

**THE VILLAGE OF MIDWAY**  
**ZONING BYLAW NO. 464, 2015**

A Bylaw to:

- (a) regulate the use, density, siting, size, shape, area and dimensions of land, buildings and structures within the Village of Midway and for that purpose to divide the Village into zones pursuant to Section of the *Local Government Act*;
  - (b) regulate the shape, dimensions and area, including the establishment of minimum and maximum sizes of all parcels of land that may be created by subdivision pursuant to Section 903 of the *Local Government Act*;
  - (c) require owners or occupiers of any land, building or structure to provide off-street parking spaces for their respective uses, buildings or structures pursuant to Section 906 of the *Local Government Act*;
  - (d) regulate the number, size and characteristics of signs pursuant to Section 908 of the *Local Government Act*;
  - (e) require and regulate the provision of screening or landscaping to mask or separate certain land uses pursuant to Section 909 of the *Local Government Act* ; and
  - (f) establish minimum parcel area requirements for lots which may be subdivided pursuant to Section 946 of the *Local Government Act*.
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The Council of the Village of Midway, in open meeting assembled, enacts as follows:

**PART ONE: TITLE AND APPLICATION**

**101. Title**

This Bylaw may be cited as "Village of Midway Zoning Bylaw No. 464, 2015"

**102. Application**

This Bylaw shall be applicable to the whole of the area within the boundaries of the Village of Midway and to development therein.

**103. Definitions**

In this Bylaw, unless the context otherwise requires:

**ACCESSORY BUILDING AND STRUCTURE** means a building or structure accessory to a permitted use;

**ACCESSORY USE** means the use of land which is customarily incidental to and clearly subordinate to a principal use situated on the same parcel;

**AGRICULTURE** means any of the following activities involved in carrying on a farm or nursery business:

- a) Growing, producing, raising or keeping animals or plants, or the primary products of those plants or animals;
- b) Clearing, draining, irrigating or cultivating land;
- c) Using farm machinery, equipment, devices, materials and structures;
- d) Applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- e) The ancillary sale of produce raised or grown on the same farm or nursery;  
or
- f) Conducting any other agricultural activity on, in or over agricultural land.

**AIRSTRIP** means a use designated for the take-off and landing of aircraft including an area for their repair, storage and fuelling; and may include other incidental uses;

**AVERAGE GRADE** means, where land is vacant, the level of ground in existence prior to the establishment of a building or structure, as determined by the Building Inspector; where a building or structure already exists, average grade means the finished level of the ground averaged at the perimeter of the exterior foundation of a building or structure;

**BEDROOM** means a room used for sleeping, and for the purposes of this Bylaw also may include rooms such as a living room or a den, which may be approved for sleeping purposes by the Building Inspector in an occupancy permit.

**BOARDER OR LODGER** means a person who for hire occupies a sleeping room, with or without individual toilet facilities, in a dwelling unit occupied by a family to which he is not closely related by blood or marriage;

**BUILDING** means a structure wholly or partly enclosed by a roof or roofs supported by air, walls, or columns and used for the shelter or accommodation of persons, animals, chattels or things, excludes tents or camper vehicles;

**CAMPGROUND** means any land where sites are provided for the temporary accommodation of the travelling or vacationing public in tents, or recreational vehicles and includes, in conjunction with campsites:

- a) Recreational and amusements facilities intended for the use of overnight guests only;
- b) Common washrooms; and
- c) Accessory buildings and structures;

**COMMUNITY SEWER SYSTEM** means a system of sewerage or sewage collection and disposal which serves five or more parcels and is owned, operated and maintained by the Village of Midway;

**COMMUNITY WATER SYSTEM** means a system of domestic waterworks which serves five or more parcels and which is owned, operated and maintained by the Village of Midway;

**CONCEALED** means located within the lot coverage of a building, underground or enclosed by a tight board fence or compact landscape screen, a minimum of 1.5 metres in height.

**COUNCIL** means the Council of the Village of Midway;

**DWELLING UNIT** means one or more rooms used for the residential accommodation of one family and contains sleeping, cooking and sanitary facilities;

**DWELLING, SINGLE FAMILY** means any detached building consisting of one dwelling unit and excludes manufactured homes, "park model" trailers, and any other form recreational vehicle;

**DWELLING, TWO FAMILY** means any detached building consisting of two separate dwelling units and excludes manufactured homes;

**EXTERIOR SIDE LOT LINE** means the lot line(s) not being the front or rear lot line and common to the lot and a street;

**FASCIA SIGN** means a sign attached to or painted on a wall of a principal building;

**FAMILY** means two or more persons related by blood, marriage, adoption or foster parenthood, or four or fewer unrelated persons;

**FRONT LOT LINE** means the lot line(s) common to the lot and a fronting street, or where there is more than one fronting street, the lot line common to the lot and the fronting street towards which the majority of the buildings on adjacent lots are faced;

**GROSS FLOOR AREA** means the sum of the areas of each storey in each building on a lot measured between the exterior walls of such buildings where that storey is used as a principal permitted use;

**HABITABLE AREA** means any space within a building or structure which is used or intended to be used for human occupancy, furnaces, and other fixed equipment or storage of goods or possessions damageable by flood;

**HEIGHT** means the vertical distance measured from the average grade at the perimeter of the building or structure to the highest point thereof;

**HIGHWAY** includes a street, road lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property;

**HOTEL** means a building primarily used for the sleeping accommodation of the transient public and may provide:

- (a) an office with a public register;
- (b) an attendant on duty at all times;
- (c) a public dining room or restaurant;
- (d) for the consumption of alcoholic beverages on the premises; and
- (e) individual cooking facilities.

**INSTITUTIONAL USE** means a use providing for: day care centres, supportive housing for seniors, assisted living facilities, medical facilities including extended care, customs houses, art galleries, religious institutions, schools, government offices, police stations, museums, community halls, libraries and similar uses;

**INTERIOR SIDE LOT LINE** means the lot line(s), not being the front or rear lot line, common to another lot or to the lot and a lane;

**LANDSCAPE SCREEN** means a continuous fence, wall or compact evergreen hedge at least 1 metre in height when planted, berm, or combination thereof that would effectively screen the property which it encloses and is broken only by access drives, walks and lands;

**LANE** means a highway not less than 3 metres nor more than 10 metres in width which provides secondary access to any abutting parcel;

**LIGHT REPAIR SHOP** means a business involving the repair or sale of small engines and appliances and includes upholstery shops;

**LOT COVERAGE** means the horizontal area within the vertical projection of the outermost walls of the buildings on the lot, expressed as a percentage of the lot area;

**MANUFACTURED HOME** means a transportable factory built single family dwelling unit which is:

- (a) designed to provide year-round living accommodation for one family; and
- (b) able to be connected to utility services; and
- (c) exempted under Section 1.1.2.2(1)(g) of the *British Columbia Building Code*; and
- (d) if manufactured prior to June 1, 1989, of any dimension (width and length);
- (e) if manufactured on or after June 1, 1989, less than 5 metres in width in the form as delivered from the point of manufacture; and
- (f) does not include park model trailers or any other form of recreational vehicle.

