

# Village of Clinton



ZONING BYLAW No. 588, 2023

## VILLAGE OF CLINTON ZONING BYLAW 588, 2023

A Bylaw to establish zones and regulate the use of land, buildings, and structures within the zones.

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**WHEREAS** pursuant to section 479 of the *Local Government Act*, Council may, by bylaw, establish regulations with respect to land use, and

**WHEREAS** Council deems it necessary and appropriate to adopt an updated zoning bylaw, and

**NOW THEREFORE** Council of the Village of Clinton, in open meeting assembled hereby enacts as follows:

1. The Village of Clinton Zoning Bylaw No. 588, 2023 is attached hereto as "Schedule A" and incorporated in and forming a part of this bylaw.
2. This bylaw shall be applicable to the geographical area and to all land, buildings, and structures therein of the Village of Clinton as outlined on the zoning map, which bears the words "Schedule C" incorporated in and forming a part of this Bylaw.
3. This Bylaw shall be cited as the "Village of Clinton Zoning Bylaw No. 588, 2023".
4. Bylaw No. 439, 2007 cited as the "Village of Clinton Zoning Bylaw" is hereby repealed.

Read a first time on the 10<sup>th</sup> day of May, 2023.

Read a second time on the 10<sup>th</sup> day of May, 202.

Public Hearing held on the XX day of XXXX, 2023.

Read a third time on the XX day of XXXX, 2023.

Adopted on the XX day of XXXX, 2023.

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Corporate Officer

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Mayor

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## SECTION 1 – ADMINISTRATION

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### 1.1 Conformity

Land, including the surface of the water, must not be used or occupied, and buildings and structures must not be constructed, reconstructed, altered, located or relocated, or used, unless in conformity with the provisions of this *Bylaw*. No person shall use, occupy, or cause any person to use or occupy, any land, water body surface, building, or structure except in accordance with the provisions of this *Bylaw*.

### 1.2 Other Legislation

In addition to the regulations contained in this *Bylaw*, other bylaws, and Provincial or Federal legislation and regulations may apply to the use of land within the Village. Compliance with this *Bylaw* must not be assumed to satisfy the requirements imposed by other applicable legislation, regulations, and bylaws, and each owner is responsible to satisfy themselves as to the requirements of such legislation, regulations, and bylaws.

### 1.3 Offence and Penalties

- a) Every person who commits an offence under this *Bylaw* is liable on summary conviction to a fine not exceeding \$50,000 in addition to the costs of prosecution.
- b) Each day that a violation of this *Bylaw* continues, or is allowed to continue, constitutes a separate offence.

### 1.4 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, the invalid portion shall be severed and shall not affect the validity of the remaining portions of this *Bylaw*.

### 1.5 Inspection

The Village CAO, the Village building inspector, another, and any other appointed officer or employee of the Village is hereby authorized to enter, at all reasonable times, on any day of the week, on any property that is subject to regulations under this *Bylaw* to ascertain whether the provisions of this *Bylaw* are being met.

### 1.6 Bylaw Amendments

Any person may make an application to the Village to amend this *Bylaw* in the manner prescribed by *Bylaw 510, 2014 (A Bylaw to Establish Procedures for the Development of Lands and Premises within the Village of Clinton)* as amended or replaced from time to time.

## SECTION 2 - DEFINITIONS

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In this *Bylaw* unless the context otherwise requires, the following definitions apply:

<b>ACCESSORY</b>	means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to the main use of land or building located on the same parcel.
<b>APARTMENT BUILDING</b>	means a multi-family residential building containing more than four residential dwelling units.
<b>ASSEMBLY</b>	means a use providing for the gathering of persons for religious, charitable, philanthropic, cultural, educational, or entertainment purposes.
<b>BASEMENT</b>	means a storey of a building located below the first storey and having less than one-half its clear height above the average lot grade.
<b>BUILDING</b>	means any structure used or intended for supporting or sheltering any Use.
<b>CAMPGROUND</b>	means a use of land, for commercial purposes for the temporary accommodation of recreational travelers in travel trailers, recreational vehicles, or tents.
<b>CANNABIS RETAILER</b>	means a store where Cannabis is sold to the public, under license by the Province of British Columbia, and meets the regulations as set out in this <i>Bylaw</i> .
<b>CHURCH</b>	means a building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized and registered to sustain public worship.
<b>CLINIC</b>	means a public or private building used for a medical, dental, physio-therapeutic, chiropractor, or other human health treatment by one or more practitioners.
<b>CLUB OR LODGE</b>	means a building or establishment used by an association or organization for fraternal, social, or recreational purposes and which shall be operated for the use of club members and their guests only.

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<b>COMMERCIAL SERVICES</b>	means an establishment offering services of a clerical, business, or professional of an administrative nature.
<b>COMMERCIAL UNIT</b>	means a building or structure that an entity uses to transact business.
<b>COMMUNITY CARE FACILITY</b>	means a facility licensed pursuant to the <i>Community Care and Assisted Living Act</i>
<b>CONVENIENCE STORE</b>	means a retail commercial establishment, not exceeding 300m <sup>2</sup> of gross floor area, supplying groceries and other daily household necessities for off-site consumption.
<b>CRAFT DISTILLERY/MICROBREWERY</b>	means a facility, for the manufacturing of beer, cider, or spirits, that produces less than 500,000 litres of product annually and may include associated bar facilities for on-site consumption, and for onsite sales of products to be consumed off-site.
<b>DAYCARE FACILITY</b>	means the use of land and building for the purpose of providing provincially licensed daily care to children.
<b>DWELLING, ATTACHED</b>	means a building divided into not less than three dwelling units with each dwelling unit having direct access to the outside at the finished grade level.
<b>DWELLING, CARETAKER</b>	means an accessory dwelling unit to a principal use located on the same parcel and intended to provide accommodation for a person or persons who provide management, maintenance, and security of the principal use on the parcel.
<b>DWELLING, CARRIAGE HOME</b>	means an accessory dwelling unit that is subordinate to and detached from the principal single detached dwelling on the same parcel.
<b>DWELLING, DUPLEX</b>	means a building that is divided horizontally or vertically into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
<b>DWELLING, MANUFACTURED HOME</b>	means a dwelling unit that: (a) Was manufactured at a factory and is intended to be occupied as a dwelling at a place other than its place of manufacture; and, (b) Meets or exceeds Canadian Standards Association A277. (c) At least 6.5m wide, exclusive of a carport, porches, stairways, or any other extension to the original dwelling unit.

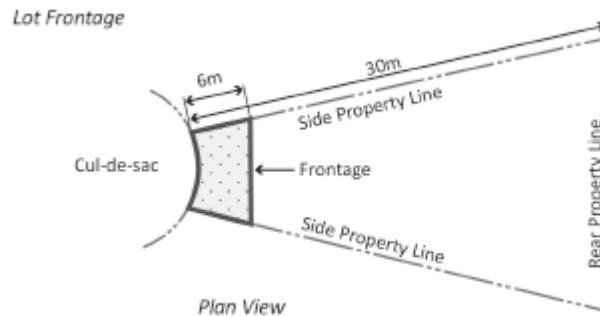
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	<p>A manufactured home dwelling may include what is commonly referred to as a “manufactured home”, “modular home” or “prefabricated home” that meets these criteria but does not include a Mobile Home or a Recreational Vehicle.</p>
<b>DWELLING, MANUFACTURED HOME</b>	<p>means a dwelling unit that is designed to be moved from time to time, which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, the connection of utilities, and some incidental assembly, and meets or exceeds Canadian Standards Association Z-240MH Standards, but specifically excludes recreational vehicles.</p>
<b>DWELLING, MODULAR HOME</b>	<p>means a dwelling unit that:</p> <ul style="list-style-type: none"><li>a) Was manufactured at a factory and is intended to be occupied as a dwelling at a place other than its place of manufacture;</li><li>b) Meets or exceeds Canadian Standards Association CSA A277; and,</li><li>c) At least 6.5m wide, exclusive of carport, porches, stairways, or any other extension to the original dwelling unit.</li></ul>
<b>DWELLING, MULTIPLE FAMILY</b>	<p>means a building consisting of three or more dwelling units, each of which is occupied or intended to be occupied as a permanent residence by one family.</p>
<b>DWELLING, SECONDARY SUITE</b>	<p>means an accessory dwelling unit contained within and subordinate to the principal single detached dwelling.</p>
<b>DWELLING, SINGLE DETACHED</b>	<p>means a detached building containing one Dwelling Unit intended for the use of one Family.</p>
<b>DWELLING UNIT</b>	<p>means one or more habitable rooms used for the residential accommodation of one Family when such rooms contain or provide for the installation of only one (1) set of cooking facilities and one or more sets of sanitary facilities.</p>
<b>FAMILY</b>	<p>means:</p> <ul style="list-style-type: none"><li>i. two or more persons related by blood, marriage, common-law, adoption, or foster parenthood sharing one dwelling; or</li><li>ii. not more than five unrelated persons sharing one dwelling.</li></ul>
<b>FENCE</b>	<p>means a constructed barrier of any material or combination of materials erected to enclose or screen areas of land.</p>

**FRONTAGE**

means the horizontal distance between the side lot lines measured at the point where the side lot lines intersect the front lot line. On curvilinear streets, frontage shall be determined by the minimum straight-line distance between the side lot lines calculated at 6m from the front property line.



**GARAGE or CARPORT**

means an accessory building or a portion of a principal building whose principal use is for the parking or temporary storage of motor vehicles and in which there are no commercial facilities for repairing or servicing such vehicles.

