

VILLAGE OF CHASE
OFFICIAL ZONING BYLAW NO. 264, 1983

JUNE, 1983

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THE VILLAGE OF CHASE

OFFICIAL ZONING BYLAW NO. 264 , 1983

A Bylaw of the Village of Chase to provide for regulations governing the use of lands, buildings and structures within the Village of Chase.

WHEREAS Section 716 of the "Municipal Act" provides that Council may by Bylaw divide the whole or a portion of the area of the municipality into Zones and define each Zone,

AND WHEREAS the "Municipal Act" further provides that Council may ^{be} Bylaw regulate the use of land, buildings and structures within said Zones,

AND WHEREAS a Public Hearing has been held in accordance with the provisions of Section 720 of the "Municipal Act",

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

SECTION 1 - SHORT TITLE

This bylaw may be cited as the Village of Chase Zoning Bylaw No. 264
1983.

SECTION 2 - PURPOSE

The Chase Zoning Bylaw regulates within the Village of Chase the development and use of land and the location and use of buildings and structures erected thereon, having due regard to:

- (1) The promotion of health, safety, convenience and welfare of the public.
- (2) The prevention of the overcrowding of land, and preservation of the amenities peculiar to any zone.
- (3) The securing of adequate light, air and access.
- (4) The value of the land and the nature of its present and prospective use and occupancy.
- (5) The character of each zone, the character of the buildings already erected and the peculiar suitability of the zone for particular uses.
- (6) The conservation of property values.
- (7) The adherence to the principals of the Official Community Plan.

SECTION 3 - DEFINITIONS

All words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth below:

ACCESSORY BUILDING means

- (1) A building, the intended use of which is ancillary to that of a principal building situated on the same lot, or
- (2) A building which is ancillary to a principal use being made of the lot upon which such building is located.

ACCESSORY USE means

- (1) A use which is ancillary to a principal building, or use of a principal building, situated on the same lot, or,
- (2) A use which is ancillary to a principal use being made of the lot upon which such accessory use is located.

ANIMAL HOSPITAL means any building, structure or premises in which animals are cared for, treated, maintained or hospitalized.

APARTMENT BUILDING means any building which contains three or more dwelling units, two or more of which have a common entrance from the ground level.

AUTOMOBILE OR TRAILER SALES OR RENTAL LOT means an open area used for the display, sale or rental of new or used passenger motor vehicles or trailers in operable condition, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold or rented on the premises.

AUTOMOBILE WRECKING YARD means an area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked or where vehicles not in operable condition or used parts of motor vehicles are stored.

AUTOMOBILE REPAIR SHOP means a building used or intended to be used for major repairs to motor vehicles, trailers and parts thereof, but shall not include motor vehicle manufacture, assembly or body building.

BACHELOR UNIT means a dwelling unit having no rooms used or intended to be used solely as a bedroom.

BALCONY means an extension of a floor projecting from the wall of a building and enclosed by a parapet or railing.

BASEMENT means that portion of a building between two floor levels which is partly underground. The height measured between floor and ceiling surfaces shall not be less than 2 meters (6.6 feet).

BEDROOM when used as a unit of measurement for determining minimum suite floor area or usable open space requirements, includes dens, libraries, recreation rooms, sewing rooms or other rooms of like character or kind.

BOARDING, LODGING OR ROOMING HOUSE means a dwelling in which more than 2 sleeping units are rented, with or without meals being provided, to more than 2 and not exceeding 5 persons, other than members of the family of the lessee, tenant, owner, and excludes the preparation of meals within the rented units.

BUILDING means a structure located on the ground, which is designed, erected or intended for the support, enclosure or protection of persons or property. When a structure is separated by party walls located upon lot lines, then each portion of such structure shall be deemed a separate building.

BUILDING, FRONT LINE OF means the extended line of the wall of the building (or of any projecting portion of the building except balconies, steps, sills, cornices, eaves, fire escapes and unroofed porches) which faces the front line of the lot.

BUILDING, PRINCIPAL means the primary and chief building on the lot.

BUILDING, REAR LINE OF means the extended line of the wall of the building, (or of any projecting portion of the building, except balconies, steps, sills, cornices, eaves, fire escapes, and unroofed porches) which faces the rear line of the lot.

BUILDING, TEMPORARY means a building (except a private garage or other accessory building) not having its exterior walls supported on continuous concrete or masonry foundations or walls, and includes boat shelters, bunkhouses, ski shacks, huts, tents, trailers, or any other similar types of portable buildings or structures, whether or not the same be placed on foundations or affixed to the land in any way, but shall not include a mobile home which is located in a mobile home park nor permanent prefabricated residential dwellings, industrial warehouse or storage buildings.

CAMPGROUND means a site operated and occupied as temporary accommodation for holiday makers in tents, and recreation vehicles; but a campground is not a mobile home park, motel or hotel.

CLUB OR LODGE means a building or establishment used by an association or organization for fraternal, social or recreational purposes which may include limited private sleeping unit accommodation without private cooking facilities, and which shall be operated for use of club members and their guests only.

COMMERCIAL VEHICLE means a vehicle engaged in carrying or which is designated to carry goods, wares or merchandise and which is licenced as a commercial vehicle under the appropriate municipal or provincial laws or regulations.

CONFORMING BUILDING OR USE means any building or use which conforms with all the regulations of the Bylaw, or of any amendment thereto, for the zoning district in which such building or use is located.

COUNCIL means the Municipal Council of the Village of Chase.

COVERAGE means the combined area covered by all buildings or structures on the lot, or any projecting portions thereof, measured at the height of the lowest storey above grade, excluding:

- (1) Balconies, bay windows, canopies and sun shades, cornices, eaves and gutters, fire escapes, sills, steps, open and enclosed terraces at grade and similar projection.
- (2) Covered or underground parking areas which are not in or beneath any part of a principal building, or those parking areas which are within an accessory building which has become part of a principal building by reason of its attachment thereto.

FLOOR AREA, GROSS means the total area of all the floors, measured to the extreme outer limits of the building, including all suites or dwelling units and all areas giving access thereto such as corridors, hallways, landings, foyers, staircases and stairwells. Enclosed balconies and mezzanines, enclosed porches or verandas, elevator shafts and accessory buildings (except those used for parking) shall also be included.

FLOOR AREA RATIO means the figure obtained when the Gross Floor Area of all the buildings on a lot is divided by the area of the lot except that the following shall not be included as floor area for the purpose of computing floor area ratio:

- (1) Any portion of a storey used for parking purposes, unless such parking is a principal use.
- (2) Any portion of a storey used for laundry purposes, unless laundry is a principal use.
- (3) Any portion of a basement containing heating, laundry, recreational or storage facilities, but excluding areas used for habitable accommodation, and necessary access to habitable accommodation.
- (4) Architectural features which are permitted as projections into required yards in Section 6.11 of this Bylaw.
- (5) Swimming pools and open sun deck.

GARAGE, PRIVATE means a detached accessory building or a portion of a principal building used solely for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles.

GASOLINE SERVICE STATION means any building or land used or intended to be used for the retail sale of motor fuels and lubricants and may include the servicing and minor repairing of motor vehicles and the sale of automotive accessories.

GRADE OR GRADE LEVEL means the finished ground level at the centre of the exposed wall of a building.

HABITABLE ROOM means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom or kitchen.

HEIGHT OF BUILDINGS means the vertical distance from the ground level to the highest point of the roof surface if a flat roof; the deck line of a mansard roof; and to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. Ground level is established by determining the average elevation of the finished grade of the lot along the front of the building.

HOME OCCUPATION means an occupation or profession which is clearly incidental to the use of a dwelling unit for residential purposes, or to the residential use of a dwelling, and includes:

- (1) the office of an accountant, architect, clergyman, dentist, engineer, lawyer, physician, or other professional person;
- (2) the office or studio of an artist, chiropractor, dressmaker, music teacher, musician, seamstress, writer or of persons engaged in home crafts or hobbies;
- (3) the keeping of not more than two boarders or lodgers.
- (4) the operation of a kindergarten or day nursery for not

HOSPITAL means an institution whether private or public for the reception and treatment of persons suffering from physical illness or disability and approved by the British Columbia Health Insurance Services.

HOTEL means a building in which the transient public are provided, for a consideration, with the following services:

- (1) lodging
- (2) an office with a public register
- (3) an attendant on duty at all times
- (4) a public dining room or restaurant and which may contain banquet rooms, licensed lounges, beer parlors and convention facilities.

HOTEL, MOTOR means a building in which there are more than six sleeping units wherein accommodation without private cooking facilities is provided, occupied or intended to be occupied primarily by transient motorists, and having a public dining room or cafe. Each sleeping unit shall be self contained with its own bathroom with a water closet, wash basin and bath or shower and having its own parking space conveniently located on the lot.

HOUSEKEEPING UNIT means two or more rooms, used or designed to be used together as living quarters for not more than one family, and containing at least one living room, one kitchen or kitchenette, and one bathroom; and equipped with at least one water closet, one basin, one sink, and one bath or shower.

JUNK YARD means an area outside of an enclosed building where junk, waste, used building materials, used industrial materials, scrap metal, used, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not be construed to include establishments for the sale, purchase, or storage of used furniture, used cars in operable condition, or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.

KENNEL means any building, structure, compound, group of pens or cages or property in which or where three or more dogs or cats are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever, and shall specifically include any building or part thereof in which two or more dogs are kept for breeding purposes. A dog or cat means a member of the canine or feline species.

KINDERGARTEN means an establishment for pre-school children whose parents send them for educational experience but not for supplemental parental care.

LANDSCAPING means any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch, decorative gravel, decorative paving, planters, decorative fences and the like, tastefully arranged and maintained so as to enhance the appearance of a property, or where necessary to effectively screen a property, and shall not include paved parking areas, sidewalks, uncleared natural bush, undergrowth or weed growth.

LANE means a public thoroughfare or way which affords only a secondary means of access to a lot, at the side or rear.

LOCAL CONVENIENCE STORE means a retail establishment for the convenience shopping of persons residing in the adjacent residential areas and is intended to satisfy those limited basic shopping needs which occur daily or frequently and therefore require shopping facilities in close proximity to places of residence.

LOT means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Registry Office, and having a principal frontage upon a public street or place.

LOT AREA means the total horizontal area within the lot lines of a lot.

LOT COVERAGE means the horizontal area within the vertical projection of the outermost walls of principal and accessory buildings on a lot, expressed as a percentage of the lot area.

LOT DEPTH means the mean horizontal distance between the front and rear lot lines.

LOT WIDTH means the mean horizontal distance between side lot lines measured at right angles to the lot depth.

LOT, CORNER means a lot at the intersection or junction of two or more streets.

LOT, INTERIOR means a lot other than a corner lot.

LOT, THROUGH means a lot abutting two parallel or approximately parallel streets.

LOT LINE, FRONT means the boundary line of the lot and the street on which the lot abuts. In the case of a corner lot, a lot line abutting a street shall be considered a front lot line if the adjacent lots front on the same street, except that only one front lot line need be provided. In the case of a through lot, the lot lines abutting two parallel or approximately parallel streets shall both be considered as front lot lines.

LOT LINE, REAR means the lot line furthest from and opposite to the front lot line, except that there shall not be more than one rear lot line.

LOT LINE, SIDE means a lot line marking the boundary between two lots, or between a lot and a lane, or between a lot and a public street in the case of a corner lot; of which one or both ends intersect a front lot line.

MANUFACTURING OR PROCESSING includes those operations which are a necessary part of, and clearly related to, the production of the articles or goods specified. For the purposes of this Bylaw the term "manufacturing" may also include repairing of the items specified.

MOBILE HOME means a single family dwelling, factory built as a unit or units, suitable for year-round occupancy, and capable of being drawn or moved from place to place.

MOBILE HOME LOT means an area of land located within a mobile home park occupied or intended to be occupied by one mobile home.

MOBILE HOME PARK means a mobile home development of mobile home spaces under single ownership managed by a mobile home park operator or Strata Corporation. Mobile home space may be rented.

MOBILE HOME SKIRTING means a wall of lumber or metal construction extending from the underside of the mobile home to the ground level, completely enclosing the space beneath the mobile home.

MOBILE HOME SUBDIVISION means a mobile home development with individually registered lots under either freehold or leasehold tenure.

MOBILE HOME, SINGLE WIDE means a mobile home equal to or less than 4.5 meters (14.8 ft.) in width.

MOBILE HOME, DOUBLE WIDE means a mobile home equal to or greater than six (6) meters (19.7 feet) in width.

MOTEL means a group of two or more detached or semi-detached buildings providing separate sleeping or dwelling units, occupied or intended to be occupied primarily by transient motorists, and each unit having its own parking space conveniently located on the lot and each sleeping unit being self-contained and having its own bathroom with a water closet, wash basin and bath or shower.

MUNICIPALITY means the Village of Chase.

NON-CONFORMING BUILDING OR USE means any building or use which does not conform with all the regulations of the Bylaw, or any amendment thereto for the zoning district in which such building or use is located. ch

NON-RESIDENTIAL when used in reference to a building, structure or use, means designed, intended or used for purposes other than those of a residential use building.

PARKING AREA means an open area of land, other than a street, used for the parking of vehicles or clients, customers, employees, members, residents or tenants.

PARKING SPACE means a space within a building or parking area, for the parking of one vehicle, excluding driveways, ramps, columns, office and work areas.

PERSON includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily used.

QUADRAPLEX means a single building comprised of four dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. ch
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RESIDENTIAL USE BUILDING means a dwelling, boarding, lodging or rooming house.

