

Subdivision 1 - General

- 9.5.1.
1. The purpose of designating land as a Commercial Zone is to concentrate public, recreational and commercial facilities in locations where they can serve the residents adequately and efficiently.
 2. For the purpose outlined in 9.5.1.1. commercial areas are divided into the following zones:
 - a. C1 - City Centre Zone;
 - b. C2 - Neighbourhood Centre Zone;
 - c. C3 - Neighbourhood Sub-Centre Zone;
 - d. C4 - Local Store Zone;
 - e. C5 - Limited Commercial Zone;
 - f. C6 - Transportation Service Zone;
 - g. C7 - Service Station Zone;
 - h. C8 - Special Commercial Zone;
 - i. C9 - Convenience Commercial Zone;
 - j. C10 - Agriculture Commercial Zone;
 - k. C11 - Highway Commercial Zone;
 - l. C12 - Commercial Transition and Interim Residential Dormitory Zone"
 - m. C13 - HTC Mixed Use Commercial/Residential Zone
 - n. C-14 – Kildala Mixed Use Commercial/Residential Zone
 3. In addition to all other regulations in the Code, no building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged within a Commercial Zone except in accordance with the provisions of this Division.

Access

4. Every building in a commercial zone shall be sited so that each office, bank, store or other lettable space has at least one direct access to public highway or pedestrian mall. Where such lettable space has no direct access, a service corridor not less than 1.2 metres in width shall be provided to connect the lettable space with a public highway or pedestrian mall.

Refuse Storage

5. Refuse may be stored outside in a commercial zone only if it is effectively hidden from public view.

Off-Street Parking

6. Every required off-street parking space shall be a minimum area of 28 m² except where otherwise specified.
7. An owner of land or a group of such owners may pool his or their off-street parking spaces within one or more communal parking compounds provided that no part of such parking compound shall be more than 150 metres from the building or structure which it purports to serve.
8. Where a communal parking area is created in accordance with 9.5.1.7. the requirements of parking spaces shall be the sum of off-street parking specified for each building or structure or use served.

Adjustment of Parking Requirements

9. Where the owner or occupier of a building in any commercial zone is required to provide off-street parking, Council may, by resolution, enter into an agreement with said owner or occupier to provide required off-street parking under such terms and conditions and at such time as Council deems necessary.
10. Notwithstanding the parking provisions of this Division, Council may, by resolution, permit or require the owner or occupier of a building in the C1 City Centre Zone to provide off-street parking on private property.

Loading and Unloading

11. One off-street space not less than 45 m² for every supermarket or departmental store.
12. One space not less than 45 m² for every 930 m² or fraction thereof of gross leasable area on ground floor of every building other than a supermarket or department store.

Shipping Containers as Accessory Structures

If within the Downtown Revitalization Area:

13. Shall be temporary units.
14. Shall require a Development Permit for Downtown Revitalization Area (DP-DRA).

Outside the Downtown Revitalization Area:

15. Shall be temporary unit(s) unless term of one year or more is approved by Development Variance Permit (DVP).
16. Exterior shall match colour(s) and style of existing and principal buildings on same lot.
17. Shall not be stacked unless approved by DVP.
18. Shall be limited to a maximum of two containers per lot.

Liquor Primary Licence

19. Liquor primary licence shall be permitted in commercial zones where specified as an eligible land use.

Subdivision 2 - C1 - City Centre Zone

9.5.2.

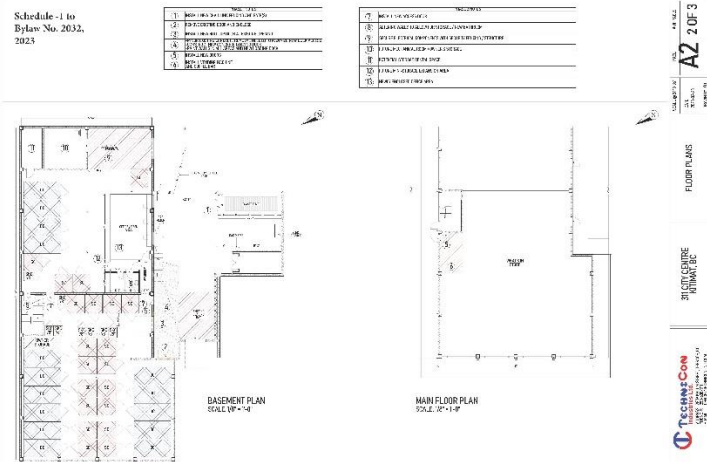
Permitted Uses

1.

