule "A" Zoning Map.
- 3.3.3 Where a lot is divided by a zone boundary, such lot shall be considered as 2 distinct zones for the purpose of this Bylaw
- 3.3.4 Where land that originally formed part of a lane or street is consolidated with a lot, such lane or street shall be deemed to have the same zone designation as the lot.
- 3.3.5 Where land covered with water has accreted to the upland, it shall be deemed to have the same zone designation as the upland.

### **3.4 Non-Conforming Uses and Lots**

Any lot existing prior to the adoption of this Bylaw which fails to meet the minimum lot area requirements of a zone at the time of adoption of this Bylaw, shall not by reason thereof be deemed to be non-conforming or unlawful. Any subsequent use of the lot, however, shall comply with the regulations specified for the zone in which it is located and any lot proposed by subdivision must contain the minimum lot area specified for the zoning category.

### **3.5 Minimum Lot Area Exemptions**

Lot area requirements and zoning restrictions do not apply to an unattended public utility use or a lot created for such use. In this case, unattended shall mean there is no attendant or employee present on the lot.

### **3.6 Uses Permitted in all zones**

The following uses are permitted in all zones

3.6.1 Civic uses subject to the regulations contained in the (P-1) Public Institution Zone.

3.6.2 Utility corridors including highways, gas lines, electrical lines, and railways.

**3.7 Measurement Conversion**

Metric units are used for all measurements in this Bylaw. Approximate Imperial measurement equivalents are shown in brackets following the metric measurements for convenience only.

## 4 **DEFINITIONS**

In this Bylaw, the following words, term, phrases or expressions shall have the respective meaning hereinafter assigned to them unless the context otherwise requires:

**Accessory Building** - a building, the use of which is subordinate to that of a principle building, or use situated on the same lot.

**Accessory Building** - a detached building, the use of which is incidental or secondary to that of the principal use on the same site.

**Accessory Use** - a use that is secondary and ordinarily incidental to that of a permitted principle use of the land, building or structure situated on the same lot.

**Agriculture** - the use of land or buildings for the growing, rearing, producing and harvesting of agricultural products or, the raising of livestock. Agriculture includes the processing of crops grown on the land, the storage and repair of farm equipment used on the land, horticulture, nurseries and commercial greenhouses, and sale on the land of agricultural products produced on the land.

**Aisle** - the area of a parcel, which provides space for motor vehicle access, and maneuvering but does not include required parking spaces.

**Auction** - the offering for sale of new and used goods by means of a request or invitation for bids, but does not include retail sales.

\***Auto Wrecking Yard** - an area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked; where vehicles not in operable condition and used parts of motor vehicles are sold.

\***Automobile Repair** - a use of land for repairs to motor vehicles, trailers and parts thereof.

\* **Automobile Sales and Service** - the retail sale or lease of new or used motor vehicles, or the sale of motor vehicle parts or accessories.

\* **Automobile Service Station** - the use of land for the retail sale of motor fuels, lubricants and automotive accessories; and includes the servicing and repair of motor vehicles but specifically excludes a body or paint shop.

\* **Balcony** - an extension of a floor projection from a wall of a building enclosed by a parapet or railing.

\* **Billboard** - a freestanding, offsite structure used or intended to be used for the display of advertising material.

\* **Buffer Area** - a landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from on another.

**Bed and Breakfast** - the partial use of a dwelling for transient tourist

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accommodation in which sleeping units are rented on a short-term basis, and may include the provision of breakfast served on the premises.

**Boarding or Lodging** - the partial use of a single family dwelling for rental of not more than 2 sleeping units, with or without meals being provided.

**Building** - a structure which projects above the ground and which is used or intended to be used for the support, enclosure and/or shelter of persons, animals, or property.

\* **Building Inspector** - the person appointed by the Council of the Village of Telkwa as the Building Inspector.

\***Building, Front Line of**, - the extended line of the wall of the building (or of any projecting portion of the building except canopies and eaves) which faces the front line of the lot.

\* **Building, Rear Line of**, - the extended line of the wall of the building (or of any projecting portion of the building except canopies or eaves) which faces the rear line of the lot.

\* **Building Supplies** - the use of land for the sale of building material, fixtures or hardware, garden furniture, or equipment or supplies, animal feed, and includes the use of land as a lumber yard, building supply outlet, the rental of tools and small equipment and farm supplies.

**Campsite** - a site intended to be occupied for the temporary accommodation of travelers in their own recreation vehicles or tents. This definition specifically excludes mobile home parks. Campsites may include ancillary uses such as stores, laundry facilities and recreation facilities, provided that they are for the sole use of the occupants of the campsite.

\* **Carport** - a detached exterior building or portion of a principal building used for the parking or temporary storage of private motor vehicles, open on at least two sides, and in which there are no facilities for repairing or servicing vehicles.

\* **Cemetery** - the use of land for the burial or internment of dead people.

**Club or Lodge** - a building used for fraternal, social, recreational union, professional, business, travel or political activity which is operated for the use of club or lodge members and their guests only.

\* **Church** - an assembly building used for the purpose of public worship. Churches may include ancillary activities for fundraising or recreational purposes of the church.

\* **Commercial Office** - a building used to provide services of a clerical, business, professional and administrative nature.

**Commercial Recreation** - the provision of recreational facilities which are available for public use for a charge and without restricting the generality of the foregoing includes, golf course, racquet sports complex, water slide,

mini-golf facility, theme park, pool hall, amusement arcade, bowling alley and curling rink.

**Commercial Cardlock Facility** - an establishment where petroleum products are dispensed from fuel pumps utilizing a cardlock key system, but does not include gasoline stations or fuel bars.

**Community Care Facility** - a facility eligible to be licensed under Section 5 of the Community Care Facility Act.

**Community Sewer System** - the system of sewage disposal which is owned, or operated and maintained by the Village of Telkwa.

**Community Water System** - the system of waterworks, which is owned, operated and maintained by the Village of Telkwa.

**Convenience store** - a building or premises used for the sale, primarily of food products, but which may include the sale of a variety of common household items, and may also include a banking machine.

**Coverage** - the combined area covered by all buildings or structures on the lot, including carports, and covered walkways.

**Custom workshop** - a workshop where the production, sales and servicing of specialized goods or services, including home cabinets, signs, window coverings, and furniture occurs.

**Day Care facility** - a facility providing group day care, family day care, nursing school, child minding, out of school care, specialized day care in accordance with the provisions of the Provincial Child Care Facilities Regulations of the Community Care Facility Act.

**Density** - in respect of residential development, the number of dwellings per lot, in respect of multifamily development, and where specified, the ratio of the floor area of buildings and structures on the lot to the area of the lot (floor area ratio), and in respect of commercial or industrial development the amount of floor area of the commercial or industrial use to be located on a parcel.

\* **Designated Flood** - a flood which may occur in any given year, of such magnitude as to equal a flood having a 200 year recurrence level interval, based on frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate streamflow data available.

\* **Designated Flood Level** - the observed or calculated elevation of the Designated Flood and is used in the calculation of the Flood Construction Level.

\* **Display Yard** - an open area used for the display of new or passenger automobiles, motorcycles, recreational motor vehicles, trailers, trucks, truck trailers, equipment, machinery or boats in operable condition, which are continually available for sale or rental.

**Duplex** - a structure containing 2 dwelling units within 1 building located on a single lot and which is used or intended to be used as the residences for 2 families.

**Dwelling** - a building used or intended to be used as a residence, but shall not include hotels or institutions.

**Dwelling, Single Family** - any building, consisting of 1 dwelling unit, used or intended to be used as the residence of 1 family, and includes community care facilities which are licensed under Part 5 of the Community Care Facility act; this includes modular homes, but excludes mobile homes.

**Dwelling, Multiple Family**, - any building or cluster of buildings consisting of three or more dwelling units, and includes buildings with two dwelling units on a lot where such a buildings was designed to be part of a cluster of buildings, but does not include duplex where the duplex is the only building on the lot containing more than one dwelling.

**Dwelling Unit** - 1 or more habitable room, with a separate entrance, which together constitute a self-contained living unit providing cooking, sanitary and sleeping facilities.

**Family** - two or more persons related by blood, marriage, adoption or foster parenthood sharing one dwelling or not more than five unrelated persons sharing a dwelling unit.

\* **Farmers Market** - an establishment or premises where the farm products of a local farming community are sold at retail from uncovered or open air areas designated for individual retailers.

**Fence** - a structure used as an enclosure or screening around all or part of a lot or site. In this case, hedges and similar landscaping features shall be considered fences.

**Financial Institution** - a bank, credit union, Acceptance Corporation, trust company, finance company or similar establishments, but does not include a building or premises containing a single bank machine.

**Flood Level** - the required minimum elevation associated with a design flood or where a design flood has not been determined, a specific height above a Natural Boundary, Natural Ground Elevation, or any obstruction that could cause elevated water levels.

\* **Floodproofing** - the alteration of land or structures either physically or in use to reduce or eliminate potential flood damage and includes the use of elevation and/or building setbacks from water bodies to maintain a floodway and to allow for potential erosion.

**Floor Area, Gross**, - the total area of all the floors, measured to the exterior walls of the buildings, and accessory buildings, excluding:

- a) any portion of a building or structure for parking purposes or for a swimming pool, unless such parking or swimming pool

is a principle use.

- b) deck or patio areas, which are at least in part, through the absence of full walls or windows, open to the outside.

**Flourplex** - a structure containing 4 dwelling units within 1 building located on a single lot and which is used or intended to be used as the residences for 4 families.

\* **Forestry** - the growing, harvesting or storage of primary forest products produced on the same site, and includes the management or protection of forest lands, but excludes agriculture.

\* **Freeboard** - a vertical distance added to the Designated Flood Level and is used to establish the Flood Construction Level.

