



CITY OF TRAIL

ZONING BYLAW NO. 2503, 2002

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PART I - INTERPRETATION

**THE CITY OF TRAIL
BYLAW NO. 2503**

**A BYLAW TO REGULATE THE LOCATION AND USE OF BUILDINGS AND STRUCTURES AND THE USE OF LAND
IN THE CITY OF TRAIL.**

WHEREAS, pursuant to s. 903 of the Local Government Act, Council may regulate the density of the use of land, buildings and structures, the siting, size and dimensions of buildings and structures, and the uses that are permitted on the land; and

WHEREAS, Council may also regulate the shape, dimensions and area, including the establishment of minimum and maximum sizes of all parcels of land, that may be created by subdivision; and

WHEREAS, pursuant to s. 890 of the Local Government Act, a public hearing was held prior to adoption of this bylaw;

NOW THEREFORE, Council in open meeting assembled, **ENACTS AS FOLLOWS:**

1(1) **Title**

This Bylaw may be cited as the "**Zoning Bylaw No. 2503 , 2002**".

1(2) **Definitions**

In this Bylaw, unless the context otherwise requires:

"accessory to" means customarily incidental to the permitted use of land, building, or structure located on the same lot;

"accessory suite" means a self-contained accessory dwelling unit, such as a garden suite, laneway home, carriage house or garage suite, located on the same legal lot as an associated principal dwelling unit, but in a separate accessory building. An accessory suite has its own separate cooking, sleeping and bathroom facilities. The accessory suite in combination with the associated principal dwelling unit forms a single real estate entity that cannot be stratified or otherwise legally separated one from the other.

"accessory use, building, or structure" means a use, building or structure which is separated from a principal use or principal building on the same lot, and which is subordinate and contributory to a principal use or principal building, and does not include cannabis retail sales or production;

"agricultural use" means the growing, rearing, and harvesting of agricultural products;

"amenity area" means an area of land and/or a building providing for the play and recreational use by the residents of a lot which may include balconies, patios, recreational facilities, party

**Bylaw
2944**

**Bylaw
2847
Bylaw
2944**

PART I - INTERPRETATION

rooms, playgrounds, and similar facilities but excluding driveways, off-street parking areas, and walkways;

**Bylaw
2499**

“dwelling, apartments” means a multi-unit–residential building containing 3 or more dwelling units where each unit has an entrance off an interior corridor;

"bedroom" means a room used mainly for sleeping, including dens and studies;

"bed and breakfast accommodation" means an accessory use of a single family dwelling wherein not more than two rooms are rented to provide temporary lodging for tourists and visitors, where the room rate includes an on-premises meal served before noon;

"building" means a structure enclosed by walls and roof, and used for the shelter or accommodation of persons, animals, or chattels;

"campground" means a lot used and occupied as temporary accommodation by transient campers, trailers, motorhomes, or tents, which is established in conformity with the Camp-Sites Regulations of the Health Act;

**Bylaw
2847**

“cannabis” means any part of the cannabis plant, and includes its preparations and derivatives and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, but does not include: a non-viable seed of a cannabis plant; a mature stalk of a cannabis plant without any leaf, flower, seed, or branch, and fiber derived from such stalks; and the roots or any part of the root of a cannabis plant;

"carport" means a structure with a roof for the sheltering of motor vehicles from weather elements, which is not enclosed on all sides by walls;

"child care centre" means an establishment for the temporary care of children, which is licenced as such under Provincial regulations;

"condominium" means a system of property ownership developed in conformity with the Strata Property Act;

"Council" means the Municipal Council of the City of Trail;

"cul-de-sac" means a street, one end of which is permanently closed by the pattern of subdivision;

"developable area" means the land area that has less than a slope of 20 percent;

"drive-in food service" means a place or premise used for the sale, dispensing or serving of food or beverages to persons in vehicles;

**Bylaw
2499**

“dwelling” or “dwelling unit” means one or more habitable rooms which constitute a self-contained unit in a building, used or intended to be used for living and sleeping purposes for which is provided:

- (a) cooking equipment or the facilities for the installation of cooking equipment; and
- (b) one or more bathrooms with a water closet, wash basin and shower or bath;

PART I - INTERPRETATION

**Bylaw
2499**

“dwelling, apartments” means a multi-unit residential building containing 3 or more dwelling units where each unit has an entrance off an interior corridor.

**Bylaw
2499**

“dwelling density” means the number of dwellings permitted on a lot, which is calculated on the basis of the number of dwelling units divided by the land area of the lot, excluding public streets, public parks, and other public land areas. Secondary suites and accessory suites are not included in density calculations;

**Bylaw
2499**

“dwelling, townhouse” means a residential building consisting of three or more attached dwelling units with individual entrances to each dwelling unit. They may be organised side-by-side, up-and-down, or back-to-back. They may contain secondary suites and may be combined with an accessory suite;

**Bylaw
2499**

“dwelling, single detached” means a dwelling containing one dwelling unit which is not a mobile home. It may include a secondary suite and/or an accessory suite.

**Bylaw
2499**

“dwelling, two unit” means a single building or structure containing two separate dwelling units as principal uses, separate from any other building. This use includes duplexes and semi-detached dwellings. It may accommodate a secondary suite in a semi-attached dwelling, but not in a duplex dwelling. It may also accommodate an accessory suite.

“duplex dwelling” means a two-unit dwelling with each unit divided horizontally, with one unit generally stacked on top of the other.

“semi-detached dwelling” means a two-unit dwelling generally divided vertically, with each having direct access or shared access to the outside, as shown in Figure 1. A semi-detached dwelling may be designed and constructed as two dwelling units at initial construction or through the conversion of an existing building.



Figure 1: Semi-detached dwelling

**Bylaw
2499**

“dwelling unit, accessory” means a residential unit, such as an accessory suite or secondary suite, which is secondary to the principal dwelling(s). Accessory dwelling units are not included in density calculations;

PART I - INTERPRETATION

"eating and drinking establishment" means a building where food and beverages are offered for sale or sold to the public for immediate consumption therein and includes a drive-thru service;

"fence" means a trellis, louvre, wall, or landscape screen;

"floor area ratio" means the figure obtained when the total gross floor area of all buildings on a lot is divided by the land area of the lot;

"gross floor area" means the sum of the total floor area of each storey in each building including exterior walls;

"guest room" means a sleeping room that does not include a kitchen, used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for rental periods of less than one month;

"height" means the greatest vertical distance from the average finished ground elevation at the perimeter of a building or structure to the highest point on such building or structure;

"home occupation" means an occupation or profession carried on for gain which is clearly incidental and secondary to the use of the dwelling unit for residential purposes;

"hotel" means a building or part thereof wherein accommodation is provided for transient lodgers in an individual room with or without cooking facilities, restaurants, licenced beverage rooms, banquet halls, ballrooms, and meeting rooms;

"junk yard" means an open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, metals, paper, rags, rubber tires and bottles. A junk yard includes an automobile wrecking or dismantling yard but does not include uses established entirely within enclosed buildings;

"landscaping" means the planting of lawns, shrubs, and trees, and the addition of fencing, walks, drives, or other structures or materials as used in landscaping architecture;

"landscape screen" means a barrier which may be either a continuous strip of densely planted shrubs and trees, at least 0.6 m (2 feet) in width and 1.2 m (3.9 feet) in height at the time of planting, that will form a year-round dense screen and is broken only for vehicular and pedestrian accesses;

"lane" means a public thoroughfare or way not exceeding 10 m (32.8 feet) nor less than 6 m (19.7 feet), in width;

"loading, off street" means an area of land, other than a street or lane, used by a vehicle for loading or unloading of goods in connection with the use of the lot or any building thereon;

"lodger" means a person who for hire occupies a bedroom in a dwelling unit occupied by a family to which he is not a member of;

"lot" means the smallest unit in which land is designated as a separate and distinct parcel on a registered plan of subdivision or in the description file in the Land Title Office;

PART I - INTERPRETATION

"lot frontage" means on corner lots the narrow side of the lot abutting a street, or on interior lots the side of the lot abutting a street, except in the case where the interior lot abuts two streets, the lot frontage shall be the side common to the street address of the lot;

"lot line" means a legal boundary of a lot;

"mobile home" means a dwelling unit equipped with a water-closet and bathtub or shower, waste from which may be disposed of directly into a sewer, and manufactured as a unit or units intended to be occupied in a place other than that of its manufacture on a year-round, long-term basis. It may be designed with detachable towing and touring gear and upon arrival at the site, can be completed and ready for occupancy except for placing on foundations, connections of utilities and some incidental assembly;

"mobile home park" means a lot used or occupied by any person for the purposes of providing spaces for the accommodation of two or more mobile homes and for imposing a charge or rental for the use of such spaces;

"motel" means a building providing sleeping rooms with sanitary facilities, which may include cooking facilities, and with adjoining or conveniently located off-street parking facilities, designed and operated for the purpose of providing temporary accommodation to transient motorists;

"non-conforming use" means a lawful use, being made of land or a building, including the intended use of a building which is under construction at the time of the adoption of the Bylaw, and which use does not or will not conform to the requirements of this Bylaw;

**Bylaw
2499**

"off-street parking" means parking spaces on a lot for the temporary storage of vehicles;

**Bylaw
2499**

"principal building" means an existing or proposed structure which contains the principal use of a lot, including any attached garages. A lot with residential uses may have multiple principal buildings

"public utility" means any system, works, plant, equipment or service which furnishes services and facilities, available at approved rates, to or for the use of the inhabitants of the City, including but not limited to:

- (a) communication, by way of telephone, internet or television;
- (b) public transportation, by bus or other vehicle;
- (c) production, transmission, delivery or furnishing of water, gas and electricity to the public at large; and
- (d) collection and disposal of sewage, garbage and other waste.

"public utility building" means a building or structure to furnish services in respect to public utilities;

"recreational vehicle" means a self propelled motor home, travel trailer, tent trailer, private pleasure boat or utility trailer;

PART I - INTERPRETATION

"recycling operations" means a use where waste materials are received, stored, baled, packaged or handled for re-use, including but not limited to metals, paper, cardboard, glass, plastics, white goods, rubber and waste wood. This does not include automobile wrecking or dismantling or junk yards;

"resource extraction use" means a use providing for the extraction of primary minerals or other resources, including the preliminary grading, washing or crushing of such materials for shipment, but excluding all other processing or manufacturing;

"rest home" means a building where care or assistance is provided to persons who on account of infirmity or physical and mental disability or mistreatment require personal care or assistance;

"rooming units" means a building in which residential sleeping rooms, which are not dwelling units, are located;

"row houses" see **"dwelling, townhouse"**;

"secondary suite" means a self-contained accessory dwelling unit located within a building or portion of a building:

- (1) Completely separated from other parts of the building by a vertical fire separation that has a fire-resistance rating of not less than 1 hour and extends from the ground or lowermost assembly continuously through or adjacent to all storeys and spaces including service spaces of the separated portions;
- (2) Of only a single detached, semi-detached or townhome dwelling unit; and
- (3) Where both the primary dwelling unit and the secondary suite constitute a single real estate entity

"senior citizens housing" means a building where living accommodations are provided to persons of old age;

"short term rental accommodation" means the rental of a dwelling unit on a daily, weekly or other short term basis for less than four (4) consecutive weeks;

"storey" means that portion of a building included between the upper surface of 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; and if the finished floor level directly above a basement is more than 1.8 m (5.9 feet) above the adjacent building grade, such basement shall be considered a storey;

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

"structure" means a construction of any kind, whether fixed to, supported by, or sunk into land or water other than a fence, hedge, asphalt or concrete paving, or similar surfacing of a lot;

**Bylaw
2880**

**Bylaw
2499**

PART I - INTERPRETATION

"temporary vehicle shelters" means a structure designed to act as a shelter for a personal vehicle, either made of wood or prefabricated metal and that is not constructed or installed in accordance with the BC Building Code;

"town houses" see **"dwelling, townhouse"**;

"transportation uses" means uses associated with the operations of truck terminals, freight shipping and receiving, railways, passenger and public transit depots and related establishments;

"water course" means any natural or man-made depression with well defined banks and a bed 0.6 m (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 2 km² (0.77 square miles) or more, or as required by a designated official of the Ministry of Water, Land & Air Protection;

"yard, exterior side" means that portion of a lot extending from the front yard and lying between the side lot line, which adjoins a street, and the nearest foundation of a building or structure, and shall be measured at right angles to the side lot line;

"yard, front" means that portion of a lot extending across the full width of the lot from the front lot line to the nearest foundation of a building or structure, and shall be measured at right angle to the front lot line;

"yard, interior side" means that portion of a lot extending from the front yard to the rear yard and lying between the side lot line, which does not adjoin a street, and the nearest foundation of a building or structure and shall be measured at right angle to the side lot line;

"yard, rear" means that portion of a lot extending across the full width of the lot from the rear lot line to the nearest foundation of a building or structure, and shall be measured at right angle to the rear lot line.

PART II – APPLICATION AND ADMINISTRATION

2(1) Application

The provisions of this Bylaw shall apply to the land within the boundaries of the City of Trail and to the buildings and structures therein.

2(2) Administration and Inspection

- (a) The Director of Planning and the Building Inspector, or such other persons appointed by Council, shall administer this Bylaw.
- (b) Officers, employees, and agents of the City of Trail, may enter any building or premise at any reasonable time, in order to ascertain whether the provisions of this Bylaw are being complied with, and no person shall obstruct the entrance of such persons into the building or premise.

2(3) Violation

- (a) It shall be unlawful for any person to cause, suffer or permit any building or structure to be constructed, reconstructed, altered, moved, extended or used, or land to be used, in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.
- (b) It shall be unlawful for any person to prevent or obstruct any person appointed under Subsection 2(2)(a) from the carrying out of his duties under this Bylaw.