- a. Bank
- b. Brewery
- c. Cannabis Retail
- d. Cidery
- e. Community College
- f. Courthouse
- g. Cultural Activities
- h. Day Care (Adult)
- i. Day Care (Child)
- j. Distillery
- k. Dry Cleaning and Laundry
- l. Extreme Weather Refuge, at Lot A, District Lot 6037, Plan 9891
- m. Hotel
- n. Library
- o. Meadery
- p. Motel
- q. Municipal, Provincial, Federal Offices
- r. Museum
- s. Offices
- t. Personal Service Shops
- u. Police Station
- v. Public Assembly
- w. Recreation
- x. Residential when combined with permitted commercial uses
- y. Restaurants
- z. Retail Trade
- aa. Service Station
- bb. Social Housing, at Lot A, District Lot 6037, Plan 9891
- ab. Temporary Uses: in accordance with Part 9, Division 8
- ac. Transportation
- ad. Veterinary Hospital
- ae. Veterinary Office
- af. Winery

Bylaw No. 2032, 2023

ag. Enclosed Mini Storage Facility at the current lowest level of Lot 2 Block 1006 District Lot 6037 Range 5 Coast District Plan 5439, PID: 010-468-153 as proposed in the floor plans attached as Schedule 1.



ah. Eligible Land Use for Liquor Primary Licence

Permitted use:

- i. Community College
- ii. Cultural Activity
- iii. Dry Cleaning and Laundry
- iv. Hotel
- v. Museum
- vi. Personal Service Shop
- vii. Public Assembly
- viii. Recreation
- ix. Restaurant
- x. Retail Trade

Conditions of Use

- 2. Buildings and structures necessary to accommodate the requirements of the use are permitted:
 - a. maximum one dwelling unit for each 90 m² gross leasable commercial area;
 - b. dwelling unit cannot be located at or below grade, or below a commercial premise.

3. Lot Coverage (Maximum):
 - a. 100%;
 - b. 25% for service station.
4. Front Yard (Minimum): 4.5 metres for fuel pumps.

Fuel Storage

5. Storage tanks for liquified petroleum gas shall be limited to 5,000 litres total capacity.

Off-Street Parking (Minimum): See 9.5.1.6. to 9.5.1.11.

6. All off-street parking to be dedicated to municipality to form communal parking areas. 1.5 m² of parking shall be provided for every m² of G.L.A. except as follows:
 - a. bowling alley - 65 m² parking per lane;
 - b. theatre and public assembly - one space for every four fixed seats or one space for every 4.5 m² of area under public assembly, whichever is greater;
 - c. hotel sleeping rooms - one space for every two sleeping rooms;
 - d. motel sleeping rooms, one space for every sleeping room;
 - e. residential combined with permitted commercial uses, two parking spaces for each dwelling unit. Parking area to be privately owned and maintained;
 - f. vehicle servicing - two parking spaces per vehicle service bay. Parking and drive areas to be privately owned and maintained.

Off-Street Loading and Unloading: See 9.5.1.11 and 9.5.1.12

Access

7. Each access shall be paved if the abutting street is paved.
8. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width.

9. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width.
10. Police Station: three accesses, none of which shall exceed 5 metres in width.
11. Service Station:
 - a. two paved accesses each no greater than 7.5 metres in width excluding curb radii not in excess of 3 metres;
 - b. corner lots may have three accesses.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 3 - C2 Neighbourhood Centre Zone

9.5.3.

Permitted Uses

1.
 - a. Animal Grooming Parlour
 - b. Appliance and Furniture Repair
 - c. Art, Music, Dance, Fine Arts, Trade or Driving School
 - d. Bank or Financial Institution
 - e. Bowling Alley
 - f. Business or Professional Office
 - g. Club or Lodge Hall
 - h. Day Care (Child or Adult)
 - i. Dry Cleaning Establishment
 - j. Liquor Outlet
 - k. Medical or Dental Office, and Clinic
 - l. Motion Picture Theatre
 - m. Personal Service Shop

- n. Restaurant, Cafe, Snack Bar
- o. [REMOVED]
- p. Residential (second floor or above and not below other permitted use)
- q. Retail Trade
- r. Temporary Use: in accordance with Part 9, Division 8
- s. Studio or Craft Workshop
- t. Sub-Post Office
- u. Taxi Dispatch

Eligible Land Use for Liquor Primary Licence

- v. Permitted Use:
 - i. Animal Grooming Parlour
 - ii. Appliance and Furniture Repair
 - iii. Bowling Alley
 - iv. Club or Lodge Hall
 - v. Dry Cleaning Establishment
 - vi. Liquor Outlet
 - vii. Motion Picture Theatre
 - viii. Personal Service Shop
 - ix. Restaurant, Café, Snack Bar
 - x. Retail Trade
 - xi. Studio or Craft Workshop

Conditions of Use

- 2. Buildings and structures necessary to accommodate the requirements of the use are permitted.
- 3. Lot Coverage (Maximum): 100%.
- 4. Height of Buildings (Maximum): 9 metres.

Off-Street Parking (Minimum): See 9.5.1.6. to 9.5.1.11.

5. All off-street parking to be dedicated to municipality to form communal parking areas. 1.5 m² of parking shall be provided for every m² of G.L.A. except as follows:
 - a. bowling alley - 65 m² parking per lane;
 - b. theatre and public assembly - one space for every four fixed seats or one space for every 4.5 m² of area under public assembly, whichever is greater;

Off-Street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

6. Each access shall be paved if the abutting street is paved.
7. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width.
8. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 4 - C3 Neighbourhood Sub-Centre Zone

9.5.4.