**MANUFACTURED HOME PARK** means a lot on which are located two or more manufactured homes;

**MOTEL** means a building or group of buildings containing sleeping units, occupied or intended to be occupied temporarily by automobile tourists or transients, with each unit having its own individual outside access and parking space conveniently located on the site and each dwelling unit being self-contained, with or without cooking facilities, but having its own bathroom with a toilet, washbasin and a bath or shower;

**MULTIPLE FAMILY DWELLING** means a building or group of buildings each consisting of three or more dwelling units;

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

**OFF-STREET PARKING SPACE** means a an area of land other than a highway used for the temporary storage of vehicles;

**OPEN FENCING** means fencing that is constructed of chain linking or other transparent material;

**PARCEL** means any lot, block or other area of land which is held by separate Certificate of Title under the *Land Title Act*; this does not include a highway;

**PARK MODEL TRAILER** means a recreational unit with a gross floor area, including additions and porches, not exceeding 50 m<sup>2</sup> designed to meet CSA-Z-240 RV Series standards, and used for temporary or seasonal accommodation in a campground;

**PERSONAL SERVICE ESTABLISHMENT** means a business where professional or personal services are provided for gain and where the sale of retail merchandise is only accessory to the provisions of such services, including but without limiting the generality of the foregoing, the following: to barbers shops, beauty salons, laundromats, minor electrical appliance repair shops, financial institutions, photography studios, shoe repair shops, ticket and travel agencies, insurance agencies, and pet grooming shops;

**PRINCIPAL BUILDING** means a building within which or in relation to which the permitted principal uses are concentrated;

**REAR LOT LINE** means the lot line opposite to and most distant from the front lot line, or where the rear portion of the lot is bounded by intersecting side lot lines, shall be deemed to be the point of such intersection;

**RESOURCE USE** means a use providing for the conservation, management, and extraction of primary forest materials, includes the extraction, grading and crushing of mineral resource;

**SENIOR CITIZENS ACCOMMODATION** means dwelling units which are intended to be occupied by persons over the age of 55 years and may consist of two-family or multiple-family dwellings. Occupancy of senior citizens accommodation may be enforced by way of a housing agreement pursuant to the *Local Government Act*.

**SERVICE STATION** means a use providing for the sale of gasoline and/or minor automobile repairs and service, but does not include major autobody repairs;

**SLEEPING UNIT** means one or more rooms used for the lodging of one family when such unit contains no cooking facilities;

**STOREY** means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it;

**STREET** means a highway which is 15 metres or more in width;

**STRUCTURE** means any construction fixed to, supported by, or sunk into land or water;

**USE** means the purpose or function to which land, buildings and structures are put;

**USED FOR** means constructed, reconstructed, altered, moved, extended, or occupied as or for the purpose of;

UTILITY USE means a use which provides and services the Village with water, sewer, electrical, telephone, and similar services where such use is established by the Village, by another governmental body, or by a company operating under the *Utilities Commission Act*;

VILLAGE means the Village of Midway;

WATERCOURSE means any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) square kilometres or more up stream of the point of consideration.

## **PART TWO: ADMINISTRATION**

### **201. Administration and Enforcement**

- (a) The Building Inspector, Village Administrator or such other person that may be appointed by Council of the Village of Midway may administer and enforce this Bylaw.
- (b) Persons appointed under subsection 201(a) are hereby authorised to enter, at all reasonable times, upon any properties subject to the provisions of this Bylaw to ascertain whether the provisions of this Bylaw are being complied with.

### **202. Prohibition**

Subject to the provisions of Section 911 of the *Local Government Act* respecting non-conforming uses, land shall not be used nor subdivided, buildings and structures shall not be used, constructed, reconstructed, altered, moved, placed or extended, contrary to the provisions of this Bylaw.

### **203. Violation**

Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.

### **204. Penalty**

Any person who violates any of the provisions of this Bylaw commits an offence and is punishable in accordance with the *Offence Act*.

### **205. Severability**

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

### **206. Appeal**

Application may be made to the Board of Variance, as established by the Village of Midway, to appeal requirements of this bylaw where a person alleges that:

- (a) Compliance with

- i. The bylaw respecting the siting, dimensions or size of a building or structure,
  - ii. The prohibition of a structural alteration or addition under Section 911(5) of the *Local Government Act*, or
  - iii. A subdivision servicing requirement under Section 938(1)(c) of the *Local Government Act* in an area zoned for agriculture or industrial use, would cause him undue hardship, or
- (b) The determination by a building inspector of the amount of damage under Section 911(8) of the *Local Government Act* is in error.

**207. Amendment**

- (a) All applications for amendment to this Bylaw shall:
  - (i) be submitted in writing to the Village Clerk on application forms provided; and
  - (ii) be accompanied by the current application fee as prescribed by Procedures and Fees Bylaw No. 291, as amended.
- (b) Amendments made to sections of this Bylaw respecting off-street parking spaces, signs, screening and landscaping shall not require a formal public hearing.

**208. Effective Date**

This Bylaw shall become effective upon adoption.

**209. Repeal**

The Village of Midway Zoning Bylaw No. 425, 2011 and all amendments thereto is hereby repealed and replaced.

## **PART THREE: GENERAL REGULATIONS**

### **301. Application**

The provisions of this Part shall be applicable to all zones designated within this Bylaw unless expressly stated otherwise in a specific zone.

### **302. Permitted Uses of Land, Buildings and Structures in all Zones**

The following uses of land, buildings and structures are permitted within all zones designated within the Village of Midway:

- (a) highways, streets, lanes and bridges;
- (b) landscape screening and fencing;
- (c) parks and playgrounds;
- (d) utility uses, excluding distribution stations and storage and repair uses in residential and commercial zones;
- (e) temporary buildings (other than temporary security accommodation), structures and the storage of materials required for an approved construction project located on the same parcel provided these items are removed within thirty (30) days of the completion of the approved construction and/or occupancy.
- (f) telephone booths;
- (g) recycling transfer stations used by the general public for the collection of household recyclables as part of a local government recycling program; and
- (h) buildings and structures accessory to a permitted use.

