



**City of Prince Rupert**

**CONSOLIDATED ZONING  
BYLAW**

**Zoning Bylaw No. 3462, 2021**



### Adoption and Amendment Disclaimer

Zoning Bylaw No. 3462 was adopted by Council on May 10, 2021 and is consolidated as of June 24, 2024. Subsequent amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 3462, 2021. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Amendment bylaws can be found on the City's website or requested at City Hall.

<i>List of Amendments to City of Prince Rupert Zoning Bylaw No. 3462, 2021</i>		
<b>Bylaw No.</b>	<b>Date of Adoption</b>	<b>Purpose of Amendment</b>
3473	August 23/2021	Amendment to Schedule B.
3475	Nov 22/ 2021	Amendment to Schedule B with site specific amendments to Schedule A at Lots 9 – 11 & 26-33 and a part of lot 34, Block 31; Lots 1 – 4 & a part of lot 34 and 35-42, Block 32 and Closed Rd. ( <b>now Lot 2</b> ) Section 8, District Lot 251, Range 5, Coast District, Plan 923.
3485	Feb 7/2022	Amend Schedule B.
3490	Apr 11/2022	Amendment to Schedule B.
3492	Aug 2/2022	Site Specific Amendment Schedule A at Parcel A (See G4248) Block 36 Section 1 District Lot 251 Range 5 Coast District Plan 923 .
3493	Dec 5/2022	Amendments to Schedule A.
3504	Nov 14/2023	Amendment to Schedule A. Addition of Appendix D.
3505	Jan 22/2024	Amendment to Schedule A.
3506	Feb 26/2024	Amendment to Schedule A.
3507	June 26/2023	Amendment to Schedule B and site-specific amendments to Schedule A at Lots 1-7 Block 40 Section 5 District Lot 251 Range 5 Coast District Plan 923 And Amended Lot 8 (See 99188i) Block 40 Section 5 District Lot 251 Range 5 Coast District Plan 923.
3511	Dec 12/2022	Amendment to Schedule B.
3531	May 27/2024	Site Specific Amendment to Schedule A at Lots 11-14 Block 24 Section 1 District Lot 251 Range 5 Coast District Plan 923.
3535	May 27/2024	Amendment to Schedule A.
3536	May 27/2024	Amendments to Schedule A & B.
3539	May 27/2024	Amendments to Schedule A.
3538	June 24/2024	Amendments to Schedule B and site-specific amendments to Schedule A At Lots 21-23, Parcel A (See Td10960) And Lots 26-28 Block 10 Section 1 District Lot 1992 Range 5 Coast District Plan 923.
3540	June 24/2024	Site specific Amendments to Schedule A at LOTS 21-23, PARCEL A (SEE TD10960) and Lots 26-28 Block 10 Section 1 District Lot 1992 Range 5 Coast District Plan 923.
3528	June 24/2024	Amendments to Schedules A & B.
3478	June 24/2024	Amendment to Schedule B.

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**Bylaw Application:**

This Bylaw shall be applicable to the whole of the area within the boundaries of the City of Prince Rupert including buildings and structures.

**Section 1 – Definitions**

This Bylaw includes a number of words that have specific meanings with respect to permitted uses and related regulatory requirements. These words and phrases are defined in this section and in some instances are augmented by illustrative drawings to provide further explanation.

**ACCESSORY BUILDING, STRUCTURE OR USE** means a building, structure or use customarily incidental and subordinate to the principal buildings, structure or use located on the same site, and the definition of accessory building shall not include a building intended as a dwelling unit.

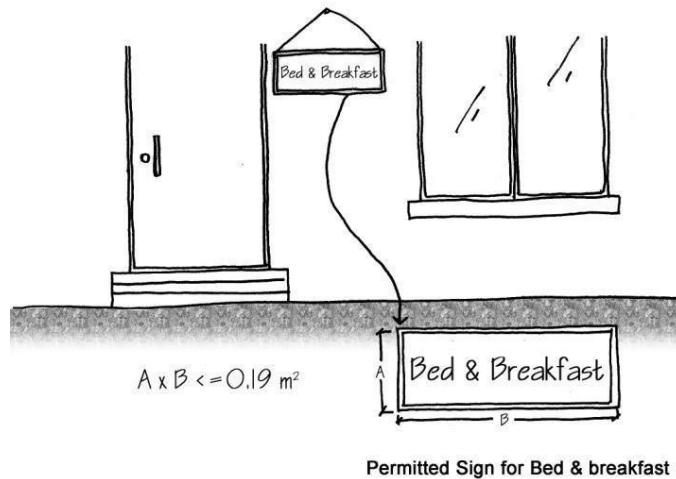
**ANIMAL HOSPITAL or CLINIC** means the use of land, buildings or structures for the care, examination, diagnosis and treatment of sick, ailing, infirm, or injured pets, including medical intervention, surgery, and may include accessory short-term accommodation of pets, pet grooming, and the sale of medicine and pet supplies.

**ASSEMBLY HALL** includes any premises occupied or used by a gathering of persons for civic, political, travel, social, religious, educational, and recreational or like purposes.

**AUTOMOTIVE SERVICE AND REPAIR** means a business devoted exclusively to the service, repair, and sales of automotive parts, excluding the sale of vehicle fuels.

**AVERAGE FINISHED GRADE** means the sum of measurements obtained from the midpoint of each exterior wall at the finished grade, divided by the total number of applicable perimeter measures.

**BED & BREAKFAST ACCOMMODATION** means the use of a detached single family dwelling or duplex for the accommodation of the traveling public in guest rooms without cooking facilities where the room rate includes breakfast served on the premises, with one permitted sign subject to a maximum size of 0.19m<sup>2</sup>. For the purpose of this Bylaw, a bed & breakfast is considered a short term rental accommodation.



**BOARDER OR LODGER** means a person who pays for and occupies a sleeping room, with or without individual toilet facilities, in a dwelling unit occupied by a family to which he is not related by blood or marriage.

**BOARDING OR LODGING HOUSE** - means a building containing four (4) or more rooms for rental as sleeping units, with or without meals being provided for the persons living therein.

**BUFFER** means a landscaped barrier to air, noise and vibrational pollution, and visibility.

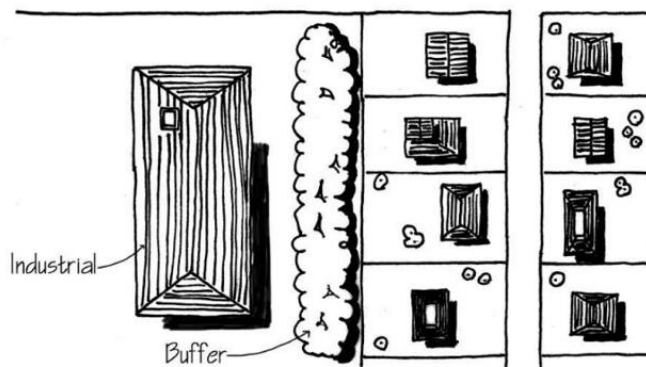
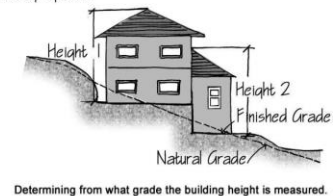
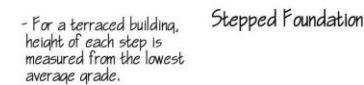
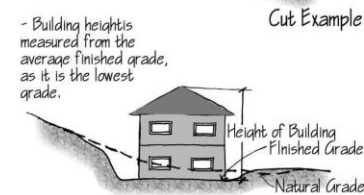
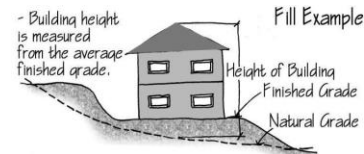
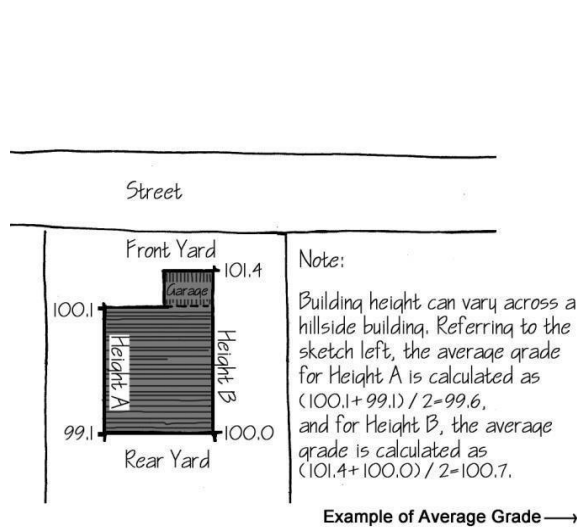


Illustration of Buffer Area

**BUILDING** means a structure having a roof supported by columns or walls and used for the shelter or accommodation of persons, animals or chattels.

**BUILDING FOOTPRINT** means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage. It does not include areas of porch, deck, and balcony more than 0.6 metres above average ground elevation; cantilevered covers, porches or projections; or ramps and stairways required for access.

**BUILDING HEIGHT** means the vertical distance from the average finished grade, measured at the perimeter of a building or structure to the highest point of the building or structure and excludes chimneys, aerials, antennae, steeples and service structures having an area of not more than 10% of the area of the principal building.



**CAMP SITE** means a site occupied and maintained to be occupied for the temporary accommodation of recreation vehicles and tents, including customary accessory sales.

**CANNABIS** has the same meaning as in the Cannabis Act (Canada), and subject to any prescribed modifications.

**CANNABIS RETAIL SALES** means a business under the regulations of the Cannabis Control and Licensing Act and where the principal business is the retail sales of Cannabis for consumption off site and includes government and private stores.

**CHILD CARE FACILITY** means a use or facility providing for the care of children licensed according to the Child Care Licensing Regulation under the Community Care and Assisted Living Act.

**COMMERCIAL CANNABIS OPERATIONS** means cannabis cultivation, propagation and processing for retail purposes.

**COMMERCIAL USE** means a use providing for the selling of goods or services, for personal services, or for the servicing and repair of goods; includes retail uses, personal service establishments, wholesaling in conjunction with retail sales, commercial and governmental offices, recreation facilities, commercial schools, household services and all associated repairs; excludes manufacturing, salvaging, warehousing, the selling, servicing and repair of heavy industrial machinery, service stations and tourist accommodation.

**CONSTRUCTION CAMP** means a series of mobile homes established to accommodate persons on temporary stay and directly involved in construction of major projects, along with accessory uses including but not limited to: communal kitchen and dining facilities, communal recreation facilities; training classrooms; communal laundry facilities, and cleaning facilities generally required to maintain a large number of individuals.

**CREATIVE INDUSTRY** refers to a range of economic activities which are concerned with the generation or exploitation of knowledge and information. This includes technology development, operations and manufacture, studios (creating and sales of product), galleries, museums, aquariums, marine manufacture spaces, live-work spaces, education uses and facilities.

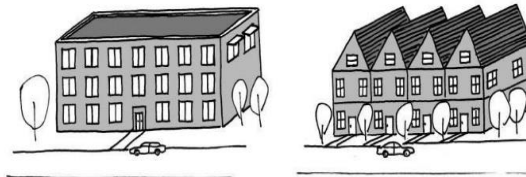
**DERELICT VEHICLE** means a motor vehicle without a license under the Motor Vehicle Act for a period of more than one (1) year and is not housed in a garage or carport.

