

# TABLE OF CONTENTS

## **ADOPTION**

**TABLE OF CONTENTS**..... Page 1

**SCHEDULE A – GENERAL** ..... Page 4

### **PART ONE – INTRODUCTION**

1. Short Title ..... Page 5  
2. Components ..... Page 5  
3. Forms ..... Page 5  
4. Purpose of By-law ..... Page 5  
5. Previous Legislation ..... Page 5  
6. Compliance With Other Legislation ..... Page 6  
7. Severability ..... Page 6  
8. Zoning Maps..... Page 6

### **PART TWO – DEFINITIONS**

1. Preamble ..... Page 8  
2. Definitions..... Page 8

### **PART THREE – AGENCIES**

1. Development Officer..... Page 17  
2. Town Council..... Page 17  
3. Development Appeal Board ..... Page 17  
4. Secretary to the Development Appeal Board..... Page 18

### **PART FOUR – APPLICABILITY OF BY-LAW PERMITS**

1. Control of Development ..... Page 19  
2. Applications in Progress Before Adoption of This By-law ..... Page 19  
3. Approval Required for Development ..... Page 19  
4. Development Permit Exemptions..... Page 19  
5. Non-conforming Buildings and Uses..... Page 20  
6. Development Permit Application Requirements ..... Page 20  
7. Conditions of Approval for Development Permits ..... Page 22  
8. Relaxation of Requirements ..... Page 23  
9. Decisions on Applications ..... Page 23  
10. Validity of Permits..... Page 24  
11. Expiry of Permits ..... Page 24  
12. Resubmission Interval..... Page 25  
13. Submission to the Development Appeal Board ..... Page 25  
14. Enforcement and Penalties ..... Page 25  
15. Right to Enter ..... Page 26  
16. By-law Amendments ..... Page 26  
17. Zoning Amendments ..... Page 27  
18. Zoning Amendment Process..... Page 28  
19. Notification of Amendments ..... Page 28

## **PART FIVE – GENERAL CLAUSES**

1.	General Provisions .....	Page 30
2.	Regulations Applicable to All Zones.....	Page 30
3.	Projection Into Yards .....	Page 30
4.	Moving Buildings .....	Page 30
5.	Excavation and Construction Work .....	Page 31
6.	Objects Prohibited or Restricted in Non-industrial Zones .....	Page 31
7.	Skirting of Buildings.....	Page 32
8.	Soils and Drainage .....	Page 32
9.	Accessory Buildings .....	Page 32
10.	Public Walkways .....	Page 32
11.	Plan of Subdivision.....	Page 32
12.	Residential Zones.....	Page 33
13.	Fences.....	Page 33
14.	Protection From Explosive Hazards.....	Page 34
15.	Airport Vicinity Protection .....	Page 34
16.	Caretakers Unit .....	Page 34
17.	Fire Protection and Access to Fire Hydrants .....	Page 34
18.	General Sign Regulations .....	Page 35
19.	Free-standing Signs .....	Page 36
20.	Projecting Signs .....	Page 37
21.	Canopy Signs .....	Page 37
22.	Off-site Signs.....	Page 37
23.	Wall/Fascia Signs.....	Page 37
24.	Temporary Signs .....	Page 38
25.	Highway Signs.....	Page 38
26.	General Parking Regulations .....	Page 39
27.	Minimum Parking Facility Dimensions .....	Page 40
28.	Off-street Parking Stalls Required.....	Page 41
29.	Off-street Loading Requirements .....	Page 42
30.	Architectural Controls.....	Page 43
31.	Dempster Highway .....	Page 45

## **PART SIX – SPECIFIC LAND USE REGULATIONS**

1.	Applicability of Special Land Use Regulations.....	Page 46
2.	Churches .....	Page 46
3.	Drive-through Business.....	Page 46
4.	Car Washing Establishments .....	Page 47
5.	Service Stations (Including Gas Bars) .....	Page 47
6.	Motels.....	Page 47
7.	Multi-household Housing Developments.....	Page 48
8.	Mobile Homes .....	Page 48
9.	Day Cares .....	Page 49
10.	Group Homes .....	Page 49
11.	Home Occupations.....	Page 49
12.	Scrap Yards/Junk Yards .....	Page 51

## **PART SEVEN – REGULATIONS FOR LAND USE ZONES**

1.	Establishment of Zones.....	Page 53
2.	R1~ Low Density Residential .....	Page 53
3.	R2 ~ Medium Density Residential.....	Page 54
4.	R3 ~ High Density Residential .....	Page 55
5.	RMH1 ~ Residential One-household Mobile Home .....	Page 56
6.	RMH2 ~ Residential Mobile Home Park .....	Page 57
7.	CR ~ Country Residential.....	Page 60
8.	RC ~ Recreational Cottage .....	Page 61
9.	C1 ~ Core Area Commercial.....	Page 63
10.	C2 ~ Highway Commercial.....	Page 65
11.	C3 ~ Neighborhood Commercial.....	Page 66
12.	M1 ~ Light Industrial.....	Page 67
13.	M2 ~ Heavy Industrial .....	Page 70
14.	CU ~ Community Use .....	Page 71
15.	P ~ Park.....	Page 72
16.	H ~ Hinterland .....	Page 74
17.	UR ~ Urban Reserve.....	Page 75
18.	SD ~ Special Development .....	Page 75

## **PART EIGHT – FORMS**

1.	Form A ~ Application for Development/Building Permit.....	Page 77
2.	Form A-1 ~ Application for Home Occupation .....	Page 80
3.	Form B ~ Notice of Decision of the Development Officer .....	Page 82
4.	Form C ~ Development Permits and Notices.....	Page 83
5.	Form D ~ Notice of Refusal.....	Page 84
6.	Form E ~ Notice of Appeal Hearing .....	Page 85
7.	Form F ~ Notice of Appeal Decision .....	Page 86
8.	Form G ~ Notice of Zoning By-law Contravention and Remedial Action.....	Page 87
9.	Form H ~ Notice of Zoning By-law Contravention and Stop Work Order .....	Page 88
10.	Form I ~ Sign Permit Application .....	Page 89
11.	Form J ~ Signage Space Lease Application Form for Municipal Owned Property..	Page 90
12.	Form K ~ Application for Amendment to the Zoning By-law .....	Page 91

## **SCHEDULE B – APPLICATION FEES**

B-1	Development/Building Permit & Home Occupation Application Fees.....	Page 92
-----	---	---------

## **SCHEDULE C – ZONING MAPS**

C1	Zoning Overview Map
C2	Shell Lake/Airport Lake Map

# **SCHEDULE “A” GENERAL**

# **PART ONE - INTRODUCTION**

## **1. SHORT TITLE**

This by-law may be cited as the “Zoning By-law”.

## **2. COMPONENTS OF THE BY-LAW**

- (1) Schedule A, the By-law text and the Zoning By-law forms;
- (2) Schedule B, Development/Building & Home Occupation Permit Fees; and,
- (3) Schedule C, the Zoning By-law maps.

## **3. FORMS**

The following forms shall form part of Schedule A, Part Eight, and may be amended in the same manner as any other part of this by-law.

- (1) Form A Application for Development/Building Permit
- (2) Form A-1 Application for Home Occupation
- (3) Form B Notice of Decision of the Development Officer
- (4) Form C Development Permits and Notices
- (5) Form D Notice of Refusal
- (6) Form E Notice of Appeal Hearing
- (7) Form F Notice of Appeal Decision
- (8) Form G Notice of Zoning By-law Contravention and Remedial Action
- (9) Form H Notice of Zoning By-law Contravention and Stop Work Order
- (10) Form I Sign Permit Application
- (11) Form J Signage Space Lease Application Form for Municipal Owned Property
- (12) Form K Application for Amendment to the Zoning By-law

## **4. PURPOSE OF THE BY-LAW**

The purpose of this by-law is to facilitate the orderly, economic and sustainable development of the Town of Inuvik by controlling the development and use of land.

## **5. PREVIOUS LEGISLATION**

The following legislation is hereby repealed:

- (1) The Town of Inuvik Zoning By-law #1457/P+D/96 as amended.
- (2) No provision of any other by-law with respect to zoning, development control or development schemes shall hereafter apply to any parts of the Town described in this by-law, subject to the transitional provisions of this by-law.

Any existing use of land, building or structure which is listed as a discretionary use within the zone shall, as a result of the passage of this by-law, be a legal, non-conforming use at that location. The use of land, building or structure at the location shall not be changed except in conformity with this by-law.

## 6. COMPLIANCE WITH OTHER LEGISLATION

A person applying for, or in possession of a valid Development Permit, is not relieved from the full responsibility for ascertaining, complying with or carrying out development in accordance with:

- (1) the requirements of any other appropriate federal, territorial or municipal legislation;
- (2) the Town of Inuvik Airport Zoning Regulations;
- (3) the conditions of any caveat, covenant, easement or other instrument affecting a building or land;
- (4) the most recent revision of the National Building Code of Canada, which is herein adopted by reference to be part of this by-law; and,
- (5) the most recent revision of the National Fire Code of Canada, which is herein adopted by reference to be part of this by-law.

## 7. SEVERABILITY

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

## 8. ZONING MAPS

- (1) The Zoning Maps are found in Schedule C of this by-law. They divide the Town of Inuvik into zones and specify the zoning provisions applying to particular lands.
- (2) For the purpose of this by-law, the following zones are hereby established:

<b>R1</b>	Low Density Residential	<b>M1</b>	Light Industrial
<b>R2</b>	Medium Density Residential	<b>M2</b>	Heavy Industrial
<b>R3</b>	High Density Residential	<b>CR</b>	Country Residential
<b>CU</b>	Community Use	<b>RC</b>	Recreational Cottage
<b>P</b>	Park	<b>UR</b>	Urban Reserve
<b>C1</b>	Core Area Commercial	<b>SD</b>	Special Development
<b>C2</b>	Highway Commercial	<b>H</b>	Hinterland
<b>C3</b>	Neighborhood Commercial		
<b>RMH1</b>	Residential One-household Mobile Home		
<b>RMH2</b>	Residential Mobile Home Park		

- (3) The zone boundaries are delineated on the Zoning Maps. Where uncertainty arises as to the precise location of the boundary of any zone, the following rules shall apply:
  - (a) a zone boundary shown approximately at a lot, street or land is at the boundary of the lot, street or lane;
  - (b) a zone boundary shown approximately at the centreline of a street or line is at the centreline of the street or lane;
  - (c) a zone boundary shown within a lot, unless specifically noted, is fixed by the scale of the zoning map;
  - (d) a zone boundary shown following approximately a shoreline or the centreline of a creek, stream or channel follows the shoreline or centreline and moves with any change in such shoreline;

- (e) where a zone boundary falls along a lot line, the zoning map shall indicate the lot numbers between which the boundary falls, but the zoning map need not show the lot boundary; and,
  - (f) if unsubdivided land, the zone boundary shall be determined by the use of the scale of the zoning map.
- (4) For greater clarity, as required, the Development Officer shall establish the boundaries of the Floodway Risk Area and the Floodway Fringe Risk Area by scaling measurements from 1:2000 Flood Risk Maps.
  - (5) For greater certainty, as required, the Development Officer shall scale dimensions from the Airport Zoning Regulations Map.

## PART TWO – DEFINITIONS

### PREAMBLE

For the purpose of this by-law, certain terms or words herein shall be interpreted or defined as follows. Words used in the present tense include the future tense, the singular includes the plural and the word “person” includes a corporation as well as an individual.

“**lot**” includes the word “plot” and “parcel”

“**shall**” means always mandatory

“**used**” or “**occupied**” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be used or occupied”.

### DEFINITIONS

**Accessory** means a use, separate building or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but does not include a building or structure used for human habitation.

**Act** means the Consolidation of Planning Act R.S.N.W.T. 1988, c. P-7 Sections 38 to 48 NIF, as amended.

**Agent** means a person, firm or corporation representing the owner by designation, contract or otherwise and includes a hired tradesman or contractor.

**Agricultural Use** means the use of the land for agricultural purposes including farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

**Airport** means the use of land, including water, runway, or other facility designed, used or intended to be used either publicly or by any person or persons for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures, and open spaces.

**Amenity** means a characteristic or facility that enhances the desirability of an environment. Amenities may include recreational or cultural facilities, a unified building design, views, landscaping, tree preservation or generally attractive site design.

**Animal Hospital** means a building or part thereof used by veterinarians primarily for the purposes of the consultation, diagnosis and office treatment of household pets, but shall not include long-term board facilities for animals.

**Animal Shelter** means a lot and/or building or part thereof used for the care of lost, abandoned or neglected animals.

**Apartment Building** means a single building comprised of three or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rent or occupation for periods of less than thirty (30) days.

**Appellant** means a person who, pursuant to the Planning Act, has served notice of appeal to the Development Appeal Board.

**Applicant** means an individual, partner, corporation, firm, society, cooperative, or other incorporated legal entity and his/her or its respective heirs, executors, agents, administrators and assigns having legal or equitable interest in a property, whom has applied, under the provisions of this by-law, for a permit for the development of land.



**Board** means the Development Appeal Board established under this by-law.

**Boarding House** means a dwelling in which the proprietor supplies for a fee sleeping accommodation with board for at least three persons and not more than eight persons exclusive of the proprietor, members of the proprietor's household and servants of the establishment but does not include a hostel.

**Buffer** means anything which visually and/or acoustically shelters, conceals or protects, and which is considered acceptable to the Development Officer or Council. A buffer may include a fence, hedge, berm or bush.

**Building** means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment. Any tent, awning, bin, bunk, or platform, vessel or vehicle used for any of the said purposes shall be deemed a building.

**Bunkhouse/Camp** means a building designed or used for the accommodation of up to 25 workers and consisting of at least one bathroom and not fewer than 2 habitable rooms providing therein living, dining, kitchen and sleeping accommodation in appropriate individual or combination rooms.

**Caretakers Unit** means a single household dwelling which is used as a residence by a caretaker or watchman or which is merely inhabited in order to provide added security to the premises.

**Community Care Facility** means a facility which provides resident care to individuals who are handicapped, aged, disabled or in need of adult supervision, and who are provided service and supervision in accordance with their individual needs.

**Community Plan** means the Community Plan of the Town of Inuvik as adopted by this by-law.

**Conditional Use** means a use which is considered on its individual merits and circumstances by the Development Officer, and may be permitted on a specific zone to which the use applies and provided the Development Officer has given due consideration to adjoining land uses.

**Convenience Store** means any retail establishment with a gross leasable area of 186 square meters or less that is primarily engaged in retail dealings in goods required by the inhabitants of a residential district to meet their day-to-day needs, but shall not include a store catering primarily to the requirements of the commercial district.

**Core Commercial** means all commercial establishments normally found in the community business core, also known as "downtown". Land uses such as professional, financial and business support services, medical and dental clinics, drinking establishments, banks and personnel service establishments are included. These land uses can be complexed with residential, community and recreational uses where the by-law permits.

**Council** means the Council of the municipal corporation of the Town of Inuvik.

**Day Care Facility** means a facility and program for the provision, care and supervision of five (5) or more children under ten (10) years of age (who are not of common parentage) for periods of more than three (3) hours, but less than twenty-four (24) consecutive hours. The facility is not part of a public school, separate school, private school or children's health centre.

**Development** means the carrying out of any construction, excavation, or other operations in, on, over or under land. Development also includes any changes made in the use or intensity of use of any land, building or premises. For the avoidance of doubt and without restricting the generality of the foregoing, "development" includes:

- (a) in a building or on a parcel used for dwelling purposes, any alterations or additions which provide for an increase in the number of dwelling units within the building or on the parcel;
- (b) in a building or on a parcel used for other than dwelling purposes, any alterations or additions which increase the capacity of the building of parcel or which provide for an increase in the intensity of use of the building or parcel;
- (c) the display of advertisements on the exterior of any building or on any land;

- (d) the deposit of debris, waste material, or other refuse from building or excavation operations including land already being used for that purpose if the surficial area or height of any existing deposit is thereby extended;
- (e) the removal of topsoil, trees, shrubs, earth and gravel excavation from any land or the portion thereof;
- (f) the deposit of topsoil, earth, gravel or sand on any land for the purpose of filling or raising the surface of the land;
- (g) the reversion of land or buildings to a previous land use, if that use has been discontinued for a period of more than 365 days
- (h) the continuation of a particular land or building use if it is being used unlawfully at the time this by-law comes into effect.

**Development Officer** means an official of the municipality responsible for administering this by-law. The Development Officer(s) will receive and process all applications for development permits.

**Development Permit** means a certificate or document permitting a development. It includes a plan(s) or drawing(s), specifications and may contain other relevant documents.

**Development Value** means the contract cost for any proposed development. In cases where a development contract is not submitted, the development value shall be determined by the Development Officer.

**Director** means the “Director of Planning” appointed under section 49 of the Planning Act (1988)

**Dog Lot** means the temporary or permanent keeping of three (3) or more dogs in an outdoor kennel, enclosed area or on a leash in the hinterland.

**Dwelling** means a building or part of a building occupied, or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently.

**Dwelling Unit** means a room, group of rooms, or dwelling forming a habitable unit for one household with facilities for living, sleeping, cooking and eating, and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit.

**Dwelling, Single Household** means a detached residential dwelling unit other than a mobile home, designed for and occupied by one household only.

**Dwelling, Duplex** means the whole of a two story building divided horizontally or vertically into two separate dwelling units, each of which has an independent entrance.

**Dwelling, Multiple Household** means a residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units.

**Fence** means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

**Fence/Wall Opaque** means a vertical structure at least 6 feet in height constructed of cedar, masonry, redwood or pressure treated lumber to resist rot, that is completely impenetrable by light.

**Floor Area** means the maximum area contained within the outside walls excluding in the case of a dwelling, any private garage, porch, verandah, sunroom, unfinished attic or basement and cellar or other room(s) not habitable at all seasons of the year.

**Golf Course** means a public or private area operated for the purpose of playing golf that may include a club house and driving range.

**Grade** means the average of the elevations of all the natural or finished levels of the ground adjoining all the walls of a building.

**Grade, Finished** means the final elevation of the ground surface after development.

**Habitable Room** means any area in a structure for living, sleeping, eating or cooking. Crawlspace, parking garages and similar areas are not considered habitable space.

**Hard Surfaced** means that the minimum requirements of a finished grade for any parking area will consist of ¾ inch crushed rock (0.1 m compaction), evenly graded for appropriate site drainage, chip seal, asphalt or other similar hard, durable, dust-free surface.

**Hazardous Substance or Dangerous Goods** means of the following:

- (a) explosives and pyrotechnics;
- (b) gases (either compressed, deeply refrigerated, liquefied, or dissolved under pressure);
- (c) flammable and combustible liquids;
- (d) flammable solids (including substances liable to spontaneous combustion and substances which, on contact with water, emit flammable gases);
- (e) oxidizing substances and organic peroxides;
- (f) poisonous and infectious substances;
- (g) radioactive material;
- (h) medical or biological waste;
- (i) corrosives; and,
- (j) other miscellaneous substances of similar nature.

**Height** when used with reference to a building or structure, is the vertical distance between the average finished grade and a horizontal plane through either:

- (a) the highest point of the roof in the case of a building with a flat roof or deck roof;
- (b) the average level of a sloped roof, provided that such a roof has a slope of less than twenty (20) degrees; or
- (c) the average level between eaves and ridges in the case of a pitched gambrel, mansard or hipped roof.

Cupolas, steeples, cornices, bell towers, chimneys, transmitter and antenna masts, and electrical or mechanical equipment shall not be taken into account when calculating building height.

*Land uses in the vicinity of airports are regulated by Airport Zoning Regulations. Please refer to the Development Officer for information pertaining to airport vicinity height regulations.*

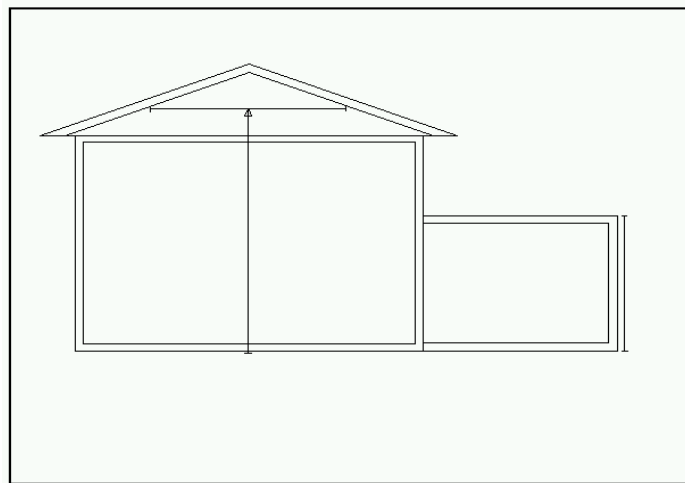


Figure 3 Building Height

**Highway** means a highway or proposed highway that is described as a primary highway by the Public Highways Act.

**Highway Commercial** means land used for highway and service-oriented commercial uses which, by their nature, require high visibility and primarily cater to the traveling public. Examples of highway commercial land uses include motels, eco-tourism establishments, information service kiosks, campgrounds and restaurants.