\* **Garage** - a detached building or portion of the principal buildings used for the parking or temporary storage of private motor vehicles accessory to a residential use.

**Garden Center** - the use of land, buildings, and/or structures for the purpose of retail sales of trees, plants, flowers, and associated gardening or landscaping supplies and outdoor garden equipment.

**Grade, finished** - the elevation of the surface of the ground at any point on the site of a completed development.

**Grade, Natural** - the elevation of the undisturbed natural ground at the outermost-corner of the footprint of the foundation wall.

\* **Habitable Area** - any room or space within a building or structure which is or can be used for human occupancy, commercial sales, or storage of goods, possessions or equipment (including furnaces).

\* **Habitable Room** - a room designed for living, sleeping, eating or food preparation, including a living room, bedroom, kitchen and bathroom.

**Height** - the vertical distance from the average natural grade to the highest point of the structure.

**Highway** - includes a street, road, lane, bridge, viaduct or any other public right-of way, but does not include a private right-of-way on private property.

**Home Based Business** - an occupation, business, or professional practice, which is, carried on for remuneration or financial gain, and which is clearly ancillary to the residential use of the property and which generates little or no traffic.

**Industry** - a use providing for the co-generation, manufacturing, processing, assembling, fabricating, testing, servicing, repair, storing, transporting or distributing of goods or materials or things with or without an ancillary office to administer the industrial use on the lot, and includes wholesaling provided that the merchandise being sold is distributed from the lot, but excludes processing of fish, live animals, live poultry or other fowl.

**Industry, Light**, - an “Industry” use which is wholly enclosed within the building except for parking and loading facilities and outside storage accessory to the permitted use, and which in its operation does not ordinarily result in the emission from the building of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference.

**Lot** - the smallest area of land designated as a separate and distinct parcel on a subdivision plan or certificate of title filed in the Land Title office.

**Lot Area** - the horizontal area within the lot lines of a lot. In the case of a panhandle lot, the access strip shall not be included in the calculation of the lot area.

\* **Lot Depth** - The maximum horizontal distance between the front and rear lot lines;

\***Lot Width** - The horizontal distance between straight lines connecting the front and rear lot lines at each side of the lot, measured between mid-points of such lines;

**Lot, Corner** - Any lot at the intersection or junction of two or more highways;

**Lot, Coverage** - The footprint of a building(s) on the lot, expressed as a percentage of the lot area, but excludes:

- a) permitted projections into required yards, as otherwise provided for in this Bylaw: and,
- b) uncovered swimming pools.

**Lot, Interior** - A lot other than a corner lot;

**Lot Line, Front** - The lot line common to a lot and a highway and in the case of a corner lot, is the shortest lot line along a highway;

**Lot Line, Rear** - The lot line furthest from the front lot line, except that there must not more than one rear lot line;

**Lot Line, Side** - A lot line other than a front or rear lot line, marking the boundary between two lots, or between a lot and a lane, or between a lot and a highway in the case of a corner lot;

\***Mobile Home** - Any structure containing on dwelling whether ordinarily equipped with wheels or not that is designed, constructed or manufactured to be moved from one place to another by being towed or carried but does not include travel trailers, campers or other vehicles exempt from the provisions of the Mobile Home Act and in no case will be considered a single family dwelling.

\***Mobile Home Park** - A site on which are located two or more mobile homes occupied or intended to be occupied on such site for residential purposes.

**\*Motel** – A use of land where there are two or more separate dwelling units, occupied or intended to be occupied primarily by transient motorists, each unit having its own parking space located on the site on which the dwelling unit is located, and each having its own bathroom with a water closet, wash basin and shower or bath;

**Natural Boundary** – The visible high watermark of any lake, watercourse or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, watercourse or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself and includes the edge of dormant or old side channels and march areas;

**\*Natural Ground** - the undisturbed ground elevations prior to site preparation.

**Off-Street Parking** – The parking of vehicles other than on a highway;

**\*Open Space, Usable** – A landscaped area of land available for use by all occupants of a building, having no dimension less than 6 m (20 ft.) and no slope more than 10 percent, used for walkways, recreation space and leisure activities normally carried on outdoors, but excludes off-street parking lots and loading spaces;

**\*Outdoor Garden Shop** – An open area of land used for the display and retail sale of bedding plants, flowers and nursery stock;

**\*Pad** – A paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a mobile home or unit, or a concrete pad or floor supporting a space or room (e.g. basement).

**\*Parking Lot** – An area used for the parking of motor vehicles and includes maneuvering aisles, accesses to and exits from highways;

**Parking Space** – A space within a building or a parking lot excluding driveways, ramps, columns, office and work areas which are used for the parking of one vehicle;

**\*Personal Service** – A use of land where the following or similar businesses are carried on: beauty parlours, barbers shops, florist shops, Laundromats, photographic and artists' studios, shoe repair shops, tailor shops and dressmaking shops;

**\*Principal Building** – An existing or proposed building which contains the principal use on the site and includes attached garages or carports;

**\*Principal Use** – The main purpose for which the site, building or structure is being used;

**Public Utility Structure** –

**\*Public Storage and Works Yard** – A use of land for the parking or storage

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of vehicles, equipment and materials and the repair of vehicles, equipment and machinery and owned by the Village of Telkwa, or the Regional District of Bulkley Nechako or a Ministry of the provincial government, or by a company regulated as a public utility;

**\*Recreational Vehicle Sales or Service** – The use of land for the retail sale or lease of new or used motorcycles, boats, out-board motors, snow vehicles, all-terrain vehicles, mobile homes, travel trailers, and campers and includes the use of land for the maintenance or repair of such equipment or vehicles or the sale of related parts, accessories or tires;

**\*Residential Use** – The occupancy or use of a building or part thereof as a dwelling unit;

**\*Restaurant** – An eating or drinking establishment where food or beverages are sold to the public for immediate consumption and includes banquet room and food pick-up uses;

**Retail** – The sale of goods to the ultimate consumer and includes the servicing and repair of such goods;

**\*School, Private** – The offering of educational, recreational, cultural or religious courses of instruction by a private agency, and includes private kindergartens, day nurseries or day care centres except as otherwise provided for and regulated by provincial agencies and includes the residential accommodation of students, supervisory faculty and staff;

**\*Senior Citizens Housing** – A building providing for residential accommodation of the elderly and includes related communal kitchens, group therapy and group recreational room;

**\*Setback** – (i) the required minimum horizontal distance measured between a building or use and each of the respective lot lines. In the case of a building, the measurement is taken from the foundation to the lot line or (ii) the required minimum distance from a watercourse, or other body of water to any landfill or structural support required to elevate a floor system or pad above the Flood Level;

**\*Sign** – A name, identification, description, device, display or illustration which is affixed to a building, structure or site and which directs attention to an object, product, place, activity, person, institute, organization or business;

**\*Site** – Any area of land of sufficient size to meet the minimum requirements of this Bylaw in respect of use, site coverage and area, and to provide such yards and other open spaces as herein required, and may consist of a single lot, a portion of a lot, a combination of lots, or of lots and portions of lots, provided that in no case of division or combination should any residual site be created which does not meet the requirements of this Bylaw;

**\*Site Coverage** – The total horizontal area within the vertical projection of the exterior walls or columns of the building or buildings on a site, expressed as a percentage of site area and includes the area covered by carports,

elevated parking areas, open storage buildings or sundecks;

**\*Storage** – The temporary or permanent stockpiling of articles, goods or supplies of any kind for intended future use;

**Storey** – That portion of a building between the surface of any floor and the surface of the floor next above or the ceiling above such floor in the case of the uppermost storey, but excludes any cellar;

**\*Structure** – A construction of any kind whether fixed to, supported by, or sunk into land or water and includes buildings and fences;

**\*Top of Bank** –

**\*Townhouses** – A block of three or more attached dwelling units located on a single site in the form of rows, clusters or groups, with each dwelling unit having its own exterior access at ground level, sharing one or more party walls and having its own separate patio, garden and/or sharing a common courtyard;

**\*Travel Trailer** – A vehicular, portable structure, whether or not self-propelled, built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding 2.4 m (8 ft.);

**\*Truck Terminal** – Land used for the loading, unloading, assembling or transferring of goods transported by truck, or which provides containerized freight handling facilities or rail-truck services and where the local pick-up, delivery and transitory storage of goods incidental to the primary function of motor freight shipment occurs;

**\*Two Family Dwelling** – A building designed to be used separately as a residence by two families and whose dwellings are separated by a common party wall, with each dwelling unit having its own exterior access at ground level.

**\*Use** – The purpose, for which land or a building or structure is used, designed or arranged;

**\*Warehouse** – A building used for the receiving and storage of goods or personal property for compensation, the collection and storage of containers and paper products for recycling and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations but excludes retail sales except in the case of sales held for not longer than one week and not more often than twice yearly pursuant to a special license granted to the owner;

**Watercourse** – Any natural or man made depression with well defined banks and a bed 0.6 m (2 ft.) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometres or more upstream of the point of consideration, or as designated by the Minister of Environment, Lands and

Parks, or a Designated Official;

**Yard, Front** – That portion of the site extending from one side site line to the other, between the front site line and a line parallel thereto drawn through the nearest point of the principal building erected or to be erected on the site; which depth must mean the perpendicular distance between the front site line and the parallel line;

**Yard, Rear** – That portion of the site extending from one side site line to the other between the rear site line, and a line parallel thereto drawn through the nearest point of the principal building erected or to be erected on the site; which depth shall mean the perpendicular distance between the rear site line and the parallel line;

**Yard, Side** – That portion of the site, extending from the front site line to the rear site line between the side site line, and a line parallel thereto drawn through the nearest point of the principal building erected or to be erected on the site; which depth must mean the perpendicular distance between the side line of the site and the parallel line;

Any item not defined in Section 1.0 will be defined pursuant to the current edition of the Concise Oxford Dictionary.