**DENSITY, COMMERCIAL** means the floor area ratio that is permitted in the commercially zoned parcel of land. Where a commercial zone permits a residential or mixed use, the number of residential dwelling units permitted shall be regulated by the permitted maximum floor area ratio of the applicable zone.

**DENSITY, RESIDENTIAL** means the number of dwelling units permitted on a lot. This shall be expressed by the lot area multiplied by the number of dwelling units permitted for the same unit of area for that lot based on the zoning in effect, and for the final number rounding off fractions of 0.50 or greater to the next highest whole number and fractions of less than 0.50 to the next lowest number.

**DWELLING UNIT** means one or more rooms with self-contained sleeping, living, and sanitary facilities containing no more than one kitchen. A dwelling unit is intended for use as a residence or domicile for one or more persons. It specifically excludes a recreational vehicle. Additionally, dwelling units may be a:

- (a) **MULTI-FAMILY RESIDENTIAL DWELLING** means a dwelling unit that is located within an apartment or multi-family residential building. A multi-family residential building must be part of a development with 5 or more dwelling units (attached or detached) on a single lot.

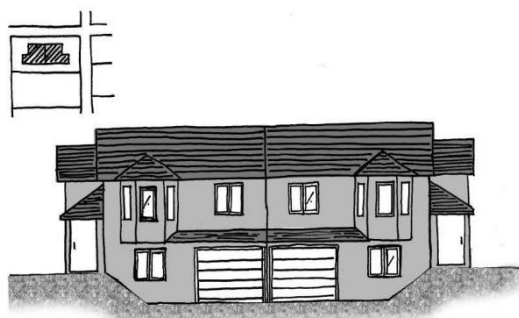


- (b) **SMALL SCALE RESIDENTIAL DWELLING** means a building or single lot that contains up to four (4) principle or accessory dwelling units, and may take form in any mix of Single Family Dwellings, Duplexes, Houseplex, and attached or detached ADUs configurations. It does not apply to any mobile unit.

- a. **SINGLE FAMILY DWELLING** means a detached building that is used for a residential use. It must contain one dwelling unit, or one dwelling unit with a secondary suite if permitted.
- b. **DUPLEX** means a building that contains two principal dwelling units, and may include up to one secondary suite per principal dwelling. These principal dwelling units may be either one above another and separated by a ceiling and floor that extends from an exterior wall to exterior wall, or they may be located side by side and separated by a common party wall that extends from ground to roof. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area.
- c. **HOUSEPLEX** means a building that contains three or four principal dwelling units. This includes detached dwelling units that are connected by a carport or garage if they share a

continuous permanent foundation and common roof area. This can include row houses.

- d. Principle Dwelling Unit refers to the dwellings units that are not accessory dwelling units.



Two Family or Duplex Building

**EDUCATION CENTRE** means any use dedicated to education for various age groups and needs, including elementary, secondary, post-secondary, technical and vocational, and includes public and private sector education centres.

**ENERGIZED SPACE** means a vehicle parking space that is equipped with an energized EV outlet and, where required, Electric Vehicle supply equipment.

**ENTERTAINMENT CENTRE** means a building or part thereof which is used for the entertainment of the public through provision of live music and performances and includes the provision of pool tables, gaming centres, billiard tables, pinball or video game machines or other amusement-vending mechanical, electronic, automatic or computerized game machines where the number of these devices is five or greater.

**FAMILY** means persons sharing a household, consisting of: (a) two (2) or more persons related by blood, marriage, common law, adoption, or foster parenthood, and (b) three (3) or fewer unrelated persons.

**FENCE** means a hedge, railing or paling, trellis louvres or other screening forming a boundary to or enclosing some area, provided that if such fence forms a part of any principal or accessory building then it shall be regulated as part of such building.

**FIRST STOREY** means the first habitable floor accessible from a grade level entrance.

**FLOOR AREA RATIO** means the figure obtained when the gross floor area of all floors of a building on a lot is divided by the area of the lot.

**FRACTIONAL OWNERSHIP** refers to a situation where a host owns a part or fraction of a property with the right to use it for an equal fraction of the year.

**GARDEN SUITES** means a self-contained, detached dwelling unit containing cooking, eating, living, sleeping and sanitary facilities, located on the same parcel and smaller than the principal dwelling unit. This does not include mobile units

**GENERAL INDUSTRIAL USE** means the assembly, manufacture, warehousing, processing, fabrication, repair, storage and transfer facilities for industrial commodities and includes service industrial uses.

**GROSS FLOOR AREA** means the total floor area as measured to the extreme outer limits of the external walls of the building, with the exclusion of exterior wall thickness that is exclusively used for the provision of insulating materials and non-structural exterior cladding. Gross Floor Area does not include parking structures, swimming pools, or decks, balcony, and patios that are not fully enclosed.

**HARDSURFACED** means the provision of durable, dust free road surface construction of concrete, asphalt or similar material.

**HOME BUSINESS** means a **home occupation** that is permitted as an accessory use to a single family or two family dwelling that may include on-site customers.

**HOME OCCUPATION** means any permitted business, trade or profession carried on within a dwelling unit or accessory building to a dwelling unit. A home occupation must clearly be an ancillary use to the residential use of the dwelling unit or to the residential use of the lot occupied by the dwelling unit. A home occupation may be one of two types: 1) home office; 2) home business.

**HOME OFFICE** means a home occupation which operates without the regular on-site attendance from clients or customers.

**HOSTEL** means a type of traveller's accommodation which contains one or more dormitories (four or more beds per room) and includes common areas for washing, cooking, dining and socializing, sanitary, kitchen, and social facilities.

**IMPOUNDMENT YARD** means the commercial storage of vehicles and boats for an interim period of time and excludes the wrecking or sale of scrap materials.

**INSTITUTIONAL FACILITY** means a building that is intended to provide administrative, judicial, medical, cultural, recreational, educational, and related uses.

**KITCHEN** means a room or an area within a building that is designed or used for the preparation and storage of food. A Kitchen is designed to contain a sink, refrigerator, stove, and hotplate or microwave oven.

**LANE** means a road allowance more than 6m but less than 10m in width used exclusively for the collection of garbage, loading and unloading of vehicles.

**LIGHT INDUSTRIAL USE** means assembly, manufacture, warehousing, process, repair and service industrial uses that have their use contained within a fully enclosed building but may include fully screened exterior storage areas.

**LOCK-OFF SUITE** means an accessory dwelling unit located within a multi-family dwelling unit, with a separate lockable entrance access to a shared common hallway and shared internal access, and which can be locked-off from the primary dwelling unit, but does not include a secondary suite.

**LOT** means an individual parcel of land registered in the Land Titles Office.

**LOT LINE** means the boundary of a lot, and:

- (1) **FRONT LOT LINE** means the lot line that is common to the lot and abutting highway or access route in a bare land strata plan, in the case where there are two or more such lot lines the shortest is considered the front lot line. In the case of a panhandle lot means the lot line or lot lines nearest the abutting highway, but not forming a boundary of the access strip as indicated in the definition of panhandle lot;
- (2) **REAR LOT LINE** means the lot line that is opposite to the front lot line when a lot has only four sides, and where the rear portion of a lot is bounded by intersecting side lot lines means the point of intersection;
- (3) **EXTERIOR SIDE LOT LINE** means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and
- (4) **INTERIOR SIDE LOT LINE** means a lot line that is not a front, rear, or exterior lot line.



**LOT COVERAGE** means the combined footprint of all buildings on a lot, expressed as a percentage of the lot, and excludes trellises, unenclosed patios, and underground parking structures as long as such structures do not exceed 6m above the average ground elevation.

**MARINE COMMERCIAL USE** means a retail and/or service use including boat and equipment sale and rentals, charter operations, chandleries, boat building and repair, water taxis, yacht clubs and moorage, seafood loading, processing and sales.

**MARINE RESIDENTIAL** can include the moorage of marine vessels that contain a residential unit, connected to the public sewer and water systems, as defined under this Bylaw. It can also include residential units that are placed on a floating foundation and are located on the ocean surface.

**MOBILE HOME** means a dwelling unit structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured as an individual unit or module, and intended to be moved from one place to another by being towed or carried and which is in compliance with CSA 240 specifications.

**NON-CONFORMING USES** are defined by the Local Government Act. In general, a non-conforming use means any lawful use existing at the time of the Bylaw adoption which does not conform to all the provisions of this Bylaw for the Zone in which such building or use is located.

**OFF STREET PARKING** means a use providing for parking or storage of vehicles.

**OVERSIZED BICYCLE** means larger, non-standard bicycle such as cargo bikes, bicycles with trailers, recumbent bicycles, and other larger bicycles.

**PANHANDLE LOT** means any lot that is situated directly behind another lot such that an access strip provides the lot frontage.

**PERSONAL SERVICE ESTABLISHMENT** means a commercial service intended to serve the health, grooming, financial, recreational, athletic activities or related well-being of an individual.

**PRINCIPAL BUILDING** means a building that, in the opinion of the City (a) occupies the major or central portion of the lot; (b) is the chief or main building or use among one or more buildings or uses on a site; and (c) constitutes, by reason of its use, the primary purpose for which the site is used. It does not include buildings that exclusively contain accessory uses permitted on the lot.

**PRINCIPAL RESIDENCE** means the dwelling unit is where a person lives for at least five consecutive months per calendar year and where such person conducts their daily affairs which include paying bills and receiving mail. For the purpose of operating a short term rental accommodation, a person cannot have more than one principal residence.

**RETAIL USE** means the sale and display of goods and services, including food and beverage services, to consumers; and may include wholesale warehousing and distribution.

**SERVICE COMMERCIAL USE** means retail and service uses that can include ancillary exterior storage and display areas, repair facilities, vehicle and marine sales, service and repairs, transit terminals, horticultural centres, warehouses, recycling centres, wholesale and distribution outlets.

**SECONDARY SUITE** means an accessory dwelling unit located within a principal dwelling.

**SENIORS HOUSING** means housing only for people aged 55 or older. This housing can be in the form of supportive/assisted living housing or can be a form of multi-family residential dwellings without living support or assistance.

**SERVICE STATION** means a vehicle fueling station which may include the sale of accessory food and convenience items.

**SHIPPING CONTAINER** means a metal transport container with an assigned GVW weight. It is designed for and customarily associated with road, rail or ocean transport with a maximum

dimension of eight feet wide by forty feet long by eight feet high.

**SHORT TERM RENTAL ACCOMODATION** means a use of dwelling or sleeping unit that is used for a temporary commercial accommodation for short term use of any paying guests within a period of ninety (90) consecutive days or less. This includes but is not restricted to Bed & Breakfast accommodations. Short Term rentals are subject to Municipal and Regional District Tax.

**SITE** means an area of land or surface of water consisting of one or more lots used as a unit devoted to a common use or development and excludes from its area required environmental setbacks or unbuildable slopes.

**SLEEPING UNIT** means a unit primarily used for sleeping, containing sleeping and sanitary facilities, but no kitchen as defined within the City of Prince Rupert Zoning Bylaw.

**STUDENT HOUSING** means a residential unit that can house up to 10 related or unrelated people. Residents of these developments must be registered as a post-secondary student. In the case of related people, only one of the family members needs to be registered as a post-secondary student.

**STORY** means a part of a building comprising all the rooms that are on the same level. The height of each story is based on the ceiling height of the rooms plus the thickness of the floors between each pane. The height of the story is defined as 4.3 metres.