REST HOME means a boarding home or other institution where food or lodging, together with care or attention are furnished, with or without charge, for two or more persons who, on account of age, infirmity, physical or mental defect, or other disability, require attention or care, excepting a home maintained by a person to whom the inmates are related by blood or marriage.

RESTAURANT means an eating establishment where food is sold to the public for immediate consumption within the premises, but where no provision is made for the consuming of food in motor vehicles which are parked on the site.

SCREENING means a continuous fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks.

SETBACK means the required minimum distance between a building or use and each of the respective property lines.

SHOPPING CENTER means a group of retail stores in one or more buildings designed as an integrated unit.

SLEEPING UNIT means one or more habitable rooms used or intended to be used for sleeping, or sleeping and living purposes, but not including a sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared.

✓ STACKED TOWNHOUSE means a single building comprised of five or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another, and each dwelling unit has a separate, direct entrance from grade or a landscaped area. }? ✓

STORAGE YARD means an area outside of an enclosed building where contractors or construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public services and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, whether a principal or an accessory use. A storage yard shall not be construed to include an automobile wrecking yard, a display yard or a junk yard.

STORE, RETAIL means a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such stores, but does not include any retail outlet otherwise classified or defined in this Bylaw.

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

STOREY, HALF means a storey under a gable, hip or gambrel roof, and the wall plates of which on at least two opposite exterior walls are not more than 0.6 meters (2.0 feet) above the floor of such a storey.

STREET means a public highway, road or thoroughfare which affords the principal means of access to abutting lots.

STRUCTURE means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but shall not include fences and walls that are less than the maximum fence height permitted in any district.

TOWNHOUSE means a single building comprised of three or more dwelling units separated one from another by party-walls extending from foundation to roof, with each dwelling unit having a separate, direct entrance from grade and includes all row, linked, patio, garden court or other housing which meet such criteria.

TRAILER means any structure or vehicle used or designed to be used for living or sleeping purposes and which is designed or intended to be mobile on land, whether or not self-propelled.

TRIPLEX means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.

USABLE OPEN SPACE means a compact, level, unobstructed area or areas available for safe and convenient use by all the building's occupants having no dimension of less than 6 meters (19.7 feet) and no slope greater than 10 percent, providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas used for offstreet parking, offstreet loading, and service driveways.

USE means the purpose for which any lot, parcel, tract of land, building or structure is designed, arranged or intended, or for which it is occupied or maintained.

USE, AGRICULTURAL means a use providing for the growing, rearing, producing and harvesting of agricultural products; includes the processing on an individual farm of the primary agriculture products harvested, reared or produced on that farm and the storage of farm machinery, implements and agricultural supplies and specifically includes the keeping of hogs, horses, cattle, sheep poultry, pigeons, bees and fur bearing animals. Specifically excluded is all manufacturing, processing and storage not specifically mentioned in this definition, including livestock and poultry processing.

VACANT means not occupied for business purposes for the period of thirty (30) days and where there is no visible evidence of retail trade and the premises are not open for business purposes during normally accepted business hours.

YARD, FRONT means that portion of the lot, extending from one side lot line to the other, between the front line of the lot and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front line of the lot and the parallel line. In the case of a through lot, there shall be two such front yards.

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

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

CURB LEVEL means the level of the established curb in front of a building, measured at the centre of such front. When no curb has been established, the administrator of this Bylaw may establish such curb level or its equivalent, for the purpose of this Bylaw.

DEVELOPMENT means a change in the use of any land, building or structure for any purpose, and shall include the carrying out of any building, engineering, construction or other operation in, on, over or under land, or the construction, addition or alteration of any building or structure.

DISPLAY YARD means an open area used for the display of new or used passenger automobiles, motor vehicles, trailers, trucks, truck trailers, equipment, machinery or boats in operable condition, which are continually available for sale or rental, and where no repair work is done except of a minor or incidental nature. A display yard shall also include an open area where samples of the finished products can be assembled or constructed from the materials (new only) available for sale upon the premises.

DRIVE-IN BUSINESS means an establishment with facilities attracting and serving prospective clients travelling in motor vehicles which are driven onto the site where such business is carried on and where normally the customer remains in the vehicle for service, but shall not include car washes, drive-in theatres, or service stations.

DWELLING means a building, occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, motels, auto courts, motor hotels or institutions.

DWELLING, SINGLE FAMILY means any building (including a permanent, prefabricated dwelling or a double wide mobile home converted into a permanent dwelling by installing it on a permanent approved foundation) consisting of one dwelling unit which is occupying or intended to be occupied as the permanent home or residence of one family.

DWELLING, TWO FAMILY means any building divided into two dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one family.

DWELLING, MULTIPLE FAMILY means any building consisting of three or more dwelling units, each of which is occupied as the permanent home or residence of one family.

DWELLING, ROW HOUSING means a block of at least three and not more than eight side by side family dwelling units, with each dwelling unit having separate yard space and attached to its neighbour at its side and in which side family dwelling unit shall be separated from each other by a party wall.

DWELLING UNIT means one or more habitable rooms constituting a self-contained unit with a separate entrance, and used or intended to be used together for living and sleeping purposes for not more than one family and containing a separate and properly ventilated kitchen with a sink and cooking facilities and a bathroom with a water closet, wash basin and a bath or shower.

FAMILY means an individual or two or more persons closely related by marriage or filial relationships, sharing one dwelling, or three or less unrelated persons sharing one dwelling.

SECTION 4 - BASIC PROVISIONS

4.1 Application

Within the municipality no land, buildings and structures, including the surface of water, shall hereafter be used or occupied, and no building or structure or part thereof shall be erected, moved, altered or enlarged unless in conformity with the Bylaw and the Contrary shall be unlawful.

4.2 Non-Conforming Uses, Buildings and Structures

- (1) 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 provision of Section 722 of the Municipal Act), although such use does not conform with the provisions of the Bylaw.
- (2) Any building or structure conforming as to use, but which is non-conforming as to size, shape or siting at the time of the effective date of this Bylaw may be altered, repaired or extended provided that any alteration, repair or extension shall comply with the regulations specified for the zoning district in which it is located.

4.3 Metric Units

- (1) Metric units are used for all measurements in this Bylaw. The approximate Imperial equivalent (feet, inches, acres, etc.) are shown in brackets following each metric measurement. Such bracketed figures are included for convenience only and do not form part of this Bylaw.
- (2) Notwithstanding the siting provisions of this Bylaw, any building or structure which has been sited in accordance with the provisions of the Zoning Bylaw in force at the time of the issuance of the building permit for that building or structure, shall be considered to conform to the provisions of this Bylaw, but all extensions or modifications to such building or structure shall conform to the provisions of this Bylaw.

SECTION 5 - ESTABLISHMENT OF ZONING DISTRICTS AND SCHEDULES

5.1 Designation of Districts

For the purpose of this Bylaw, the municipality is hereby divided into the following zoning districts:

<u>SCHEDULE TITLE</u>		<u>DISTRICT TITLE</u>	<u>SHORT DESIGNATION</u>
AGRICULTURAL/RURAL	I	Agricultural	AR1
		Rural	AR2
RESIDENTIAL	II	Low Density Residential	R1
		Low Density - Small Lot	R1A
		Medium Density Residential	R2
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		Mobile Home Residential	R4
		Recreation Residential	R5
COMMERCIAL	III	General Commercial	C1
		Downtown Comprehensive Development District	C2
		Service Commercial	C3
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		Public and Quasi-Public Use	P2

5.2 Official Zoning Map

- (1) The location of the zoning districts established by this Bylaw are shown on the official zoning map which, with all explanatory matter thereon, is hereby made and declared an integral part of this Bylaw as Schedule A.
- (2) When the zoning district boundary is designated on the Official Zoning Map as following a road allowance, creek or railway right-of-way, the centre line of such road allowance, creek or railway line shall be the zoning district boundary.
- (3) Where a zoning district boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Official Zoning Map.

5.3 Schedules

- (1) Zoning District Schedules: Schedules I, II, III, IV and V Regulations for each zoning district shall be as set forth in the Zoning District Schedules which are hereby made and declared to be an integral part of this Bylaw.

5.3 Schedules (cont'd)

- (2) Off-Street Parking: Schedule VI.
Off-Street parking shall be as set forth in the Off-Street Parking Schedule which is hereby made and declared to be an integral part of this Bylaw.
- (3) Off-Street Loading: Schedule VII.
Off-Street loading shall be as set forth in the Off-Street Loading Schedule which is hereby made and declared to be an integral part of this Bylaw.
- (4) Development Permit Schedules: Schedules VIII, IX and X.
Development Permit applications, approved permits and fee schedule shall be generally as set forth in the Development Permit Schedules which are hereby made and declared to be an integral part of this Bylaw.

SECTION 6 - SUPPLEMENTARY REGULATIONS

6.1 Number of Principal Buildings on a Lot

- (1) No residential use building shall be located on the same lot as any other residential use building, except as otherwise provided for in this Bylaw.
- (2) No residential use building shall be located on the same lot as any non-residential building or use, except as otherwise provided for in this Bylaw.
- (3) Not more than one principal building shall be permitted on any lot or consolidated site.

6.2 Location and Siting of Buildings

- (1) No principal building shall be located in any required front, side or rear yard.
- (2) No accessory building shall be located in any required front or side yard, except as provided for in Section 6.5 of this Bylaw.

6.3 Height of Buildings and Structures

- (1) The following type of structures or structural parts shall not be subject to the building height requirements of this Bylaw: Church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadiums, transmission towers, chimneys, flag poles, radio towers, aerials, masts, water tanks, monitors, scenery lofts, cooling towers, drive-in theatre projection screens, elevator and ventilating machinery penthouses, provided that no such structure shall cover more than 20 percent of the lot or, if located on a building, not more than 10 percent of the roof area of the principal building.

6.4 Conversion of Buildings

Buildings may be converted, altered or remodelled for another use, provided that:

- (1) The Administrator of this Bylaw certifies that the building is structurally suitable for such conversion.
- (2) The converted building shall conform to all the provisions and regulations prescribed for the zoning district in which it is located.

6.5 Accessory Buildings and Uses

(1) General

- (a) No accessory building or structure shall be erected on any lot unless the principal building to which the accessory building is an incidental use has been erected or will be erected simultaneously with said accessory building.

6.5 Accessory Buildings and Uses (cont'd)

- (b) Where an accessory building or structure is attached to the principal building, it is to be considered a part of the principal building and shall comply in all respects with the requirements of the Bylaw applicable to the principal building.
- (c) An accessory building shall not be located closer than 1.2 meters (3.9 ft.) from any lane, except in the case of a lane intersection where the provisions of Section 6.13 shall apply.
- (d) An accessory building or structure shall not be used as a dwelling, except as otherwise provided for in this Bylaw.

(2) Urban Residential Districts

- (a) An accessory building shall not exceed 3.5 meters (11.5 feet) in height nor one storey, but in no case shall the height of an accessory building exceed the height of the principal building.
- (b) The total combined floor area of the accessory buildings shall not exceed 10 percent of the area of the lot, but in no case shall the floor area of the accessory building exceed 50 percent of the floor area of the principal building.
- (c) Not more than two-thirds of the width of the rear yard of any lot in an R1 District shall be occupied by accessory buildings.
- (d) Subject to Clause (f), an accessory building between the rear building line and the rear lot line of an interior lot shall be not less than 1 meter (3.3 feet) from the side property lines, except where such accessory building is situated within the rear 10 meters (32.8 feet) of the lot, and not less than 20 meters (65.6 feet) from the street on which the principal building fronts. In this case a setback from the side lot line need not be provided.
- (e) In an R1 District, if for topographical reasons a private garage or carport cannot be constructed at the side or rear of the principal building, such garage or carport may be constructed in an excavation in a front yard, provided that no part of such structure shall extend more than 1.2 meters (3.9 feet) above the surface of the surrounding ground at any point other than the driveway, nor be less than 1.2 meters (3.9 feet) from the front property line.
- (f) An accessory building in an R2 or R3 District shall be located not closer than 3 meters (9.8 feet) to the rear property line of an adjoining lot in an R1 District.
- (g) The regulations governing accessory buildings specified in Clauses (a) to (f) inclusive, shall apply also to accessory buildings on corner lots, excepting that:

6.5 Accessory Buildings and Uses (cont'd)

- (i) An accessory building in an R District shall be located not closer to the side street than the side yard setback prescribed for the principal building in the district in which it is located.
- (ii) An accessory building in an R1 District shall be located not closer than 1.2 meters (3.9 feet) to the rear lot line, when such rear lot line abuts the side yard of an adjacent lot in an R District.
- (h) The regulations governing accessory buildings specified in Clauses (a) to (g) inclusive, shall apply also to outdoor swimming pools, excepting that;
 - (i) the structure shall not be situated closer than 1 meter (3.3 feet) from any rear lot line.
 - (ii) the structure shall not be situated closer than 1 meter (3.3 feet) from any interior side lot line.
 - (iii) structures which do not project more than 0.6 meters (2.0 feet) above grade at any point may be allowed within required front or side street yard provided such structures:
 - (a1) are not closer than 1.5 meters (4.9 feet) to any street line.
 - (a2) are not closer than 1.5 meters (4.9 feet) to the principal building.

Each pool shall be located within a fenced yard or be surrounded by a fence, or equivalent barrier of not less than 1.5 meters (4.9 feet) in height, and gate closure and latch shall be provided.