Permitted Uses

1.
 - a. Coffee Shop
 - b. Day Care (Adult)
 - c. Day Care (Child)
 - d. Local Stores
 - e. Offices
 - f. Personal Services
 - g. Religion
 - h. Retail Trade
 - i. Temporary Use in accordance with Part 9, Division 8.

Conditions of Use

2. Buildings and structures necessary to accommodate the requirements of the use are permitted.
3. Lot Area (Minimum): 0.4 ha.
4. Lot Coverage (Maximum): 25%.
5. Floor Area Ratio (Maximum): 0.25.
6. Height of Buildings (Maximum): 9 metres.
7. Front Yard (Minimum): 4.5 metres.
8. Side Yard (Minimum): 7.5 metres.
9. Rear Yard (Minimum): 7.5 metres.

Off-Street Parking (Minimum)

10. 1.5 m² of parking for every m² of G.L.A.

Off-Street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

11. Each access shall be paved if the abutting street is paved.
12. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width.
13. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 5 - C4 Local Store Zone

9.5.5. Permitted Uses

1. The following uses are permitted in C4 Local Store Zone:
 - a. Coffee Shop
 - b. Day Care (Child)
 - c. Day Care (Adult)
 - d. Local Retail Trade
 - e. Residence of Store Operator
 - f. Accessory Dwelling Unit (Detached), at:
 - i. L 1 DL 6188 R5C PL 8017 (49 Oolichan Avenue)
 - ii. L 2 DL 6188 R5C PL 8017 (39 Oolichan Avenue)
 - iii. L 3 DL 6188 R5C PL 8017 (29 Oolichan Avenue)
 - g. Temporary Uses: in accordance with Part 9, Division 8

Conditions of Use

2. Permitted buildings and structures per lot:
 - a. one local store G.L.A. 225 m² or less;
 - b. one dwelling unit for Store Operator
 - c. Accessory Dwelling Unit (Detached) use is not permitted unless a contiguous clear land area sufficient for a sewerage reserve disposal field is available on the parcel, as confirmed by a certified professional and Northern Health Authority;
3. Lot Area (Minimum): 930 m².
4. Lot Frontage (Minimum): 25 metres.
5. Lot Coverage (Maximum): 25%.
6. Floor Area Ratio: 0.25.
7. Height of Buildings: 9 metres.
8. Front Yard (Minimum): 4.5 metres.
9. Side Yard (Minimum): 1.8 metres.
10. Rear Yard (Minimum): 7.5 metres.

Off-Street Parking

11. One space for dwelling unit and 1.5 m² of parking for every m² of G.L.A.

Off-Street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

12. Each access shall be paved if the abutting street is paved.
13. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width.
14. For any lot of more than 15 metres frontage:
- a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

15. In addition to requirements of Subdivision 5, the following regulations will apply to: Lots 1, 2, 3, Registered Plan 8019 (29, 39, 49 Oolichan Avenue):
- a. Permitted Uses
 - Agriculture
 - Day Care (Adult)
 - Day Care (Child)
 - Home Occupation
 - Local Retail Trade
 - Residence of Store Operator
 - Retail of Petroleum Fuels
 - Temporary Uses in accordance with Part 9, Division 8;
 - b. Lot Area (Minimum): 1,500 m² for fuel sales;
 - c. Lot Frontage (Minimum): 30 m for fuel sales;

- d. Front Yard (Minimum):
 - (1) 4.5 metres for fuel pumps;
 - (2) 12 metres for buildings in association with fuel sales;

Access

- e. for fuel sales, two accesses, neither of which shall exceed 7.5 metres in width.

Subdivision 6 - C5 Limited Commercial Zone

9.5.6. Permitted and Accessory Uses

- 1. The following principal uses are permitted in the C5 Limited Commercial Zone:
 - a. Carwash
 - b. Cannabis Retail
 - c. Drive-in Restaurants
 - d. Hotels
 - e. Motels
 - f. Recreational Facilities
 - g. Retail
 - h. Restaurants
 - i. Tourist Information
 - j. Temporary Uses in accordance with Part 9, Division 8
- 2. The following accessory uses are permitted:
 - a. Buildings and structures necessary to accommodate the requirements of the use
 - b. office, and storage area associated with principal use
 - c. Campground with up to 10 campsites in association with Hotel or Motel

Eligible Land Use for Liquor Primary Licence

- 3. Permitted Use:
 - a. Hotel
 - b. Recreational Facility
 - c. Retail
 - d. Restaurant

Conditions of Use

4. Lot Area (Minimum): Motels - 1,860 m².
5. Lot Coverage (Maximum): 50%.
6. Floor Area Ratio (Maximum): 0.8.
7. Height of Buildings (Maximum): 17.0 metres.
8. Front Yard (Minimum): 4.5 metres.
9. Side Yard (Minimum): 4.5 metres.
10. Rear Yard (Minimum): 5.8 metres.