**STRUCTURE** means anything that is constructed, erected or placed, the use of which requires the location on the ground or attachment to something having location on the ground. This includes a satellite dish antenna, heat pump, gas meter, propane tank, or other attached mechanical equipment. This excludes any fence, beehive, retaining wall, underground sewage disposal facility, and paved or concrete surface.

**SUPPORTIVE HOUSING** means the use of a principal dwelling for providing a supportive and structured environment to residents, which is registered under the Community Care and Assisted Living Act or governed by a Housing Agreement, and may include counselling, educational services, homemaking and transportation. The character of use is that residents live together as a single house-keeping group and use a common kitchen. Typical uses include but are not limited to sober living homes and transition homes for vulnerable persons.

**TEMPORARY STRUCTURE** means a structure or building that is intended to be used for a period of time not exceeding the building permit expiry, after which time it must be removed from the site.

**TRAVELER ACCOMMODATION** means a use providing for the accommodation of a transient public in a permanent structure, with individual sleeping units such as a hotel or motel, or providing space for such lodging. It also includes hostels; and may include dining and beverage facilities. This does not include tents, trailers, or recreational vehicles.

**UNENCLOSED STORAGE** means an area not contained within a building or structure where materials or equipment are stored, baled, placed, piled, or handled. This includes but is not limited to: construction materials, solid fuels, lumber and new building materials, monuments, utility equipment, goods, machinery or equipment for industrial and construction use, derelict vehicles, or any materials which are ordinarily placed in a landfill.

**URBAN AGRICULTURE** means the act of growing food on a lot. In addition to produce grown in a garden, this also includes community gardens, fruit and nut tree production, the keeping of hens and/or bees, and agricultural retail sales.

**UTILITY BUILDING** means a building or structure related to the operation and maintenance of utilities such as drainage, water supply, wastewater collection (but excluding treatment), telephone, and power.

**WIND POWER PROJECT** means a project of not more than 25 wind powered electricity generating machines including associated maintenance and substation buildings, roads, and transmission lines.

**WIND POWER TURBINE** means an electric generating machine which consists of generating housing (nacelle) and wind blended rotor situated/mounted on top of a free standing tubular steel lattice or concrete tower.

## Section 2 – Administration

### 2.1.0 Administration

- a) The Administrator, City Clerk, Deputy City Clerk, Community Planner, Building Inspector, License Inspector, Bylaw Enforcement Officer, Approving Officer, Public Works Director and their designates and any other person appointed by the Council are hereby authorized to administer this Bylaw.
- b) Persons appointed under subsection (a) are hereby authorized to enter, at all reasonable times, upon properties subject to the provisions of this Bylaw to ascertain whether the provisions of the Bylaw are being obeyed.
- c) No person may obstruct the Bylaw Enforcement Officer or any other designated person engaged in the administration or enforcement of this Bylaw.

### 2.2.0 Application

- a) This Bylaw shall apply to all land, the surface of water, buildings, and structures within the boundaries of the City of Prince Rupert subject to the provisions of other Provincial and Federal statutes;
- b) Where a lot is divided by a zone boundary, the areas created by such division shall be deemed to be separate lot areas for the purpose of determining the requirements of this bylaw.

### 2.3.0 Prohibition

Subject to the provisions of the Local Government Act respecting non-conforming uses, land, including the surface of water, building or structures shall not be used, constructed, reconstructed, altered, moved or extended contrary to any provision of this Bylaw.

### 2.4.0 Violation

Any person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any provision of this Bylaw is guilty of an offence.

### 2.5.0 Penalty

- a) Any person convicted of an infraction of this Bylaw shall be liable on summary conviction to the penalties not exceeding \$10 000 and the costs of prosecution.
- b) Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
- c) Upon conviction, the magistrate may direct that no prosecution under Subsection (b) may be made, with respect to the continuance of the violation, for such period of time as directed.
- d) Fines for a violation of this Bylaw may also be set out in the City of Prince Rupert Ticket Information Bylaw.

### 2.6.0 Severability

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

### 2.7.0 Requirements for Compliance

- a) Land or the surface of water within the City of Prince Rupert may not be used, land may not be subdivided,

buildings and structures on land or the surface of water may not be altered, constructed, used, or located, and signs may not be erected or located on any land unless permitted by this Bylaw.

- b) All siting measurements must be made on the horizontal plane from the natural boundary, lot line, or other feature specified in this Bylaw to the nearest portion of the building, structure, or use in question.

## **Section 3 – General Provisions**

### **3.1.0 Uses Permitted in Several Zones**

The following uses are permitted as indicated, but are subject to the siting requirements as stated for the Zone in which the use is situated:

- a) Churches and places of worship are permitted in all Commercial and Residential zones
- b) Education centres, providing for education of grades 1 and higher, are permitted in all Residential, Commercial and Public Facilities Zones
- c) Utility buildings are permitted in all zones except for Residential zones.
- d) Golf courses are permitted in all Residential zones.
- e) Parks and recreation facilities are permitted in all zones.
- f) Cemeteries are permitted in all zones.
- g) Hospitals, medical clinics and treatment centres are permitted in all Residential, Commercial and Public Facilities Zones, subject to the lot having a minimum area of 1,100m<sup>2</sup>.
- h) Non-market and non-profit housing facilities are allowed to dedicate up to 20% of the total gross floor area to office spaces necessary to manage the facilities, administer programs and provide counselling in all Multiple Family Zones, and the parking requirements will be regulated according to the use.
- i) Shipping containers are permitted for up to 60 days for temporary storage in all zones.

### **3.2.0 Non – Conforming Uses**

- a) The regulations governing non-conforming uses are set forth in the Local Government Act.
- b) The lawful use of any land, building or structure existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the Local Government Act), although such use does not conform with the provisions of this Bylaw.

### **3.3.0 Siting Exceptions**

- a) Freestanding lighting poles, warning devices, utility poles, wires, flag poles, signs and sign structures may be sited on any portion of a lot, except as otherwise limited in other bylaws.
- b) Except as otherwise provided in this or other bylaws, canopies or awnings may be constructed in Commercial zones within 0.6 metres of the existing curb line within a minimum or 2.7 metres vertical clearances from street level, subject to the City granting a license of occupation to the owner.
- c) Bay windows, eaves and cornices of buildings may extend into the required minimum front and rear yard setback by 0.6 metres.
- d) Within the residential zones the foundations for masonry chimneys and fireplaces shall be no closer than 0.6 metres from the side property line. Chimneys constructed with other materials must adhere to regular setback requirements.
- e) Within the residential zones, no part of any sidewalk, patio, sundeck, or stairs which is more than 1.2 metres above grade shall be closer to the side property line than 0.6 metres.
- f) Notwithstanding the front setback requirements in this Bylaw for single and two family dwellings, when a single or two family dwelling has no other means of access either from the rear or from the side, a private garage may be located closer to the street than the required setback line subject to the roof if such garage is not more than 60 cm above the general elevation of the road.

### **3.4 Accessory Dwelling Units**

### **3.4 Accessory Dwelling Units**

- a) A Secondary Suite is permitted as an accessory use to a small-scale residential dwelling as permitted in Section 5 of this Bylaw.
- b) A Lock-off Suite is permitted as an accessory use to a dwelling unit within multifamily housing, or other type of dwelling unit as permitted in Section 5 and 6 of this Bylaw.
- c) A Garden Suite is permitted as an accessory use to a small-scale residential dwelling as permitted in Section 5 of this Bylaw.

### 3.4.1 General Regulations for Secondary and Lock-Off Suites

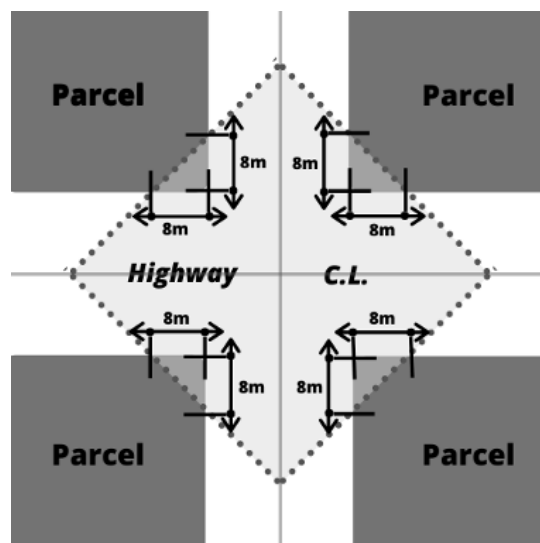
- a) Secondary suites must have a floor area of no more than 90m<sup>2</sup>, or 40% of the buildings habitable area, whichever is less.
- b) Garden Suites must have a floor area of no more than 90m<sup>2</sup>.
- c) Lock-offs suite must have a floor area of no more than 45m<sup>2</sup> or 40% of the buildings habitable area, whichever is less.
- d) The minimum size for an accessory dwelling unit is 22 m<sup>2</sup>
- e) Garden Suites shall not be located in the front yard, with an exemption for suites attached to garages.
- f) *Intentionally deleted.*
- g) There is only one accessory dwelling unit permitted for each principle dwelling.

### 3.5.0 Height Exceptions

The heights of buildings and structures permitted elsewhere in this Bylaw may be exceeded for retaining walls, church spires, monuments, chimney and smokestacks, flagpoles, stadium bleachers, lighting poles, apartment elevator shafts and stair towers.

### 3.6.0 Setbacks – Sight Triangle

A corner parcel shall not obstruct the line vision above 0.5 meters of an established grade of a highway that is within the sight triangle (refer below). This is calculated by extending a 8 meter boundary along each edge of the corner of the parcel. This is applicable to all zones unless otherwise specified.



### 3.7.0 Fences

No fence in the residential zones shall exceed 1.8 metres in height in the rear and side yard areas, and not more than 1.2 metres in height in the front yard area.

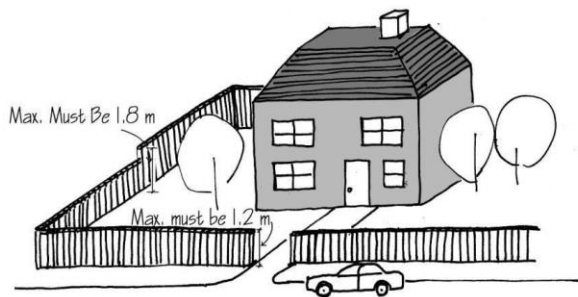


Illustration of Permitted Fence Height

### 3.8.0 Home Occupations

There are two types of home occupations identified for the purpose of this Bylaw. They are permitted depending on the dwelling unit type and the size of the lot in which the home occupation is located. The two types of home occupations are subject to the following general regulations:

Home occupations permitted are subject to the conditions below:

- a) A home office is permitted as an accessory use in any dwelling unit.
- b) A home business is permitted as an accessory use to a single family or two family dwelling.
- c) The occupation shall be carried out entirely within the dwelling unit or permitted accessory building and its function shall be subordinate to the residential nature of the building.
  - i. Notwithstanding section 3, a home daycare may include an outdoor play area for children.
- d) No more than 25% or 65 m<sup>2</sup> of the entire gross floor area of a dwelling unit may be used for any home occupation.
- e) A home occupation shall not cause any noise, odour, effluent, smoke, dust, vibration, electrical interference, bright or flashing light or other objectionable condition which would interfere with the quiet enjoyment of a residential neighbourhood; and there shall be no visible signs of such occupation from the exterior, and without limiting the generality of the foregoing, the storage or display of goods, materials, machinery, or equipment on or about the premises is prohibited.
- f) The home business operator must obtain a Business License issued by the City of Prince Rupert.
- g) The home occupation must comply with all licensing, health and other application regulations of British Columbia and the City of Prince Rupert.
- h) A home occupation shall not require more than one delivery of goods or materials per week, and no more than one customer or client vehicle parked on site at one time.
- i) A home occupation shall be carried out only by the residents of the dwelling unit except as permitted in Sub-section (e) below.
  - i. Daycare facilities operating as home occupations may employ equivalent to one full-time child-development specialist for a child in need of support.
- j) The following uses are prohibited for all types of home occupations:
  - i. Orchestra or band training;
  - ii. Restaurant;
  - iii. Any light industrial use;
  - iv. Salvage or repair of automobiles or automobiles;
  - v. Business that requires any use of large automobiles;
  - vi. Storage of more than one automobile or one large automobile;
  - vii. Retail or wholesale of goods, with the exception of goods produced as part of a home business;
  - viii. Cannabis grow operation.