### **303. Siting Exceptions**

The items noted below shall be deemed to be excluded from the siting requirements of the zone established by this Bylaw and shall be regulated as follows:

- (a) steps, eaves, sunlight control projections, canopies, chimneys, bay windows, balconies, porches and other similar projections may project:
  - (i) 2 metres within a required front and rear yard setback; and
  - (ii) 0.6 metres within a required side yard setback.
- (b) An underground structure may be sited on any portion of a lot provided that the top surface of such structure shall at no point extend more than 0.5 metres above the average finished ground elevation within the relevant setback area of the zone in which it is located.
- (c) Free standing lighting poles, warning devices, antennas, masts, utility poles, wires flag poles, signs and sign structures, except as otherwise limited in this or other Bylaws may be sited on any portion of a lot.

**304. Height Exceptions**

The maximum height of buildings and structures otherwise required under this bylaw may be exceeded for industrial cranes, grain elevators, silos and windmills, towers, tanks, retaining walls, radio and television antennas, church spires, belfries and domes, monuments, chimney and smoke stacks, flag poles, drive-in theatre screens, lighting poles, elevator shafts, and solar panels. Where such structures are located on top of a building they shall not occupy more than 10% of the horizontal plane of the roof area.

**305. Home-Based Businesses**

A home-based business use:

- (a) shall only be carried out within a single or two family dwelling or a wholly enclosed accessory building;
- (b) shall involve no external structural alterations to the principal building and there shall be no exterior indication that the building is being utilised for any purpose other than that of a dwelling, and no building, structure, fence or enclosure other than those in conformity with permitted residential uses in the zone in which it is located, may be erected;
- (c) shall not produce any odorous, toxic or noxious matter, noise, vibration, smoke, heat, dust, litter, glare or radiation other than that normally associated with a dwelling nor shall it create or cause any fire hazard, electrical interference or traffic congestion on the street;
- (d) shall have no external display or advertisement other than a sign bearing only the name and/or business of the resident, which shall not exceed 0.6 square metres in area;
- (e) shall have no external storage of materials, containers or finished product;
- (f) shall not occupy more than twenty-five (25) percent of the site area on the lot, and in no case shall exceed 60 square metres in area;
- (g) shall not involve the use of mechanical equipment save as is ordinarily employed in purely private domestic and household use or for recreational hobbies, except for such equipment as may be used for a resident physician or dentist;
- (h) shall be conducted by a resident of the principal building, and a total of not more than two (2) persons shall be employed in the business on the premises.

**306. Agricultural Land Commission Act / Farm Practices Protection Act**

- (a) In addition to compliance with the provisions of this Bylaw, the use of buildings and structures, and the use and further subdivision of land located in the Agricultural Land Reserve, unless otherwise exempted, is subject to

the *Agricultural Land Commission Act* and its regulations and the orders and resolutions of the Agricultural Land Commission.

- (b) For the purposes of this Bylaw, the definition of acceptable and normal agricultural practices shall be as specified in the *Farm Practices Protection Act*.

### **307. Minimum Parcel Area Exceptions**

- (a) Parcels in existence prior to the effective date of this Bylaw are not required to comply with the minimum parcel area requirements set out for the respective zone within which they are located. However, such parcels or any further subdivision of such parcels shall comply with all other provisions of this Bylaw as well as any other pertinent Bylaws or Provincial Acts, Statutes, orders or regulations.
- (b) A parcel which is reduced in size by the dedication of land to a public body in order to accommodate a necessary public service, utility, facility or highway subsequent to the approval date of this Bylaw shall be deemed to be in conformity with the minimum lot area requirements of this Bylaw.
- (c) A parcel which is reduced in size by not more than ten percent (10%) as a result of a taking for a public use by:
  - (i) the Village of Midway;
  - (ii) the Provincial Government;
  - (iii) the Federal Government;
  - (iv) an Improvement District;
  - (v) an Irrigation District;
  - (vi) the Board of School Trustees; or
  - (vii) a Public Utility by expropriation or purchase shall be considered to have the same size as it did prior to the taking. If this deemed size would permit further subdivision then such subdivision may occur pursuant to the general regulations of this Bylaw and the regulations of the zone in which the parcel is located. All such new parcels or remainder(s) of the original parcel shall be of the same size following the subdivision.
- (d) Parcels upon which there are located two or more dwelling units, as of the effective date of this Bylaw, which were legally established at the time of construction are deemed to be in conformity with the provisions of this Bylaw, and may be reconstructed, added to, maintained, altered, and subdivided in accordance with the provisions of the zone within which they are located and the general provisions in Part Three of this Bylaw. This provision is subject to Section 306 of this Bylaw.
- (e) The minimum parcel area requirements of this Bylaw do not apply to the consolidation of existing parcels or the addition of closed streets to an existing parcel.
- (f) Parcels that are physically separated by an existing improved highway or railway right-of-way shall be permitted to be legally subdivided, regardless

of the minimum site area as may be required in the respective zone in which they are located. However, such subdivisions shall be permitted only in respect to resolving the physical separation of the subject property and no parcel upon subdivision, shall be less than one hectare in area where there is no community water service provided and 2,000 square metres in area, where community water services or community sewer services are provided to the parcel and 800 square metres where both community water and community sewer services are provided to the parcel.

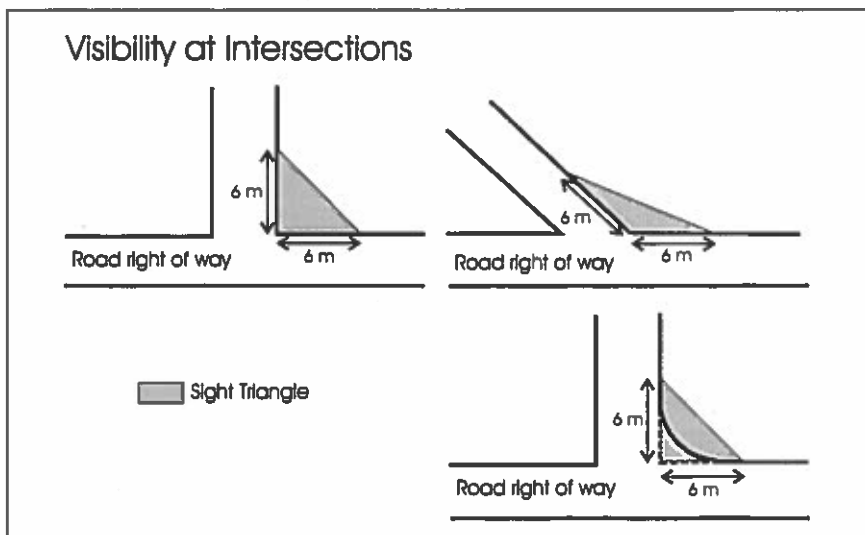
- (g) The alteration of one or more interior lot lines between two or more parcels shall be permitted provided that:
- (i) no additional parcels are created upon completion of the alteration;
  - (ii) the alteration does not infringe within the required setbacks for an existing building or structure located on the parcel.
  - (iii) the alteration does not reduce the site area required for a sewage disposal system on any parcel being consolidated.