2(4) Penalty

- (a) Any person who commits an infraction of any provision of this Bylaw shall be liable on summary conviction to a fine or penalty not exceeding two thousand dollars (\$2,000.00) and costs recoverable and enforceable in the manner provided under The Summary Convictions Act.
- (b) A separate offence shall be deemed to be committed on each day on which an infraction occurs or continues.

2(5) 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 offset the validity of the remaining portion of this Bylaw.

2(6) Amendment

- (a) Application for an amendment to this Bylaw shall be made in writing to the Director of Planning on appropriate forms which may be obtained from City Hall.
- (b) Application for amendment shall be processed by the Director of Planning and decision

PART II – APPLICATION AND ADMINISTRATION

made by Council in a manner consistent with the provisions of the Local Government Act.

- (c) When a public hearing on a proposed amendment to this Bylaw having the effect of rezoning from one zone to another zone is to be held, a notice of the hearing shall be mailed or otherwise delivered to owners and occupiers of all real property.
 - (i) within the area that is subject to the rezoning, and
 - (ii) within 50 m (164 feet), including street right-of-way, from the area that is subject to the rezoning.

2(7) **Appeal**

The Board of Variance of the City of Trail shall hear and determine any appeal pursuant to Section 901 of the Local Government Act.

2(8) **Effective Date**

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

PART III – GENERAL PROVISIONS

3(1) Permitted Uses

The use of land, buildings and structures in the City shall be in accordance with the provisions of this Bylaw.

3(2) Temporary Buildings and Structures

Temporary buildings and structures which are erected for the purpose of providing temporary office space or shelter for construction crews or storage of materials for the construction, or building or structure for which a required building permit has been obtained may be permitted in all zones subject to the following requirements:

- (a) Application shall be made in writing to the Building Inspector for a permit to erect a temporary building or structure. The application shall state clearly the proposed location of the building or structure, the nature and purpose, and the length of time it is intended to maintain the building or structure.
- (b) If the Building Inspector is satisfied that the proposed temporary building or structure would not constitute or cause a public hazard or public nuisance, nor obstruct unnecessarily any public right-of-way, he shall grant a permit for a period of not more than six (6) months, but such permit may be renewed.
- (c) Within thirty (30) days of the completion of the utility service, building or structure, such temporary building or structure shall be removed.

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3(3) Home Occupations

Home occupations, where permitted in this Bylaw, shall satisfy the following requirements:

- (a) more than one home occupation is permitted per dwelling unit or lot;
- (b) home occupations shall be carried out by members of the family residing in the dwelling(s) in question, excluding lodgers and with no outside assistance;
- (c) it shall produce no offensive noise, vibration, smoke, dust, odour, glare, electrical interference or create or cause any fire or public safety hazard;
- (d) it shall not generate an excessive increase in vehicular or pedestrian traffic or parking;
- (e) it shall provide adequate off-street parking in accordance with Part VII of this Bylaw;
- (f) home occupations shall be carried out wholly within dwelling units or permitted accessory buildings including accessory suites or secondary suites;
- (g) it shall not require outdoor storage, nor give any exterior indication of the home occupation, nor vary the residential character of the dwelling unit or the accessory building;
- (h) one unilluminated sign not exceeding 0.2 m² (2.2 ft.²) may be placed flat against the dwelling unit or the accessory building to advertise the nature of the home occupation;
- (i) home occupation(s) must not occupy more than 40% of the gross floor area of the

PART III – GENERAL PROVISIONS

respective principal dwelling. Home occupations in secondary suites are included in the floor area limit of the associated principal dwelling;

- (j) materials and commodities shall not be delivered to or from the dwelling unit in bulk or quantity as to require regular or frequent delivery by a commercial vehicle or truck. No deliveries are permitted by commercial vehicles or trucks weighing in excess of 3,700 kg. (8,157 lbs.);
- (k) no special mechanical equipment shall be installed except such as would ordinarily be used for household purposes or recreational hobbies;
- (l) no retail sale of any commodity or goods shall be permitted except the sale of the principal product of the home occupation, and except that telephone or mail order sales of goods shall be permitted, provided that customers do not enter the premises to inspect, purchase or take possession of the goods;
- (m) non-vehicular repairs/services of items on the premises are restricted to small household appliances and electric or electronic equipment, subject to:
 - (i) no customers shall attend the premises;
 - (ii) no deliveries of stock in trade are permitted except by the resident, Canada Post, or commercial delivery vehicles weighing less than 3,700 kg. (8,157 lbs.);
 - (iii) all work to be carried out in an enclosed area;
- (n) vehicular repairs/servicing shall not be carried out on the premises, no customers shall attend the premises, no sale of parts are permitted on the premises, and no deliveries of stock in trade are permitted except by the resident, Canada Post, or commercial delivery vehicles weighing less than 3,700 kg. (8,157 lbs.);
- (o) child care centres shall have not more than 8 children, and baby sitting services shall have not more than 2 children under the age of 12 years, on the premises at any one time. Operators of child care centres must have the appropriate licence issued by the authority having jurisdiction;
- (p) commercial kitchens, or appliances not normally used for household purposes, are not permitted for catering purposes;
- (q) operators of hair dressing or personal care businesses shall be licenced by the authority having jurisdiction and the premises must be approved for such use by the Kootenay Boundary Community Health Services Society.

3(4) **Condominiums**

Condominiums shall be permitted according to the type of use, buildings and structures that are permitted in the various zones of this Bylaw.

3(5) **Non-Conforming Uses and Lot Area/Frontage**

- (a) Existing uses, buildings and structures established prior to the coming into force of this Bylaw, subject to the provisions of Section 911 of the Local Government Act, may continue to be used the same way as they were used prior to the coming into effect of this Bylaw.

PART III – GENERAL PROVISIONS

- (b) Existing lots which do not comply with the lot size or lot frontage requirements of this Bylaw may be used for any of the permitted uses outlined in the respective zone of this Bylaw provided that all other requirements of this Bylaw are met and that no other regulations are contravened.

3(6) Minimum Lot Area – Sewage Disposal

The minimum lot area for properties that cannot be serviced by the City's sanitary sewer system shall be 2000 m² (21,528.5 sq. ft.), subject to an adequate area for the installation of an approved sewage disposal system being available.

Bylaw 2499

3(7) Prohibition

- (a) No building or structure shall be constructed, reconstructed, altered, moved, or extended by the owner, occupier or any other person so that the requirements for the zone, in which the building or structure is located, as set out in this Bylaw are contravened.

Bylaw 2499

3(8) Siting Exceptions

Notwithstanding any other provisions of this Bylaw,

- (a) fireplaces, chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, and ornamental features may project 0.6 m (2 feet) beyond the yard requirements of this Bylaw;
- (b) steps, eaves and sunlight control devices may project 0.9 m (3 feet) beyond the yard requirements of this Bylaw;
- (c) swimming pools shall not be located in the front yard or the exterior side yard;
- (d) single detached and two-unit dwellings, including their accessory buildings and structures, may be located up to the average existing front and rear yards of the adjoining lots, provided Subsection (e) of this Section and Section 3(11) are complied with;
- (e) no residential dwelling shall be located within 4.5 m (12.8 ft.) of Highway 3B, Highway 22, and Highway 22A;
- (f) no building or structure shall be located within 3 m (9.8 feet) of the Trail Creek Culvert;
- (g) satellite receiving dishes shall not be located in the required front yard or exterior sideyard;
- (h) notwithstanding the specific provisions of this Bylaw with respect to minimum setback requirements, one accessory building with a floor area of less than 10 m² (107 ft²) and situated on a non-permanent foundation, may be located anywhere on a lot, but not closer to a front or exterior side property line than the corresponding face of the principal building; and
- (i) Notwithstanding the provisions of the Building Bylaw No. 1987, 1984 and the BC Building Code, one temporary vehicle shelter may be located on a lot, subject to the

PART III – GENERAL PROVISIONS

following:

1. The shelter shall not be located in the required front yard or exterior side yard;
 2. The shelter shall be kept in good repair at all times and shall not be deemed to be unsightly or cause a public nuisance of any kind;
 3. The shelter cover material shall be clear, white or dark vinyl or canvas;
 4. The lot coverage provisions and height restrictions for accessory buildings for the zone the shelter is located apply; and
- (j) covered or uncovered balconies, porches, decks, patios or verandas may project up to 1.5 m (5 feet) into the front or exterior side setbacks and up to 3 m into rear setbacks. No portion of the foundation shall project into required setbacks;
- (k) fire escapes, open stairways, landings, or steps may project 1.5 m (5 feet) into front or exterior side setbacks;
- (l) the following are not subject to setback requirements:
- (i) stairs to access a basement below grade;
 - (ii) wheelchair ramps; and
 - (iii) decks constructed less than 0.61 m (2 feet) above the natural grade of a lot.

3(9) Height Exceptions

Height restrictions of this Bylaw shall not apply to church spires, monuments, fire and observation towers, transmission towers, radio, telephone and television broadcasting and receiving towers, flag poles, aerials, water tanks, chimneys, drive-in movie theatre screens, stadium bleachers, elevator shafts, and industrial cranes.

3(10) Fence and Screening

- (a) Barbed wire shall not be used for fencing in any residential zone.
- (b) Barbed wire may be used on fences above 2 m (5.9 feet) for public security reasons in zones other than residential zones.
- (c) No fence shall exceed 3.6 m (11.8 feet) in height except for public security reasons.
- (d) Fences shall be maintained in good condition at all times.
- (e) No fence shall exceed the height restrictions of this Bylaw as measured from the existing ground elevation of the nearest lot line.
- (f) notwithstanding s. 3(10)(e), where a retaining wall supports the ground of a lot, and a fence permitted by this bylaw is constructed on the wall, the maximum height for the fence shall be measured from the base of the wall.

Bylaw 2499 3(11)

Visibility at Intersections

In all zones, except the General Commercial Zone C1, the Major Neighbourhood Commercial Zone C2, and the Neighbourhood Commercial Zone C3, a sight triangle on a corner lot must

PART III – GENERAL PROVISIONS

be kept free of all obstacles or obstructions that are between the heights of 1 m and 3 m above established grades of the adjoining street. The sight triangle is calculated as a triangular area formed by extending a line 6 m along the lot line from the point of the exterior corner intersection and a line connecting these two points, as shown in Figure 2.

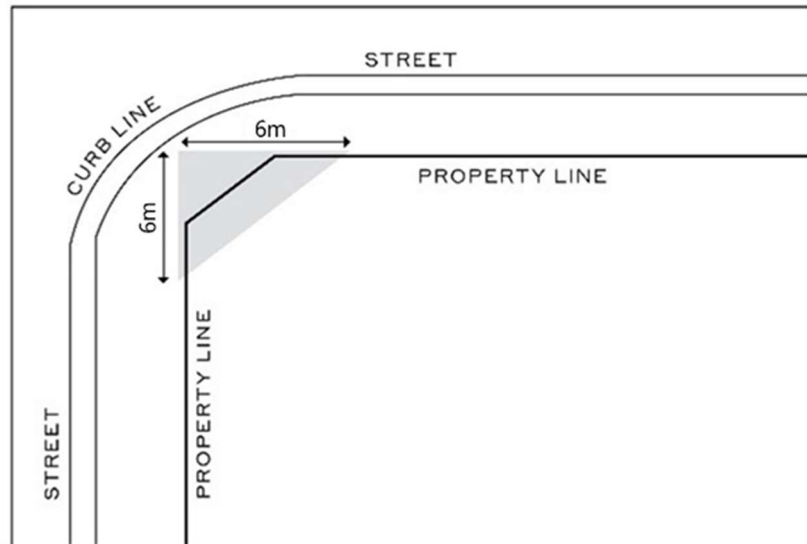


Figure 2: Sight Triangle

3(12) **Large Vehicles**

Except in the case of service calls and of vehicles of the City of Trail or utility companies, no commercial vehicle with a gross weight of more than 3,700 kg. (8,157 lbs.) shall be parked or stored on a lot in any residential area.

3(13) **Mobile Homes**

Double wide mobile homes, or sectional homes, are permitted where single family dwellings are permitted, provided they are installed on permanent foundations. Single wide mobile homes are excluded from residential areas, except in mobile home parks.

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3(14) **Bed and Breakfast Accommodations**

(a) Bed and Breakfast accommodations will be permitted in the following zones:

Large Lot Residential Zone R1

Small Lot Residential Zone R3

(b) The following regulations will apply to Bed and Breakfast accommodations:

(i) Bed and breakfast accommodation shall only be conducted within the principal single detached dwelling.

(ii) A bed and breakfast accommodation shall be an accessory use.

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- (iii) No more than 2 guest rooms are permitted in a bed and breakfast accommodation.
- (iv) No guest room in the bed and breakfast accommodation shall have an area of more than 30 m² (323 sq. ft.); a separate or ensuite washroom shall not be included as part of the area of the guest room.
- (v) No exterior evidence of the bed and breakfast shall be visible from the outside of the parcel on which the bed and breakfast is located, except for a permitted sign and the required parking.
- (vi) A bed and breakfast accommodation is permitted to have no more than one sign to a maximum size of 3,000 cm² (465 sq. in.), located on the single detached dwelling or at least 1.5 m (4.9 ft.) from any parcel line.
- (vii) One parking space per guest room is required in addition to those required for the principal dwelling.
- (viii) No more than one person who is not a resident of the premises shall be employed in the business.

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3(15)

Short Term Rental Accommodations

- (a) Short term rental accommodations will be permitted in the following zones:

Large Lot Residential Zone R1

Small Lot Residential Zone R3

Requests to establish a short term rental accommodation shall be submitted to Council as an application for rezoning. If the request is approved, the subject property will be designated by bylaw as Large Lot Residential Zone R1A or Small Lot Residential Zone R3A as applicable, pursuant to section 903 of the Local Government Act.