**Home Occupation** means an occupation or business activity that results in a product or service which is conducted in whole or in part in the dwelling unit and is clearly subordinate to the residential use of the dwelling unit.

**Hotel** means a building or structure containing a general kitchen and dining room, and maintained, advertised or held out to the public to be an enclosure where sleeping accommodations are furnished to the public with or without meals and furnishing accommodations for periods of less than one week.

**Household** means:

- (a) One or more persons related by blood, adoption or marriage and not more than three (3) additional persons all residing together as a single household unit; or,
- (b) a number of persons not exceeding five (5) residing together as a single household unit where such persons are not related by blood, adoption or marriage.

**Industrial – Light** means a use or development of land for the purpose of processing, warehousing, repairing, distribution or storage of goods and materials and where minimal nuisances are generated.

**Industrial – Heavy** means a use or development of land for the purposes of manufacturing, processing, warehousing, stockpiling or storage that requires a large track of land and is subject to the generation of off-site nuisances including noise, smoke, ash, dust, toxic gases, glare, heat or obnoxious odours.

**Inoperable** means a motor vehicle unable to move by means of a functioning internal mechanical system.

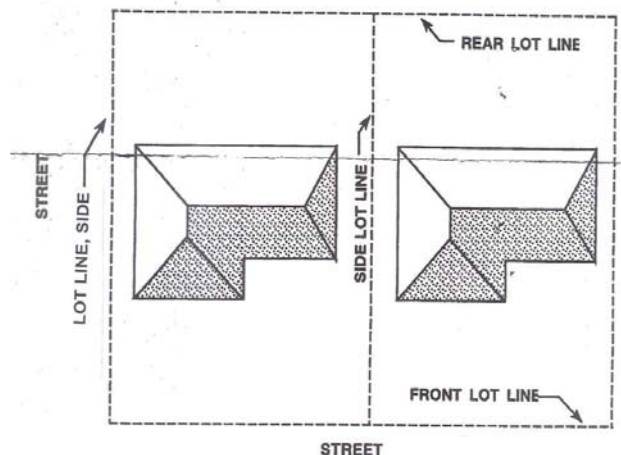
**Kennel** means accommodation for the boarding and/or breeding of small animals. Uses associated with the shelter and care of small animals such as dogs and cats (e.g. grooming, training and exercising) are also included.

**Loading Space** means a space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when off-street parking spaces are filled.

**Lot Line, Front** means the property line separating a lot from an abutting public roadway other than a lane. In the case of a corner lot, the front line is the shorter of the property lines abutting a public roadway, other than a lane.

**Lot Line, Rear** means either the property line of a lot which is furthest from and opposite the front lot line, or, where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from and opposite the front lot line.

**Lot Line, Side** means the property line of a lot other than a front lot line or rear lot line.



**Lot, Site or Parcel** means an area of land, the boundaries of which are shown on a plan registered in a Land Titles Office, are described in the Certificate of Title, or are the subject to other forms of interest in land under the terms of the Territorial Lands Act and Regulations or the Commissioner's Land Act and Regulations.

**Lot Coverage** means that percentage of the lot area covered by the perpendicular projection onto the horizontal plane of the area of all buildings on the lot. "Lot coverage" shall not include balconies, canopies, and overhanging eaves, provided none of the foregoing is less than 2.4 meters above finished grade.

**Lot Width** means the average distance between the side lot lines of a lot.

**Main Building** means a building in which the main or principal use of the site is conducted. Only one main building shall be permitted per lot.

**Mobile Home or Mobile Home Unit** means a transportable dwelling which meets the following criteria: adheres to CSA Z240 standards, is suitable for permanent occupancy, is designed to be transported on its own wheels or by a low-boy transport trailer, and is ready for occupancy except for incidental building operations (i.e. placement on foundation supports and connection to utilities).

- (a) **single-wide** – a mobile home unit designed specifically to be towed or hauled in a single load; and,
- (b) **double-wide** – a mobile home unit consisting of two (2) sections separately towed or hauled, designed to be joined together into one (1) integral unit.

**Motel** means one building or two or more detached buildings for the purpose of catering to the needs of the traveling public by furnishing individual sleeping accommodation and sanitary facilities. All required parking is at grade and direct access is available from the parking area to individual units.

**Motor Vehicle** means any machine powered by a fuel combustion engine or electric motor system that is designed to carry a driver/passenger.

**Municipality** means the Town of Inuvik.

**Natural Resource Development** means development for the on-site removal, extraction, and primary processing of raw minerals found on or under a site, or accessible from the site. Typical uses include gravel pits, sandpits, clay pits, oil and gas wells, coal mining, and stripping of topsoil. Natural resource development does not include the processing of raw materials transported to the site.

**Neighborhood Commercial** means land uses intended for the retail sale of goods required by area residents on a daily basis. Typical uses include small food stores, variety stores selling confectionery, tobacco, groceries, beverages and personal care items. In all instances, neighborhood commercial uses must be located on corner lots and complexed with a residential dwelling unit.

**Neighbourhood Convenience Store** means a development used for the retail sale of goods required by area residents or employees on a day-to-day basis. A neighbourhood convenience store may include small food stores, drug stores, or variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

**Non-conforming Building** means a building that is lawfully constructed, or under construction, at the date this by-law is passed, and does not, or will not, conform to the requirements of the Zoning By-law when it becomes effective.

**Non-conforming Use** means any intended or existing legal use of land or building which does not, and will not, conform to the requirements of this by-law.

**Nuisance** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

**Off-street Parking** means a designated parking area (i.e. lot) for one (1) or more vehicles. It may be part of a development or, with the approval of the Development Officer, may be separate from the development.

**Permitted Use** means any land use which is allowed in a particular zone, provided that the use conforms to the regulations of the particular zone to which the use applies.

**Public Building** means a building which is available to the public for purposes of assembly, instruction, culture or enlightenment or for a community activity, but does not include a place of public entertainment for which an admission fee is customarily charged.

**Public Use** means a development which is publicly owned, supported and subsidized, involving public assembly or use. Public uses typically include public schools, libraries, arenas, museums, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational facilities.

**Public Utility Building** means a building in which a public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility.

**Retail Store** 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.

**Row Housing** means a building containing a row of two (2) or more dwellings joined in whole or in part at the side, with no dwelling being placed over another in whole or in part. Dwellings shall be separated by vertical party walls which are insulated against sound transmission. Each dwelling shall have separate, individual and direct access to grade.

**Scrap Yard/Junk Yard** means a place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, based, cleaned, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for use of salvaged house wrecking and structural steel materials and equipment, but excluding pawn shops and establishments for the sale, purchase or storage of used cars in operable condition. The storage of non-operable machinery, equipment or automobiles for thirty (30) days or longer shall be prima facie evidence the property is a scrap yard.

**Semi-detached Dwelling** means a building built to contain two (2) side-by-side dwelling units, separated from each other by walls extending from foundation to roof and not attached to any other residential buildings. This resembles a side-by-side duplex, except that each residential unit has a separate and direct access to the outside grade.

**Sign** means any object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event and includes any word, letter, model, picture, symbol, device or representation used as, wholly, or in part, an advertisement, announcement or direction. Without restricting the generality of the foregoing, a sign includes posters, notices, panels, boardings and banners.

**Site Area** means the land contained within the boundaries of a site.

**Solid Waste Site** means any property where refuse of a non-hazardous type is deposited.

**Storey** means that portion of a building between the upper surface of any floor and the floor next above, except that the topmost storey shall be the portion of a building between the upper surface of the topmost floor and roof line.

**Structural Alteration** means any change in or alteration to a structure involving a bearing wall, column, beam, girder, floor or ceiling joists, roof rafters, foundations, piles, retaining walls or similar components.

**Structure** means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls, fences or any sign.

**Temporary** means such time limit as may be set by the Council for a specific use. In a case where no time limit is set, "temporary" shall be no more than sixty (60) consecutive days.

**Tourist Trailer Park or Campsite** means a site which provides for the temporary location of tents and trailers used by travelers and tourists for overnight accommodation and which is not used for permanent residence.

**Trailer, Vacation** means any portable accommodation providing temporary living quarters in which all facilities are not necessarily self-contained.

**Unlicensed** means a motor vehicle or part thereof that is not currently legally registered and insured.

**Vehicle, Dismantled or Wrecked** means a motorized vehicle that is not legally registered with the Territorial Government and is in a condition of disrepair rendering it immobile and/or is not considered structurally safe to operate on a public roadway. Subject to sections 178 and 180 of the Cities, Towns and Villages act, Council may, by by-law, provide for the removal and disposal of vehicles that:

- (a) are inoperable, wrecked or dismantled;
- (b) are not located in a building; and
- (c) do not form part of a business lawfully operated on the premises.

**Yard** means a part of a parcel upon or over which no structure is erected.

(a) **Front Yard** means a yard extending across the full width of a parcel from the front lot line of the parcel to the front wall of the main building situated on the parcel;

(b) **Side Yard** means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side lot line of the parcel and the side wall of the main building; and,

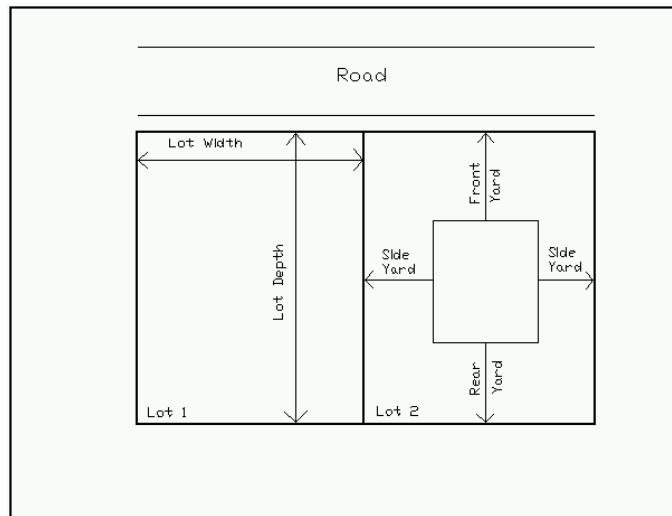


Figure 4

(c) **Rear Yard** means a yard extending across the full width of a parcel from the rear wall to the main building situated on the parcel to the rear lot line of the parcel.

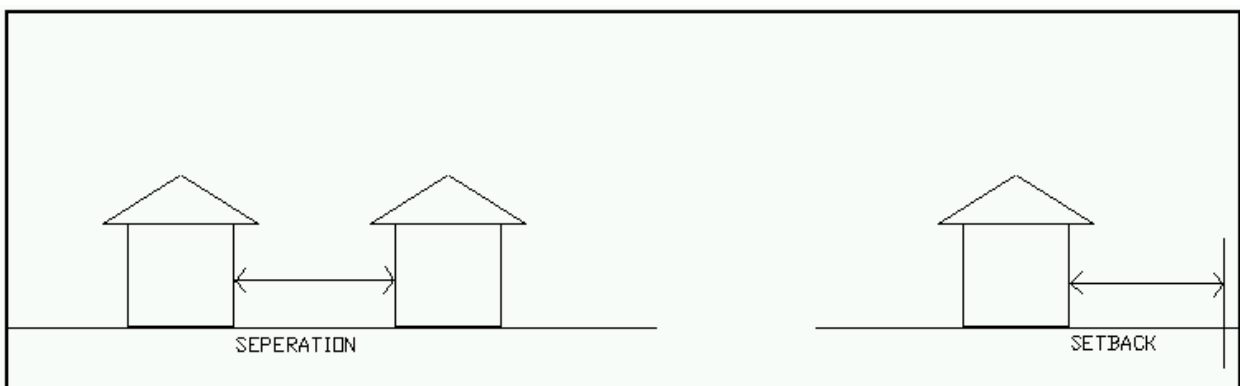


Figure 5

**Zone** means the category of use or activity of land, buildings, structure or activities permitted by this by-law.

**All other words and expressions have the meaning respectively assigned to them in the Planning Act.**

## **PART THREE – AGENCIES**

### **1. DEVELOPMENT OFFICER**

- (1) The office of the Development Officer is hereby established and shall be filled by a person appointed by resolution of Council established in accordance with Section 16.1 of the Planning Act.
- (2) The Development Officer is authorized to perform the duties specified in Part Three of this by-law, and has enforcement powers as are conferred upon Council by Section 16.2 of the Planning Act.
- (3) The Development Officer shall:
  - (a) keep and maintain for the inspection of the public during all reasonable hours, a copy of this by-law obtainable by the public at reasonable charge;
  - (b) keep a register of all applications of development, including the decision thereon and the reasons therefore.
- (4) The Development Officer is hereby declared to be an official of the municipality and an authorized officer or servant of Council.

### **2. TOWN COUNCIL**

- (1) The function of Council with respect to this by-law shall be to:
  - (a) review and render decisions on development applications presented to it by the Development Officer, having regard for the regulations of this by-law and the provisions of the Community Plan;
  - (b) review and render decisions on applications for development of a Conditional Use, having regard for the regulations of this by-law and the provisions of the Community Plan;
  - (c) review and render decisions on applications for rezoning and/or other amendments presented to it by the Development Officer;
  - (d) specify the length of time that a permit may remain in effect for a temporary use; and,
  - (e) carry out other such duties as may be prescribed in this by-law.

### **3. DEVELOPMENT APPEAL BOARD**

- (1) A Development Appeal Board is hereby established and must consider and determine such appeals as may be referred to it under the provisions of the Planning Act.
- (2) The Development Appeal Board shall discharge such duties that are given to it in this by-law or amendment thereof.
- (3) The Development Appeal Board may meet as frequently as necessary, but shall meet within thirty (30) days after an application for an appeal has been made to it.
- (4) The Board shall be composed of a Chairman and four (4) other members to be appointed concurrently for three (3) years of office by resolution of Council, and who shall not be dismissed except for just cause.
- (5) The Board shall include at least one (1) member of Council, but a majority of the Board shall be persons other than members of Council and the Board shall not include employees of the municipality.



- (6) When retirement or resignation of an Appeal Board member results in a vacancy, the vacant position shall be filled by resolution of Council.
- (7) The Chairman of the Development Appeal Board shall sign all notices of decisions and any other documents on behalf of the Board, relative to any jurisdiction or power of the Board, and any documents so signed shall be deemed to be signed on behalf of, and with the approval of, the Development Appeal Board.
- (8) Where the Chairman of the Development Appeal Board is absent or disabled, any document of the Board may be signed by any one (1) member, and when so signed, shall have the like effect as though signed by the Chairman.
- (9) Three (3) members of the Development Appeal Board constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Board.
- (10) Only those members of the Development Appeal Board in attendance at a Board meeting shall vote on any matter then before the Board.
- (11) The decision of the majority of the members of the Board present at a meeting duly convened is deemed to be the decision of the whole Board.

#### **4. SECRETARY – DEVELOPMENT APPEAL BOARD**

- (1) The office of the Secretary of the Development Appeal Board is hereby established and shall be filled by an employee of the Town of Inuvik, as appointed by Council, or the Senior Administrative Officer acting on behalf of Council.
- (2) The Secretary shall:
  - (a) keep available for public inspection before the commencement of the public hearing all relevant documents and materials respecting an appeal under the Planning Act, including the application for the development permit, its refusal and the appeal there from;
  - (b) receive and administer all applications for appeal;
  - (c) notify all members of the Development Appeal Board of the arrangements for the holding of each hearing and other meetings of the Board;
  - (d) ensure that reasonable notice of a hearing is given to the appellant and other persons who, in the opinion of the Board, may be affected. Notification may be given in any or all of the following manners: letter, verbal, newspaper, poster or television notification;
  - (e) prepare and maintain a file of written minutes of all business transacted at all meetings of the Development Appeal Board, copies of which shall be regularly filed with the Council;
  - (f) serve the appellant and all affected parties a notice of the decision of the Board and the reasons therefore;
  - (g) notify the Council of the decisions of the Board;
  - (h) within fifteen (15) days after the Appeal Board renders its decision, make a complete report of the appeal proceedings to the Director, including all representations made at the hearing; and,
  - (i) carry out such other administrative duties as the Development Appeal Board may specify.

## **PART FOUR – APPLICABILITY OF BY-LAW AND PERMITS**

### **1. CONTROL OF DEVELOPMENT**

- (1) No development shall be undertaken within the municipality unless an application for it has been approved and a Development Permit has been issued.

### **2. APPLICATIONS IN PROCESS BEFORE ADOPTION OF THIS BY-LAW**

- (1) An application for a development which is received in its complete and final form prior to the effective date of this by-law shall be processed, and any permit issued shall be in accordance with By-law 1457/P+D/96 as amended, and the regulations thereto, as applicable.
- (2) An application to amend By-law 1457/P+D/96 which has been received before the effective date of this by-law by the Development Officer in a complete and final form and in accordance with the requirements of By-law 1457/P+D/96 may be considered and adopted by Council without the necessary reapplication subsequent to the adoption of this by-law.

### **3. APPROVAL REQUIRED FOR DEVELOPMENT**

- (1) For the purpose of this by-law, "Development" shall refer to those considerations listed under the definition of "Development".
- (2) Excluding the developments listed in Section 4 below, no development shall be undertaken, nor occupancy granted, use commenced, structure moved, building erected or demolished, or utility connection approved without the necessary permits having been obtained pursuant to this by-law.

### **4. DEVELOPMENT PERMIT EXEMPTIONS**

- (1) No development permit is required under this by-law for the developments listed in this section, provided that such developments comply with all other regulations of this by-law which are applicable.
- (2) The following is considered permitted development for which no permit is required:
  - (a) the carrying out of works or maintenance or repair to any building, if such works do not increase any dimensions of the original building or structure and do not include structural alterations or works of renovation which exceed \$20,000.00;
  - (b) The completion and/or use of a building which is lawfully under construction at the date of approval of this by-law, provided that the building is completed in accordance with the terms of the permit granted by the Development Officer, Council or Board in respect of it, and subject to the conditions to which that permit was granted;
  - (c) The erection, location or construction of temporary buildings, works, plant or machinery needed in connection with construction operations for which a Development Permit has been issued, for the period of those operations;
  - (d) The maintenance and repair of public works, services and utilities carried out by or on behalf of the municipal authority on land which is publicly owned or controlled; and,
  - (e) The keeping of animals in a residential lot subject to other applicable Town of Inuvik by-laws.

## **5. NON-CONFORMING BUILDINGS AND USES**

- (1) When, at the time this by-law is adopted, a non-conforming use exists, the non-conforming use of land or building may be continued but if that use is discontinued for a period of 180 days or more, any future use of the land or building shall conform with the provisions of the Zoning By-law then in effect.
- (2) A non-conforming use of part of a building may be extended throughout the building but the building shall not be enlarged or added to, and no structural alterations shall be made to it.
- (3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot, and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
  - (a) as may be necessary to make it a conforming building; or
  - (b) as the Development Officer considers necessary for the routine maintenance of the building.
- (5) If a non-conforming building is damaged or destroyed such that more than fifty percent (50%) of the most recently assessed value of the building above its foundation is affected, the building shall not be repaired or rebuilt except in accordance with the Zoning By-law.
- (6) The non-conforming use of land or building is not affected by reason only of a change in ownership, tenancy or occupancy of the land or building.

## **6. DEVELOPMENT PERMIT APPLICATION REQUIREMENTS**

- (1) An application for a development permit may only be made by a person with a legal, equitable estate, or interest in the property sought to be developed by a person duly authorized by him/her in this regard.
- (2) Where the applicant is other than the owner, the owner's written consent must be submitted with the application.
- (3) An application for development permit shall be made by submitting a completed Form "A" to the Development Officer, which shall be subject to any minor amendments the Development Officer may make.