### 308. Visibility

No person being the owner, occupier or lessee of any parcel located at the intersection of any two highways, may, without the consent of:

- the Village of Midway; and
- the Ministry of Transportation and Infrastructure, for lands adjacent to Highway #3 and the Midway-USA highways within the Village of Midway designated as Arterial Highways under the jurisdiction of the Province of British Columbia,

place or permit to be placed or grow any tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.6m within the sight triangle an elevation such that an eye 0.9m above the surface elevation of one highway cannot see an object 0.9m above the surface elevation of the other highway.



Except in the General Commercial Zone, no person being the owner, occupier or lessee of any land located at the intersection of any two streets, shall place or permit to be placed, construct or grow any tree, shrub, plant, fence or other structure greater than 1.0 metre in height within a sight triangle bounded by the intersecting lot lines at a street corner and a line joining points along said lot lines 8 metres from their point of intersection.

**309. Screening and Fences**

Except where provided otherwise in this Bylaw:

- (a) Landscape screens 1.3 metres or less in height may be sited on any portion of a lot, regardless of the setback requirements of the zone;
- (b) Landscape screens up to 2 metres in height may be sited on any portion of a lot to the rear of the front face of a principal building on a lot, regardless of the setback requirements of the zone;
- (c) Open fencing shall not be restricted as to height or location;
- (d) The use of barbed wire for fencing within residential and recreational zones shall be prohibited. This regulation shall not apply for the outer perimeter of the above-mentioned zone boundaries.

**310. Boarders and Lodgers / Bed and Breakfast**

Not more than three (3) bedrooms or sleeping units located within a dwelling unit shall be used for the accommodation of paying bed and breakfast guests, boarders or lodgers.

**311. Minimum Floor Area**

No dwelling unit shall have less than 50 m<sup>2</sup> of floor area.

**312. Floodplain Management Bylaw**

*The Village of Midway has adopted a separate Floodplain Management Bylaw pursuant to Section 910 of the Local Government Act. The Floodplain Management Bylaw may contain regulations which override the setbacks and other regulations of this Zoning Bylaw. Copies of the Village of Midway Floodplain Management Bylaw No. 293 may be obtained from the office of the Village of Midway.*

### 313. Parking

The minimum number of off-street parking spaces required for each use permitted in this Bylaw shall be:

<u>USE</u>	<u>PARKING REQUIREMENTS</u>
Auction rooms, auto body repairs, auto sales and service, building materials sales, business and professional office, financial institutions, food stores, institutional uses, personal service establishments, printers, publishers, radio and TV stations, retail stores, service stations, and light industrial uses as permitted in Section 412	One space per 50 m <sup>2</sup> of gross floor area or portion thereof.
Bars, taverns, neighbourhood pubs and similar establishments	one space per 10 seats, when located within a hotel, motel or motor-inn and one space per 5 seats when separate or a hotel, motel or motor-inn. <i>(continued on the next page)</i>
Campgrounds and campsites	One space per individual site
Eating and drinking places	One space per five seats
Hotels, motels, motor-inns	one space per sleeping unit
Multiple Family Dwelling	1.5 spaces per dwelling unit
Recreational Facilities and Places of Amusement	One space per four player capacity of sport amusement
Single, Two Family Dwellings and Manufactured Homes	One space per dwelling unit.
Bed and Breakfast (B&B)	One space per B&B bedroom

- (a) Where a building contains more than one function or use, the required number of parking spaces shall be the sum of the requirements for each function.
- (b) Where a use is not specifically mentioned in Section 313, the parking requirements shall be the same as for a similar use mentioned in Section 313.
- (c) Required spaces shall be provided on the same lot as the building or use for which they are required, or within 100 metres thereof, and:
  - (i) shall be located on property that permits a parking use or on property that is located within the same zone as the building for which parking is being provided;

- (ii) shall have each parking space not less than 2.5 metres wide, 5.5 metres long and 2.5 metres high;
- (iii) shall have each parking space sited in a parking lot so as to permit unobstructed access to and egress from each space at all times;
- (iv) shall have each driveway or manoeuvring aisle within a parking lot a minimum of:
  - (1) 4 metres in width for one way traffic; and
  - (2) 7 metres in width for two way traffic;
- (v) excluding single and two family dwelling uses, and campground uses, shall have all internal driveways, aisles and individual parking spaces surfaced with a dust-free surface (i.e. asphalt, concrete, or crushed gravel);
- (vi) the number of accesses from each parking lot to a fronting street shall not exceed two;
- (vii) if required off-street parking spaces are to be located on a parcel separate from the building or use being served, the Village may request the developer/owner to enter into an agreement with the Village of Midway under Section 219 of the *Land Title Act*, restricting the use of the parcel solely for parking, to serve the lot requiring the parking spaces.

**314. Parking Requirements for Existing Buildings**

The parking requirements mentioned in Section 313 of this Bylaw do not apply to buildings or uses existing prior to the adoption date of this Bylaw. However, if there is an expansion or addition to an existing use or building then the provisions of Section 313 shall apply to such extension or expansion.

**PART FOUR: DESIGNATIONS**

**401. Zones**

(a) For the purpose of this Bylaw, the area incorporated as the Village of Midway is classified and divided into the following zones:

<b>SHORT FORM</b>	<b>CATEGORY</b>	<b>ZONE DESIGNATION</b>
<b>Residential</b>		
R 1		Residential 1 Zone
R 2		Residential 2 Zone
R 3		Multiple Family Residential 3 Zone
R 4		Manufactured Home Subdivision 4 Zone
MHP		Manufactured Home Park Zone
<b>Rural</b>		
RUR 1		Rural Residential 1 Zone
AGR 2		Agricultural Resource 2 Zone
OS 3		Open Space 3 Zone
<b>Commercial</b>		
C 1		General Commercial 1 Zone
C 2		Highway Commercial 2 Zone
<b>Industrial</b>		
I 1		Light Industrial 1 Zone
I 2		Heavy Industrial 2 Zone
<b>Community Facilities</b>		
CF		Community Facilities Zone
PR1		Parks, Recreational & School 1 Zone
A 1		Airstrip 1 Zone
A 2		Airport Development 2 Zone

- (b) The extent of each zone is shown on Schedule 'A' zoning map, which is attached to and forms part of this Bylaw and which bears the words "Schedule 'A'".
- (c) When the zone boundary is designated as following a highway right-of-way or watercourse, the centre line of such highway right-of-way or watercourse shall be the zone boundary.

- (d) Where the zone boundary does not follow a legally-defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning map referred to in section 401(b).