- (b) The following regulations will apply to short term rental accommodations:
 - (i) No more than 2 sleeping rooms are permitted in a short term rental accommodation.
 - (ii) No more than 2 persons may occupy a sleeping room.
 - (iii) No exterior evidence of the short term rental accommodation shall be visible from the outside of the parcel on which the short term rental accommodation is located, except for a permitted sign and the required parking.
 - (iv) A short term rental accommodation is permitted to have no more than one non-illuminated fascia sign attached to the dwelling to a maximum size of 0.5 m² (5.4 sq. ft.).
 - (v) The sign shall contain the name, address and telephone number of the owner of the short term rental accommodation. If the owner does not reside in the Greater Trail area, the name, address and telephone number of a local contact person must be provided.
 - (vi) The name, address and telephone number of the owner or contact person must be prominently displayed in the dwelling.
 - (vii) The owner of the short term rental accommodation shall obtain a City of Trail Business Licence before commencing operation of the business, which shall

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be prominently displayed in the dwelling.

- (viii) An owner of a short term rental accommodation, or a member of their immediate family, is prohibited from owning more than 2 operations within 100 m (328 ft.) of each other.
- (ix) One off street parking space is required for each sleeping room.

3(16)

Recreational Vehicles

- (a) Not more than one recreational vehicle shall be parked or stored on a lot; and the permitted recreational vehicle shall not be parked or stored in the required front yard or exterior side yard; and
- (b) No recreational vehicle shall be parked or stored on a lot for the purposes of living accommodation, including temporary sleeping quarters, in excess of seven continuous days; and
- (c) No recreational vehicle shall be parked or stored on a street or City-owned property for the purposes of living accommodation; and
- (d) No recreational vehicle shall be parked on a street and used for sleeping quarters for guests of an adjacent residence in excess of 3 continuous days.

3(17)

Secondary Suites

- (a) The following regulations will apply to secondary suites:
 - (i) A secondary suite shall only be permitted within a single detached, two unit or townhouse dwelling.
 - (ii) The maximum number of secondary suites on a lot is specified in Table 1.
 - (iii) Secondary suites are only permitted as an accessory use in conjunction with a permitted principal residential use.
 - (iv) A secondary suite must be fully separated from the associated principal use by walls, partitions and/or floors and from other occupied spaces by a vertical fire separation as illustrated in Figure 3.

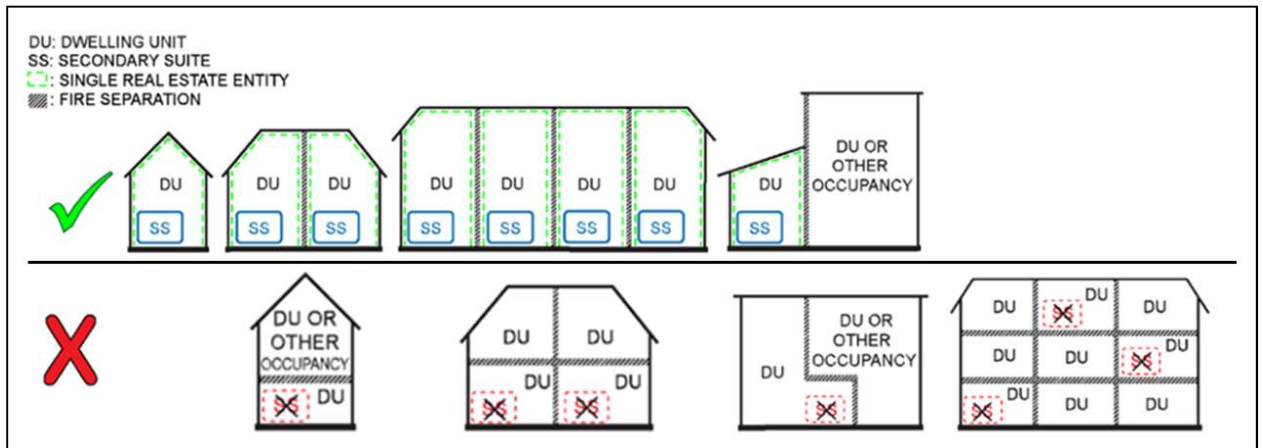


Figure 3: Permitted Configurations for Secondary Suites

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PART III – GENERAL PROVISIONS

- (v) A secondary suite must have an entrance from the exterior of a building which is separate from the main entrance of the principal use.
- (vi) Secondary suites must share common utility connections with the principal building.
- (vii) The maximum floor area of a secondary suite shall not exceed 50% of the total floor area of the principal building.
- (viii) Off-street parking shall be in conformance with the regulations in Part VII of this Bylaw as replaced or amended.
- (ix) Secondary suites shall comply with all relevant City Bylaws, and the British Columbia Building Code as replaced or amended.
- (x) The establishment of a secondary suite requires a building permit.
- (xi) A bed and breakfast accommodation shall not be permitted to operate within a secondary suite.
- (xii) A secondary suite shall not be permitted in the same building that has a bed and breakfast.
- (xiii) A secondary suite cannot be strata subdivided from the principal dwelling

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3(18)

Accessory Suites

- (a) The following regulations will apply to accessory suites:
 - (i) An accessory suite shall only be permitted with a single detached, two unit or townhouse dwelling.
 - (ii) The maximum number of secondary suites on a lot is specified in Table 1.
 - (iii) Accessory suites are only permitted as an accessory use in conjunction with a permitted principal residential use.
 - (iv) An accessory suite must share common utility connections with the principal building.
 - (v) The maximum floor area of an accessory suite must not exceed the floor area of the associated principal dwelling unit.
 - (vi) Off-street parking shall be in conformance with the regulations in Part VII of this Bylaw as replaced or amended.
 - (vii) Accessory suites shall comply with all relevant City Bylaws, and the British Columbia Building Code as replaced or amended.
 - (viii) The establishment of an accessory suite requires a building permit.
 - (ix) A bed and breakfast accommodation shall not be permitted to operate within an accessory suite.
 - (x) An accessory suite shall not be permitted on a parcel which also has a bed and breakfast.
 - (xi) An accessory suite cannot be strata subdivided from the principal dwelling.
 - (xii) An accessory suite must be located a minimum of 3 m from the principal building.

Table 1: Maximum Accessory Dwelling Units Permitted on a Lot

Parcel size	Maximum number of Accessory Dwelling Units
Up to 280 m ²	3 units
Over 280 m ²	Greater of 4 units or 1 per principal dwelling unit

PART IV – PERMITS

4(1) Development Variance Permits

- (a) The Council may, by resolution, issue Development Variance Permits which may in respect of the land covered in the permit, vary the provision of this Bylaw or any bylaw adopted pursuant to Divisions 7, 8 and 11 and section 694(1)(j) of the Local Government Act, other than those provisions which regulate land use or density of land use.
- (b) Application for a Development Variance Permit shall be made pursuant to the City of Trail Development Approval Procedures Bylaw.

4(2) Development Permits

All owners of land within the development permit areas designated in the City of Trail Official Community Plan and subject to the provisions of the Official Community Plan, shall obtain or hold a Development Permit.

- (a) Development Permits shall be issued by Council resolution.
- (b) Applications for a Development Permit shall be made pursuant to the City of Trail Development Approval Procedures Bylaw.

4(3) Temporary Commercial or Industrial Use Permits

Council may, by resolution, issue Temporary Commercial Use Permits within any area not residentially zoned.

PART V – DESIGNATION OF ZONES

5(1) **Zones**

The land within the boundaries of the City of Trail indicated on Schedule "A" is hereby divided into zones with the following designations and their short form equivalents:

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<u>Zone Designations</u>	<u>Short Forms</u>
Large Lot Residential Zone	R1
Small Lot Residential Zone	R3
Three and Four Family Residential Zone	R4
Low Density Multiple Family Residential Zone	R6
Medium Density Multiple Family Residential Zone	R7
High Density Multiple Family Residential Zone	R8
Mobile Home Residential Zone	R9
General Commercial Zone	C1
Major Neighborhood Commercial Zone	C2
Neighborhood Commercial Zone	C3
Shopping Centre Commercial Zone	C4
Highway Commercial Zone	C5
Special Highway Commercial Zone	C6
Service Commercial Zone	C7
Tourist Commercial Zone	C8
Business Commercial Zone	C9
Business Enterprise Zone	C10
Light Industrial Zone	M1
Heavy Industrial Zone	M2
Institutional Zone	P1
Parks and Recreation Zone	P2
Public Utility Zone	P3
Rural Holding Zone	A1
Rural Holding Zone	A2

Properties where short-term rental is approved shall be assigned an "A" after the Zone Short Form.

Properties with an approved site-specific zoning amendment will be assigned a letter after the Zone Short Form.

PART V – DESIGNATION OF ZONES

5(2) **The Zoning Map**

The location of the zones and development permit areas established by this Bylaw are shown on the Zoning Map which, with all explanatory matter thereon is Schedule "A" to this Bylaw.

5(3) **Boundary Designations**

The boundaries of the Zone Designations listed in Part V of this Bylaw, together with any explanatory legends, notations and references in respect thereof, are delineated and described on the "Zone Map" which Zone Map consists of a computer record compiled by means of geographic information software and a global positioning system. The Zone Map is kept in the Office of the Corporate Administrator at City Hall. The Zone Map forms part of this Bylaw. A generalized diagrammatic representation of the Zone Map is annexed to this Bylaw as Schedule "A". In the event of any conflict or inconsistency between the Zone Map and Schedule "A", the Zone Map shall govern, and where and to the extent only that a Zoning Designation boundary also forms a boundary of a parcel delineated on a Plan deposited in the Land Title Office, the Zoning District boundary shall in the event of conflict or inconsistency between the deposited Plan and the Zone Map be conclusively determined by reference to the Plan on deposit in the Land Title Office.

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5(4) **Comprehensive Development District (CD)**

These Districts provide for the development of an area embracing one or more land use classifications as an integrated unit based upon a comprehensive development plan.

Subject to all other provisions of this Bylaw, on any lot, in any zone designated as a CD District, the following regulations shall apply:

(a) **Permitted Uses**

- (i) Uses permitted in R1, R3, R4, R6, or R7 zones.
- (ii) Uses permitted in C1, C2, C4, C5 or C6 zones.

(b) **Conditions of Use**

Any permitted uses shall conform to the regulations and intent of the zones in which they are normally permitted, provided that all buildings and uses, and density of such development shall be compatible with abutting land uses and provide a desirable and stable environment in harmony with that of the surrounding area.

(c) **Comprehensive Development Plan**

Every applicant for comprehensive development district zoning shall submit the following information to Council:

Any comprehensive development plan, including the following:

- (i) A site plan or plans to scale, including legal descriptions of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, parking and loading areas, sidewalks,

PART V – DESIGNATION OF ZONES

street lighting, utilities and utility easements, streams and other topographical features of the site.

- (ii) Preliminary architectural plans of any proposed buildings.
- (iii) Existing and proposed grades and their relation to the elevations on adjoining properties.
- (iv) The location, size and height, colour, lighting and orientation of all signs.
- (v) The location and treatment of open spaces, landscaping, fences and walls.
- (vi) A statement of uses.

(d) **Plan to be Part of Bylaw**

All buildings, structures and uses shall comply with the size, shape and siting as designated on the approved, comprehensive development plan, which shall be attached to and form part of the bylaw.

PART VI – ZONES

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LARGE LOT RESIDENTIAL ZONE - R1

6(1) **Permitted Uses**

In a Large Lot Residential Zone (R1), the following uses, and no others, shall be permitted:

- (a) single detached dwellings;
- (b) two-unit dwellings;
- (c) townhouse dwellings;
- (d) apartment dwellings;
- (e) parks and playgrounds;
- (f) home occupations;
- (g) secondary suites;
- (h) accessory suites;
- (i) the keeping of not more than 3 lodgers in a single detached dwelling, nor more than 1 lodger in each dwelling unit of a two-unit or townhouse dwelling;
- (j) rest homes for not more than 5 persons in a dwelling unit; and
- (k) accessory uses, buildings and structures.

6(2) **Lot Area**

For subdivision, the minimum lot area shall be 557 m² (5,996 ft²) with the exception of Hazardous Development Permit Area #6 where the minimum lot area shall be 929 m² (10,000 ft²).

6(3) **Lot Coverage**

For lots that have one principal building and no accessory suites, the maximum lot coverage shall be 50%, including the principal building and all accessory buildings and structures.

For lots that have more than one principal building or at least one accessory suite, the maximum lot coverage shall be 70%, including the principal buildings and all accessory buildings and structures.

6(4) **Lot Frontage**

For subdivision, the minimum lot frontage shall be 18 m (59 feet), except where in the bulb of a cul-de-sac the minimum lot frontage shall be 10 m (32.8 feet).

PART VI – ZONES

6(5) **Yards**

- (a) Where a lot has access at the lot frontage only, or from both the lot frontage and a lane, the minimum front yard shall be 5 m (16.4 feet). Where a lot has access from a lane only, the minimum front yard shall be 3 m (9.8 feet).
- (b) The minimum interior side yard shall be 1.2 m (3.9 feet).
- (c) The minimum exterior side yard shall be 4.5 m (14.8 feet).
- (d) Where a lot has access at the lot frontage only, the minimum rear yard shall be 3 m (9.8 feet). Where a lot has access from a rear lane only, or from both the lot frontage and a rear lane, the minimum rear yard shall be 5 m (16.4 feet).
- (e) Notwithstanding 6(6)(c) and (d), accessory buildings and structures shall be placed a minimum of 1.2 m (3.9 feet) from the exterior side and rear lot lines.