- k) There may only be one sign with the maximum dimensions 0.2 m<sup>2</sup> which may not include neon lighting or internal illumination for the home business in accordance with the conditions in this bylaw.

### 3.8.1 Home Offices

A home office may not serve customers on the lot in which it is located, nor cause any increase in demand or usage of both on-site and adjacent street parking.

### 3.8.2 Home Businesses

The following regulations apply to home businesses:

- a) The following uses and no others are permitted as home businesses:
- i. Artist/craftsperson studio and household equipment/appliance service and repair. This excludes:
    - a. Boat refurbishment or building;
    - b. Auto refurbishment;
    - c. Furniture making;
    - d. Cabinet making.
  - ii. Community care facility
  - iii. Home daycare facility
  - iv. Office
  - v. Personal service establishment and pet grooming
    - a. With the limitation to a single patron at any given time.
- b) All Business activities including storage of materials or supplies must be contained within the principal dwelling.

### 3.9.0 Short Term Rental Accommodation:

- a) Short term rental accommodations are permitted in all residential and commercial zones.
- b) No person may operate a short-term rental accommodation unless the dwelling is a portion or entirety of the principal residence of that person or one secondary suite or accessory dwelling unit on the same property.
- c) Section 3.9.0 a) does not apply in the following instances:
- a) Where a fractional ownership agreement is on Title that prevents principal occupancy as defined in this Bylaw;
  - b) Timeshare properties;
  - c) Accommodation in commercial buildings that is a component of an of an outdoor recreation operation with a valid business licence, including fishing and water sports, and is provided and operated only for that purpose.
  - d) Formal Home Exchange arrangements.
  - e) Living accommodation primarily for students or employees of an educational institution that is owned or operated by the educational institution or a non-profit organization.
- d) A short term rental accommodation is not permitted in a mobile home, structure without a permanent foundation, or any structure or shelter that is not a dwelling unit.
- e) A short term rental accommodation must comply with the parking regulations on bed and breakfasts in this Bylaw.

### 3.10.0 Use of Mobile Homes, Tents or Trailers

It shall be unlawful to use or occupy a mobile home, tent or trailer as a dwelling place, or living or sleeping quarters anywhere in the City of Prince Rupert save and except where such mobile home, tent or trailer is

located within a mobile home park, campsite or construction camps as defined and permitted under this Bylaw and which is approved and regulated under the Health Act.

### **3.11.0 Education Centre**

Education Centre, where permitted, shall comply with the following:

- a)** Minimum site area is 2500m<sup>2</sup>, except where the centre comprises part of an office building.
- b)** All yards abutting residential zones shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair,
- c)** Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

### **3.12.0 Bed & Breakfast Accommodation**

In Addition to the regulations under section 3.9, a Bed & Breakfast, where permitted, must comply with the following general guidelines:

#### **3.12.1 General Guidelines**

- (a)** Be limited to no more than two (2) guest rooms.
- (b)** Be located within a single detached single family dwelling only.
- (c)** The minimum permitted floor area for any guest room is nine (9) square metres
- (d)** The maximum permitted gross floor area for any guest room is twenty two (22) square metres.
- (e)** No boarders or lodgers shall be permitted within a dwelling where a Bed & Breakfast Accommodation is operated.

#### **3.12.2 Location and Parking**

- (a)** Shall be on a site serviced by municipal water and sewer.
- (b)** Shall provide parking in the amount of one (1) space per guest room to a maximum of two (2) off street parking spaces.

### **3.13.0 Use Prohibition**

All commercial fishing gear, including but not limited to crab traps, prawn nets and any ancillary gear is not permitted in any zone other than the M2, M3 and M6 zones and provided that a minimum 10 metres buffer be maintained where the abutting lot is zoned residential.

### **3.14.0 Antenna Systems**

All exterior transmitting devices – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas and including a supporting tower, mast or other supporting structure, and an equipment shelter are regulated by the City of Prince Rupert Antenna Siting Policy. This includes freestanding antenna systems and building/structure-mounted antenna systems.

### **3.15.0 Retail Liquor Sales**

No retail liquor sales, except for pubs, distilleries, and restaurants, may occur within one kilometer of another liquor establishment as measured in a straight line from primary entrance to primary entrance.

### **3.16.0 Supportive Housing**

Supportive Housing, where permitted, shall comply with the following:

- (a)** Be subject to a Housing Agreement that specifies the terms and conditions regarding eligibility, occupancy and other provisions as set out in the Local Government Act.
- (b)** Not be operated where there is a secondary suite, residential care use, boarding use, or home occupation on the lot.
- (c)** Have no indication that the building is used for a purpose other than a residential use.



### 3.17.0 Cannabis Retail Stores

Cannabis Retail Store, where permitted, shall comply with the following:

- (a) Must be located within the area delineated in Schedule “F”.
- (b) No Cannabis Retail Store may occur within 75 meters of another Cannabis Retail Store as measured in a straight line from primary entrance to primary entrance.
- (c) In case of buildings with multiple primary entrances, measurements will be from the closest primary entrance to the proposed Cannabis Retail Store primary entrance.

### 3.18.0 Commercial Cannabis Operations

Commercial Cannabis Operations are only permitted in M2 (General Industrial) and M3 (Waterfront Industrial) zones and must be contained within enclosed buildings.

### 3.19.0 Shipping Containers

- (a) No shipping container may be located on any property and/or used as a temporary structure on any property unless it is designated in this Bylaw.
- (b) Shipping containers are permitted in the M1, M2, M3, and M6 zones.
- (c) One shipping container for temporary storage is permitted per property (placement on private property) in all zones with the following conditions:
  - i. The City receives a completed registration form provided by the City; the form including, without limitation:
    - a. Registrant(s) name(s) and contact information
    - b. Information on site of shipping container placement
    - c. Date of shipping container placement
    - d. Latest date of shipping container removal, which can be:
      - i. Up to 60 days from date of shipping container placement; or
      - ii. Up to 365 days from date of shipping container placement with a relevant and active Building Permit
    - e. Property owner authorization
  - ii. The City receives any relevant payments
  - iii. The placement of the shipping container must not be within a sight triangle (see Section 3.6.0 of the City’s Zoning Bylaw No. 3462, 2021).
  - iv. A notice, provided by the City, must be displayed at all times by the registrant(s) in a conspicuous place at the site or on the shipping container; the notice indicating:
    - a. Shipping container registration number
    - b. Information on site of shipping container placement
    - c. Date of shipping container placement
    - d. Latest date of shipping container removal
  - v. Compliance with II of the City’s bylaws in relation to shipping containers
  - vi. The shipping container must be removed from the site by the registrant(s) by the latest removal date unless otherwise permitted by a Zoning Bylaw or Temporary Use permit of/from the City. If the shipping container is removed from the site earlier than the latest removal date, the City must receive notice including the date of shipping container removal – to be verified by a Bylaw Officer or designated.
  - vii. No shipping container may be on the site for 30 days after the date of shipping container removal, as verified by a Bylaw Officer or designate, or latest date of shipping container removal, whichever is earlier, unless otherwise permitted by a Zoning Bylaw or Temporary Use Permit of/from the City.

### 3.20.0 Vehicle Storage

- (a) Except for those zones that specifically permit a wrecking and salvage yard, no lot shall be used for the outdoor storage of a derelict vehicle.
- (b) Except in industrial zones, no lot shall be used for the storage, parking, or repair of vehicles in excess of 4,000 kilograms gross vehicle weight, an exception to this being the temporary parking of any vehicles being used for ongoing on-site construction.
- (c) Except as otherwise permitted, no lot shall be used for the storage, parking, or repair of recreational vehicles.
- (d) One recreational vehicle shall be permitted to be stored per lot, unless otherwise permitted by the zone.

## Section 4 – Establishment of Zones

### 4.1.0 Zones

For the purpose of this Bylaw, the area incorporated into the City of Prince Rupert is classified and divided into the following zones:

<u>Short Form</u>	<u>Zone Designation</u>
R1	Small-Scale Residential Zone
RM1	Multiple Family Residential Zone
RM2	Multiple Family Residential Zone
RM3	Multiple Family Residential Zone
RM4	Mixed Use Zone
RM5	Multiple Family Residential Zone
RMH	Mobile Home Residential Zone
RS1	Special Care Residential Zone
RS2	Special Care Residential Facility Zone
C1	Core Commercial Zone
C2	General Commercial Zone
C3	Service Commercial Zone
C4	Neighbourhood Commercial Zone
C5	Marine Commercial Zone
C6	Downtown Highrise Zone
MD1	Marine District Zone
MD2	Waterfront Terminal Zone
M1	Light Industrial Zone
M2	General Industrial Zone
M3	Waterfront Industrial Zone
M4	Auto Wrecking Zone
M5	Liquefied Natural Gas and Marine Terminal Facility Zone
M6	Major Projects Ancillary (Supporting) Zone
P1	Public Facilities Zone

- (a) The extent of each zone is shown on the Zoning Map(s) which are attached to and form part of this Bylaw and which bear the words “Prince Rupert Zoning Map Schedule ‘A’”.
- (b) When the zone boundary is designated as following a road allowance or watercourse, the centre line of such road allowance or watercourse shall be the zone boundary.
- (c) Where a zone boundary does not follow a legally defined lot line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map(s) referred in subsection (b) above.

## Section 5 – Zoning Regulations & Requirements: Residential Zones

### 5.1.0 *Intentionally Deleted*

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#### 5.2.0 R1: Small-Scale Residential Zone

##### Permitted Uses:

**The following principal uses and no others are permitted:**

- (a) Small-Scale Residential Dwelling.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (b) Accessory Dwelling Units.
- (c) Home Occupation.
- (d) The keeping of not more than 2 boarders or lodgers within a dwelling unit.
- (e) Accessory buildings and structures.
- (f) Bed & Breakfast Accommodations.

##### Subdivision Regulation:

- (g) The maximum floor area for an accessory building shall be 70m<sup>2</sup>.
- (h) The maximum floor area for a dwelling unit shall be 700m<sup>2</sup> or an area equal to but not exceeding the lot area, whichever is less.
- (i) All accesses must connect to dedicated roadways designed and constructed to MMCD Standards as per the City of Prince Rupert Subdivision and Servicing bylaw.

##### Lot Coverage

Not more than 50% of the site.

##### Density

4 units per lot, inclusive of principal and accessory dwelling units.

##### Minimum Dimensions Required for Yards

- (j) 2 metres from the front property line.
- (k) 1.5 metres from the rear property line.
- (l) 1.2 metres from a side property line.
- (m) No part of an accessory building shall be closer to the rear property line than 0.3 metres where the building site abuts a public lane; and 1.2 metres where the rear property line abuts another parcel.