\* Denotes new definition

## **5 GENERAL REGULATIONS**

### **5.1 Location and Siting of Buildings and Structures - General**

- 5.1.1 No buildings shall be located in the required yards unless otherwise provided for in the Bylaw.
- 5.1.2 Detached accessory buildings shall no be closer than 1.2 m (3.94 ft.) to a residential use building as measured between the foundation of each

### **5.2 Location and Siting of Buildings and Structures - Major Roads**

- 5.2.1 Notwithstanding the regulations for yards within all zones of this Bylaw, or any other regulations of the Highway Act, principle or accessory buildings or structures shall not be closer than:
- 5.2.2 5 m (24.6 ft.) from a property line that abuts established collector roads and provincial highways as designated by the Village of Telkwa Official Community Plan.
- 5.2.3 Any reduction in the yard regulations of Subsection 5.2.1 above, respecting Provincial highways as designated under the Highway Act, shall require the prior written consent of the Ministry of Transportation and shall not be reduced to less than the yard requirements of the applicable zone.

### **5.3 Location and Siting of Buildings and Structures - to Major Water Courses**

#### 5.3.1 Flood Designation

The following land is designated as Floodplain:

- a) Land shown as Floodplain on Schedule "D" attached hereto and forming part of this bylaw;
- b) Land lower than the Flood Levels specified in Section 5.3.2;
- c) Land within the Setbacks specified in Section 5.3.3.

#### 5.3.2 Flood Levels

The following elevations are specified as Flood Levels, except that where more than one Flood Level is applicable, the higher elevation shall be the

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Flood Level:

- a) The Flood Level for a specific property, as determined by interpolation from those Flood Levels shown on Schedule "D";
- b) Zero point five (0.5) m above the Natural Ground for those areas in Cottonwood Flats identified on the map contained in Schedule "D";
- c) One point zero (1.0) m above the Natural Ground for those areas in Cottonwood Flats identified on the map contained in Schedule "D".

5.3.3 Setbacks

The following distances are specified as the Setback, except that where more than one Setback is applicable, the greater distance shall be the Setback:

- d) 60 m (200 ft.) from the Natural Boundary of the Telkwa River or any side channel thereof;
- e) 30 m (98 ft.) from the natural boundary of the Bulkley River or any side channel thereof;
- f) 15 m (49 ft.) from Deland Creek, as shown on Schedule C of this Bylaw; and,
- g) 7.5 m (25 ft.) from any standard dyke right-of-way or structure for flood protection.

5.3.4 Application of Floodplain Specifications

Pursuant to Section 910 (5) of the Local Government Act, after a bylaw has specified the Flood Level and Setback:

- a) The underside of any floor system, or top of any pad supporting any space, room or manufactured home, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater shall be above that specified Flood Level, and;
  - b) Any landfill required to support a floor system or pad shall not extend within any setback from a watercourse or body of water specified by the bylaw or the Minister of Water, Land and Air Protection.
  - c) Structural support or compacted landfill or a combination of both may be used to elevate the underside of the floor system or the top of the pad above the Flood Level specified in Section 5.3.2. The structural support and/or landfill shall be protected against scour and erosion from flood flows, wave action, ice and other debris.
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- d) The Building Inspector, or such person appointed by the Council of the Corporation of the Village of Telkwa may require that a British Columbia Land Surveyor's certificate be required to verify compliance with the Flood Levels and Setback specified in Sections 5.3.2 and 5.3.3. The cost of verification shall be assumed by the Landowner.

#### 5.3.5 General Exemptions

Pursuant to Section 910 (6) of the ~~Local Government Act~~, the Minister of Water, Land and Air Protection may exempt types of development from the requirements of Section 910, subject to conditions he may impose.

The following exemptions and conditional exception from the Flood Level specified in Section 5.3.2 of this bylaw, have been approved by the Minister:

##### Exemptions

- a) A renovation of an existing building or structure that does not involve an addition thereto;
- b) An addition to a building or structure, at the original non-conforming floor elevation, that would increase the size of the building or structure by less than twenty-five percent (25%) of the ground floor area (excluding carports and garages) existing at the date of adoption of this bylaw, provided that the degree of non-conformity regarding setback is not increased;
- c) That portion of the building or structure to be used as a carport, garage or entrance foyer;

##### Conditional Exception:

- d) Subject to the following conditions: Industrial uses, other than mail electrical switchgear, shall be located with the underside of a wooden floor system or the top of the Pad no lower than zero point six (0.6) m lower than the Flood Level specified in Section 5.3.2 of this bylaw. Main electrical switchgear shall be no lower than the Flood Level.

#### 5.3.6 Site Specific Exemptions

A letter from a property owner to the Minister of Water, Land and Air Protection for site-specific exemption shall be submitted to the Corporation of the Village of Telkwa for application to the Minister.

## **5.4 Projections Into Yards**

5.4.1 The following outlines those features that may project into the front, side or rear yard and any conditions of the permitted projection:

- a) a sign;
- b) Eaves, exterior finishes, gutters, cornices, provided that the projection does not exceed 1 m;
- c) Steps and landings in the required front and rear yard only;
- d) Bay windows in the required front and rear yard only, and provided that the projection does not exceed 1 m;
- e) A balcony or sundeck provided that such projection is not located within 1.5 m from any parcel line;
- f) A display, storage yard, parking space or loading space provided it is not located within 1 m of any parcel line.

5.4.2 The maximum projection into the required front and rear yard shall be 2 m (6.5 ft.) or half the distance of the required yard, whichever is less.

5.4.3 The maximum projection into a side yard shall be .75 m (2.46 ft.) or half the distance of the required yard (whichever is lesser).

## **5.5 Accessory Buildings and Structures**

5.5.1 Unless otherwise specified, buildings and structures accessory to the permitted use of a parcel of land are permitted in each zone, unless otherwise specified, provided that:

- a) The accessory building is placed no closer to the front lot line than the front wall of the principal building except for an attached carport or garage;
- b) The principal use is being performed on the parcel;
- c) A building for the purpose of the principal use has been constructed on the parcel; or,
- d) A building for the purpose of the principal use is in the process of being constructed on the parcel and the construction is being diligently carried out. Accessory buildings are subject to the yard requirements set out in the zone, except that the minimum rear and side yard required is 1.5 m (4.92 ft.). The maximum height of an accessory building shall be 5 m (16.4 ft.) unless otherwise specified.

5.5.2 Accessory buildings shall not be closer than 1.2 m (3.94 ft.) to a residential use building as measured between the foundation of each.

5.5.3 The total combined floor areas of all accessory buildings on the parcel, shall not exceed 70% of the total floor area of the principal building located on the parcel.

## **5.6 Temporary Uses, Buildings or Structures**

5.6.1 The following uses, buildings or structures are permitted to the extent specifically stated:

- a) Temporary structures or buildings erected for the purpose of office space in a zone permitting the use, subject to other requirements of this Bylaw;
- b) Temporary structures or buildings erected for the purpose of shelter for construction or maintenance crews;
- c) Temporary buildings or structures for the purpose of housing of security guards or night watchmen;
- d) Temporary structures or buildings erected for the storage of materials for the construction or maintenance of any private or public utility, or building or structure for which a required permit has been obtained; provided the temporary structure or building is removed within 30 days of completion of the permanent utility, building or structure or 12 months after the temporary buildings is erected or installed, whichever is the lesser period.
- e) Temporary buildings or structures for classroom on property zoned for public schools and subject to the parking requirements for the facility;
- f) The temporary use of a building or part thereof as a polling station for any election, referendum or census; or,
- g) Temporary use of a building or part thereof as a campaign headquarter for a political candidate.

## **5.7 Height Exemptions**

5.7.1 In a residential zone, no structure including poles and towers, but excluding radio antennas or support structures, shall exceed twice the maximum allowable height permitted by the zone; the height of the structure being measured from the average grade of the lot.

5.7.2 In all zones, except those zoned for residential use, the following structures

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shall not be subject to building height requirements provided the structures do not cover more than 20% of the lot or , if located on a building, not more than 10% of the roof area of the principle building:

Church spires, domes, monuments, fire and hose towers, observations towers, stadium, transmission towers, atrium, chimneys, flag poles, water tanks, cooling towers, elevator and ventilating machinery or enclosures for such structures or structural parts.

- 5.7.3 Signage shall not be placed on any structure listed in Section 5.7.2.
- 5.7.4 Open mesh or chain link type fences erected on tennis courts, public swimming pools public parks and playgrounds, public schools, public utilities or property zoned Industrial are exempt from height restrictions.
- 5.7.5 In all zones, radio antennas, masts, or support structures, shall not be subject to building height requirements provided the base of the radio antennae mast or support structure does not cover more than 20% of the lot, or if located on a building, not more than 10% of the roof area of the principle building.

## **5.8 Visibility at Intersections**

There shall be no obstruction to the line of vision, by buildings or structures, between the height of 1 m (3.28 ft.) and 3 m (9.84 ft.), above the established grade of highways within an area bounded by the centre lines of intersection streets and a line joining a point on each of the centre lines 25 m (82 ft.) from this intersection.

## **5.9 Fence Height**

- 5.9.1 Fence height shall be determined from measuring vertically from the average natural grade level within 1 m (3.4 ft.) of both sides of the fence to the highest part of the fence.
- 5.9.2 That portion of a retaining wall which projects above the surface of the ground, which it supports, will be considered as a fence and subject to the regulations of this Bylaw relating to fences.
- 5.9.3 Subject to the vision clearance provisions of these regulations, the following height limitations apply to all fences, walls or hedges:
- a) In an residential zones, fences or walls not greater than 1.8 m (6 ft.) in height may be located on any portion of the site to the rear of the required front yard, while fences not greater than 1.2 m (4 ft.) may be located in the front yard; and

b) In all I zones, fences or hedges not greater than 2.4 m (8 ft.) in height may be located on any portion of the site to the rear of a required front yard.