**GAS BAR**

means any Building or Structure used or intended to be used for the retail sale of motor fuels and associated products and excludes vehicle servicing.

**GROSS FLOOR AREA**

means the total area of all floors, measured to the vertical surface of the outer building walls, including all uses and all areas giving access such as corridors, hallways, landings, foyers, staircases, and stairwells, and includes enclosed balconies and mezzanines, enclosed porches or verandas, elevator shafts, and accessory buildings, except those used for parking.

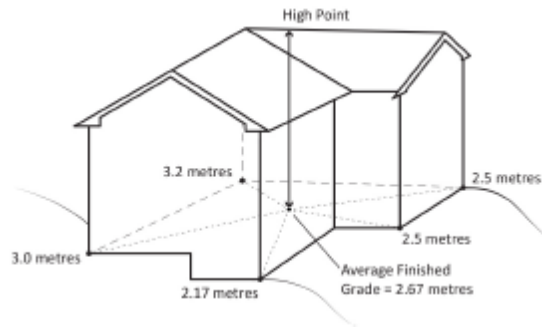
**HEAVY EQUIPMENT STORAGE**

means the use of land, buildings, or structures where industrial vehicles and/or industrial machinery are stored, assembled, and repaired, but specifically excludes vehicle and equipment salvage or wrecking yards.

**HEIGHT**

means the vertical distance between the average finished site grade and the highest point of the building, whether such building has a flat roof, pitched roof, or more than one type of roof.





<b>HIGHWAY</b>	includes a street, road, bridge viaduct, or any other way open to public use but does not include a private right-of-way on private property.
<b>HOME-BASED BUSINESS</b>	means a secondary use of a dwelling unit by a resident of the dwelling unit, to conduct business activity or occupation, and conveys, from the exterior, that the building is utilized for residential purposes only.
<b>HOTEL</b>	means a building, which contains sleeping units having a common entrance. It may contain assembly, commerce, entertainment, indoor recreation, or restaurant uses and premises licensed for on- site consumption of alcoholic beverages, without private cooking facilities in sleeping units.
<b>INDUSTRY, HEAVY</b>	means a use providing for the processing, manufacture, storage, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things; includes communication, electric, gas, sanitary service, and the selling of heavy industrial equipment.
<b>INDUSTRY, LIGHT</b>	means a use engaged in manufacturing predominantly from previously prepared materials, of finished products or parts; including processing, fabrication, assembly, treatment, packaging, incidental storage, and wholesale distribution of such products, excluding heavy industry.
<b>LANE</b>	means a road allowance less than 10m in width, which affords only a secondary means of access to a site, at the side or rear of the property.
<b>LICENSED PREMISES</b>	means an establishment where liquor is sold to the public for consumption on the premises, under license by the Province of British Columbia.
<b>LIVESTOCK</b>	means rabbits, goats, sheep, swine, horses, cattle, poultry, or fur-bearing animals as defined in the <i>Fur Farm Act</i> .

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<b>MANUFACTURED HOME PARK</b>	means any parcel of land under one ownership that has been improved for the placement of manufactured homes for permanent residential use, containing three or more manufactured home spaces, and includes all buildings, structures, or accessories used or intended to be used as equipment for the manufactured home park.
<b>MOTEL</b>	means accommodation primarily for transients traveling by automobile, with a parking space on the lot for each lodging unit, which may or may not provide cooking facilities for individual sleeping units, and with access to each such unit directly from the outside.
<b>NATURAL BOUNDARY</b>	means the visible high-water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the body of the lake, river.
<b>NATURAL GRADE</b>	means the average ground level recorded at the outermost corners of a building or proposed building site and may be determined by legal survey and referenced benchmark prior to site preparation.
<b>NON-CONFORMING</b>	<p>means a use or activity which was lawful prior to the adoption, revision, or amendment to this <i>Bylaw</i> but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the applicable zone.</p> <p>Where a person is of the opinion that a building, structure, or use is non-conforming, the burden of proof lies with that person to demonstrate this to the satisfaction of the Village.</p>
<b>OFFICE</b>	means the use of a room or group of rooms within a building to conduct the affairs of a business, profession, service, industry, or government.
<b>OPEN SPACE</b>	means the open, unobstructed space on a parcel, but does not include any driveway, ramp, or parking area.
<b>OUTDOOR STORAGE</b>	means the storage of equipment, goods, and materials in the open air, but does not include a wrecking yard, or the placement of non-commercial boats or recreational vehicles.
<b>PARCEL</b>	means any lot, block, or another area in which real property is held or into which real property is subdivided but does not include a street or portion thereof, and without limitation, a parcel within a subdivision under the <i>Bare Land Strata Regulations, B.C. Reg. 75/78</i> as amended or replaced from time to time,

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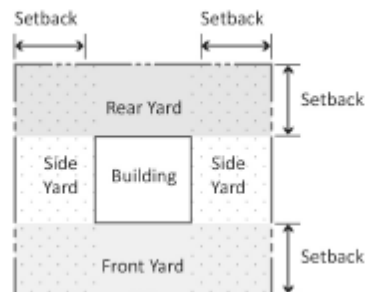
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<b>PARCEL AREA</b>	means the total extent of the parcel.
<b>PARCEL COVERAGE</b>	means the percent of the parcel area covered by buildings or structures excluding parking areas, driveways, and walkways.
<b>PARCEL LINE, FRONT</b>	<i>Interior lot</i> : the legal parcel line dividing the parcel from the road; and, <i>Corner lot</i> : the shorter lot line abutting a road shall be deemed the front lot line, and the longer lot line abutting a road shall be deemed to be a lot line adjacent to a road, except where abutting a controlled access highway or where access restrictions apply, in which case the lot line where access is provided shall be deemed the front lot line.
<b>PARCEL LINE, EXTERIOR SIDE</b>	means the parcel line(s) perpendicular to the front and rear parcel lines, which is adjacent to a highway other than a lane or walkway.
<b>PARCEL LINE, INTERIOR SIDE</b>	means the parcel line(s), perpendicular to the front and rear parcel lines, and adjacent to an abutting parcel, lane, or walkway.
<b>PARCEL LINE, REAR</b>	means the boundary of a parcel, which lies the most opposite to and is not connected to the front parcel line.
<b>PARK</b>	means an area permanently devoted to recreational uses and generally characterized by its natural, historic, or landscaped features, and used for both passive and active forms of recreation.
<b>PARKING LOT</b>	means the area of a parcel that accommodates the provision of parking spaces and access aisles.
<b>PARKING SPACE</b>	means an area identified for parking one motor vehicle and does not include aisle space.
<b>PRINCIPAL BUILDING</b>	means the main building or structure on a parcel of land which reflects the primary use of that land
<b>PRINCIPAL USE</b>	means the primary purpose for which land, a building, or a structure is used, designed, or intended to be used.
<b>PUBLIC UTILITY</b>	means the lawful distribution and/or distributor of communications services, electricity, internet services, natural gas, sanitary sewer stormwater, television services, and water under the <i>Utilities Commission Act</i> , the <i>Local Government Act</i> , or another applicable statute of the Government of Canada, or the Province of British Columbia.

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<b>RECREATIONAL VEHICLE</b>	means a camper, fifth wheel, motorhome, tent trailer, or travel trailer with a maximum width of 2.6m in transit mode which can be used to provide sleeping accommodation, and which is capable of being licensed for highway use pursuant to the <i>Motor Vehicle Act</i> .
<b>RESTAURANT</b>	means an eating establishment where prepared food is sold to the public and may include take-out and/or mobile food carts as an accessory or principal use.
<b>RETAIL STORE</b>	means a building where goods, wares, merchandise, substances, articles, or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles, or things, sufficient only to service such store.
<b>RETAINING WALL</b>	means a structure constructed to hold back, stabilize or support soil or rock as a result of differences in grades associated with topography.
<b>SCREENING</b>	means a continuous opaque fence, wall, compact evergreen hedge, or combination thereof, supplemented with landscape planting, that would effectively screen or visually obstruct the property which it encloses, and is broken only by access drives and walkways.
<b>SECONDARY SUITE</b>	means an additional dwelling unit located within a building of residential occupancy containing one other dwelling unit.
<b>SERVICE STATION</b>	means premises or the portion thereof used or intended to be used for the servicing and repairing of motor vehicles and for the sale of fuel, oils, and accessories for motor vehicles and associated convenience store products.
<b>SETBACK</b>	means the distance that a building or structure must be set back from a lot line, or any other feature specified by this <i>Bylaw</i> .

*Yard Setbacks*



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<b>SHORT-TERM VACATION RENTAL</b>	means a rental of a residential dwelling unit for periods of less than 31 consecutive days.
<b>SIGN</b>	means a letter, numeral, work, picture, or attention-drawing device, excluding traffic control devices, displayed out of doors in such a manner to be visible from a highway.
<b>SLEEPING UNIT</b>	means a room or set of habitable rooms used for the lodging of a person or persons when such a unit contains no cooking facilities.
<b>SPECIAL WASTES</b>	means any material classified as a 'special waste' by the <i>BC Waste Management Act</i> and <i>Special Waste Regulation</i> as amended from time to time.
<b>STOREY</b>	means a habitable space between two floors or between any floor and the upper surface of the floor above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. A basement that contains habitable accommodation shall be considered a storey.
<b>STREET</b>	means a public highway, road, or thoroughfare that affords the principal means of access to abutting lots.
<b>STRUCTURE</b>	means anything constructed on, erected on, placed on, fixed to, supported by, or sunk into land, but does not include works related to the provision of services that are buried under the surface of the land, areas of hard surfacing, or walls less than 1.5m in height.
<b>TOWNHOUSE</b>	means a building not more than three storeys high divided into three or more dwelling units located side by side, or stacked, under one roof with private exits or entrances to each dwelling, with each dwelling sharing at least one common wall or party wall.
<b>URBAN HENS</b>	means female chickens kept for the purpose of laying eggs for food and does not include any chickens kept for breeding purposes.
<b>WIDTH OF PARCEL</b>	means the horizontal distance between the side parcel lines, such distance being measured perpendicularly to the line joining the middle of the front parcel line with the middle of the rear parcel line and at a point 7.5m from the front parcel line.
<b>WINERIES</b>	mean the manufacture, packaging, storage, and sales of grapes or fruit-based wines licensed under the <i>Liquor Control &amp; Licensing Act</i> . Wineries may include a small bistro and gift shop operating in conjunction with

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the winery.