(4) Every application for a development permit shall:

- (a) provide a detailed statement of the proposed use(s) for the property and buildings in question;
- (b) at the discretion of the Development Officer, include site plans in duplicate at a scale not less than one to one thousand, showing any or all of the following:

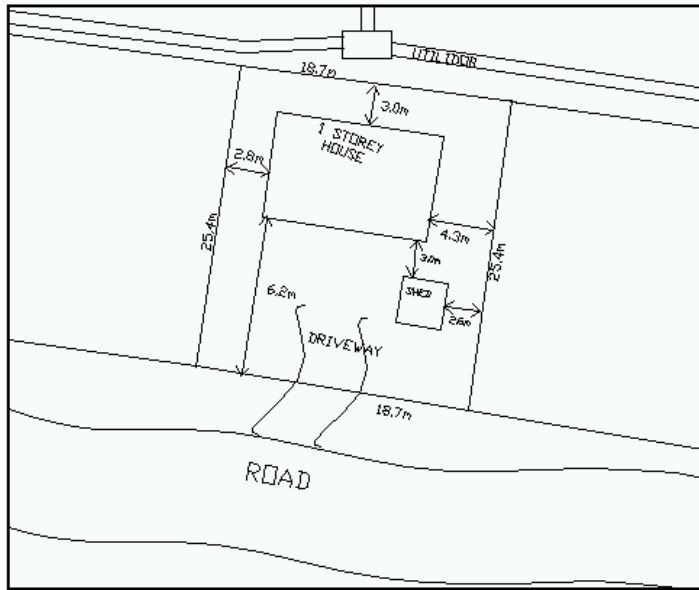


FIGURE 6

- (i) all legal dimensions of the lot(s);
- (ii) the location and dimensions of all existing buildings, structures or uses on the lot;
- (iii) a site plan showing the location, dimensions and yard setbacks of all surrounding lots, buildings and/or structures;
- (iv) plans and elevations of all proposed buildings showing dimensions with specifications and notes of materials used;
- (v) proposed front, rear and side yard setbacks;
- (vi) proposed lot coverage, lot areas and floor areas;
- (vii) proposed servicing scheme and its relationship to the Town of Inuvik's existing and/or proposed servicing plans;
- (viii) location and dimensions of any existing or proposed driveways, entrances and exits, parking areas (showing individual stalls), on-site loading areas, pedestrian walks and landscaping, and drainage schemes;
- (ix) the location of outdoor fuel storage facilities;
- (x) the location of any easements affecting the site;
- (xi) anticipated scheduling and sequence of development; and,
- (xii) mechanisms by which conformance to the by-law will be ensured such as normally achieved through a combination of caveats, easements, service agreements and performance bonds.
- (c) the Development Officer may also require an applicant to submit such additional information as he/she considers necessary to verify the compliance of the proposed use or development with the regulations of this by-law.

## 7. CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMITS

- (1) The Development Officer may impose, with respect to a Permitted Use, such conditions as are required to ensure complete compliance with this by-law.
- (2) Council shall, with respect to a Conditional Use, impose such conditions as deemed appropriate to ensure complete compliance with the regulations of this by-law and the provisions of the Community Plan.
- (3) A condition may impose a time limit on the development or use.
- (4) The Development Officer or Council may, as a condition of issuing a development permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.
- (5) The Development Officer or Council may, as a condition of issuing a development permit, require the applicant to provide evidence of compliance with any other relevant federal, territorial or municipal legislation.
- (6) The Development Officer or Council may, as a condition of issuing a development permit, require that the applicant enter into an agreement or an interim agreement (which shall be attached to and form part of such development permit) to do any or all of the following:
  - (a) to construct, or pay for the construction of, a public roadway required to give access to the development;
  - (b) to construct, or pay for the construction of, a pedestrian walkway;
  - (c) to specify the location and number of vehicular and pedestrian access points to sites from public roadways;
  - (d) to install, or pay for the installation of, utilities that are necessary to serve the development;
  - (e) to construct, or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or,
  - (f) to repair or reinstate, or to pay for the repair or reinstatement to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed by development or building operations upon the site.
- (7) The Development Officer may require any agreement entered into pursuant to Section 6 (f) above to be caveated against the title.
- (8) The Development Officer may stipulate that he will inspect the development at certain stages of construction, in which case the permittee shall not proceed with any stage until the preceding stage is inspected and approved.
- (9) No change in plans, use of site, or methods of construction shall be undertaken unless, and until, such change is approved in writing by the Development Officer.

## 8. RELAXATION OF REGULATIONS

- (1) The Development Officer may approve a development application notwithstanding that the proposed development does not comply with the provisions of this by-law, if the non-compliance is minor and where, in the opinion of the Development Officer, denial of the application would cause the applicant unnecessary hardship unique to the use.
- (2) The Development Officer may relax regulations of development in accordance with the following:

<b>(i) DEGREE OF RELAXATION</b>			
	<b>RESIDENTIAL ZONES</b>	<b>1) OTHER ZONES</b>	<b>2) FENCES</b>
FRONT YARD	25%	Discretion of Development Officer to a maximum of 25%	No relaxation
SIDE YARD	25%	10%	0.15 m
REAR YARD	25%	10%	Discretion of Development Officer

*Where a side or rear yard variance is requested, and where the property has a utilidor at the rear and/or side of the lot, the applicant must first obtain permission for the desired variance from the Town Fire Chief and the Town of Inuvik Public Works and Services Department. Once this is complete, the Development Officer or Council acting as the Development Officer, may consider the application for variance.*

Any further relaxation greater than the allowances identified above, shall only be granted by Council.

- (3) The Development Officer may permit a development in any zone on a lot which is substandard with respect to width, depth or area, provided that:
  - (a) such lot was legally registered and existing at the date of commencement of this by-law; and,
  - (b) that the development is otherwise in accordance with the regulatory requirements of the zone.
- (4) In approving an application for a development, the Development Officer or Council shall adhere to the following:
  - (a) a relaxation shall be considered only in cases of unnecessary hardship or practical difficulties unique to the use, character, or situation of land or a building, which are not generally common to other land in the same zone;
  - (b) there shall be no deviation from building height, floor area ratio, density regulations and parking requirements unless otherwise stated in this by-law;
  - (c) the general purpose of the appropriate zone; and,
  - (d) the policies of the Community Plan.

## 9. DECISIONS ON APPLICATIONS

- (1) An application is deemed to be refused if a decision of the Development Officer has not been made within forty (40) days of the official final receipt of the application.
- (2) The applicant may request confirmation in writing from the Development Officer that his/her application has been received.

- (3) The Development Officer and Council shall promptly process a development permit application with a notice of decision recorded on the application stating that the application has been approved subject to such conditions, if any, as may be required (including any zoning regulation relaxation that has been granted) or that it has been refused for such reasons as may be specified.
- (4) The Development Officer shall, by personal service, provide the applicant with one copy of the application and a notice of decision within three (3) days of decision.
- (5) When a development permit has been granted, the Development Officer shall, as soon as possible:
  - (a) clearly post a notice of decision on the lot or structure for which the application has been made; and,
  - (b) post a notice of the decision in the municipal office, and any other public location the Development Officer deems necessary.
- (6) A person claiming to be affected by a decision of the Development Officer or Council made under this by-law may appeal to the Development Appeal Board by serving written notice of appeal within:
  - (a) fourteen (14) days after the applicant has received notice of decision or posted at the Municipal Office; or
  - (b) a further time, not exceeding an additional forty-six (46) days, that the Chairperson of the Development Appeal Board considers appropriate for "just cause".
- (7) All development permits shall be issued by the Development Officer, including permits for Conditional Uses and permits containing relaxations, once they have been approved by Council.
- (8) The permit holder shall keep copies of the approved plans and specifications so that they are available for inspection on the lot by the Development Officer.

## **10. VALIDITY OF PERMITS**

- (1) When an application for a development permit has been approved by the Development Officer, the development permit shall not be valid unless and until:
  - (a) any conditions of approval, other than those of a continuing nature, have been fulfilled.
- (2) If the Development Appeal Board is served with notice of an application for leave to appeal its decision, subject to Section 50 of the Planning Act, such notice shall suspend the development permit.
- (3) The final determination of an appeal shall reinstate, revoke or amend (as the case may be) a development permit suspended under section (2) above.

## **11. EXPIRY OF PERMITS**

- (1) A development permit shall become void 365 days after issuance.
- (2) If a development authorized by a development permit is not commenced, or is not carried out with reasonable diligence (i.e. within 365 days from the date of issue), the permit ceases to be valid, providing that, if the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.
- (3) The Development Officer may extend the above periods, at his/her discretion, upon application for a period of not greater than 180 days. Such a period of extension may only be granted once and thereafter the permit holder shall be required to apply for another development permit.

- (4) When a development permit is issued for a site where any other valid development permit has already been issued, it shall invalidate any previous permit.
- (5) When a development permit becomes void, a new application for a permit is required before development may proceed. Such application shall be treated as if it were a first application and there shall be no obligation to approve such application.

## **12. RESUBMISSION INTERVAL**

- (1) When an application is refused by the Development Officer (and in the case of an appeal, refused by the Development Appeal Board), another application on the same site for the same use, or having occupancy by the same or any other applicant, shall not be accepted by the Development Officer for at least 180 days after the date of the previous refusal.

## **13. SUBMISSIONS TO DEVELOPMENT APPEAL BOARD**

- (1) Pursuant to the Planning Act, any person claiming to be affected by a decision of the Development Officer or Council may appeal by written petition to the Development Appeal Board within fourteen (14) days after notice of decision has been mailed to the applicant; after the approval has been posted conspicuously on the lot; or within such further time (not exceeding an additional forty-six [46] days) as the Chairman of the Development Appeal Board, for just cause, may allow.
- (2) The Development Appeal Board shall:
  - (a) hold a public hearing within thirty (30) days from the receipt of the notice of appeal;
  - (b) by Registered Mail and/or personal delivery ensure that at least seven (7) days notice of the hearing is given to the appellants and all other persons who, in the opinion of the Board, may be affected; and,
  - (c) consider each appeal, having due regard for the circumstances and merits of its case and according to the purpose, scope and intent of the Community Plan and Zoning By-laws.
- (3) The Development Appeal Board shall hear the Development Officer and any other persons who may contribute to a full and proper hearing.
- (4) The Development Appeal Board may confirm, revoke, or vary the decision under appeal and it may impose any conditions or limitations as it sees fit.
- (5) The Development Appeal Board shall render its decision in writing to the appellant within sixty (60) days from the date the appeal hearing is held.
- (6) A decision of the Development Appeal Board is final and binding on all parties, subject only to appeal under section 50 of the Planning Act.
- (7) The Development Appeal Board shall, within fifteen (15) days of its decision, make a complete report to the Director of Planning (as appointed under section 49 of the Planning Act), the Municipality, the appellant, and to each interested person upon his/her request.

## **14. ENFORCEMENT AND PENALTIES**

- (1) A person who commences a development and fails to:
  - (a) obtain a Development Permit; or
  - (b) comply with a condition of a Development Permit granted under this by-law;

is guilty of an offense under Sections 33 and 34 of the Planning Act and will be liable, upon summary conviction:



- (i) to a fine not exceeding \$500.00 and, in addition, to a fine not exceeding \$100.00 for every day the offense continues;
  - (ii) in default of payment of a fine under subsection (b), to imprisonment for a term not exceeding thirty (30) days.
- (2) When a person is convicted under subsection (1) (a) and (b) of having undertaken or permitted a development that contravenes any by-law or permit, the Council may file a notification of the illegal development against the title to the affected land in the Land Titles Office.
  - (3) The conviction of a person under this section does not restrict further prosecution under this section for the continued neglect or failure on the part of the person to comply with a Zoning By-law, or with the conditions of a development permit issued in accordance with this by-law.
  - (4) Council may exercise its powers for the purposes of enforcing this by-law and/or may authorize the Development Officer to act on behalf of Council, pursuant to Section 20 of the Planning Act.
  - (5) If the Development Officer determines:
    - (a) that a development does not comply with this by-law, with the conditions specified in the Development Permit, or with the plans as submitted and approved; and,
    - (b) that the permit holder has refused, failed or neglected to rectify within a reasonable time any discrepancy that has been brought to his/her attention by the Development Officer;

The Development Officer shall issue a "Stop Work Order" in writing to suspend the development permit and shall notify the Council of such action and the reasons therefore.

- (6) Where a "Stop Work Order" has been issued, the development permit may be reinstated by Council and the order cancelled if the permit holder gives a guarantee accompanied by bond or certified cheque to assure the Council that the breach will be remedied in such time as Council may prescribe.
- (7) Council, if informed of the contravention of this by-law, or on its own initiative without such information, may authorize that action be taken to enforce this by-law. Such action may include an application to the court for an injunction or other Order to restrain the contravention.

## **15. RIGHT TO ENTER**

- (1) Where a person fails or refuses to comply with an order directed to him/her within the specified time, Council, or a person appointed by Council may, in accordance with Section 32 of the Planning Act, enter upon the land or building and take any necessary action to carry out the order.
- (2) Where Council, or a person appointed by Council, carries out an order, Council shall recover any costs incurred in carrying out the order from the owner. Any expenses, until paid by the owner, are a charge and lien upon the property in respect of which the notice was given.
- (3) Where a person fails or refuses to comply with an order to permit entry upon the land or building, he/she shall be guilty of an offence as defined under Section 32.8 of the Planning Act and be liable to a fine or to imprisonment.

## **16. BY-LAW AMENDMENTS**

- (1) Any person applying to amend any part of this by-law shall apply in writing to the Development Officer furnishing reasons to support the application, and requesting that the Development Officer submit the application to Council. All applications to amend this by-law shall require the completion of Form L and must be accompanied by the appropriate application fee.

- (2) All applications to amend any part of this by-law, except those initiated by Council or the Development Officer, shall be accompanied by a non-refundable fee of \$200.00.
- (3) If a person applies to Council in any manner for an amendment to this by-law, Council shall require him/her to submit an application to the Development Officer in accordance with the provisions of this section, before it considers the amendment proposed by such person.
- (4) Notwithstanding anything contained in this section, an application for a proposed amendment to any section of this by-law which has been rejected by Council within the previous 365 days shall not be accepted.

## **17. ZONING AMENDMENTS**

- (1) Any person applying to amend this by-law to change the zone governing any land shall submit a completed application Form B to the Development Officer containing the following:
  - (a) a recent certificate of land title indicating ownership and other interests;
  - (b) the applicant's name, address and interest in the property;
  - (c) a signed statement by the applicant assuming responsibility for all costs incurred by the Town in processing the proposed amendment, whether it be enacted or not, including, but not limited to, all mapping, printing, reproduction, surveys, planning consultants reports and advertising costs;
  - (d) the appropriate application fee required in section 17 (\$200.00); and,
  - (e) a brief written statement by the applicant in support of his/her application, and his/her reasons for applying.
- (2) Upon receipt of an application for a rezoning amendment, the Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed zone. The analysis shall be based upon the full development potential of the uses and development regulations specified in the proposed zone, and not on the merits of any particular development proposal. The analysis shall, among other things, consider the following impact criteria:
  - (a) relationship to and compliance with the Community Plan;
  - (b) relationship to and compliance with authorized plans and schemes in preparation;
  - (c) compatibility with surrounding development in terms of land use function and scale of development;
  - (d) traffic impacts;
  - (e) relationship to, or potential impacts upon, services such as water and sewage systems, and other utilities and public facilities such as recreational facilities and schools;
  - (f) relationship to municipal land, right of way, or easement requirements;
  - (g) effect on the area's stability (e.g. effort will be made to retain and rehabilitate existing desirable land uses/buildings);
  - (h) necessity and appropriateness of the proposed zone in view of the stated intentions of the applicant; and,
  - (i) documented concerns and opinions of area residents regarding the application.

## **18. ZONING AMENDMENT PROCESS**

- (1) In reviewing and processing by-law amendment applications, the Development Officer shall:
  - (a) examine the proposed amendment;
  - (b) prepare a written report on the proposed amendment; and,
  - (c) advise the applicant in writing and/or in person that the Development Officer:
    - (i) is prepared to recommend the amendment to the Council without further investigation; or,
    - (ii) is not prepared to recommend the amendment; or
    - (iii) requires further investigation to make a recommendation; or
    - (iv) is prepared to recommend an alternative amendment.
- (2) Upon receiving the advice of the Development Officer, the applicant shall advise the Development Officer if the applicant:
  - (a) wishes the proposed amendment to proceed to Council, in which case he must prepay the advertising costs and any costs incurred by the Town to this point prior to the amendment proceeding to Council; or
  - (b) does not wish to proceed to Council with the proposed amendment, in which case the application is considered abandoned.
- (3) If requested by the applicant, the Development Officer shall submit the proposed amendment to Council, accompanied by the report of the Development Officer including the comments of the Professional Community Planner.
- (4) As soon as reasonably convenient, the Development Officer shall submit a recommendation on the proposed amendment to Council, accompanied by the results of his/her analysis and any other relevant material, and Council shall then consider the proposed amendment.
- (5) All amendments to this by-law must receive approval from the Minister of Municipal and Community Affairs and thereafter, third and final reading by the Inuvik Town Council to be considered approved.
- (6) The Development Officer, at his/her discretion, may present for the consideration of Council, any proposed amendments to this by-law on his/her own initiative, and the proposed amendment shall be accompanied by the report and recommendation of the Development Officer.
- (7) Council, at its discretion, may initiate any amendment to this by-law and, prior to the approval of any amendment, shall refer the proposal to the Development Officer for his/her report and recommendation.

## **19. NOTIFICATION OF AMENDMENTS**

- (1) After giving a proposed by-law amendment first reading, and before giving it second reading, Council shall, in compliance with the Planning Act and Cities, Towns and Villages Act, direct the Development Officer to (1) place a notice in two separate issues of the local newspaper, describing the pending amendment, and (2) dispatch a notice by ordinary mail to:
  - (a) the applicant;
  - (b) the owners of the land subject to the proposed rezoning amendment; and,

- (c) neighbouring property owners.

During any cessation of ordinary mail delivery, the notice to those described in subsection 19 (a) and (b) shall be given by such other alternative means as the Development Officer may specify, and the notice to those described in subsection 19 (c) shall be provided in the newspaper only.

- (2) The official notice shall state:
  - (a) the purpose for which Council proposes to pass the amendment;
  - (b) the place or places (one of which shall be the office of the municipality), where a copy of the proposed by-law amendment may be inspected by the public during office hours; and,
  - (c) the time and place at which Council will hold a public hearing on the amendment.
- (3) Where, in the opinion of the Development Officer, any proposed amendment is likely to adversely affect other owners of land, he/she shall notify these property owners of any concerns attributable to any development allowed under the proposed zone.
- (4) Proposed amendments to this by-law are subject to those same requirements and procedures set out in the Planning Act and Cities Towns and Villages Act regarding enactment of by-laws.

## **PART FIVE – GENERAL CLAUSES**

### **1. GENERAL PROVISIONS**

The general regulations apply to any development on any site, irrespective of the zone in which it is located. Where these regulations appear to be in conflict with regulations of a specific zone, the General Development Regulations shall take precedence.

### **2. REGULATIONS APPLICABLE TO ALL ZONES**

The following regulations are applicable to all zones.

### **3. PROJECTIONS INTO YARDS**

The following features may project into a required yard:

- (1) balconies, porches, decks, terraces, verandas, eaves, shade projections, enclosed steps, chimney breasts or parts of a chimney, belt courses, sills, together with any other architectural features which, in the opinion of the Development Officer, are of a similar character, provided such projections do not exceed 0.61 metres (2.0 feet) in the case of required yards 1.22 metres (4.0 feet) and over, and 0.46 metres (1.5 feet) for required yards less than 1.22 metres (4.0 feet);
- (2) bay, oriel, or similar windows provided that such projections do not exceed 0.61 metres (2.0 feet) in the case of required yards 1.22 metres (4.0 feet) and over, and 0.46 metres (1.5 feet) for required yards less than 1.22 metres (4.0 feet);
- (3) balconies, provided with such projections do not exceed 1.88 metres (6.2 feet) into yards with a depth of at least 3.66 metres (12.0 feet) and 0.61 metres (2.0 feet) for yards less than 3.66 metres (12.0 feet); and,
- (4) an open, hard-surfaced and uncovered terrace or patio in any yard in a residential zone, if such terrace is completely unenclosed except by a guardrail or parapet wall (neither or which shall exceed the maximum height permissible for a fence in the same location). No such terrace shall project into any required front yard more than 2.44 metres (8.0 feet). The provision of an awning or similar temporary covering for such a terrace shall be permitted.

### **4. MOVING OF BUILDINGS**

- (1) No person shall move a building, structure or mobile home larger than 14.0 m<sup>2</sup> (150 sq. ft.) within, into or out of the municipality unless a Development Permit for approval of use and location on the proposed site has been approved.
- (2) The Development Officer may refuse to issue a permit for the moving of a building, structure or mobile home if:
  - (a) the building would fail to conform to the requirements of the zone into which it is proposed the building be moved;

- (b) the Development Officer may, as a condition of a moving permit, require certain renovations and alterations so that the building will conform with the current requirements of the following:
- the zone into which the building is moved;
  - the National Building Code of Canada;
  - the National Fire Code of Canada;
  - the NWT Fire Marshall and the Town Fire Chief;
  - the Department of Health and Environmental Health Officer; and,
  - the Regulations for Construction in Flood Fringe Areas.
- (3) The Development Officer may require the owner of a building that is to be moved to post a performance bond that shall be held to ensure that any renovations or alterations be completed within a specified time period.

## **5. EXCAVATION AND CONSTRUCTION**

- (1) As a condition of approving a permit, the Development Officer shall require that all necessary safety measures be taken and that the excavations, storage or piling up of materials required during the construction stage shall not remain any longer than necessary to complete each particular stage of the construction work.
- (2) The person to whom the permit has been granted shall be fully responsible for any property loss, damage or personal injury caused by excavations, storage or piling up of material.