5.9.4 Section 5.9.3 does not apply to open mesh or chain link fences erected on cemetery, public playground, park, playfield, elementary or high school areas, or in industrial zones.

5.9.5 In any Rural zone in which the occupant maintains livestock, it is the responsibility of the occupant to provide adequate and secure fencing in order to prevent the wandering of the livestock.

## **5.10 Swimming Pools**

5.10.1 Residential swimming pools and hot tubs shall not be constructed within any required front yard or located within 3 m (9.84 ft.) of any other lot line.

5.10.2 Swimming pools shall be enclosed in a structure, or shall be enclosed or surrounded by a fence no less than 1.5 m (4.92 ft.) and no more than 1.8 m (5.90 ft.) in height, designed so that it will facilitate climbing and where equipped with gates, be operated by hinges and a lock and be able to be opened freely only from the inside.

## **5.11 Board and Lodging**

5.11.1 Board and Lodging may be permitted in any single-family dwellings in any Rural or Residential Zone, subject to the following requirements:

- a) The density of the use of a boarding or lodging where carried out in a single family dwelling or in a Rural or Residential zone shall not exceed two bedroom; and,
- b) Meals may or may not be served.

5.11.2 No sign shall be erected or located except in conformity with the following table in which Column I sets out the zone and Column II sets out the maximum sign area permitted in each parcel:

<u>Column I</u>	<u>Column II</u>
R-1, R-2, R-3, CR-1, CR-2, RR.	0.84 Square M (9 Square Ft.)
C-1, C-2, I-1, I-2, RAR	4.60 Square M (50 Square Ft.)
P	1.10 Square M (12 Square Ft.)

## **5.12 Vehicle Restrictions**

- 5.12.1 No lot on any zone shall be used for the wrecking or storage of derelict vehicles or more than two (2) unlicensed motor vehicles except where specifically permitted in that zone.
- 5.12.2 No lot zoned Residential shall be used for the storage or repair of commercial vehicles having a licensed gross vehicle weight greater than 8,600 kilogram (18, 920 pounds).
- 5.12.3 No lot zoned Residential shall be used for the parking or storage of a total of more than four motor vehicles including recreational vehicles.

## **5.13 Home Based Businesses**

- 5.13.1 Not more than one home based business shall be permitted per dwelling unit.
- 5.13.2 Notwithstanding the foregoing, no person shall be employed in a home occupation who is not a resident of the dwelling unit in which the home occupation is taking place.
- 5.13.3 The home based business may be contained in either the dwelling unit or an accessory building or combination thereof, subject to the following:
- a) In a dwelling unit, the home based business shall not occupy more than 100 square m (1,076 square ft.) of the dwelling unit or 50% of the dwelling unit, whichever is less;
  - b) Where the home based business is an accessory building, the home occupation shall not occupy more than 42 square m (452 square ft.); and,
  - c) Notwithstanding the foregoing, ancillary buildings constructed for a home occupation shall not exceed 42 square m (542 square ft.) in gross floor area, nor a maximum height of 5 m (16 ft.).
- 5.13.4 Retail sales are specifically excluded as a home based business
- 5.13.5 The home based business shall not discharge or emit odorous, toxic, or noxious matters or vapors, heat, glare, noise, vibration, smoke, dust effluent or other emission hazard, electrical interference or radiation across any lot line.
- 5.13.6 No signs other than a name plaque not exceeding .84 square m (9 square ft.)
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shall be permitted.

- 5.13.7 All storage related to the home based business must be wholly contained within permanent buildings.

## **5.14 Bed and Breakfast**

- 5.14.1 Bed and Breakfast facilities may be established in any detached single family dwellings in any Rural or Residential Zone, subject to the following requirements:

- a) The operator of the bed and breakfast establishment is resident within the dwelling unit;
- b) The density of the bed and breakfast carried out in a detached single family dwelling in a Rural or Residential zone shall not exceed two bedroom accommodating a maximum of four guests in addition to children under the age of sixteen under the care and supervision of such guests; and,
- c) Meals may or may not be served.

- 5.14.2 Notwithstanding the requirements of Subsection 5.14.1, bed and breakfast may be established in any detached single family dwelling where multiple family residential is a permitted use, subject to the following:

- a) The density of use of a bed and breakfast where carried out in a detached single family dwelling in a Multiple Family Residential Zone shall not exceed four bedroom accommodating a maximum of nine guests in addition to children under the age of sixteen under the care and supervision of such guests.

- 5.14.3 Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations as contained in Part 12 of this Bylaw.

## **5.15 Community Care Facilities**

Community care facilities, including day care, are permitted in any zone provided that:

- a) It provides day care for no more than sixteen persons;
  - b) It is a residence for no more than ten persons, of whom not more than six are in care; and,
  - c) It is eligible to be licensed under Section 5(iii) of the Community Care Facility Act.
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## **5.16 Bulk Storage of Combustible Material**

- 5.16.1 Bulk storage of flammable and combustible liquids, gases and materials, is permitted as a principle use only in the Airport-Industrial Reserve lands zoned RAR.
- 5.16.2 Notwithstanding Subsection 5.16.1. above -ground storage of flammable and combustible products is permitted for use on lots where the total storage capability does not exceed:
- a) 150,000 litres (39,626 U.S. gallons) when stored in relation to commercial and industrial uses; and,
  - b) 3,785 litres (1,000 U.S. gallons) when stored in relation to residential uses.

## **5.17 Residential Minimum Floor Area**

All single family dwellings shall have a minimum floor area of 75 square m (807 square ft.).

## **5.18 Screening and Landscaping**

- 5.18.1 Screening and landscaping required by this bylaw shall be provided by the owner of the parcel at the time of the development of a use, building or structure on the parcel, and shall be constructed, erected, installed or planted prior to the issuance of an occupancy permit by the Village of Telkwa.
- 5.18.2 Screening having a height of not less than 2 m (6.6 ft.) shall be provided by the owner of a parcel which is located in a C or I zone, and which is used for commercial or industrial uses, and which abuts parcels designated Rural or Residential in this bylaw.
- 5.18.3 Any person carrying on a commercial or industrial use in any C or I zone, the site of which abuts an R zone must provide either a screen as prescribed in Subsection 5.18.2 or a landscaped buffer 3 m (10 ft.) in width between the commercial or industrial use and the residential use.
- 5.18.4 Screening having a height of not less than 2 m (6.6 ft.) shall be provided by the owner of a parcel which is located in a C or I zone around any outdoor storage or refuse receptacle areas located on the parcel.
- 5.18.5 All mechanical, electrical or other service equipment located outside or on the roof of a building, in all C areas shall be screened from adjacent

properties and streets by ornamental structures, landscaping or other means.

- 5.18.6 Screening consisting of a painted solid fence or wall which must be well maintained and not used for advertising or display purposes or for the posting of notices, or a compact evergreen hedge not less than 2.4 m (8 ft.) in height which must be maintained in good condition at all times, must be provided on any site, all or a portion of which is used or is intended to be used for a storage yard.
- 5.18.7 Any required screening in this Section must be located between the storage yard and all bounding highways.

### **5.19 Parking Areas, Loading Areas and Display Yards**

- 5.19.1 Any parking area, loading area or display yard must be separated from an adjoining street except at points of access and egress, or from a directly abutting lot in an R zone, by a landscaped and properly maintained strip of not less than 2 m (7 ft.) in width.
- 5.19.2 All zones are subject to the off-street parking and loading standards contained in Section 12 this Bylaw.

### **5.20 Setbacks in Industrial Zones**

- 5.20.1 On any site located in an I zone, which abuts any portion of a controlled access highway, a building setback of 10 m (33 ft.), must be provided from the said highway.
- 5.20.2 Except as provided for in Subsections 5.20.3 and 5.20.4, a required setback must be graded and landscaped over its full width and depth by the planting of shrubs and lawn or the retention of existing natural growth.
- 5.20.3 No building or structure of any kind, except a sign or area for parking or loading, is permitted within such landscaped area.
- 5.20.4 The foregoing conditions do not prohibit the use of a portion of the area for walks or driveways to give access to or from any building or structure, and do not prohibit the erection of an ornamental fence not exceeding 1 m (3 ft.) in height.

### **5.21 Automobile Service Stations**

Automobile service stations must be constructed as follows:

- a) the height of any building or structure does not exceed 10 m (33 ft.);
- b) a building setback at least 7 m (23 ft.) from any highway and at least 3 m (10 ft.) from any other lot line is provided;
- c) pump islands are setback at least 3 m (10 ft.) from any lot line or as required by relevant fire regulations;
- d) all repair equipment is kept, and all repair work is done, entirely within a building;
- e) on all site lines separating the lot from a residential site, a screen is provided in accordance with Subsection ; and
- f) exterior lighting casts no glare on any adjacent residential site.

### **5.22 Non Conforming Buildings or Structures and Routine Maintenance**

A non-conforming building or structure may not be enlarged, added to, rebuilt or structurally altered, except:

- a) as may be required by Statute or any Bylaw;
- b) as may be deemed necessary by the Building Inspector for the routine maintenance of the building or structure;
- c) as may be deemed necessary by the Building Inspector for the continued use and enjoyment of the building or structure; and
- d) the enlargement or alteration to the building or structure does not create another deficiency or increase the degree of an existing deficiency with respect to any requirements of this Bylaw.

### **5.23 Conversion of Buildings to Public Use**

In any zone, all buildings proposed for conversion to public institutional use including such facilities as a day care centre or other place of meeting, must meet the Building Bylaw of the Village of Telkwa in effect from time to time.

### **5.24 Signs**

As and from the date of adoption of this Bylaw, no billboard may be erected upon land in the Village of Telkwa.