(3) Non-Residential Districts (C and M)

- (a) On a corner lot an accessory building shall be located not closer to the side street than the principal building on the same lot, nor closer than the required setback from the side street of the principal building on an adjoining lot, whether or not a lane intervenes.
- (b) An accessory building shall be located not closer than 3 meters (9.8 feet) to the rear property line of an adjoining lot in an R District.
- (c) An accessory building shall not exceed 3.5 meters (11.5 feet) in height if it is located within a required rear yard.

6.6 Temporary Buildings

- (1) A temporary building or structure shall not be used as a dwelling except in the case of a trailer when located in an authorized motel or auto court on a short term or temporary basis.
- (2) A temporary building or structure may be erected for construction purposes on a lot being developed for a period not to exceed the duration of such construction.

6.6 Temporary Buildings (cont'd)

- (3) In all other cases, temporary buildings or structures shall be subject to the following requirements:
 - (a) Application shall be made in writing to the Administrator of this Bylaw for a permit to erect a temporary building or structure.
 - (b) At the expiration of a permit such temporary building or structure shall be removed and the site thereof restored as nearly as possible to its former condition.

6.7 Home Occupations

- (1) A home occupation shall involve no internal or external structural alterations to the principal building (dwelling) and there shall be no exterior indication that the building is being utilized for any purpose other than that of a dwelling, and no building, structure, fence or enclosure other than those in conformity with permitted residential uses in the Zoning District in which it is located, may be erected.
- (2) The premises must not be used for manufacturing, welding or any other light industrial use, and the home occupation carried on therein shall not produce noise, vibration, smoke, dust, odour, litter or heat, other than that normally associated with a dwelling, nor shall it create any fire hazard, electrical interference or traffic congestion on the street.
- (3) There shall be no external display or advertisement other than a sign bearing only the name and occupation of the owner, which may be illuminated but not flashing and shall not exceed 0.2 square meters (2 sq. ft.) in area.
- (4) There shall be no external storage of materials, containers or finished products.
- (5) Such occupation shall not involve the use of mechanical equipment except that which is ordinarily employed in purely private domestic and household use or for recreational hobbies, except for such equipment as may be used for a resident physician or dentist.
- (6) No person who is not a resident in the dwelling shall be employed in any such occupation.

6.8 Living Accommodation in Basements

Notwithstanding the definitions of single family dwelling and two family dwelling, accommodation below the storey on which housekeeping facilities are located may include one additional housekeeping facility which may be rented provided:

- (1) the accommodation is furnished with a separate entrance capable of being lighted at night.
- (2) the accommodation is located and designed so as to have all windows required by this or other Bylaws and Regulations completely available to natural light at all seasons without the necessity of manually or mechanically removing snow.

6.8 Living Accommodation in Basements (cont'd)

- (3) the finished surfaces of the ceiling and floor are nowhere less than 2.2 meters (7.3 feet) apart.
- (4) one off-street parking space is provided for each basement suite.

6.9 Minimum Floor Area of Dwelling Units

- (1) No single family, two family or row house dwelling shall contain less than 55.0 square meters (593.5 sq. ft.) of floor area for each dwelling unit.
- (2) In the case of apartment buildings, the following minimum suite floor areas shall apply:
 - (a) Bachelor suite - 40.0 square meters (431.6 sq. ft.)
 - (b) 1 bedroom suite - 55.0 square meters (593.5 sq. ft.)
 - (c) 2 bedroom suite - 70.0 square meters (755.4 sq. ft.)
 - (d) 3 bedroom suite - 85.0 square meters (917.] sq. ft.)
- (3) A mobile home in an R4 District shall contain at least 50.0 square meters (538.2 sq. ft.) of floor area.

6.10 Lot Area and Width

- (1) Existing Lots - The lot area and lot width requirements of this Bylaw shall not apply to any lot in an R1, C2, C3, C4, M1, or M2 District which has an area or width less than that required by this Bylaw, if such a lot was described on the official records on file in the Land Registry Office on or before the date of adoption of this Bylaw, provided that in the C2 Districts lots, used for multiple family dwelling shall comply with the lot area and lot width requirements of this Bylaw.
- (2) Lots of Irregular Shape - In R1, R1A, R2 and R4 Districts, on "pie-shaped" or other irregularly shaped asymmetrical lots, lot frontages may be reduced below the minimum prescribed widths, provided that the average lot width throughout a depth of 30.5 meters (100.1 feet) measured along a perpendicular line from the center of the property on the frontage street complies with the required minimum lot width.

6.11 Yards

- (1) Projections into Required Yards - The following projections into required yards are permitted:
 - (a) Steps.
 - (b) Eaves and gutters, cornices, sills, bay windows, chimneys, or other similar features, provided that such projections do not exceed 1 meter (3.3 feet), nor 0.6 meters (2.0 feet) in the case of a side yard of less than 1.6 meters (5.3 feet).
 - (c) Open porches and canopies, provided that such projections do not exceed 2 meters (6.6 feet), nor 50 percent of the width of a required side yard.
 - (d) Balconies and sun shades, provided that such projections do not exceed 2 meters (6.6 feet), nor 50 percent of the width of a required yard.

6.11 Yards (cont'd)

- (e) An uncovered patio or terrace, which may be open or enclosed, in any yard with an R District subject to a fence height limitations as specified in Section 6.13 of this Bylaw. The provision of an awning or similar temporary covering for such a terrace shall be permitted.
- (f) Arbors, trellices, fish ponds, ornaments, flag-poles or similar landscape features.
- (g) Gasoline service pumps or pump islands in a required front yard or a required side yard, subject to the provision that said pumps shall be located not closer than 4.5 meters (14.8 feet) to any property line.

6.12 Vision Clearance at Intersections

In any zoning district, no fence, wall or structure other than a permitted principal building shall be erected to a greater height than 1.1 meters (3.6 feet) and no hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance in the area bounded by:

- (1) The intersecting lot lines at a street corner and a line joining points along said lot lines 9 meters (29.5 feet) from their point of intersection.
- (2) The intersecting lot lines at a lane corner and a line joining points along said lot lines 6 meters (19.7 feet) from their point of intersection. A lane intersection shall include the intersection of a lane with any other lane or with a street.

6.13 Fences

- (1) Any fence, wall or hedge or other structure not being a building, which exceeds the height limitations specified in this section shall comply with the height and setback requirements prescribed for buildings within the zoning district in which it is located.
- (2) The height of a fence, wall or hedge shall be determined by measurement from the ground level at the average grade level within 1 meter (3.3 feet) of both sides of such fence, wall or hedge.
- (3) That portion of a retaining wall which projects above the surface of the ground which it supports shall be considered as a fence and subject to the regulations of this sub-section.
- (4) Notwithstanding Clause (2), in cases where a retaining wall has been constructed along a property line, the height of a fence, wall or hedge shall be determined by measurement from the surface of the ground which the retaining wall supports at the average grade level within 1 meter (3.3 feet) of such retaining wall.

6.13 Fences (cont'd)

- (5) Subject to the vision clearance provisions of Section 6.12 the following height limitations shall apply to fences, walls or hedges:
 - (a) In all zoning districts, except for required screening, fences, walls or hedges not greater than 1.1 meters (3.6 feet) in height may be located anywhere on a lot.
 - (b) In all zoning districts, except C3 and M Districts fences walls or hedges not greater than 2 meters (6.6 feet) in height may be located on any lot to the rear of the front line of the principal building.
 - (c) In C3 and M Districts, fences, walls or hedges not greater than 2.5 meters (8.2 feet) in height may be located on any lot to the rear of a required front yard.
 - (d) In R Districts, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences, walls or hedges on such rear lot line shall be not greater than the height permitted on the side line of the adjoining lot at the point of abutment.
- (6) Clauses (1) and (5) shall not apply to open mesh or chain link type fences erected on cemetery, public playground, park, playfield, elementary or high school areas, and in M Districts. In these cases, no such fence shall exceed a height of 3.5 meters (11.5 feet).

6.14 Flood Control Requirements

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

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

"WATERCOURSE" is any natural or man-made depression with well-defined banks and a bed 0.6 meters (2 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year, or having a drainage area of one square mile or more, or as required by a designated official of the Ministry of the Environment.
- (2) Notwithstanding any other regulations of this Bylaw, no building or any part thereof shall be constructed, reconstructed, altered, moved or extended, nor shall any mobile home or unit, modular home or structure be located:
 - (a) within 7.5 meters (24.6 feet) of the natural boundary of Little Shuswap Lake.
 - (b) within thirty (30) meters (98.4 feet) of the natural boundary of the South Thompson River or Chase Creek.

6.14 Flood Control Requirements (cont'd)

(c) within the underside of the floor system of any area used for habitation, business or storage of goods damage-able by floodwaters, or in the case of a mobile home or unit the ground level on which it is located, lower than → 0.66 meters (1.9 feet) above the two hundred (200) year flood level, which for Little Shuswap Lake and the South Thompson River is at elevation 350.2 meters (Geodetic Survey of Canada Datum), nor lower than 1.5 meters above the natural boundary of Chase Creek. X
✓

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

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

6.15 Parking or Storage in Residential Districts

No dismantled or wrecked vehicles or equipment shall be parked or stored in the open in any R District for a period of more than thirty (30) successive days.

SECTION 7 - ADMINISTRATION AND ENFORCEMENT

7.1 Administration

This Bylaw shall be administered by the Village Clerk or any other official of the municipality who may be appointed by Council.

7.2 Permits and Licences

The Administrator of this Bylaw shall not issue any permit or licence for a building, structure or use which violates any provisions of this Bylaw.

7.3 Inspection

The Administrator of this Bylaw or any other official of the municipality who may be appointed by Council, is hereby authorized to enter, at all reasonable times, upon any property or premises to ascertain whether the provisions of this Bylaw are being obeyed.

7.4 Enforcement

- (1) Every person who violates any provision of the Bylaw or who causes, suffers or permits any contravention of its regulations, shall be deemed to be guilty of an infraction thereof and shall be liable to the penalties herein imposed.
- (2) Where the administrator of this Bylaw is of the opinion that an infraction exists, and has confirmed his opinion by inspection of the property, he shall give to the Owner, Agent or the responsible person written notice specifying the violation, and ordering the cessation thereof.

In the event of failure to comply with the notice within the time specified, the person shall be given an opportunity to demonstrate to the Council that the failure was due to other than willful negligence, and the Council shall determine whether to seek penalties and costs by due process of law.

7.5 Penalties

Any person who violates the provisions of this Bylaw is liable on summary conviction to a penalty not exceeding two hundred dollars (\$200) for each infraction or offence, and also the cost of prosecution. Each day that a violation or infraction exists or is permitted to exist, shall constitute a separate offence under this Bylaw. Upon conviction the magistrate may direct that no prosecution may be made with respect to continuance of this violation for such period of time as he directs.

7.6 Bylaw Amendments

- (1) This Bylaw shall not be amended or repealed except after a Public Hearing under Section 720 of the Municipal Act.
- (2) An application for rezoning shall be treated as an application to amend this Bylaw.
- (3) Any person applying to have this Bylaw amended shall apply in writing to the Administrator of this Bylaw describing the proposed change and furnishing reasons in support of the application. In addition, if such application is for an amendment to the Official Zoning Map, it shall include a legal description and the location of the property sought to be rezoned, name and address of the owners of the property, and if the applicant is not the owner, a statement from the owner as to the applicant's interest in the property to be reclassified.
- (4) Every application for rezoning shall be accompanied by a fee of Fifty (\$50.00) Dollars. B25
- (5) No application for an amendment to this Bylaw shall be again considered by Council where the requested change has been denied within the six (6) month period immediately preceding the filing of such application.
- (6) Notice of the Public Hearing shall be mailed to the owners and occupiers of all real property within the area that is subject to the rezoning and to the owners and occupiers of all real property which abuts the area that is subject to the rezoning.

7.7 Board of Variance

The Board of Variance shall hear and determine any appeal resulting from the enforcement of this Bylaw upon the grounds referred to, and in the manner provided for, in Section 727 of the Municipal Act, as amended from time to time.

7.8 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.

7.9 Agricultural Land Reserve

Notwithstanding anything in this Bylaw, land within the Village of Chase designated as "Agricultural Land Reserve", pursuant to the Agricultural Land Commission Act, shall be subject to:

- (a) the Agricultural Land Commission Act;
 - (b) regulations made under the Agricultural Land Commission Act; and
 - (c) relevant orders of the Provincial Agricultural Land Commission made under the Agricultural Land Commission Act;
- h.c.

7.9 Agricultural Land Reserve (cont'd)

This is to say, without limiting the generality of the foregoing, where land within an "Agricultural Land Reserve" is also within a land zone established under this Bylaw, the Bylaw shall be binding only insofar as it is not contrary to, in conflict with, inconsistent with or repugnant to the Agricultural Land Commission Act, regulations made thereunder and orders of the Provincial Land Commission.

Where land outside an "Agricultural Land Reserve" is zoned for an agricultural use, this Bylaw shall be binding without qualification.

Where land presently within an "Agricultural Land Reserve" is pursuant to the Agricultural Land Commission Act, regulations made thereunder, or orders of the Provincial Land Commission;

- (a) excluded from an Agricultural Land Reserve;
- (b) exempted by the Agricultural Land Commission Act;
- (c) exempted by regulations made under the Agricultural Land Commission Act or an order of the Provincial Agricultural Land Commission;

the provisions of this Bylaw shall be binding.

SECTION 8 - DEVELOPMENT PERMITS

- 8.1 The Council has, pursuant to Section 717 of the Municipal Act, provided for the issue of Development Permits by adopting both a General Development Permit System and a Development Permit Area System.
- 8.2 The Council has, in providing for the issue of Development Permits, had due regard to the considerations and criteria set out in Sections 716(2) and 717(1) of the Municipal Act.