##### Maximum Building Height

- (n) Principal building 11.0 metres or three storeys, whichever is smaller.
- (o) Accessory building 4.6 metres.
- (p) Accessory buildings that contain a dwelling unit over a garage 7.2 metres

##### Access Requirements

Primary access for all buildings containing a dwelling unit shall be constructed no farther than 30 m from an operational public street or laneway constructed to MMCD standards and must have a 1.5 m path to that street or laneway that is lighted and clear of obstructions

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#### 5.3.0 RM1: Multiple Family Residential Zone

##### Permitted Uses:

**The following principal uses and no others are permitted:**

- (a) Multiple family dwelling buildings.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.

- (c) Accessory Dwelling Units.
- (d) Child Care Facility as an accessory use, not including home occupations and limited to the first floor with ground level access

**Lot Coverage**

- (a) Not more than 40% of the site area.
- (b) The maximum floor area for an accessory building shall be 70m<sup>2</sup>.

**Density**

For multiple family dwellings the maximum density is 42 units per hectare.

**Minimum Dimensions Required for Yards**

- (a) 3.6 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 1.2 metres from a side property line.
- (d) No part of an accessory building shall be closer to the rear property line than 0.3 metres where the building site abuts a public lane, and 1.2 metres where the rear property line abuts another parcel.

**Maximum Building Height**

- (a) Principal building 10.0 metres.
  - (b) Accessory building 3.6 metres.
- 

**5.4.0 RM2: Multiple Family Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple Family Dwelling Buildings.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.
- (c) Accessory Dwelling Units.
- (d) Child Care Facility as an accessory use, not including home occupations and limited to the first floor with ground level access.

**Lot Coverage**

- (a) Not more than 50% of the site area.
- (b) For accessory buildings not more than 10% of the site area.

**Density**

For multiple family dwellings the maximum density is 75 units per hectare.

**Minimum Dimensions Required for Yards**

- (a) 3.6 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 1.2 metres from a side property line.
- (d) No part of an accessory building shall be closer to the rear property line than 0.3 metres where the building site abuts a public lane, and 1.2 metres where the rear property line abuts another parcel.

**Maximum Building Height**

- (a) Principal building 13.0 metres.
  - (b) Accessory building 3.6 metres.
-

**5.5.0 RM3: Multiple Family Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple Family Dwelling Buildings, and,
- (b) Boarding or lodging house.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.
- (c) Accessory Dwelling Units.
- (d) Child Care Facility as an accessory use, not including home occupations and limited to the first floor with ground level access.

**Lot Coverage**

- (a) Not more than 40% of the site area.
- (b) For accessory buildings not more than 10% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 1.25.

**Minimum Dimensions Required for Yards**

- (a) 6.0 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) No part of an accessory building shall be closer to the rear property line than 0.3 metres where the building site abuts a public lane, and 1.2 metres where the rear property line abuts another parcel.

**Maximum Building Height**

- (a) Principal building 17 metres.
  - (b) Accessory building 3.6 metres.
- 

**5.6.0 RM4: Mixed Use Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple Family Dwelling Buildings.
- (b) Boarding or lodging house.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Retail use as part of a multiple family dwelling building.
- (c) Offices as part of a multiple family dwelling building.
- (d) Accessory buildings and structures.
- (e) Retail and office use shall be limited to the first floor with ground level access.
- (f) Accessory Dwelling Units.
- (g) Child Care Facility as an accessory use, not including home occupations and limited to the first floor with ground level access.

**Subdivision Regulation:**

The minimum lot area shall be 1800m<sup>2</sup>.

**Lot Coverage**

Not more than 40% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 1.50.

**Minimum Dimensions Required for Yards**

- (a) 6.0 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 1.2 metres from a side property line.

**Maximum Building Height**

- (a) Principal building 17 metres.
  - (b) Accessory building 3.6 metres.
- 

**5.7.0 RM5: Multiple Family Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple family dwellings.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.
- (c) Accessory Dwelling Units.
- (d) Child Care Facility as an accessory use, not including home occupations and limited to the first floor with ground level access.

**Lot Coverage**

Not more than 35% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 3.0.

**Minimum Dimensions Required for Yards**

- (a) 6.0 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 3.0 metres from a side property line.

**Building Height**

- (a) For a principle building 36.0 metres.
  - (b) Accessory building 6.0 metres.
- 

**5.8.0 RMH: Mobile Home Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Mobile Home Parks.
- (b) Mobile Home subdivisions.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) A home occupation or business office.
- (b) Accessory buildings and structures.
- (c) Accessory Dwelling Units.

**Subdivision Regulation:**

The minimum lot area for a mobile home parcel shall be 232m<sup>2</sup>.

**Lot Coverage**

Not more than 35% of the site area.

**Density**

- (a) The maximum number of mobile home units shall not exceed 18 units per hectare.
- (b) More than one principal building is permitted in mobile home parks.
- (c) Only one principal building is permitted per parcel in mobile home subdivisions.

**Minimum Dimensions Required for Yards**

- (a) 3.6 metres from the front property line.
- (b) 3.1 metres from the rear property line.
- (c) 1.2 metres from a side property line.

**Building Height**

- (a) For a principle building 7.0 metres.
  - (b) Accessory building 5.0 metres.
- 

**5.9.0 RS1: Special Care Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Single Family Dwelling.
- (b) Supportive Housing.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Office.
- (b) Accessory buildings and structures.
- (c) Accessory Dwelling Units.

**Subdivision Regulation:**

- (a) The minimum floor area for a single family dwelling shall be 230m<sup>2</sup>.
- (b) The max. floor area for an accessory building shall be 70m<sup>2</sup>.

**Lot Coverage**

Not more than 50% of the site area.

**Density**

The maximum floor area ratio for Single Family Dwellings and Supportive housing units is 1.0.

**Minimum Dimensions Required for Yards**

- (a) 3.6 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 1.2 metres from a side property line.

**Building Height**

- (a) Principal building 9.0 metres.
  - (b) Accessory building 3.6 metres.
- 

**1.10.0 RS2: Special Care Residential Facility Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Supportive Housing.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Office.
- (b) Accessory buildings and structures.

**Lot Coverage**

Not more than 65% of the site area.

**Density**

The maximum floor area ratio for Supportive housing units is 2.0.

**Minimum Dimensions Required for Yards**

- (d) 2 metres from the front property line.

**Building Height**

- (c) Principal building 11.0 metres.
- (d) Accessory building 3.6 metres.

## Section 6 – Zoning Regulations & Requirements: Commercial Zones

### 6.1.0 C1: Core Commercial Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis retail stores (subject to section 3.17.0).
- (c) Personal service establishment.
- (d) Office.
- (e) Entertainment centre located beyond 200 metres of a school property line.
- (f) Traveler accommodation.
- (g) Child Care Facility.
- (h) Theater.
- (i) Multiple family dwellings.
- (j) Assembly hall.
- (k) Sales of alcoholic beverages on lots with a minimum area of 250m<sup>2</sup>.
- (l) Animal Hospital or Clinic.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Home Office.
- (b) Accessory Dwelling Units.

**Lot Coverage**

For multiple family dwellings (excluding mixed use buildings) 50% of the site area.

**Density**

The maximum floor area ratio for multiple family dwelling units (excluding mixed use buildings) is 1.50.

**Minimum Dimensions Required for Yards**

2 metres from the front lot line, applicable only to entertainment centre, traveler accommodation, theatre, and multiple family dwellings.

**Maximum Building Height**

Maximum of 16 metres as measured from the fronting sidewalk.



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### 6.2.0 C2: General Commercial Zone

**Permitted Uses:****Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis retail stores (subject to section 3.17.0).
- (c) Personal service establishment.
- (d) Office.
- (e) Traveler accommodation.
- (f) Child Care Facility.
- (g) Theater.
- (h) Multiple family dwelling Buildings.
- (i) Sales of alcoholic beverages on lots with a minimum area of 250m<sup>2</sup>.
- (j) Student housing.
- (k) Entertainment centre located beyond 200 metres of a school property line.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Home Office.
- (b) Accessory Dwelling Units.

**Lot Coverage**

For multiple family dwellings (excluding mixed use buildings) 50% of the site area.

**Density**

The maximum floor area ratio for multiple family dwelling unit (excluding mixed use buildings) is 1.50.

**Minimum Dimensions Required for Yards**

- (a) For entertainment centres, traveler accommodation, theatres and multiple family dwellings the minimum front yard shall be 3.0 metres.
- (b) For multiple family housing the minimum rear yard shall be 3.0 metres.
- (c) For multiple family housing the minimum side yard shall be 1.2 metres.

**Maximum Building Height**

Maximum of 20 metres.

---

### 6.3.0 C3: Service Commercial Zone

**Permitted Uses:****Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis retail stores (subject to section 3.17.0).
- (c) Personal service establishment.
- (d) Office.
- (e) Traveler accommodation.
- (f) Child Care Facility.
- (g) Camp site.
- (h) Theatre.
- (i) Assembly Hall;
- (j) Service commercial use.
- (k) Service station.
- (l) Animal Hospital or Clinic.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Multiple family dwellings with separate exterior entrances that may include accessory dwelling units.
- (b) Recycling centres with no more than 300m<sup>2</sup> of the gross floor area.
- (c) Accessory buildings and structures.
- (d) Home Office.

**Lot Coverage**

For multiple family dwellings (excluding mixed use buildings) 50% of the site area.

**Minimum Dimensions Required for Yards**

For service stations, traveler accommodation, and theatres the minimum front yard shall be 3.6 metres.

**Maximum Building Height**

Maximum of 17 metres.

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#### 6.4.0 C4: Neighbourhood Commercial Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use that is fully contained within a building.
- (b) A Personal service establishment that is fully contained within a building.
- (c) Office.
- (d) Child Care Facility.
- (e) Accessory buildings and structures.
- (f) Animal Hospital or Clinic.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Multiple family dwellings with separate exterior entrances that may include accessory dwelling units.
- (b) Accessory buildings and structures.
- (c) Home Office.

**Density**

- (a) Total floor area shall not exceed 400m<sup>2</sup>.
- (b) The maximum number of multiple family units on a site is limited to 6.
- (c) Office use shall not exceed a floor area of 200m<sup>2</sup>.

**Minimum Dimensions Required for Yards**

- (a) Front yard 3.6 metres.
- (b) Rear yard 3.6 metres.
- (c) Side yard 3.0 metres.
- (d) An accessory building and structure shall be 3.0 metres from rear property line, or 0.3 metres if the accessory building abuts a public lane.

**Maximum Building Height**

- (a) Principal building 10.0 metres.
- (b) Accessory building 3.6 metres.

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#### 6.5.0 C5: Marine Commercial Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use;

- (b) Cannabis Retail stores (subject to section 3.17.0).
- (c) A Personal service establishment.
- (d) Office.
- (e) Service Commercial use.
- (f) Child Care Facility.
- (g) Marine Commercial use.
- (h) Petroleum product loading and unloading.
- (i) Traveler accommodations.
- (j) Distillery.
- (k) Creative Industry.
- (l) Animal Hospital or Clinic.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Multiple family dwellings with separate exterior entrances that may include accessory dwelling units.
- (b) Accessory buildings and structures.
- (c) Home Office.

#### **Density**

The maximum number of multiple family units on a site is limited to 6.

#### **Minimum Dimensions Required for Yards**

An accessory building and structure shall be 3.0 metres from rear property line, or 0.3 metres if the accessory building abuts a public lane.