## **5.25 Site Area Regulations**

Notwithstanding the minimum site area requirements stipulated by this Bylaw, where the Province or the Municipality or any public authority or agency is to purchase or otherwise acquire a portion of a parcel of land for a right-of-way or for the widening of an existing right-of-way or of a highway, the minimum site area for the parcel for the permitted use may be reduced by a maximum of ten percent (10%).

## **5.26 General Subdivision Regulations**

- 5.26.1 Except as otherwise provided for in this Bylaw, the minimum area of a parcel area into which land may be subdivided in any zone without servicing by a Community water system and a community sewer system, shall not be less than 4 hectares (9.88 acres).
- 5.26.2 No parcel created by a subdivision shall have a frontage less than 1/10 of its total perimeter or 15 m (49.2 ft.) fronting on a highway, whichever is greater, or 10 m (32.8 ft.) where the lot frontage is on a cul-de sac, provided however that the Approving Officer may exempt a parcel from this requirement.
- 5.26.3 Notwithstanding Subsection 5.26.2., the minimum parcel frontage shall not be less than 22 m (72.16 ft.) for a parcel which fronts a major road as designated in the Official Community Plan if alternate access satisfactory to the Approving Officer cannot be provided.
- 5.26.4 The depth of each parcel of land created by subdivision shall be at least 30 m (98.4 ft.), provided however that the Approving Officer may exempt a parcel from this requirement.
- 5.26.5 A lot within a newly created subdivision will not be considered as subdivided or created until the plan of subdivision is registered in the Land Title Office and a new plan number is available.
- 5.26.6 Panhandle lots:
- a) No panhandle shall be created with an access strip less than 6.0 metres (19.7 feet) in width, provided, however, that the Approving Officer may exempt a parcel from this requirement.
  - b) The depth of the panhandle lot (excluding access strip) shall not be less than 40 metres (131.2 feet), provided, however, that the Approving Officer may exempt a parcel from this requirement.
  - c) For the purpose of calculating lot area, the access strip shall
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not be included.

- 5.26.7 Nothing contained within this Bylaw or the Subdivision Control Bylaw shall be deemed to bind the Approving Officer to approve a subdivision complying with the prescribed minimum requirements as to shape and dimensions of parcels if, in his/her opinion, such minimum standards would not be adequate to accommodate the facilities, structures and open space required, by the proposed use or to protect the established amenities of adjoining or adjacent lands.

**6 SUBDIVISION REGULATIONS BY ZONE**

Minimum Lot Area

Zone	PERMITTED USE	MINIMUM LOT AREA REQUIRED
<b>Residential Zones</b>		
R-1	Single Family	697 m <sup>2</sup> (7,500 sq.ft.)
R-2	Two Family	1200 m <sup>2</sup> (12,900 sq.ft.)
	Fourplex	1200 m <sup>2</sup> (12,900 sq.ft.)
R-3	Single Family Mobile	1200 m <sup>2</sup> (12,900 sq.ft.)
	Mobile Home Park	2 ha (5 acres)
R-4	Single family Suburban	1000 m <sup>2</sup> (10,800 sq.ft.)
CR-1	Country Residential	2,000 m <sup>2</sup> (1/2 acre)
CR-2	Country Residential Estate	0.80 ha (2 acres)
<b>Rural Zones</b>		
RR	Single family (no community water or sewer)	4 ha (10 acres)
RAR	Agriculture/forestry/ industrial	25 ha (62 acres)
<b>Commercial Zones</b>		
C-1	Downtown Commercial	556 m <sup>2</sup> (6,000 sq.ft.)
C-2	Highway Commercial	1500 m <sup>2</sup> (16,100 sq.ft.)
<b>Industrial Zones</b>		
I-R	Rural Industrial	2 ha (5 acres)
I-2	Light Industrial	** 1500 m <sup>2</sup> (16,100 sq.ft.)
<b>Institutional Zones</b>		
P-1	Public Institutional	697 m <sup>2</sup> (7500 sq.ft.)
P-2	Parks	

## **7 RESIDENTIAL ZONES**

### **7.1 R-1 Zone - Single Family Residential**

All uses in the R-1 Zone must comply with the following regulations:

#### 7.1.1 Permitted Uses

The following uses only are permitted in the R-1 zone

##### 7.1.1.1 Principle Uses

- a) Single Family Dwellings

##### 7.1.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

#### 7.1.2 Subdivision

The minimum lot size and width required to facilitate subdivision of R-1 zoned land is established in Section 6.0.

#### 7.1.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.0.

#### 7.1.4 Minimum/Maximum Site Coverage

Minimum Site Coverage	75 square m (807.3 square ft.)
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Maximum Site Coverage for all structures	40%
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#### 7.1.5 Density

Not more than one principal use shall be permitted per lot.

#### 7.1.6 Height

Maximum Height of principal building	9 m (29.5 ft)
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Maximum Height of accessory building	5 m (16 ft.)
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7.1.7 Building Setbacks

The minimum building setbacks required are as follows:

7.1.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	1.5 m (5 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

7.1.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

7.1.8 Sign Regulations

The following regulations apply to any signs erected on R-1 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
- b) No sign may be illuminated, flashing or oscillating.
- c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
- d) Not more than one sign may be placed on a site.
- e) Every sign must be neat, attractive, be of professional quality and solidly constructed.

7.1.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 11 of this Bylaw.

## **7.2 R2 Zone - Multiple Family Dwellings**

All uses in the R-2 Zone must comply with the following regulations:

### 7.2.1 Permitted Uses

The following uses only are permitted in the R-2 zone

#### 7.2.1.1 Principle Uses

- a) Single Family Dwellings
- b) Two family Dwellings
- c) Three family Dwellings
- d) Four family Dwellings

#### 7.2.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

### 7.2.2 Subdivision

The minimum lot size and width required to facilitate subdivision of R-2 zoned land is established in Section 6.0.

### 7.2.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

### 7.2.4 Minimum/Maximum Site Coverage

Maximum Site Coverage for all structures 40%

### 7.2.5 Density

Not more than one principal use shall be permitted per lot.

Not more than one single family, two family , three family or four family dwelling is permitted on a lot.

7.2.6 Height

Maximum Height of principal building	9 m (29 ft.)
Maximum Height of accessory building	5 m (16. ft.)

7.2.7 Building Setbacks

7.2.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	1.5 m (5 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

7.2.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

7.2.8 Sign Regulations

The following regulations apply to any signs erected on R-2 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
- b) No sign may be illuminated, flashing or oscillating.
- c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
- d) Not more than one sign may be placed on a site.
- e) Every sign must be neat, attractive, be of professional quality and solidly constructed.

7.2.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw

### **7.3 R3 Zone - Mobile Homes**

All uses in the R-3 Zone must comply with the following regulations:

#### 7.3.1 Permitted Uses

The following uses only are permitted in the R-3 zone

##### 7.3.1.1 Principle Uses

- a) Mobile Home
- b) Mobile Home Park
- c) Single Family Dwellings

##### 7.3.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Home Based Business, subject to Part 5

#### 7.3.2 Subdivision

The minimum lot size and width required to facilitate subdivision of R-3 zoned land is established in Section 6.0.

#### 7.3.3 Minimum Lot Area

7.3.3.1 The lot areas for mobile homes located within a mobile home subdivision must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

7.3.3.2 The minimum lot or site areas for mobile homes located within a mobile home park are to conform to the Village of Telkwa Mobile Home Parks Bylaw No. 364, 1994" and amendments thereto.

#### 7.3.4 Minimum/Maximum Site Coverage

Maximum Site Coverage for all structures 40%

#### 7.3.5 Density

A single family dwelling is permitted only in a mobile home park, not within a mobile home subdivision, and only one single family dwelling is permitted.

7.3.6 Height

Maximum Height of principal building	9 m (29.5 ft.)
Maximum Height of accessory building	5 m (16 ft.)

7.3.7 Building Setbacks

7.3.7.1 The minimum building setbacks required for the one permitted single family dwelling are as set out in the R-1 Zone.

7.3.7.2 The minimum building setbacks required for a mobile home within a mobile home park shall be in accordance with the Village of Telkwa Mobile Home Parks Bylaw No. 364, 1994" and amendments thereto.

7.3.7.3 The minimum building setbacks required for a mobile home within a mobile home subdivision are as follows:

7.3.7.4 Principal Building:

Minimum Front Yard Setback	4 m (13 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	3 m (10 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

7.3.7.5 Required Accessory Building Setbacks are set out in Sub Section 5.5

7.3.8 Sign Regulations

The following regulations apply to any signs erected on R-3 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
  - b) A sign identifying a mobile home park development may not exceed 5 m<sup>2</sup> (54 sq. ft.) in area or 2 m (6.5 ft.) in height.
  - c) No sign may be illuminated, flashing or oscillating.
  - d) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
  - e) Not more than one sign may be placed on a site.
-

- f) Every sign must be neat, attractive, be of professional quality and solidly constructed.

7.3.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw

## **7.4 R-4 Zone - Single Family Suburban Residential**

All uses in the R-4 Zone must comply with the following regulations:

### 7.4.1 Permitted Uses

The following uses only are permitted in the R-4 zone

#### 7.4.1.1 Principle Uses

- a) Single Family Dwellings

#### 7.4.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

### 7.4.2 Subdivision

The minimum lot size and width required to facilitate subdivision of R-4 zoned land is established in Section 6.0.

### 7.4.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

### 7.4.4 Minimum/Maximum Site Coverage

Minimum Site Coverage	75 square m (807.3 square ft.)
Maximum Site Coverage for all structures	40%

### 7.4.5 Density

Not more than one principal use shall be permitted per lot.

### 7.4.6 Height

Maximum Height of principal building	9 m (29.5 ft.)
Maximum Height of accessory building	5 m (16 ft.)