Off-Street Parking (Minimum)

11. For motels - one space per guest sleeping room plus one space for every two employees.
12. For hotels - one space per two guest sleeping rooms, plus one space for every two employees.
13. For recreation and public assembly - one space for every 4.5 m² under public assembly use.
14. For restaurants, coffee shops and snack bars - one space for every 4.5 m² G.L.A.
15. For retail - 1.5 m² of parking space for every m² GLA.

Off-Street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

16. Each access shall be paved if the abutting street is paved.
17. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width.
18. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 7 - C6 Transportation Service Zone

9.5.7.

Permitted Uses

1. a. Personal Service Shops within Transport Terminal
- b. Transport Terminal
- c. Vehicle Rental
- d. Tourist Information
- e. Retail, installation and maintenance of compressed natural gas conversion systems and retail of compressed natural gas fuel.
- f. Temporary Uses: in accordance with Part 9, Division 8.

Eligible Land Use for Liquor Primary Licence

- g. Permitted Use:
 - i. Personal Service Shop within Transport Terminal
 - ii. Transport Terminal

Conditions of Use

2. Buildings and structures necessary to accommodate the requirements of the use are permitted.
3. Lot Area (Minimum): 1,860 m².
4. Lot Frontage (Minimum): 30 metres.
5. Lot Coverage (Maximum): 25%.
6. Floor Area Ratio (Maximum): 0.25.
7. Height of Buildings (Maximum): 9 metres.
8. Front Yard (Minimum): 4.5 metres.
9. Side Yard (Minimum): 7.5 metres.
10. Rear Yard (Minimum): 7.5 metres.

Off-Street Loading and Unloading: See 9.5.1.11 and 9.5.1.12

Access

11. Two paved accesses each no greater than 7.5 metres in width excluding curb radii not in excess of 3 metres.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 8 - C7 Service Station Zone

9.5.8.

Permitted Uses

1.
 - a. Rental of Utility Trailers
 - b. Service Station
 - c. Temporary Uses: in accordance with Part 9, Division 8.

Conditions of Use

2. Buildings and structures necessary to accommodate the requirements of the use are permitted.
3. Lot Area (Minimum): 1,860 m².
4. Lot Frontage (Minimum): 30 metres.
5. Lot Coverage (Maximum): 25%.
6. Floor Area Ratio (Maximum): 0.25.
7. Height of Buildings (Maximum): 9 metres.
8. Front Yard (Minimum):
 - a. pumps 4.5 metres;
 - b. canopies over fuel pumps 4.5 metres;
 - c. buildings 12 metres.
9. Side Yard (Minimum): 4.5 metres.
10. Rear Yard (Minimum): 7.5 metres.

Fuel Storage

11. Storage tanks for liquified petroleum gas shall be limited to 5,000 litres total capacity.

Off-Street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

12. Two paved accesses each no greater than 7.5 metres in width excluding curb radii not in excess of 3 metres.
13. The two primary accesses are to be at an angle of 75°.
14. Service stations on corner lots may have three paved accesses.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 9 - C8 Special Commercial Zone

9.5.9. Permitted Uses

1. a. Business and Professional Office
- b. Temporary Uses: in accordance with Part 9, Division 8.

Conditions of Use

2. Buildings and structures necessary to accommodate the requirements of the use are permitted.
3. Lot Area (Minimum): 930 m².
4. Lot Frontage (Minimum): 25 metres.
5. Lot Coverage (Maximum): 50%.
6. Floor Area Ratio (Maximum): 0.75.
7. Height of Buildings (Maximum): 9 metres.

Off-Street Parking (Minimum)

8. 1.5 m² of parking for every m² of G.L.A.

Access

9. One paved access no greater than 7.5 metres in width, excluding curb radii not in excess of 3 metres.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3, regulations applicable to the C1, City Centre Zone.

Subdivision 10 - C9 Convenience Commercial Zone

9.5.10. Permitted Uses

1. a. Retail Trade
- b. Retail of Petroleum Fuels
- c. Retail of Liquid Petroleum Gas and Compressed Natural Gas
- d. Coin Operated Car Wash
- e. Temporary Uses: in accordance with Part 9, Division 8.

Conditions of Use

2. Buildings and structures necessary to accommodate permitted uses may be constructed.
3. Lot Area (Minimum): 1,860 m².
4. Lot Frontage (Minimum): 30 metres.
5. Lot Coverage (Maximum): 25%.
6. Floor Area Ratio (Maximum): 0.25.
7. Height of Buildings (Maximum): 9 metres.

8. Front Yard (Minimum):
 - a. pumps 4.5 metres;
 - b. canopies over fuel pumps 4.5 metres;
 - c. buildings 12 metres.
9. Side Yard (Minimum): 4.5 metres.
10. Rear Yard (Minimum): 4.5 metres.

Fuel Storage

11. Storage for liquified petroleum gas shall be limited to 5,000 litres total capacity.

Off-Street Parking (Minimum)

12. 1.5 m² of parking for every m² of GLA

Off-Street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

13. Two paved accesses each no greater than 7.5 metres in width excluding curb radii not in excess of 3 metres.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3, regulations applicable to C1, City Centre Zone.