#### **Maximum Building Height**

Principal building 13 metres.

Accessory building 3.6 metres.

### **6.6.0 C6: Downtown Highrise Zone**

#### **Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis Retail Stores,
- (c) Personal service establishment.
- (d) Office.
- (e) Entertainment Centre.
- (f) Travel Accommodation.
- (g) Child Care Facility.
- (h) Theatre.
- (i) Multiple Family dwelling.
- (j) Assembly Hall.
- (k) Animal Hospital or Clinic.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in multiple family dwelling buildings:**

- (a) Accessory Dwelling Units.

#### **Density**

The maximum floor area ration for multiple family dwellings is 3.0.

#### **Minimum Dimensions Required for Yards**

4.5 metres from any residential use.

**Maximum Building Height**  
Maximum of 35 metres.

## Section 7 – Zoning Regulations & Requirements: Marina District

### 7.1.0 MD1: Marina District 1

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail.
- (b) Office.
- (c) Traveler accommodation.
- (d) Food and beverage services.
- (e) Distillery.
- (f) Multi-family housing.
- (g) Outdoor markets.
- (h) Creative industry.
- (i) Marina.
- (j) Marine Residential.
- (k) Animal Hospital or Clinic.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- a) Home Office
- b) Accessory buildings and structures.
- c) Accessory Dwelling Units.

**Lot Coverage**

No more than 40% of the site area.

**Density:**

The maximum floor ratio for multiple family buildings is 1.50 metres.

**Minimum Dimensions Required for Yards:**

- (a) 6.0 metres from the front property line.
- (b) 4.0 metres from the rear property line abutting R1 and R2 residential zoned land.
- (c) 1.2 metres from the side property line.

**Maximum Building Height:**

- (a) Principal building 19 metres.
- (b) Accessory building 3.6 metres.

### 7.2.0 MD2: Waterfront Terminal Zone

**Permitted Uses:**

Subject to general provisions, the following principal uses and no others are

permitted:

- a) Ferry terminal
- b) Retail use
- c) Distillery
- d) Brewery
- e) Outdoor markets
- f) Parks and recreation facilities
- g) Recreational Vessel Marina

**The following accessory uses and no others are permitted:**

- a) Office
- b) Personal Service Establishment
- c) Accessory buildings and structures.

**Minimum Dimensions Required for Yards**

An accessory building and structure shall be 3.0 metres from rear property line, or 0.3 metres if the accessory building abuts a public lane.

**Maximum Building Height:**

- (a) Principal building 9 metres.
- (b) Accessory building 3.6 metres.

## Section 8 – Zoning Regulations & Requirements: Industrial Zones

### 8.1.0 M1: Light Industrial Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Automobile body and repair shops, sales and rentals.
- (b) Light industrial use.
- (c) Service commercial use.
- (d) Office.
- (e) Retail use with a floor area not exceeding 1000m<sup>2</sup>.
- (f) Contractor offices, shops, works and storage use.
- (g) Accessory buildings and structures.
- (h) Entertainment centre.
- (i) Freight and truck terminal.
- (j) Impoundment Yard.
- (k) Unenclosed Storage.
- (l) Assembly Halls.
- (m) Traveler Accommodation and Restaurant.
- (n) Shipping Container.
- (o) Animal Hospital or Clinic.
- (p) Creative Industry.

**The following accessory uses and no others are permitted:**

A single residence for the purpose of security.

**Landscaping and Screening:**

- (a) All storage yards shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

3 metres from any property zoned Residential.

**Maximum Building Height**

- (a) Principal building 12.0 metres.
- (b) Accessory buildings 3.6 metres.

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**8.2.0 M2: General Industrial Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Automobile body and repair shops, sales and rentals,
- (b) Light industrial use.
- (c) Service commercial use.
- (d) Key lock fuel installation.
- (e) Office.
- (f) Contractor offices, shops, works and storage use.
- (g) Retail use with a floor area not exceeding 1000m<sup>2</sup>.
- (h) Shipping Container.
- (i) Marine commercial use.
- (j) Fuel products storage, loading and unloading.
- (k) General industrial use.
- (l) Log Booming and sorting.
- (m) Impoundment yard.
- (n) Accessory buildings and structures.
- (o) Fish processing.
- (p) Net loft.
- (q) Unenclosed Storage.
- (r) Marine service station.
- (s) Freight and truck terminal.
- (t) Commercial Cannabis Operations.
- (u) Primary processing of forest products, fuel products storage, loading and unloading, and impoundment yards with a minimum area of 7,500m<sup>2</sup> shall not be situated on a parcel where any contiguous parcel is zoned Residential.
- (v) Animal Hospital or Clinic.

**The following accessory uses and no others are permitted:**

A single residence for the purpose of security.

**Landscaping and Screening:**

- (a) All storage yards shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

3 metres from any property zoned Residential.

**Maximum Building Height**

- (a) Principal building 19 metres.
- (b) Accessory building 4.5 metres.

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### 8.3.0 M3: Waterfront Industrial Zone

**Permitted Uses:****Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Fish processing, excluding reduction plant.
- (b) Netloft.
- (c) Marine transportation use.
- (d) Shipbuilding and repair.
- (e) Transportation terminal.
- (f) Bulk commodity storage and terminal.
- (g) Marina.
- (h) General industrial use.
- (i) Marine commercial use.
- (j) Marine fuel station.
- (k) Automotive body and repair shops, sales and rental.
- (l) Light industrial use.
- (m) Log booming and sorting.
- (n) Shipping container.
- (o) Service commercial.
- (p) Key lock fuel installation.
- (q) Office.
- (r) Unenclosed Storage.
- (s) Contractor offices, shops, works and storage use.
- (t) Entertainment centre.
- (u) Fuel products storage, loading and unloading.
- (v) Accessory buildings and structures.
- (w) Commercial Cannabis Operations
- (x) Primary processing of forest products, fuel products storage, loading and unloading, and impoundment yards with a minimum area of 7,500m<sup>2</sup> shall not be situated on a parcel where any contiguous parcel is zoned Residential modified.

**The following accessory uses and no others are permitted:**

- (a) A single residence for the purpose of security.

**Landscaping and Screening:**

- (a) All storage yards shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 m high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

3 metres from any property zoned Residential.

**Maximum Building Height**

- (a) Principal building 19 metres.
- (b) Accessory building 4.5 metres.
- (c) Petroleum products storage tanks shall not exceed 4.3 metres above the natural grade of the site.

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### 8.4.0 M4: Auto Wrecking Yard

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Autowrecking yard.
- (b) Impoundment yard.
- (c) Unenclosed Storage.
- (d) Storage, handling and sales of scrap material.

**The following accessory uses and no others are permitted:**

- (a) Accessory buildings and structures.
- (b) A single residence no greater than 56m<sup>2</sup> for security staff.

**Landscaping and Screening:**

- (a) Storage yards shall be effectively screened by fences, building walls, or other approved means to a height of not less than 2.4 meters above grade and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 meters high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

For an accessory building 3 metres.

**Building Height**

- (a) Principal building 11 metres.
- (b) Accessory building 4.5 metres.

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**8.5.0 M5: Liquefied Natural Gas and Marine Terminal Facility Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Natural Gas Liquefaction and export Facility, excluding all oil products including crude oil or bitumen.
- (b) Marine terminal facility.
- (c) Marine transportation.
- (d) Unenclosed Storage.
- (e) Bulk commodities storage, transportation and ancillary uses.

**The following accessory uses and no others are permitted:**

- (a) Accessory buildings and structures.
- (b) A single residence no greater than 56m<sup>2</sup> for security staff.

**Minimum Dimensions Required for Yards**

- (a) 30 metres from any property line.
- (b) 50 metres from the Community Water Shed.

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**8.6.0 M6: Major Projects Ancillary (Supporting) Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Construction Camps.
- (b) Unenclosed storage, Storage, material handling, reloading and laydown areas, excluding manufacturing and assembling operations.
- (c) Office.



**The following accessory uses and no others are permitted:**

- (a) Accessory buildings and structures.
- (b) A single residence in areas used for storage, handline and laydown with an area no greater than 56m<sup>2</sup> for security staff.

**Landscaping and Screening:**

Storage handling and laydown yards shall be effectively secured by a fence to a height of not less than 2.4 metre above grade and which shall be kept in good repair.

**Minimum Dimensions Required for Yards**

- (a) 3 metres from any property line.
- (b) 10 metres when abutting any residential zone.

**Building Height**

Maximum of 12 metres.

**Section 9 – Zoning Regulations & Requirements: Public Facilities Zone****9.1.0 P1: Public Facilities Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Park and recreation facilities.
- (b) Institutional facilities.
- (c) Public utility building.
- (d) Education centre.
- (e) Unenclosed Storage.
- (f) Cemeteries.
- (g) Resource lands and activities.
- (h) Wind power project.
- (i) Childcare Facilities

**The following accessory uses and no others are permitted:**

- (a) Accessory building and structures.

**Minimum Dimensions Required for Yards**

3.0 metres from any property zoned Residential.

**Building Height**

Accessory building 3.6 metres.

**Section 10 – Off-Street Parking and Off-Street Loading****10.1.1 Off-Street Parking**

Where off-street parking is required under the provisions of this Bylaw, it shall be provided and maintained in accordance with the following:

**(a) Location of Parking**

- i. Residential Zones:

Every required parking space in a residential zone shall be located on the building site of the building for which the parking site is required; or, where impractical, on an adjacent parcel of land secured by and easement that gives an ongoing right to park on the adjacent parcel.

ii. Other than Residential Zones:

Parking spaces may be provided upon a public or privately owned and operated parking lot or parking garage owned by a person other than the owner of the building for which the parking is required, provided that the owner of the building requiring the parking space submits proof (an easement on Title) to the City that such parking spaces will be available at all times during which they are required to be provided under bylaws of the City in respect of the building concerned.

iii. In the Downtown:

For parcels fronting 2<sup>nd</sup> Avenue, or 3rd Avenue, between McBride and 8th Street, no parking is permitted to be located between the front face of the building and the street line.

**(b) Size of Parking Spaces**

- i. Individual and end parking spaces shall be not less than 2.6 metres in width and not less than 5.8 metres in length.
- ii. Parking spaces bounded on either side by other parking spaces shall be not less than 2.7 metres in width and not less than 5.8 metres in length.

**(c) Construction and Maintenance of Parking Spaces**

All parking spaces shall be constructed and maintained to be safe and convenient for the user thereof; and, in particular, the driveway access, maneuvering area and parking spaces shall be paved and well drained and kept free of mud, snow, ice or other obstructions to vehicular or pedestrian traffic at all times.

**(d) Layout Design and Marking Signs**

The layout design of driveways, manoeuvring areas, ramps and parking spaces shall be in accordance with good architectural and engineering standards for such work and the marking of spaces and installation of signs shall be made to clearly indicate the proper order of parking and traffic routes.

**(e) Lighting**

Required parking lots in other than R1 and R2 Zones containing three or more parking spaces shall be adequately lighted in accordance with illuminating engineering standards.

**(f) Parking Space Calculation:**

Where the calculation of a required off-street parking space results in a fraction, the required number of parking spaces shall be rounded to the nearest whole number.

**(g) Surfacing of Off-Street Parking**

- i. All required off-street parking areas in residential zones with more than four units, and all required off-street parking areas in all commercial zones shall consist of hardsurfaced materials defined in this Bylaw.
- ii. All parking areas that do not require hardsurfaced materials shall be surfaced with gravel or crushed rock and must be compacted and treated to suppress dust and weeds.