## **6. OBJECTS PROHIBITED OR RESTRICTED IN NON-INDUSTRIAL ZONES**

- (1) No yard (or part thereof) in a non-industrial zone shall contain:
- (a) any commercial vehicle loaded or unloaded of a maximum weight in excess of 4082 kilograms (9000 lbs.) other than for temporary loading and unloading;
  - (b) any dismantled or wrecked vehicle for more than seven (7) days without the written permission of the Development Officer;
  - (c) objects which are unsightly or tend to adversely affect the amenities of the zone;
  - (d) materials relating to the construction stage;
  - (e) improperly stored garbage and waste material (This shall be stored in weather-proof and animal-proof containers, screened from adjacent lots and public streets to the satisfaction of the Development Officer. It shall be kept in a location easily accessible for pick-up, in accordance with existing by-laws); and,
  - (f) weeds, grass, rubbish or other things that may constitute, in the opinion of the Development Officer and/or Fire Chief, a fire hazard, safety hazard, health hazard or environmental hazard.
- (2) Part three (3) of the National Fire Code – most recent edition, provides for life safety and property protection by requiring that certain fire protection measures be applied in specific occupancies where the use, storage and handling of hazardous materials or stockpiling of combustible materials creates a serious fire hazard. The Development Officer, or Council acting as the Development Officer, shall include the provisions of Section three (3) of the National Fire Code – most recent edition, in the development review process.

## **7. SKIRTING OF BUILDINGS**

- (1) As a condition of approving a development, all buildings will be skirted with material(s) complementary to the architectural features of the structure.

## **8. SOILS AND DRAINAGE**

- (1) No development shall be permitted unless the surface and subsoil of the land allows for proper drainage and the stability of the buildings and structures to be built can be assured.
- (2) The Development Officer may specify, as a condition of the development permit, that work relating to drainage and soil stability be carried out.
- (3) In all cases, lot grades shall be established with the following minimum requirements:
  - (a) a minimum 2% gradient for drainage shall be provided.
- (4) All lot grading and drainage shall meet the approval of the Development Officer.

## **9. ACCESSORY BUILDINGS**

- (1) Where any building or structure on a site is attached to a principal building, it shall be deemed to be part of the principal building and not an accessory building.
- (2) Accessory buildings are subject to the same yard setback requirements required for a principal building in that zone.
- (3) No accessory building shall be used for human habitation.
- (4) Accessory buildings shall be located a minimum of 3 m from the principal or main building on a site provided there is not a greater separation distance specified under section 3.2.3.7 of the National Building Code of Canada – most recent edition.

## **10. PUBLIC WALKWAYS**

- (1) All public walkways shall be subject to the following regulations:
  - (a) no public walkway shall be obstructed by any vehicle, debris, fence or any other objects except a vehicle barrier, as may be required by Council;
  - (b) no public walkway shall be used in such manner as to be detrimental to its purpose as part of the pedestrian circulation system;
  - (c) all future subdivision(s) shall allow for the unobstructed connection of walkways throughout the Town.

## **11. PLAN OF SUBDIVISION**

- (1) Where the development of land involves a subdivision surveys and mapping of land, no Development Permit shall be issued until the application has been submitted to the Lands Administration Department, Municipal and Community Affairs and written evidence has been received by the Development Officer that the necessary subdivision has been approved.

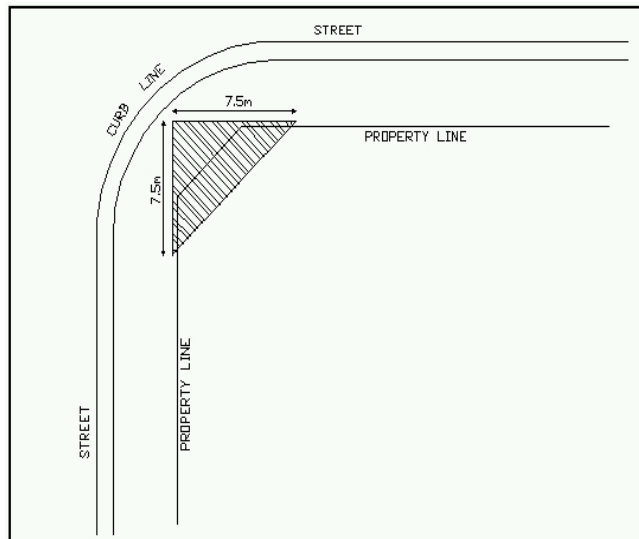
## 12. RESIDENTIAL ZONES

- (1) Unless otherwise provided for in this by-law, no more than one household dwelling is permitted on a single parcel in any zone.
- (2) Development Permits for subdivisions shall not be issued where, in the opinion of the Development Officer, satisfactory arrangements have not been made with the Town regarding the supply of any or all of the following services: water, electricity, sanitary sewer, street access or other services/facilities, including the payment of costs for installing any such service or facility.

## 13. FENCES

- (1) Based on the assumption that fences are measured from the average grade level 30.5 cm back of the property line (on whichever side of the fence is lower), a person shall not construct a fence on a site in a residential zone that is higher than:
  - (a) 1.98 metres (6.5 feet) for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site. The Development Officer may allow a fence to be erected up to 2.44 metres (8.0 feet) in height upon the written consent of the owners of the neighbouring properties, provided such a fence would not be seen to adversely affect the amenities of the area;
  - (b) 1.0 metres (3.3 feet) for the portion of the fence that extends beyond the foremost portion of the principal building on the site, provided that the Development Officer may allow a fence to be erected to not more than 1.83 metres (6.0 feet) in height (if, in his opinion, it will not prejudice the amenities of the zone); and,
- (2) In the case of corner lots, the foremost portion of the building referred to in (a) and (b) of this subsection shall apply to both faces of the building fronting onto each street.

- (3) There shall be no obstruction to vision by fences at an intersection between the height of 1.0 metre and 3.0 metres (3.3 and 10 feet) above established grades of streets, within the area formed on a corner site by the two street property lines and a straight line which intersects each of them 7.5 metres (24.5 feet) from the corner where they meet (see figure 7).



- (4) Commercial buildings abutting residential areas shall be screened by a wooden fence of not less than 2.0 metres in height.
- (5) The Fire Department shall have a clear and unobstructed access to the Town of Inuvik fire hydrants. The Fire Department shall not in any way be held responsible for any property damage resulting from restricted or denied access resulting from the lack of appropriate gated access or lack of gated access.



**14. PROTECTION FROM EXPLOSIVE HAZARDS**

- (1) The location of a liquefied petroleum gas (LPG) storage tank with a water capacity exceeding 9,100 litres shall be in accordance with the requirement of the Development Officer but in no case shall be less than a minimum distance of 120 metres from assembly, institutional, commercial or residential buildings.
- (2) LPG containers with a water capacity of less than 9,100 litres shall be located in accordance with Territorial Acts and Regulations.
- (3) Flammable liquids storage tanks shall be located in accordance with Territorial Acts and Regulations.
- (4) The provision of certified true evidence of such approval and its provision shall be provided to the Development Officer as a condition of permit.

**15. AIRPORT VICINITY PROTECTION**

No development shall be allowed that conflicts with airport safety, by reason of smoke, ash, steam, height of structure or electronic interference with aviation communication and guidance equipment. Any development within this zone shall be subject to the policies, regulations and standards established by the Department of Transportation, Arctic Airports Division, Government of the Northwest Territories and Transport Canada Regulations.

**16. CARETAKERS UNIT**

- (1) A caretakers unit shall:
  - (a) comply with the requirements of Town by-laws, the National Building Code and Fire Code; and,
  - (b) be occupied by a maximum of five (5) unrelated persons or one (1) household.
- (2) Continued occupancy of the caretakers unit shall only be permitted where the site continues to be used for the operation of a commercial or industrial use.

**17. FIRE PROTECTION AND ACCESS TO FIRE HYDRANTS**

- (1) Where any distribution pipeline carrying highly pressurized gas or volatile liquid crosses or is situated in the vicinity of land proposed for development, no habitable building shall be sited closer than 15.5 metres (51 feet) to the centre line of the pipeline right-of-way or the pipeline, whichever is closest.
- (2) The following distances shall be considered the minimum amount of separation between overhead power transmission lines and buildings, signs, bridges, light standards, antennas or other objects:

OVERHEAD EQUIPMENT OR CONDUCTOR	SEPARATION DISTANCE	
	HORIZONTAL	VERTICAL
0 – 750 V INSULATED	300 mm	300 mm
ABOVE 750 V INSULATED	1.0 m	3.0 m
0 – 22 kV*	3.0 m	5.0 m
ABOVE 22 kV*	3.0 m	5.0 m
* BARE, EXPOSED OR NON-RATED INSULATION	Plus 10 mm/kV in excess of 22 kV	Plus 10 mm/kV in excess of 22 kV

- (3) access to fire hydrants and the utilidor system must be maintained for direct public access. Where access to fire hydrants is not provided, alternative access and fire protection methods shall be provided, and approved by the Town's Fire Chief in consultation with the respective property owners.

## 18. GENERAL SIGN REGULATIONS

- (1) All signs shall require a sign permit unless otherwise specified under this by-law.
- (2) No sign permit is required for the following:
  - (a) a sign posted or exhibited in a building;
  - (b) a sign posted or exhibited in or on an operating motor vehicle if the vehicle is not parked (temporarily or permanently) for the sole purpose of displaying the sign;
  - (c) a statutory or official notice of a function of the Town of Inuvik;
  - (d) traffic and directional signs authorized by the Town's Director of Public Works; and,
  - (e) the erection of campaign signs for federal, territorial, municipal or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under territorial or federal legislation provided that:
    - (i) such signs are removed within ten (10) days of the election date;
    - (ii) the consent of the property owner or occupant is obtained;
    - (iii) such signs do not obstruct or impair vision or traffic;
    - (iv) such signs are not attached to utility poles; and,
    - (v) such signs indicate the name and address of the sponsor and the person responsible for removal.
- (3) No sign permit is required for a sign that is posted or exhibited solely for the identification of the land or building on which it is displayed (e.g. signs for professional, corporate or trade name plates identifying the occupants), if the sign:
  - (a) does not exceed 1.0 m<sup>2</sup> (10.76 sq. ft.) in size; and,
  - (b) is posted only at each entrance from which access from a public roadway to the building is provided.
- (4) No sign permit is required for a sign that is posted for the sale, lease or rental of land of a building if the sign:
  - (a) is not capable of being illuminated;
  - (b) is 4.0 m<sup>2</sup> (43.0 sq. ft.) or less in size;
  - (c) is posted only on each side of the building or land facing a different public roadway.
- (5) All signs requiring a sign permit shall follow the development permit process as specified under Part Four and Part Eight of this by-law.
- (6) The Development Officer may require the removal of any sign which, in his/her opinion is (or has become) unsightly, or is in such a state of disrepair as to constitute a hazard.
- (7) Minimum yard requirements shall be observed for any sign located on a lot and, at the discretion of the Development Officer, the sign shall not be further than 30.0 m (99 ft.) from the principal building. No sign shall be of such size or design as to, in the opinion of the Development Officer, obstruct the vision of persons using the roads abutting the lot.

- (8) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Officer.
- (9) Except as otherwise specified in this by-law, the maximum area of any sign shall be 35.0 m<sup>2</sup> (376 sq. ft.)
- (10) Where, in the opinion of the Development Officer, a proposed sign in a commercial or industrial zone might be objectionable to a resident in an adjacent residential zone, the Development Officer may impose any regulations that he/she sees fit in protecting the interests of the residents.
- (11) Flashing, animated or interiorly illuminated signs shall not be permitted in residential zones where, in the opinion of the Development Officer, they might:
  - (a) affect residents in adjacent housing or residential zones; or,
  - (b) interfere with or obstruct a motor vehicle driver's vision and/or their interpretation of oncoming traffic signs or traffic signal lights.
- (12) No person shall erect or place a sign such that it would be considered, in the opinion of the Development Officer, to be a traffic hazard, or obstruct the vision of vehicular traffic.
- (13) The area around sign structures shall be kept clean and free of overgrown vegetation, and free of refuse material.
- (14) Signs which are located off-site shall require written permission from the owner of the property prior to approval of a sign permit application.

## **19. FREE-STANDING SIGNS**

- (1) Free-standing signs shall be permitted in all land use zones, excepting residential zones where freestanding signs may be permitted under the following special provisions:
  - (a) within a residential zone, one identification freestanding sign may be allowed to identify the name of an apartment, multi-household complex, mobile home park or a subdivision, provided it does not:
    - exceed 2.0 m<sup>2</sup> (21.5 sq. ft.) in size; or,
    - project within 0.6 m (2.0 ft.) from the property line; or,
    - exceed 3.5 m (11.5 ft.) in height.
  - (b) free-standing signs identifying the name of the community, neighbourhood or subdivision shall blend in with surrounding development (i.e. in terms of architecture or other themes).
- (2) Within all land use zones, excepting residential zones, one free-standing sign may be allowed per lot as follows:
  - (a) where a lot is considered to be double fronting by the Development Officer, each frontage may have a free-standing sign provided that the signs are no closer than 90 m (297 ft.) apart;
  - (b) the maximum height of any free-standing sign shall not exceed 9.1 m (30.0 ft.) from grade. No part of any sign that is highway oriented and within 200 m (660 ft.) of the edge of the pavement shall be more than 9.1 m (30.0 ft.) above the grade of the highway or 15 m (49.5 ft.) above the grade of the lot of the sign, whichever is lowest;
  - (c) the total sign area of a free-standing sign shall not exceed 17 m<sup>2</sup> (56.0 sq. ft.) for each sign;
  - (d) the free-standing sign shall not project within 0.6 m (2.0 ft.) of the property line, or within 2.0 m (6.5 ft.) of overhead utility lines; and,

- (e) free-standing signs may rotate at no more than six (6) revolutions per minute.

## **20. PROJECTING SIGNS**

- (1) Projecting signs shall be permitted in all commercial and industrial zones.
- (2) The maximum area for a projecting sign shall be 4.0 m<sup>2</sup> (43.0 sq. ft.).
- (3) No part of a projecting sign shall:
  - (a) extend more than 2.0 m (6.5 ft.) above the parapet of the building;
  - (b) extend more than 2.0 m (6.5 ft.) from the face of the building; and,
  - (c) be less than 3.0 m (10.0 ft.) above ground or sidewalk grade.
- (4) Projecting signs shall be placed at right angles to the building face, except when they are located at the corner of the building, at which time the sign shall be placed at equal angles to the building faces.

## **21. CANOPY SIGNS**

- (1) Canopy signs shall be permitted in all commercial and industrial zones.
- (2) The canopy signs shall have a clearance of not less than 3.0 m (10.0 ft.) between the bottom of the canopy and the sidewalk, walkway or ground level.
- (3) In commercial zones where the front portion of the building extends out to the front property line, the canopy sign shall not project more than 2.0 m (6.5 ft.) over the sidewalk.

## **22. OFF-SITE SIGNS**

- (1) Notwithstanding other sections in this by-law and at the discretion of the Development Officer, off-site signs may be erected on ground or wall locations in commercial or industrial zones (but in no case shall be allowed in residential zones). Off-site signs shall be subject to the following conditions:
  - (a) signs shall not be placed closer together than 90 m (297 ft.);
  - (b) the maximum size shall not exceed 28 m<sup>2</sup> (301 sq. ft.);
  - (c) the sign shall be neat and clean in appearance as shall the area surrounding the sign; and,
  - (d) no part of the sign shall be located any closer to the street line than the front line of the nearest buildings.
- (2) No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Officer.

## **23. WALL/FASCIA SIGNS**

- (1) Wall and fascia signs shall be permitted in all land use zones excepting residential zones.
- (2) Only one fascia sign will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a height of 1.5 m (5.0 ft.) and a horizontal dimension greater than the length of the bay which the proprietor's sign identifies. In no case, however, shall the fascia sign exceed 20% of the building face or bay which the sign identifies.

- (3) A wall sign on commercial or industrial buildings shall not exceed an area of more than 4% of the wall to which it is attached.
- (4) A wall sign shall not exceed beyond the limits of the wall to which it is attached.

#### **24. TEMPORARY SIGNS**

- (1) Temporary signs shall be permitted in all zones except residential zones.
- (2) No person shall:
  - (a) locate a temporary sign where it may cause a traffic hazard or conflict with parking, loading or walkway areas;
  - (b) in any zone where temporary signs are permitted, locate a temporary sign within 6.0 m (20.0 ft.) of the curb of a double fronting or corner lot unless otherwise permitted by the Development Officer; and,
  - (c) locate a sign within roadway right-of-ways or on public property unless consent is given by the municipality.

#### **25. HIGHWAY SIGNS**

- (1) Notwithstanding other sections in this by-law and at the discretion of the Development Officer, highway signs may be erected subject to the following conditions:
  - (a) Signs proposed to be constructed within highway right-of-ways be approved by the Department of Transportation before permit approval may be granted.
  - (b) Signs shall be located at least 20 m from the centreline of the highway.
  - (c) Signs that resemble or may be confused with official highway signage or traffic control device shall not be permitted.
  - (d) Static, unlighted signs without moving parts or flashing lights may be permitted subject to the approval of the Planning and Development Officer or Council acting as the Development Officer.
  - (e) Signs shall be clearly legible to the traveling public and shall not themselves create a traffic or safety hazard through their size and message.
  - (f) The owner of any sign installed in accordance with these guidelines will save the Town of Inuvik and the G.N.W.T. harmless from all liabilities and actions, etc., arising from the installation of such sign within the public highway right-of-way.
  - (g) Neither the Town of Inuvik nor the Department of Transportation, Highway Operations Division accepts any responsibility for damages to signs erected within the public highway right-of-way caused by maintenance and/or construction activities carried out by, or on behalf of their organizations.
  - (h) The Department of Transportation or the Town of Inuvik may, at any time, move or remove any sign which, in the opinion of the Director of Highway Operations Division, creates or causes a traffic or safety hazard.
  - (i) Maximum sign area allowed under these guidelines shall not exceed 3.0 m<sup>2</sup>.

## 26. GENERAL PARKING REGULATIONS

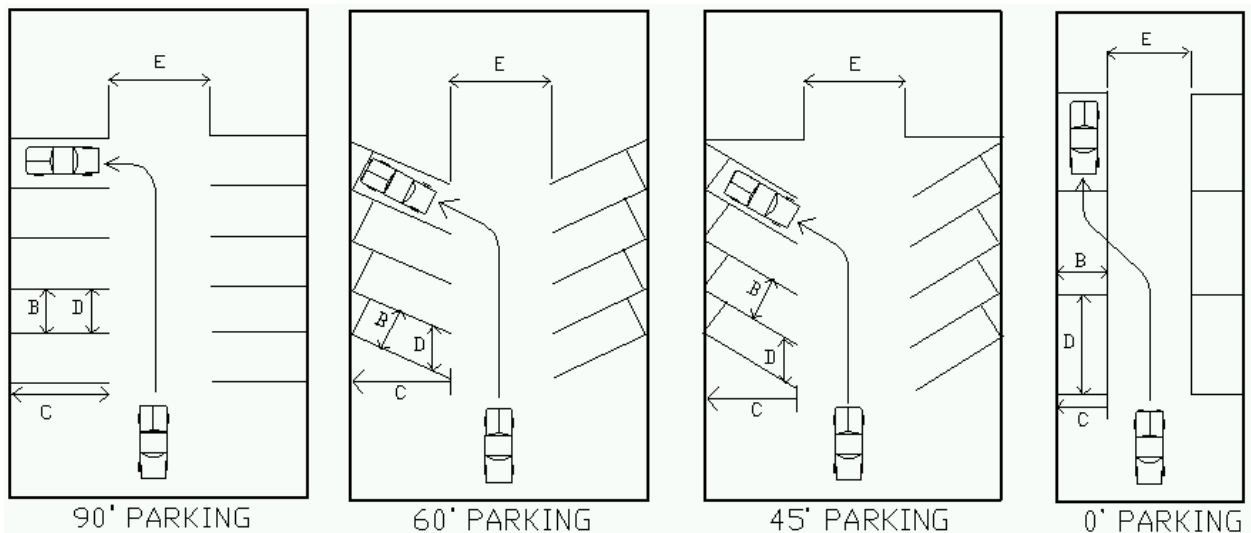
- (1) In all zones, user/occupant parking shall be wholly provided for on the same lot as the building to be served unless otherwise approved by the Development Officer or Council.
- (2) Parking services shall be of a durable, hard surface and/or constructed with concrete, asphalt or similar pavement.
- (3) All parking area accesses shall be subject to prior approval of the Development Officer or Council.
- (4) Parking facilities shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system of sidewalks and on-site pedestrian spaces.
- (5) All off-street parking facilities shall be constructed such that:
  - (a) a standard design landscaped boulevard and/or sidewalk shall separate the off-street parking facility from the street;
  - (b) the width and location of curb cuts, necessary to access the parking facility shall meet the approval of the Development Officer;
  - (c) necessary curb cuts are located and flared to the satisfaction of the Development Officer;
  - (d) every off-street parking space provided, and the access thereto shall be hard surfaced; and,
  - (e) grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to drain onto streets or cross any sidewalk or site boundary without the approval of the Development Officer.
- (6) Parking facilities used at night shall be equipped with adequate lighting. Such lighting shall be directed away from any adjacent properties.
- (7) Adequate access to, and egress from, individual parking spaces is to be provided at all times by means of unobstructed maneuvering aisles which meet the approval of the Development Officer.
- (8) In accordance with Section 16 (2) of the Planning Act, subject to the approval of Council, a developer may choose to provide the required amount of off-street parking for the development on land other than that to be developed.
- (9) Where a required parking area is not located on the same lot where the building or use is located, the owner shall covenant with the municipality by an agreement, that the parking lot be used for such purposes as long as required under this by-law.
- (10) When calculating the necessary number of parking spaces to be provided by a developer, any fractional number shall be rounded to the next highest number.
- (11) A minimum of one in twenty parking spaces shall be intended for the physically handicapped. Handicapped spaces shall be located close to the building entrances and shall measure 4.0 m (13.0 ft.). A minimum of one (1) handicapped parking space shall be provided with the development of any on-site parking facilities, unless the total number of required stalls is less than ten.