Subdivision 11 - C10 Agriculture Commercial

9.5.11. Permitted Uses

1. The following principal uses are permitted:
 - a. Agriculture, including greenhouse(s), nursery, boarding kennel or stable
 - b. Detached residence for business operator
 - c. Local Retail Trade, including retail of petroleum fuels
 - d. Recreation, Commercial
 - e. Retail of agricultural products and supplies

- f. Veterinary office
 - g. Veterinary hospital
 - h. Temporary Uses in accordance with Part 9, Division 8
2. The following accessory uses are permitted:
- a. Accessory Dwelling Unit (Detached) at:
 - i. LOT 1 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 (181 Loganberry Avenue)
 - ii. LOT 2 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 (189 Loganberry Avenue)
 - iii. LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 (207 Loganberry Avenue)

Conditions of Use

3. Buildings and structures necessary to accommodate the requirements of the uses are permitted:
- a. Dwelling Units (Maximum): 2 per parcel
 - b. Dwelling units cannot be located below a commercial or agricultural premise
 - c. Maximum GLA for retail trade is 225 m²
4. Lot Area (Minimum) .6ha
5. Frontage (Minimum) 40m
6. Lot Coverage (Maximum): 15%, excluding agricultural buildings
- a. LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302, PID 030 865 808 (207 Loganberry Avenue): 50%, excluding agricultural buildings.
7. Floor Area Ratio (Maximum): 0.25
- a. LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 PID 030 865 808 (207 Loganberry Avenue): 0.75
8. Height of Buildings 9m, excluding agricultural buildings
9. Front Yard (Minimum) 4.5m for accessory building or garage, 9m for principal building, 15m for building associated with fuel sales
10. Side Yard (Minimum) 4.5m

11. Rear Yard (Minimum) 9m

Off Street Parking

12. The following Off-Street Parking is required in the C10 Agriculture Commercial Zone:

- a. Dwellings: Two spaces for each dwelling unit; plus
- b. Retail: 1.5 m² of parking for every m² of Gross Leasable Area; and,
- c. Recreation, Commercial:
 - i. 1.5 m² of parking space for every m² of retail space;
 - ii. As per S. 9.7.1.7; except for LOT 3 DISTRICT LOT 307 RANGE 5 COAST DISTRICT PLAN EPP86302 PID 030 865 808 (207 Loganberry Avenue) where 1 parking space is required for each operational go-kart in addition to spaces required for retail area and dwelling.

13. 1.5m² for every m² GLA retail trade

Off Street Loading and Unloading

14. One space of not less than 45m² for every 1000m² GLA on ground floor for commercial purposes

Access

15. Access shall be paved where abutting street is paved

16. One access not exceeding 9m in width or

17. Two accesses neither of which is more than 5m in width, but

18. For fuel sales, two accesses neither exceeding 7.5m wide, excluding curb radii not in excess of 3 metres, and less than 3m from any intersecting property line and 6m from property line at a corner or curb radii, whichever is closer.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.18.

Signs: See Part 9, Division 3

Subdivision 12 - C11 Highway Commercial Zone

9.5.12. Permitted and Accessory Uses

1. The following principal uses are permitted in the C11 Highway Commercial Zone:
 - a. Carwash
 - b. Drive-in Restaurant
 - c. Hotel
 - d. Motel
 - e. Office
 - f. Recreational Facility
 - g. Retail
 - h. Restaurant
 - i. Service Station
 - j. Tourist Information
 - k. Temporary Uses in accordance with Part 9, Division 8

Eligible Land Use for Liquor Primary Licence

- I. Permitted Use:
 - i. Hotel
 - ii. Recreational Facility
 - iii. Retail
 - iv. Restaurant
2. The following accessory uses are permitted:
 - a. Buildings and structures necessary to accommodate the requirements of the use
 - b. Office, and storage area associated with principal use

Conditions of Use

3. Lot Area (Minimum): Motels - 1,860 m²
4. Lot Coverage (Maximum): 50%
5. Floor Area Ration (Maximum): 0.5
6. Height of Buildings (Maximum): 18 metres
7. Front Yard (Minimum): 4.5 metres
8. Side Yard (Minimum): 4.5 metres
9. Rear Yard (Minimum): 7.5 metres

Off-Street Parking (Minimum)

10. For motels - one space per guest sleeping room plus one space for every two employees
11. For hotel sleeping rooms - one space for every two sleeping rooms plus one space for every two employees
12. For recreation and public assembly - one space for every 4.5m² under public assembly use
13. For restaurants, coffee shops and snack bars - one space for every 4.5m² GLA;
14. For office or retail - 1.25m² of parking space for every m² GLA

Off-street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

15. Each access shall be paved if the abutting street is paved
16. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width
17. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width

Shipping containers as Accessory Buildings and Structures: See 9.5.1.13. to 9.5.1.18.

Signs: See Part 9, Division 3.