### **WRECKING YARD**

means any land or building used for the collection, demolition, dismantling, storage, salvage, recycling, or sale of waste materials including scrap metal, inoperable or unlicensed vehicles, machinery, and other discarded materials.

### **ZONE**

means a Zone established and designated by this *Bylaw* for a specific use(s).

## SECTION 3 - GENERAL REGULATIONS

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Except as otherwise specified, the provisions set out in Section 3 apply to all zones established by this *Bylaw*.

### 3.1 Prohibited Uses of Land, Buildings, and Structures

The following uses are not permitted in any zone unless expressly permitted by the regulations applying to the use of land in the applicable zone.

- a) The use of a tent, trailer, motor vehicle, recreational vehicle, or accessory or agricultural building for lodging, sleeping, accommodation, or as a residence.
- b) The unenclosed storage of disused or discarded items including junk, scrap metal, or other unsightly material.
- c) The keeping of livestock, except on land where the applicable zone permits agriculture as a use and in the case of poultry, where agriculture or the keeping of urban hens is a permitted use;
- d) Development where no access is available from a constructed and useable highway;
- e) Use of an accessory building or structure for human habitation as a dwelling unit except as specifically permitted in this *Bylaw*;
- f) Wind energy devices that exceed 9m in height and are closer than 9.5m to a property line or structure;
- g) Cannabis production, processing, and sales.

### 3.2 Exemptions

The following uses, buildings, and structures are permitted in all zones established by this *Bylaw* and are not subject to the regulations of this *Bylaw*:

- a) Uses, works, buildings, and structures constructed, developed, undertaken, or owned by the Village, whether on land owned by the Village or not, including, but not limited to administrative offices, recreational facilities, and public works yards;
- b) A public utility;
- c) Highways and works associated with highways including, but not limited to sidewalks, curb and gutter, signage, lighting, street furniture, boulevards, and traffic control devices; and,
- d) The temporary use of a building or part thereof as a polling station for government elections, referenda, or census, provided that the time period of such use does not exceed sixty (60) days.

### 3.3 Siting, Size, and Dimension of Buildings and Structures

- a) No building or structure shall be constructed, moved, or altered unless in accordance with all provisions specified by the regulations applying to the applicable zone.

- b) Motor vehicle fuel dispensers, pump islands, compressed air connections, canopies, and other equipment accessory to a motor vehicle service station shall be sited not less than 3m from all parcel lines.
- c) The siting regulations of this Bylaw apply to all parcels and, notwithstanding the generality of the foregoing, bare land strata parcels.
- d) The interior side yard setback requirements of this Bylaw shall not apply to strata parcels registered pursuant to the *Strata Property Act* or subject to the *Bare Land Strata Regulations, B.C. Reg. 75/78* where there is a common wall shared by two or more dwellings within a building.
- e) Accessory antenna or satellite installation structures in a Residential Zone shall not exceed 9m in height and shall not be situated less than 9.5m from any property line.
- f) Notwithstanding the prescribed height requirements for principal buildings in the Residential Zones, a chimney or vent pipe used to expel smoke shall not exceed 9m in height.

### 3.4 Setback Requirements

- a) Where setbacks are required by this *Bylaw*, the prescribed setbacks shall be free of all buildings and structures except fences and retaining walls.
- b) A projection attached to the principal building such as a bay window, chimney, cornice, deck (provided there are no walls enclosing the deck except for the portion adjacent to the wall of the building to which it is attached), entry portico, eave, eave trough, gutter, hot tub, roof, soffit, open stairway or steps, or sunshade, may extend 1m into any required setback; and,
  - i. A wheelchair ramp that is attached to and serves a principal building may extend up to 4m into a required front or rear yard;
  - ii. Climate control equipment may extend 1m into a front yard setback.
- c) In the case of parks and school grounds, backstops, rebound walls, goals, and other similar structures shall be permitted in all yards except those yards abutting parcels in a Residential Zone, provided that any such structure that is constructed in such a way as to form a solid fence or wall and which cannot be seen through shall be a minimum of 6m from any parcel line.

### 3.5 Servicing Requirements

No buildings or structures on a parcel requiring sanitary sewer, storm drainage, or water service shall be constructed unless service connections to the Village sanitary sewer, storm drainage, and water supply systems are provided.

### 3.6 Parcel Area, Shape, and Dimensions

Except as otherwise provided for in this *Bylaw*, land shall not be subdivided to create a parcel having a minimum parcel area or dimensions less than that prescribed by the regulations for the applicable zone.



### 3.7 Minimum Parcel Area and Size Exceptions

Notwithstanding section 3.6, parcels may have an area less than that prescribed by the regulations for the applicable zone as follows:

a) *Consolidation:*

No minimum parcel area shall apply to the consolidation of existing parcels or the addition of a closed highway to an existing parcel;

b) *Effect on Parcel Where Portion Conveyed for Public Use:*

A parcel that is reduced in parcel area by not more than ten percent as a result of a donation to, or purchase or expropriation by, a local government, the Province, the Federal Government, an improvement district, a school board or a public utility, for public use, shall be deemed for the purpose of this bylaw to have the same area as it did prior to the conveyance occurring.

c) *Parcel for Public Use:*

No minimum parcel area requirement under this bylaw shall apply to a parcel that is to be conveyed to a local government, the Province, the Federal Government, an improvement district, a school board, or a public utility, for public use.

d) *Hooked Parcel:*

Where a parcel is physically separated from another portion or portions of the same parcel by a highway or another parcel, and the parcel existed in this form as of the date of adoption of this *Bylaw*, and the portion or portions that are separated from the main parcel do not meet the minimum parcel area prescribed by the applicable zone in accordance with this *Bylaw*, the physically separated portion or portions may be subdivided from the remainder of the parcel provided that:

- i. the parcel(s) are of a shape and form that allow them to be utilized in accordance with the other applicable regulations of this *Bylaw*; and,
- ii. the parcels can be serviced pursuant to the provisions of the *Village of Clinton Subdivision Development Procedure Bylaw No. 535, 2016* as amended from time to time.

e) *Existing Undersized Parcels:*

Where a parcel exists as of the date of adoption of this *Bylaw* that does meet the minimum parcel area, minimum parcel width, or minimum parcel depth provisions prescribed by the regulations for the applicable zone, the parcel may be used for any of the principal and accessory uses permitted by those regulations, subject to compliance with all other applicable regulations of this *Bylaw*.

### 3.8 Accessory Buildings and Structures

- a) No accessory building or structure shall be erected on any parcel unless a principal use or building to which it is incidental has been erected.
- b) The combined gross floor area of the accessory buildings on a parcel shall not exceed the gross floor area of the principal buildings on the same parcel.
- c) Residential heat pumps are not permitted within a front yard and must be sited at least 3m from any side interior or side exterior parcel.

- d) A metal storage or shipping container shall not be used as an accessory building or structure, except as permitted otherwise in this *Bylaw*.
- e) Except as otherwise specified in this *Bylaw*, the height of an accessory building or structure in a residential zone shall not exceed 6m.

### **3.9 Secondary Suite Dwellings**

- a) Where permitted by the regulations for the applicable zone, only one secondary suite dwelling is permitted per parcel.
- b) A secondary suite dwelling is not permitted on a parcel on which a carriage home dwelling is located.
- c) A secondary suite dwelling:
  - i. must be completely enclosed within a single detached dwelling;
  - ii. shall not exceed 50% maximum of the gross floor area of the existing single detached dwelling; and,
  - iii. shall be provided with one off-street parking space on the same parcel for the exclusive use of the secondary suite dwelling.

### **3.10 Carriage Home Dwellings**

- a) Where permitted by the regulations for the applicable zone, only one carriage home dwelling is permitted per parcel.
- b) A carriage home dwelling is not permitted on a parcel on which a secondary suite dwelling is located.
- c) A carriage home dwelling:
  - i. must be completely enclosed within an accessory building;
  - ii. shall not exceed 40% of the gross floor area of the single detached dwelling or 40m<sup>2</sup>, whichever is less; and,
  - iii. shall be provided with one off-street parking space on the same parcel for the exclusive use of the carriage home dwelling.

### **3.11 Bed and Breakfast**

A bed and breakfast is permitted as a home occupation, and in addition to the other provisions of this *Bylaw*, is subject to the following regulations:

- a) It shall only be operated as an accessory use within a single detached dwelling or carriage home dwelling;
- b) A bed and breakfast shall contain a maximum of three sleeping rooms for guests and shall accommodate a maximum of six guests at any time;
- c) A bed and breakfast shall not alter the residential character and appearance of the single detached dwelling or carriage home dwelling;

- d) The holder of the business license for a bed and breakfast must reside in the dwelling in which the bed and breakfast is located; and,
- e) Off-street parking shall be provided in accordance with the requirements for a home occupation.