Section 716(2)

- (1) The promotion of health, safety, convenience, and welfare of the public.
- (2) the prevention of the overcrowding of land, and the preservation of the amenities peculiar to any zone.
- (3) The securing of adequate light, air and access.
- (4) The value of the land and the nature of its present and prospective use and occupancy.
- (5) The character of each zone, the character of the buildings already erected, and the peculiar suitability of the zone for particular uses.
- (6) The conservation of property values.

Section 717(1)

- (1) The development of areas to promote greater efficiency and quality.
- (2) The impact of development on present and future public costs.
- (3) The betterment of the environment.
- (4) The fulfillment of community goals.
- (5) The provision of necessary public space.

8.3 General Development Permit System

The Council may, by resolution, on the application of an owner of land, issue Development Permits which may regulate or require any or all of the following:

- (a) The dimensions and siting of buildings and structures on the land.
- (b) The siting and design of off-street parking and loading facilities.
- (c) Landscaping and screening in accordance with the standards set out in the permit.
- (d) The pavement of roads and parking areas in accordance with the standards set out in the permit.

8.3 General Development Permit System (cont'd)

- (e) That the land be developed, including
 - (i) the provision of sewerage, water and drainage facilities and
 - (ii) the construction of highways, street lighting, underground wiring and sidewalks.
- (f) Subject to Section 740 of the Municipal Act, the construction of buildings and structures in accordance with the specifications, terms and conditions of the permit.
- (g) The preservation or dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the permit.
- (h) That an area of land specified in the permit above the natural boundary of streams, rivers or lakes remain free of development, except that specified in the permit.
- (i) The provision of areas for play and recreation.
- (j) The number, size and type, and specifications as to the form, appearance and construction of signs.
- (k) The exterior finish of buildings, other than residential buildings containing three or less self-contained dwelling units.

8.4 Development Permit Area System

- (1) The Council is, in designating certain areas within certain zones in the municipality as Development Permit Areas, of the opinion that special conditions prevail with respect to the physical environment and/or with respect to design and siting considerations within these areas.
- (2) In Schedule A of this bylaw, consisting of the Official Zoning Map, those areas of land shown outlined by the Development Permit Area Boundary on the map are hereby designated as Development Permit Areas.
- (3) All owners of land within the Development Permit Areas shall prior to the commencement of a development, other than the development of three (3) or less self-contained dwelling units, obtain or hold a Development Permit, which may regulate or require any or all of the following:
 - (a) the dimensions and siting of buildings and structures on the land.
 - (b) the siting and design of off-street parking and loading facilities.
 - (c) landscaping and screening in accordance with the standards set out in the permit.
 - (d) the pavement of roads and parking area in accordance with the standards set out in the permit.
 - (e) that the land be developed, including:
 - (i) the provision of sewerages, water and drainage facilities and,
 - (ii) the construction of highways, street lighting, underground wiring and sidewalks.

8.4 Development Permit Area System (cont'd)

- (f) subject to Section 740 of the Municipal Act, the construction of buildings and structures in accordance with the specifications, terms and conditions specified in the Permit.
- (g) the preservation or dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the Permit.
- (h) that an area of land specified in the permit above the natural boundary of streams, rivers or lakes remain free of development, except that specified in the permit.
- (i) the provision of areas for play and recreation.
- (j) the number, size and type, and specifications as to the form, appearance and construction of signs.
- (k) the exterior finish of buildings, other than residential buildings containing three or less self-contained dwelling units.

8.5 Development Permits shall be issued by Council resolution.

8.6 Development Permits shall be generally in the form of the permit attached to this Bylaw as Schedule VIII.

8.7 Applications for Development Permits shall be made to the Administrator of this Bylaw on the form of the application attached to this Bylaw as Schedule IX.

8.8 At the time of application for a Development Permit the applicant shall pay to the Municipality an application fee in the appropriate amount as set out in Schedule X.

8.9 The application shall be processed by the Administrator of this Bylaw who shall present a report to Council for its consideration. The report shall:

- (a) contain a copy of the application.
- (b) contain a copy of the proposed Development Permit.
- (c) confirm that the proposed development does not contravene the official community plan.
- (d) specify whether or not the consent of the Minister of Transportation and Highways and Public Works is required.
- (e) specify what provisions of:
 - (i) the zoning bylaw, or
 - (ii) the subdivision control bylaw, or
 - (iii) section 732 of the Municipal Act are to be varied or supplemented and how they are to be varied or supplemented.
- (f) state the amount of the fee collected under Schedule X.
- (g) state the proposed security to be posted by the permittee, if any.
- (h) state how the permit applied for would affect any of the considerations or criteria set out in Sections 716(2) or 717 of the Municipal Act.

8.10 The Council may upon receipt of the report from the Administrator of this Bylaw, by resolution:

- (a) authorize the issuance of the Development Permit.
- (b) authorize the issuance of the proposed Development Permit as amended by the Council in its resolution.
- (c) refuse to authorize the issuance of the Development Permit.

8.11 A copy of all Development Permits issued by the Municipality shall be retained by the Administrator of this Bylaw who shall make the same available for perusal by any member of the public upon request during normal business hours during which the municipal office is open to the public.

SECTION 9 - REPEAL OF PREVIOUS BYLAW

9.1. Bylaw Number 201, 1980, Village of Chase Zoning Bylaw and all amendments thereto are hereby repealed.

SECTION 10 - EFFECTIVE DATE OF BYLAW

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

READ A FIRST TIME this 24th day of March, 1983.

READ A SECOND TIME this 24th day of March, 1983.

READ A THIRD TIME this 7th day of June, 1983.

Presented at a Public Hearing of the Ratepayers of the Village of Chase this 17th day of May, 1983.

I hereby certify that the foregoing is a true copy of the "Village of Chase ZONING BYLAW NO. 264, 1983," at THIRD READING THIS 7th day of June, 1983.

D. A. Heene
Clerk

Reconsidered and finally adopted by Council this 9th day of June, 1983.

Tom M. Munn
Mayor

D. A. Heene
Clerk

I hereby certify that the foregoing is a true copy of the "VILLAGE OF CHASE ZONING BYLAW NO. 264, 1983" as adopted this 9th day of June, 1983.

D. A. Heene
Clerk

Approved by the Inspector of Municipalities this _____ day of _____, 1983

Inspector of Municipalities

A true copy of By-Law No. 264
registered in the office of the Inspector
of Municipalities this 13th day of
MARCH 1984
[Signature]
Inspector of Municipalities

SCHEDULE 1 - AGRICULTURAL RURAL DISTRICTS (AR)

1.1 AGRICULTURAL DISTRICT - ARI

This District provides for the conservation and preservation of land for agricultural use and production.

1.1.1 Uses Permitted

- (1) Single family dwellings.
- (2) Home occupations.
- (3) Farming, the grazing of livestock, and the incidental direct sale of farm products to the consumer but excluding feed lots or other intensive livestock feeding operations.
- (4) Accessory uses and buildings.

1.1.2 Conditions of Use

- (1) Single family dwellings, provided that where a parcel is classified as farm land in accordance with the provisions of the Taxation Act and/or where land is a bona fide farm lying wholly or partially within the Agricultural Lane Reserve designated pursuant to the Land Commission Act, the following uses shall be permitted provided they are demonstrated to be essential to the operation of the farm:
 - (a) More than one single family dwelling, provided that in no case shall a density of one dwelling to 2 hectares (4.9 acres) be exceeded;
 - (b) Temporary accommodation in the form of mobile homes, provided that where more than one mobile home is placed on a lot, the requirements of the Mobile Home Parks Regulations pursuant to the Health Act shall be adhered to.

Where such uses cease to be essential to the operation of a farm, such as by the disestablishment of the farm, the Administrator of this Bylaw may require their removal.

1.1.3 Front Yard

A front yard shall be provided of not less than 9 meters (29.5 feet) in depth subject to the condition that no part of any building shall be closer than 40 meters (131.2 feet) to the center line of a controlled access Highway designated pursuant to Section 3 of the Controlled Access Highway Act.

1.1.4 Side Yards

- (1) A side yard shall be provided on each side of the building of not less than 3 meters (9.8 feet) in width.
- (2) Where a lot adjoins two or more intersecting highways, a side yard of not less than 9 meters (29.5 feet) from the said highways shall be provided.

1.1.5 Rear Yard

A rear yard shall be provided of not less than 9 meters (29.5 feet) in depth.

1.2 RURAL DISTRICT - 1 HECTARE (2.5 ACRES) - AR2

This District provides for residential units on small holdings, and which require a low level of urban public services.

1.2.1 Uses Permitted

- (1) Single family dwellings.
- (2) Home occupations.
- (3) Farming, the grazing of livestock, and the incidental direct sale of farm products to the consumer, but excluding feed lots or other intensive livestock feeding operations.
- (4) Parks, playgrounds, campsites and recreation facilities.
- (5) Schools, libraries, churches, hospitals, golf courses and community recreation and cultural facilities.
- (6) Other public services and utilities, including cemeteries, sewage disposal facilities, water reservoirs and the like, where adequately fenced.
- (7) Accessory uses and buildings.

1.2.2 Lot Area and Width

Each lot shall have an area of not less than 1 hectare (2.5 acres) and a width of not less than 45 meters (147.6 feet).

1.2.3 Front Yard

A front yard shall be provided of not less than 9 meters (29.5 feet) in depth subject to the condition that no part of any building shall be closer than 40 meters (131.2 feet) to the center line of a controlled access highway designated pursuant to Section 3 of the Controlled Access Highway Act.

1.2.4 Side Yards

- (1) A side yard shall be provided on each side of the building of not less than 3 meters (9.8 feet) in width.
- (2) Where a lot adjoins two or more intersecting highways, a side yard of not less than 9 meters (29.5 feet) from the said highway shall be provided.

1.2.5 Rear Yard

A rear yard shall be provided of not less than 9 meters (29.5 feet) in depth.

1.2.6 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

SCHEDULE II - RESIDENTIAL DISTRICTS - (R)

2.1 LOW DENSITY RESIDENTIAL DISTRICT - R1

This District provides for the use and development of single family dwellings.

2.1.1 Uses Permitted

- (1) Single family dwellings.
- (2) Boarding, lodging or rooming houses for not more than five boarders, when situated in a single family dwelling on a lot with an area of not less than 750 square meters (8074.9 sq. ft.).
- (3) Churches, and other places of worship.
- (4) Parks, playgrounds and recreation facilities maintained by or on behalf of public agencies for public use.
- (5) Home occupations.
- (6) Accessory buildings and uses.

2.1.2 Lot Area and Width

- (1) Each lot for a single family dwelling shall have an area and width as follows:
 - (a) each lot served by a community sanitary sewer system shall have an area of not less than 550 square meters (5920.2 sq. ft.) and a width of not less than 15 meters (49.2 feet).
 - (b) each lot not served by a community sanitary sewer system shall have an area of not less than 695 square meters (7480.9 sq. ft.) and a width of not less than 18 meters (59.7 feet).
- (2) Each lot for a church shall have an area of not less than 1400 square meters (15105 sq. ft.) and a width of not less than 30 meters (98.4 feet).

2.1.3 Lot Coverage

The maximum coverage shall be 40 percent of the lot area.

2.1.4 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth.

2.1.5 Side Yards

- (1) A side yard shall be provided on each side of the building of not less than 1.5 meters (4.9 feet) in width.
- (2) In the case of a corner lot the side yard adjoining the side street shall be not less than 3 meters (9.8 feet) in width.

2.1.6 Rear Yard

A rear yard shall be provided of not less than 6 meters (19.7 feet) in depth.

2.1.7 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

2.2 LOW DENSITY - SMALL LOT - RESIDENTIAL DISTRICT - RIA

This District provides for the use and development of detached single family dwellings on compact strata title or fee simple lots with urban services.

2.2.1 Uses Permitted

- (1) Single family dwellings.
- (2) Churches, and other places of worship.
- (3) Parks, playgrounds and recreation facilities maintained by or on behalf of public agencies for public use.
- (4) Accessory buildings and uses.

2.2.2 Conditions of Use

- (1) All lots within this district shall be served by community water and sanitary sewer services.
- (2) A development permit shall be required prior to developing within this district. ch

2.2.3 Lot Area and Width

- (1) Each lot for a single family dwelling shall have an area and width as follows:
 - (a) each lot shall have an area of not less than 370 square meters (3983 sq.ft.) and a width of not less than 11 meters (36 feet).
- (2) Each lot for a church shall have an area of not less than 1400 square meters (15105 sq. ft.) and a width of not less than 30 meters (98.4 feet).

2.2.4 Lot Coverage

The maximum coverage shall be 40 percent of the lot area.

2.2.5 Front Yard

A front yard shall be provided of not less than 4.5 meters (14.75 feet) in depth.

2.2.6 Side Yards

- (1) A side yard shall be provided on each side of the building of not less than 1.5 meters (4.9 feet) in width, subject to the following conditions:
 - (a) one side yard may be eliminated, provided that a side yard of 3 meters (9.7 feet) is provided on the opposite side of the building, and
 - (b) the owner of the adjacent site grants a 2.4 meter private maintenance easement which:
 - i) shall be registered by covenant against the site proposed for development and the adjacent site, and
 - ii) include a 600 mm (2 ft.) eave and footing encroachment, and
 - iii) all roof drainage from the building is directed onto the site by eavestroughs and downspouts. cl

2.2.7 Rear Yard

A rear yard shall be provided of not less than 4.5 meters (14.75 feet) in depth.