**27. MINIMUM PARKING FACILITY DIMENSIONS**

(1) The minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with the following regulations:

- A** – Parking Angle in Degrees
- B** – Width of Space (in metres/feet)
- C** – Depth of Space Perpendicular to Maneuvering Aisle (in metres/feet)
- D** – Width of Space Parallel to Maneuvering Aisle (in metres/feet)
- E** – Width of Maneuvering Aisle (in metres/feet)

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
0	2.7/9.0	2.7/9.0	7.0/23.0	3.6/11.8
45	2.6/8.5	5.2/17.0	3.7/12.0	3.6/11.8
60	2.6/8.5	5.6/18.5	3.0/10.0	5.5/18.0
90	2.6/8.5	5.5/18.0	2.6/8.5	7.0/23.0



- (2) Where the side of a parking stall is against any permanent structure greater than 0.2 m (0.66 ft.) in height, the stall shall be a minimum of 2.7 m (9.0 ft.) wide.
- (3) A parking stall shall have a minimum width of 3.0 m (10.0 ft.) whenever it is an end space that abuts a physical barrier along an entire side.
- (4) Where there are structural elements along parts of both sides of a parking stall, the stall shall have a minimum width of 3.0 m (10.0 ft.).

**28. OFF-STREET PARKING STALLS REQUIRED**

(1) Where a building is enlarged, altered or its use is intensified, provisions must be made for additional parking spaces as per the parking provisions of this by-law. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement, alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.

- (2) The minimum number of off-street parking stalls required for each building use or development shall be as follows:

Residential

One and two household dwellings.....	2.0 per dwelling unit unless otherwise determined by the Development Officer
Basement suites .....	1.0 per unit
Bed and breakfasts.....	1.0 per rented guest room
Apartment buildings and Row housing or town housing.....	1.0 per dwelling unit (plus one for every four dwelling units to serve as visitor parking. This may be lowered to one per six units at the discretion of the Development Officer.)
Mobile home dwellings .....	1.0 per dwelling unit

Commercial

Boarding and lodging houses .....	1.0 per two beds lawfully accommodated
Business, administrative and professional offices .....	1.0 per 100 m <sup>2</sup> (1,076 sq. ft.) of gross floor area
Retail commercial uses and personal service shops; area for retail purposes .....	1.0 per 47 m <sup>2</sup> (505 sq. ft.) of gross floor area
Eating and drinking establishments.....	1.0 per four seating spaces or 1.0 per every 5 m <sup>2</sup> (54 sq. ft.) of seating area
Take-out restaurants.....	1.0 per 13 m <sup>2</sup> (140 sq. ft.) of public area
Cocktail bars and beer parlours.....	1.0 per four seating spaces or every 5 m <sup>2</sup> (54 sq. ft.) of seating area
Hotels, including motor hotels.....	1.0 per three guest rooms
Motels .....	1.0 per sleeping unit

Places of Public Assembly

Service stations .....	1.0 per 47 m <sup>2</sup> (506 sq. ft.) of floor area used for business purposes
Auditoriums, religious assembly, halls, theatres, gymnasiums, ball parks, sports arenas, other recreational or amusement places, private clubs.....	1.0 per ten seating spaces or 1.0 per 9.3 m <sup>2</sup> (100 sq. ft.) used by the public, whichever is greatest



Schools

Elementary and junior high schools.....	1.0 per classroom plus 5.0 spaces
Senior high schools .....	1.0 per classroom plus 1.0 for every 20 students; or 1.0 space per 10 seating spaces used for assembly in an auditorium, whichever is greatest
Post-secondary institutions.....	1.0 space for each classroom plus 1.0 space for every 20 students

Industrial

All uses in the M1 and M2 zones.....	1.0 spaces for every four employees on maximum working shift
--------------------------------------	--

Hospitals and Similar Uses

Hospitals, sanitariums, convalescent homes or similar uses.....	1.0 per 100 m <sup>2</sup> (1,076 sq. ft.) of gross floor space
Senior citizens' lodges and nursing homes .....	1.0 space per four units

Day Care Facilities

Nursery schools.....	1.0 space per 34.0 m <sup>2</sup> (366 sq. ft.) of gross floor area
Day care centre .....	1.0 space per 34.0 m <sup>2</sup> (366 sq. ft.) of gross floor area

- (3) Unless otherwise provided for in this section, all places of employment shall provide one parking space for every three (3) employees, irrespective of the zones in which they are located.
- (4) If the number of employees cannot reasonably be anticipated at the time an application for a development permit is considered, the parking space to be provided for an individual land use shall be determined on the following basis:
  - Warehouse space.....1.0 employee per 90 m<sup>2</sup> (968 sq. ft.)
  - Manufacturing .....
  - Office.....1.0 employee per 40 m<sup>2</sup> (430 sq. ft.)
- (5) Where a development on a lot falls within more than one type of use, the required number of spaces shall be the sum of the requirements for each of the uses.
- (6) If the use is not specified in subsection (b), the number of stalls provided shall be the same as for a similar use as determined by the Development Officer.

**29. OFF-STREET LOADING REQUIREMENTS**

- (1) Where a proposed development will require pick-up or delivery of commodities, adequate space for the loading and unloading shall be provided and maintained on the site.

- (2) The person providing any parking or loading space under this section shall design, locate and construct it so that:
  - (a) it is accessible to whatever vehicle type(s) it is intended to accommodate;
  - (b) it can be properly maintained; and,
  - (c) its size, shape, location and construction is appropriate for the type(s) and frequency of vehicles using it.
- (3) Off-street loading spaces shall:
  - (a) have overhead clearance of not less than 4.3 m (14.2 ft.) above grade;
  - (b) have dimensions of not less than 3.0 m (10.0 ft.) in width and 7.5 m (25.0 ft.) in depth;
  - (c) have vehicular access to, and exit from, a street or lane either directly or by a clearly defined traffic aisle;
  - (d) be situated on the premises so that no street or lane is obstructed when the loading space is being used;
  - (e) be graded and drained so as to dispose of all surface water. In no case shall grades be established that would permit drainage to drain onto streets, cross lot boundaries or cross sidewalks without the approval of the Development Officer;
  - (f) be of a durable and/or hard surface constructed of concrete, asphalt or similar pavement; and,
  - (g) have adequate lighting to the satisfaction of the Development Officer.
- (4) The required number of off-street loading spaces shall be:
  - (a) one loading space for each loading door provided for all uses within commercial, industrial and institutional zones, excluding offices, financial and personal services;
  - (b) one space required for each building containing 15 or more dwelling units; and,
  - (c) determined by the Development Officer for any other building or use.

### **30. ARCHITECTURAL CONTROLS**

- (1) The purpose of this section is to provide the Town of Inuvik with controls and guidance so that aesthetically attractive and compatible development is provided throughout the municipality.
- (2) The design, siting, external finish and appearance of all land, buildings, including any accessory buildings or structures, and signs shall be to the satisfaction and/or discretion of the Development Officer for permitted uses (and Council for discretionary uses) so that there is general conformity among adjacent buildings and protection is afforded to the amenities of adjacent lots.
- (3) The Development Officer or Council shall consider each of the following when reviewing development proposals in all zones:
  - (a) the design and appearance of all buildings should be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use zone or for a particular location within it;
  - (b) the design of the building must be consistent with the purpose and intent of the land use zone in which it is located;

- (c) the external finish of the principal and accessory buildings should be reviewed for consistency with respect to colour, finish and texture;
  - (d) the use of landscaping should be encouraged to enhance the appearance of a development; and,
- (4) The Development Officer or Council shall consider, but are not limited to the following criteria (among others) when evaluating the design, character and appearance of proposed development:
- (a) Blank, unfinished walls tend to give the streetscape a very bland appearance. Particular attention should be given to reduce large vacant spaces between buildings which are left open to the public view.
  - (b) Rooftop mechanical equipment should be hidden from the view of public streets and from adjacent buildings.
  - (c) Natural land features are an important part of the urban environment and should be given a high priority in developing a site. For example, existing vegetation should be preserved wherever possible.
  - (d) Corner sites at the intersection of major streets should be given special consideration. Sight lines for drivers, and places for people to sit and relax must be considered and incorporated into building designs on corner sites.
  - (e) Long buildings along street fronts should contain public pedestrian pathways which the buildings so that parking areas can be easily accessed.
  - (f) The illumination from commercial and industrial lots should not shine into residential windows.
  - (g) On-site parking, loading and shipping areas are less attractive elements of a streetscape and should be hidden from public.
  - (h) Outdoor storage and garbage collection areas are generally undesirable and should be screened or hidden behind buildings. Existing storage and garbage collection areas should be screened from roadways.
  - (i) Signage on buildings should be relatively consistent with other signs in the area. This will avoid the creation of visual cluttering, clashing or detracting from the appearance of the area or street; and,
- (5) Guidelines for Residential Development:
- (a) any accessory building built on a lot, such as a detached garage or garden shed, should be similar to the principal building in terms of proportional mass, roof line and exterior treatment; and,
  - (b) developments should be attractive and encouraged to have well maintained yards.
- (6) Further to the above sections, Council may adopt more detailed architectural control guidelines where Council wishes to achieve a higher standard of design and appearance within a specific development, subdivision or neighbourhood.
- (7) Where Council adopts architectural control guidelines for a specific subdivision or neighbourhood, the following elements shall be contained in the document in order to ensure the aesthetic and functional quality of development:
- (a) the compatibility of lot grading and drainage requirements within the lot and between adjacent lots in the same subdivision;

- (b) the styling and type of structure/building to ensure compatibility with surrounding structures/buildings; and,
  - (c) the colour, finish and texture are to be consistent with all external buildings on a lot.
- (8) The Town of Inuvik may require that the developer register a restrictive covenant against the lot or subdivision in order to ensure ongoing conformance with the architectural control guidelines.

**31. DEMPSTER HIGHWAY**

- (1) Developments that may compromise the integrity of the Dempster Highway are prohibited.
- (2) Development within the Dempster Highway right-of-way shall be permitted subject to approval from the GNWT Department of Transportation and the Town of Inuvik.
- (3) Vehicular road access to and from the Dempster Highway shall be permitted with the approval of the Town of Inuvik and the GNWT Department of Transportation.

## **PART SIX – SPECIFIC LAND USE REGULATIONS**

### **1. APPLICABILITY OF SPECIAL LAND USE REGULATIONS**

- (1) The Special Land Use Regulations apply to the following uses listed irrespective of the zone in which they are located. Where these regulations appear to be in conflict of the zone regulations (whether for a permitted or discretionary use), the Special Land Use Regulations shall take precedence and shall be applied in addition to the requirements of the zone.

### **2. CHURCHES**

Anyone applying to develop a site as a church shall comply with the following provisions:

- (1) The site on which a church is situated shall have a frontage of not less than 30.0 m and an area of not less than 900 sq. m.
- (2) Front, side and rear yards shall adhere to the guidelines of the zone in which the church site is located.

### **3. DRIVE-THROUGH BUSINESS**

- (1) Access

Points of access and egress shall meet the approval of the Development Officer.

- (2) Site Area and Coverage

The minimum site area shall be 550 sq. m. The minimum area of buildings to be erected shall be 37 sq. m. There shall be a provision for at least six customer cars on the street.

- (3) Site and Building Requirements

- (a) All parts of the site with vehicle access shall be surfaced and drained to the satisfaction of the Development Officer.
- (b) The site and all improvements thereon shall be maintained in a clean and tidy condition, free from rubbish and debris.
- (c) The owner/operator of a drive-in shall be responsible for providing adequate vehicular access and parking facilities for the safe and orderly operation of motor vehicles using the site.

#### **4. CAR WASHING ESTABLISHMENTS**

(1) Site Area

The minimum site area shall be 550 sq. m. and shall contain storage space for six (6) vehicles prior to their entry into any part of the car wash. In the case of service stations including car washes, minimum site area shall be 1,100 sq. m.

(2) Site and Building Requirements

Same as drive-through businesses, section 3.3 (c) above.

(3) Waste Water Drainage

Water or waste water used for washing purposes will not be permitted to drain off the site but shall be retained and disposed of in a manner deemed satisfactory by the Development Officer.

#### **5. SERVICE STATIONS (INCLUDING GAS BARS)**

(1) Access

Provision of points of access and egress shall meet with the approval of the Development Officer.

(2) Site Area and Coverage

(a) The minimum site area shall be 740 sq. m and the maximum building coverage shall be twenty-five percent (25%) of the site area. For service stations including a car wash, the minimum site area shall be 1,100 sq. m.

(3) Site and Building Requirements

(a) All parts of the site which may be accessed by vehicles shall be surfaced and drained to the satisfaction of the Development Officer.

(b) Any activity which constitutes a nuisance will not be permitted.

(c) The site of the buildings shall be maintained in a clean and tidy condition, free from all rubbish and debris.

#### **6. MOTELS**

(1) Interpretation

For the purposes of subsections (2) and (3), a rentable unit means a separate unit on a motel site used, or intended to be used for the accommodation of one or more persons.

(2) Space Between Buildings

Not less than 3.7 m of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.

(3) Driveway

Each rentable unit shall face onto or shall abut a driveway not less than 6.0 m in width and shall have unobstructed access thereto.

(4) Entrances and Exits

No more than one motor vehicle entrance and one motor vehicle exit to a street, each of a minimum width of 7.0 m (measured at its minimum dimension) shall be permitted.

(5) Maintenance of Site and Buildings and Businesses

The owner, tenant, operator or person in charge of a motel shall, at all times:

- (a) maintain the site and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition, free from all rubbish and debris;
- (b) maintain garbage and/or incineration facilities to the satisfaction of the Development Officer;
- (c) maintain an appropriate fence where required, not less than 1.0 m in height around the boundaries of the site.

## 7. MULTI-HOUSEHOLD HOUSING DEVELOPMENT

(1) For all residential developments excepting one and two household dwellings, the Development Officer shall not issue a development permit for a multi-household housing development unless he/she is satisfied with the following:

- (a) provision of recreational areas and open spaces;
- (b) access for fire department vehicles and other emergency vehicles;
- (c) access to garbage storage;
- (d) suitable enclosed garbage area;
- (e) provision of clothes lines or alternate means of handling laundry facilities;
- (f) landscaping and fencing as applicable;
- (g) lighting between buildings;
- (h) orientation of buildings and general appearance of project;
- (i) privacy of dwelling units in and adjacent to the development;
- (j) safe pedestrian access to and from the public sidewalk fronting the site as applicable; and,
- (k) any other matter the Development Officer or Council considers necessary to the residential environment.

## 8. MOBILE HOMES

(1) Mobile homes shall in all cases:

- (a) be placed on permanent foundations and footings as specified in the National Building Code of Canada;
- (b) comply with all provisions of the regulations concerning trailers or mobile homes;
- (c) meet or exceed the provisions of C.S.A. Z240;
- (d) meet all safety and fire regulations, as specified by the municipality;

- (e) have skirtings to screen the undercarriage (this skirting shall be factory prefabricated or of a quality equivalent thereof so that design and construction will complement the home); and,
  - (f) be subject to any subsequent regulations the Town may effect or incorporate.
- (2) All accessory structures such as patios, porches, decks, additions and storage facilities shall be factory prefabricated units, or of a quality equivalent thereof so that design and construction will complement the mobile home.
  - (3) In cases of an irregularly shaped lot or a mobile home that is too long to allow for normal setbacks, the Development Officer may permit setbacks at the front and back, which are less than the required setbacks, provided this does not adversely affect the amenities of the residential area.

## **9. DAY CARES**

- (1) In addition to conforming with the GNWT Child Day Care Act and Child Day Care Standards and Regulations, all day cares shall be subject to the following regulations:
  - (a) the number of children within a day care established as a secondary use within a single household dwelling or mobile home shall not exceed the maximum allowable under the Child Day Care Act;
  - (b) a day care shall not be the principal use of a building within a residential zone; and,
  - (c) the Development Officer or Council shall, in considering a proposed day care, consider (among other matters) whether or not the development would be suitable for the proposed location, taking into account such things as anticipated traffic generation, proximity to park or other open or recreational areas, isolation of the proposed site from other uses, buffering or other techniques that could be used to limit any interference with other uses (i.e. to retain peaceful enjoyment of private property).

## **10. GROUP HOMES**

- (1) A group home shall comply with the following regulations:
  - (a) the maximum number of residents shall be established by Council and shall be based upon the nature of the group home and/or the nature of the zone in which it is located;
  - (b) a group home shall not generate pedestrian traffic, vehicular traffic or parking in excess of that which is characteristic of the zone in which it is located; and,
  - (c) a group home will be subject to all development regulations of that zone in which it is located.
- (2) Each application to develop a group home shall be accompanied by a report of a professional Community Planner, indicating that a detailed planning analysis of the proposed development has been carried out.

## **11. HOME OCCUPATIONS**

- (1) A home occupation shall not be permitted in a residence if, in the opinion of the Development Officer, it would be more appropriately located in a Commercial or Industrial zone.
- (2) A resident who intends to operate a home business where permitted under this by-law, shall make application for the following:



- (a) a development permit that shall be in effect for the period the home occupation is operated; and,
  - (b) a business licence that shall be in effect for the period of one calendar year requiring annual renewal to continue the home occupation.
- (3) All home occupations, if given approval, shall comply with the following provisions:
- (a) there shall be no outdoor business activity, storage of materials or equipment associated with the office;
  - (b) the office shall not generate pedestrian traffic, vehicular traffic or parking in excess of that which is characteristic of the zone within which it is located;
  - (c) the number of employees shall not exceed three at any one time;
  - (d) Council may set a limit to the number of customers that may be in attendance at any one time;
  - (e) There shall be no exterior display or advertisement, other than a permitted sign measuring 45.7 cm x 60.9 cm (18" x 24")
  - (f) Any equipment/activity which results in noise and/or interference (i.e. visible, audible) to radio or television reception in adjacent buildings shall not be used;
  - (g) The office shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling involved; and,
  - (h) A person deemed by the Development Officer to be providing a service or instruction in arts and crafts shall not permit more than six (6) students or customers to be in attendance at any one time.
  - (i) The following lists some of the more common types of home occupations (but is by no means exclusive):
    - Dressmaking and millinery, home cooking, preserving and similar domestic home activities;
    - The small-scale manufacture of novelties, souvenirs and handicrafts;
    - Stamp and coin collecting and/or sales;
    - Private music instruction;
    - The minor repair of domestic equipment normally used within dwellings;
    - The office of a professional or business person, if and only if the business or profession is conducted in the dwelling unit used by the person as his/her private residence and the number of employees does not exceed three.
- (4) In addition to all other provisions and requirements of this section, the following additional requirements shall apply to bed and breakfast operations:
- (a) For the purpose of the Fire Prevention Act, a Bed and Breakfast facility shall be defined as per 9.10.9.14 (2) of the National Building Code "sleeping rooms forming part of a proprietor's residence and (sleeping rooms) do not contain cooking facilities". The "proprietor" in this case shall mean the owner of the Bed and Breakfast and the building shall be the principal residence of the owner and his/her household.

Any other type of accommodation is considered to be "commercial" and the rules pertaining to a commercial occupancy shall apply. This includes, but is not limited to fire alarms, complete fire separations between rooms, multiple exits, commercial cooking equipment, multiple washroom, etc.

- (b) any person wishing to operate a bed and breakfast operation shall be required to apply for a development permit;
- (c) bed and breakfast operations shall be limited to residential land use zone and shall be contained or physically linked with the principal building;
- (d) a bed and breakfast operation shall provide no more than one meal per day, shall cater to registered guests only, shall prepare food in one common kitchen and shall serve food in one common room;
- (e) off-street parking requirements for the residential unit itself, one (1) off-street parking space shall be required per rented guest room; and,
- (f) the maximum number of rental rooms in a Bed and Breakfast is four (4) with a maximum occupant load of eight (8) persons over and above the owner and his/her household. Where the total occupant load (including the owner and his/her household) of the premises exceeds ten (10), a fire alarm system is required.

## 12. SCRAP YARDS/JUNK YARDS

### (1) Location

- (a) Scrap yards/junk yards shall not be situated near naturally occurring sources of water be it seasonal or permanent. Sources of water include but are not limited to lakes, rivers, streams, ponds and creeks.
- (b) Solid waste sites are not permitted under these regulations.
- (c) Minimum distance of any junkyard/scrapyard property line shall be at least four hundred and fifty (450) metres from any residential property line.