### **3.12 Short-term Vacation Rental**

Short-term vacation rentals are permitted in specific zones subject to the following conditions:

- a) A maximum of one short-term vacation rental per property is permitted;
- b) Short-term vacation rentals may be operated offering accommodation within the principal dwelling, secondary suite, or carriage home dwelling;
- c) Short-term vacation rentals are prohibited within apartment buildings that have a common entrance and access;
- b) A short-term vacation rental is not permitted on the same parcel as a bed and breakfast;
- c) A short-term vacation rental shall not alter the residential character and appearance of the single detached dwelling or carriage home dwelling;
- d) Off-street parking shall be provided in relation to the number of residential dwelling units on the property.

### **3.13 Temporary Dwelling During Construction**

An owner of a parcel may occupy a recreational vehicle on that parcel as a temporary residence during the process of constructing a dwelling for which a building permit has been issued, subject to the following conditions:

- a) The maximum period in which a recreational vehicle is occupied as a temporary residence shall not exceed twelve (12) months. The period shall commence upon the date the recreational vehicle is first occupied.
- b) Sewage shall be disposed of at an approved off-site sani-dump or as otherwise authorized by the Village.
- c) The recreational vehicle shall be located no closer than 2m from any parcel line.

### **3.14 Occupancy of Existing Dwelling During Construction of a Replacement Dwelling**

An owner of a parcel zoned to permit one single-family residence may occupy an existing dwelling, while in the process of constructing the new dwelling on that parcel, subject to the following conditions:

- a) The owner of the parcel must enter into a restrictive covenant, and bear all associated costs, in favour of the Village to be registered against Title to the land pursuant to section 219 of the *Land Title Act*, to the effect that the owner must remove the existing dwelling or convert it to a permitted use within a period of 24 months following the issuance of an associated building permit; and,
- b) The restrictive covenant referred to in subsection a) above, shall provide that a security

## VILLAGE OF CLINTON ZONING BYLAW 588, 2023

deposit in the amount of \$5,000 shall be paid to the Village in a form satisfactory to the Village, which shall be held by the Village until the conditions of the restrictive covenant have been completed to the satisfaction of the Village. The security deposit shall be forfeited to the Village if any terms of the restrictive covenant have not been satisfactorily completed and in that event, the Village may use all or any portion of the security deposit to pay for the costs associated with undertaking legal action to obtain compliance with the terms of the restrictive covenant and the applicable regulations of this *Bylaw*.

### 3.15 Carports and Garages

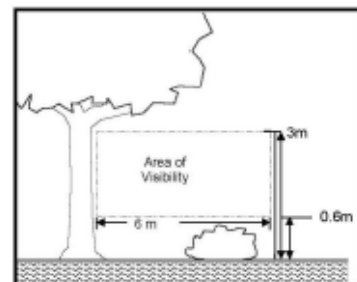
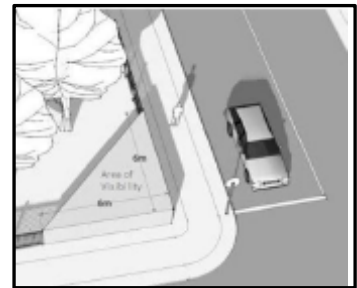
Where a carport or garage is attached to a principal building and at least 75% of one of its walls is joined or shared in common with the principal building, such carport or garage shall be deemed to be a part of the principal building for the purpose of this Bylaw, except where separated by intervening non-habitable rooms such as breezeways, hallways or other features that physically connect a carport or garage to a principal building.

### 3.16 Modular Homes

- a) A prefabricated, modular, or factory-made dwelling unit is permitted as a principal residence if it is:
  - i. certified under Canadian Standards Association (CSA) standard A-277;
  - ii. at least 6.5m wide, exclusive of carport, porches, stairways, or any other extension to the original dwelling unit; and,
  - iii. is placed on structural foundations or piers and is properly skirted.
- b) Individual, single-wide dwelling units, including those certified under CSA Z- 240, are not permitted except where specifically provided for in a zone.

### 3.17 Fences, Retaining Walls, and Site Triangles

- a) The height of a fence, hedge, or wall shall be determined by measurement from the average grade level within 1m of both sides of such fence or wall.
- b) Notwithstanding sub-section a), the height of a fence, hedge, or wall erected along a retaining wall shall be determined by measurement from the ground level at the average grade within 1m of the side which is supported by the retaining wall.
- c) Fences, hedges, or walls not greater than 1.25m in height are permitted within a required front yard.
- d) Fences or retaining walls not greater than 1.85m in height are permitted from the rear of the required front yard setback to the rear of the property.
- e) Notwithstanding any other section of this Bylaw, on a corner lot at any street or lane intersection, there shall be no obstruction of the line of vision above a height of 1.25 m and



Intersection Visibility

## VILLAGE OF CLINTON ZONING BYLAW 588, 2023

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below a height of 3m in the triangular area contained by lines extending to points 6m along each lot line from the corner of the lot and a diagonal line connecting those points.

- f) In Industrial zones, fences or retaining walls not greater than 1.85m in height are permitted between the front lot line and the front of the primary building on the lot.
- g) Open mesh or chain link fences not greater than 1.85 m in height are permitted anywhere on cemeteries, public playgrounds, parks, playfields (except as specifically required for sports fields), school areas, or in any industrial zones.
- h) Open mesh or chain link fences are not permitted in Residential zones or within the front yard of Commercial zones along Highway #97.
- i) Notwithstanding subsections a) through h), all fences, hedges, and walls are subject to the provisions of e).
- j) There shall be fencing of a minimum height of 1.2m around the entire perimeter of a swimming pool area. The gate must have a child-proof lock.

### **3.18 Landscape Screening**

- a) The owner of a parcel the owner must mask or separate the following uses through fencing or landscaping:
  - i. Outdoor storage;
  - ii. Industrial uses where they are adjacent to commercial, institutional, or residential uses;
  - iii. Commercial uses where they are adjacent to residential uses; or
  - iv. Waste disposal and treatment sites from commercial, institutional, and residential uses and from designated highways.
- b) In all zones, outdoor garbage bins and outdoor storage areas shall be visually screened from the view of highways and adjacent properties with a landscape screen.

### **3.19 Boat, Motor Vehicle and Recreational Vehicle Storage in Residential Zones**

- a) In Residential Zones, it is not permitted to keep more than one motor vehicle not displaying a current vehicle license that is not stored or parked in a garage or carport;
- b) No parcel in any Residential Zone shall be used as a wrecking yard or for the storage of derelict vehicles.
- c) Parking or storage of a recreational vehicle or boat is not permitted in any Residential Zone, except as follows:
  - i. One recreational vehicle up to 15m in length may be parked in a front, rear, or side yard provided it is located no closer than 1m to any parcel line;
  - ii. One boat up to 15m in length may be parked in a front, rear, or side yard provided it is located no closer than 1m to any parcel line;
  - iii. No construction or reconstruction of any boat within any yard abutting a street in any Residential or Commercial zone.
- d) No commercial vehicle, truck, bus, contractor's equipment, dismantled or wrecked automobile,

boat, trailer, or any similar commercial vehicle, craft, or conveyance shall be parked or stored in the open in a Residential Zone, except the following which may be parked or stored in the rear yard only, provided they are located no closer than 1m to the rear parcel line:

- i. One medium-duty truck or commercial vehicle not exceeding 8,845 kilograms gross vehicle weight (Class 5 truck);
- ii. Trucks, commercial vehicles, or equipment being used directly in the construction, repair, servicing, or maintenance of the buildings or structures on that parcel.

### **3.20 Floodplain Restrictions**

No building shall be constructed or located:

- a) with any part of the floor system of habitable space, or in the case of a manufactured home the ground level on which it is located, less than 1.5m above the natural boundary of Clinton Creek and Cutoff Valley Creek, or the natural boundary of any other watercourse;
- b) within 30m of the natural boundary of Clinton Creek or Cutoff Valley Creek or the natural boundary of any other watercourse. If fill material is used to achieve the required elevation, the toe of the fill slope shall be no closer than 30m to the natural boundary.

### **3.21 Combined Commercial and Residential Use**

In a zone in which combined commercial and residential use is permitted, the following shall apply:

- a) One dwelling unit is permitted as an accessory use for each separate and distinguishable commercial unit in the development;
- b) The dwelling units must be contained in the same building as the commercial units;
- c) In a building of one storey in height, a dwelling unit must be wholly located at the rear of the building and shall not utilize greater than 40% of the gross floor area (60% of the gross floor area shall be utilized for commercial purposes); and,
- d) In a building greater than one storey in height, a dwelling unit shall not be located on the ground floor (which shall be used only for commercial purposes).

### **3.22 Home-Based Business**

A home-based business is subject to the following regulations:

- a) Operators of any home-based business must obtain a business license.
- b) A home-based business shall be entirely enclosed within a single detached dwelling, secondary suite dwelling, carriage home dwelling, or accessory building, and shall not occupy more than 93m<sup>2</sup> or 20% of the gross floor area of the dwelling, whichever is less;
- c) A home-based business may employ only one person who is not a resident of the dwelling in which the home-based business is located;
- d) One off-street parking space shall be provided for the exclusive use of the home-based business;
- e) No variation of the residential character or appearance of land or buildings shall be

permitted in association with a home-based business;

- f) A home-based business shall not generate more than five client or customer visits to the dwelling in which the home-based is located on any calendar day;
- g) One sign with dimensions no greater than 0.75m by 0.75m advertising a home-based business is permitted for each home-based business;
- h) The following uses are not a home-based business and are expressly prohibited as such:
  - i. Salvage, storage, repair, maintenance, or sales of motor vehicles, trailers, boats, or related engines, equipment, or parts;
  - ii. Tow-truck operations, manufacturing and industrial uses, social escort services, cabinet making, lumber milling, welding or machine shops, meat cutting, commercial animal breeding or parking or storage of industrial, commercial, or construction equipment or materials; and,
  - iii. Sale or storage of any commodity not produced on the premises, except if customers do not visit the premises to inspect or to take possession of goods they have purchased.