2.2.8 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

2.3 MEDIUM DENSITY RESIDENTIAL DISTRICT - R2

This District provides for a higher density residential development than the R1 District, including low density multiple family developments.

2.3.1 Uses Permitted

- (1) Single family dwellings.
- (2) Two family dwellings.
- (3) Townhouses
- (4) Triplex
- (5) Quadraplex
- (6) Boarding, lodging or rooming houses subject to the regulations of the R1 District.
- (7) Accessory buildings and uses.

2.3.2 Lot Area and Width

- (1) Each lot for a single family dwelling shall have an area of not less than 400 square meters (4305.6 sq.ft.) and a width of not less than 12 meters (39.4 feet).
- (2) Each lot for a two family dwelling shall have an area of not less than 550 square meters (5920.2 sq.ft.) and a width of not less than 15 meters (49.2 feet), subject to the condition that each lot not served by a community sanitary sewer system shall have an area of 925 square meters (9956.6 sq.ft.) and a width of 20 meters (65.6 feet). Where a lot is subdivided for the purpose of allowing side by side units, the new lots so created shall contain not less than one-half (1/2) the minimum area and minimum width specified herein. The new lot line so created shall project in a straight line throughout the length of the lot.
- (3) Each lot for a multiple family dwelling shall have an area of not less than 1000 square meters (10763.9 sq.ft.) and a width of not less than 20 meters (65.6 feet) provided that for multiple family dwellings containing five (5) or more dwelling units, each lot shall have an area of not less than 240 square meters (2583.3 sq. ft.) per dwelling unit.

2.3.3 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth. No parking area shall be located within a required front yard.

2.3.4 Rear Yard

A rear yard shall be provided of not less than 6 meters (19.7 feet) in depth.

2.3.5 Side Yards

- (1) For single family dwellings, side yards shall be provided of not less than 1.5 meters (4.9 feet) in width, subject to the condition that in the case of a common lot, the side yard adjoining the side street shall be not less than 3 meters (9.7 feet) in width.

- (2) For two family dwellings, side yards shall be provided of not less than 1.5 meters (4.9 feet) in width, subject to the condition that in the case of a corner lot, the side yard adjoining the flanking street shall be not less than 3 meters (9.8 feet) in width. For two family dwellings on lots subdivided for the purpose of allowing side by side units, an interior side yard between units shall not be required.
- (3) For multiple family dwellings, no building shall be closer than 3 meters (9.8 feet) to the side lot line, subject to the condition that in the case of a corner lot, no building shall be closer than 4.5 meters (14.8 feet) to the side street line.

2.3.6 Usable Open Space

Usable open space shall be provided on the lot for each dwelling unit based on the following ratios:

- (1) 120 square meters (1291.7 sq.ft.) for each 4 bedroom unit.
- (2) 90 square meters (968.8 sq.ft.) for each 3 bedroom unit.
- (3) 55 square meters (592.0 sq.ft.) for each 2 bedroom unit.
- (4) 20 square meters (215.3 sq.ft.) for each 1 bedroom unit.
- (5) 15 square meters (161.5 sq.ft.) for each bachelor unit.

The usable open space provided shall be a compact, level, unobstructed area or areas with a lawn or turf cover or some other form of landscaping. The space shall have no dimension of less than 6 meters (19.7 feet) and no slope greater than 10 percent, and shall provide for the convenient use of the residents, greenery, recreational space, and other leisure activities normally carried on outdoors. Usable open space does not include areas used for parking, driveways, loading, storage, or sidewalks, but may include areas used for swimming pools, tennis courts, playgrounds, club houses, landscaped areas, and similar recreation facilities.

2.3.7 Required Services

All residential uses in the R2 District shall be serviced by a community domestic water system and a community sanitary sewer system or an alternate method of collection and disposal subject to the approval of the Ministry of the Environment Health Branch.

2.3.8 Height of Building

The height of a building shall not exceed 9 meters (29.5 feet) or two (2) storeys.

2.3.9 Off-Street Parking

Off-street parking shall be provided in accordance with Schedule VI of this Bylaw.

2.4 HIGH DENSITY RESIDENTIAL DISTRICT - R3

This district provides for the construction of walk-up apartment buildings to a maximum of three (3) storeys in height.

2.4.1 Uses Permitted

- (1) Multiple family dwellings, or groups of multiple family dwellings, as permitted in the R2 District, subject to the regulations contained therein.
- (2) Apartment buildings.
- (3) Accessory buildings and uses.

2.4.2 Lot Area and Width

Each lot for an apartment building shall have an area of not less than 1000 sq. meters (10763.9 sq.ft.) and a width of not less than 20 meters (65.6 feet).

2.4.3 Floor Area Ratio

The maximum floor area ratio shall be 0.6.

2.4.4 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth. No parking area shall be located within a required front yard.

2.4.5 Rear Yard

A rear yard shall be provided of not less than 6 meters (19.7 feet) in depth.

2.4.6 Side Yards

Side yards shall be provided of not less than 3 meters (9.8 feet) in width, subject to the condition that in the case of corner lots, no building shall be closer than 4.5 meters (14.8 feet) to the side street line.

2.4.7 Usable Open Space

Usable open space shall be provided on the lot for each dwelling unit based on the following ratios:

- (1) 120 square meters (1291.7 sq.ft.) for each four bedroom unit.
- (2) 90 square meters (968.8 sq. ft.) for each three bedroom unit.
- (3) 55 square meters (592.0 sq.ft.) for each two bedroom unit.
- (4) 20 square meters (215.3 sq.ft.) for each one bedroom unit.
- (5) 15 square meters (161.5 sq. ft.) for each bachelor unit.

Usable open space provided shall be a compact, level, unobstructed area or areas within a lawn or turf area or some other form of landscaping. The space shall have no dimension of less than 6 meters (19.7 feet) and no slope greater than 10%, and shall provide for the convenient use of the residents, greenery, recreation space, and other leisure activities normally carried outdoors. Usable open space does not include areas for parking, driveways, loading, storage, or sidewalks. It may include areas used for swimming pools, tennis courts, playgrounds, club houses, landscaped areas, and similar recreation facilities.

2.4.8 Required Services

All residential uses in the R3 District shall be serviced by a community domestic water system and a community sanitary sewer system, or an alternate method of collection and disposal subject to the approval of the Ministry of the Environment Health Branch.

2.4.9 Height of Building

The height of a building shall not exceed 12 meters (39.4 feet) or three (3) storeys.

2.4.10 Off-Street Parking

Off-street parking shall be provided in accordance with Schedule VI of this Bylaw.

2.5 MOBILE HOME RESIDENTIAL DISTRICT - R4

This District provides for the establishment of mobile home developments for residential occupancy in proper relationship to community facilities and surrounding development.

2.5.1 Uses Permitted

- (1) Mobile home parks.
- (2) Mobile home subdivisions.
- (3) Accessory buildings and uses.

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2.5.2 Conditions of Use

Mobile Home Skirting:

Within thirty (30) days of the day on which a mobile home is moved on to a lot, skirting of lumber or metal construction painted or pre-finished so as to complement the main structure, shall be installed. An easily removable access panel of a minimum width of 1.2 meters (3.9 feet) shall be installed to provide access to the area enclosed by the skirting.

2.5.3 Mobile Home Parks

All mobile home parks shall be designed, approved, and developed in accordance with the Village of Chase Mobile Home Parks Bylaw No. 162, 1977 and amendments thereto.

2.5.4 Mobile Home Subdivisions

- (1) Lot area and width - each lot shall have an area of not less than 465 square meters (5005.2 sq.ft.) and a width of not less than 12 meters (39.4 feet).
- (2) Front yard - a front yard shall be provided of not less than 5 meters (16.4 feet) in depth.
- (3) Rear yard - a rear yard shall be provided of not less than 3 meters ((9.8 feet) in depth.
- (4) Side yards - side yards shall be provided of not less than 1.5 meters (4.9 feet) in width.
- (5) Spacing - no mobile home or additions thereto shall be located within 3 meters (9.8 feet) of another mobile home of addition thereto.
- (6) Permissible additions - no additions to mobile homes are permitted except:
 - (a) carports.
 - (b) shelters against sun or rain (ramadas).
 - (c) vestibules, or entrance halls, of a maximum size of 7 square meters (75.3 sq.ft.).
 - (d) rooms (cabanas) added to a mobile home, provided that the means of egress from the mobile home or additional room is not restricted or diminished by any part of the addition.

- (7) All attached or accessory structures such as porches, rooms, additions and storage facilities shall be painted or pre-finished so that the design and construction shall complement the main structure.

2.5.5 Off-Street Parking

Off-street parking shall be provided in accordance with Schedule VI of this Bylaw.

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2.6 RECREATION RESIDENTIAL - R5

The purpose of this district is to provide a high quality medium density residential accommodation area in a recreational setting which allows limited compatible commercial activities.

2.6.1 Uses Permitted

- (1) Townhouses or stacked townhouses.
- (2) Restaurants, cafes, or confectionaries excluding drive-in and fast food restaruants.
- (3) Recreation facilities.
- (4) Retail sale or rental of recreation oriented supplies and equipment.
- (5) Accessory buildings and uses.

2.6.2 Conditions of Use

- (1) Residential dwelling units must be developed concurrently or prior to the development of commercial use areas.
- (2) Commercial uses shall be ancillary to the residential character of the development.
- (3) Commercial use areas shall have access points and parking facilities which are separate from the residential areas.
- (4) No building or structure shall be built in this district without first having obtained a development permit. *ch*

2.6.3 Lot Area

- (1) Each lot for a multiple family dwelling shall have an area of not less than 1000 square meters (10763.9 sq. ft.) and a width of not less than 20 meters (65.6 feet) provided that for multiple family dwellings containing five (5) or more dwelling units, each lot shall have an area of not less than 505 square meters (5436 sq.ft.) per dwelling unit.

2.6.4 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth. Commercial uses in separate structures shall provide a front yard of not less than 2 meters (6.56 ft.). No parking shall be located within a required front yard.

2.6.5 Rear Yard

A rear yard shall be provided of not less than 6 meters (19.7 feet) in depth. Commercial uses in separate structures shall provide a rear yard of not less than 2 meters (6.5 feet). Where a commercial building abuts a residential district a rear yard shall be provided of not less than 6 meters (19.7 feet).

2.6.6 Side Yards

No building shall be closer than 3 meters (9.8 feet) to the side lot line, subject to the condition that in the case of a corner lot, no building shall be closer than 4.5 meters (14.8 feet) to the side street line. Where a commercial use abuts a residential district, a side yard shall be provided of not less than 6 meters (19.7 feet).

2.6.7 Usable Open Space

Usable open space shall be provided on the lot for each dwelling unit based on the following ratios:

- (1) 120 square meters (1291.7 sq.ft.) for each 4 bedroom unit.
- (2) 90 square meters (968.8 sq.ft.) for each 3 bedroom unit.
- (3) 55 square meters (592.0 sq.ft.) for each 2 bedroom unit.
- (4) 20 square meters (215.3 sq.ft.) for each 1 bedroom unit.
- (5) 15 square meters (161.5 sq.ft.) for each bachelor unit.

The usable open space provided shall be a compact, level, unobstructed area or areas with a lawn or turf cover or some other form of landscaping. The space shall have no dimension of less than 6 meters (19.7 feet) and no slope greater than 10 percent, and shall provide for the convenient use of the residents, greenery, recreational space, and other leisure activities normally carried on outdoors. Usable open space does not include areas used for parking, driveways, loading, storage, or sidewalks, but may include areas used for swimming pools, tennis courts, playgrounds, club houses, landscaped areas, and similar recreation facilities. Developed recreation facilities, such as swimming pools and tennis courts, may be considered as two times the actual area when computing usable open space provided they are accessible, without charge, to the residents.

2.6.8 Required Services

All residential uses in this District shall be serviced by a community domestic water system and a community sanitary sewer system.

2.6.9 Height of Building

The height of a building shall not exceed 9 meters (29.5 feet) or two (2) storeys.

2.6.10 Off-Street Parking

Off-street parking shall be provided for each use permitted in this district in accordance with Schedule VI of this Bylaw.

SCHEDULE III - COMMERCIAL DISTRICTS - C

3.1 GENERAL COMMERCIAL DISTRICT - C1

3.1.1 Uses Permitted

- (1) Banks
- (2) Business and professional offices
- (3) Cafes and restaurants
- (4) Personal service establishments, including: barbershops, beauty parlours, dry cleaning establishments, florist shops, laundries, tailor shops, outdoor garden shops, and similar establishments.
- (5) Hotels and motor hotels
- (6) Retail stores
- (7) Shopping Centers
- (8) One dwelling unit per lot in combination with the principal commercial use on that lot, for residential use by the owner, manager, or proprietor of the premises.

3.1.2 Lot Area and Width

Each lot shall have an area of not less than 550 square meters (5920.2 sq. ft.) and a width of not less than 15 meters (49.2 feet).

3.1.3 Floor Area Ratio

The maximum floor area ratio shall be 1.5.

3.1.4 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth.

3.1.5 Side Yards

No side yard shall be required subject to the condition that where a lot abuts an R District or is separated by a street or lane therefrom, a side yard of 3 meters (9.8 feet) in width shall be provided. Where a side yard is provided when not required by the provision of this Bylaw, the side yard adjoining an abutting lot shall be not less than 3 meters (9.8 feet) in width.