**10.2.0 PARKING REQUIREMENTS**

### 10.2.1 City-Wide Requirements

- a) Parking requirements in Table 1 apply to new buildings City-Wide outside of the Parking Specified Area indicated in Schedule “D”, and to existing buildings both in and outside of the Parking Specified Area at the time of the adoption of Zoning Bylaw Amendment No. 3504, 2022.

<b>Use:</b>	<b>Parking Standard:</b>
<b>Entertainment Centres</b>	1 space per 30m <sup>2</sup> of gross floor area (GFA)
<b>Neighborhood Pubs</b>	1 space per 5 seats for patron use
<b>Offices</b>	1 space per 35m <sup>2</sup> of GFA
<b>Retail Use</b>	1 space per 30m <sup>2</sup> of GFA, a minimum of 3 spaces per retail use.
<b>Personal Service Shops</b>	1 space per 30m <sup>2</sup> of GFA
<b>For Every 2 Boarders or Lodgers</b>	1 space per 2 sleeping units
<b>Laundromat</b>	1 space per 36 m <sup>2</sup> of GFA
<b>Liquor Primary Establishments</b>	1 space per 5 seats
<b>Restaurants</b>	1 space per 4 seats for patron use
<b>Traveler Accommodation</b>	1 space per room and 1 space per 4 seats in a restaurant or lounge. And additional 1 space per 12m <sup>2</sup> of meeting space
<b>Animal Hospital or Clinic</b>	1 space per 30m <sup>2</sup> of GFA
<b>Hospitals, Convalescent Homes</b>	1 space per 2 patient beds
<b>Medical &amp; Dental Offices</b>	1 space per 35m <sup>2</sup> of net floor area
<b>Automobile Gasoline Bars, Service &amp; Repair</b>	1 space per 5m <sup>2</sup> of sales floor area (SFL) and 2 spaces per service bay or car wash bay.
<b>General Industrial Use</b>	1 space per 100m <sup>2</sup> of GFA
<b>Warehousing, storage, mini storage, and similar uses</b>	1 space per 200m <sup>2</sup> of GFA
<b>Beverage Container Return Centres</b>	1 space per 40m <sup>2</sup> of GFA or a minimum of 6 spaces, whichever is greater.
<b>Bus &amp; Airline Terminals</b>	1 space per 10m <sup>2</sup> of waiting or lobby area.
<b>Community &amp; Commercial Assembly Halls</b>	1 space per 20m <sup>2</sup> of GFA
<b>Elementary Schools</b>	2 spaces per classroom
<b>Theatres, Churches, Funeral Homes</b>	1 space per 6 seats provided for public seating
<b>Indoor Recreation Use</b>	1 space per 2 employees and 1 space per 2 player capacity.
<b>Secondary Schools</b>	1 space per 5 students
<b>Single Family</b>	1 space per dwelling unit
<b>Duplex</b>	0.75 space per dwelling unit
<b>Houseplex</b>	0.5 space per dwelling unit
<b>Multi-Family (over 5 units)</b>	1.0 space per dwelling unit
<b>Accessory Dwelling Unit</b>	0.25 space per dwelling unit
<b>Senior Citizens Housing</b>	0.25 space per 1 living unit
<b>Special Care Residential</b>	1 space per 3 beds
<b>College/University</b>	1 space per 10 students
<b>Student Housing</b>	0.25 spaces per bedroom
<b>Marina Use</b>	1 space per 2 mooring spaces and 1 space per 2 rental boats

### 10.2.2 Parking Requirements in Parking Specified Area

The following provisions apply for parking requirements in the Parking Specified Area as outlined on Schedule “D”:

- (a) Providing that any new development on a property maintains the number of parking stalls existing on the property at the time of the adoption of Zoning Bylaw Amendment No. 3504, 2022, no off-street parking space requirement applies to new commercial, office, or mixed-use buildings in the Parking Specified Area.
- (b) Parking Requirements for new buildings that are exclusively for residential uses in the Parking Specified Area are as follows:

Use	Parking Standard
Single Family, Two Family & Multi-family	1 space per dwelling unit
Senior Citizens Housing	1 space per 4 living units
Accessory Dwelling Unit	1 space per accessory dwelling unit
Special Care Residential	1 space per 3 beds
Student Housing	0.2 spaces per bedroom

**10.2.3 Special Parking Provisions**

The following special provisions and exemptions shall apply:

- (a) **Exceptions**  
The required off-street parking shall not apply to any existing building or structure so long as the building or structure continues to be put to a use that does not require more parking or loading spaces than were required for the use existing at the time this Bylaw came into force.
- (b) **Commercial Parking Lots**  
Parking lots operated for gain by renting or leasing shall be governed by the regulations of (b), (c), (d), and (e) contained in Section 9.1.1.
- (c) **Cash-in-Lieu**  
In lieu of providing the required on-site parking in the Downtown Core Areas (as defined by the Official Community Plan Bylaw #3460) excluding new office, commercial, and mixed-use buildings in the Parking Specified Area (as defined in Schedule “D”) an Owner or developer shall pay to the City twelve thousand five hundred dollars (\$12,500) for every parking space not provided in compliance with the requirements of this Bylaw.

**10.2.4 Disabled Person’s Parking Spaces**

- (a) Parking spaces for the use of persons with a physical disability shall be provided according to the following cumulative ratios:

No. of Required Parking Spaces	No. of Disabled Person’s Parking
1-10	0
11-20	1
21-100	2
101-1000	2 per 100 required spaces or part thereof
1001+	1 per 100 required spaces or part thereof

- (b) Each Disabled Person’s Parking Space shall be:
  - i. A minimum of 3.7 metres in width and a minimum of 5.8 metres in depth.
  - ii. Clearly identified as being for use only by disabled persons.
  - iii. Located within convenient access of an accessible building entrance or in a central location where a parking lot serves several buildings.
- (c) The maximum grade of the parking space and access to a building or structure shall not exceed 8%.

**10.2.5 Electric Vehicle Parking**

The minimum number of energized spaces shall be provided in the table below:

Use	Parking Requirement	Minimum Energized Spaces
Hospital	1 space per 100m <sup>2</sup> of GFA	5%
Recreational Facility	1 space per 50m <sup>2</sup> of GFA	5%
Multi-family Residential	15% of the total parking spaces.	15%
Office	1 space per 45m <sup>2</sup> of GFA	10%

**10.2.6 Bicycle and Scooter Parking**

- 1. Bicycle parking space and aisle dimensions shall be in accordance with the standards in the table below:

	Minimum Dimensions		
	Width	Depth	Overhead Clearance
<b>Ground Anchored Rack (standard)</b>	<b>0.6 m</b>	<b>1.8 m</b>	<b>2.1 m</b>
<b>Ground Anchored Rack (oversized)</b>	<b>0.9 m</b>	<b>3.0 m</b>	
<b>Wall Mounted Vertical Rack</b>	<b>0.6 m</b>	<b>1.2 m</b>	
<b>Access Aisle</b>	<b>1.5 m</b>		
<b>Access Door</b>	<b>1.0 m</b>		

- 2. All bicycle parking spaces shall be located within 15 metres of the buildings primary entrance and be accessible to the visitors and public.
- 3. All bicycle parking shall be on surface level and separated from the vehicle parking facilities.
- 4. All bicycle parking shall not interfere with pedestrian travel.
- 5. The owners of any building in any zone shall provide short and long-term parking for bicycles and scooters as specified in the table below.
- 6. The spaces required in the table below may be open or enclosed and should be under the roof of a building.

Use	Required Bicycle Parking Spaces	Required Mobility Scooter Spaces
Multi-Family Residential	6 spaces per building	N/A
Retail	1 space per 250m <sup>2</sup> of GFA	1 space per building
Office	1 space per 250m <sup>2</sup> of GFA	1 space per building
Elementary, Secondary Schools	5 spaces per classroom	3 spaces per building
College/University	5 spaces per classroom	5 spaces per building
Restaurant/Pub	1 space per 10 seats	N/A

### 10.2.7 Unlawful Uses of Parking Facilities

- (a) No area designated as a required parking area in connection with any designated building or use shall be operated as a commercial or public parking lot providing parking spaces for the general public.
- (b) Required parking facilities accessory to a residential use shall be used solely for the parking of passenger automobiles or commercial vehicles of not more than 8,600 kg gross weight.

### 10.2.8 Off-street Loading

- (a) Except as hereinafter provided, every owner or occupier of any building in any zone is required to provide off-street loading space for such building in which a business is or will be carried on involving the receipt or delivery of goods or materials by vehicles, and all such off-street loading spaces shall be so constructed that every vehicle involved in the loading and unloading operation will be entirely off any highway or any other public property.
- (b) In every zone where there is a public lane at the rear or side of the building site upon which an off-street loading space or spaces, is or are required, such space or spaces shall be accessible for vehicular ingress and egress to such registered lane.
- (c) Where any off-street loading space is bounded by a building or structure, the minimum clearance shall not be less than 3.4 metres in height, 3.7 metres in width, and 6.1 metres in depth.

## Section 11: Signs

### 11.1.0 Definitions

In this section of the Bylaw, the following definitions apply:

**ABANDONED SIGN** means a sign that advertises or promotes an activity, service event or product no longer available or conducted at the premises where the sign is located.

**AWNING** means a hood or shelter constructed of fabric on a frame which projects from the exterior wall of a building.

**AWNING SIGN** means a sign which is erected in or on the surface of an awning.

**BANNER SIGN** means a sign made up of fabric or other flexible material of which the attachment to a building or other support structure does not require specialized structural members or alteration to support the sign.

**BILLBOARD** means a sign that directs attention to goods, products or services not sold or provided on the premises on which the sign is located, and includes:

1. Poster panels or bulletins, typically mounted on a building wall or freestanding structure with advertising copy in the form of pasted paper'
2. Multi-prisms providing alternating or sequential messages in a single display area, and
3. Bulletins in which the advertiser's message is painted directly on the background of a wall-mounted or freestanding display area.

**BALCONY SIGN** means a sign affixed to the balcony of a building for purposes of advertising or promotion.

**CANOPY** means a rigid structure extending out from the building face to provide shelter from sun and rain, and is entirely supported from the building. It does not include normal architectural features such as lintels, sills, and mouldings.

**CANOPY SIGN** means a sign erected in or on a face of a canopy but does not include an under canopy sign.

**COMBINATION SIGN** means any sign incorporating any combination of the features of pole, projecting and roof signs.

**COPY** means the wording on a sign surface either in permanent or removable letter form.

**DOMESTIC SIGN** means a sign used for domestic purposes.

**FACIA SIGN** means any sign, illuminated or unilluminated, running for its entire length parallel to the face of the wall of the structure to which it is attached to the facia.

**FREESTANDING SIGN** means a sign which is entirely self-supporting and is neither attached to nor forms part of any building and is permanently fixed to the ground.

**ILLUMINATION** means a method of giving forth artificial light, either directly from a source of light incorporated in or connected with a sign, or indirectly from an artificial source.

**MURAL** means a work of graphic art painted or applied to a building wall which contains no advertising or logos.

**MARQUEE SIGN** means a sign affixed wholly beneath a permanent marquee or walkway covering and situated perpendicular to the face of the building of which the said marquee or walkway covering is a part.

**NAME PLATE** means the display of a number or name by a self supporting device in the ground or attached to a building with a maximum area of .09 square metres per name plate.