### **3.23 Cannabis Regulations**

Cannabis Retailers are permitted only in zones where that use is expressly permitted, and are subject to the following additional regulations and conditions of use:

- a) Cannabis retailers are subject to the following buffer siting requirements:
  - i. A cannabis retailer must be located at least 100m from any playground or public library; and,
  - ii. A cannabis retailer must be located at least 150m away from any school or daycare facility.
- b) The siting requirements under sub-section(a) will be determined in the following manner:
  - i. Where there is one commercial building on the property with one store the measurement to the nearest school, daycare facility, playground, or public library will be from the property line to property line following accessible roadways. The Village of Clinton will determine the measurement using this regulation as a guide and the final determination of the distance will be decided by the Village of Clinton.
- c) Cannabis retail stores shall not be combined with any other use in the same store.
- d) Cannabis retail sales is not permitted in any residential zone.

### **3.24 Urban Agriculture**

#### **a) Small Scale Urban Agriculture**

Small Scale Urban Agriculture is permitted as an accessory use in all Residential Zones except R3 and MF, subject to the following conditions:

- i. A greenhouse is subject to the setback requirements for an accessory building for the zone in which it is located, and the maximum footprint of the greenhouse shall not

exceed 30m<sup>2</sup>;

- ii. Artificial lighting is permitted within a greenhouse, provided that the lighting is not permitted to spill out onto adjacent parcels. Lighting must be directed downwards or be shielded to prevent spillage of light onto adjacent parcels; and
- iii. One advertising sign is permitted provided:
  - it is in the form of a free-standing sign located on the parcel on which the Small Scale Urban Agriculture use is located, or a fascia sign attached to the dwelling on that parcel,
  - the sign is not backlit nor illuminated, and
  - the sign does not exceed 1.0m<sup>2</sup> in total surface area.

**b) Urban Hens**

- i. The keeping of Urban Hens is a permitted accessory use on parcels in all Residential Zones except R3 and MF,
- ii. The keeping of Urban Hens is subject to the following conditions:
  - Up to 6 urban hens are permitted in all Residential Zones (subject to subsection i.);
  - Roosters are not permitted;
  - A structure must be provided to house the urban hens and said enclosure must provide a minimum of 0.37m<sup>2</sup> per urban hen;
  - A structure used to enclose urban hens, whether portable or stationary, is subject to the setback requirements for accessory buildings and structures for the zone in which it is located however, if the structure used to enclose the urban hens is located on a corner parcel, it shall not be located in the side exterior yard;
  - Only one structure for the purpose of housing urban hens is permitted on a parcel and it shall not exceed 9.3m<sup>2</sup> in area or 2.5m in height above grade.

**c) Bee Keeping**

- i. The keeping and care of honeybees, whether for personal or commercial production, is permitted as an accessory use in all Residential zones except R3 and MF.
- ii. Any Building or Structure containing honeybees, whether portable or stationary, shall be located a minimum of 1.5m from any Lot Line.
- iii. A maximum of three (3) beehives is permitted on a Parcel;
- iv. Beehives must be placed so that flight paths do not cross publicly frequented areas and shall have a vertical screen in front of the entrance to the hive measuring a minimum of 1.8m high, located within 0.6m of the entrance to the hive.
- v. The keeping of mason bees is a permitted accessory use in all zones and is not subject to regulations set out above for the keeping of honeybees.



### **3.25 Temporary Use Permit Regulations**

All of the lands in the Village to which this *Bylaw* applies are designated as a Temporary Use Permit Area for which the Village may issue a Temporary Use Permit in accordance with the *Local Government Act*. In issuing a Temporary Use Permit, the Village may:

- a) specify conditions under which a temporary use may occur;
- b) allow and regulate the construction of buildings and structures in respect of the use for which the permit is issued;
- c) require demolition and/or removal of a building or structure;
- d) require restoration of land described in the permit to a condition specified in the permit by a date specified in the permit;
- e) require security in accordance with the Local Government Act; and,
- f) prescribe the date the permit expires, except that such date shall be for a term that is not greater than three years (plus consideration of one 3-year renewal period).

### **3.26 Setback Exceptions**

- a) No features shall project into the setback required by this *Bylaw*, except the following:
  - i. Steps;
  - ii. Eaves and gutters, cornices, sills, belt courses, bay windows, chimneys, or other similar features, provided that such projections, measured horizontally, do not exceed 1.0 m from the building structure;
  - iii. Balconies, porches, canopies, and sunshades, provided that such projections do not exceed 1.5 m or 50% of the width of a required setback;
  - iv. Arbours and trellises, fishponds, ornaments, flagpoles, or similar landscape features;
  - v. An uncovered swimming pool, provided that such pool shall not be constructed within any required front yard nor nearer than 3m to any parcel line. Such pools shall be located within a fenced yard or be surrounded by a fence in accordance with the regulations in Section 2.15 of this *Bylaw*;
  - vi. Gasoline service pumps or pump islands in a required front yard or side yard, subject to compliance with other regulations of this *Bylaw*;
  - vii. Underground structures may be sited in any portion of a lot provided that the top surface of such structure shall at no point extend above the average finished ground elevation;
- b) Where a common wall shared by two or more units within a building for residential use, commercial use, or industrial use, coincides with an interior side parcel line of a parcel or of a strata parcel shown on a registered strata plan under the *Strata Property Act*, the setbacks for the principal building specified in this *Bylaw* with respect to the side parcel line shall not apply.

### **3.27 Height Exceptions**

- a) The maximum height regulations of this *Bylaw* do not apply to the following provided that no such structure shall cover more than 10% of the parcel area, or if located on a building, not more than 5% of the roof area of the principal building:
- i. dome, cupola;
  - ii. monument, sculpture;
  - iii. spire, steeple, belfry;
  - iv. radio and television tower or antenna;
  - v. pole, flood light;
  - vi. silo;
  - vii. transmission tower;
  - viii. hose and fire alarm tower;
  - ix. water tanks;
  - x. industrial cranes;
  - xi. stadium bleachers;
  - xii. mechanical appurtenance on rooftops, including satellite dishes or other telecommunications apparatus used for domestic or commercial purposes.

### **3.28 Public Utilities**

Public utility facilities for the transmission of water, sewage, electrical power, telephone, natural gas, cable television, and other similar services (not including sewage treatment plants or electrical substations) are permitted in all zones, and parcels used exclusively for the accommodation of such facilities are exempt from minimum parcel area requirements.

### **3.29 Parks**

Public parks, including picnic areas, open spaces, playing fields, playgrounds, and trails for walking and bike riding are permitted in all zones and are exempt from minimum parcel area requirements.

### **3.30 Ministry of Transportation and Infrastructure**

The Ministry of Transportation and Infrastructure approval will be required pursuant to provincial statute for any development within 800m of the Cariboo Highway.

Pursuant to the *Transportation Act* the minimum setback on any property fronting an arterial highway shall be 4.5m. Where a public lane or alley provides secondary access, the setback may be reduced to 3m.

### **3.31 Pet Boarding and Breeding Kennels**

Pet boarding and breeding kennels are not permitted adjacent to a Residential or Commercial Zone and shall be subject to the following:

- i) outdoor runs must be effectively contained and screened from adjacent parcels by a solid fence or wall not less than 2m in height or more than 2.5m in height;
- ii) kennels must be maintained in a clean, dry, and well-ventilated condition, and shall not create a nuisance.

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## SECTION 4 - ESTABLISHMENT OF ZONES

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### 4.1 Establishment of Zones

The area within the boundaries of the Village of Clinton is divided into the Zones described and set out in the table below.

ABBREVIATION	DESCRIPTION
R-1	Low Density Residential
R-2	General Residential
R-3	Manufactured Home Residential
R-4	Rural
MF	Multiple-family Residential
C-1	Downtown Commercial
C-2	Service Commercial
I-1	Light Industrial
I-2	Heavy Industrial
AI	Administration & Institutional
P	Parks and Recreation

### 4.2 Location of Zones

The location of each zone is established in section 4 of the Bylaw and illustrated in Schedule A (Zoning Map) of this *Bylaw*.

### 4.3 Zone Boundaries

- a) Where a zone boundary is shown on Schedule A, the Zoning Map, as following a highway or watercourse, the centerline of the right-of-way or watercourse shall be the zone boundary.
- b) Where the zone boundary or watercourse does not follow a legally defined line, and where the distances are not specifically indicated, the location of the zoning boundary shall be determined by scaling from the Zoning Map.

## SECTION 5 - LOW DENSITY RESIDENTIAL (R1)

### 5.1 Permitted Principal Uses

The following *principal* uses and no others shall be permitted in the **R1** Zone:

- a) Single detached dwelling including CSA A277 modular homes (excluding CSA Z240 manufactured homes);
- b) duplex.

### 5.2 Permitted Accessory Uses

The following *accessory* uses and no others shall be permitted in the **R1** Zone:

- a) secondary suite;
- b) carriage homes;
- c) home-based business.