6(6) **Height**

- (a) No principal building shall exceed 13.4 m (44 feet) or 3 storeys in height, whichever is less.
- (b) The maximum height of an accessory building that contains an accessory suite, such as a garage with a suite above, is 2 storeys (10 m) with the accessory suite occupying one of the two storeys. Where an accessory suite is not combined with another accessory use, the maximum permitted height is 1 storey (6.5 m).
- (c) The maximum height of an accessory building or structure that does not contain an accessory suite is 5 m (16.4 feet).
- (d) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards

6(7) **Off-Street Parking**

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

6(8) **Site Specific**

Notwithstanding the permitted uses listed in 6(1), the following properties may also have short-term rental accommodation:

Lot 5, Block 11, Plan NEP1262, District Lot 2919, Kootenay Land District (PID: 016-709-969)

PART VI – ZONES

1212 **SMALL LOT RESIDENTIAL ZONE - R3**

**Bylaw
2499**

7(1) **Permitted Uses**

In a Small Lot Residential Zone, the following uses, and no others, shall be permitted:

- (a) single detached dwellings;
- (b) tow-unit dwellings;
- (c) townhouse dwellings;
- (d) apartment dwellings;
- (e) rest homes for not more than 3 persons in a dwelling unit;
- (f) senior citizens housing
- (g) parks and playgrounds;
- (h) home occupations;
- (i) secondary suites;
- (j) accessory suites;
- (k) the keeping of not more than 2 lodgers in a dwelling unit; and
- (l) accessory uses, buildings and structures.

**Bylaw
2938**

7(2) **Lot Area**

For subdivision, the minimum lot area shall be 232 m² (2497 ft.²).

7(3) **Dwelling Density**

For lots smaller than or equal to 280 m², not more than 3 principal dwelling units.

For lots greater than 280 m², 4 principal dwelling units or 100 units per hectare, whichever is greater.

7(4) **Lot Coverage**

For lots that have one principal building and no accessory suites, the maximum lot coverage shall be 60%, including the principal building and all accessory buildings and structures.

For lots that have more than one principal building or at least one accessory suite, the maximum lot coverage shall be 80%, including the principal buildings and all accessory buildings and structure.

7(5) **Lot Frontage**

The minimum lot frontage shall be 7.6 m (24.9 feet).

PART VI – ZONES

7(6) Yards

The minimum front, interior side, exterior side, and rear yards shall be 1.2 m (3.9 feet).

7(7) Height

- (a) No principal building shall exceed 16.7 m (54.8 feet) or 4 storeys in height, whichever is less.
- (b) The maximum height of an accessory building that contains an accessory suite, such as a garage with a suite above, is 2 storeys (10 m) with the accessory suite occupying one of the two storeys. Where an accessory suite is not combined with another accessory use, the maximum permitted height is 1 storey (6.5 m).
- (c) The maximum height of an accessory building or structure that does not contain an accessory suite is 5 m (16.4 feet).
- (d) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards.

7(8) Off-Street Parking

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

7(9) Site Specific

Bylaw 2843

- (a) Notwithstanding the permitted uses listed in Section 7(1), the following properties may also have short-term rental accommodation:

Parcel B, Plan NEP34X, Sublot 6, District Lot 4598, Kootenay Land District, (Expl PI 33560I) (PID: 016-222-571)

Parcel A, Lot B, Plan NEP1273, District Lot 4598, Kootenay Land District, (See 163858I) (PID: 005-721-156)

Parcel A, Lot 2, Block 48, Plan NEP465D, District Lot 230, Kootenay Land District, (See 25376I) (PID: 016-761-332)

- (b) Notwithstanding sections 7(3) and 7(8), the property legally described as:

Lots 1 and 2, Block 5, Plan 1646, DL 2919, K.D. Except part Green on Reference plan 930901

PID 011-734-027; 011-734-043 (1232 Columbia Avenue)

shall be designated for the provisions of this Bylaw as Small Lot Residential Zone R3 and permitted to be developed as apartments with a dwelling density of 125 dwelling units per hectare of developable area, comprising four 1-bedroom units, three 2-bedroom units and two 3-bedroom units; and that seven off-street parking spaces be provided and maintained on the property.

PART VI – ZONES

THREE AND FOUR FAMILY RESIDENTIAL ZONE – R4

8(1) Permitted Uses

In a Three and Four Family Residential Zone, the following uses, and no others, shall be permitted:

- (a) three family dwellings;
- (b) four family dwellings;
- (c) rest homes for not more than 10 boarders in a dwelling unit;
- (d) senior citizens housing;
- (e) parks and playgrounds;
- (f) child care centres;
- (g) home occupations in three and four family dwellings; and
- (h) secondary suite, in three family and four family dwelling townhome buildings;
- (i) accessory uses, buildings and structures.

**Bylaw
2938**

8(2) Lot Area

The minimum lot area for three and four family dwelling units shall be 232 m² (2497 ft.²) per dwelling unit.

8(3) Lot Coverage

Buildings and structures except carports shall not cover more than 50 percent of the lot area.

8(4) Lot Frontage

The minimum lot frontage shall be 15 m (49.2 feet).

8(5) Yards

- (a) The minimum front yard shall be 6 m (19.7 feet).
- (b) The minimum interior side yard shall be 2.7 m (8.9 feet) for principal buildings on the outside of the building and 1.2 m (3.9 feet) for accessory buildings and structures.
- (c) The minimum exterior side yard shall be 4.5 m (14.8 feet).
- (d) The minimum rear yard shall be 6 m (19.7 feet) for principal buildings and 1.2 m (3.9 feet) for accessory buildings and structures.

8(6) Height

- (a) No principal building shall exceed 10 m (32.8 feet) or 2 1/2 storeys, whichever is less, in height.
- (b) No accessory building or structure shall exceed 4.5 m (14.8 feet) in height.

PART VI – ZONES

- (c) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards.

8(7) **Off-Street Parking**

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

8(8) **Three and Four Family Residential Zone – R4A**

**Bylaw
2824**

Notwithstanding section 9(2) requiring a minimum lot area of 232 m² (2497 ft²) per dwelling unit, the property legally described as:

Lot B, Plan NEP85316, DL 2919, K.D.
PID 027-297-331
(1358 McQuarrie Street)

shall be designated for the provisions of this Bylaw as Three and Four Family Residential Zone R4A and permitted to be developed with four family dwelling units.

PART VI – ZONES

LOW DENSITY MULTIPLE FAMILY RESIDENTIAL ZONE – R6

9(1) **Permitted Uses**

In a Low Density Multiple Family Residential Zone, the following uses, and no others, shall be permitted:

- (a) row houses;
- (b) town houses;
- (c) rest homes;
- (d) senior citizens housing;
- (e) child care centres;
- (f) parks and playgrounds;
- (g) home occupations in row houses and town houses; and
- (h) secondary suite, in row houses and town houses;
- (i) accessory uses, buildings and structures.

**Bylaw
2938**

9(2) **Lot Area**

The minimum lot area for row houses and town houses shall be 1200 m² (12917 ft.²), except in the case of individual land ownership, the minimum lot area for each dwelling unit shall be 238 m² (2562 ft.²).

9(3) **Density**

The dwelling density shall not exceed 42 dwelling units per hectare (17 per acre) of developable area.

9(4) **Amenity Area**

- (a) The minimum amenity area for row and town houses which are not under individual land ownership shall be 20 m² (215 ft.²) per dwelling unit.
- (b) No amenity area shall be located in the front yard or the exterior side yard.
- (c) The required amenity area shall be fully developed within 6 months of the date of the issuance of the occupancy permit.
- (d) At least one piece of approved children's play equipment shall be provided for each or fraction of 80 m² (861 ft.²) of the required amenity area.
- (e) The amenity area shall be properly landscaped and maintained in good condition.

9(5) **Lot Coverage**

PART VI – ZONES

Buildings and structures except carports shall not cover more than 60 percent of the lot area.

9(6) **Lot Frontage**

The minimum lot frontage shall be 15 m (49.2 feet), except in the case of individual land ownership the minimum lot frontage for each dwelling unit shall be 7.6 m (24.9 feet).

9(7) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (14.8 feet) on the outside of the principal building, and 1.2 m (3.9 feet) for accessory buildings and structures.
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 7.6 m (24.9 feet) for principal buildings and 1.2 m (3.9 feet) for accessory buildings and structures.

9(8) **Height**

- (a) No principal building shall exceed 10 m (32.8 feet) or 2 1/2 storeys, whichever is less, in height.
- (b) No accessory building or structure shall exceed 4.5 m (14.8 feet) in height.
- (c) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards.

9(9) **Fence**

A fence shall be provided to enclose the interior side yard on the outside of the principal building and the rear yard where no developed rear lane exists, or that portion of the rear yard not needed for vehicular and pedestrian accesses where a developed rear lane exists.

9(10) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking and driveways, shall be landscaped and maintained in good condition.

9(11) **Off-Street Parking**

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

PART VI – ZONES

MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL ZONE – R7

10(1) **Permitted Uses**

In a Medium Density Multiple Family Residential Zone, the following uses, and no others, shall be permitted:

- (a) apartments;
- (b) rest homes;
- (c) senior citizens housing;
- (d) child care centres;
- (e) parks and playgrounds;
- (f) home occupations in apartments and single family dwellings; and
- (g) accessory uses, buildings and structures.

10(2) **Lot Area**

The minimum lot area for apartments shall be 1000 m² (10764 ft.²).

10(3) **Density**

The dwelling density for apartments shall not exceed 80 dwelling units per hectare (32 per acre) of developable area.

10(4) **Amenity Area**

- (a) The minimum amenity area for apartments shall be 15 m² (161.5 ft.²) per dwelling unit.
- (b) No amenity area shall be located in the front yard or the exterior side yard.
- (c) The required amenity area shall be fully developed within 6 months of the date of the issuance of the occupancy permit.
- (d) At least one piece of approved children's play equipment shall be provided for each or fraction of 90 m² (969 ft.²) of the required amenity area.
- (e) The amenity area shall be properly landscaped and maintained in good condition.

10(5) **Lot Coverage**

- (a) Buildings and structures except carports shall not cover more than 50 percent of the lot area.
- (b) Buildings, structures, off-street parking and driveways shall not cover more than 75 percent of the lot area.

PART VI – ZONES

10(6) **Lot Frontage**

The minimum lot frontage shall be 15 m (49.2 feet).

10(7) **Floor Area Ratio**

The maximum floor area ratio shall be 1.0.

10(8) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (14.8 feet) on the outside of the principal building, and 1.2 m (3.9 feet) for accessory buildings and structures.
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 7.6 m (24.9 feet) for principal buildings and 1.2 m (3.9 feet) for accessory buildings and structures.

10(9) **Height**

- (a) No principal building shall exceed 12 m (39.4 feet) in height.
- (b) No accessory building or structure shall exceed 4.5 m (14.8 feet) in height.
- (c) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards.

10(10) **Fence**

A fence shall be provided to enclose the interior side yard and the rear yard where no developed rear lane exists, or that portion of the rear yard not needed for vehicular and pedestrian accesses where a developed rear lane exists.

10(11) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking and driveways, shall be landscaped and maintained in good condition.

10(12) **Off-Street Parking**

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

PART VI – ZONES

**Bylaw
2943**

10(13)

Medium Density Multiple Family Residential Zone R7A

Notwithstanding sections 10(3), 10(4)(d) and 10(8)(a), the property legally described as:

Parcel Z, Plan NEP1684, District Lot 4598, Kootenay Land District, Exc Portion of PCL Z Lying E of Line Parallel to & 16 ft Perp Distant from Ely Bndry PCL Z & extending NLY & SLY Bndry PCL Z
PID: 015-795-080
(1955 Seventh Avenue)

Shall be designated for the provisions of this Bylaw as Medium Density Multiple Family Residential Zone R7A and permitted to be developed as an apartment with a dwelling density of 84.4 units per hectare (34.2 units per acre) of developable area, comprising forty-one (41) one (1) bedroom units, that one piece of children’s play equipment not be required, and with a reduction to the minimum front yard setback from 7.6 meters to 6.2 meters.

High Density Multiple Family Residential Zone R8

11(1)

Permitted Uses

In a High Density Multiple Family Residential Zone, the following uses, and no others, shall be permitted:

- (a) apartments;
- (b) rest homes;
- (c) senior citizens housing;
- (d) child care centres;
- (e) parks and playgrounds;
- (f) home occupations in apartments and single family dwellings; and
- (g) accessory uses, buildings and structures.

11(1)A

High Density Multiple Family Residential Zone R8A

The provisions of the High Density Multiple Family Residential Zone R8 apply to this zone with the following exception:

Density

The dwelling density for apartments shall not exceed 180 dwelling units per hectare (73 per acre) of developable area.

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11(1)B High Density Multiple Family Residential Zone R8B

**Bylaw
2910**

Notwithstanding section 11(1), the property legally described as:

Lot 1, Plan EPP111259, DL 4598, K.D.
PID: 031-403-689

shall be designated for the provisions of this Bylaw as High Density Multiple Family Residential Zone R8B, and may contain the following described use only:

(a) senior citizens housing, to be occupied only by persons aged 55 years or older.

11(2) Lot Area

The minimum lot area for apartments shall be 2000 m² (21528 ft.²).

11(3) Density

The dwelling density for apartments shall not exceed 160 dwelling units per hectare (65 per acre) of developable area.

11(4) Amenity Area

- (a) The minimum amenity area for apartments shall be 10 m² (108 ft.²) per dwelling unit.
- (b) No amenity area shall be located in the front yard or the exterior side yard.
- (c) The required amenity area shall be fully developed within 6 months of the date of the issuance of the occupancy permit.
- (d) At least one piece of approved children's play equipment shall be provided for each or fraction of 80 m² (861 ft.²) of the required amenity area.
- (e) The amenity area shall be properly landscaped and maintained in good condition.

11(5) Lot Coverage

- (a) Buildings and structures except carports shall not cover more than 45 percent of the lot area.
- (b) Buildings, structures, parking and driveways shall not cover more than 80 percent of the lot area.