**402. R 1**

**RESIDENTIAL 1 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Residential 1 Zone shall conform with the following provisions.

**2. Permitted Uses**

In the Residential 1 Zone, the following uses only shall be permitted:

- (a) Single family dwelling;
- (b) Home-based business;
- (c) Bed and Breakfast;
- (d) Accessory uses, buildings and structures.

**3. Minimum Parcel Area**

In the Residential 1 Zone, the minimum parcel area shall be:

- (a) 500 m<sup>2</sup> where a parcel is connected to the community and water services;
- (b) 2000 m<sup>2</sup> if the parcel will only be serviced by either the community water system or sewer system;
- (c) 1 hectare where no community sewer or water services are connected to the parcel.

**4. Buildings Per Parcel**

Not more than one dwelling unit shall be located on a parcel in the Residential 1 Zone.

**5. Setbacks**

- (a) Excepting subsections 402.5(b) and 402.5(c), no building or structure in the R 1 Zone shall be located within:
  - (i) 4.5 metres of a front, exterior side and rear lot line;
  - (ii) 1.5 metres of an interior side lot line.
- (b) No accessory building or structure, excluding garages and carports, shall be located within 1.5 metres of the rear lot line.
- (c) No garage or carport shall be located within 3 metres of a rear lot line.

**6. Height**

- (a) No principal building in the R 1 Zone shall exceed a height of 9 metres or two storeys.
- (b) No accessory building in the R 1 Zone shall exceed a height of 5 metres or one storey.

**7. Parcel Coverage**

Buildings and structures together shall not cover more than 45 percent of parcel area in the R 1 Zone.

**8. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**403. R 2**

**RESIDENTIAL 2 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Residential 2 Zone shall conform with the following provisions.

2. **Permitted Uses**

In the Residential 2 Zone, the following uses only shall be permitted:

- (a) Single family dwelling;
- (b) Two family dwelling;
- (c) Home-based business;
- (d) Bed and Breakfast;
- (e) Accessory uses, buildings and structures.

3. **Minimum Parcel Area**

In the Residential 2 Zone, the minimum parcel area shall be 800 m<sup>2</sup>.

4. **Services**

All parcels in the Residential 2 Zone shall be connected to the Village's sewer and water services.

5. **Buildings Per Parcel**

Not more than two dwelling units shall be located on a parcel in the Residential 2 Zone.

6. **Setbacks**

- (a) Excepting subsections 403.6(b) and 403.6(c), no building or structure in the R 2 Zone shall be located within:
  - (i) 4.5 metres of a front, exterior side and rear lot line;
  - (ii) 1.5 metres of an interior side lot line.
- (b) The setback from an interior side lot line which is contiguous with a vertical common party wall separating dwelling units in a two family dwelling shall be zero metres;
- (c) No accessory building or structure, excluding garages and carports, shall be located within 1.5 metres of the rear lot line.
- (d) No garage or carport shall be located within 3 metres of a rear lot line.

**7. Height**

- (a) No principal building in the R 2 Zone shall exceed a height of 9 metres or two storeys.
- (b) No accessory building in the R 2 Zone shall exceed a height of 5 metres or one storey.

**8. Parcel Coverage**

Buildings and structures together shall not cover over 50 percent of parcel area in the R 2 Zone.

**9. Subdivision of two family dwellings and parcels**

Notwithstanding anything to the contrary in this Bylaw, a parcel with an existing two family dwelling may be subdivided such that each dwelling is located on a separate parcel, provided that all of the following conditions are met:

- (a) the common vertical party walls and the common interior side lot line(s) between the parcels, after subdivision, are coincidental;
- (b) the minimum area of each parcel, after subdivision, is not less than 400 m<sup>2</sup>;
- (c) all other regulations of the R 2A Zone are complied with.

**10. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**404. R 3**

**MULTIPLE FAMILY RESIDENTIAL 3 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Multiple Family Residential 3 Zone shall conform with the following provisions.

2. **Permitted Uses**

The following uses only shall be permitted in the R3 Zone:

- (a) Multiple-Family dwellings;
- (b) Accessory uses, buildings and structures.

3. **Minimum Parcel Area**

The minimum parcel size in the R 3 Zone shall be 1000 m<sup>2</sup>.

4. **Services**

All parcels in the R 3 Zone shall be connected to the Village's sewer and water services.

5. **Density**

Density in the R 3 Zone shall not exceed 60 dwelling units per hectare.

6. **Setbacks**

- (a) Excepting subsections 404.6(b) and 404.6(c), no building or structure in the R 3 Zone shall be located within:
  - (i) 7.5 metres of the front lot line;
  - (ii) 5 metres of the side lot line;
  - (iii) 10 metres of the rear lot line.
- (b) No accessory building or structure, excluding garages and carports, shall be located within 1.5 metres of the rear lot line.
- (c) No garage or carport shall be within 3 metres of a rear lot line.

7. **Height**

- (a) No principal building in the R 3 Zone shall exceed a height of 11 metres or three storeys.
- (b) No accessory building in the R3 Zone shall exceed a height of 5 metres or one storey.

**8. Parcel Coverage**

Buildings and structures together (excluding fences) shall not cover more than 55 percent of the parcel area in the R 3 Zone.

**9. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**405. R 4**

**MANUFACTURED HOME SUBDIVISION 4 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Manufactured Home Subdivision 4 Zone shall conform with the following provisions.

**2. Permitted Uses**

The following uses only shall be permitted in the R 4 Zone:

- (a) Manufactured Home;
- (b) Single Family Dwelling;
- (c) Home-based business;
- (d) Accessory uses, buildings and structures.

**3. Minimum Parcel Area**

The minimum parcel area in the R 4 Zone shall be:

- (a) 400 m<sup>2</sup> per manufactured home;
- (b) 500 m<sup>2</sup> per single family dwelling

provided such parcels are connected to both the community water and sewer systems.

**4. Buildings Per Parcel**

Not more than one principal building shall be permitted per parcel.

**5. Setbacks**

- (a) Excepting subsections 405.5(b), and 405.5(c) no building or structure in the R 4 Zone shall be located within:
  - (i) 4.5 metres of a front, exterior side or rear lot line;
  - (ii) 1.5 metres of an interior side lot line.
- (b) No accessory building or structure excluding garages and carports, shall be located within 1.5 metres of the rear lot line.
- (c) No garage or carport shall be located within 3 metres of a rear lot line.

**6. Height**

- (a) No principal building in the R 4 Zone shall exceed a height of 9 metres or two storeys.
- (b) No accessory building in the R 4 Zone shall exceed a height of 5 metres or one storey.

7. **Parcel Coverage**

Buildings and structures together in the R 4 Zone shall not cover more than 45 percent of the parcel area.