### 5.3 Regulations

On a parcel zoned **R1**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Maximum number of single detached dwellings	1 per parcel
2. Minimum parcel size	550m <sup>2</sup>
3. Minimum parcel width	15m
4. Minimum width of a principal structure	4.8m
5. Setbacks: <b>principal structure</b> a) Front parcel line b) Interior parcel line c) Exterior parcel line d) Rear parcel line	6.7m 3m 3m 6m
6. Setbacks: <b>accessory structures</b> a) Front parcel line b) Interior parcel line c) Exterior parcel line d) Rear parcel line	Not permitted 1.5m 1.5m 1.5m
7. Maximum parcel coverage	40%
8. Maximum building height	8m

## SECTION 6 - GENERAL RESIDENTIAL (R2)

### 6.1 Permitted Principal Uses

The following *principal* uses and no others shall be permitted in the **R2** Zone:

- a) single detached dwelling including CSA A277 modular homes (excluding CSA Z240 manufactured homes);
- b) duplex, triplex, and fourplex.

### 6.2 Permitted Accessory Uses

The following *accessory* uses and no others shall be permitted in the R2 Zone:

- a) home-based business.

Additional permitted accessory uses in the **R2** Zone on parcels with a single detached dwelling principal use:

- a) secondary suite;
- b) carriage homes.

### 6.3 Regulations

On a parcel zoned **R2**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Maximum number of principal structures	1 per parcel
2. Minimum parcel size	
a) single detached dwelling	550m <sup>2</sup>
b) duplex	550m <sup>2</sup>
c) multi-family residential	1000m <sup>2</sup>
3. Minimum parcel width	15m
4. Minimum width of a principal structure	4.2m
5. Setbacks: <b>principal structure</b>	
a) Front parcel line	6.7m
b) Interior parcel line	1.5m
c) Exterior parcel line	3m
d) Rear parcel line	6m
6. Setbacks: <b>accessory structures</b>	
a) Front parcel line	Not permitted
b) Interior parcel line	1.5m

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c) Exterior parcel line	1.5m
d) Rear parcel line	1.5m
7. Maximum parcel coverage	40%
8. Maximum building height	12m

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## SECTION 7 - MANUFACTURED HOME RESIDENTIAL (R3)

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### 7.1 Permitted Principal Uses

The following *principal* uses and no others shall be permitted in the **R3** Zone:

- a) manufactured home park;
- b) manufactured home (CSA Z240)
- c) modular home (CSA Z277).

### 7.2 Permitted Accessory Uses

The following *accessory* uses and no others shall be permitted in the **R3** Zone:

- a) home-based business where each manufactured home dwelling or modular home is located on its own parcel;
- b) single detached dwelling for the operator/manager of a Manufactured Home Park.

### 7.3 Regulations

On a parcel zoned **R3**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

The following conditions of use apply:

- a) There shall be no more than one manufactured home dwelling per parcel, except that in a Manufactured Home Park, there may be a maximum of 20 manufactured home dwellings per hectare per parcel.
- b) Every manufactured home dwelling shall be placed on a foundation and fully skirted in a manner consistent with the exterior finish of the Manufactured Home Dwelling.
- c) All additions to a Manufactured Home Dwelling shall have an exterior finish in a manner consistent with the exterior finish of the Manufactured Home Dwelling.

COLUMN 1	COLUMN 2
1. Maximum density	20 units/hectare
2. Minimum parcel size	2 hectares
3. Maximum building height	12m

### 7.4 Setbacks & Accessory Buildings

Refer to Village of Clinton *Mobile Home Park Bylaw*.

## SECTION 8 – RURAL (R4)

### 8.1 Permitted Principal Uses

The following *principal* uses and no others shall be permitted in the **R4** Zone:

- a) dwelling, duplex dwelling, or modular home (CSA Z277);
- b) agriculture and horticulture uses;
- c) nursery and greenhouse;
- d) forestry uses including the processing of timber grown on the property on which the processing is taking place supplemented by the processing of a maximum of 500m<sup>3</sup> of timber annually grown elsewhere;
- e) open land recreation (except firearm ranges);
- f) equestrian centers.

### 8.2 Permitted Accessory Uses

The following *accessory* uses and no others shall be permitted in the **R4** Zone:

- a) secondary suite;
- b) carriage homes;
- c) home-based business;
- d) Pet boarding and breeding kennels.

### 8.3 Regulations

On a parcel zoned **R4**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Minimum parcel size	4 hectares
2. Dwelling per parcel: a) parcel not used exclusively for agricultural or horticultural purposes b) parcel used exclusively for agriculture or horticulture	one dwelling per parcel  one additional dwelling unit
3. Setbacks: <b>principal structure</b> a) Front parcel line b) Interior parcel line c) Exterior parcel line d) Rear parcel line	6m 1.5m 4.5m 6m



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4. Setbacks: <b>accessory structure/ use</b> a) Front parcel line b) Interior parcel line c) Exterior parcel line d) Rear parcel line e) Kennel	Not permitted 1.5m 1.5m 1.5m Not permitted within the front yard setback area otherwise, 30m from other parcel lines
6. Maximum parcel coverage	20%

## SECTION 9 - MULTIPLE-FAMILY RESIDENTIAL (MF)

### 9.1 Permitted Principal Uses:

The following *principal* uses and no others shall be permitted in the **MF** Zone:

- a) apartment;
- b) townhouses greater than 4 units

### 9.2 Permitted Accessory Uses

The following *accessory* uses and no others shall be permitted in the **MF** Zone:

- a) home-based business;

### 9.3 Regulations

On a parcel zoned **MF**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Minimum parcel size	600m <sup>2</sup>
2. Setbacks: <b>principal structure</b> a) Front parcel line b) Interior parcel line c) Exterior parcel line d) Rear parcel line e) A zero 0.0m side yard is permitted for attached units on strata lots, or 1.5m minimum side yard to a strata lot line for end units or detached units.	7.5m 3m 4.5m 7.5m
5. Maximum parcel coverage	50%
6. Maximum height of a principal building(s)	15m

## SECTION 10 - DOWNTOWN COMMERCIAL (C1)

### 10.1 Permitted Principal Uses

The following uses and no others shall be permitted in the **C1** Zone:

- a) retail trade (except for pawn shops);
- b) finance & insurance;
- c) real estate & rental & leasing;
- d) professional, technical & scientific services;
- e) health care & social assistance;
- f) administrative support services;
- g) accommodation & food services;
- h) arts & entertainment;
- i) assembly;
- j) beverage manufacturing;
- k) public administration;
- l) small equipment repair.

### 10.2 Permitted Accessory Uses

The following *accessory* uses and no others shall be permitted in the **C1** Zone:

- a) dwelling unit.

### 10.3 Regulations

On a parcel zoned **C1**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Minimum parcel size	550m <sup>2</sup>
2. Minimum parcel width	15m
3. Maximum building height	12m
4. Minimum width of the principal structure	5.5m
5. Maximum site coverage	65%
6. Setbacks: <b>Principal structures</b> <ul style="list-style-type: none"> <li>a) A front, side, or rear yard adjoining a highway, arterial, or collector road shall be a minimum of 4.5m, except along Highway #97 where a zero lot line is permitted (refer to Section 2.7).</li> <li>b) A minimum side yard or rear yard of 3m is</li> </ul>	

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required on that side of a lot immediately adjacent to a parcel zoned to permit residential use.	
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### 10.4 Other Regulations

- a) Every business or activity shall be conducted within a completely enclosed building except for parking and loading facilities, service stations, restaurant patios, and the incidental outdoor display of merchandise essential to the conduct of business.
- b) An accessory dwelling unit shall be located within the building containing a permitted commercial use, shall be situated at the rear of the building or on an upper floor, shall otherwise not exceed 40% of the building floor plate, and shall have a separate entrance to the principal use (refer to Section 3.2).
- c) The entire service area shall be surfaced with asphalt, concrete, or similar hard surface pavement to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water, and any unpaved areas of the parcel shall be landscaped and maintained and separated from the paved area by a curb or other barrier.

## SECTION 11 - SERVICE COMMERCIAL (C2)

### 11.1 Permitted Uses

The following uses and no others shall be permitted in the **C2** Zone:

- a) vehicle sales and service;
- b) auto body shop;
- c) campground/RV park;
- d) vehicle wash;
- e) hotel & motel;
- f) lumber yard;
- g) manufactured home sales;
- h) equipment rental;
- i) Assembly;
- j) service station.

### 11.2 Regulations

On a parcel zoned **C2**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN I	COLUMN II
1. Minimum parcel size	758 m <sup>2</sup>
2. Maximum building height	12 m
3. Minimum width of principal building	5.5 m
4. Minimum setback from:	
- front parcel line	6 m
- rear parcel line	3m
- interior side parcel line	3 m
- exterior side parcel line	3 m
5. Maximum parcel coverage	50%

### 11.3 Other Regulations

- a) Every business or activity shall be conducted within a completely enclosed building except for parking and loading facilities, service stations, restaurant patios, and the incidental outdoor display of merchandise essential to the conduct of business.
- b) **Surfacing** - The entire service area shall be surfaced with asphalt, concrete, or similar pavement to provide a surface that is durable and dust-free. It shall be graded and drained to properly dispose of all surface water. Any unpaved areas of the parcel

shall be landscaped as set out in this *Bylaw* and maintained and separated from the paved area by a curb or other equivalent non-mountable barrier.