7.4.7 Building Setbacks

7.4.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	1.5 m (5 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

7.4.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

7.4.8 Sign Regulations

The following regulations apply to any signs erected on R-4 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
- b) No sign may be illuminated, flashing or oscillating.
- c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
- d) Not more than one sign may be placed on a site.
- e) Every sign must be neat, attractive, be of professional quality and solidly constructed.

7.4.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **7.5 CR-1 Zone - Country Residential**

All uses in the CR-1 Zone must comply with the following regulations:

### 7.5.1 Permitted Uses

The following uses only are permitted in the CR-1 zone

#### 7.5.1.1 Principle Uses

- a) Single Family Dwellings

#### 7.5.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

### 7.5.2 Subdivision

The minimum lot size and width required to facilitate subdivision of CR-1 zoned land is established in Section 6.0.

### 7.5.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

### 7.5.4 Minimum/Maximum Site Coverage

Minimum Site Coverage	75 square m (807.3 square ft.)
Maximum Site Coverage for all structures	40%

### 7.5.5 Density

Not more than one principal use shall be permitted per lot.

### 7.5.6 Height

Maximum Height of principal building	9 m (29.5 ft)
Maximum Height of accessory building	5 m (16 ft.)

7.5.7 Building Setbacks

7.5.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	1.5 m (5 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

7.5.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

7.5.8 Sign Regulations

The following regulations apply to any signs erected on CR-1 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
- b) No sign may be illuminated, flashing or oscillating.
- c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
- d) Not more than one sign may be placed on a site.
- e) Every sign must be neat, attractive, be of professional quality and solidly constructed.

7.5.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **7.6 CR- 2 Zone - Country Residential Estate**

All uses in the CR-2 Zone must comply with the following regulations:

### 7.6.1 Permitted Uses

The following uses only are permitted in the CR-2 zone

#### 7.6.1.1 Principle Uses

- a) Single Family Dwellings

#### 7.6.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

### 7.6.2 Subdivision

The minimum lot size and width required to facilitate subdivision of CR-2 zoned land is established in Section 6.0.

### 7.6.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

### 7.6.4 Minimum/Maximum Site Coverage

Maximum Site Coverage for all structures 40%

### 7.6.5 Density

Not more than one principal use shall be permitted per lot.

### 7.6.6 Height

Maximum Height of principal building 9 m (29.5 ft.)  
Maximum Height of accessory building 5 m (16 ft.)

7.6.7 Building Setbacks

7.6.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	1.5 m (5 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

7.6.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

7.6.8 Sign Regulations

The following regulations apply to any signs erected on CR-2 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
- b) No sign may be illuminated, flashing or oscillating.
- c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
- d) Not more than one sign may be placed on a site.
- e) Every sign must be neat, attractive, be of professional quality and solidly constructed.

7.6.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **8 RURAL ZONES**

### **8.1 RR Zone - Rural Residential Planning Reserve**

All uses in the RR Zone must comply with the following regulations:

#### 8.1.1 Permitted Uses

The following uses only are permitted in the RR zone

##### 8.1.1.1 Principle Uses

- a) Single Family Dwellings

##### 8.1.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

#### 8.1.2 Subdivision

The minimum lot size and width required to facilitate subdivision of RR zoned land is established in Section 6.0.

#### 8.1.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

#### 8.1.4 Minimum/Maximum Site Coverage

Minimum Site Coverage	75 square m (807.3 square ft.)
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Maximum Site Coverage for all structures	40%
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#### 8.1.5 Density

Not more than one principal use shall be permitted per lot.

#### 8.1.6 Height

Maximum Height of principal building	9 m (29.5 ft)
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Maximum Height of accessory building	5 m (16 ft.)
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8.1.7 Building Setbacks

8.1.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	1.5 m (5 ft.)
Minimum Side Yard Setback from the other Interior side lot line	1.5 m (5 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

8.1.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

8.1.8 Sign Regulations

The following regulations apply to any signs erected on RR-1 zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
- b) No sign may be illuminated, flashing or oscillating.
- c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
- d) Not more than one sign may be placed on a site.
- e) Every sign must be neat, attractive, be of professional quality and solidly constructed.

8.1.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **8.2 RAR Zone - Rural Acreage Reserve**

All uses in the RAR Zone must comply with the following regulations:

### **8.2.1 Permitted Uses**

The following uses only are permitted in the RAR zone

#### **8.2.1.1 Principle Uses**

- a) Agriculture
- b) Archery or Rifle Ranges and Gun Clubs
- c) Forestry
- d) Horticulture, Nurseries and Greenhouses
- e) Logging, Portable Sawmills and Lumber Kilns (provided that the floor of the lumber kiln does not exceed 45 sq. m)
- f) Outdoor Recreational Facilities
- g) Rural Assembly Camps
- h) Single Family Dwellings
- i) Sub-surface Raw Material Exploration and Extraction
- j) Unpaved Airstrips for Use of Aircraft Flying Non-Scheduled Flights
- k) Wood Harvesting or Forestry

#### **8.2.1.2 Accessory Uses**

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

### **8.2.2 Subdivision**

The minimum lot size and width required to facilitate subdivision of RAR zoned land is established in Section 6.0.

### **8.2.3 Minimum Lot Area**

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

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8.2.4 Minimum/Maximum Site Coverage

Maximum Site Coverage for structures excluding agricultural or horticultural buildings 30%

8.2.5 Density

Not more than one principal use shall be permitted per lot.

8.2.6 Height

Maximum Height of principal building 10.5 m (34.4 ft)

Maximum Height of accessory building 5 m (16.4 ft.)

8.2.7 Building Setbacks

8.2.7.1 Principal Building:

Minimum Front Yard Setback 7.5 m (25 ft.)

Minimum Rear Yard Setback 7.5 m (25 ft.)

Minimum Side Yard Setback from one interior side lot line 7.5 m (25 ft.)

Minimum Side Yard Setback from the other Interior side lot line 7.5 m (25 ft.)

Minimum side Yard Setback flanking a highway 7.5 m (25 ft.)

8.2.7.2 Required Accessory Building setbacks are set out in Sub Section 5.5.

8.2.8 Sign Regulations

The following regulations apply to any signs erected on RAR zoned lands:

- a) The maximum area of any sign may be 0.6 m<sup>2</sup> (6 sq.ft.).
  - b) No sign may be illuminated, flashing or oscillating.
  - c) No sign may be located in any required front yard or any side yard along the flanking highway of a corner lot.
  - d) Not more than one sign may be placed on a site.
  - e) Every sign must be neat, attractive, be of professional quality and solidly constructed.
-

8.2.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **9 COMMERCIAL ZONES**

### **9.1 C-1 Zone - Downtown Commercial Core**

All uses in the C-1 Zone must comply with the following regulations:

#### 9.1.1 Permitted Uses

The following uses only are permitted in the C-1 zone

##### 9.1.1.1 Principle Uses

- a) Artist's studio
- b) Commercial Offices
- c) Financial Institutions
- d) Hotel/Motel
- e) Institutional Use
- f) Libraries
- g) Off-street parking
- h) On-site Manufacture and sale of hand crafted small goods when totally contained in a building
- i) Outdoor Garden Shop
- j) Personal Service
- k) Public House
- l) Restaurant
- m) Retail Use
- n) Single family dwelling
- o) Video Arcades

##### 9.1.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5
- e) Single family dwelling, subject to the regulations of the R-1 zone.

f)

Subdivision

The minimum lot size and width required to facilitate subdivision of C-1 zoned land is established in Section 6.0.

9.1.2 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

9.1.3 Minimum/Maximum Site Coverage

Maximum Site Coverage for structures excluding agricultural or horticultural buildings	100%
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9.1.4 Density

Not more than one principal use shall be permitted per lot.

9.1.5 Height

Maximum Height of principal building	10.5 m (34 ft)
Maximum Height of accessory building	5 m (16 ft.)

9.1.6 Building Setbacks

Except as otherwise provide for in this zone and in this Bylaw, no front, side, or rear yard is required.

9.1.7 Sign Regulations

The following regulations apply to any signs erected on C-1 zoned lands:

a) The maximum area of any sign may be 4.7 m<sup>2</sup> (50 sq. ft.) or 1% of the gross floor area of the permitted use on the same lot, whichever is greater

9.1.8 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **9.2 C-2 Zone - Highway Commercial**

All uses in the C-2 Zone must comply with the following regulations:

### 9.2.1 Permitted Uses

The following uses only are permitted in the C-2 zone.

#### 9.2.1.1 Principle Uses

- a) Automotive Repair Shops
- b) Building Material Supplies
- c) Campsite
- d) Car Wash
- e) Contractor and Subcontractor Shop
- f) Convenience Store
- g) Custom Workshops
- h) Gasoline Service Station
- i) Hotel/Motel
- j) Laundromat
- k) Nursery/Greenhouse
- l) Offices
- m) Outdoor Garden Shop
- n) Restaurant
- o) Retail Use
- p) Single family dwelling
- q) Warehousing

#### 9.2.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5
- b) Bed and Breakfast, subject to Part 5
- c) Boarding or Lodging, subject to Part 5
- d) Home Based Business, subject to Part 5

### 9.2.2 Subdivision

The minimum lot size and width required to facilitate subdivision of C-2

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zoned land is established in Section 6.0.

9.2.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

9.2.4 Minimum/Maximum Site Coverage

Maximum Site Coverage for structures excluding agricultural or horticultural buildings	50%
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9.2.5 Density

Not more than one principal use shall be permitted per lot.

9.2.6 Height

Maximum Height of principal building	10.5 m (34 ft)
Maximum Height of accessory building	5 m (16 ft.)