11(6) Lot Frontage

The minimum lot frontage shall be 15 m (49.2 feet).

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11(7) **Floor Area Ratio**

The maximum floor area ratio shall be 1.8.

11(8) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 6 m (19.7 feet) for principal buildings, and 1.2 m (3.9 feet) for accessory buildings and structures.
- (c) The minimum exterior side yard shall be 7.6 m (24.9 feet).
- (d) The minimum rear yard shall be 7.6 m (24.9 feet) for principal buildings and 1.2 m (3.9 feet) for accessory buildings and structures.

11(9) **Height**

- (a) No principal building shall exceed 20 m (65.6 feet) in height.
- (b) No accessory building or structure shall exceed 4.5 m (14.8 feet) in height.
- (c) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards.

11(10) **Fence**

A fence shall be provided to enclose the interior side yard and the rear yard where no developed rear lane exists, or that portion of the rear yard not needed for vehicular and pedestrian accesses where a developed rear lane exists.

11(11) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking and driveways, shall be landscaped and maintained in good condition.

11(12) **Off-Street Parking**

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

PART VI – ZONES

MOBILE HOME RESIDENTIAL ZONE – R9

12(1) Permitted Uses

In a Mobile Home Residential Zone, the following uses, and no others, shall be permitted:

- (a) mobile homes;
- (b) mobile home parks;
- (c) parks and playgrounds; and
- (d) accessory uses, buildings and structures.

12(2) Other Regulations

For mobile home parks, the provisions of "The City of Trail Mobile Home Parks Bylaw No. 1845, 1980", as amended, shall supersede the provisions of this Bylaw.

12(3) Lot Area

The minimum lot area shall be 350 m² (3767 ft.²), except that the minimum lot area for a double-wide mobile home shall be 464 m² (4995 ft.²).

12(4) Number of Buildings

Not more than one mobile home shall be located on a lot.

12(5) Lot Coverage

Mobile homes and accessory buildings and structures shall not cover more than 40 percent of the lot area.

12(6) Lot Frontage

The minimum lot frontage shall be 12 m (39.4 ft.), except that for double-wide mobile homes the minimum lot frontage shall be 15 m (49.2 ft.).

12(7) Yards

- (a) The minimum front yard shall be 4.5 m (14.8 feet).
- (b) The minimum interior side yard shall be 1.2 m (3.9 feet).
- (c) The minimum exterior side yard shall be 4.5 m (14.8 feet).
- (d) The minimum rear yard shall be 3 m (9.8 feet) for mobile homes and 1.2 m (3.9 feet)

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for accessory buildings and structures.

12(8) **Height**

- (a) No mobile home shall exceed 5 m (16.4 feet) in height.
- (b) No accessory building or structure shall exceed 4.5 m (14.8 feet) in height.
- (c) No fence shall exceed 1 m (3.3 feet) in height in the front yard and 1.8 m (5.9 feet) in height in the other yards.

12(9) **Other Provisions**

- (a) All mobile homes shall meet or exceed the standards of CAN/CSA Z240 MH Series.
- (b) All mobile homes shall be removed from their running gears and be placed on permanent foundations constructed in compliance with the requirements of "The City of Trail Building Bylaw 1987, No. 1984", as amended.
- (c) Accessory buildings and structures shall have an exterior finish and colour similar to that of the mobile home.
- (d) Bulk fuel storage or propane tank shall not be located within 3 m (9.8 feet) of an access door to the mobile home or within any of the required yards.
- (e) The provisions of the BC Fire Code shall be complied with.

12(10) **Off-Street Parking**

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

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GENERAL COMMERCIAL ZONE - C1

13(1)

Permitted Uses

In a General Commercial Zone, the following uses, and no others, shall be permitted:

- (a) business, government, and professional offices;
- (b) medical and dental clinics, optometrist office, chiropractors, medical laboratories, and similar establishments;
- (c) banks and financial institutions, insurance and security brokers, and real estate offices;
- (d) travel agencies;
- (e) gymnasiums, reducing salons, health spas, dancing studios, and similar establishments;
- (f) child care centres;
- (g) rest homes and senior citizens housing;
- (h) community halls, clubs and lodges for social, service, and fraternal organizations;
- (i) universities, colleges, commercial schools, and studios;
- (j) hotels, banquet halls, and cabarets;
- (k) eating and drinking establishments, excluding drive-in food services;
- (l) food stores, grocery stores, bakeries, and confectioneries;
- (m) entertainment, recreational, cultural, and athletic establishments;
- (n) arts, crafts, and antiques - sales, displays, repairs and schools;
- (o) musical instruments - sales, rental, and repairs;
- (p) radio and television studios;
- (q) photographic stores - supplies, processing, and services;
- (r) printing and publishing shops;
- (s) small repair shops - shoes, watches, gunsmith, household appliances, electrical and electronic repairs, and similar establishments;
- (t) second-hand stores;
- (u) re-upholstery shops;
- (v) barber shops and beauty salons;
- (w) tailor and dress-maker shops and rental;
- (x) laundry and dry-cleaning shops and coin operated laundromats;
- (y) pet shops;
- (z) florists;
- (aa) pharmacies and drug stores;
- (bb) retail stores;
- (cc) department stores;

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- (dd) furriers;
- (ee) auction sales;
- (ff) funeral homes;
- (gg) bicycle sales, rental, and repairs;
- (hh) passenger bus depots and taxi offices;
- (ii) apartments combined with other permitted uses and located above the first storey of a building;
- (jj) one dwelling unit which is accessory to the permitted uses and located above the ground floor of the principal building;
- (kk) rooming units;
- (ll) parks and playgrounds;
- (mm) public utility buildings and structures;
- (nn) off-street parking structures;
- (oo) building supplies, sign painting and fabrication, and similar establishments;
- (pp) accessory uses, buildings and structures; and
- (qq) cannabis retail sales, provided that the structure or building in which the use of cannabis retail sales is located is not within 100 metres of any public or private elementary or high school, recreation centre, youth centre or daycare centre, with the distance calculated by direct measurement in a single straight line from the nearest property line of the land used for the public or private elementary or high school, recreation centre, youth centre or daycare centre to the nearest property line of the land upon which the proposed cannabis retail sales use is to be located.

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13(2) Residential Uses

Where a residential use is combined with other uses in a building, the residential use shall have a separate entrance from outside at ground level.

13(3) Lot Area

The minimum lot area shall be 232 m² (2497 ft.²).

13(4) Lot Frontage

The minimum lot frontage shall be 7.6 m (24.9 feet).

13(5) Height

No building or structure shall exceed 20 m (65.6 feet) in height.

13(6) Off-Street Parking

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

13(7) Loading

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Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

13(8) **General Commercial Zone – C1A**

Notwithstanding section 15(1), the property legally described as:

Lot A, Plan NEP4160, DL 230, K.D.
PID 005-211-387
(1060 Eldorado Street)

shall be designated for the provisions of this Bylaw as General Commercial Zone C1A, and may contain the following described uses:

- (a) warehousing and storage facilities with a gross floor area of not more than 929 m² (10,000 ft.²).

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MAJOR NEIGHBOURHOOD COMMERCIAL ZONE - C2

14(1)

Permitted Uses

In a Major Neighborhood Commercial Zone, the following uses, and no others, shall be permitted:

- (a) business, government, and professional offices;
 - (b) travel agencies;
 - (c) retail sales including rental and repairs;
 - (d) community halls, clubs and lodges for social, service, and fraternal organizations;
 - (e) food stores, grocery stores, bakeries, and convenience stores;
 - (f) arts, crafts, and antiques - sales, displays, repairs and schools;
 - (g) printing and publishing shops;
 - (h) small repair shops - shoes, watches, gunsmith, household appliances, electrical and electronic repairs, and similar establishments;
 - (i) re-upholstery shops;
 - (j) barber shops and beauty salons;
 - (k) tailor and dress-maker shops and rental;
 - (l) laundry and dry-cleaning shops and coin operated laundromats;
 - (m) apartments combined with other permitted uses and located above the ground floor of the principal building;
 - (n) one dwelling unit which is accessory to the permitted uses and located above the ground floor of the principal building;
 - (o) parks and playgrounds;
 - (p) public utility buildings and structures;
 - (q) small animal or veterinary clinics;
 - (r) eating and drinking establishments, excluding drive-in food services;
 - (s) single and two-family dwellings used for residential purposes as of the date of adoption of this bylaw;
 - (t) secondary suite, in single and two family dwellings;
 - (u) video rental and sales;
 - (v) funeral services establishments including chapels to a maximum capacity of 75 seats;
 - (w) display of plumbing/heating fixtures and gas appliances in conjunction with permitted uses, but not including the storage or fabrication of plumbing/heating materials and sheet metal products and the retail sale of plumbing/heating supplies;
 - (x) accessory uses, buildings and structures;
 - (y) gymnasiums, reducing salons, health spas, dancing studios and similar establishments;
- and

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2938**

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**Bylaw
2847**

- (z) cannabis retail sales, provided that the structure or building in which the use of cannabis retail sales is located is not within 100 metres of any public or private elementary or high school, recreation centre, youth centre or daycare centre, with the distance calculated by direct measurement in a single straight line from the nearest property line of the land used for the public or private elementary or high school, recreation centre, youth centre or daycare centre to the nearest property line of the land upon which the proposed cannabis retail sales use is to be located.

14(2) **Residential Uses**

Where a residential use is combined with other uses in a building, the residential use shall have a separate entrance from outside at ground level.

14(3) **Lot Area**

The minimum lot area shall be 232 m² (2497 ft.²).

14(4) **Lot Frontage**

The minimum lot frontage shall be 7.6 m (24.9 feet).

14(5) **Floor Area**

The maximum gross floor area for each permitted use shall not exceed 465 m² (5,000 ft.²).

14(6) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

14(7) **Fence**

- (a) Where the interior side yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height shall be provided along the residential zone.
- (b) Where no developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height shall be provided along the residential zone.

14(8) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking, loading, driveway, outdoor storage and display purposes of the permitted uses, shall be landscaped and maintained in good condition.

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14(9) **Off-Street Parking**

Off-street parking shall be provided and maintained in accordance with Part VII of this Bylaw and shall be located behind the permitted use on the list.

14(10) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

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NEIGHBOURHOOD COMMERCIAL ZONE - C3

15(1) **Permitted Uses**

In a Neighborhood Commercial Zone, the following uses, and no others, shall be permitted:

- (a) grocery stores;
- (b) barber shops and beauty salons;
- (c) pharmacies and drug stores;
- (d) shoe repair shops;
- (e) bakeries and convenience stores;
- (f) laundry and dry-cleaning shops and coin operated laundromats;
- (g) eating and drinking establishments, excluding drive-in food services;
- (h) one dwelling unit which is accessory to the permitted uses and located above, to the side of, or behind the principal building;
- (i) small repair shops – shoes, household appliances, electronic repairs and similar establishments;
- (j) apartments combined with other permitted uses and located above the principal building; and
- (k) accessory uses, buildings and structures.

15(2) **Lot Area**

The minimum lot area shall be 464 m² (4995 ft.²).

15(3) **Lot Frontage**

The minimum lot frontage shall be 15 m (49.2 feet).

15(4) **Height**

No building or structure shall exceed 7.6 m (24.9 feet) in height.

15(5) **Fence**

- (a) Where the interior side yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height shall be provided along the residential zone.
- (b) Where no developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height shall be provided along the residential zone.

15(6) **Floor Area**

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- 15(7) The maximum gross floor area for each permitted use shall not exceed 232 m² (2497 ft.²).
Landscaping

All portions of a lot, except those used for buildings, structures, parking, loading, and driveway purposes of the permitted uses, shall be landscaped and maintained in good condition.

- 15(8) **Off-Street Parking**

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

- 15(9) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

- 15(10) **Neighbourhood Commercial Zone – C3A**

Notwithstanding sections 17(l)(h) and 17(8), the property legally described as:

Parcel A, Lot 2, Block 6, Plan NEP1262, DL 2919, K.D. (SEE 30306I)
Except Part Included in Plan RW 39
PID 013-695-819
(1208 Columbia Avenue)

shall be designated for the provisions of this Bylaw as Neighbourhood Commercial Zone C3A to permit an eating and drinking establishment to be developed behind the single family dwelling; and that two off-street parking spaces be provided and maintained on the property.

PART VI – ZONES

SHOPPING CENTRE COMMERCIAL ZONE - C4

16(1)

Permitted Uses

In a Shopping Centre Commercial Zone, a shopping centre containing the following uses, and no others, shall be permitted:

- (a) banks and financial institutions;
- (b) travel agencies;
- (c) eating and drinking establishments, including drive-in food services;
- (d) food stores, grocery stores, bakeries, and confectioneries;
- (e) indoor entertainment, recreational, and athletic establishments;
- (f) arts, crafts, and antiques - sales, displays, and repairs;
- (g) child care centres;
- (h) musical instruments - sales, rental, and repairs;
- (i) photographic stores - supplies, processing, and services;
- (j) barber shops and beauty salons;
- (k) tailor and dress-maker shops and rental;
- (l) laundry and dry-cleaning shops and coin operated laundromats;
- (m) pet shops;
- (n) garden supplies;
- (o) florists;
- (p) mail order stores;
- (q) pharmacies and drug stores;
- (r) retail stores;
- (s) department stores;
- (t) automobile service stations;
- (u) furriers;
- (v) business and professional offices;
- (w) accessory uses, buildings and structures;
- (x) churches; and

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2833**

**Bylaw
2847**

- (y) cannabis retail sales, provided that the structure or building in which the use of cannabis retail sales is located is not within 100 metres of any public or private elementary or high school, recreation centre, youth centre or daycare centre, with the distance calculated by direct measurement in a single straight line from the nearest property line of the land used for the public or private elementary or high school, recreation centre, youth centre or daycare centre to the nearest property line of the land upon which the proposed cannabis retail sales use is to be located.