Subdivision 13 - C12 Commercial Transition and Interim Residential Dormitory Zone

9.5.13. Permitted and Accessory Uses

1. The following principal uses are permitted in the C12 Commercial Transition and Interim Residential Dormitory Zone:
 - a. Hotel
 - b. Motel
 - c. Recreational Facility
 - d. Tourist Information
 - e. Temporary Uses in accordance with Part 9, Division 8

Eligible Land Use for Liquor Primary Licence

- f. Permitted Use:
 - i. Hotel
 - ii. Recreational Facility
 - iii. Residential Dormitory until August 31, 2035
2.
 - a. Residential dormitory until August 31, 2035
 - b. Permitted Accessory Uses to a Residential Dormitory, also until August 31, 2035
 - i. Coffee shop;
 - ii. Restaurant or Dining Lounge;
 - iii. Retail

Eligible Land Use for Liquor Primary Licence

- c. Accessory Use to Residential Dormitory:
 - i. Coffee Shop
 - ii. Restaurant or Dining Lounge
 - iii. Retail

3. The following accessory uses are permitted:
 - a. Buildings and structures necessary to accommodate the requirements of the use
 - b. Office, and storage area associated with principal use
4. The provisions under subsections 9.5.13.5 to 9.5.13.18 inclusive apply exclusively to the uses permitted under 9.5.13.1 in this zone, and its permitted accessory uses;

Conditions of Use

5. Lot Area (Minimum): 3 ha
6. Lot Frontage (Minimum): 75 metres
7. Lot Coverage (Maximum): 10%
8. Floor Area Ratio (Maximum): 0.1
9. Front Yard (Minimum): 9 metres

Conditions of Use (continued)

10. Side Yard (Minimum): 4.5 metres
11. Rear Yard (Minimum): 9 metres

Off-Street Parking (Minimum)

12. For Hotels - one space per two guest sleeping room plus one space for every two employees
13. For Motels - one space per guest sleeping room plus one space for every two employees
14. For recreation and public assembly - one space for every 4.5 m² under public assembly use
15. For restaurants, coffee shops and snack bars - one space for every 4.5 m²
16. For retail – 1.5 m² of parking space for every m² GLA

Off-Street Loading and Unloading: See 9.5.1.12 and 9.5.1.13.

Access

17. Each access shall be paved if the abutting street is paved
18. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width
19. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width

Shipping Containers as Accessory Buildings and Structures:
See 9.5.1.13. to 9.5.1.18.

Signs: See Part 9, Division 3

Residential Dormitory, until August 31, 2035

20. The provisions under subsections 9.5.13.20 to 9.5.13.34 inclusive apply exclusively to the Residential Dormitory use permitted under 9.5.13.2, and permitted accessory uses, which are temporal in nature and only permitted until August 31, 2035

Conditions of Residential Dormitory Use:

21. No single dormitory building wing may contain more than 200 sleeping accommodation units
22. Lot area (Minimum): 7.5 ha
23. Lot Frontage (Minimum): 200 metres
24. Lot Coverage (Maximum): 50%

25. Density Bonusing for Amenities

	Base	Bonus A	Bonus B
a. Sleeping Accommodation Units (Maximum)	200	Additional 400 (up to 600)	Additional 400 (up to 1000)

The regulations under the "Base" column are generally applicable for the Residential Dormitory use in this zone as-of-right. On the provision of all of the following amenities and satisfaction of the following conditions, all at no cost to the District, the Number of Units regulations are, respectively, increased up to "Bonus" levels noted in the corresponding column above:

i. Bonus A Amenities

- (1) A Housing Agreement in accordance with Section 483 of the Local Government Act requiring all sleeping accommodation units on the lands be single-occupancy, rental only and a minimum of 80% only available to construction workers and other employees of businesses located within an Industrial Zone of this Code; and

25. i. Bonus A Amenities: (continued)

- (2) The provision of cash or in-kind contribution of \$500 per sleeping accommodation unit paid incrementally as beds become operational to a District of Kitimat Housing fund for purposes of providing Affordable Housing in Kitimat

ii. Bonus B Amenities:

- (1) All Bonus A Amenities, plus:
- (2) Pedestrian access trails, including for those with mobility challenges, through the subject lands, including Statutory right-of-way for public access in the District's customary form

- iii. For the purposes of the density-bonusing provisions of this bylaw, "Affordable Housing" means the construction, establishment, use and occupation of non-market rental residential dwelling units, where the units are either subsidized by a government authority or a minimum of 30% below fair market rent for such a comparable unit of same number of bedrooms such that the rental costs, including utilities, do not exceed, or such other provisions as secured through a Housing Agreement in accordance with Section 483 of the Local Government Act.

26. Height of Building (Maximum): 12 metres

27. Front Yard (Minimum): 4.5 metres

28. Side Yard (Minimum):

- a. Dormitory building(s): 4.5 metres

- b. Building with exclusively accessory uses: 3 metres

- c. Single storey garage: 3 metres

29. Rear Yard (Minimum): 7.5 metres

30. Distances between Buildings (Minimum): 9 metres

Building Setbacks on a Corner Lot: Refer to 9.4.1.6.