- c) **Service station use** shall require that:
- i. Pumps or pump islands shall be located not closer than 4.5m to any property line.
  - ii. All servicing and servicing equipment, other than that normally conducted on a pump island, shall be entirely enclosed within a building unless a vehicle or piece of equipment to be repaired cannot fit inside the building.
  - iii. Canopies over gasoline pumps and pump islands shall not be located closer than 1.5m from any property line, and canopy supports shall not be located less than 4.5m from any property line.
  - iv. All exterior lighting shall be designed to avoid light spill onto adjacent parcels.
  - v. All tires, automobile accessories, and related goods shall be located on pump islands or contained within a booth, rack, or stand. A maximum of 2 such outdoor merchandise display booths, racks, or stands shall be permitted on each service station parcel and shall be located not less than 4.5m from any property line adjacent to a road/ street.
  - vi. All surface water shall be contained within the boundaries of the parcel and shall utilize oil grit separators.
  - vii. Outdoor storage of machinery, equipment, or vehicles in a state of disrepair shall not be permitted.

## SECTION 12 - LIGHT INDUSTRIAL (I-1)

### 12.1 Permitted Principal Uses

The following uses and no others shall be permitted in the **I-1** Zone:

- a) automobile, truck, heavy equipment, and RV sales and service;
- b) manufactured home sales;
- c) vehicle wash;
- d) mini storage;
- e) pet boarding and breeding kennels;
- f) light manufacturing;
- g) agriculture and forestry uses;
- h) wholesale trade;
- i) transportation and warehousing.

### 12.2 Permitted Accessory Use

The following *accessory* uses and no others shall be permitted in the **I-1** Zone:

- a) one single detached dwelling or manufactured home;
- b) caretaker dwelling unit.

### 12.3 Regulations

On a parcel zoned **I-1**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Minimum parcel size	1,000m <sup>2</sup>
2. Maximum building height	12m
3. Setbacks: <b>principal structure</b>	
a) Front parcel line	6m
b) Interior parcel line	3m
c) Exterior parcel line	3m
d) Rear parcel line	3m
4. Setbacks: <b>accessory structure</b>	
a) Front parcel line	6.7m
b) Interior parcel line	1.5m
c) Exterior parcel line	3m
d) Rear parcel line	6m
5. Maximum parcel coverage	50%

## 12.4 Conditions of Use

- a) Manufactured homes permitted under this section shall be subject to the following conditions:
  - i) the manufactured home shall comply with the provisions of the current edition of the *BC Building Code* or Canadian Standard Association Z240 standards;
  - ii) the manufactured home shall be placed on a foundation complying with the provisions of the current editions of the BC Building Code;
  - iii) the manufactured home shall be protected by skirting. Each parcel shall have a minimum frontage of 30m.
- b) Signs, signboards, and advertising devices are subject to the *Motor Vehicle Act* and the Village of Clinton *Sign Bylaw*.

## 12.5 Other Regulations

- a) All permitted uses shall be completely contained within an enclosed building, except for permitted outdoor displays, storage yards, rental and sales, parking and loading facilities, and specialized outdoor work yards.
- b) Items for sale or rental may be displayed within a required front setback area, subject to any such display area being separated from an abutting highway, lane, or parcel by a setback of not less than 2m.
- c) Junk materials shall be:
  - i) located at least 30m from the property abutting a *Residential, Park, or Institutional Zone*;
  - ii) enclosed by a solid view-obscuring fence or wall or chain link fencing with appropriate screening landscaping that is a minimum of 2.5m in height. No material shall be piled to a greater height than the surrounding fence/ screening.
- d) Permitted uses in the **I-1 Zone** shall not emit or discharge to the surrounding area odours, toxic or noxious matters or vapours, liquid effluent, dust, fumes, smoke, heat, glare, noise, radiation or vibrations that exceed applicable standards set out in Provincial Statutes or regulations, as amended from time to time.



## SECTION 13 - HEAVY INDUSTRIAL (I-2)

### 13.1 Permitted Principal Uses

The following uses and no others shall be permitted in the *Heavy Industrial Zone*:

- a) Agriculture & forestry uses;
- b) Manufacturing;
- c) Transportation & warehousing;
- d) Waste management & remedial services;
- e) Mining & quarrying uses.

### 13.2 Permitted Accessory Use

The following *accessory* uses and no others shall be permitted in the **I-2** Zone:

- a) one single detached dwelling or manufactured home;
- b) caretaker dwelling unit.

### 13.3 Regulations

On a parcel zoned **I-2**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN I	COLUMN II
1. Minimum parcel size	4,000 m <sup>2</sup>
2. Maximum building height	12 m
3. Setbacks: <b>principal structure</b> a) Front parcel line b) Minimum setback from interior parcel line c) Minimum setback from exterior parcel line d) Minimum setback from rear parcel line	8m 3m 3m 3m
4. Setbacks: <b>accessory structure</b> a) Front parcel line b) Interior parcel line c) Exterior parcel line d) Rear parcel line	6.7m 1.5m 3m 6m
4. Maximum parcel coverage	50%

### 13.4 Conditions of Use

- a) Signs, signboards, and advertising devices are subject to the Village of Clinton *Sign Bylaw*.
- b) For all uses permitted in this zone, the perimeter of the site shall be fenced sufficiently to restrict the movement of people and livestock into the operational area, and such fence shall be maintained in sound and good condition. The operations area shall be screened from any highway by a visual barrier.

### 13.5 Other Regulations

- a) All permitted uses shall be completely housed within an enclosed building, except for permitted outdoor displays, storage yards, rental and sales, parking and loading facilities, and specialized outdoor work yards.
- b) Items for sale or rental may be displayed within a required front setback area, subject to any such display area being separated from an abutting highway, lane, or parcel by a setback of not less than 2m.
- c) Junk materials shall be:
  - iii) located at least 30m from the property abutting a *Residential, Park, or Institutional Zone*;
  - iv) enclosed by a solid view-obscuring fence or wall or chain link fencing with appropriate screening landscaping that is a minimum of 2.5m in height. No material shall be piled to a greater height than the surrounding fence/ screening.
- d) Permitted uses in the **I-2 Zone** shall not emit or discharge to the surrounding area odours, toxic or noxious matters or vapours, liquid effluent, dust, fumes, smoke, heat, glare, noise, radiation or vibrations that exceed applicable standards set out in Provincial Statutes or regulations, as amended from time to time.

## SECTION 14 - ADMINISTRATIVE AND INSTITUTIONAL (AI)

### 14.1 Permitted Use

The following uses and no others shall be permitted in the **AI** Zone:

- a) animal shelter;
- b) cemetery;
- c) assembly;
- d) communication stations and towers;
- e) emergency services;
- f) government/ public buildings and services;
- g) public works yards;
- h) daycare.

### 14.2 Permitted Accessory Use

The following *accessory* uses and no others shall be permitted in the **AI** Zone:

- a) caretaker dwelling unit.

### 14.3 Regulations

On a parcel zoned **AI**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Minimum parcel size	1,000 m <sup>2</sup>
2. Minimum parcel width	15 m
3. Minimum building height	12 m
4. Maximum site coverage	30%
4. Setbacks: <b>principal structure</b>	
a) front parcel line	4.5m
b) interior parcel line	1.5m
c) exterior parcel line	1.5m
d) rear parcel line	1.5m
5. Setbacks: <b>accessory structure</b>	
a) Front parcel line	6.7m
b) Interior parcel line	3m
c) Exterior parcel line	3m
d) Rear parcel line	6m

## SECTION 15 - PARKS AND RECREATION (P)

### 15.1 Permitted Uses

The following uses and no others shall be permitted in the **P** Zone:

- a) natural areas, open spaces, and parks;
- b) community, cultural, or recreation facilities;
- c) fairground or rodeo ground.

### 15.2 Permitted Accessory Use

The following *accessory* uses and no others shall be permitted in the **P** Zone:

- a) Caretaker's dwelling unit.

### 15.3 Regulations

On a parcel zoned **P**, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved that contravenes the regulations set out in the table below.

COLUMN 1	COLUMN 2
1. Maximum building height	12m
2. Maximum parcel coverage	30%
5. Setbacks: <b>principal structure</b>	
a) Front parcel line	7.5m
b) Interior parcel line	9m
c) Exterior parcel line	9m
d) Rear parcel line	9m
5. Setbacks: <b>accessory structure</b>	
a) Front parcel line	6.7m
b) Interior parcel line	3m
c) Exterior parcel line	3m
d) Rear parcel line	6m

## SECTION 16 - OFF-STREET PARKING AND LOADING

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### 16.1 Application of Regulations

Space for the off-street parking and loading of motor vehicles in respect of a use permitted under this *Bylaw* shall be provided and maintained in accordance with the regulations of this section.

### 16.2 Exemption of Existing Buildings from Parking and Loading Requirements

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

- a) off-street parking and loading shall be provided and maintained in accordance with this section for any addition to any existing building and structure or any change or addition to such existing use;
- b) off-street parking and loading prior to the adoption of this *Bylaw* shall not be reduced below the applicable off-street parking requirements of this section.

### 16.3 Number of parking spaces

- a) The number of off-street parking spaces for motor vehicles required for any use is calculated according to the Off-Street Parking Table set out in Section 16 of this *Bylaw* in which column 1 sets out the types of use and column 2 sets out the number of required off-street parking spaces that are to be provided for each use in column 1.
- b) In respect of a use permitted under this *Bylaw*, which is not specifically referred to in column 1, the number of off-street parking and loading spaces is calculated based on requirements for a similar use that is listed in the Table.
- c) Where the calculation of the required off-street parking and loading spaces results in a fraction, one parking or loading space shall be provided in respect of the fraction.
- d) Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths, or similar seating accommodation each 0.5 m of length of such seating shall be deemed to be one seat.
- e) Where more than one use is located on a parcel, the total number of parking or loading spaces to be required shall be the sum of the requirements for each use.