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16(2) **Lot Area**

The minimum lot area shall be 2 ha (4.9 acres).

16(3) **Lot Frontage**

The minimum lot frontage shall be 100 m (328 feet).

16(4) **Number of Buildings**

Not more than one principal building shall be located on a lot.

16(5) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

16(6) **Lot Coverage**

Buildings and structures shall not cover more than 45 percent of the lot area.

16(7) **Yard**

- (a) The minimum front yard and exterior side yard shall be 9 m (29.5 feet).
- (b) The minimum interior side yard and rear yard shall be 6 m (19.7 feet).

16(8) **Outdoor Storage, Display and Sale**

Outdoor storage, display and sale shall be limited to seasonal garden supplies only.

16(9) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking, loading, driveway, and outdoor storage, display and sale purposes, shall be landscaped and maintained in good condition.

16(10) **Off-Street Parking**

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

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16(11) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

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SHOPPING CENTRE COMMERCIAL ZONE - C4A

16(1)A **Permitted Uses**

In a Shopping Centre Commercial Zone C4A, the following uses, and no others, shall be permitted:

- (a) retail stores greater than 4600 m² (49,515 sq. ft.);
- (b) eating and drinking establishments, including drive-in food service;
- (c) accessory automotive services;
- (d) accessory uses, buildings and structures.

16(2)A **Lot Area**

The minimum lot area shall be 2 ha (4.9 acres).

16(3)A **Height**

No building or structure shall exceed 12 m (39 feet) in height.

16(4)A **Lot Coverage**

Buildings and structures shall not cover more than 45% of the lot area.

16(5)A **Yard**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) No interior side yard is required, except:
 - (i) where no developed rear lane exists and there is no exterior side yard, one interior side yard shall be 3 m (9.8 feet minimum); or
 - (ii) where the interior side yard abuts a residential zone, the minimum side yard shall be 4.5 m (12.8 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 6 m (19.7 feet).

16(6)A **Fence**

Where the interior side yard or rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height and a landscape screen shall be provided along the residential zone.

16(7)A **Landscaping**

- (a) All portions of a lot, except for those used for buildings, structures, parking, loading, driveway, outdoor storage, and display purposes, shall be landscaped and maintained in good condition.
- (b) Where a C4A zone abuts a highway, a landscape screen 1.5 m (5 feet) in height and 2 m (7 feet) in width shall be provided along the frontage.

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16(8)A **Off-Street Parking**

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

16(9)A **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

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HIGHWAY COMMERCIAL ZONE - C5

17(1)

Permitted Uses

In a Highway Commercial Zone, the following uses, and no others, shall be permitted:

- (a) hotels, motels, banquet halls, and cabarets;
- (b) eating and drinking establishments, including drive-in food services;
- (c) food stores, grocery stores, bakeries, and confectioneries;
- (d) entertainment, recreational, and athletic establishments;
- (e) automobile service stations, show rooms, dealerships, and rental;
- (f) automobile car washes, tire sales and services, parts, supplies and related establishments;
- (g) boat, motorcycle, and bicycle sales, rental, and repairs;
- (h) small machinery and tool rental and repairs;
- (i) laundry and dry-cleaning shops and coin operated laundromats;
- (j) recreational vehicle and mobile home sales and services;
- (k) pet shops and animal beauty parlors;
- (l) passenger bus depots, and taxi offices;
- (m) frozen food lockers, and food, beverage, and dairy product manufacturing;
- (n) fruit and vegetable stands;
- (o) janitorial services, disinfecting and extermination services;
- (p) re-upholstery and furniture repair shops;
- (q) sanitary supplies;
- (r) taxidermist shops;
- (s) canvas products - sales and repairs;
- (t) furniture and floor covering stores;
- (u) one dwelling unit which is accessory to the permitted uses and located within or behind the principal building;
- (v) parks and playgrounds;
- (w) public utility buildings and structures;
- (y) accessory uses, building and structures;
- (z) clothing manufacturing; and
- (aa) retail sales in a building of not less than 465 m² (5000 sq. ft.).

17(2)

Lot Area

The minimum lot area shall be 464 m² (4995 ft.²).

PART VI – ZONES

17(3) **Lot Frontage**

The minimum lot frontage shall be 15 m (49.2 feet).

17(4) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

17(5) **Lot Coverage**

Buildings and structures shall not cover more than 60 percent of the lot area.

17(6) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) No interior side yard is required, except
 - (i) where no developed rear lane exists and there is no exterior side yard, one interior side yard shall be 3 m (9.8 feet) minimum; or
 - (ii) where the interior side yard abuts a residential zone, the minimum interior side yard shall be 4.5 m (12.8 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 6 m (19.7 feet).
- (e) Notwithstanding other provisions of this Section, no automotive gasoline pump island or accessory structure shall be located closer to lot lines than 4.5 m (12.8 feet), except that canopy edges may extend to within not less than 1.5 m (4.9 feet) from a lot line.

17(7) **Fence**

- (a) Where the interior side yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height and a landscape screen shall be provided along the residential zone.
- (b) Where no developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height and a landscape screen shall be provided along the residential zone.

17(8) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking, loading, driveway, outdoor storage, and display purposes, shall be landscaped and maintained in good condition.

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17(9) **Off-Street Parking**

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

17(10) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

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SPECIAL HIGHWAY COMMERCIAL ZONE - C6

18(1)

Permitted Uses

In a Special Highway Commercial Zone, the following uses, and no others shall be permitted:

- (a) hotels, banquet halls and cabarets;
- (b) eating and drinking establishments, excluding drive-in food services;
- (c) food stores, grocery stores, bakeries and confectioneries;
- (d) indoor entertainment, recreational and athletic establishments;
- (e) community halls, clubs and lodges for social, service and fraternal organizations;
- (f) arts, crafts, antiques - sales, displays repairs and schools;
- (g) musical instruments sales, rental and repairs;
- (h) small repair shops - shoes, watches, gunsmiths, household appliances, electrical and electronic repairs and similar establishments;
- (i) second-hand stores;
- (j) barber shops and beauty salons;
- (k) tailor and dressmaker shops and rental;
- (l) florists;
- (m) pharmacies and drug stores;
- (n) pet shops;
- (o) rooming units;
- (p) single family dwellings used for residential purposes as of the date of the adoption of this bylaw;
- (q) secondary suite, in single family dwellings;
- (r) dwellings accessory to the permitted uses and located above the ground floor of the principal building;
- (s) parks and playgrounds;
- (t) public utility buildings and structures;
- (u) reupholstery and furniture repair shops;
- (v) retail sales;
- (w) business, government and professional offices;
- (x) small machinery and tool rental and repairs;
- (y) printing and publishing shops;
- (z) warehousing and storage in a building of not more than 465 m² (5,000 ft.²) in gross floor area;
- (aa) contractors' offices and shops for minor fabrication of material or products associated with the permitted use, including electrical, plumbing, sheet metal and other related establishments, but that no manufacturing shall be conducted on the premises and no outside storage shall be permitted;

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2938**

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- (bb) laundry and dry-cleaning shops and coin-operated laundromats;
- (cc) beverage container recycling services, provided no outside storage is available;
- (dd) accessory uses, buildings and structures; and

cannabis retail sales, provided that the structure or building in which the use of cannabis retail sales is located is not within 100 metres of any public or private elementary or high school, recreation centre, youth centre or daycare centre, with the distance calculated by direct measurement in a single straight line from the nearest property line of the land used for the public or private elementary or high school, recreation centre, youth centre or daycare centre to the nearest property line of the land upon which the proposed cannabis retail sales use is to be located.

Bylaw 2847

18(2) **Lot Area**

The minimum lot area shall be 232 m² (2497 ft.²)

18(3) **Lot Frontage**

The minimum lot frontage shall be 7.6 m (24.9 feet).

18(4) **Floor Area**

The maximum gross floor area for each permitted use shall not exceed 465 m² (5,000 ft.²).

18(5) **Height**

- (a) For other than single family dwellings, no building or structure shall exceed 12 m (39.4 feet) in height.
- (b) For single family dwellings, no principal buildings shall exceed 7.6 m (24.9 feet) in height and no accessory buildings or structures shall exceed 4.5 m (12.8 feet) in height.

18(6) **Yards**

- (a) For single family dwellings the minimum front yard, interior side yard, exterior side yard, and rear side yard shall be 1.2 m (3.9 feet).
- (b) Where the interior side yard of a permitted non-residential use abuts a residential zone, the minimum interior side yard shall be 1.2 m (3.9 feet).

18(7) **Fence**

Where the interior side yard of a permitted non-residential use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height shall be provided along the residential zone.

18(8) **Off-Street Parking**

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

18(9) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal or ramp shall be situated such that a vehicle or

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carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

18(10) **Special Highway Commercial Zone – C6A**

**Bylaw
2841**

Notwithstanding section 20(1), the properties legally described as:

Parcel A, Lot 154, Plan NEP1068, DL 1073, K.D., SEE 8239I, EXC PLAN RW 52
Lot 155, Plan NEP1068, DL 1073, K.D. EXC PLAN RW52
Lot 156, Plan NEP1068, DL 1073, K.D., EXC PCL A (SEE 27652I)
Parcel A, Lot 156, Plan NEP1068, DL 1073, K.D. (SEE 27652I)

PID 015-955-567; 015-955-613; 015-955-010; 015-989-291

shall be designated for the provisions of this Bylaw as Special Highway Commercial Zone C6A, and may contain the following described uses:

- (a) apartments combined with other permitted uses.

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SERVICE COMMERCIAL ZONE - C7

19(1) **Permitted Uses**

In a Service Commercial Zone, the following uses, and no others, shall be permitted:

- (a) automobile service stations, show rooms, dealerships, and rental;
- (b) automobile car washes, tire sales and services, parts, supplies, body repairs, and related establishments;
- (c) boat, motorcycle, and bicycle sales, rental, and repairs;
- (d) recreational vehicle and mobile home sales and services;
- (e) building supplies, glass repair, sign painting and fabrication, and similar establishments;
- (f) contractor's offices and yards;
- (g) engineering offices, research, testing, and laboratory facilities;
- (h) printing and publishing shops;
- (i) frozen food lockers, and food, beverage, and dairy product manufacturing;
- (j) wholesale and warehouse establishments;
- (k) veterinarian services, animal hospitals, and kennels;
- (l) auction sales;
- (m) funeral homes;
- (n) public utility buildings and structures;
- (o) retail sales accessory to the permitted uses;
- (p) accessory uses, buildings and structures;
- (q) nurseries, greenhouse and garden supplies;
- (r) retail furniture and appliance stores;
- (s) fabrication and repair of plastic piping and vessels and concrete vessels and beams, but not including the manufacture or sale of other concrete products; and
- (t) communication services including sales and service of communication equipment;
- (u) cabinet manufacturing and sales; and
- (v) accessory uses, buildings and structures.

19(2) **Lot Area**

The minimum lot area shall be 929 m² (10,000 ft.²).

19(3) **Lot Frontage**

The minimum lot frontage shall be 30 m (98.4 feet).

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19(4) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

19(5) **Lot Coverage**

Buildings and structures shall not cover more than 60 percent of the lot area.

19(6) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet) except where it abuts a residential zone, the minimum interior side yard shall be 9 m (29.5 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 6 m (19.7 feet), except where it abuts a residential zone, the minimum rear yard shall be 9 m (29.5 feet).
- (e) Notwithstanding other provisions of this Section, no automotive gasoline pump island or accessory structure shall be located closer to lot lines than 4.5 m (12.8 feet), except that canopy edges may extend to within not less than 1.5 m (4.9 feet) from a lot line.

19(7) **Fence**

- (a) Where the interior side yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height and a landscape screen shall be provided along the residential zone.
- (b) Where no developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height and a landscape screen shall be provided along the residential zone.
- (c) Where a developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence shall be provided along the residential zone, except those sections of the rear yard required for vehicular and pedestrian access purposes.

19(8) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking, loading, driveway, outdoor storage, and display purposes, shall be landscaped and maintained in good condition.

19(9) **Other Provisions**

- (a) Veterinarian services, animal hospitals, and kennels shall not have outside pens, runs, or enclosures, nor shall be located within 30 m. (98.4 ft.) of a residential zone.

PART VI – ZONES

19(10) **Off-Street Parking**

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

19(11) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

19(12) **Service Commercial Zone – C7A**

**Bylaw
2721**

Notwithstanding section 21(1), the property legally described as:

Lot 1, Plan NEP19472, DL 4598, K.D.
PID 017-452-449
(5800 Highway 3B)

shall be designated for the provisions of this Bylaw as Service Commercial Zone C7A, and may contain the following described uses:

- (a) welding shops.

19(13) **Service Commercial Zone – C7B**

**Bylaw
2733**

Notwithstanding section 21(1), the property legally described as:

Lot A, Plan 13260, DL 4598, K.D.
PID 011-216-581
(3160 Highway Drive)

shall be designated for the provisions of this Bylaw as Service Commercial Zone C7B, and may contain the following described uses:

- (a) one dwelling unit which is accessory to the permitted uses and located above the ground floor of the building.

19(14) **Service Commercial Zone – C7C**

**Bylaw
2734**

Notwithstanding section 21(1), the property legally described as:

Lot A, Plan 4681, Township 8A, K.D.

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PID 011-301-791
(8195 Old Waneta Road)

shall be designated for the provisions of this Bylaw as Service Commercial Zone C7C, and may contain the following described uses:

- (a) an eating establishment, excluding drive-in food services.

