



Norman Wells
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2021 Town of Norman Wells Zoning By-law #21-08

April 2021



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1 PART ONE – ADMINISTRATION

1.1 PURPOSE OF THE BY-LAW

This By-law provides for economically, environmentally and socially responsible development in the Town of Norman Wells by:

- 1) applying rules, information requirements and processes to regulate development within the Town of Norman Wells in a systematic and orderly manner pursuant to the *Community Planning and Development Act* (the Act);
- 2) implementing the goals and objectives of the Community Plan
- 3) establishing land use zones and associated regulations to control the use, location, type, and level of development permitted to occur on a parcel of land within the Town of Norman Wells
- 4) maintaining and enhancing the unique character and history of Norman Wells

1.2 VALIDITY

If any section, 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.

1.3 APPLICATION OF BY-LAW AND ZONE BOUNDARIES

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Town of Norman Wells. The zone boundaries are delineated on the Zoning Maps. Where uncertainty arises as to precise location of the boundary of any zone, the following shall apply:

- 1) a zone boundary shown approximately at a lot, street or lane is at the boundary of the lot, street or lane;
- 2) a zone boundary shown approximately at the centerline of a street or lane is at the centerline of the street or lane;
- 3) a zone boundary shown within a lot, unless specifically noted, is fixed by the scale of the Zoning Map;
- 4) a zone boundary shown following approximately a shoreline or the centerline of a creek, stream or channel follows the shoreline or centerline and moves with any change in such shoreline; and

- 5) 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 does not need to show the lot boundary.

1.4 DEVELOPMENT PERMIT REQUIRED

- 1) Excluding the developments listed in Section 3.1 of this By-law, no person shall commence, cause, or allow to commence any development unless an application for it has been approved and a Development Permit has been issued pursuant to the provisions of this By-law. 'Development' shall refer to the considerations listed under the definition in Part 8.

1.5 APPLICATIONS IN PROGRESS PRIOR TO ADOPTION OF THIS BY-LAW

- 1) The following applications shall continue to be processed in accordance with the By-law in effect at the date of application, provided that the building is completed in accordance with the terms and conditions of the permit:
 - a. An application which is received in its complete and final form;
 - b. An application which involves the completion or use of a building which is lawfully under construction at the date of approval of this By-law.

1.6 COMPLIANCE WITH OTHER LEGISLATION

- 1) In addition to complying with this By-law, any person applying for, in possession of a valid permit or carrying out any use or development, is not relieved from the full responsibility for ascertaining or complying with:
 - a. the *Northwest Territories Community Planning and Development Act*;
 - b. the requirements of any other relevant federal and territorial legislation;
 - c. the requirements of any other Town By-law;
 - d. the most recent revisions of the *National Building Code of Canada*;
 - e. the most recent revisions of the *National Fire Code of Canada*; and
 - f. the *Fire Prevention Act of the Northwest Territories (NWT)*.
- 2) The issuance of a permit does not relieve the property owner from complying with any caveat, easement, covenant, lease, scheme, development agreement or other instrument that affects the development.

1.7 AIRPORT VICINITY PROTECTION

- 1) 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, Department of Infrastructure, Airports Division, Government of the Northwest Territories and Transport Canada Regulations.

1.8 NON-CONFORMING BUILDING AND USES

- 1) The Development Officer shall render all decisions and permits pursuant to the procedures outlined in this Section; except for buildings to be enlarged, added to, rebuilt or structurally altered by a conditional use approval. Non-conforming building and non-conforming use shall refer to the definitions in Part 8.
- 2) Where a record of a granted development permit is not available to establish a non-conforming use or non-conforming building status, the applicant must submit information to confirm the use and dates where the non-conforming use, building or structure came into effect, along with any supporting information. The information must prove that the use, building or structure has continuously existed to present day and was legally established under a previous by-law, or prior to adoption of a Zoning By-law. A signed declaration may be accepted at the discretion of the Development Officer to grant non-conforming use status.
- 3) A non-conforming use or non-conforming building may be continued but if the use is discontinued for a period of 180 days or more, any future use shall conform with the provisions of this By-law.
- 4) 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.
- 5) 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.
- 6) 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. to rebuild part of the building, or to repair it, if the development authority considers it necessary for public safety or to preserve the value of the building. If a non-conforming building is damaged or destroyed to the extent of more than 75% such that of the building above its foundation is affected, the building shall not be repaired or rebuilt except in accordance with this By-law; or
 - c. where allowed as part of a conditional use.
- 7) The non-conforming use or non-conforming building is not affected by reason only of a change in ownership, tenancy or occupancy of the land or building.