**PARAPET** means a wall or sloped overhang serving as a guard at the edge of a roof.

**POLE SIGN** means a sign wholly supported by a sign structure in the ground.

**PROJECTING SIGN** means a sign which is attached to and projects from the face or wall of a building, by more than 0.2metres, and is normally at right angles to such building face but does not include an awning sign, canopy sign or under canopy sign.

**PROMOTIONAL SIGN** means a temporary sign made of cloth, cardboard or like material, the purpose of which is to promote sales campaigns for a period not exceeding 30 days.

**REAL ESTATE SIGN** means a sign advertising a lot or parcel of land or improvements. Such sign shall not have a total area of over 0.8 square metres for residential use and 3.0 square metres for commercial and industrial use. Two such signs shall be permitted per lot, parcel or structure.

**ROOF LINE** means the line delineated by the intersection of the plane of the outside face of the exterior wall of the building and the plane of the roof of the building, except that in the case of a pitched roof with projecting eaves the roof line shall be at the eaves level, and where the building has a continuous roof parapet or mansard the roof line shall be the line of the top of the parapet or mansard.

**ROOF SIGN** means a sign erected upon the roof or on top of the parapet of a building, the entire face of which is situated above the roof line of the building to which it is attached.

**SANDWICH BOARD SIGN** means a non-illuminated sign having an “A” shape which is set upon the ground and has no external support structure.

**SHOPPING CENTRE** means a group of retail stores in one or more buildings designed as an integral unit and having a common parking area and erected on a site of land having an area of not less than 2.0 hectares.

**SIGN** is any medium including its structure and component parts, which is used or intended to be used, to attract attention to the subject matter for advertising or promotion purposes.

**SIGN STRUCTURE** is any structure which supports or is capable of supporting any sign. A sign structure may be a single pole and may or may not be an integral part of the building.

**TEMPORARY SIGN** means a sign which is not in a permanently installed or affixed position, advertising a product or an activity on a limited basis.

**THIRD PARTY ADVERTISING** means content on a sign which directs attention to products sold or services provided which cannot be considered as the principal product sold or principal services provided on the premises at which the sign is located.

**THIRD PARTY SIGN** means a sign which directs attention to a business, profession, activity, commodity, service or entertainment other than one conducted, sold or offered upon the premises where such sign is located.

**UNDER CANOPY SIGN** means a sign which is suspended beneath and attached to a canopy or awning and includes an under-awning sign.

**WINDOW SIGN** means any sign, which is erected in or on a window, which is intended to be seen from off the premises on which the premises is located and which is constructed in such a manner as intended to be of a permanent nature, but shall not include illuminated signs commonly used to advertise products sold on the premises.

**WALL SIGN** means any sign attached to or erected against the wall of any building or structure or painted on a wall, with the exposed face of the sign in a plane parallel to the plane of the said wall.

#### 11.2.0 General Sign Provisions

- (a) No person shall erect, alter, or maintain a sign except in the areas permitted and in compliance with this Bylaw.

#### 11.3.0 Prohibited Signs

No person shall erect, keep or alter on a premise any of the following types of signs:

- (a) A billboard;
- (b) A sign which by reason of size, location, content, colouring or manner of illumination obstructs the vision, or movement, of drivers or pedestrians or obstructs or detracts from the visibility or effectiveness of any traffic sign, traffic control device, warning or instructional sign on highways;
- (c) A sign painted on, attached to, or supported by a tree or other living vegetation, stone, or other natural object, or utility pole;
- (d) A sign which no longer advertises a business conducted, or a product sold on the premises (abandoned sign);
- (e) A sign that is not in a safe condition;
- (g) A third party sign or a sign which includes a third party advertising message that exceeds one-third of the allowable sign area;
- (h) A roof sign or any other sign including support structures that extends or projects above the roof line of the building on which it is erected;
- (i) A sign erected on a motor vehicle or trailer and parked, on public or private premises, with the primary purpose of providing a sign not otherwise allowed by this Bylaw.

#### 11.4.0 Exempt Signs

The following signs shall be permitted in all Zones and shall be exempted from the requirements of a Sign Permit subject to the provisions specified:

- (a) Public information signs.
- (b) Home improvement signs provided there shall be only one (1) such sign not exceeding



0.6 m<sup>2</sup> in sign area and 1.0 metres height for each site. Such sign shall be located on the site of the described activity and the sign shall be displayed only until approval of the final inspection or the project is substantially completed, but in no event longer than thirty (30) days.

- (c) One sandwich board sign, not already incorporated in permitted freestanding signs, provided such signs are non-illuminated and that the total sign area of all such signs on a site is less than 2.3m<sup>2</sup>.
- (d) Temporary sign such as a real estate sign, subject to a maximum of 2 per lot or structure.

#### **11.5.0 Vision Clearance Area**

- (a) No Sign may be located within a vision clearance area as defined below.
- (b) Support structures for a sign may only be located in a vision clearance area if the combined total width is 0.3 metres or less and the combined total depth is 0.3 metres or less.

#### **11.6.0 Awning Signs**

Awning Signs are permitted as follows:

- (a) Awning signs are permitted in the C-Commercial zones, M-Industrial zones; and P-zones.
- (b) The maximum sign area is limited to 30 percent of the awning face area on which the sign is erected.

#### **11.7.0 Banner Signs**

Banner Signs are permitted as follows:

- (a) Banner signs are permitted in the C- commercial zones, M-industrial zones; and P zones.
- (b) A sign permit shall not be required if the sign area does not exceed 10 m<sup>2</sup>, the maximum height is 7.62 metres, it is installed for a maximum 30 day period and it conforms to all specification set out in this Bylaw.

#### **11.8.0 Canopy Signs**

Canopy Signs are permitted as follows:

- (a) Canopy signs are permitted in the C- commercial zones, M-industrial zones; and P zones.
- (b) The maximum canopy sign area shall be 0.75 m<sup>2</sup> per lineal metre of the canopy frontage to which it is affixed, except that for theatres and cinemas this ratio may be increased to 1.5 m<sup>2</sup> per lineal metre.

#### **11.9.0 Electronic Message Centres**

Electronic message centres are permitted as follows:

- (a) Canopy signs are permitted in the C-commercial zones, M-industrial zones; and P-zones.
- (b) The electronic message centre of a freestanding sign shall be located a minimum of 2.4 metres above grade or in a secure enclosure.

#### **11.10.0 Fascia Signs**

Fascia Signs are permitted as follows:

- (a) One fascia sign per building, for the purpose of identification only, on each frontage in the RM zones and shall not exceed 0.7 m<sup>2</sup> in area.
- (b) One fascia sign per business for every wall facing a highway or yard in the C- commercial zones, M-industrial zones; and P zones.
- (c) The area of all fascia signs shall not exceed 25 percent of the façade of a building to which they are affixed.

- (d) Where more than one business occupies a building, provision shall be made where feasible to provide sign space on the fascia of each such business by limiting each sign to the portion of the frontage and the area of the facade containing the business referred to.
- (e) Businesses located in the portions of the premises not on frontage shall be permitted signage on the frontage of the premises, provided that the signs are located in conformity with other signage on the premises, and the maximum allowable sign area for each building façade is not exceeded.

#### 11.11.0 Freestanding Signs

Freestanding Signs are permitted as follows:

- (a) In the C-commercial zones, M-industrial zones; and P-zones.
- (b) In the RM zones one freestanding sign per frontage of a site is permitted only as an identification sign, and the maximum sign area shall be  $1.5 \text{ m}^2$  and the maximum sign height shall not exceed 2.0 m.
- (c) Where two or more signs are permitted on a site, such signs must be separated by a distance of not less than 50 metres, measured along the frontages.
- (d) Freestanding signs shall not exceed a height of 7.62 metres.
- (e) The sign area of any freestanding sign on any site shall not exceed  $0.30 \text{ m}^2$  per metre of frontage to a maximum of  $9.3 \text{ m}^2$ .

#### 11.12.0 Wall Sign

Wall Sign are permitted as follows:

- (a) Wall signs may be painted or attached through poster frames.
- (b) Wall signs are permitted in the C-commercial zones, M-industrial zones, MD-marina district zones and P-public facilities zones.
- (c) One painted wall sign and one poster frame shall be permitted per business for every wall facing a highway or yard.
- (d) For each wall the maximum area permitted for painted signs shall not exceed 25 percent of the façade upon which the sign or signs have been painted or attached.

#### 11.13.0 Pedestal Signs

Pedestal Signs are permitted as follows:

- (a) In the C-commercial zones, M-industrial zones and P-zones.
- (b) The sign area of any pedestal sign on any site shall not exceed  $0.30 \text{ m}^2$  per metre of frontage to a maximum of  $9.3 \text{ m}^2$ .

#### 11.14.0 Portable Signs

Portable Signs are permitted as follows:

- (a) Portable signs shall be permitted in all zones except Residential, Multiple Family Residential, and Mobile Home Park Zones.
- (b) The sign shall not exceed  $3 \text{ m}^2$  in area per side.
- (c) Portable signs are permitted to be located on a site for a maximum of 90 days per business per year.

#### 11.15.0 Under Canopy Signs

Under Canopy Signs are permitted as follows:

- (a) Under canopy signs are permitted in the C- commercial zones, M-industrial zones; and P zones.
- (b) One under canopy sign shall be permitted for each business within a building or for each entry to a large business which might have more than one frontage entrance.
- (c) The maximum vertical dimension of an under canopy sign shall be 0.3 metres.
- (d) Under canopy signs shall generally be at right angles to the supporting wall.

#### **11.16.0 Sandwich Board Signs**

Sandwich board Signs are permitted as follows:

- (a) Shall be of a painted finish, be neat and clean, and be maintained in such condition.
- (b) Be of a size not exceeding 0.6 metres wide by 1.0 metre high, and not less than 0.30 metres wide by 0.6 metres high.

#### **11.17.0 Window Signs**

Window Signs are permitted as follows:

- (a) Signs within a retail display window or attached thereto shall occupy a maximum of thirty percent (30%) of each retail display window.

#### **11.18.0 Projecting Signs**

Projecting Signs are permitted as follows:

- (a) Projecting Signs are permitted in all Commercial Zones and Marine District Zones.

#### **11.19.0 Domestic Signs**

Domestic Signs are permitted as follows:

- (a) Domestic Signs are permitted in all Residential Zones.

#### **11.20.0 Abandoned, Dangerous or Defective Signs**

- (a) Except as otherwise provided in the Bylaw, any sign which pertains to a time, event or purpose which no longer applies or no longer fulfills its function under the terms of a Sign Permit shall be deemed to have been abandoned.
- (b) The Building Inspector may order the removal of an abandoned sign by giving written notice to the property owner who shall remove the sign and related structural components within 30 days of the date of the notice of removal. The property owner shall bear all costs related to such removal.
- (c) Where, in the opinion of the Building Inspector, any sign is in a dangerous or defective condition, the Building Inspector shall notify the owner, lessee, or agent of the premises upon which such sign is located, to remove at once such sign or place the same in a proper state of repair within such time as the Building Inspector specifies.
- (d) Upon receipt of such notice from the Building Inspector, the owner, lessee, or agent of such premises shall at once proceed to repair or remove such sign.

#### **11.21.0 Liability for Damages**

The provisions of this Bylaw shall not be constructed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such sign or resulting from the negligence or willful acts of such person, his agents or employees, erection, alteration maintenance or removal of any sign erected in accordance with a permit issued hereunder. Nor can it be construed as imposing upon the City or its officers or employees any responsibility or liability by reason of the approval of any signs, materials or sign structures under provisions of this Bylaw.