### (2) Fencing

- (a) Every scrap yard/junk yards shall have an opaque privacy screening on all property lines consisting of a fence of at least four (4) metres high from grade.
- (b) The construction of fences enclosing junkyards/scrapyards shall be:
  - (i) of a uniform type, no patchwork construction;
  - (ii) built with appropriate access gates;
  - (iii) maintained in good order and not unsightly; and,
  - (iv) built in conformance with building and zoning by-laws.

### (3) Access

- (a) Driveways, gateways and road accesses must be:
  - (i) At least ten (10) metres wide throughout;
  - (ii) Not barricaded by anything other than a functional gate; and,
  - (iii) Maintained in good order.

- (4) Storage of Materials
  - (a) Materials must not be stored in such a manner as to constitute a hazard to the owners, employees or customers of the property.
  - (b) All materials or wrecks must be kept a minimum of five (5) metres from the fence to allow for access of emergency vehicles.
- (5) Autowreckers
  - (a) Vehicles and inoperable vehicles must be stored with fuel, oil and all other fluids removed.
  - (b) Fluids from vehicles must be promptly disposed of in the appropriate manner.

## **PART SEVEN – REGULATIONS FOR LAND USE ZONES**

### **1. ESTABLISHMENT OF ZONES**

(1) For the purpose of this by-law, the Municipality is divided into:

- R1** - Low Density Residential Zone
- R2** - Medium Density Residential Zone
- R3** – High Density Residential Zone
- RMH1** - Residential One-household Mobile Home Zone
- RMH2** - Residential Mobile Home Park Zone
- CR** - Country Residential Zone
- RC** - Recreational Cottage
- C1** - Core Area Commercial
- C2** - Highway Commercial Zone
- C3** - Neighbourhood Commercial Zone
- M1** - Light Industrial Zone
- M2** - Heavy Industrial Zone
- CU** - Community Use Zone
- P** - Park Zone
- H** - Hinterland Zone
- UR** - Urban Reserve
- SD** - Special Development

(2) Where there is a doubt as to the actual location of a zone boundary, Council shall clarify zone boundaries.

(3) All lands within the Town that are not shown on the zoning maps shall be included in the Hinterland Zone.

### **2. R1 - LOW DENSITY RESIDENTIAL ZONE**

This land use zone is intended to establish areas of single detached housing and shall comprise of standard lots and dwellings.

#### **(1) Permitted Uses**

- (a) One-household dwellings;
- (b) Accessory buildings and uses to the above uses;
- (c) Small parks and playgrounds which serve specific residential developments;
- (d) Churches;
- (e) Home occupation; and,
- (f) Public or quasi-public buildings, or public utilities serving the immediate area.

#### **(2) Conditional Uses**

- (a) Duplex;
- (b) Double-wide mobile home;
- (c) Community care facility;
- (d) Day care facility;
- (e) Group home; and
- (f) Other uses which Council considers to be similar in character and purpose, and which are compatible with the uses of a Low Density Residential Zone (R1).

**(3) Development Regulations**

(a) Relating to One-Household Dwellings:

- (i) Maximum Height.....12 m
- (ii) Minimum Sight Area .....350 sq m

(b) Setbacks:

- (i) Front.....Minimum of 4.6 m
- (ii) Rear .....Minimum of 3.0 m from the rear lot line or utilidor, whichever is less
- (iii) Side.....Minimum of 1.5 m on all lots except for side yards abutting a flanking street, in which case the minimum is 4.6 m or a minimum of 3.0 m to a utilidor
- (iv) Minimum Floor Area .....88 sq m for 1 storey
- (v) Maximum Lot Coverage.....Dwellings 50%  
Accessory 12%  
Others as required by the Development Officer

(c) Relating to Two-Household Dwellings:

- (i) Duplex or “up and down” units require a minimum site area of 575 sq m.
- (ii) Semi-detached or “side by side” units require a minimum site area of 670 sq m;
- (iii) Yard requirements as they apply to one-household dwellings shall also apply to two-household dwellings, with the exception of “side by side” units where no side yard shall be required along the common wall; and,
- (iv) Minimum floor space area of 56 sq m per dwelling unit.

(d) All other uses as required by the Development Officer shall have a maximum lot coverage of 50%.

(e) With the approval of Council, the minimum site area may be less in the case of existing sub-standard lots.

**3. R2 - MEDIUM DENSITY RESIDENTIAL ZONE**

This zone is intended to provide for multiple household housing types.

**(1) Permitted Uses**

- (a) Two-household dwelling;
- (b) Row housing;
- (c) Apartment;
- (d) Park and/or playground accessory to a specific R2 development;
- (e) Church;
- (f) Home occupation;
- (g) A public building or a public utility which is required to serve in the immediate area; and,
- (h) Accessory buildings and uses.

**(2) Conditional Uses**

- (a) One-household dwelling;
- (b) Double-wide mobile homes;
- (c) Boarding and lodging houses;
- (d) Community care facility;
- (e) Group home;
- (f) Senior citizen and nursing home; and,
- (g) Other uses which are considered by Council to be similar in character and purpose to the uses listed above as part of a Medium Density Residential Zone (R2).

**(3) Development Regulations**

(a) Relating to One-household Dwellings:

(i) Same as they apply in the R1 zone.

(b) Relating to Two-household Dwellings:

(i) Same as they apply to the R1 zone.

(c) Row Housing and Apartments:

- (i) Maximum density shall be calculated on the basis of 35 dwelling units per net hectare;
- (ii) Yard requirements are the same as those for duplex developments except that no side yard shall be less than 3 m;
- (iii) Each unit shall have a back or front yard depth of at least 7.5 m which may or may not be contained by a fence (fences must be at least 1.5 m in height); and,
- (iv) No more than nine dwelling units shall be combined to form a unit; and,
- (v) Maximum height shall be 2 storeys or 8 m.

(d) The following regulations apply specifically to Lot 11, Block 9, Plan 228:

- (i) The maximum number of dwelling units permitted in an apartment developed on this property is six (6); and,
- (ii) Regulations 3 (3), (d) (ii), (iii), (iv), (v) and 3 (3) (e) pertaining to the "Medium Density Residential Zone" apply to this property.

**4. R3 - DENSITY RESIDENTIAL ZONE**

This zone is intended to provide for apartment buildings.

**(1) Permitted Uses**

Apartment;  
Park and/or playground accessory to a specific R3 development;  
A public building or a public utility which is required to serve in the immediate area; and,  
Accessory buildings and uses.

**(2) Conditional Uses**

Other uses which are considered by Council to be similar in character and purpose to the uses listed above as part of a High Density Residential Zone (R3).

**(3) Development Regulations**

(a) Apartments:

(i) The density of suites per hectare shall be based on the following:

Type of Suite	Area of Site Required Per Suite
Bachelor Suite .....	70 sq m
One Bedroom .....	98 sq m
Two + Bedrooms.....	135 sq m

(ii) Maximum height .....3 storeys or 12 m;

- (iii) Minimum site area .....800 sq m;
- (iv) Maximum lot coverage.....30 percent of the site area;
- (vi) Setbacks:
  - Front.....minimum of 9.0 m
  - Rear .....minimum of 3.0 m from the rear lot line or utilidor, whichever is less
  - Side.....minimum of 3.0 m on all lots except for side yards abutting a flanking street, in which case the minimum shall be 4.6 m or a minimum of 3.0 m to a utilidor
- (b) Every application for a Development Permit for a multiple household dwelling shall include a site and building plan.

**5. RMH1 - RESIDENTIAL ONE-HOUSEHOLD MOBILE HOME ZONE**

The general purpose of the Mobile Home Zone – RMH1 is to locate mobile homes in a common area and to provide for appropriate regulations that are specific to mobile homes.

**(1) Permitted Uses**

- (a) One-household mobile home unit;
- (b) Park;
- (c) Home occupations;
- (d) Accessory buildings and use;
- (e) Public or semi-public building and use; and,
- (f) Public utilities building and installation.

**(2) Conditional Uses**

- (a) Double-wide mobile home;
- (b) Duplex mobile home; and,
- (c) Other uses which are considered by Council to be similar (i.e. in character and purpose) and compatible with other uses found within a Residential One-household Mobile Home Zone (RMH1).

**(3) Development Regulations**

(a) Height of buildings:

- (i) Mobile home units.....maximum 5.0 m
- (ii) Accessory uses.....maximum 5.0 m
- (iii) Others .....as approved by the Development Officer

(b) Minimum floor area:

- (i) Mobile home units.....50 sq m excluding attached porches
- (ii) Others .....as approved by the Development Officer

(c) Minimum lot width and area:

- (i) Mobile home .....width 10.7 m  
area 325 sq m
- (ii) Others .....as approved by the Development Officer

(d) Minimum setbacks:

- (i) Front.....3.0 m or as approved by the Development Officer
- (ii) Side..... 1.5 m
- (iii) Rear .....3.0 m from rear lot line or utilidor, whichever is less

(e) Maximum lot coverage:

- (i) Mobile home unit .....40 percent of lot
- (ii) Accessory ..... 10 percent of lot
- (iii) Others .....as approved by the Development Officer

- (f) Minimum lot area and width may be less in the case of existing registered sub-standard lots, with the approval of Council.
- (g) Porches and additions to a mobile home unit shall be considered as part of the main building and the external finish of a porch or addition shall match the existing finish on the mobile home.
- (h) Porches and additions shall be constructed in such a manner that two (2) exits, with direct access to the outside, are maintained in any mobile home.
- (i) The maximum floor area of porches and additions to a mobile home unit shall not be greater than 100 percent of the floor area of the original mobile home unit.
- (j) A mobile home unit shall be skirted from the floor level to the ground level and the external finish of the skirting shall match the existing external finish of the mobile home.
- (k) An adequately screened open area shall be provided in the skirting to allow for proper ventilation of the area underneath the mobile home unit.
- (l) All mobile home units shall have Canadian Standards Association Certification.
- (m) The hitch and wheels are to be removed from a mobile home.

**6. RMH2 - RESIDENTIAL MOBILE HOME PARK ZONE**

The Residential Mobile Home Park zone - RMH2 will contain residential mobile home lots available to mobile home owners on a purchase, lease or rental basis. Certain additional uses which are deemed compatible with the permitted uses may be permitted in this zone at the discretion of Council.

**(1) Permitted Uses**

- (a) Mobile home park;
- (b) One-household mobile home, single-wide;
- (c) One-household mobile home, double wide
- (d) Home occupation; and,
- (e) Accessory buildings and uses.

**(2) Conditional Uses**

- (a) Public and quasi-public buildings and uses;
- (b) Duplex mobile home;
- (c) Public utilities buildings and installations; and,
- (d) Public park.

**(3) Development Regulations**



- (a) Height of buildings:
  - (i) Mobile homes .....maximum 5.0 m (1 floor)
  - (ii) Others .....as approved by the Council
  - (iii) Accessory .....maximum 5.0 m
- (b) Maximum density of mobile home park:
  - (i) Maximum .....22 mobile home units per hectare
- (c) Minimum lot and park area:
  - (i) Mobile home .....325 sq m
  - (ii) Mobile home park .....1 hectare
- (d) Minimum yard dimensions for an individual mobile home lot:
  - (i) Front.....3.0 m
  - (ii) Rear .....3.0 m
  - (iii) There shall be a minimum of 3.0 m between mobile home units including any additions thereto.
- (e) Maximum lot coverage:
  - (i) Mobile home unit .....40 percent
  - (ii) Accessory .....10 percent
  - (iii) Others .....as approved by the Council

**(4) Performance Standards and Regulations**

A. Design Criteria:

- (a) The owner of the mobile home park, or the person responsible for the maintenance of the mobile home park, shall at all times:
  - (i) maintain the park and the common buildings, structures and improvements therein in a clear, neat and attractive condition; and,
  - (ii) be responsible for the removal of snow from all common areas, internal streets and walkways.
- (b) Design and street patterns shall be compatible with existing municipal street and utility system standards.

B. Pedestrian Access

- (a) Safe, convenient and clear walkways shall be provided for easy access to individual mobile homes, streets and common areas, such as parks and laundry areas.
- (b) All walkways shall have a minimum width of 1.22 m (4.0 ft.) and shall have a durable, dust-free all-weather surface.

C. Recreation and Landscaping

- (a) Areas for recreation shall constitute at least 5% of the mobile home park area.
- (b) Recreation areas shall be conveniently located for all park residents and shall also be removed from areas which present potential traffic hazards.
- (c) Recreation areas shall not be included in areas designed as buffer strips.
- (d) Recreation areas shall be landscaped and properly equipped with facilities.

- (e) Adequate fencing or screening shall be provided between recreational and other land uses.
- (f) All areas of a mobile home park that are not developed (i.e. containing improvements) shall be landscaped and properly maintained.
- (g) Adequate screening in the form of trees or other plantings shall be provided between a mobile home park and adjacent uses where these uses are incompatible with the residential character of the mobile home park.
- (h) Adequate screening in the form of fencing, trees or shrubs shall be provided where necessary around laundry areas, service buildings, refuse collecting points and other common areas.

D. Common Areas

- (a) There shall be no outdoor storage of furniture, domestic equipment or seasonally used equipment.
- (b) Adequately covered storage facilities shall be provided, either on individual lots or in common storage facilities.
- (c) Common storage facilities shall be located in a permanent building conveniently located to all park residents.
- (d) Adequately screened storage components shall be provided for large trucks, campers, travel trailers, snowmobiles and boats to the satisfaction of the Development Officer.
- (e) Where heating fuel is provided by a local distribution system such as propane, container space shall be inconspicuously located and must meet the approval of the Fire Chief.

E. Additional Lot Requirements

- (a) Each mobile home lot shall be clearly marked on the ground by permanent stakes, markers or other means, and shall be clearly defined according to lot number or other address system.
- (b) Permanent additions such as patios, porches, garages or other structural additions:
  - (i) must not conflict with other regulations pertaining to this zone;
  - (ii) are considered to be part of the mobile home and require a building permit prior to construction;
  - (iii) may not exceed 50 percent of the mobile home unit area, or 50 percent of the lot area; and,
  - (iv) shall be of a design similar to the mobile home unit and will harmonize with the exterior of the unit.
- (c) Mobile homes shall be separated by a minimum distance of 3.0 m (9.8 ft.) and any porch or addition to the mobile home shall be regarded as part of the mobile home in determining this distance.
- (d) Each mobile home lot shall be provided with a permanent foundation or stand in the form of a hard compacted gravel or concrete pad at the original ground level.
- (e) A sound base for the blocking and levelling of a mobile home will be provided, either with pads of concrete or with any other material appropriate for a stand.
- (f) Each mobile home unit shall have skirting around the base of the unit that harmonizes with the unit. This skirting shall permit the circulation of air beneath the unit and must be completed within 30 days, or within a time period specified by the Development Officer, following the placement of the mobile home.
- (g) Space shall be provided for at least two (2) parking stalls per mobile home lot. At least one of the stalls must be provided on the mobile home lot itself.
- (h) The hitch and wheels are to be removed from the mobile home.

F. Utilities and Services

- (a) There shall be proper garbage disposal containers on each lot and a screened garbage disposal area at a point convenient for collection.
- (b) The park owner shall provide access to the utilidor system where necessary and any other fire protection equipment or facilities as deemed necessary by the Fire Chief.

**7. CR - COUNTRY RESIDENTIAL ZONE**

This zone generally intends to provide for single household housing in a rural setting.

**(1) Permitted Uses**

- (a) One single household housing unit per lot;
- (b) Buildings and uses accessory to the above.

**(2) Conditional uses**

- (a) Mobile home;
- (b) Home occupation;
- (c) Group home;
- (d) Buildings and uses accessory to the above;
- (e) Other uses which are considered by Council to be similar in character and purpose to uses listed above as part of a Country Residential Zone.

**(3) Development Regulations**

(a) Height of Buildings:

- (i) Maximum .....10.0 m (33.0 ft.) or 2.5 storeys

(b) Minimum Lot Dimensions:

- (i) Lot Width.....30.0 m
- (ii) Depth .....consistent with the minimum lot size area

(c) Lot Area:

- (i) Minimum lot size .....0.4 hectares (1.0 acres)
- (ii) Maximum .....2.0 hectares (5.0 acres)

(d) Minimum Setbacks:

- (i) Front Yard.....15.0 m
- (ii) Rear Yard.....15.0 m
- (iii) Side Yard .....10.0 m

(e) Garages and Accessory Buildings:

Garages and accessory buildings shall be location minimums:

- (i) from the dwelling.....1.0 m (3.3 ft.)
- (ii) side lot line .....1.0 m (3.3 ft.) from the;
- (iii) rear lot line .....1.0 m (3.3 ft.) from the; and,
- (v) garage doors to any side .....5.0 m (16.5 ft.)  
property line

(f) Maximum Coverage of:

- (i) Lot.....20 percent
- (ii) Principal building.....5 percent
- (iii) Accessory buildings .....2 percent

(g) Minimum Floor Areas:

- (i) minimum floor .....75.0 m<sup>2</sup> (870 sq. ft.)

**(4) General Regulations and Performance Standards**

- (a) Development costs for all Country Residential lots/subdivisions are the responsibility of the applicant/developer.
- (b) The Town of Inuvik will not be responsible for the provision of any municipal services to a Country Residential zone.
- (c) Containers for solid waste disposal shall be used at all times and clearly marked.
- (d) The applicant shall, to the satisfaction of the Development Officer, or Council acting as the Development Officer, provide or demonstrate that appropriate water, sewage and garbage disposal/containment methods are in place. Where environmental risks are of concern, the application may be reviewed by the appropriate town, territorial and/or federal agencies.
- (e) All proposed Country Residential developments must conform to federal, territorial and municipal legislation.
- (f) An approved plan of subdivision shall be in place prior to the issuance of any development permit and the development of any Country Residential subdivision.
- (g) Any person seeking a development permit for a Country Residential lot may be requested to post a performance bond, refundable upon completion of the principal building and its occupation for one (1) year. The terms of the performance bond will be prepared by the Development Officer and/or Council.

**8. RC - RECREATIONAL COTTAGE**

This zone provides a recreational residential “get away” where occupation is on a non-permanent basis and where year-round habitation is prohibited.

**(1) Permitted Uses**

- (a) One single-household housing unit per lot;
- (b) Buildings and uses accessory to the above.

**(2) Conditional Uses**

- (a) Mobile home;
- (b) Home occupation;
- (c) Local utility services and installations;
- (d) Buildings and uses accessory to the above;
- (e) Other uses which are considered by Council to be similar in character and purpose to uses listed above as part of a Recreational Cottage zone.

**(3) Development Regulations**

- (a) Height of Buildings:
  - (i) Maximum .....10.0 m (33.0 ft.) or 2.5 storeys
- (b) Minimum Lot Dimensions:
  - (i) Lot Width.....30.0 m
  - (ii) Depth .....consistent with the minimum lot size area
- (c) Lot Area:
  - (i) Minimum .....0.4 hectares (1.0 acres)
  - (ii) Maximum .....2.0 hectares (5.0 acres)
- (d) Minimum Setbacks:
  - (i) Front Yard.....15.0 m
  - (ii) Rear Yard.....15.0 m
  - (iii) Side Yard .....10.0 m
- (e) Garages and Accessory Buildings:

Garages and accessory buildings shall be location minimums:

  - (i) from the dwelling.....1.0 m (3.3 ft.)
  - (ii) side lot line .....1.0 m (3.3 ft.) from the;
  - (iii) rear lot line .....1.0 m (3.3 ft.) from the; and,
  - (v) garage doors to any side .....5.0 m (16.5 ft.)  
property line
- (f) Maximum Coverage of:
  - (i) Lot.....20 percent
  - (ii) Principal building.....5 percent
  - (iii) Accessory buildings .....2 percent
- (g) Minimum Floor Areas:
  - (i) Minimum floor .....46 m<sup>2</sup> (500 sq. ft.)

**(4) General Regulations and Performance Standards**

- (a) Development costs for all recreational cottage lots/subdivisions are the responsibility of the applicant/developer, or fully recoverable if undertaken by the Town of Inuvik.
- (b) The Town of Inuvik will not be responsible for the provision of any municipal services to a Recreational Cottage zone.
- (c) Containers for solid waste disposal shall be used at all times and clearly marked.
- (d) The applicant shall, to the satisfaction of the Development Officer, or Council acting as the Development Officer, provide or demonstrate appropriate water, sewage and garbage disposal/containment methods. Where environmental risks are of concern, the application may be reviewed by the appropriate town, territorial and/or federal agencies.
- (e) All proposed recreational cottage developments must conform to federal, territorial and municipal legislation.

- (f) A recreational cottage subdivision having more than 10 lots shall not be permitted without the approval of Council.
- (g) Any person seeking a development permit for a recreational cottage lot may be requested to post a performance bond, refundable upon completion of the principal building.

**9. C1 - CORE AREA COMMERCIAL**

This zone provides for commercial uses considered to be appropriate to the Central Business District of Inuvik.