Off-Street Parking

31. Two parking spaces are required for every ten sleeping accommodation units or part thereof; adjustable as detailed below:

- a. Parking requirements may be reduced by one space for each bike parking space provided, to a maximum reduction of twenty parking spaces; and

- b. On-site bus parking may be provided at a ratio of 1 bus per every 85 beds or portion thereof, and

32. Each required off-street parking space shall be 28 m² or more

Access (Maximum)

33. Each access shall be paved if the abutting street is paved

34. Up to two accesses of a width not exceeding 9 metres per lot shall be allowed

Accessory Buildings in Required Yards

35. See 9.4.1.7 to 9.4.1.11, except that 9.4.1.8 shall not apply for the residential Dormitory use

Signs: See Part 9, Division 3

Subdivision 14 - C13 HTC Mixed Use Commercial/Residential Zone (Haisla Town Centre)

9.5.14. Permitted and Accessory Uses

1. The following principal uses are permitted in the C13 HTC Mixed Use Commercial/Residential Zone, and for the purposes of this Zone are all considered "Commercial Use":
 - a. Bank
 - b. Hotel
 - c. Motion Picture Theatre
 - d. Offices
 - e. Personal Service Shops
 - f. Retail Trade (GLA of 750 sq m or less)
 - g. Restaurant
 - h. Temporary Uses: In accordance with Part 9, Division 8
2. The following secondary uses are permitted distinct from, but only after, a principal Commercial Use under section 9.5.14.1, other than a Temporary Use, has been established:
 - a. Dry Cleaning Establishment
 - b. Cultural Activities
 - c. Day Care (Child)
 - d. Day Care (Adult)
 - e. Public Assembly
 - f. Tourist Information
3. The following accessory uses are permitted with principal or secondary commercial uses under section 9.5.14.1 or 9.5.14.2, respectively:
 - a. Buildings and structures necessary to accommodate the requirements of the use
4. Multi-Family Residence is permitted as principal use provided:
 - a. any principal Commercial Use under section 9.5.14.1, other than a Temporary Use, is established and ongoing within the C13 HTC Zone; and

- b. In recognition of facilitating timely development within this zone, multi-family residence is permitted:
 - i. independently until 31 December 2029; or
 - ii. provided a secondary commercial use under section 9.5.14.2 is established and ongoing within the C13 HTC Zone until 31 December 2039.

- c. The following accessory uses are permitted:
 - i. Buildings and structures necessary to accommodate the requirements of the use
 - ii. Home Business Address
 - iii. Home Occupation
 - iv. Daycare (Child)
 - v. Daycare (Adult)

Conditions of All Uses - Zone Boundaries

- 5. The provisions under subsections 9.5.14.5 to 9.5.14.6 inclusive apply exclusively to all uses permitted under 9.5.14.1 to 9.5.14.4 inclusive in this zone.

- 6. In addition to other yard and setback provisions of the *Kitimat Municipal Code*, no building or other structure, with exception of retaining walls, may be located in this zone within:
 - a. 5.0m of Lahakas Boulevard North;
 - b. 85m of Albatross Avenue
 - c. 5.0m of the most westerly property line between Albatross Avenue and Haisla Boulevard;
 - d. 5.0m of Haisla Boulevard;
 - e. 1.5m of the existing Park located at the southwest corner of the property (adjacent to Haisla/Lahakas intersection);

each as measured from the property line proximate the area noted.

Conditions of Use - Commercial Uses

- 7. The provisions under subsections 9.5.14.7 to 9.5.14.21 inclusive apply exclusively to the uses permitted under 9.5.14.1 to 9.5.14.3 inclusive in this zone.

- 8. Lot Area (Minimum): All Commercial Uses combined - 1.5 ha

- 9. Frontage: Combined Minimum for Commercial Uses (which may include any area dedicated as road), whether providing access or not:
 - a. 50 metres along Lahakas Boulevard North
 - b. 125 metres along Haisla Boulevard

- 10. Floor Area Ratio (Maximum): 2.0

11. Area for Retail Trade (Maximum): 750 sq m per distinct unit
12. Height of Buildings (Maximum): 22 metres
13. Front Yard (Minimum): 1.5 metres
14. Side Yard (Minimum): 1.5 metres
15. Rear Yard (Minimum): 1.5 metres

Off-Street Parking (Minimum) - Commercial Uses: See also 9.5.1.6 to 9.5.1.9

16. For hotel sleeping rooms - one stall for every two sleeping rooms plus one stall for every two employees
17. For theatre, recreation, public assembly and cultural activities - one stall for every 4.5 sq m under public assembly use.
18. For restaurants, coffee shops and snack bars - one stall for every 4.5 sq m of GLA
19. For retail, personal service shops, and all other commercial uses, principal or secondary - 1.5 sq m parking area for every sq m of GLA.

Off-Street Loading and Unloading: See 9.5.1.11 and 9.5.1.12

Access

20. Paved access not less than 10m in width shall be provided on the north side of the Haisla Boulevard, immediately North of Tsimshian Avenue.
21. Every building shall have at least one direct access to public highway or pedestrian mall. Where buildings have no direct access, a private road or service corridor not less than 2.0 metres shall be provided to connect the building to a public highway.