8. **Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**406. MHP**

**MANUFACTURED HOME PARK ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw and except as provided for in Section 406.2 of this part, every use of land and every building, manufactured home and structure, within a manufactured home park zone, shall comply with the provisions of Mobile Home Park Bylaw No. 52 of the Village of Midway as amended or any successor thereto.
2. **Permitted Uses**
  - (a) Common storage area for the use of manufactured home park tenants;
  - (b) Laundry facility for the use of manufactured home park tenants;
  - (c) Manufactured homes;
  - (d) Park and playground facilities;
  - (e) Service buildings, maintenance and equipment storage that are required for the operation of the manufactured home park.
3. Campground use is not permitted within the Manufactured Home Park Zone.

**407. RUR 1**

**RURAL RESIDENTIAL 1 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Rural Residential 1 Zone shall conform with the following provisions.

**2. Permitted Uses**

In the Rural Residential 1 Zone the following uses only shall be permitted:

- (a) Agriculture and silviculture;
- (b) Single family dwelling;
- (c) Home-based business;
- (d) Bed and Breakfast;
- (e) Animal hospitals and veterinary clinics;
- (f) Accessory uses, buildings and structures.

**3. Minimum Parcel Area**

The minimum parcel area in the Rural Residential 1 Zone shall be:

- (a) 2,000 m<sup>2</sup> if the parcel is connected to the community water system and sewer system;
- (b) 1 hectare if the parcel will only be serviced by either the community water system or sewer system, or neither.

**4. Dwellings Per Parcel**

Not more than one dwelling is permitted per parcel in the Rural Residential 1 Zone.

**5. Setbacks**

In the Rural Residential 1 Zone, no building or structure (except a fence) shall be located within 7.5 metres of any lot line.

**6. Parcel Coverage**

All buildings and structures together in the Rural Residential 1 Zone shall not cover more than:

- (a) 40 percent of the parcel area;
- (b) the above 40% standard may be increased to 75% where an adequate greenhouse stormwater management plan, prepared by the landowner, is approved by Council.

**7. Height**

- (a) No principal building in the Rural Residential 1 Zone shall exceed a height of 10 metres or two storeys.
- (b) No accessory building in the Rural Residential 1 Zone shall exceed a height of 5 metres or one storey.

**8. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**408. AGR 2**

**AGRICULTURAL RESOURCE 2 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Agricultural Resource 2 Zone shall conform with the following provisions.

**2. Permitted Uses**

In the Agricultural Resource 2 Zone, the following uses only shall be permitted:

- (a) Agriculture and silviculture;
- (b) Single family dwelling;
- (c) Manufactured home as a secondary dwelling only, if permitted under Section 408.4(a) below;
- (d) Home-based business;
- (e) Bed and Breakfast;
- (f) Accessory uses, buildings and structures.

**3. Minimum Parcel Size**

The minimum parcel size in the Agricultural Resource 2 Zone shall be 8 hectares.

**4. Dwellings Per Parcel**

- (a) Not more than one dwelling unit shall be located on a parcel, unless the Agricultural Land Commission has approved an additional dwelling unit or if an additional dwelling unit is required for farm use in accordance with the *Agricultural Land Commission Act*. In no case shall more than two (2) dwelling units or two manufactured homes or a combination thereof be permitted on parcels in the AGR 2 Zone having an area of 8 hectares or more.
- (b) For parcels in the AGR 2 Zone having an area less than 8 hectares, not more than one dwelling unit shall be located on a parcel.

**5. Setbacks**

In the AGR 2 Zone, no building or structure (except a fence) shall be located within 10 metres of any lot line.

**6. Height**

No principal building in the AGR 2 Zone shall exceed a height of 11 metres.

**7. Parcel Coverage**

All buildings and structures together in the AGR 2 Zone shall not cover more than:

- (a) 40 percent of the parcel area;
- (b) the above 40% standard may be increased to 75% where an adequate greenhouse stormwater management plan, prepared by the landowner, is approved by Council.

**8. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**409. OS 3**

**OPEN SPACE 3 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Open Space 3 Zone shall conform with the following provisions.

2. **Permitted Uses**

The following uses only shall be permitted in the Open Space 3 Zone:

- (a) Agriculture and silviculture;
- (b) Single family dwelling;
- (c) Manufactured home;
- (d) Home-based business;
- (e) Accessory uses, buildings and structures.

3. **Minimum Parcel Area**

The minimum parcel area in the Open Space 3 Zone shall be 8 hectares.

4. **Dwellings Per Parcel**

Not more than one dwelling shall be permitted per parcel in the Open Space 3 Zone.

5. **Setbacks**

No building or structure in the OS 3 Zone shall be located within 7.5 metres of any lot line.

6. **Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

## 410. C 1

## GENERAL COMMERCIAL 1 ZONE

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the General Commercial 1 Zone shall conform with the following provisions.

### 2. Permitted Uses

Subject to Section 410.4, the following uses only shall be permitted in the C 1 Zone:

- (a) Bars, taverns and neighbourhood pubs;
- (b) Business and professional office;
- (c) Bus depot;
- (d) Clubs, lodges and community halls;
- (e) Commercial schools;
- (f) Eating and drinking places;
- (g) Financial institutions;
- (h) Food stores;
- (i) Funeral parlours;
- (j) Hotels;
- (k) Institutional buildings;
- (l) Laundromats;
- (m) Light repair shops;
- (n) Medical and dental clinic;
- (o) Motels;
- (p) Personal service establishment;
- (q) Places of recreation and amusement;
- (r) Radio and television stations or studios;
- (s) Religious institutions;
- (t) Retail stores;
- (u) Service stations, car washes and vehicle rentals;
- (v) Tourist information;
- (w) Accessory uses, buildings and structures.

### 3. Minimum Parcel Area

In the General Commercial 1 Zone, the minimum parcel size shall be:

- (a) 230 m<sup>2</sup> if the parcel is connected to both the community water and sewer systems;
- (b) 2000 m<sup>2</sup> if the parcel will only be serviced by either the community water system or sewer system;
- (c) 1 hectare where neither community sewer nor water are available.

**4. Combined Commercial and Living Quarters**

One dwelling unit in conjunction with a commercial use permitted in subsection 410.2 shall be permitted for the sole accommodation of the owner, operator or employee (and his/her family) provided it is located in the principal building.

**5. Setbacks**

- (a) For every use within the General Commercial 1 Zone, except service stations, minimum setbacks from lot lines shall be as follows:
  - (i) 2 metres of a front lot line;
  - (ii) 6 metres of a rear lot line when the rear lot line abuts a lane or 0 metres when the rear lot line abuts a street;
  - (iii) 0 metres of an interior or exterior side lot line;
  - (iv) Accessory buildings may be located within 3 metres of a rear lot line.
- (b) For every service station use, no building or structure shall be located within:
  - (i) 9 metres of a front lot line;
  - (ii) 6 metres of a rear or side lot line;
  - (iii) fuel pumps shall not be located within 4.5 metres of any lot line or building located on the parcel.