19(15) **Service Commercial Zone – C7D**

**Bylaw
2889**

Notwithstanding Section 21(3) requiring minimum lot frontage of 30 m (98.4 feet), the property legally described as:

Lot 4, Plan NEP4662, Township 7A, K.D.
PID 005-397-511
(8348 Walsh Road)

shall be designated for the provisions of this Bylaw as Service Commercial Zone C7D and permitted to be developed with a lot frontage of 21.95 m (72 feet).

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TOURIST COMMERCIAL ZONE - C8

20(1) **Permitted Uses**

In a Tourist Commercial Zone, the following uses, and no others, shall be permitted:

- (a) campgrounds and motels;
- (b) drive-in movie theatres;
- (c) parks and playgrounds;
- (d) grocery stores not exceeding 45 m² (484.4 ft.²) in gross floor area and accessory to the permitted uses;
- (e) eating and drinking establishments, excluding drive-in food services, not exceeding 80 m² (861 ft.²) in gross floor area and accessory to the permitted uses;
- (f) coin-operated laundromats accessory to the permitted uses;
- (g) offices and dwellings for managers or operators of the permitted uses; and
- (h) accessory uses, buildings and structures.

20(2) **Lot Area**

The minimum lot area shall be 0.5 ha (1.24 acres).

20(3) **Lot Frontage**

The minimum lot frontage shall be 20 m (65.6 feet).

20(4) **Height**

No building or structure shall exceed 7.6 m (24.9 feet) in height.

20(5) **Lot Coverage**

Buildings and structures shall not cover more than 10 percent of the lot area.

20(6) **Yards**

- (a) The minimum front yard shall be 6 m (19.7 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 4.5 m (12.8 feet).
- (e) No camping space shall be located within any of the required yards.

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20(7) **Fence**

- (a) Where the interior side yard of a permitted use abuts a residential zone, a fence of 1.8 m (5.9 feet) in height shall be provided along the residential zone.
- (b) Where no developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence of 1.8 m (5.9 feet) in height shall be provided along the residential zone.

20(8) **Condition of Use**

Not more than one office, one dwelling, and one grocery store shall be permitted on a lot.

20(9) **Off-Street Parking**

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

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BUSINESS COMMERCIAL ZONE - C9

21(1) **Permitted Uses**

In a Business Commercial Zone, the following uses, and no others, shall be permitted:

- (a) business, government and professional offices;
- (b) one dwelling unit which is accessory to the permitted uses and located within or behind the principal building; and
- (c) accessory uses, buildings and structures.

21(2) **Home Occupation**

The permitted use when located in a dwelling shall satisfy all of the conditions set out in section 3(3)(a) of this Bylaw.

21(3) **Residential Uses**

Where a residential use is combined with other uses in a building, the residential use shall have a separate entrance from outside at ground level.

21(4) **Lot Area**

The minimum lot area shall be 464 m² (4995 ft.²).

21(5) **Lot Frontage**

The minimum lot frontage shall be 15 m (49.2 ft.).

21(6) **Height**

No building or structure shall exceed 7.6 m (24.9 ft.) in height.

21(7) **Lot Coverage**

Building and structures shall not cover more than 50 percent of the lot area.

21(8) **Yards**

- (a) The minimum front yard, exterior side and rear yard shall be 6 m (19.8 ft.).
- (b) The minimum interior side yard shall be 2.7 m (8.9 ft.).

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21(9) **Fence**

- (a) Where the interior side yard of a permitted use abuts a residential zone, a fence 1.5 m (4.9 ft.) to 1.8 m (5.9 ft.) in height shall be provided along the residential zone.
- (b) Where no developed rear lane exists and where the rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 ft.) to 1.8 m (5.9 ft.) in height shall be provided along the residential zone.

21(10) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking, loading, driveway, outdoor storage and display purposes of the permitted uses, shall be landscaped and maintained in good condition.

21(11) **Off-Street Parking**

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

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BUSINESS ENTERPRISE ZONE – C10

22(1) **Permitted Uses**

In a Business Enterprise Zone, the following uses, and no others, shall be permitted:

- (a) business or enterprise centers provided that no business, use or occupation locating in such center shall produce any offensive noise, vibration, smoke, dust, odor, glare or electrical interference;
- (b) accessory uses, buildings and structures.

22(2) **Ancillary Provisions**

Sections 25(2) to 25(11) of the Light Industrial Zone M1 apply to this zone.

22(3) **Business Enterprise Zone C10A**

Notwithstanding section 24(1), the properties legally described as:

Lots 1-11, Block 54, Plan NEP465D, DL 230, K.D.
Parcel B of Lot 12, Block 54, Plan NEP465D, DL 230, K.D.
Area Marked "School", Block 54, Plan 465D, DL 230, K.D.
Lot 12 (Assigned), Block 54, DL 230, Plan 465D, K.D.
Lots 18-20, Block 28, Plan 465D, K.D.

may contain the following described uses, and no others; and be designated for the provisions of this Bylaw as Business Enterprise Zone C10A:

- (a) an eating and drinking establishment, excluding drive-in food services;
- (b) a gymnasium, reducing salon, health spa or similar athletic establishment;
- (c) a childcare centre;
- (d) business, government and professional offices;
- (e) storage facilities; and
- (f) residential use when combined with the above to a maximum of 13 dwelling units.

**Bylaw
2826**

PART VI – ZONES

LIGHT INDUSTRIAL ZONE - M1

23(1)

Permitted Uses

In a Light Industrial Zone, the following uses, and no others, shall be permitted:

- (a) automobile, motorcycle, and truck show rooms, sales, rental, supplies, maintenance, and repairs;
- (b) boat-building, sales, rental, and repairs;
- (c) veterinary services, animal hospitals, kennels, and animal beauty parlors;
- (d) small equipment/machinery, parts, and tools - manufacturing, repairs, sales, rental, and storage;
- (e) taxidermist shops;
- (f) welding shops;
- (g) food, beverage and dairy products manufacturing and processing, excluding breweries;
- (h) cold storage plants and frozen food lockers;
- (i) eating and drinking establishments;
- (j) contractors offices, shops, and yards;
- (k) engineering offices, research, testing, and laboratory facilities;
- (l) building supplies, glass repairs, sign painting and fabrication, and similar establishments;
- (m) carpentry and furniture-making and repairs;
- (n) monumental works;
- (o) tire sales, services, repairs, and vulcanizing shops;
- (p) printing and publishing shops;
- (q) warehousing, moving, terminal, and storage facilities, excluding wrecking and junk yards;
- (r) wholesale establishments;
- (s) janitorial services, disinfecting and exterminating services;
- (t) manufacturing, repair, and wholesale of electrical and electronic products;
- (u) public utility buildings and structures;
- (v) public works, vehicle storage, and equipment storage yards;
- (w) auction sales;
- (x) funeral homes;
- (y) retail sales accessory to the permitted uses;
- (z) recycling operations; and
- (aa) accessory uses, buildings and structures.

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23(2) **Lot Area**

The minimum lot area shall be 2000 m² (21,528 ft.²).

23(3) **Lot Frontage**

The minimum lot frontage shall be 20 m (65.6 feet).

23(4) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

23(5) **Lot Coverage**

Buildings and structures shall not cover more than 70 percent of the lot area.

23(6) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet), except where it abuts a residential zone, the minimum interior side yard shall be 15 m (49.2 feet).
- (c) The minimum exterior side yard shall be 7.6 m (24.9 feet).
- (d) The minimum rear yard shall be 6 m (19.7 feet), except where it abuts a residential zone, the minimum rear yard shall be 15 m (49.2 feet).

23(7) **Fence**

Where the interior side yard and/or the rear yard of a permitted use abuts a residential zone, a fence of 1.8 m (5.9 feet) minimum in height and a landscape screen shall be provided along the residential zone, except those sections of the rear yard required for vehicular and pedestrian access purposes.

23(8) **Other Provisions**

No outdoor storage, display, or operation of the permitted uses shall be located within 15 m (49.2 feet) of a residential zone.

23(9) **Landscaping**

All portions of a lot, except those used for buildings, structures, parking, loading, driveway,

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outdoor storage, display and operation purposes, shall be landscaped and maintained in good condition.

23(10) **Off-Street Parking**

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

23(11) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

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HEAVY INDUSTRIAL ZONE - M2

24(1) **Permitted Uses**

In a Heavy Industrial Zone, the following uses, and no others, shall be permitted:

- (a) concrete and asphalt plants and products;
- (b) manufacturing, refining, storage, and wholesale of petroleum and chemical products;
- (c) foundries and metal fabrication industries;
- (d) gravel and sand pits, and mineral extractive industries, including storage of such materials;
- (e) manufacturing, processing and storage of wood and lumber products;
- (f) sale, rental, and repair of heavy equipment;
- (g) warehousing and storage facilities including wrecking and junk yards;
- (h) wholesale establishments;
- (i) manufacturing, processing, and assembly industries;
- (j) transportation uses;
- (k) electric power generation and distribution works and facilities;
- (l) welding shops;
- (m) public utility buildings and structures;
- (n) garbage incineration and reducing plants and solid waste disposal site;
- (o) abattoirs;
- (p) septic tank services;
- (q) retail sales and repairs accessory to the permitted uses;
- (r) offices accessory to the permitted uses; and
- (s) accessory uses, buildings and structures.

24(2) **Lot Area**

The minimum lot area shall be 4000 m² (43057 ft.²).

24(3) **Lot Frontage**

The minimum lot frontage shall be 40 m (131 feet).

24(4) **Lot Coverage**

Buildings and structures shall not cover more than 70 percent of the lot area.

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24(5) **Yards**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet), except where it abuts a residential zone, the minimum interior side yard shall be 30 m (98.4 feet).
- (c) The minimum exterior side yard shall be 7.6 m (24.9 feet).
- (a) The minimum rear yard shall be 6 m (19.7 feet), except where it abuts a residential zone, the minimum rear yard shall be 30 m (98.4 feet).

24(6) **Fence**

Where the interior side yard and/or the rear yard of a permitted use abuts a residential zone, a fence of 1.8 m (5.9 feet) minimum in height and a landscape screen shall be provided along the residential zone, except those sections of the rear yard required for vehicular and pedestrian access purposes.

24(7) **Other Provisions**

No outdoor storage, display, or operation of the permitted uses shall be located within 30 m (98.4 feet) of a residential zone.

24(8) **Off-Street Parking**

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

24(9) **Loading**

Off-street loading areas shall be provided in proportion to the shipping requirements of the permitted uses. No loading dock, terminal, or ramp shall be situated such that a vehicle or carrier unit being loaded or unloaded is required to park on any street, lane, or public right-of-way.

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INSTITUTIONAL ZONE - P1

25(1) **Permitted Uses**

In an Institutional Zone, the following uses, and no others, shall be permitted:

- (a) governmental offices;
- (b) fire halls and police stations;
- (c) public and denominational schools, colleges, and universities;
- (d) child care centres;
- (e) rest homes and senior citizens housing;
- (f) hospitals;
- (g) churches;
- (h) community halls;
- (i) recreation centres and community centres;
- (j) libraries, archives, and museums;
- (k) clubs and lodges for social, service, and fraternal organizations;
- (l) parks and playgrounds;
- (m) off-street parking structures;
- (n) public utility buildings and structures;
- (o) dwellings accessory to the permitted uses; and
- (p) accessory uses, buildings and structures.

25(2) **Lot Area**

The minimum lot area shall be 464 m² (4995 ft.²).

25(3) **Lot Frontage**

The minimum lot frontage shall be 15 m (49.2 feet).

25(4) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

25(5) **Yard**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 4.5 m (12.8 feet).

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25(6) **Fence**

Where the interior side yard and/or the rear yard of a permitted use abuts a residential zone, a fence of 1.5 m (4.9 feet) to 1.8 m (5.9 feet) in height shall be provided along the residential zone, except those sections of the rear yard required for vehicular and pedestrian access purposes.

25(7) **Off-Street Parking**

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

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PARKS AND RECREATION ZONE - P2

26(1) **Permitted Uses**

In a Parks and Recreation Zone, the following uses, and no others, shall be permitted:

- (a) parks and playgrounds;
- (b) recreational, entertainment, and cultural facilities;
- (c) libraries, archives, and museums;
- (d) sport fields and athletic facilities;
- (e) public campgrounds;
- (f) fairgrounds and exhibition parks;
- (g) tourist information services;
- (h) cemeteries;
- (i) public utility buildings and structures;
- (j) marinas, boat launches, swimming beaches, and related facilities;
- (k) historical and archaeological sites;
- (l) dwellings accessory to the permitted uses;
- (m) eating and drinking establishments accessory to the permitted uses; and
- (n) accessory uses, buildings and structures.

26(2) **Height**

No building or structure shall exceed 12 m (39.4 feet) in height.

26(3) **Yard**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 4.5 m (12.8 feet).

26(4) **Off-Street Parking**

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

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PUBLIC UTILITY ZONE - P3

27(1) **Permitted Uses**

In a Public Utility Zone, the following uses, and no others, shall be permitted:

- (a) public works, vehicle storage, and equipment storage yards;
- (b) public utility buildings and structures;
- (c) animal shelters; and
- (d) accessory uses, buildings and structures.

27(2) **Yard**

- (a) The minimum front yard shall be 7.6 m (24.9 feet).
- (b) The minimum interior side yard shall be 4.5 m (12.8 feet).
- (c) The minimum exterior side yard shall be 6 m (19.7 feet).
- (d) The minimum rear yard shall be 4.5 m (12.8 feet).

27(3) **Fence**

Where the interior side yard and/or the rear yard of a permitted use abuts a residential zone, a fence of 1.8 m (5.9 feet) minimum in height shall be provided along the residential zone, except those sections of the rear yard required for vehicular and pedestrian access purposes.