3.1.6 Rear Yard

A rear yard shall be provided of not less than 3 meters (9.8 feet) in depth, subject to the condition that where a lot abuts a lot in an R District, the rear yard shall be not less than 6 meters (19.7 feet) in depth.

3.1.7 Height of Building

The height of buildings shall not exceed 9 meters (29.5 feet) or two (2) storeys.

3.1.8 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

3.1.9 Off-Street Loading

Off-street loading shall be provided and maintained in accordance with Schedule VII of this Bylaw.

3.2 DOWNTOWN COMPREHENSIVE DEVELOPMENT DISTRICT - C2

This District provides for the accommodation in the downtown area of general commercial uses to serve the consumer needs of the entire community. Provision is also made for the development of apartment dwellings, either in combination with commercial uses, or as separate residential buildings. In addition, provision is made to permit existing low density residential uses in the future expansion areas on the fringe of the existing downtown, thereby precluding the designation of existing single family dwellings in the area as non-confirming uses.

3.2.1 Uses Permitted

- (1) The following general commercial and service uses:
 - (a) Banks
 - (b) Business and professional offices
 - (c) Cafes and restaurants (excluding drive-in restaurants)
 - (d) Clubs or lodges
 - (e) Commercial schools
 - (f) Funeral parlors
 - (g) Health service centers and clinics
 - (h) Hotels
 - (i) Personal service establishments, including:
barbershops, beauty parlors, dry cleaning establishments, electrical appliance repair shops, florist shops, laundries and laundrettes, optical or watch repair shops, outdoor garden shops, photographic studios, shoe repair shops, tailor shops and similar establishments.
 - (j) Public assembly and entertainment uses, including:
auditoriums, amusement arcades, billiard and pool halls, bowling alleys, dance halls, meeting halls, swimming pools, and theaters (excluding drive-in theaters).
 - (k) Public transportation depots, including taxi dispatch offices.
 - (l) Retail sale of new automobile parts and accessories.
 - (m) Retail stores.
 - (n) Shopping centers.
- (2) The following institutional uses:
 - (a) Churches and other places of worship.
 - (b) Fire halls
 - (c) Libraries
 - (d) Offices of municipal, provincial and federal governments.
 - (e) Telephone exchanges and similar public utilities, provided they are housed completely within an enclosed building.
 - (f) Police stations
 - (g) Post offices.
- (3) The following residential uses:
 - (a) Single family dwellings. ←
 - (b) Dwelling units in combination with commercial uses.
 - (c) Apartment buildings.

3.2.2 Conditions of Use

- (1) Single family dwellings:
 - (a) new single family dwellings shall be permitted only on lots which at the time of adoption of this Bylaw are occupied by existing single family dwellings.
- (2) Dwelling units in combination with commercial uses:
 - (a) all residential units shall be located above the first storey of a commercial building.
 - (b) the ground floor of the building shall be used only for commercial purposes.
 - (c) a completely separate public entrance to the apartment accommodation shall be provided from a ground floor entrance opening directly onto the public street.

- (d) all dwelling units shall be entirely self-contained and all floor areas shall be in accordance with Section 6.9.
- (e) two parking spaces shall be provided for each dwelling unit, located so as not to impair access to the commercial premises or the use of off-street loading facilities.

3.2.3 Floor Area Ratio

- (1) For general commercial, service and institutional uses, the maximum floor area ratio shall be 2.5.
- (2) For combination residential and commercial uses, the maximum floor area ratio shall be 1.5.
- (3) For apartment buildings, the maximum floor area ratio shall be 0.8.

3.2.4 Front Yard

- (1) For general commercial, service institutional and combination residential/commercial uses, no front yard shall be required.
- (2) For apartment buildings, a front yard of not less than 6 meters (19.7 feet) in depth shall be provided.

3.2.5 Side Yards

- (1) For general commercial, service, institutional and combination residential/commercial uses, no side yards shall be required, subject to the condition that where a lot abuts a lot in an R District or is separated by a street or lane therefrom, a side yard of 3 meters (9.8 feet) in width shall be provided. Where a side yard is provided when not required by the provisions of this Bylaw, the side yard adjoining an abutting lot shall be not less than 3 meters (9.8 feet) in width.
- (2) For apartment buildings, a side yards shall be provided of not less than 3 meters (9.8 feet) in width.

3.2.6 Rear Yard

- (1) For general commercial, service, institutional and combination residential/commercial uses, a rear yard shall be provided of not less than 3 meters (9.8 feet) in depth, subject to the condition that where a lot abuts a lot in an R District, the rear yard shall be not less than 6 meters (19.7 feet) in depth.
- (2) For apartment buildings, a rear yard shall be provided of not less than 6 meters (19.7 feet) in depth.

3.2.7 Lot Area and Width

Each lot shall have an area of not less than 550 square meters (5943.5 sq. ft.) and a width of not less than 15 meters (49.2 feet).

3.2.8 Height of Building

The height of buildings shall not exceed 12 meters (39.4 feet) or three (3) storeys.

3.2.9 Usable Open Space

For combination residential/commercial uses, and for multiple family dwellings, usable open space shall be provided on the lot for each dwelling unit in accordance with the provisions of Section 2.3.6 of this Bylaw.

3.2.10 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

3.2.11 Off-Street Loading

Off-street loading shall be provided and maintained in accordance with Schedule VII of this Bylaw.

3.3 SERVICE COMMERCIAL DISTRICT - C3

This District provides for the accommodation of vehicular oriented commercial uses of low intensity, and for commercial uses requiring large areas for storage and handling of materials, goods, and equipment.

3.3.1 Uses Permitted

- (1) animal hospitals
- (2) auction rooms
- (3) automobile repair shop, paint shop, body shop.
- (4) automobile, boat, trailer, and recreational vehicle showrooms and sales and rental lots, including related minor repair shops.
- (5) mobile home sales and storage.
- (6) cafes and coffee shops
- (7) businesses and professional offices.
- (8) car washing establishments
- (9) commercial nurseries and greenhouses
- (10) delivery and express facilities
- (11) offices, storage buildings and yards for the following trade contractors: building, electrical, heating, ventilating, and air conditioning, painting, plumbing, refrigeration, roofing, signs.
- (12) service establishments including dry cleaning establishments and laundries, appliance repair shops, locksmith shops, shoe repair shops, upholstering, and similar uses.
- (13) public transportation depots
- (14) building supply establishments
- (15) retail sale, rentals and repair of tools and small equipment such as chain saws, lawn and garden equipment, motorbikes, outboard motors and similar equipment.
- (16) tire shops, including sales and repair
- (17) retail sale of new automobile parts and accessories, including related minor repair shops
- (18) truck and truck trailer sales or rental lots and truck repair shops.
- (19) second hand stores, pawnshops, junk shops
- (20) gasoline service stations and accessory buildings
- (21) motels and motor hotels
- (22) institutional uses, including:
 - (a) fire halls
 - (b) police stations
 - (c) telephone exchanges and similar public utilities.
- (23) warehousing.

3.3.2 Conditions of Use

- (1) Nothing shall be done which is or will become an annoyance or nuisance in the surrounding areas by reason of unsightliness, the emission of odors, dust, fumes, noise, or glare.
- (2) In the required front yard and required side yards, storage of equipment, machinery, motor vehicles and similar items shall not be permitted, subject to the condition that items for sale or rental may be displayed within the required front yard.
- (3) All portions of a lot not utilized by buildings, structures, parking areas, driveways, or screened storage areas, shall be cleared of weed growth and maintained in a dust-free condition at all times.
- (4) Any part of a lot used or intended to be used as an outside storage area shall be enclosed by screening consisting of a solid 2.5 meter (8.2 feet) fence or wall, which shall be uniformly painted and well

Sentence

- (5) Display areas - items for sale or rental may be displayed within the required front yard subject to the condition that any display area shall be separated from an adjoining street, or from a directly abutting lot in an R District by a fully landscaped strip of not less than 2 meters (6.6 feet) in width.
- (6) Gasoline service stations:
- (a) screening of not less than 1 meter (3.3 feet) in height shall be provided and properly maintained along any boundary of the lot which abuts a lot in an R District.
 - (b) gasoline service pumps of pump islands shall be located not closer than 4.5 meters (14.7 feet) to any property line.
 - (c) all servicing and servicing equipment, other than that normally carried on a pump island, shall be entirely enclosed within a building.
 - (d) the entire surface area shall be paved with a surface of asphalt or concrete, and any unpaved areas of the lot shall be suitably landscaped and maintained and separated from the paved areas by a curb or other barrier.
 - (e) where a lot abuts a lot in an R District, or is separated by a street or lane therefrom, exterior lighting shall be designed to deflect away from adjacent properties.
- (7) Motels and motor hotels:
- (a) each lot shall have an area of not less than 1700 square meters (18,298.6 sq. ft.).
 - (b) the floor area ratio shall not exceed 0.50.

3.3.3 Lot Area and Width

Each lot shall have an area of not less than 550 square meters (5934.5 sq. ft.) and a width of not less than 15 meters (49.2 feet).

3.3.4 Lot Coverage

The maximum coverage shall be 50 percent of the lot area.

3.3.5 Front Yard

A front yard shall be provided of not less than 4.5 meters (14.75 feet) in depth.

3.3.6 Side Yards

Side yards shall be provided of not less than 3 meters (9.8 feet) in width, subject to the following conditions:

- (1) Where a lot abuts a lot in an R District, or is separated by a street or lane therefrom, a side yard of 6 meters (19.7 feet) in width shall be provided.
- (2) For a corner lot, a side yard shall be provided of 6 meters (19.7 feet) in width from the lot line abutting the side street. No storage yard or area shall be permitted in a required side yard of a corner lot.

3.3.7 Rear Yard

A rear yard shall be provided of not less than 3 meters (9.8 feet) in depth except where a lot abuts a lot in an R District or is separated by a lane therefrom, a rear yard of 6 meters (19.7 feet) in depth shall be provided.

3.3.8 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

3.4 HIGHWAY COMMERCIAL DISTRICT - C4

This District provides for the orderly development of accommodation for transient motorists in proper relationship to thoroughfares and surrounding uses.

3.4.1 Uses Permitted

- (1) Motels and motor hotels
- (2) Cafes, coffee shops, and restaurants
- (3) Car washing establishments and drive-in businesses
- (4) Gasoline service stations and accessory buildings.

3.4.2 Conditions of Use

- (1) Motels and Motor Hotels:
 - a) each lot shall have an area of not less than 1700 square meters (18298.6 sq.ft.).
 - b) the floor area ratio shall not exceed 0.50.
- (2) Drive-in businesses and car washes:
 - a) each lot shall have an area of not less than 930 square meters (10010.4 square feet).
 - b) no building shall be situated closer than five meters (16.4 feet) to the side property line.
 - c) screening of not less than 1.5 meters (4.9 feet) in height shall be provided and properly maintained along any boundary of the lot which abuts a lot in an R District, or is separated therefrom by a lane.
 - d) the entire customer service area shall be paved with a permanent surface of asphalt or concrete.
- (3) Gasoline Service Stations:
 - a) screening of not less than 1 meter (3.3 feet) in height shall be provided and properly maintained along any boundary of the lot which abuts a lot in an R District.
 - b) gasoline service pumps or pump islands shall be located not closer than 4.5 meters (14.8 feet) to any property line.
 - c) all servicing and servicing equipment, other than that normally carried on a pump island, shall be entirely enclosed within a building.
 - d) the entire surface area shall be paved with a permanent surface of asphalt or concrete, and any unpaved areas of the lot shall be suitably landscaped and maintained and separated from the paved areas by a curb or other barrier.
 - e) where a lot abuts a lot in an R District, or is separated by a street or lane therefrom, exterior lighting shall be designed to deflect away from adjacent properties.
- (4) Any part of a lot used or intended to be used as an outside storage area shall be enclosed by screening consisting of a solid 2.5 meter (8.2 feet) fence or wall, which shall be uniformly painted and well maintained, and not used for advertising or display purposes.
- (5) Display areas - items for sale or rental may be displayed within the required front yard subject to the condition that any display area shall be separated from an adjoining street, or from a directly abutting lot in an R District by a fully landscaped strip of not less than 2 meters (6.6 feet) in width.

3.4.3 Lot Area and Width

Each lot shall have an area of not less than 550 square meters (5920.2 sq.ft.) and a width of not less than 15 meters (49.2 feet).

3.4.4 Lot Coverage

The maximum lot coverage shall be 50 percent of the lot area.

3.4.5 Front Yard

A front yard shall be provided of not less than 4.5 meters (14.75 feet) in depth.

3.4.6 Side Yards

Side yards shall be provided of not less than 3 meters (9.8 feet) in width.

- (1) Where a lot abuts a lot in an R District, or is separated by a street or lane therefrom, a side yard of 6 meters (19.7 feet) in width shall be provided.
- (2) For a corner lot, a side yard shall be provided of 6 meters (19.7 feet) in width from the lot line abutting the side street. No storage yard or area shall be permitted in a required side yard of a corner lot.

3.4.7 Rear Yard

A rear yard shall be provided of not less than 3 meters (9.8 feet) in depth except where a lot abuts a lot in an R District or is separated by a lane therefrom, a rear yard of 6 meters (19.7 feet) in depth shall be provided.

- Parking

3.5 RECREATION COMMERCIAL DISTRICT - C5

This District provides for low intensity private recreational uses which require relatively large areas for development.

3.5.1 Uses Permitted

- (1) Commercial campgrounds or resorts to accommodate tourists and vacationers in tents and recreational vehicles subject to the conditions stated in Section 3.5.2.
- (2) Golf courses, including accessory clubhouse, and accessory residential use.
- (3) Accessory buildings and uses.