1.9 METRICATION

Metric units are used for all binding measurements in this By-law. Imperial units are provided for convenience only.

1.10 BY-LAW AMENDMENTS

- 1) Proposed amendments to this By-law are subject to the same requirements and procedures set out in the Act and in the Cities Towns and Villages Act regarding enactment of By-laws.
- 2) Council or the Development Officer may initiate a by-law amendment.
- 3) Any person other than Council and the Development Officer applying to amend any part of this By-law shall apply in writing to the Development Officer by providing the filled application form along with the certificate of land title, the signed statement of responsibility, the appropriate application fees (refer to the Services Rates by-law), any advertising deposit, and any additional supportive documentation
- 4) Upon receipt of an application for a Zoning By-law amendment, the Development Officer shall initiate or undertake an analysis of the proposal. The analysis shall, among other things, consider the following impact criteria:
 - a. relationship to and compliance with the Community Plan and compliance with any authorized plans and schemes in preparation;
 - b. compatibility with surrounding development in terms of land use function and scale of development;
 - c. traffic impacts;
 - d. 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;
 - e. relationship to municipal land, right of way, or easement requirements;
 - f. effect on the area's stability (e.g. effort will be made to retain and rehabilitate existing desirable land uses/buildings);
 - g. necessity and appropriateness of the proposed amendment or zone in view of the stated intentions of the applicant; and
 - h. concerns and opinions of area residents regarding the application or similar applications in the immediate area, if any.
- 5) The Development Officer shall present the analysis to the applicant.
- 6) If the applicant wishes to continue the amendment process, the Development Officer shall present the proposed by-law amendment to Council for first reading along with the application, the analysis and a recommendation.

- 7) After first reading of a proposed By-law amendment, and before second reading, the Development Officer shall send a notice by mail to:
 - a. the applicant; and
 - b. the owner(s) of the land(s) if different from the applicant and the neighbouring property owners in the case of a proposed rezoning amendment.
- 8) The official public notice and the notice to the parties in Section 1.10(7) shall state:
 - a. the purpose for which Council proposes to pass the By-law amendment;
 - b. the place or places (one of which shall be the office of the Town), 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 proposed By-law amendment.
- 9) Where, in the opinion of the Development Officer, any proposed By-law amendment is likely to adversely affect other property owners, they shall notify these property owners of any concerns attributable to any development allowed under the proposed amendment.
- 10) Notwithstanding anything contained in this section, an application to amend any section of this By-law which has been rejected by Council within the previous 365 days shall not be accepted.

1.11 COPY OF RECORD AND AVAILABILITY

The Town shall:

- 1) Keep a copy of:
 - a. all adopted Zoning by-laws and amendments;
 - b. all applications including supportive documents;
 - c. all decisions and permits issued including associated documentation;
 - d. all records of non-conforming use, structure or building status; and
 - e. all remediation plans.
- 2) Keep for consultation by the public during normal office hours:
 - a. a copy of this By-law, as amended;
 - b. a register of all permits, including the reasons therefore;
 - c. a register of all variances and non-conforming use, structure or building approvals, including the reasons therefore; and
 - d. a copy of the National Building Code.
- 3) Ensure that copies of the By-law and amendments are obtainable by the public at the prescribed fee (Services Rates by-law)

2 PART TWO – DEVELOPMENT AUTHORITIES

2.1 TOWN COUNCIL

- 1) The function of Council with respect to this By-law shall be to:
 - a. review and render decisions on applications for development of a Conditional Use;
 - b. review and render decisions on applications, including those to review, rezone, or amend the Zoning By-law presented by the Development Officer or the Town Planning and Land Use Committee; and
 - c. carry out other such duties as may be prescribed in this By-law.