**6. Height**

- (a) No principal building in the C1 Zone shall exceed a height of 11 metres or three storeys;
- (b) no accessory building or structure in the C 1 Zone shall exceed a height of 6 metres.

**7. Exception to Permitted Uses**

Notwithstanding the provisions of Sections 410.2 and 410.4 of this Bylaw, any parcels in the Commercial 1 Zone upon which, as of the effective date of this Bylaw, there exists a legally-constructed single family dwelling, such parcels are deemed to be in conformity with the provisions of this Bylaw and may be reconstructed, maintained and added to in accordance with the provisions of the C 1 Zone and the general provisions of Part Three of this Bylaw.

**8. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

411. C2

HIGHWAY COMMERCIAL 2 ZONE

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Highway Commercial 2 Zone shall conform with the following provisions.

2. **Permitted Uses**

Subject to Section 411.5, in the C 2 Zone, the following uses only shall be permitted:

- (a) Automobile sales, service and repair;
- (b) Business offices;
- (c) Campgrounds;
- (d) Drive-in theatres;
- (e) Eating and drinking places;
- (f) Farm machinery and equipment sales and services;
- (g) Fruit and vegetable stands;
- (h) Motels;
- (i) Laundromats;
- (j) Manufactured home sales and service;
- (k) Museums;
- (l) Nurseries and greenhouses;
- (m) Recreational vehicle sales and service;
- (n) Service stations and car washes;
- (o) Souvenir and antique shops;
- (p) Tourist information;
- (q) Accessory uses, buildings and structures.

3. **Minimum Parcel Area**

The minimum parcel area in the Highway Commercial 2 Zone shall be:

- (a) 900 m<sup>2</sup> if the parcel is connected to community water and sewer systems;
- (b) 2000 m<sup>2</sup> if the parcel is connected to either the community water or sewer system;
- (c) 1 hectare where neither community water nor sewer are available.

4. **Buildings Per Parcel**

Not more than one principal building shall be located on a parcel in the Highway Commercial 2 Zone.

**5. Combined Commercial and Living Quarters**

One dwelling unit in conjunction with a commercial use permitted in subsection 411.2 shall be permitted for the sole accommodation of the owner, operator or employee (and his/her family) provided it is located in the principal building.

**6. Setbacks**

- (a) No building or structure in the C 2 Zone, except free standing signs, shall be located within:
  - (i) 10 metres of a front lot line;
  - (ii) 6 metres of a rear lot line;
  - (iii) 4.5 metres of side lot lines.
- (b) No portion of a free standing sign shall be located within 1 metre of a property line.

**7. Height**

- (a) No buildings in the C 2 Zone shall exceed a height of 11 metres or three storeys.
- (b) No accessory building in the C 2 Zone shall exceed a height of 6 metres.

**8. Parcel Coverage**

Buildings and structures together in the C 2 Zone shall not cover more than 60 percent of the parcel area.

**9. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

412. I 1

**LIGHT INDUSTRIAL 1 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Light Industrial 1 Zone shall conform with the following provisions.

2. **Permitted Uses**

Subject to Section 412.5, the following uses only shall be permitted in the Light Industrial 1 Zone:

- (a) Agriculture, horticulture, silviculture;
- (b) Auction rooms;
- (c) Automobile repairs and washes;
- (d) Bulk storage excluding auto wreckers and junkyards;
- (e) Contractors' shops and yards;
- (f) Eating and drinking places;
- (g) Food products manufacturing, processing and packaging;
- (h) Fuel storage and wholesale distribution;
- (i) Furniture manufacturing and storage;
- (j) Heating, plumbing and electrical shops;
- (k) Industrial sales and service;
- (l) Machine shops;
- (m) Manufacturing (light only);
- (n) Sales, rentals, storage and assembly, and servicing of machinery, heavy duty trucks and equipment;
- (o) Service stations;
- (p) Sewage treatment facilities operated by the Municipality;
- (q) Truck terminals;
- (r) Utility company compounds, excluding the storage of hazardous or special wastes;
- (s) Warehousing, including mini-warehousing;
- (t) Welding shops;
- (u) Wholesaling
- (v) Accessory uses, buildings and structures.

3. **Minimum Parcel Area**

The minimum parcel area in the Light Industrial 1 Zone shall be:

- (a) 900 m<sup>2</sup> if the parcel is connected to community water and sewer systems;
- (b) 2000 m<sup>2</sup> if the parcel is connected to either the community water or sewer system;
- (c) 1 hectare where neither community water nor sewer are available.

**4. Buildings Per Parcel**

Not more than one principal building shall be located on a parcel in the Light Industrial 1 Zone.

**5. Combined Industrial and Living Quarters**

One dwelling unit in conjunction with the uses permitted in subsection 412.2 for the accommodation of the owner, operator or employee of the establishment is permitted and shall be contained in the same building and have a separate entrance from outside.

**6. Setbacks**

The following setback standards shall apply in the Light Industrial 1 Zone:

- (a) No building or structure except a free standing sign shall be located within:
  - (i) 10 metres of the front lot line;
  - (ii) 6 metres of the rear lot line;
  - (iii) 4.5 metres of any side lot line.
- (b) Where a light industrial zone abuts any zone other than another industrial zone, the minimum setback shall be 8 metres from the common lot line.
- (c) No portion of a free standing sign shall be located within 1 metre of a property line.

**7. Height**

- (a) No building in the I 1 Zone shall exceed a height of 11 metres.
- (b) No accessory building in the I 1 Zone shall exceed a height of 6 metres.

**8. Parcel Coverage**

Buildings and structures together in the Light Industrial 1 Zone shall not cover more than 60 percent of the parcel area.

**9. Screening**

All outdoor storage areas, excluding parking lots, shall be concealed.

**10. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Heavy Industrial 2 Zone shall conform with the following provisions.

2. **Permitted Uses**

The following uses only shall be permitted in the Heavy Industrial 2 Zone:

- (a) Abattoir;
- (b) Asphalt plants and products;
- (c) Bulk storage;
- (d) Co-generation facilities;
- (e) Fuel storage and wholesale distribution;
- (f) Waste management facilities, including waste incineration or reduction plants administered as part of a local government waste management program;
- (g) Gravel and cement plants;
- (h) Gravel extraction;
- (i) Industrial assembly and storage;
- (j) Industrial mills;
- (k) Manufacturing;
- (l) Resource use;
- (m) Salvage and scrap yards;
- (n) Transportation terminals and loading docks;
- (o) Truck terminals;
- (p) Warehousing;
- (q) Accessory uses, buildings and structures.