Shipping Containers as Accessory Buildings and Structures: See 9.5.1.13 to 9.5.1.14

Signs: See Part 9, Division 3

Conditions of Use - Residential

22. The provisions under subsections 9.5.14.22 to 9.5.14.40 inclusive apply exclusively to the uses permitted under 9.5.14.4 inclusive in this zone.

23. Permitted buildings and structures:
 - a. apartment building (maximum 3 buildings within the C13 HTC Zone)
 - b. accessory buildings and structures
24. Lot Area (Minimum): Apartment: 185 sq m per dwelling unit, subject to a minimum of 1.0ha per building
25. Lot Frontage:
 - a. Minimum 68m per apartment building
 - b. Maximum 275m along Lahakas Boulevard North (whether providing access or not), located no closer than 50m from municipal park at the intersection of Lahakas and Haisla Boulevards
 - c. Maximum 174m along Haisla Boulevard, or adjacent area dedicated as park (whether providing access or not), located no closer than 125m from the municipal park located at the intersection of Lahakas and Haisla Boulevards
26. Lot Coverage (Maximum): 25%
27. Floor Area Ratio (Maximum): 0.75
28. Maximum number of dwelling units:
 - a. 50 per building; and
 - b. 150 combined total within this zone
29. Height of Building (Maximum): 20m or 5 residential storeys, whichever is less
30. Front Yard (Minimum): 1.5m
31. Side Yard (Minimum): 1.5m
32. Rear Yard (Minimum): 75m
33. Distances Between Buildings (Minimum): apartment buildings: 5.0m

Off-Street Parking

34. One parking stall required per one bedroom dwelling unit, two parking stalls required per two bedroom dwelling unit, both of which must have unrestricted access to a street
35. In addition, one parking stall with unrestricted access to a street is required for every five dwelling units or part thereof

36. Each required parking stall shall be no less than 2.7m x 6m if straight-in layout, or the Municipal Standard as specified by Drawing ADM-02L 1996-01-A

37. Parking Prohibition see: 9.4.1.19 to 9.4.1.20

Access

38. Every apartment building shall have paved access no less than 7.5m wide onto a paved private road between Lahakas Boulevard North and Haisla Boulevard

Accessory Buildings in Required Yards: See 9.4.1.9 to 9.4.1.11 and 9.4.1.13

Keeping of Animals: See 9.4.1.26 to 9.4.1.27

Signs: See Part 9, Division 3

Subdivision 15 – C14 Mixed Use Residential/Commercial Zone

9.5.15. Permitted and Accessory Uses

1. The following principal uses are permitted:

- a. Motel
- b. Residential Dormitory
- c. Dwelling, Multi-Family Residence – Rental Apartments

2. The following accessory uses are permitted:

- a. Coffee Shop
- b. Day Care (Adult)
- c. Home Business Address
- d. Home Occupation
- e. Restaurant
- f. Buildings and structures necessary to accommodate the requirements of the use.
- g. Office, and storage area associated with principal use

Eligible Land Use for Liquor Primary License

3. Permitted Use:

- a. Coffee Shop
- b. Motel
- c. Restaurant

Conditions of Use

1. Commercial uses are not permitted above residential dwelling units
2. Drive-in or drive-thru restaurants are not permitted
3. Lot Area (Minimum): Motels - 1,690 m²
4. Lot Coverage (Maximum): 25%
5. Floor Area Ratio (Maximum): 0.75
6. Height of Buildings (Maximum): 10 metres
7. Front Yard (Minimum): 4.5 metres
8. Side Yard (Minimum): 4.5 metres
9. Rear Yard (Minimum): 7.5 metres

Off-Street Parking (Minimum)

10. Residential Dormitory – one space for every 4 sleeping rooms plus one space for every two employees.
11. Motels - one space for every two sleeping rooms plus one space for every two employees.
12. Restaurant or coffee shop - one space for every 4.5 square metres GLA.
13. For Multi-Family Residence – one space for every dwelling unit.
14. Notwithstanding 9.5.15.10 to 9.5.15.13, off-street parking (minimum) may be reduced by:
 - (a) One space for each bicycle parking space provided, to a maximum reduction of ten percent;
 - (b) Ten percent when one electric vehicle charging station provided, and twenty percent when two or more electric vehicle charging stations are provided;
 - (c) Notwithstanding 9.5.15.14 (a) and (b), off-street parking must not be reduced beyond 75% of minimum requirement.

Off-street Loading and Unloading: See 9.5.1.12. and 9.5.1.13.

Access

15. Each access shall be paved if the abutting street is paved
16. For any lot of 15 metres frontage or less: one access not exceeding 4.5 metres in width
17. For any lot of more than 15 metres frontage:
 - a. one access not exceeding 9 metres in width; or
 - b. two accesses, neither of which shall exceed 5 metres in width

Shipping containers as Accessory Buildings and Structures: See 9.5.1.13. to 9.5.1.18.

Signs: See Part 9, Division 3.