9.2.7 Building Setbacks

9.2.7.1 Principal Building:

Minimum Front Yard Setback	10 m (33 ft.)
Minimum Rear Yard Setback	6 m (20 ft.)
Minimum Side Yard Setback from one interior side lot line	3 m (10 ft.)
Minimum Side Yard Setback from the other Interior side lot line	3 m (10 ft.)
Minimum side Yard Setback flanking a highway	4.0 m (13 ft.)

9.2.8 Sign Regulations

The following regulations apply to any signs erected on C-2 zoned lands:

- a) The maximum area of any sign may be 4.7 m<sup>2</sup> (50 sq. ft.) or 1% of the gross floor area of the permitted use on the same lot, whichever is greater

b)

9.2.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **10 INDUSTRIAL ZONES**

### **10.1 I-1 Zone - Light Industrial**

#### 10.1.1 Permitted Uses

The following uses only are permitted in the I-1 zone

##### 10.1.1.1 Principle Uses

- a) Commercial Cardlock Facility
- b) Contractor and Subcontractor Shop
- c) Custom Workshops
- d) Food and Beverage Processing, Excluding Fish, Live Animals, Live Poultry and Other Fowl
- e) Fuelling Stations
- f) Helicopter landing pads
- g) Indoor Mini Storage
- h) Laundromat
- i) Nursery/Greenhouse
- j) Light Industry
- k) Recycling Depots
- l) Repair Shops
- m) Retail Lumber and Building Supply Yards
- n) Retail of Auto Accessories and Parts
- o) Retail of products produced or manufactured on site
- p) Service Industry
- q) Storage Yards
- r) Tools equipment Rentals and Service

##### 10.1.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5

#### 10.1.2 Subdivision

The minimum lot size and width required to facilitate subdivision of I-1 zoned land is established in Section 6.0.

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- 10.1.3 Minimum Lot Area
- The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.
- 10.1.4 Minimum/Maximum Site Coverage
- |                                      |     |
|--------------------------------------|-----|
| Maximum Site Coverage for structures | 50% |
|--------------------------------------|-----|
- 10.1.5 Density
- Not more than one principal use shall be permitted per lot.
- 10.1.6 Height
- |                                      |                  |
|--------------------------------------|------------------|
| Maximum Height of principal building | 10.5 m (34.4 ft) |
| Maximum Height of accessory building | 5 m (16.4 ft.)   |
- 10.1.7 Building Setbacks
- 10.1.7.1 Principal Building:
- |   |                |
|---|----------------|
| Minimum Front Yard Setback                                      | 10 m (33 ft.)  |
| Minimum Rear Yard Setback                                       | 6 m (20 ft.)   |
| Minimum Side Yard Setback from one interior side lot line       | 3 m (10 ft.)   |
| Minimum Side Yard Setback from the other Interior side lot line | 3 m (10 ft.)   |
| Minimum side Yard Setback flanking a highway                    | 4.0 m (13 ft.) |
- 10.1.7.2 Required Accessory Building Setbacks are set out in Sub Section 5.5.
- 10.1.8 Sign Regulations
- The following regulations apply to any signs erected on I-1 zoned lands:
- a) The maximum area of any sign may be 4.7 m<sup>2</sup> (50 sq. ft.) or 1% of the gross floor area of the permitted use on the same lot, whichever is greater
- 10.1.9 Off-street Parking
- Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.
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## **10.2 I-2 Zone - Rural Industrial**

### 10.2.1 Permitted Uses

The following uses are permitted in the 1-2 zone.

#### 10.2.1.1 Principle Use

- a) Automobile repair
- b) Commercial workshop including machine shop, welding shop, private or government garage and workshop
- c) Contractor and subcontractor shop
- d) Concrete, asphalt, and rock-crushing plant
- e) Heavy equipment sales and service
- f) Indoor mini storage
- g) Light manufacturing, including construction, assembly and repair of wood and fiberglass products, signs, boats and ceramic products
- h) Nursery and greenhouse
- i) Portable Sawmill and lumber kiln (provided that the floor area does not exceed 45 m<sup>2</sup>);
- j) Repair shops
- k) Storage compounds
- l) Tools and equipment rentals and service

#### 10.2.1.2 Accessory Use

- a) Accessory Buildings subject to Section 5
- b) The following independent office uses:
  - c) i) General Contractor
  - d) ii) Computer Services and Data processing
  - e) iii) Courier, communication or dispatch
  - f) iv) Shipping Agent or Freight Forwarder
  - g) v) Wholesale Broker or Manufacturer's Agent

#### 10.2.2 Conditions of Use

- a) An accessory building must be located to the rear of the principal building and shall not be located within any
-

required yard.

- b) Retail sales of any product accessory to the principal use is permitted, provided that the sales floor area does not exceed 200 square m (2,152 square ft.)

10.2.3 Lot Area

The minimum lot area shall not be less than 2.0 hectares (5 acres) with no requirement for community water and community sewer services.

10.2.4 Lot Coverage

The maximum lot coverage shall not exceed 50%.

10.2.5 Density

Not more than one principal use shall be permitted per lot.

10.2.6 Height of Buildings

The height of a principal building shall not exceed 12 m (40 ft.).

The height of an accessory building shall not exceed 6 m (20 ft.).

10.2.7 Building Setbacks

10.2.7.1 Principal Building:

Minimum Front Yard Setback	7.5 m (25 ft.)
Minimum Rear Yard Setback	7.5 m (25 ft.)
Minimum Side Yard Setback from one interior side lot line	7.5 m (25 ft.)
Minimum Side Yard Setback from the other Interior side lot line	7.5 m (25 ft.)
Minimum side Yard Setback flanking a highway	7.5 m (25 ft.)

- 10.2.7.2 In the case where any parcel line abuts a residential zone, the minimum yard depth is 15 m (49 feet).
- 10.2.7.3 Required Accessory Building Setbacks are set out in Sub Section 5.5.
- 10.2.8 Screening and Landscaping
- 10.2.8.1 All uses except nursery greenhouse, heavy equipment sales or service, not contained within a building must be screened in accordance with sub section 5.8.
- 10.2.8.2 Screening and/or landscaping having a height of not less than 2 m (6.6 ft.) will be required on front lot lines on Skillhorn Road)
- 10.2.9 Off-Street Parking
- Off-Street Parking shall be provided and maintained in accordance with the "Off Street parking" regulations in Section 12 of this Bylaw.

## **11 PUBLIC INSTITUTIONAL ZONES**

### **11.1 P-1 Zone - Public Institutional**

#### 11.1.1 Permitted Uses

The following uses only are permitted in the P-1 zone

##### 11.1.1.1 Principal Uses

- a) Administrative Offices
- b) Ambulance Station
- c) Assembly Halls
- d) Caretaker's Dwelling Unit
- e) Cemeteries
- f) Churches
- g) Club or Lodge
- h) Fire Station
- i) Hospitals
- j) Libraries
- k) Museum
- l) Personal Care Facilities
- m) Provincial and Federal Health Units and Clinics
- n) Public/Private Schools
- o) Recreation and Culture Buildings
- p) Seniors Housing

##### 11.1.2 Accessory Uses

- a) Accessory Buildings, subject to Part 5

##### 11.1.3 Subdivision

The minimum lot size and width required to facilitate subdivision of P-1 zoned land is established in Section 6.0.

##### 11.1.4 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.0.

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- 11.1.5 Minimum/Maximum Site Coverage
- |                                      |     |
|--------------------------------------|-----|
| Maximum Site Coverage for structures | 40% |
|--------------------------------------|-----|
- 11.1.6 Density
- Not more than one principal use shall be permitted per lot.
- 11.1.7 Height
- |                                      |              |
|--------------------------------------|--------------|
| Maximum Height of principal building | 15 m (49 ft) |
| Maximum Height of accessory building | 5 m (16 ft.) |
- 11.1.8 Building Setbacks
- 11.1.8.1 Principal Building:
- |   |                |
|---|----------------|
| Minimum Front Yard Setback                                      | 7.5 m (25 ft.) |
| Minimum Rear Yard Setback                                       | 6 m (20 ft.)   |
| Minimum Side Yard Setback from one interior side lot line       | 5 m (16 ft.)   |
| Minimum Side Yard Setback from the other Interior side lot line | 5 m (16 ft.)   |
| Minimum side Yard Setback flanking a highway                    | 4.0 m (13 ft.) |
- 11.1.9 Sign Regulations
- The following regulations apply to any signs erected on P-1 zoned lands:
- a) The maximum area of any sign may be 4.7 m<sup>2</sup> (50 sq. ft.) or 1% of the gross floor area of the permitted use on the same lot, whichever is greater
- 11.1.10 Off-street Parking
- Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

**11.2 P2 Zone - Parks**

11.2.1 Permitted Uses

The following uses only are permitted in the P-2 zone

- a) Play field
- b) Curling rink
- c) Cemetery
- d) Public Open Space
- e) Recreation, Arts and Culture Buildings

11.2.2 Subdivision

The minimum lot size and width required to facilitate subdivision of P-2 zoned land is established in Section 6.0.

11.2.3 Minimum Lot Area

The lot areas for the permitted uses must comply with the minimum lot sizes required for subdivision of the land as set out in Section 6.

11.2.4 Minimum/Maximum Site Coverage

Maximum Site Coverage for structures 40%

11.2.5 Density

Not more than one principal use shall be permitted per lot.

11.2.6 Height

A maximum height restriction will not apply to any structure in a P-2 zone.

11.2.7 Building Setbacks

No front, side or rear yards are required

11.2.8 Sign Regulations

The maximum area of any sign may be 4.7m<sup>2</sup> (50 sq. ft.)

11.2.9 Off-street Parking

Off-street parking shall be provided and maintained in accordance with the Off-Street Parking Regulations in Part 12 of this Bylaw.

## **12 OFF-STREET PARKING**

### **12.1 APPLICATION**

12.1.1 Space for the off street parking and loading of motor vehicles in respect of a class of building permitted under this bylaw shall be provided and maintained in accordance with the regulations of this section of this Bylaw.