**(1) Permitted Uses**

- (a) Professional, financial, office and business support services;
- (b) Medical and dental clinics;
- (c) Eating and drinking establishments;
- (d) Retail stores, not including drive-in businesses;
- (e) Banks;
- (f) Theatres;
- (g) Personal service establishments;
- (h) Parks
- (i) Art galleries;
- (j) Photography studio;
- (k) Bowling alleys;
- (l) Hardware and home improvement centres;
- (m) Religious assemblies;
- (n) Laundry and dry cleaning shops;
- (o) Parking facilities.

**(2) Discretionary Uses**

- (a) Bakeries;
- (b) Amusement arcades;
- (c) Hotels;
- (d) Funeral parlours;
- (e) Auction establishments;
- (f) Private clubs and lodges;
- (g) Public uses;
- (h) Religious assemblies
- (i) Day cares;
- (j) Repair service establishments;
- (k) Local utility services;
- (l) Combined commercial/residential complexes
- (m) Workshops accessory to retail stores (i.e. located behind the principal building with a maximum floor area of 370 m<sup>2</sup>) where the workshop is essential to the retail business conducted on the same lot;
- (n) Buildings and uses accessory to the above; and,
- (o) Those uses which, in the opinion of the Development Officer, are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the zone.

**(3) Development Regulations**

**(a) Height of Buildings:**

- (i) Building height shall not exceed 13.0 m (43.0 ft.). If a sprinkler system is provided, then the building height shall be at the discretion of the Development Officer.

- (b) Minimum Lot Dimensions:
  - (i) Lot width:
    - hotels .....30.0 m
    - all other uses .....7.5 m
  - (ii) Lot depth:
    - combination of lot width and depth of lot shall, at a minimum, be equal to or greater than 140 sq. m
  
- (c) Lot Area:
  - (i) minimum lot size for hotels .....1,115 sq. m
  - (ii) minimum lot size for all other uses ...278 sq.m
  
- (d) Minimum Setbacks:
  - (i) Front Yard.....shall be at the discretion of the Development Officer, or Council acting as the Development Officer, with consideration given to development or potential development on adjacent lots.
  - (ii) Rear Yard.....a 6.0 m (20.0 ft.) parking or loading zone shall be provided where there is no conflict with a utilidor. If there is a conflict, the setback shall be determined by the Development Officer in consultation with the Northwest Territories Power Corporation and the Fire Chief.
  - (iii) Side Yard
    - if next to a residential zone .....3.0 m
    - for all other lots .....2.5 m
  
- (e) Maximum Coverage of:
  - (i) Building .....shall not exceed 1.75 times the lot area (floor area ratio). Please see the following page for a graphic explanation of floor area ratio.

**(4) General Regulations and Performance Standards**

- (a) Except for entrances, 50% of the ground floor (the floor closest to the sidewalk) along the business frontage of each side of the building shall be glazed (i.e. have windows).
- (b) Parking, loading, storage and trash collection areas shall be screened to the satisfaction of the Development Officer.
- (c) A minimum of 5% of the site area shall be landscaped for public use to the satisfaction of the Development Officer.
- (d) Access for the disabled shall be provided in all new buildings in this zone.
- (e) The design, siding and external finish of all buildings, including any accessory buildings, structures, signs and any reconstruction shall be to the satisfaction of the Development Officer (or Council acting as the Development Officer) in order that there shall be general conformity with adjacent buildings.

**10. C2 – HIGHWAY COMMERCIAL ZONE**

The Highway Commercial Zone – C2 provides for tourist and service-oriented commercial uses which are more appropriately located along a highway than in any other commercial or industrial zone.

**(1) Permitted Uses**

- (a) No permitted uses

**(2) Conditional Uses**

- (a) Motels;
- (b) Motor hotels;
- (c) Accessory buildings and uses;
- (d) Campgrounds;
- (e) Tourist-related industry dependant on close proximity to a highway for trade;
- (f) Car washes;
- (g) Drive-in restaurants;
- (h) Service stations;
- (i) Restaurants developed in conjunction with service stations;
- (j) Public buildings and uses;
- (k) Public utility buildings and installations;
- (l) Other uses which are considered by Council to be similar in character and purpose to the uses listed above as part of a Highway Commercial Zone (C2);

**(3) Development Regulations**

(a) Height of Buildings:

- (i) Maximum Height of Main and accessory.....12 m unless otherwise approved by Council

(b) Lot Size:

- (i) Minimum area .....as required by Council

(c) Minimum Setbacks:

- (i) Front.....6.0 m or as required by Council
- (ii) Side.....6.0 m or as required by Council
- (iii) Rear .....7.0 m or as required by Council

(d) Maximum Coverage of:

- (i) All buildings.....35% of the lot area

(e) Street access shall be as required by Council.

(f) Council (acting as Development Officer) shall be the approving authority for all uses in this zone.

**(4) General Regulations and Performance Standards**

(a) Prior to issuance of a building permit, a site plan indicating the proposed location of buildings, landscaping, parking, accesses and driveways proposed lighting and signs, and any fence or screening shall be approved by the Development Officer. Access from the premises to the highway or major streets shall be allowed only at points established by the Development Officer. The building setbacks shall allow for the planned widening of streets and/or provision of service roads when required by Council. The building setbacks shall provide for the front yards as established by these regulations in addition to the setbacks needed for the aforementioned widening.



- (b) The design, siding and external finish of every building, including any accessory building, structures, sign and any reconstruction shall be to the satisfaction of Council in order that there shall be general conformity with adjacent buildings.
- (c) Where development fronts on a designated highway pursuant to the Public Highways Act, a service roadway of not less than 15 m (50 ft.) in width shall be required adjacent and parallel to the highway. Council may require a service road of not less than 15 m (50 ft.) in width on all highways within the Town.
- (d) All buildings shall be of good architectural design, as required by Council, so as to not interfere with, or detract from, the standards of the zone and the amenities of the neighbourhood.
- (e) All yards abutting the highway or roadway shall be landscaped.
- (f) All lots and buildings should be maintained in a neat, tidy manner (i.e. trim should be well maintained; debris and unsightly objects should not be visible).
- (g) All outdoor storage areas shall be enclosed with suitable fencing and the outdoor storage display of equipment, machinery, building materials, lumber or other materials shall be neat, clean and orderly at all times.

**11. C3 – NEIGHBORHOOD COMMERCIAL ZONE**

This zone is intended to provide lots for the development of retail and service outlets serving the needs of the residents in the immediate area.

**(1) Permitted Uses**

- (a) No permitted uses.

**(2) Conditional Uses**

- (a) Neighbourhood convenience store;
- (b) Single household dwelling unit accessory to the commercial use;
- (c) Other such commercial endeavours that may be judged to be compatible with the surrounding neighbourhood;
- (d) Small food store; and,
- (e) Variety stores selling confectionery, tobacco, groceries and personal care items.

**(3) Development Regulations**

(a) Height of Buildings:

- (i) Maximum .....8.0 m

(b) Lot Area:

- (i) Minimum: .....465 m<sup>2</sup>
- (ii) Maximum .....3,000 m<sup>2</sup>

(c) Minimum Setbacks:

- (i) Front.....6 m or as required by Council
- (ii) Side.....1.5 m except for side yards abutting a flanking street, in which case the minimum is 4.6 m or a minimum of 3.0 m to a utilidor or as otherwise determined by Council
- (iii) Rear .....3.0 m from the rear lot line or utilidor, whichever is less, or as required by Council

- (d) Maximum Coverage of:
  - (i) Main building.....30 percent
  - (ii) Accessory building.....not permitted
- (e) Maximum Floor Area:
  - (i) The total floor area of any store shall not exceed 465 m<sup>2</sup>, of which not more than 185 m<sup>2</sup> shall be retail area, with a maximum of 15 percent of the retail area being used as a non-food selling area. One staff accommodation unit may be included within the building.
- (f) Sites shall be located only on major streets as determined by the Council.

**(4) General Regulations and Performance Standards**

- (a) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Trash collection areas shall be located to the rear of sides of the principal building and shall be screened from view from any adjacent lots or public roadways. If the rear or sides of a lot are used for parking, an outdoor service, a display area, or a combination of these, and if they abut a residential district, they shall be screened to the satisfaction of the Development Officer.
- (b) Outside storage is prohibited in the Commercial Zone (C3).
- (c) Designs, access and egress, siding and exterior finish shall be to the satisfaction of the Council.
- (d) Freestanding signs shall not exceed the height of the building.
- (e) Council (acting as the Development Officer) shall be the approving authority for all uses in this zone.
- (f) Single household dwelling units shall be in the same building as the commercial use and shall have a separate access to the outdoors from that of the commercial use.
- (g) Access for the handicapped shall be provided in all new uses in this zone.

**12. M1 - LIGHT INDUSTRIAL ZONE**

The Light Industrial Zone – M1 contains industrial uses which generally carry out a portion of their activities outdoors, do not generate any off-site nuisances and require smaller lots than those typically found in an M2 zone.

**(1) Permitted Uses**

- (a) A workshop used by any of the following:
  - Cabinet maker;
  - Carpenter;
  - Decorator;
  - Electrician;
  - Gas fitter;
  - Laundry
  - Metal worker;
  - Painter;
  - Plumber;
  - Printing shop;
  - Pipe fitter;
  - Tinsmith;
  - Upholsterer;

- (b) Cold storage lockers;
- (c) Warehousing/storage;
- (d) Receiving and distributing depots;
- (e) Servicing and repair establishments;
- (f) Service or gas station;
- (g) Automobile repair shop;
- (h) Small engine repair shop;
- (i) The storage and/or sale of automobiles or building supplies;
- (j) Dog lots; and,
- (k) Buildings and uses accessory to the above.

**(2) Conditional Uses**

- (a) Motel;
- (b) Wholesale warehouse;
- (c) Hardware and improvement centres;
- (d) Auction establishments;
- (e) Parking facilities;
- (f) Frozen food locker;
- (g) Public and semi-public uses;
- (h) Veterinary clinic and kennel;
- (i) Local utility services and installations;
- (j) Detention or correction facilities;
- (k) Such recreational and public uses which are considered by Council to be compatible with a light industrial area;
- (l) Caretaker units;
- (m) Buildings and uses accessory to the above; and,
- (n) Those uses which, in the opinion of the Development Officer, are similar to the permitted or conditional uses, and which conform to the general purpose and intent of the zone.

**(3) Development Regulations**

(a) Height of Buildings:

- (i) Maximum ..... 10 m (33.0 ft.)

(b) Minimum Lot Dimensions:

- (i) Area.....to be established by the Development Officer as required by Council
- (ii) Width.....not less than 30.0 m<sup>2</sup> (99.0 ft.)
- (iii) Depth.....to be established by the Development Officer

(c) Minimum Setbacks:

- (i) Front.....6.0 m (20.0 ft.)
- (ii) Rear .....5.0 m (16.5 ft.)  
7.5 m (25.0 ft.) where the property abuts a residential zone
- (iii) Side.....4.5 m (15.0 ft.)

Notwithstanding the minimum yard requirements above where it is deemed impractical to conform with these requirements due to obvious physical limitations, all yard setbacks shall be at the discretion of the Development Officer who shall have regard for the amenities of the district and adjoining lots.

(f) Maximum Coverage of:

- (i) Lot.....60% of the lot area

**(4) General Regulations and Performance Standards**

- (a) The design, siting, external finish and architectural appearance of all buildings, including any accessory buildings, structures, signs and reconstruction shall be to the satisfaction of the Council.
- (b) All sites and buildings shall be maintained in a neat and tidy manner and the storage of debris and unsightly objects shall not be permitted in this zone.
- (c) Where a potential exists for air or water pollution (i.e. relating to a particular land use), the proposed development may be referred by the municipality to an appropriate Government Agency for study and recommendation, and due regard shall be given to such recommendation in dealing with the application.
- (d) Any industrial operation which produces, processes, cleans, tests, repairs, stores or distributes a material shall conform to the following standards:
- (i) Noise – Noise from industrial production shall not be audible at any point of the boundary of the lot on which the operation takes place;
- (ii) Smoke – No process involving the use of solid fuel is permitted, save the use of waste disposal incinerators of a design approved by Council;
- (iii) Dust and ash – No process involving the emission of dust fly-ash or other particulate matter is permitted;
- (iv) Odour – The emission of any odorous gas or other odorous matter is prohibited;
- (v) Toxic gases, etc. – The emission of any toxic gases or other toxic substances is prohibited;
- (vi) Glare or heat – No industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned; and,
- (vii) External storage – External storage of goods or material is permitted if these are kept in a neat and orderly manner or are suitably enclosed by a fence or wall, to the satisfaction of the Development Officer or Council.
- (e) The Developer is responsible for proving to the Development Officer that his/her proposed development does, and will continue to comply with by-law requirements.
- (f) In considering the application, the Development Officer (or Council) shall have regard to the intent of this section, which is to establish use on the basis of:
- (i) appropriate performance standards;
- (ii) the methods, equipment and techniques of the applicant; and
- (iii) the use of neighbouring lands and zones and the compatibility of the proposed use with neighbouring lands and zones.
- (g) The granting of permission to develop in this zone is subject to compliance and continued compliance with the performance standards set out herein. Failure to comply with these performance standards shall be considered a contravention of this by-law. Council may prohibit the continued use of the premises until the performance standards are adhered to.

**13. M2 – HEAVY INDUSTRIAL ZONE**

A Heavy Industrial Zone – M2 contains industrial uses which generally carry out a portion of their activities outdoors and which are of such a nature that they may not meet the requirements of the M1 zone.

**(1) Permitted Uses**

- (a) All permitted Light Industrial (M1) uses;
- (b) Warehousing, storage, distribution of raw materials, manufacturing or processing of goods, servicing establishments;
- (c) Manufacturing and fabrication;
- (d) Marine transportation facilities;
- (e) Open storage of heavy equipment and machinery; and,
- (f) Accessory buildings and uses.

**(2) Conditional Uses**

- (a) Such municipal uses that, in the opinion of Council, are compatible with an industrial area;
- (b) On approved sites, those industrial uses that are not obnoxious by reason of the emission of outdoors, dust, smoke, gas, noise or vibration; and,
- (c) Other uses which are considered by Council to be similar in character and purpose to the uses listed above as part of a Heavy Industrial Zone (M2).

**(3) Development Regulations**

(a) Height of Buildings:

- (i) Maximum .....10 m

(b) Lot Area:

- (i) Minimum lot area .....to be established by the Development Officer

(c) Minimum Setbacks:

- (i) Front.....10 m
- (ii) Side.....9 m
- (iii) Back.....9 m
- (iv) Setback may be varied at the discretion of the Development Officer, who shall have regard for the general intent of the zone and the adjoining properties.

(d) Maximum Coverage of:

- (i) Lot .....60%

(e) All industrial development shall be in accordance with federal, territorial and municipal regulations.

**(4) General Regulations and Performance Standards**

- (a) Appearance requirements as per Section 4 (b) of the Light Industrial Zone (M1) are to be used as guidelines, with final plans to meet the approval of Council.
- (b) Where there is a potential for air or water pollution resulting from a particular land use, the proposed development may be referred by the municipality to an appropriate Government Agency for study and recommendation and due regard shall be given to such recommendation in dealing with the application.
- (c) Any industrial operation relating to production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:

- (i) Air pollutants – Smoke, dust, ash, odour, toxic gases, etc. shall only be released to the atmosphere in such amounts and under such conditions and safeguards as shall have been approved in writing by Council after consultation with the appropriate Government Agency.
  - (ii) Glare or heat – No industrial operation shall be carried out which would produce glare or heat so as to be offensive beyond the property line of the lot concerned.
  - (iii) Industrial wastes – No industrial wastes shall be discharged into any water drainage system which does not conform with the standards established from “time to time” by a by-law of the Town of Inuvik.
  - (iv) Odour – The emission of any odorous gas or other odorous matter is prohibited.
  - (v) Toxic gases, etc. – The emission of any toxic gas or other toxic substances is prohibited.
  - (vi) External storage – External storage of goods or material is permitted if these are kept in a neat and orderly manner or are suitably enclosed by a fence or wall to the satisfaction of the Development Officer or Council, as the case may be.
- (d) In considering the application, the Development Officer or Council shall take into consideration the intent of this Section, which is to establish use on the basis of:
- (i) appropriate performance standards;
  - (ii) the methods, equipment and techniques of the applicant, and,
  - (iii) the use of neighbouring lands and zones and the compatibility of the proposed use with neighbouring lands and zones.
- (e) The granting of permission to develop in this zone is subject to compliance and continued compliance with the performance standards as set out herein. Failure to comply with these performance standards shall be considered a contravention of this bylaw. Council may prohibit the continued use of the premises until the performance standards are adhered to.

#### 14. **CU - COMMUNITY ZONE**

A Community Zone - CU is to provide for public and privately owned facilities of an institutional or community service nature.

##### **(1) Permitted Uses**

- (a) Churches;
- (b) Community halls;
- (c) Hospitals;
- (d) Schools;
- (e) Senior citizens homes and similar buildings; and,
- (f) Accessory buildings and uses.

##### **(2) Conditional Uses**

- (a) Cemeteries;
- (b) Federal, Territorial and Municipal buildings and uses;
- (c) Parks, playgrounds, recreation areas, private marinas servicing pleasure craft, and other similar public buildings and uses;
- (d) Private clubs and lodges;
- (e) Public utility installations and uses;
- (f) Other uses which are considered by Council to be similar in character and purpose to uses listed above as part of a Community Zone (CU).

**(3) Development Regulations**

(a) Height of Buildings:

(i) Maximum .....10 m

(b) Minimum Lot Dimensions:

(i) Width.....not less than 30.0 m

(ii) Depth .....to be established by the Development Officer

(c) Lot Area:

(i) Minimum .....to be established by the Development Officer

(d) Minimum Setbacks:

(i) Front Yard.....6.0 m (20.0 ft.)

(ii) Rear Yard.....7.5 m (25.0 ft.)

(iii) Side Yard .....4.5 m (15.0 ft.)

(e) Maximum Coverage of:

(i) Lot.....60% of the total lot area

**15. P - PARK ZONE**

Park Zone – P designates private and public land for active and passive recreational uses, and for landscaped buffers. It also preserves natural areas and parkland along the river, creeks and ravines and other designated areas for both recreational uses and environmental protection.

**(1) Permitted Uses**

- (a) Tot lots;
- (b) Playgrounds;
- (c) Neighbourhood parks;
- (d) Community parks;
- (e) Open reserve areas for environmental protection; and,
- (f) Buildings and uses accessory to the above.

**(2) Conditional Uses**

- (a) Tourist campsites and other facilities intended for the tourist industry;
- (b) Tourist lodges;
- (c) Golf courses;
- (d) Arenas and curling rinks;
- (e) Marinas;
- (f) Ski and toboggan runs;
- (g) Swimming and wading pools;
- (h) Local utility services;
- (i) those uses which, in the opinion of the Development Officer, are similar to the permitted or conditional uses, and which conform to the general purpose and intent of the zone; and,
- (j) Buildings and uses accessory to the above.

**(3) Development Regulations**

(a) Height of Buildings:

- (i) Maximum .....10.0 m (33.0 ft.)

(b) Minimum Lot Dimensions:

- (i) to be established by the Development Officer based on general regulations as found on section (4) below

(c) Minimum Setbacks:

- (i) Front Yard.....7.5 m
- (ii) Rear Yard.....7.5 m
- (iii) Side Yard .....4.5 m

(d) Maximum Coverage of:

- (i) Lot.....the maximum lot coverage shall not exceed 60% of the total lot area

**(4) General Regulations and Performance Standards**

(a) Minimum Park Areas:

- (i) Tot lot .....0.2 hectares
- (ii) Playground.....0.8 hectares
- (iii) Neighbourhood Park.....2.0 hectares
- (iv) Community Park .....Discretion of Development Officer and/or Council

- (b) All park and playground equipment shall meet or exceed Canadian safety standards.
- (c) All new residential subdivisions including mobile home park subdivisions shall include tot lot(s) and/or a playground(s) with accessories, at the discretion of the Development Officer or Council acting as the Development Officer.
- (d) Developers shall be responsible for all the costs associated with the development of tot lots and playgrounds.
- (e) The Town shall be responsible for maintaining all public parks.
- (f) All equipment within tot lots and playgrounds shall have a sandy base for the safety and enjoyment of the children using the equipment.
- (g) Provisions shall be made to clearly link every new park into Inuvik's walking trail system.
- (h) All winter outdoor recreation areas shall be well lit when in use, where applicable.
- (i) Inuvik's ski trails be integrated into the Town's walking trail system and shall not be encroached upon by development without council's permission.
- (j) The policies included within this zone shall be integrated into any future Recreation Master Plan.



## 16. H - HINTERLAND ZONE

The purpose of the Hinterland Zone - H is to protect those natural areas outside the built up area of Inuvik for the enjoyment and benefit of all of Inuvik's residents, and to ensure that development in the area occurs in an orderly and planned way.

### (1) Permitted Uses

No permitted uses.