27(4) **Off-Street Parking**

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

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RURAL HOLDING ZONE - A1

28(1) **Permitted Uses**

In a Rural Holding Zone, the following uses, and no others, shall be permitted:

- (a) single family dwellings;
- (b) mobile homes;
- (c) the keeping of not more than two lodgers in a dwelling unit;
- (d) agricultural uses;
- (e) resource extraction uses;
- (f) parks and playgrounds;
- (g) environmental conservation areas;
- (h) public utility buildings and structures; and
- (i) secondary suite, in single family dwellings;
- (j) accessory uses, buildings and structures.

**Bylaw
2938**

28(2) **Lot Area**

The minimum lot area for a single family dwelling or mobile home shall be 1 ha (2.47 acres).

28(3) **Number of Buildings**

Not more than one dwelling unit shall be located on a lot.

28(4) **Lot Frontage**

The minimum lot frontage shall be 20 m (65.6 feet).

28(5) **Yards**

The minimum front yard, interior side yard, exterior side yard, and rear yard shall be 7.6 m (24.9 feet).

28(6) **Off-Street Parking**

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

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RURAL HOLDING ZONE - A2

29(1) **Permitted Uses**

In a Rural Holding Zone A2, the following uses, and no others, shall be permitted:

- (a) agricultural uses;
- (b) forestry, logging and silviculture;
- (c) outdoor recreational uses;
- (d) public utility transmission lines;
- (e) environmental conservation areas; and
- (f) accessory uses, buildings and structures.

29(2) **Lot Area**

The minimum lot area shall be 8 ha (19.76 acres).

29(3) **Number of Buildings**

No dwellings or mobile homes shall be permitted on a lot.

29(4) **Lot Frontage**

The minimum lot frontage shall be 20 m (65.6 ft.).

PART VII – OFF STREET PARKING REQUIREMENTS

30(1) **Parking Table**

Off-street parking for uses permitted in this Bylaw shall be provided in accordance with Table 2.

**Bylaw
2499**

Table 2: Off-Street Parking Requirements

Class of building or use	Minimum vehicle parking space	Minimum visitor vehicle parking spaces	Minimum vehicle loading spaces	Minimum bicycle parking – Short term	Minimum bicycle parking – Long term	Minimum motorcycle parking
RESIDENTIAL						
Single detached and two-unit dwelling – 3 bedrooms or fewer	1 per dwelling unit	N/A	N/A	N/A	N/A	N/A
Single detached and two-unit dwelling – 4 or more bedrooms	1.5 per dwelling unit	N/A	N/A	N/A	N/A	N/A
Townhouse dwelling – 3 bedrooms or fewer	1 per dwelling unit	0.1 per dwelling unit for developments of 9 or more dwelling units	N/A	2 spaces or 0.2 per dwelling unit, whichever is greater	N/A	0.1 per dwelling unit for developments of 9 or more dwelling units
Townhouse dwelling – 4 or more bedrooms	1.5 per dwelling unit					
Apartment	1 per dwelling unit, except in the C1 Zone where the minimum is 0.5 per dwelling unit	0.1 per dwelling unit for developments of 9 or more dwelling units	0 spaces for buildings under 20 dwelling units; 0.02 spaces per additional dwelling	2 spaces or 0.2 per dwelling unit, whichever is greater	0.5 per dwelling unit	0.1 per dwelling unit for developments of 20 or more dwelling units
Accessory dwelling unit	2 or fewer units: 1 parking space; For each additional unit, 0.5 per unit	N/A	N/A	N/A	N/A	N/A
COMMERCIAL						

PART VII – OFF STREE PARKING REQUIREMENTS

Class of building or use	Minimum vehicle parking space	Minimum visitor vehicle parking spaces	Minimum vehicle loading spaces	Minimum bicycle parking – Short term	Minimum bicycle parking – Long term	Minimum motorcycle parking
Animal hospital, veterinary clinic	1 per 20 m ² (215.3 ft. ²) gross floor area					
Auction room	1 per 100 m ² (1,076.4 ft. ²) gross floor area					
Automobile service station, dealership, repair, service rental & part supply	1 per 50 m ² (538.2 ft. ²) gross floor area					
Financial institution, insurance & security broker, real estate office & travel agency	1 per 50 m ² (538.2 ft. ²) gross floor area					
Barber shop & beauty salon Billiard & pool hall	1 per 50 m ² (538.2 ft. ²) gross floor area <1000 m ² (10,764.3 ft. ²) and 1.5 per 50 m ² (538.2 ft. ²) gross floor area >1000 m ²					
Boat sales, showroom, rental & repair	1 per 50 m ² (538.2 ft. ²) gross floor area					
Bowling alley	3 per alley					
Building supply	1 per 50 m ² (538.2 ft. ²) gross floor area					
Campground	1 per camping space					
Child care centre	4 spaces					
Eating & drinking establishment, banquet hall & cabaret	1 per 5 seats					
Food service, drive in	15 spaces					
Grocery & food store	1 per 25 m ² (269.2 ft.2) gross					

PART VII – OFF STREE PARKING REQUIREMENTS

Class of building or use	Minimum vehicle parking space	Minimum visitor vehicle parking spaces	Minimum vehicle loading spaces	Minimum bicycle parking – Short term	Minimum bicycle parking – Long term	Minimum motorcycle parking
	floor area					
Health spa, fitness centre, dance studio	1 per 20 m ² (215.3 ft ²) gross floor area					
Home occupation	1 per home occupation					
Hotel	1 per 2 guest rooms					
Laundromat	1 per 3 washing machines					
Medical & dental clinics & similar establishments	1 per 25 m ² (269.2 ft. ²) gross floor area					
Motel	1 per guest room plus other uses					
Nursery & garden supply	1 per 15 m ² (161.5 ft. ²) of retail sales space					
Professional & business offices	1 per 25 m ² (269.2 ft ²) gross floor area					
Retail store	1 per 50 m ² (538.2 ft. ²) gross floor area <1000 m ² (10,764.3 ft. ²) and 1.5 per 50 m ² (538.2 ft. ²) gross floor area >1000 m ²					
Shopping centre	1 per 50 m ² (538.2 ft. ²) gross floor area <1000 m ² (10,764.3 ft. ²) and 1.5 per 50 m ² (538.2 ft. ²) gross floor area >1000 m ²					
Storage, warehousing	1 per 200 m ² (2,152.9 ft. ²) gross floor area					
Taxi, bus depot	1 per 50 m ² (538.2 ft. ²) gross floor area					

PART VII – OFF STREE PARKING REQUIREMENTS

Class of building or use	Minimum vehicle parking space	Minimum visitor vehicle parking spaces	Minimum vehicle loading spaces	Minimum bicycle parking – Short term	Minimum bicycle parking – Long term	Minimum motorcycle parking
Theatre, cinema & auditorium	1 per 4 seats					
INSTITUTIONAL						
Community hall, club, lodge & church hall	1 per 10 seats or 1 per 10 m ² (107.6 ft. ²) gross floor area, whichever is greater					
Church	1 per 8 seats					
Cultural facility, art gallery, museum, library	1 per 50 m ² (538.2 ft. ²) gross floor area					
Government office, public utility building	1 per 50 m ² (538.2 ft. ²) gross floor area					
Hospital – acute care	2 per bed					
Rest homes	1 per 3 beds					
School – commercial, secondary or college	5 per classroom					
School – elementary, middle	2 per classroom					
INDUSTRIAL						
Manufacturing, service & repairs	1 per 50 m ² (538.2 ft. ²) gross floor area					

PART VII – OFF STREET PARKING REQUIREMENTS

30(2) **Requirements for Similar Uses**

In the case of a permitted use not specified in Section 32(1), the requirements for off-street parking shall be the same for a similar use.

30(3) **Determination of Number of Parking Spaces of Mixed Uses**

In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements for the uses computed separately. Parking facilities for one use shall not be considered as required parking facilities for any other use. Off-street loading spaces shall not be credited as off-street parking spaces.

30(4) **Parking Exemption/Communal Parking Areas**

**Bylaw
2808**

- (a) In the case of a change in occupancy or reconstruction of an existing building on a lot within the Parking Exemption Area shown on Schedule “B” which is attached to and forming part of this Bylaw, the owner will not be required to provide additional off-street parking.
- (b) In the case of new construction on an existing vacant lot within the Communal Parking Areas shown on Schedule "B" which is attached to and forming part of this Bylaw, the owner may, in lieu of supplying the required off-street parking, apply to pay the City of Trail the following sums:
 - (i) in Communal Parking Area ‘A’, the sum of \$3,000 for each off-street parking space required by this Bylaw;
 - (ii) in Communal Parking Area ‘B’, the sum of \$1,500 for each off-street parking space required by this Bylaw.
- (c) In applying under Subsection (b), the owner shall show just cause to the satisfaction of Council why the required off-street parking cannot be provided on site.
- (d) The City of Trail shall place these monies received under Subsection (b) in a special reserve fund which shall be committed to the purchase and development of off-street parking within and/or adjacent to the designated area as the City may see fit.”

30(5) **Size of Parking Space and Aisles**

Each required off-street parking space and aisle widths shall comply with Table 3.

Table 3: Off Street parking

**Bylaw
2499**

Parking angle (in degrees)	Width of Aisle	Length of Space (m)	Width of Space (m)
90	6.4 (2 Way)	5.5	2.6
0 (Parallel)	6.4 (2 Way)	7.0	2.6
60	5.6 (1 Way)	5.5	2.6
45	4.2 (1 Way)	5.5	2.6
30	3.5 (1 Way)	5.5	2.6
0 (Parallel)	3.8 (1 Way)	7.0	2.6

PART VII – OFF STREET PARKING REQUIREMENTS

30(6)

Access to Parking Spaces

- (a) All off-street parking areas shall have an access to a public street, such access to be not less than 4.6 m (15.1 feet) nor more than 9.2 m (30.2 feet) in width.
- (b) Where existing street or metered parking is to be eliminated to provide access to an off-street parking area, no more than two (2) spaces (or 80% of required parking up to 10 spaces) may be eliminated without additional parking being supplied. When more than two (2) spaces are eliminated the additional number of spaces shall be added to the parking requirement.

30(7)

Location of Parking Facilities

- (a) All required off-street parking for residential uses shall be located on the lot of the residential building being served.
- (b) All required off-street parking for other than residential uses shall be located not in excess of 120 m (393.7 feet) from the lot being served. If the parking is located on a separate lot from the lot being served, the developer shall enter into an agreement with the Council under Section 219 of the Land Title Act restricting use of the lot to parking to serve the lot requiring the parking.

30(8)

Siting of Parking Facilities

- (a) Residential Uses:
No required off-street parking shall be permitted in the required front yard of a residential use. All required off-street parking for residential uses, other than single family and two family dwellings shall be sited so as to be a minimum of 1.2 m (3.9 feet) from any side or rear lot line and a minimum of 3 m (9.8 feet) from any street right-of-way.
- (b) All required off-street parking for commercial, industrial, and institutional uses shall be sited so as to be a minimum of 1.2 m (3.9 feet) from any side and rear lot line and a minimum of 1.5 m (4.9 feet) from any street right-of-way. No required off-street parking shall be permitted in the front 3 m (9.8 feet) of the required front yard of a commercial, industrial or institutional building.

30(9)

Surfacing of Off-Street Parking Areas

Every off-street parking area required by this Bylaw and every access road to the required parking area shall be surfaced with a permanent surface of asphalt, concrete or similar pavement so as to provide a surface that is durable and dust free for the purposes intended and so that all water is contained on site or directed to an approved drainage system.

30(10)

Curbing of Off-Street Parking Areas

PART VII – OFF STREET PARKING REQUIREMENTS

Every off-street parking area required by this Bylaw shall have fences or curbs to prevent the crossing of sidewalks and boulevards except at authorized exits and entrances.

30(11) Marking of Off-Street Parking Areas

Every off-street parking area required by this Bylaw shall have the individual parking spaces, maneuvering aisles, entrances and exits clearly marked by curbs or fences, lines and signs.

30(12) Maximum Gradient and Cross-Slope of Off-Street Parking Areas

Every off-street parking area required by this Bylaw shall have a maximum gradient and cross-slope of six (6) percent.

30(13) Drainage of Off-Street Parking Areas

Surface drainage shall be directed either to approved planting areas or through a storm sewer system of manholes and rock pits or if a public storm sewer is available such properties shall be connected to the storm sewer.

30(14) Lighting of Off-Street Parking Areas

Every off-street parking area required by this Bylaw which is illuminated shall have the lighting placed in such a manner so as to minimize light falling onto abutting properties.

30(15) Access Aisles

- (a) In all residential, industrial and public zones, off-street parking areas shall be designed to allow forward entry and exit to and from the lot upon which the off-street parking area is located. No street shall be used for required aisle access to parking stalls.
- (b) In all commercial zones, off-street parking areas shall be designed to allow forward entry and exit to and from the lot upon which the off-street parking area is located if access to such off-street parking area is by street. No street shall be used for required aisle access to parking stalls.

30(16) Landscape Screening

A landscape screen shall be provided and maintained along that portion of the perimeter of any open off-street parking area abutting or opposite any lot in a residential zone.

PART VIII – REPEAL AND ADOPTION

31(1) **Repeal of Previous Bylaws**

Zoning Bylaw No. 1918, 1982 and amendments thereto is hereby repealed.

PART VIII – REPEAL AND ADOPTION

READ the **FIRST** and **SECOND** time the 25th day of February,, 2002.

SUBMITTED to **PUBLIC HEARING** the 11th day of March, 2002.

READ the **THIRD** time the 25th day of March, 2002.

AMENDED at **THIRD READING** the 25th day of March, 2002.

ADOPTED as **AMENDED** the 25th day of March, 2002.

MAYOR

CORPORATE ADMINISTRATOR

Certified a true copy of Bylaw No. 2503, 2002.

Corporate Administrator

SCHEDULE "B"



- Schedule "B"**
 BYLAW NO. 2503, 2002
- Parking Exemption Area
 - Communal Parking Area 'A'
 - Communal Parking Area 'B'