12.1.1.1 Notwithstanding the foregoing, the regulations contained in this Section shall not apply to buildings, structures and uses existing as of the date of adoption of this Bylaw, except that:

- a) Off-street parking and loading shall be provided and maintained in accordance with this Section for any addition to an existing building and structure, or change or addition to the existing use.
- b) The number of off-street parking or loading spaces provided prior to the date of adoption of this Bylaw shall not be reduced below the applicable off-street parking

#### **12.1.2 PROCEDURE**

Every Building Permit Application for a new, enlarged or remodeled building, structure, or use shall include a parking site plan, numbered, drawn to scale and fully dimensioned, showing all off-street parking and loading facilities and related site improvements.

#### **12.1.3 REQUIRED NUMBER OF OFF-STREET PARKING SPACES AND UNITS OF MEASUREMENT**

The minimum number of off-street parking spaces required for each building class, type or use shall be provided as indicated in Table "1" of this Bylaw. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use.

#### **12.1.4 EXCEPTIONS AND ADDITIONAL REQUIREMENTS**

When the calculation for parking requirements results in a fractional parking space being part of the total parking spaces require, such fractional parking space may be deleted.

- 12.1.5 Where seating accommodation is used as a unit of measurement, and such accommodation consists of benched, pews, booths and the like, each 0.5 m (1.64 ft.) of width of such seating accommodation shall be counted as 1 seat.
- 12.1.6 In the case of mixed uses, the total requirements for the off-street parking or loading facility shall be the sum of the requirements for the various uses computed separately.
- 12.1.7 Where distances are used to determine off-street parking requirements, such distances shall be deemed as walking distances and measured along existing roads.
- 12.1.8 In all zones other than the C-1 Zone, required off-street parking spaces shall be located on the same parcel as the building they serve.
- 12.1.9 In addition to the requirements for off-street parking, buildings for commercial, industrial, institutional or other similar use involving the movement of goods, materials or item by truck shall provide the required number of off-street loading spaces specified in Table 2 of this Bylaw.
- 12.1.10 A required off-street loading space shall not encroach onto any street or onto any off-street parking space, parking area, driveway aisle, or landscape buffer.
- 12.1.11 Truck docks shall be located away from areas of pedestrian movement and screened from view from parking areas, adjacent properties, or adjacent streets.

## **12.2 OFF-STREET PARKING DIMENSIONS AND DESIGN**

- 12.2.1 Each off-street parking space required by this bylaw shall be not less than 2.7 m (9 ft.) wide or 6.0 m (20 ft.) long or have a vertical clearance less than 2.1 m (7 ft.).
- 12.2.2 Provisions shall be made for individual ingress or egress by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles having widths not less than:
- a) 7.5 m (24.6 ft.) where parking space lengths are situated at an angle between 61 and 90 degrees to the maneuvering aisles;
  - b) 5.0 m (16.4 ft.) where parking space lengths are situated at an angle between 46 and 60 degrees to the maneuvering aisles;  
or,
  - c) 3.5 m(11.5 ft.) where parking space lengths are situated at an
-

angle of 45 degrees or less to the maneuvering aisles.

- 12.2.3 Each off-street parking space shall have at all times access to an aisle that intersects with a highway.
- 12.2.4 Where 20 or fewer parking spaces are provided, at least one means of access and exit must be provided. Where more than 20 parking spaces are provided, at least two separate access entrances/exits must be provided.
- 12.2.5 All off-street parking lots and loading areas must be provided with adequate curbs in order to retain all vehicles within such parking lots or loading areas and to ensure that required fences, wall, hedges, or other landscaped areas as well as any buildings will be protected from parked vehicles.
- 12.2.6 Any lighting used to illuminate any off-street parking lot and/or loading area must be located so that all direct rays of light are not reflected on any adjoining premises.

### **12.3 Surfacing of Parking Lots and Loading Areas**

- 12.3.1 Every off-street parking lot and loading area must:
- a) Be graded to provide an even surface;
  - b) Be drained so that no surface water accumulates thereon;
  - c) Runs off onto any sidewalk, or
  - d) Runs off onto any highway if the area is not paved
  - e) Be surfaced with pavement, paving stones or other impervious material;
  - f) Have access to and from highways in accordance with these regulations, and have constructed sidewalk crossovers if the access crosses a sidewalk.

**TABLE ONE**

Use	Required Number of Spaces
Single family dwelling	2 spaces
Duplex (two family dwelling)	4 spaces
Mobile Home	2 spaces
Multiple family	1.5 spaces for each dwelling unit
Caretaker's dwelling unit	2 spaces
Senior Citizens' Housing	1.5 spaces for each dwelling unit
Personal care facilities, including but not limited to, group homes, rest homes, congregate care facilities, and community care facilities	1 space for each 5 sleeping units
<b><u>COMMERCIAL RESIDENTIAL</u></b>	
Bed and breakfast	2 spaces for the dwelling unit and one per sleeping unit used as bed and breakfast
Boarding and Lodging	1 space for each 2 sleeping units and if in a dwelling unit, 2 spaces for the dwelling unit
Campsites, campgrounds	1 space for each site plus 3 additional spaces
Hotel	1 space for each 2 sleeping units plus 1 space for each 3 seats in a cafe, restaurant, cocktail lounge, bar or beer parlour, plus 1 space for each 12 square m (129 sq. ft.) of meeting area
Motel	a) <u>When the number of units exceeds the number of seats in the cafe, 1.1 per unit plus 1 per 3 seats in cafe;</u>

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- b) When the number of units is less than the number of seats in the cafe, 0.9 per unit plus 1 per 3 seats in cafe.

INSTITUTIONAL, PUBLIC AND SEMI-PUBLIC USES

School - Elementary	1.5 spaces per classroom
School - Senior High school	3 spaces per classroom

ASSEMBLY, CULTURAL AND RECREATIONAL

Assembly halls, bingo halls, community centres	1 space for each 12 square m (129 sq. ft.) of gross floor area
Bowling alley	2 spaces for each alley
Churches	1 space for 5 seats
Driving, batting, or shooting range	1 space per driving, batting or shooting stall
Libraries, galleries, museum or similar places of public assembly	1 space for every 40 square m (430 sq. ft.) of gross floor area
Recreation Facility	1 space for every 10 square m (107.6 sq. ft.) ice area, plus 1 space per 12 square m (129 sq. ft.) pool surface, plus 1 space per 40 square m (431 sq. ft.) other sports

AGRICULTURAL NURSERIES

Accessory retail sales of agricultural products (produce stands)	8 spaces
Garden centres, commercial nurseries, greenhouses	1 space for each 14 square m (151 sq. ft.) of retail floor area

INDUSTRIAL

Custom workshops, machine and welding shops	1 space for each 100 square m (1076 sq. ft.) of gross floor area
Manufacturing and industrial uses, including food and beverage processing	1 space for each 100 square m (1076 sq. ft.) of gross floor area
Sale, rental service and repair of motor vehicles, recreation vehicles, mobile homes, boats, machinery, farm implements and equipment	1 space for each 100 square m (1076 sq. ft.) of gross floor area, plus 1 service bay
<u>Warehousing, storage, wholesale, and</u>	<u>1 space for each 100 square m (1076 sq.</u>

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similar uses	ft.) of gross floor area
Mini storage	1 space for each 200 square m (2152 sq. ft.) of gross floor area
 <u>COMMERCIAL RETAIL</u>	
Convenience Store	1 space per 19 square m (205 sq. ft.) of net retail floor area or 4 spaces whichever is greater
Retail store	1 space per 37 square m (398 sq. ft.) of retail floor area
Building Material Supply	1 space per 200 square m (2153 sq. ft.) of covered sales and storage area
 <u>COMMERCIAL SERVICE</u>	
Veterinary Clinics	5 spaces per veterinary office
Gasoline service stations and car washes	3 spaces per gasoline service bay plus 1 space for each car wash bay
Restaurants	1 space for each 8 seats
Salons, beauty and hair care or barber	1 space for each 10 square m (108 sq. ft.) of gross floor area
Taxi stand	1 space per taxi plus 1 per office
 <u>OFFICES AND FINANCIAL INSTITUTIONS</u>	
Financial Institutions	1 space per 28 square m (301 sq. ft.) of gross floor area
Offices: Medical and Dental	4 spaces per doctor's or dentist's office.
Offices: (of all types excluding medical)	1 space per 6 square m (65 sq. ft.) of gross floor area

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**Table 2 - Off-Street Parking**

Use	Required Number of off-Street Loading Spaces
Retail Store, Manufacturing, Fabricating, Processing, Warehousing and Wholesaling Establishments	
Less than 465 sq. m (5,005 sq. ft.)	1
465 sq. m (5,005 sq. ft.) to 2,300 sq. m (24,758 sq. ft.)	2
Greater than 2,300 sq. m (24, 758 sq. ft.) in floor area	3

**13**      **EFFECTIVE DATE OF BYLAW**

This Bylaw shall come into force and take effect upon the adoption thereof.

PASSED FIRST AND SECOND READINGS - December 17, 2001

PUBLIC HEARING HELD PURSUANT TO THE REGULATIONS OF SECTION 956 OF THE LOCAL GOVERNMENT ACT ON February 12<sup>th</sup>, 2002.

RECEIVED APPROVAL ON BEHALF OF THE MINISTRY OF TRANSPORTATION AND HIGHWAYS PURSUANT TO THE REGULATIONS OF 57(2) OF THE HIGHWAY ACT ON --- April 9, 2002

~~PASSED THIRD READING ON---~~ March 25, 2002

~~ADOPTED ON---~~ April 22, 2002

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SHARON L. HARTWELL  
MAYOR

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GARY MCINTYRE  
VILLAGE CLERK