3.5.2 Conditions of Use

- (1) Commercial campgrounds or resorts:
 - (a) the use, design, and operation of all buildings, facilities and services shall comply with the current campsite regulations in effect in the Thompson Nicola Regional District.
 - (b) as an accessory use, one dwelling unit per campground for residential use by the owner, manager or proprietor of the campground will be permitted.
 - (c) as an accessory use, not more than one retail convenience store per campground, which may include a snack bar or take-out window, will be permitted, provided the retail floor area does not exceed a total of 50 square meters (538 sq.ft.) and providing sign and location are such as to avoid attracting non-occupants of the campground to use the store.

3.5.3 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

3.6 LOCAL COMMERCIAL DISTRICT - C6

This District provides for the establishment of general commercial development outside the central business districts in residential neighbourhoods to provide convenience shopping and services in close proximity to residential areas.

3.6.1 Uses Permitted

- (1) Personal service establishments, including barber shops, beauty parlours, florist shops, optical or watch repair shops, photographic studios, and tailor or seamstress shops. The gross floor area of an individual personal service establishment shall not exceed 200 square meters (2152.8 sq. ft.).
- (2) Retail stores catering to the day-to-day shopping needs of the residents of the local neighbourhood. The gross floor area of individual retail stores shall not exceed (200 square meters (2152.8 sq.ft.)).
- (3) One dwelling unit within a commercial building for residential use by the owner, manager or proprietor of the premises.
- (4) Accessory buildings and uses.

3.6.2 Conditions of Use

- (1) Accessory residential use.
 - (a) if the dwelling unit is located on the same level as the commercial use, it shall be located behind the commercial use and not closer than 6 meters (19.7 feet) to the front of the building.
 - (b) the dwelling unit shall be fully separated from the commercial use with the main street access to the dwelling unit being entirely separate from the related commercial use.
 - (c) a development permit shall be issued by Council for any local commercial area developed after the adoption of this bylaw.

3.6.3 Lot Area and Width:

Each lot shall have an area of not less than 1000 square meters (10763.9 sq. ft.) and a width of not less than 20 meters (65.6 feet).

3.6.4 Floor Area Ratio

The maximum floor area ratio shall be 0.5.

3.6.5 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth.

3.6.6 Side Yards

Side yards shall be provided of not less than 3 meters (9.8 feet) in width.

3.6.7 Rear Yard

A rear yard shall be provided of not less than 3 meters (9.8 feet) in depth.

3.6.8 Height of Buildings

The height of buildings shall not exceed 9 meters (29.5 feet) nor two (2) storeys.

3.6.9 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

SCHEDULE IV - INDUSTRIAL DISTRICT - M

4.1 LIGHT INDUSTRIAL DISTRICT - M1

This District provides for the accommodation of light industrial and light manufacturing uses under conditions designed to minimize conflicts with surrounding uses.

4.1.1 Uses Permitted

- (1) The following commercial and service uses:
 - (a) animal hospitals
 - (b) automobile, boat, trailer, and recreation vehicle sales and rental lots.
 - (c) mobile home sales, service and storage.
 - (d) automotive and truck repair shops, including body repair and painting.
 - (e) welding, machine and blacksmith shops.
 - (f) cartage, delivery, and express facilities.
 - (g) car washing establishments.
 - (h) laundries and dry cleaning establishments.
 - (i) nurseries and greenhouses.
 - (j) offices, storage buildings, workshops and yards for general contractors and trade contractors.
 - (k) building supply establishments.
 - (l) sale and repair of machinery, farm implements, and heavy equipment.
 - (m) sale, rental and repair of tools and small equipment.
 - (n) truck and truck-tractor sales or rental lots.
 - (o) bulk petroleum products sales.
- (2) Light manufacturing, processing, finishing and packaging.
- (3) Storage buildings, warehousing and wholesale establishments, packing and crating, cold storage.
- (4) Storage yards for materials and equipment.
- (5) Public utility buildings and installations such as telephone exchanges, transformer stations, and public works yards.
- (6) Accessory buildings and uses.
- (7) One dwelling unit per lot, for residential use only by the owner, manager, proprietor or caretaker of the principal use.

4.1.2 Conditions of Use

- (1) Nothing shall be done which is or will become an annoyance or nuisance in the surrounding areas by reason of unsightliness, the emission of odors, liquid effluents, dust, fumes, smoke, vibration, noise or glare.
- (2) In the required front yard and required side yards, storage of equipment, machinery, motor vehicles and similar items shall not be permitted, provided that items for sale or rental may be displayed within the required front yards.
- (3) All portions of a lot not utilized by buildings, structures, parking areas, display areas, driveways, or screened storage areas, shall be cleared of weed growth and maintained in a dust-free condition at all times.

- (4) Any part of a lot used or intended to be used as an outside storage area shall be enclosed by screening consisting of a solid 2.5 meter (8.2 feet) fence or wall, which shall be uniformly painted and well maintained, and not used for advertising or display purposes.
- (5) Display areas - items for sale or rental may be displayed within the required front yard, subject to the condition that any display area shall be separated from an adjoining street, or from a directly abutting lot in an R District, by fully landscaped strip of not less than 2 meters (6.6 feet) in width.

4.1.3 Lot Area

Each lot shall have an area of not less than 930 square meters (10010.4 sq. ft.).

4.1.4 Lot Coverage

The maximum coverage shall be 50 percent of the lot area.

4.1.5 Height of Buildings

The height of a building or structure shall not exceed 12 meters (39.4 ft.).

4.1.6 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth except where a lot is separated from a lot in an R District by a street, such front yard shall be not less than 10 meters (32.8 feet) in depth.

4.1.7 Side Yards

A side yard shall be provided on each side of the building of not less than 3 meters (9.8 feet) in width, except that:

- (1) a side yard not abutting a street, lane, or an R. District may be reduced to nil, provided that the other side yard has a width of not less than 6 meters (19.7 feet).
- (2) where a lot abuts a lot in an R District, or is separated by a street or lane therefrom, a side yard shall be provided of not less than 6 meters (19.7 feet) in width.

4.1.8 Rear Yard

A rear yard shall be provided of not less than 3 meters (9.8 feet) in depth except where a lot abuts a lot in an R District or is separated by a lane therefrom, each rear yard shall be not less than 6 meters (19.7 feet) in depth.

4.1.9 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

4.2 GENERAL INDUSTRIAL DISTRICT - M2

This District provides for a broader range of heavier industrial and manufacturing uses than permitted in the M1 District.

4.2.1 Uses Permitted

- (1) Uses permitted in the Light Industrial District (M1).
- (2) All manufacturing, processing, finishing and packaging, including:
 - (a) processing of forest and wood products.
 - (b) processing of concrete products and redi-mix concrete.
 - (c) rocks, sand and gravel.
 - (d) processing of asphalt.
- (3) Storage yards.
- (4) Auto wrecking and junk yards.
- (5) Accessory buildings.

4.2.2 Conditions of Use

- (1) Nothing shall be done which is or will become an annoyance or nuisance in the surrounding areas by reason of unsightliness, the emission of odors, liquid effluents, dust, fumes, smoke, vibration, noise or glare.
- (2) In the required front yard and required side yards, storage of equipment, machinery, motor vehicles and similar items shall not be permitted, subject to the condition that items for sale or rental may be displayed within the required front yard.
- (3) All portions of a lot not utilized by buildings, structures, parking areas, display areas, driveways, or screened storage areas, shall be cleared of weed growth and maintained in a dust-free condition at all times.
- (4) Any part of a lot used or intended to be used as an outside storage area shall be enclosed by screening consisting of a solid 2.5 meter (8.2 feet) fence or wall, which shall be uniformly painted and well maintained, and not used for advertising or display purposes.
- (5) Auto wrecking yards and junk yards:
The yards shall be completely enclosed by a solid view obscuring fence or wall not less than 2.5 meters (8.2 feet) in height.

4.2.3 Lot Area

Each lot shall have an area of not less than 930 square meters (10010.4 sq. ft.).

4.2.4 Lot Coverage

The maximum coverage shall be 50 percent of the lot area.

4.2.5 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth, except where a lot is separated from a lot in an R District by a street, such front yard shall be not less than 10 meters (32.8 feet) in depth.

4.2.6 Side Yards

A side yard shall be provided on each side of the building of not less than 3 meters (9.8 feet) in width, except that:

- (1) a side yard not abutting a street, lane, or an R District may be reduced to nil, provided that the other side yard has a width of not less than 6 meters (19.7 feet).
- (2) where a lot abuts a lot in an R District, or is separated by a street or lane therefrom, a side yard shall be provided of not less than 6 meters (19.7 feet) in width.

4.2.7 Rear Yard

A rear yard shall be provided of not less than 3 meters (9.8 feet) in depth except where a lot abuts a lot in an R District or is separated by a lane therefrom, each rear yard shall be not less than 9 meters (29.5 feet) in depth.

4.2.8 Height of Building

The height of a building or structure shall not exceed 12 meters (39.4 feet).

4.2.9 Off-Street Parking

Off-Street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

SCHEDULE V - PUBLIC USE DISTRICTS - P

5.1 PARKS AND RECREATION - P1

5.1.1 Uses Permitted

- (1) Parks, active and passive recreation.
- (2) Golf courses, including accessory clubhouse, and accessory residential uses.

5.1.2 Structures Permitted

- (1) Tourist information and refreshment booths.
- (2) Bleachers.
- (3) Structures and buildings for the purpose of active and passive recreation.
- (4) Accessory structures and buildings.
- (5) One building for residential use of the owner, manager or caretaker of the principal use.

5.1.3 Front, Rear and Side yards

No building or structure shall be closer than 6 meters (19.7 feet) to any lot line.

5.1.4 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

5.2 PUBLIC AND QUASI-PUBLIC USES - P2

5.2.1 Uses Permitted

- (1) Schools and associated playgrounds.
- (2) Churches, associated assembly halls, and associated residential use.
- (3) Cemeteries.
- (4) Hospitals and rest homes.
- (5) Public utility buildings and installations such as public works yards, telephone exchanges, and transformer stations.
- (6) Foreshore water oriented recreation uses.

5.2.2 Structures Permitted

- (1) School buildings, portable classrooms, playground facilities, and bleachers.
- (2) Churches and one associated building for residential use.
- (3) Hospitals and rest homes.
- (4) Government buildings and structures.
- (5) Accessory structures and buildings.
- (6) Docks, wharves, marinas and similar uses, subject to the approval of the Lands Management Branch of the Ministry of Lands, Parks and Housing.

5.2.3 Lot Area and Width

Each lot shall have an area of not less than 1000 square meters (10,763.9 sq. ft.) and a width of not less than 15 meters (49.2 ft.).

5.2.4 Front Yard

A front yard shall be provided of not less than 6 meters (19.7 feet) in depth.

5.2.5 Side Yards

Side yards shall be provided of not less than 3 meters (9.8 feet) in width.

5.2.6 Rear Yards

Rear yards shall be provided of not less than 6 meters (19.7 feet) in depth.

5.2.7 Building Height

The height of buildings shall not exceed 12 meters (39.4 feet) unless the Approving Officer approves otherwise.

↑

- No discretion
- 12 meters building height

5.2.8 Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Schedule VI of this Bylaw.

5.2.9 Conditions of Use

Nothing shall be done which is or will become an annoyance or nuisance in the surrounding areas by reason of unsightliness, the emission of odors, liquid effluents, dust, fumes, smoke vibration, noise or glare.

SCHEDULE VI - OFF-STREET PARKING

Subject to the provisions of Section 6.1, when any development takes place on any lot, off-street parking shall be provided and maintained in accordance with the regulations contained in this Schedule.

6.1 Existing Buildings, Structures and Uses

The regulations contained in this schedule shall not apply to buildings, structures or uses existing on the effective date of this Bylaw, except that:

- (1) Off-street parking shall be provided and maintained in accordance with this Schedule for any addition to such existing building or structure, or any change or addition to such existing use.
- (2) Off-street parking existing on the effective date of the Bylaw shall not be reduced below the applicable off-street parking requirements of this Schedule.

6.2 Voluntary Establishment of Parking Facilities

Where off-street parking facilities are provided when not required, the location, design and operation of such facilities shall comply with the regulations of this schedule.

6.3. Units of Measurement

- (1) Where gross floor area is used as a unit of measurement for the calculation of required parking spaces, it shall include the floor area of accessory buildings and basements, except where they are used for parking, heating or storage.
- (2) Where any number of employees is used as a unit of measurement, it shall mean the greatest number of persons at work, at any time of the day or night in a particular building or for a particular use during any season of the year.
- (3) Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths, and the like, each 0.5 meters (1.6 feet) of width of such seating accommodation shall be counted as one seat.
- (4) When the calculation of parking requirements results in a fractional parking space, one parking space shall be provided to meet this fractional requirement.

6.4 Required Off-Street Parking Spaces

Off-street vehicular parking or garage spaces shall be provided in accordance with the standards in this section. In the case of a use not specifically mentioned, the required off-street parking spaces shall be the same as for a similar use.