2.2 TOWN PLANNING AND LAND USE COMMITTEE

- 2) Council shall appoint a Town Planning and Land Use Committee (the Committee) in accordance with the provision of Town By-law 14-02.
- 3) The Committee shall review and provide recommendations on:
 - d. all applications and offenses submitted for advice by the Development Officer, and
 - e. all by-law renewals and amendments including rezoning applications.
- 4) The Committee shall advise and assist Council with the initial planning for any new development of Town owned properties.
- 5) The Committee may recommend the organization of a public hearing regarding the planning issues and applications presented to the committee.

2.3 DEVELOPMENT OFFICER

- 1) The Development Officer is hereby established in accordance with Section 16.1 and 52 of the Act.
- 2) The Development Officer shall be appointed by resolution of Council.
- 3) The Development Officer is hereby declared to be an authorized officer of Council while under the management of the Senior Administrative Officer.
- 4) The Development Officer is not responsible for the assessment of properties nor for the enforcement of the National codes.
- 5) In the performance of their duties the Development Officer shall:
 - a. receive and process all applications pursuant to this By-law;
 - b. issue all decisions and permits pursuant to the procedures outlined in this By-law;

- c. carry out all necessary site inspections related to the study of applications and issuance of decisions and permits or appoint a qualified agent to carry out such inspections;
 - d. administer and enforce this By-law pursuant to Section 16.2 of the Act except where responsibility is shared with the By-law Enforcement Officer; and
 - e. carry out other duties as may be prescribed in this By-law.
- 6) The Development Officer may render decisions and issue Development Permits for applications of a permitted use or indicated variances that satisfy the appropriate regulations.

2.4 DEVELOPMENT APPEAL BOARD

- 1) Council shall appoint a Development Appeal Board (the Board) in accordance with the provisions of Section 30 of the Act.
- 2) The Board shall consist of at least 3 members,
 - a. each appointed by resolution of Council for a three-year term;
 - b. one of whom is to be designated as chairperson by the members of the Board; and
 - c. no more than one Council member shall be appointed to the Board.
- 3) A Council member who participated in a decision made by Council as a development authority may not hear an appeal of that matter.
- 4) A Town Planning committee member who participated in a recommendation made by the Committee to Council may not hear an appeal of that matter
- 5) No employee of the Town shall be appointed as a member.
- 6) All three members present at a meeting shall constitute a quorum.
- 7) The Board may meet as frequently as is necessary,
- 8) The Secretary of the Development Appeal Board is hereby established and shall be filled by an employee of the Town, as appointed by Council, or shall be the Senior Administrative Officer acting on behalf of Council. The Secretary to the Board shall:
 - a. not be a member of the Board nor will the Secretary in any case be the Development Officer;
 - b. receive and administer all applications for appeal;
 - c. prepare and maintain a file of written minutes of all business transacted at all meetings of the Board, copies of which shall be filed on the next agenda of Council for their information; and
 - d. carry out other administrative duties as the Development Appeal Board may specify.

3 PART THREE – DEVELOPMENT APPLICATIONS

3.1 DEVELOPMENT PERMIT EXEMPTIONS

- 1) No Development Permit is required under this By-law for the developments listed in this section provided that developments shall comply with all other applicable regulations of this By-law, including the applicable legislations listed in section 1.6.
- 2) The following is considered development for which no permit is required:
 - a. carrying out of work of maintenance or repair or interior renovations to any building, if such work does not increase any dimensions of the original building or structure and does not change the use or intensity of the use;
 - b. erection, location or construction of a temporary building, work, plant or machinery needed in connection with construction operations for which a Development Permit has been issued, for the period of those operations;
 - c. 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;
 - d. construction or installation of an accessory structure, except for fuel and propane storage facilities and sea cans, that does not exceed 10 m² (108 sf) in area and is not more than 3 m (10 ft) in height, subject to respecting existing easements and right of way regulations, if applicable;
 - e. demolition of a building or structure under 10 m² (108 sf) and not more than 3m in height;
 - f. construction of an unenclosed deck no higher than 0.61 m (2 ft) above ground level.
 - g. construction of a fence no higher than 1.82 m (6 ft) above ground level subject to respecting existing easements and right of way regulations, if applicable;
 - h. installation of a sign not requiring a Development Permit in accordance with the regulations in Part 4 of this By-law;
 - i. landscaping, or similar work, on any property provided that such work does not substantially alter the lot grades;
 - j. placement of a teepee for cultural use;
 - k. placement of temporary tents used for recreational camping, provided that it:

- i. does not exceed fourteen (14) days;
 - ii. does not constitute a campground;
 - iii. is not located in Commercial or Industrial Zones; and
- Setback requirements shall not apply to temporary tents not requiring a development permit except for fire department and utility accesses.