3. **Minimum Parcel Area**

The minimum parcel area in the Heavy Industrial 2 Zone shall be 1 hectare.

4. **Setbacks**

The following setbacks shall apply in the Heavy Industrial 2 Zone:

- (a) No building shall be located within 10 metres of any lot line.
- (b) Where a heavy industrial zone abuts any zone other than another industrial zone, or a transportation corridor, the minimum setback for a building or structure shall be 15 metres from the common lot line.
- (c) No portion of a free standing sign shall be located within 1 metre of a property line.

**5. Parcel Coverage**

Buildings and structures together in the I 2 Zone shall not cover more than 60 percent of the parcel area.

**6. Landscape Screening**

Uses permitted under Section 413(2)(b),(g), and (m) must be surrounded by a solid landscape screen not less than 2.0m in height. A solid landscape screen in the form of a fence or wall must not exceed 2.5m in height.

**7. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**414. CF**

**COMMUNITY FACILITIES ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Community Facilities Zone shall conform with the following provisions.

2. **Permitted Uses**

The following uses only shall be permitted in the CF Zone:

- (a) Cemetery;
- (b) Institutional uses;
- (c) Museums, which may include an accessory restaurant use;
- (d) Tourist information;
- (e) Senior Citizens accommodation;
- (f) Accessory uses, buildings and structures.

3. **Minimum Parcel Size**

The minimum parcel size in the CF Zone shall be 500 m<sup>2</sup>.

4. **Buildings Per Parcel**

The number of principal buildings in the CF Zone shall be limited to one.

5. **Setbacks**

In the CF Zone, the following setbacks shall apply:

- (a) Excepting subsections 414.5(b), and 414.5(c) no building or structure shall be located within:
  - (i) 7.5 metres of a front or rear lot line;
  - (ii) 1.5 metres of an interior side lot line;
  - (iii) 4.5 metres of an exterior side lot line;
- (b) No accessory building or structure, excluding garages and carports shall be located within 1.5 metres of the rear lot line;
- (c) No garage or carport shall be within 3 metres of a rear lot line.

6. **Height**

- (a) No single or two family dwelling shall exceed a height of 9 metres or two storeys.
- (b) No institutional building or Senior Citizens accommodation shall exceed a height of 11 metres or 3 storeys.
- (c) No accessory building shall exceed a height of 6 metres.

**7. Parcel Coverage**

Buildings and structures together in the CF Zone shall not cover more than 50 percent of the parcel area.

**8. Signs**

In the CF Zone the following signs regulations shall apply:

- (a) Not more than one fascia sign or one free standing sign shall be located on a parcel.
- (b) No portion of a free standing sign shall be located within 1 metre of a property line.

**9. Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

**415. PR1**

**PARKS, RECREATIONAL AND SCHOOL 1 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Parks, Recreational and School Zone shall conform with the following provisions.

2. **Permitted Uses**

The following uses only shall be permitted in the PR 1 Zone:

- (a) Campgrounds;
- (b) Museums;
- (c) Parks, playgrounds and playing fields;
- (d) Recreational activities;
- (e) Recreational establishments;
- (f) Schools and school related facilities;
- (g) Accessory uses, buildings and structures.

3. **Setbacks**

No building or structure in the PR 1 Zone shall be located within:

- (a) 7.5 metres of a front or rear lot line;
- (b) 4.5 metres of any side lot line.

4. **Parking**

Parking shall be in accordance with the provisions of Sections 313 and 314 of this Bylaw.

416. A 1

**AIRSTRIP 1 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Airstrip 1 Zone shall conform with the following provisions.

2. **Permitted Uses**

The following uses only shall be permitted in the Airstrip 1 Zone:

- (a) Airstrip;
- (b) Outdoor recreational uses;
- (c) Accessory uses, buildings and structures.

3. **Restriction**

No building or structure in the Airstrip 1 Zone shall be so located as to impair the safety of aircraft which may use the airstrip.

4. **Height**

No building or structure in the Airstrip 1 Zone shall exceed 8 metres in height.

**417. A 2**

**AIRPORT DEVELOPMENT 2 ZONE**

1. Subject to compliance with the provisions of Part Three (General Regulations) of this Bylaw, every use of land and every building or structure located or proposed within the Airport Development 2 Zone shall conform with the following provisions.

**2. Permitted Uses**

The following uses only shall be permitted in the Airport Development 2 Zone:

- (a) Airstrip;
- (b) Hangars and mechanical repair shops for aircraft;
- (c) Fuel storage and sales facilities for aircraft and aircraft parts;
- (d) Indoor warehousing, construction/manufacturing or storage of goods or chattels to be transported;
- (e) Caretaker's dwelling unit, provided it is directly associated with a use permitted under 417.2(a) through (d);
- (f) Accessory uses, buildings and structures.

**3. Dwellings Per Parcel**

Not more than one caretaker's unit shall be permitted in the Airport Development 2 Zone.

**4. Setbacks**

No building or structure in the A 2 Zone shall be located within 5 metres of any lot line.

**5. Height**

No building in the A 2 Zone shall exceed a height of 11 metres.

**6. Parking**

Parking spaces shall be provided in accordance with Sections 313 and 314 of this Bylaw.

READ A FIRST TIME this 19<sup>th</sup> day of January, 2015.

READ A SECOND TIME this 19<sup>th</sup> day of January, 2015.

PUBLIC HEARING NOTICE ADVERTISED this 5th day of February, 2015.


and also

this 12th day of February, 2015.

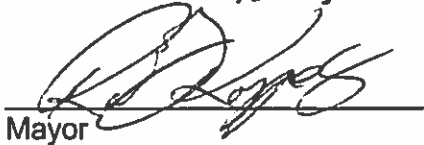
PUBLIC HEARING HELD this 16<sup>th</sup> day of February, 2015.

READ A THIRD TIME this 16th day of February, 2015.

APPROVED by Ministry of Transportation this 3 day of MARCH , 2015.

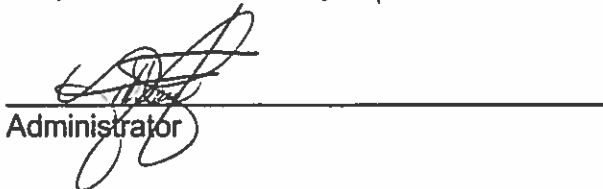
  
Jill Carruthers

ADOPTED this 16<sup>th</sup> day of March , 2015.

  
Mayor

  
Administrator

I hereby certify Bylaw No. 464 to be a true and correct copy of the "Village of Midway Zoning Bylaw No. 464, 2015" as adopted on the 16<sup>th</sup> day of March, 2015.

  
Administrator