Use	Required Parking Spaces
A. <u>Residential Use</u>	
(1) Single Family, two family row house dwellings	2 for each dwelling unit
(2) Multiple family dwellings	1.5 for each dwelling unit plus 0.5 per dwelling unit for communal or visitor parking
(3) Boarding, lodging or rooming houses	1 for each 2 dwelling units
(4) Senior citizens housing	1 for each 5 dwelling units
(5) Basement suites	1 for each basement suite.
B. <u>Institutional and Recreational Use</u>	
(1) Churches	1 for each 10 seats
(2) Hospitals	1 per 2 employees plus 1 per 5 beds
(3) Schools	
(a) Elementary & Jr. Secondary	1 for each staff member
(b) Senior Secondary	1 for each staff member plus 1 per 10 students
(4) Places of public assembly, including arenas, assembly halls, auditoriums, clubs, lodges and fraternal building not providing overnight accommodation, community centers, convention halls, funeral parlours and undertaking establishments, gymnasiums, meeting halls, theatres, and similar uses.	1 for each 10 seats, or 1 for each 10 sq. meters (107.6 sq. ft.) of floor area in areas without fixed seats which are used or intended to be used for public assembly, excluding playing surfaces.
(5) Recreational uses, including curling rinks, skating rinks, swimming pools and similar uses.	1 for each 50 square meters (538.2 sq. ft.) of gross floor area, plus .5 for each spectator seat.
C. <u>Commercial Uses</u>	
(1) Banks, business administrative and professional offices	1 space for each 50 square meters (538.2 sq. ft.) of gross floor area.
(2) Medical or Dental offices and clinics	1 space for each 50 square meters (538.2 sq. ft.) of gross floor area.
(3) Retail stores, personal service establishments, shopping centers, department stores, and super markets except as otherwise specified.	1 space for each 50 square meters (538.2 sq. ft.) of gross floor area.
(4) Furniture and appliance sales, automobile and boat sales.	1 space for each 70 square meters (753.5 sq. ft.) of gross floor area.

Use	Required Parking Spaces
<u>C. Commercial Uses (cont'd)</u>	
(5) Restaurants and eating establishments, lunch counters, diners, beer parlours, cocktail lounges, bars and other similar establishments for the sale and consumption of food or beverage on the premises.	1 space for each 12 square meters (129.7 sq. ft.) of gross floor area.
(6) Hotels	0.5 spaces for each sleeping unit plus 1 space for each 12 square meters (129.7 sq. ft.) of gross floor area used for dining rooms, restaurants, lounges, beer parlors, etc.
(7) Motels or motor hotels	1.1 spaces for each dwelling or sleeping unit.
(8) Commercial recreation facilities	
(a) billiard and pool halls	1 space for each table
(b) theaters	1 space for each 10 seats
(c) bowling alley	2 spaces for each alley
(9) Laundromat	1 space for 4 washing machines
<u>D. Industrial Uses</u>	
(1) Contractors or public Works Yard	1 per 2 employees
(2) Machinery sales and repair	1 per 2 employees plus 1 per 100 square meters (1076.4 sq. ft.) sales floor.
(3) Warehousing, storage buildings	1 per 2 employees as total of 2 shifts.
(4) Tire repair	1 per 2 employees plus 1 per bay.
(5) Manufacturing and Industrial buildings	1 per 2 employees counted as total of 2 shifts.

6.5 Provision of Parking Facilities

- (1) Required parking spaces must be located on the same lot as the use which they serve, subject to the condition that for commercial uses in the C2 Districts required parking spaces may be located on a property within 125 meters (410.1 feet) of the use which they serve.
- (2) In the C2 Districts, required parking spaces for separate commercial uses may be provided collectively if the total number of spaces provided is not less than the sum of the separate requirements for each use and provided that all regulations governing location of parking spaces in relation of the use are adhered to.

6.6 Use of Parking Facilities

Required off-street parking spaces shall not be used for off-street loading, driveways, commercial repair work, display, sale or storage of goods of any kind.

6.7 Location and Siting of Parking Facilities

- (1) No parking area shall be located within a required front yard, except that in a C3, C4 or M District, where parking may be located in a required front yard subject to the condition that any parking area shall be separated from an adjoining street, or from a directly abutting lot in an R District by a fully landscaped strip of not less than 2 meters (6.6 feet) in width.
- (2) No parking area shall be located within the following required yards:
 - (a) A side yard which adjoins a side street on a corner lot in an R2 or R3 District, provided that in no case need the setback for such parking area exceed a distance of 4.5 meters (14.8 feet).
 - (b) A side yard in a C District which is separated by a street from a lot in an R District, provided that in no case need the setback for such parking area exceed a distance of 4.5 meters (4.5 feet).
 - (c) Any yard in an M District which abuts a lot in an R District or is separated by a street or lane therefrom.
- (3) No parking area in any required rear yard shall be located closer to any flanking street than is permitted in the side yard which flanks the same street.
- (4) For residential buildings the parking facilities for all residents shall be wholly provided on the same lot as the building required to be served.
- (5) No part of any parking area shall be located closer than 3.5 meters (11.5 feet) to any multiple family dwelling.

6.8 Development Standards

- (1) The location of all points of ingress and egress to a parking area shall be subject to the approval of the Administrator of this Bylaw.
- (2) All off-street parking spaces shall have a clear length of not less than 5.5 meters (18.0 feet), a clear width of not less than 2.6 meters (8.5 feet), and a clear height of not less than 2.2 meters (7.2 feet). When a parking space adjoins a fence or structure over 0.3 meters (1.0 feet) in height the width of the parking space shall be increased by 0.3 meters (1.0 feet) on the side or sides which abut such fence or structure to enable the opening of vehicular doors.
- (3) Adequate provision shall be made for individual ingress or egress by vehicles to all parking spaces at all times by means of unobstructed manoeuvring aisles. Manoeuvring aisles of not less than the following widths shall be provided:

<u>Parking angle in degrees</u>	<u>Width of Aisle in Meters</u>
90	7.3 meters (24.9 feet)
60	5.2 meters (17.1 feet)
45 or less	3.7 meters (12.1 feet)

- 18.0 x 8.5
- 18.0
- 8.5
24.9
30.9

- (4) All parking areas shall be provided with adequate curbs in order to retain all vehicles within such permitted parking area, and to ensure that required fences, walls, hedges or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- (5) All parking areas for more than 4 vehicles shall be surfaced with an asphalt, concrete or similar pavement so as to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water.
- (6) Any lighting used to illuminate any parking area or parking garage shall be so arranged that all direct rays of light are reflected upon such parking area or parking garage, and not on any adjoining premises.

SCHEDULE VII - OFF-STREET LOADING

Subject to the provisions of Section 7.1 when any development takes place on any lot, off-street loading shall be provided and maintained in accordance with the regulations contained in this Schedule.

7.1 Existing Buildings, Structures and Uses

The regulations contained in this Schedule shall not apply to buildings, structures or uses existing on the effective date of this Bylaw, except that:

- (1) Off-street loading shall be provided and maintained in accordance with this Schedule where there is a change in the principal use, or where the total floor area is increased in excess of 10 percent over the existing floor area.
- (2) Off-street loading existing on the effective date of this Bylaw shall not be reduced below the applicable off-street loading requirements of this Schedule.

7.2 Unit of Measurement

When calculating off-street loading requirements, the gross floor area shall include the floor area of accessory buildings or basements, except where they are used for parking or heating.

7.3 Required Off-Street Loading Spaces

- (1) On every site used as a retail store, business, industry, warehouse, or other similar use, the minimum number of spaces shall be as follows:

<u>Total Gross Floor Area of Building(s)</u>	<u>Spaces Required</u>
(a) less than 465 square meters (5017.5 sq. ft.)	1
(b) 465 square meters to 2300 square meters (24,817 sq. ft.)	2
(c) greater than 2300 square meters	3

- (2) On every site used as an office building, place of public assembly, hospital, institution, hotel, club, or lodge, auditorium, public utility, school or other similar use, the minimum number of spaces shall be as follows:

<u>Total Gross Floor Area of Building(s)</u>	<u>Spaces Required</u>
(a) less than 2800 square meters (30212 sq. ft.)	1
(b) greater than 2800 square meters	2

7.4 Location and Siting of Loading Facilities

Off-street loading spaces and facilities shall be located on the same lot as the use served, but not within the required front or side yard nor closer than 7.5 meters (24.6 ft.) to the nearest point of intersection of any two street allowances.

7.5 Development Standards

- (1) The location of all points of ingress and egress to a loading area shall be subject to the approval of the Administrator of this Bylaw.
- (2) All off-street loading and unloading spaces shall be of adequate size and with adequate access thereto, to accommodate the types of vehicles which will be loading and unloading, but in no case shall they be insufficient to accommodate a vehicle 9 meters (29.5 feet) in length, 2.5 meters (8.2 feet) in width and 3.5 meters (11.5 feet) in height.
- (3) All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas, and to ensure that required fences, walls, hedges, or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- (4) Each loading space shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a durable, dustfree surface, and shall be so graded and drained as to properly dispose of all surface water.
- (5) Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area, and not on any adjoining premises.

SCHEDULE VIII

VILLAGE OF CHASE

DEVELOPMENT PERMIT

NO. _____

To:

(PERMITTEE)

Address:

1. This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands within the Municipality described below, and any and all buildings, structures and other development thereon:

Lot
 Block
 District Lot
 Plan
 (Land)

3. The Zoning Bylaw)
 The Subdivision Control Bylaw) strike out the inapplicable
 Section 732 of the Municipal Act)
 are varied or supplemented as follows:

(Insert the variations from (a) to (k) as permitted by the variations listed in the authorizing amendment to the Zoning Bylaw setting out in full the regulation or requirement.

4. The development shall be carried out according to the following time schedule:

(Set out the time schedule for the development)

5. As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) a Bearer Bond in the amount of \$ _____.
 - (b) a Performance Bond in a form acceptable to the Municipality in the amount of \$ _____.
 - (c) an Irrevocable Letter of Credit in the amount of \$ _____.
 - (d) a certified cheque in the amount of \$ _____.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
 7. If the Permittee does not commence the development permitted by this Permit within _____ months of the date of this Permit, this Permit shall lapse.
 8. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL THE _____ DAY OF _____, 1983.

APPROVED BY THE MINISTER OF TRANSPORTATION AND HIGHWAYS ON THE _____ DAY OF _____ 1983 (if applicable)

ISSUED THIS _____ DAY OF _____, 1983.

Clerk

SCHEDULE IX

VILLAGE OF CHASE
APPLICATION FOR DEVELOPMENT PERMIT

NO. _____

(I) (We) _____
(Name of Owner)

of _____
(Address)

hereby make application under the provisions of the Zoning Bylaw of the Municipality for a Development Permit to permit the development described below upon:

Lot _____

Block _____

District Lot _____

Plan _____

(Legal description of property)

Description of the Proposed Development;

1. In order to develop the property, a variation or supplementing is required of:
 - (a) Section(s) _____
of the Village of Chase Zoning Bylaw.
 - (b) Section(s) _____
of the Village of Chase Subdivision Control Bylaw.
 - (c) Section 732 of the Municipal Act.

(strike out which is inapplicable)

2. Attached to this application are the following plans, specifications and description of the proposed development:
 - (a) a site plan showing the location of all existing and proposed property lines within 50 meters (164.0 ft.) of the property to be developed - scale 1:1000.
 - (b) a site plan or plans showing the location of all existing and proposed buildings, streets, lanes, driveways, parking and loading areas, sidewalks, street lighting, utilities, and utility easements, streams and other topographic features of the site - scale 1:500.
 - (c) a plan showing the existing and proposed grades of the site and their relation to the elevations of adjoining properties.
 - (d) a full description of the uses of the site upon completion of development.
 - (e) a plan showing the location and treatment of open spaces, landscaping, fences and walls.
 - (f) plans and specifications for the siting, size, type and appearance of all signs.
 - (g) preliminary architectural plans for any proposed buildings, including detail on exterior finish and color.
 - (h) if requested by the Municipal Administration, plans and specifications for the provision of all sewerage, water and drainage facilities, and the construction of highways, street lighting, underground wiring, and sidewalks.
 - (i) if requested by the Municipal Administration, plans and specifications for the construction of works to preserve and beautify natural water courses.

3. The owner of the land is: _____
(Name)

(Address)

(Occupation)

4. Present zoning of the property is _____

5. The Property is within a development permit area (no) _____
(yes) _____

I hereby declare that all the above statements and the information contained in the material submitted in support of this Application are to the best of my belief true and correct in all respects.

(Owner's Signature)

Telephone No. _____

Address: _____

Date of Application: _____

Building Permit Required: (yes) _____ (no) _____

Fee Payable according to Schedule X \$ _____

Paid: (yes) _____ (no) _____

Contravenes the Official Community Plan: (yes) _____
(no) _____

Consent of the Minister of Transportation and Highways required:
(yes) _____ (no) _____

(only if over 4500 square meters)

Criteria of Section 716(2), 717(1) affected.

Building Permit Applied for: (yes) _____ (no) _____ Date: _____

Required Certificate of Encumbrance (yes) _____ (no) _____

SCHEDULE X

VILLAGE OF CHASE

DEVELOPMENT PERMIT FEES

At the time of application for a Development Permit, the applicant shall pay to the Municipality an application fee determined as follows:

Base Fee: Fifty Dollars (\$50.00)
plus

Calculated Fee:

- to be determined by one of the following methods:
 - (a) For residential developments, twenty-five dollars (\$25.00) for each residential dwelling unit.
 - (b) For commercial developments, twenty-five dollars (\$25.00) for each 100 square meters (1076.4 sq. ft.) or part thereof.
 - (c) For industrial developments, fifty dollars (\$50.00) for each hectare (2.5 acres) of land or part thereof.

The balance of the calculated fee not required to pay the cost of processing the application shall be returned to the applicant.

- DTP cost as \$2/acre (Section 5.1)
- Zoning Map (to be sent)