**TABLE – Off-Street Parking Requirements**

USE TYPE	STALLS REQUIRED
Animal Hospital	4 per veterinarian
Auto Sales and Repairs	1 per 75m <sup>2</sup> of sales area and 1 per service bay
Bakery / Bake Shop	1 per 15m <sup>2</sup> gross floor area or 4, whichever is greater
Building Material Supply and Hardware	1 per 20m <sup>2</sup> retail floor area and 1 per 200 m <sup>2</sup> of storage area
Campground	1 per space
Car Wash	4 per bay (storage)
Church	1 per 4 seats
Clinic	1 per 30m <sup>2</sup> of gross floor area
Club or Lodge	1 per 40m <sup>2</sup> of gross floor area
Commercial Facilities Not Listed	1 per 20m <sup>2</sup> of gross floor area
Commercial Recreation or Amusement	1 per 10-person attendance capacity
Convenience Store	1 per 25m <sup>2</sup> of retail floor area or 4, whichever is greater
Dry Cleaning	1 per 20m <sup>2</sup> of gross floor area
Financial Institution	1 per 20m <sup>2</sup> of gross floor area
Funeral Parlour	1 per 4 seats in Chapel
Gallery or Studio	1 per 40m <sup>2</sup> of gross floor area
Hotel	1 per 2 guest rooms or units plus 1 per 3 seats in each bar and restaurant
Industrial Facilities Not Listed	1 per 100m <sup>2</sup> of gross floor area
Institutional Facilities Not Listed	1 per 20m <sup>2</sup> of gross floor area
Laundromat	1 per 3 washing machines
Licensed Lounge, Bar, Nightclub, Pub	1 per 3 seats
Machinery Sales	1 per 100m <sup>2</sup> of gross floor area plus 1 per 20m <sup>2</sup> of retail area
Manufacturing, Fabricating, Processing	1 per 2 employees on the largest shift or 1 per 100 m <sup>2</sup> of gross floor area whichever is greater
Motel	1 per guest room or unit plus 1 per 3 seats in restaurant
Multi-Family Residential	1.5 per unit plus 0.5 per unit for visitor parking
Nursery or Greenhouse	1 per 20m <sup>2</sup> of retail area
Office	1 per 30m <sup>2</sup> of gross floor area and not less than 1 space for each office or suite of offices occupied by a single tenant

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Personal Service Establishment	1 Per 15m <sup>2</sup> of gross floor area
Police Station and Fire Hall	1 per 25m <sup>2</sup> of gross floor area excluding bays for police, fire or emergency vehicles
Post Office	1 per 20m <sup>2</sup> of gross floor area
Public Assembly Facilities, Including Halls, Clubs, Auditoriums, Libraries	1 per 3 seats or 1 per 9m <sup>2</sup> , whichever is greater
Public Transportation Depot or Terminal	per 20m <sup>2</sup> of waiting room plus spaces
Recreation Facility Including Roller Rinks, Skating Rinks and Swimming Pools	1 per 10m <sup>2</sup> skating area plus 1 per 4m <sup>2</sup> of pool surface plus 1 per 4 player capacity, other sports
Residential dwellings - single family, duplex - townhouse/ strata unit	2 per unit 1.5 per unit plus 0.5 per unit for visitor parking
Restaurant	1 per 3 seating spaces
Retail Store	1 per 15m <sup>2</sup> of gross floor area
Sale, rental, service, and repair of motor and/or recreation vehicles, manufactured homes, boats, machinery, farm implements, and equipment	1 per 70m <sup>2</sup> of retail floor area plus per service bay plus 1 per 2 employees
School - college and trade school - high school - elementary school	10 per classroom 1 per staff member plus 1 per 10 students 1 per classroom
Secondary suite	1 per unit
Service station, tire repair	2 per service bay plus 2 spaces
Storage, warehousing, garage, express, and freight facilities	1 per 2 employees, or 1 per 200m <sup>2</sup> of gross floor area, whichever is greater
Trade Contractor	1 per 50m <sup>2</sup> of gross floor area contained in the building plus 1 per 2 employees (excluding personnel normally in the field)
Wholesale establishments	1 per 100m <sup>2</sup> of gross floor area
Wholesale/retail establishments	1 per 30m <sup>2</sup> of gross floor area

#### 16.4 Location

- a) Except for uses in the C1 and C2 zones, off-street parking shall be located on the same parcel as the use they serve.
- b) In the C1 and C2 zones, off-street parking may be located on another parcel within 150m of the building or use the spaces serve under the condition that legal assurances (such as a restrictive covenant), that are to the satisfaction of the Village of Clinton, are established to ensure that the parcel is used only for parking that serves that building or use.
- c) Off-street loading spaces shall be located on the same parcel as the use they serve.
- d) In the MF Zone, multi-family use of greater than four units shall provide parking at the rear of the property.
- e) In the C1 Zone, parking shall be provided at the rear of the building.

#### 16.5 Standard

- a) Each off-street parking space required by this *Bylaw* shall not be less than 3.0m in width, 7.5m in length and 4m in height.
- b) Adequate provision shall be made for individual entry or exit by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles, having widths not less than (see illustration:
  - i) 7.3m where parking spaces are located at 90 degrees to the maneuvering aisle providing access to the space;
  - ii) 5.5m where parking spaces are located at 60 degrees to the maneuvering aisle providing access to space;
  - iii) 3.9m where parking spaces are located 45 degrees to the maneuvering aisle providing access to space.
- c) Of the required number of parking spaces provided on a given site, a maximum of twenty percent (20%) may be designed to accommodate small car parking.
- d) All parking shall be provided with adequate curbs in order to retain all vehicles within such permitted parking areas and to ensure that required sidewalks, fences, walls, hedges, or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- e) All parking areas shall be surfaced with asphalt, concrete or similar pavement to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water.
- f) Lighting in parking facilities (covered or open) having fifteen (15) or more spaces will conform to the standards in the Illumination Table in Section 16. The lighting design of parking facilities of fifteen (15) or more spaces must be certified by an engineer to meet the standards set out in the Illumination Table. Lighting standards of access roads should match the adjacent highway lighting.



**Table - Illumination**

Lux (Minimum on Pavement)	Footcandles (Minimum on Pavement)	Uniformity Ratio (Average Minimum)
6	0.6	4:1

- g) All required off-street parking shall be used for the purpose of accommodating vehicles of clients, customers, employees, members, residents, or tenants who use the principal facility, and such parking shall not be used for off-street loading, driveways, access, or egress commercial repair work, display sales or storage yards.
- h) Non-residential off-street parking spaces may be provided collectively for two or more buildings or uses provided that the total number of parking spaces is not less than the sum requirements of the individual uses and that such parking facilities shall be located not more than 150m from any building or use to be served.
- i) Parking spaces in Residential zones shall be solely for parking private non-commercial vehicles.

#### **16.6 Landscaping, Fencing, and Curbing**

- a) Where a parking lot in excess of 3 spaces is located on a parcel that abuts or faces an R or P zone, a landscape screen of not less than 1.5m shall be provided and maintained along the edge of the parking lot facing or abutting an R or P zone.
- b) Where a parking lot abuts a highway, or a sidewalk adjacent to a highway, curbs shall be placed at the end of each parking stall at not less than 0.75m from the sidewalk or highway to prevent vehicles from encroaching into pedestrian areas.

#### **16.7 Disabled Parking**

Where more than 15 parking stalls are required, every off-street parking facility shall provide 1% of the required stalls, with a minimum of 1 stall, for the use of disabled persons. Each stall shall be:

- a) at least 4m in width and at least 6.0m in length;
- b) located as close as possible to a main disability-accessible building entrance;
- c) clearly identified for the exclusive use of disabled persons.

#### **16.8 Other Regulations**

Where a dwelling unit or units are located in a non-residential specific zone in conjunction with non-residential use, one on-site parking space must be provided for each unit, located in such a way as not to impair the use of secondary access to the premises.

#### **16.9 Off-Street Loading**

- a) No use may be undertaken in any zone unless the off-street loading requirements in this *Bylaw* have been met for that use.

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- b) The number of off-street loading spaces required for any use is calculated according to the Loading Table set out in Section 16 of this *Bylaw* in which column 1 classifies the type of use and column 2 sets out the off-street loading requirements for each use in column 1.

**Table – Loading Spaces**

USE TYPE	STALLS REQUIRED
Retail, Commercial, Industrial. - less than 1,000 m <sup>2</sup> - 1,000 m <sup>2</sup> to 2,500 m <sup>2</sup> - greater than 2,500 m <sup>2</sup>	1 2 3
Public Use, schools, institutional facilities, government buildings. - less than 3,000 m <sup>2</sup> - 3,000 m <sup>2</sup> or greater	1 2

- c) In cases of mixed-use, the requirements for off-street loading shall be the sum of requirements for the various uses calculated separately. Required loading spaces for one use shall not be considered as required loading spaces for any other use.
- d) Off-street parking spaces shall not be credited as off-street loading spaces.
- e) Each off-street loading space shall not be less than 3 m in length, 7.5m in width and provide no less than 4m of vertical clearance.
- f) Off-street loading facilities shall be located on the same parcel as the use served, but not within the required front or side yard nor closer than 7.5m to the nearest intersection of any two roads.
- g) In no case shall the length of a loading space be such that a vehicle in the process of loading or unloading shall project into any highway.
- h) Each off-street loading space shall have vehicular access to a highway.
- i) Off-street loading space shall have a surface which is durable and dust free.
- j) Any lighting used to illuminate an off-street loading area shall be so arranged as to reflect the light away from any adjoining premises.
- k) Off-street loading space shall be sited at an elevation convenient to a floor level in the building.
- l) Off-street loading shall not be reduced below the applicable requirement for off-street loading of this Bylaw.