### (2) Conditional Uses

- (a) Traditional cultural activities including temporary tenting or camping where provision is made for adequate access, water supply, waste disposal and other services;
- (b) Temporary tenting or camping;
- (c) Trap lines and fishing areas;
- (d) Ski trails and snowmobile trails;
- (e) Drainage channels or power lines;
- (f) Game preserves or conservation areas;
- (g) Public or quasi-public buildings and uses including municipal or public utility installations;
- (h) Solid waste disposal site;
- (i) Sewage disposal site;
- (j) Quarry;
- (k) Telecommunication towers and facilities;
- (l) Shipping and navigation aids;
- (m) Water reservoirs and water supply facilities;
- (n) Cemeteries;
- (o) Installations for scientific or archaeological research, airports, resource development, national security, defence or of a similar nature;
- (p) Environmental reserves for watershed protection; and,
- (q) Those uses which, in the opinion of Council, are similar to a permitted use, and which conform to the general purpose and intent of the zone.

### (3) Development Regulations

- (a) All development in this zone may be subject to an Environmental Assessment Review before Council's consideration of the development.
- (b) No subdivision or development other than for the above uses shall proceed until an overall plan for the area has been resolved. This plan should establish a plan of subdivision, the proposed zoning, public reserve dedications and utilities policies.
- (c) Council (acting as the Development Officer) shall be the approval authority for all uses in this zone.
- (d) Relating to Sewage Lagoon and Dump:
  - (i) No residential development which conflicts with the provisions of the Public Health Ordinance and Regulations and any amendments thereto shall be allowed;
- (e) Relating to Watershed Reserves:
  - (i) No development which might endanger or impair the quality of water shall be allowed.

## 17. UR - URBAN RESERVE ZONE

This zone is intended to reserve those areas of the municipality which are rural in character or land use for future urban development (other than industrial development) until such time as a subdivision plan has been approved. Development of these lands shall be consistent with the Community Plan and will require the rezoning of any land to a designation appropriate for the proposed development.

### (1) **Permitted Uses**

No permitted uses.

### (2) **Conditional Uses**

Recreational, Parks/Open Space and Public Utility Uses which are not prejudicial to future development for residential, commercial or similar urban uses.

### (3) **Development Regulations**

- (a) Guidelines for the siting, lot coverage, densities, yard setbacks and height of buildings shall be at the discretion of the Development Officer and Council.
- (b) Land in this zone shall be subdivided or transferred only if the discretionary use does not prejudice the future economical subdivision or servicing of the land on a neighbourhood or community basis.
- (c) All uses are to be considered on their individual merit and Council and the Development Officer shall set out the minimum standards to which individual developments must comply.

## 18. SD - SPECIAL DEVELOPMENT ZONE

The purpose of the Special Development Zone – SD is to respect existing land uses and to maintain the greatest of flexibility in deciding how the zone may develop in the future.

### (1) **Permitted Uses**

No permitted uses.

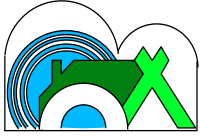
### (2) **Conditional Uses**

- (a) All applications for development within this zone are to be considered on their individual merit by Council.
- (b) As a general guideline, Council will only approve those developments which are not seen to jeopardize the range of future land use alternatives for the area.

### (3) **Development Regulations**

- (a) All site requirements shall be as approved by the Council.

## **PART EIGHT – FORMS**



Permit # \_\_\_\_\_  
 Development Permit Fee: \$ \_\_\_\_\_  
 Building Permit Fee: \$ \_\_\_\_\_

TOWN OF INUVIK  
 ZONING BY-LAW #2225/P+D/04

## FORM 'A'

### APPLICATION FOR A DEVELOPMENT/ BUILDING PERMIT

*I hereby make application under the provisions of the Zoning By-law (#2225/P+D/04) for a Development/Building Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.*

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_  
(Please print)

Mailing Address: \_\_\_\_\_

Civic Address of property to be developed: \_\_\_\_\_

Legal Address of property to be developed: \_\_\_\_\_

Zoning: Lot #: \_\_\_\_\_ Block #: \_\_\_\_\_ Plan #: \_\_\_\_\_ or Certificate of Title: \_\_\_\_\_

Registered Owner: \_\_\_\_\_ Owner's Address: \_\_\_\_\_

Phone Number of Registered Owner: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Principal Use: \_\_\_\_\_

Lot Width: \_\_\_\_\_ Lot Length: \_\_\_\_\_

Front Yard Setback: \_\_\_\_\_ Side Yard Setbacks: \_\_\_\_\_ Rear Yard Setback: \_\_\_\_\_

Floor Area: \_\_\_\_\_ Percentage of Lot Occupied: \_\_\_\_\_

Off-street Loading: Size of Space: \_\_\_\_\_ Number of Spaces: \_\_\_\_\_

**Please attach separate sheet with the required plans and project detail.**

Estimated cost of the project or contract price *(include material(s) and labour costs)*: \$ \_\_\_\_\_

Estimated Starting Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

**NATURE OF THE WORK:**

_____	New Building	Type of Construction: _____
_____	Addition	Type of Foundation: _____
_____	Alteration	Building Area: _____
_____	Structural Repair	Floor Area: _____
_____	Foundation Only	Number of Storeys: _____ Zoning: _____
_____	Set up Trailer Only	Utilidor Height Above Grade: _____

Additional comments or description if different from above: \_\_\_\_\_

\_\_\_\_\_

- Does the proposed development involve Electrical work?  Yes  No
- Does the proposed development involve work on oil/gas fired boiler or h/w?  Yes  No
- Does proposed development involve new construction requiring Power Corp?  Yes  No
- Does the proposed development involve Commercial renovations or construction that must be inspected by the Fire Marshal?  Yes  No
- Does the proposed development involve digging, drilling, excavation or installation of devices that use natural Gas? If so, Inform Inuvik Gas.  Yes  No

**LAND DEVELOPMENT (if applicable)**

Proposed culvert size: \_\_\_\_\_ Proposed lot fill: \_\_\_\_\_

- Please include proposed drainage plans and limits of proposed fill
- Minimum culvert size requirement is 16"

Recommend Approval: \_\_\_\_\_  
*Director of Public Services*

Recommendations of Director of Public Services: \_\_\_\_\_  
 \_\_\_\_\_

**BUILDING PERMIT INFORMATION**

Does the proposed development require a Building Permit as determined by the Development Officer?  
 Yes  No

If yes, complete (A) and (B) below. If no, proceed directly to step (C) below.

(A) Designer's Name and Address: \_\_\_\_\_

Professional Status: Architect  P.Eng  Tech.  □□

Other \_\_\_\_\_

(B) Contractor's Name: \_\_\_\_\_

Contractor's Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

(C) Electrical Inspector signature: \_\_\_\_\_

Electrical Permit #: \_\_\_\_\_

N.W.T. Power Corp signature (Required for new construction): \_\_\_\_\_

**ACCESSORY USE** (if project involves the addition or alteration of an accessory building).

Accessory Use Proposed: \_\_\_\_\_ Percentage of Lot Occupied: \_\_\_\_\_

Height of Accessory Building: \_\_\_\_\_ Setback from: Side Lot Line: \_\_\_\_\_ Rear lot line: \_\_\_\_\_

**Note to Applicants: All construction must conform to Town of Inuvik by-laws, and all applicable Federal and Territorial codes and regulations.**

**PERMISSION FOR DEVELOPMENT**

1. An application for a Development Permit shall be made to the Development Officer in writing on the form approved by resolution of Council and shall be accompanied by:
  - (a) a site plan in duplicate showing the building outlines, the legal description and the front, rear and side yard, if any, and any provisions for off-street loading and vehicle parking, access and egress points to the site and provision for landscaping and drainage;
  - (b) floor plans, and elevations and sections at a minimum scale of 1:100 in duplicate;
  - (c) a statement of uses;
  - (d) a statement of ownership of land and interest of the applicant therein;
  - (e) the estimated commencement and completion dates; and
  - (f) the estimated cost of the project or contract price.
  
2. (a) **Each application for a Development Permit shall** be accompanied by a non-refundable fee calculated as follows:

Development Value	Application Fee
Up to \$9,999.00	\$50.00
\$10,000.00 up to \$20,000.00	\$75.00
Over \$20,000.00	\$75.00 for the first \$20,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof to a maximum fee of \$300.00

- (b) **Each application requiring a Building Permit shall** be accompanied by an additional non-refundable fee calculated as follows:

Development Value	Application Fee
\$0.00 Up to \$ No Limit	\$5.00 per \$1,000.00 or fraction thereof, based on Estimated cost of project.

3. The Development Officer shall:
  - (a) receive, consider and decide on applications for a Development Permit for those uses listed in Schedule "A" which constitute permitted uses in a zone and comply with the minimum standards for that zone and which have been assigned to him/her for consideration and decision;
  - (b) refer (along with his/her recommendation) all development permit applications for Conditional Uses to council (acting as Development Officer) for its consideration and decision;
  - (c) refer to the council (acting as Development Officer) at his/her discretion any application which, in his/her opinion, should be decided by the council.
  
4. In making a decision, the Development Officer (or council acting as the Development Officer) may approve the application unconditionally, or impose conditions appropriate (either permanently or for a limited period of time), or refuse the application.

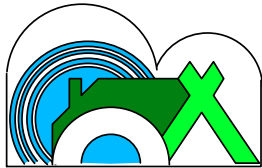
**NOTE: This application must be completed in full and have the appropriate fees and supporting documents included before it can be processed.**

*I hereby give my consent to allow all authorized person(s) the right to enter the above land and/or buildings with respect to this application only.*

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Applicant  
Town of Inuvik  
Zoning By-law



Permit No: \_\_\_\_\_

TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

## FORM 'A-1'

### APPLICATION FOR HOME OCCUPATION

*I hereby make application under the provisions of the Zoning By-law (#2225/P+D/04) for a Development Permit to operate a Home Occupation.*

**PLEASE PRINT:**

Applicant: \_\_\_\_\_ Business Name: \_\_\_\_\_

Limited Company: \_\_\_\_\_ Proprietorship: \_\_\_\_\_ Partnership: \_\_\_\_\_

Mailing Address of Company: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_ Zoning: \_\_\_\_\_

Phone No. (Residence): \_\_\_\_\_ Phone No. (Business): \_\_\_\_\_

State type of Home Occupation and fully explain how the Business will be operated:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How will the product be promoted?

\_\_\_\_\_  
\_\_\_\_\_

Will the home be used strictly for Office Space? Yes \_\_\_\_\_ No \_\_\_\_\_

Is the product being prepared at home? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, what portion of the home is being used to do so?

\_\_\_\_\_  
\_\_\_\_\_

Will you be meeting with customers? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, where will the meeting take place?

\_\_\_\_\_

Will there be any storage involved with the business? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, where?

\_\_\_\_\_

State the number of people you will employ and state whether or not they are residents of the home:

\_\_\_\_\_

State the number of vehicles and/or equipment you expect to use in conjunction with the business (indicate size):

\_\_\_\_\_

Where will these vehicles and/or equipment be parked?

\_\_\_\_\_

Registered owner of the property: \_\_\_\_\_

If the applicant is not the registered owner of the property, please submit a letter from the registered owner granting you permission to use the property for the proposed business.

If the applicant is an occupant of a mobile home, please submit a letter from the registered owner of the land and the mobile home.

**(ii) HOME OCCUPATION APPLICATION FEES**

All applications for Home Occupations shall be accompanied by a **\$100.00 non-refundable** application fee.

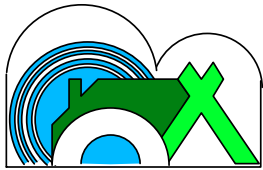
\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

Vehicles over one (1) ton, or heavy equipment proposed to be used for a business, must be parked on an approved site. *(A letter of permission from the owner/manager of such site must accompany the application upon submission.)*

Any excess storage pertaining to a business must also be stored on an approved site. *(A letter of permission from the owner/manager of such site must accompany the application upon submission.)*





TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

Application No.: \_\_\_\_\_

## FORM 'B' NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

This is to notify you with respect to a decision of the Development Officer whereby a Development Permit has been issued authorizing the following development:

---

---

---

---

---

Address of Property: \_\_\_\_\_  
\_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

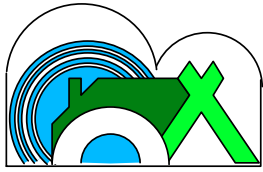
Or Certificate of Title: \_\_\_\_\_

Date of Decision: \_\_\_\_\_

The Zoning By-law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within fourteen (14) days after notice of the decision is given.

\_\_\_\_\_  
*Date of Notice*

\_\_\_\_\_  
*Signature of Development Officer*



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

## FORM 'C'

### DEVELOPMENT PERMITS AND NOTICES

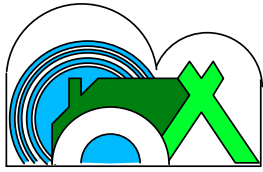
A permit granted pursuant to By-law #2225/P+D/04 does not come into effect until fifteen (15) days after the date an order, decision or Development Permit is publicized and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

I have read the terms and conditions applied to Development Permit # \_\_\_\_\_ and agree to comply.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Witness*



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

## FORM 'D'

### NOTICE OF REFUSAL

You are hereby notified that your application for a Development Permit with regard to the following:

---

---

---

---

Has been **REFUSED** for the following reasons:

---

---

---

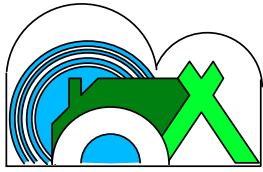
---

You are further notified that you may appeal this decision to the Development Appeal Board in accordance with the provisions of Part 4, section 13 of this by-law. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Secretary of the Development Appeal Board not later than fourteen (14) days following the date of issue of this notice. The notice of appeal shall contain a statement of the grounds of the appeal.

\_\_\_\_\_  
*Date of Decision*

\_\_\_\_\_  
*Date of Notice of Decision*

\_\_\_\_\_  
*Signature of Development Officer*



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

## FORM 'E'

### NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the DEVELOPMENT APPEAL BOARD against a decision in respect of Application No. : \_\_\_\_\_ which involves development described as follows:

---

---

---

This decision was:

(iii) **APPROVED**

**APPROVED** – with conditions

(iv) **REFUSED**

Reasons for this decision are as follows:

---

---

Place of Hearing: \_\_\_\_\_

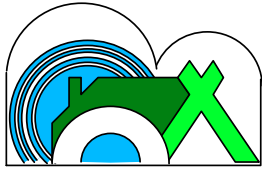
Time of Hearing: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Any persons affected by the proposed development have the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board not later than: \_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Secretary ~ Development Appeal Board*



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

Application No.: \_\_\_\_\_

## FORM 'F'

### NOTICE OF APPEAL DECISION

This is to notify you that an appeal against the:

- (v) **APPROVAL**
- APPROVAL** – with conditions
- (vi) **REFUSAL**

Of a Development Permit with regard to the following:

---



---



---

Was considered by the DEVELOPMENT APPEAL BOARD on \_\_\_\_\_ and the decision of the DEVELOPMENT APPEAL BOARD with regard to the appeal is as follows and for the following reasons:

---



---



---

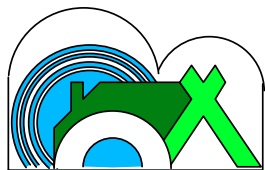
\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Secretary ~ Development Appeal Board*

**NOTE:**

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 50 of the Planning Act. An application for leave to appeal to the Supreme Court shall be made:

to a judge of the Supreme Court; and,  
within thirty (30) days after the issue of the order, decision, permit or approval sought to be appealed.



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

REGISTERED MAIL

### FORM 'G'

## NOTICE OF ZONING BY-LAW CONTRAVENTION AND REMEDIAL ACTION

You are hereby notified that your development is in contravention of the

- Zoning By-law
- Development Permit

By reason of:

---



---



---

You are requested to take remedial action to conform to the by-law/permit as follows:

---



---

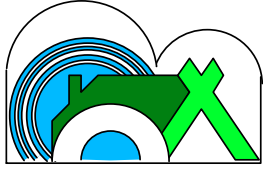


---

Failure to comply with this request within \_\_\_\_\_ days of receipt of this notice may result in action being taken through the courts to seek remedy under the provisions of the Planning Act.

\_\_\_\_\_  
*Date of Notice*

\_\_\_\_\_  
*Signature of Development Officer*



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

**REGISTERED MAIL  
AND  
POSTED ON SITE**

## FORM 'H'

# NOTICE OF ZONING BY-LAW CONTRAVENTION AND STOP WORK ORDER

You are hereby notified that your development is in contravention of the

- Zoning By-law
- Development Permit

By reason of:

---



---



---

No further work or development shall take place until you have taken remedial action to conform to the by-law/permit as follows:

---



---

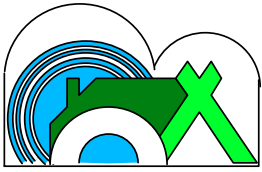


---

Failure to comply with this request within \_\_\_\_\_ days of receipt of this notice may result in action being taken through the courts to seek remedy under the provisions of the Planning Act.

\_\_\_\_\_  
*Date of Notice*

\_\_\_\_\_  
*Signature of Development Officer*



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

Permit No.: \_\_\_\_\_

## FORM 'I'

### SIGN PERMIT APPLICATION

*I hereby make application under the Zoning By-law (#2225/P+D/04) for a sign permit in accordance with the plans and specifications submitted herewith.*

**PLEASE PRINT:**

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Sign Address - Location: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

Sign Dimensions:

Height: \_\_\_\_\_ Width: \_\_\_\_\_ Thickness: \_\_\_\_\_ Area: \_\_\_\_\_ m<sup>2</sup>: \_\_\_\_\_

General Description: \_\_\_\_\_

Installation Contractor: \_\_\_\_\_ Business Licence No.: \_\_\_\_\_

Address: \_\_\_\_\_

Cost of Sign Construction and Installation: \_\_\_\_\_

Installation Date: \_\_\_\_\_ Electrical Inspector's Signature: \_\_\_\_\_

Provide the following details:

- Sign drawing;
- Showing message to be displayed on sign;
- Construction of sign and support details; and,
- Site plan showing sign location in reference to lot lines and buildings.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

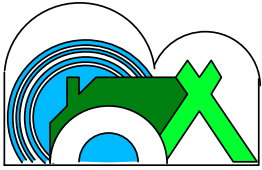
Conditions of Approval:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Approved Date

**Non-refundable Application Fee of \$20.00**





TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

Permit No.: \_\_\_\_\_

## FORM 'J'

### SIGNAGE SPACE LEASE APPLICATION FORM FOR MUNICIPAL OWNED PROPERTY

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Proposed sign location details further to sign application no: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

Sign Dimensions:

Height: \_\_\_\_\_ Width: \_\_\_\_\_ Thickness: \_\_\_\_\_ Area: \_\_\_\_\_ m<sup>2</sup>: \_\_\_\_\_

Proximity to existing signs (*in metres*): \_\_\_\_\_

Sign Description – Refer to Sign Permit Application No.: \_\_\_\_\_

Annual Fees – Less than 3 m<sup>2</sup> - \$120.00 OR 3 m<sup>2</sup> and greater (by Council approval)

- Sign space lease fee due annually;
- Sign and site to be maintained by owner, not allowed to be in a state of disrepair or dilapidation;
- No flashing lights or moving part; and,
- Town may withdraw lease for just cause (1 or 2)

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

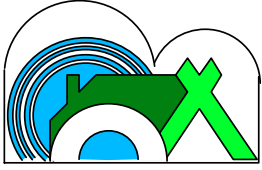
\_\_\_\_\_  
*Approved By:*

\_\_\_\_\_  
*Date*

Conditions: \_\_\_\_\_

Annual Fee: \$ \_\_\_\_\_

Due on Approved Date: \_\_\_\_\_



TOWN OF INUVIK  
ZONING BY-LAW #2225/P+D/04

## FORM 'K'

### APPLICATION FOR AMENDMENT TO THE ZONING BY-LAW

**PLEASE PRINT:**

I/We hereby make application to amend the Zoning By-law (#2225/P+D/04).

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_

Owner of Land: \_\_\_\_\_ Telephone: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_

Land Description: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

Civic Address: \_\_\_\_\_

Amendment Proposed:

From: \_\_\_\_\_ To: \_\_\_\_\_

Reasons in support of application for amendment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We enclose \$ \_\_\_\_\_ being the application fee.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

## **SCHEDULE "B"** **APPLICATION FEES**

### **DEVELOPMENT PERMIT APPLICATION FEES**

All applications for Development/Building Permits will be accompanied by a non-refundable fee calculated as follows:

### **DEVELOPMENT PERMIT APPLICATION FEES**

Up to \$9,999.00 .....	\$50.00
\$10,000.00 to \$19,999.00 .....	\$75.00
Over \$20,000.00 .....	\$75.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof to a maximum of \$300.00

### **BUILDING PERMIT APPLICATION FEES**

\$0.00 up to \$ No Limit.....	\$5.00 per \$1,000.00 or fraction thereof, based on estimated cost of project.
-------------------------------	--

### **HOME OCCUPATION APPLICATION FEES**

All applications for Home Occupation(s) shall be accompanied by a \$100.00 non-refundable application fee.

# **SCHEDULE “C” ZONING MAPS**