3.2 DEVELOPMENT PERMIT APPLICATIONS REQUIREMENTS

- 1) An application for a Development Permit shall only be made by a person with a legal or equitable estate or interest in the property sought to be developed.
- 2) Where the applicant is other than the owner, the owner's written consent must be submitted with the application.
- 3) An application for a Development Permit shall be made to the Development Officer using the appropriate application form.
- 4) Prior to a Development Permit being issued, all subdivision, development or redevelopment requiring expansion and/or upgrading of the existing municipal services will be subject to a development agreement between the owner and the relevant company regarding the provision of any or all of the following public services:
 - a. water and sanitary sewer services;
 - b. electricity;
 - c. roads and public walkways;
 - d. drainage;
 - e. parks; and
 - f. street access;any other matter as Council may deem necessary to be the public interest.
- 5) Applicants will be responsible for all site servicing attributable to the development and for the meeting of requirements of the designated zoning area.
- 6) Every application for a Development Permit shall be accompanied by:
 - a. a statement of ownership and proposed use of the land involved; and
 - b. anticipated scheduling and sequence of development with estimated dates of commencement and completion of the works.
- 7) Every application for a Development Permit to install or place a building or structure except for a sign shall be accompanied by:
 - a. a site plan showing the site location, legal description, the location and dimensions of any existing or and proposed buildings, structures, and their uses, driveways, fire department access routes (to and around the building), entrances and exits, parking areas, on-site loading areas, pedestrian

- walkways, fencing, and landscaping and drainage/grading information (if applicable);
 - b. plans and elevations of proposed buildings showing all dimensions with specifications and notes of materials to be used, proposed lot coverage, lot areas and floor areas;
 - c. proposed front, rear and side yard setbacks;
 - d. proposed servicing scheme and its relationship to the Town's existing and/or proposed servicing plans;
 - e. the location of outdoor fuel and propane storage facilities if applicable; and
 - f. the estimated work cost.
- 8) When a permit is required in accordance with Section 4.9, every application to install a sign shall be accompanied by:
- a. proposed signs dimensions, design and materials; and
 - b. the proposed location on the building or on the property in the case of a free-standing sign.
- 9) Every application for an allotment garden shall be accompanied by:
- a. An outline of the requirements of the landowner(s) upon whose land the garden is located;
 - b. Identification and contact information of the person(s) proposed to manage the garden;
 - c. A concept plan of the garden that also indicates garden drainage and garden irrigation; and
 - d. A garden maintenance plan for seasonal garden opening, operation, and closure.
- 10) Every application for a Development Permit to change the use of a land or a building shall be accompanied by:
- a. a site plan showing the location and dimensions of any existing and proposed outdoor uses;
 - b. plans and elevations of existing buildings or structures showing the location and dimensions of any existing and proposed indoor uses; and
 - c. if applicable, a letter and/or an inspection certificate from the Office of the Fire Marshall indicating the plans have been reviewed for conformance to the National Building Code and National Fire Code.
- 11) Every application for a Home Occupation, a Home Industry, a Bed and Breakfast, a Short-Term Rental or a Mixed Use Building shall be accompanied by:
- a. a business licence (if necessary for the type of work) that shall be in effect for the period of one (1) calendar year requiring annual renewal to continue the Home Occupation, the Home Industry, the Bed and Breakfast, the Short Term Rental or the Mixed Use Building;

- b. a letter from the owner of the residence acknowledging and permitting the Home Occupation, the Home Industry, the Bed and Breakfast, the Short Term Rental or the Mixed Use Building if such use is to be operated from a leased residence;
 - c. a letter and/or an inspection certificate from the Office of the Fire Marshall indicating the building plans have been reviewed for conformance to the National Building Code and National Fire Code; and
 - d. the location and dimensions of any parking area in the site plan where customers and/or employees involved in the Home Occupation, the Home Industry, the Bed and Breakfast, the Short Term Rental or the Mixed Use Building.
- 12) Every application for Camps shall be accompanied by:
- a. Utilities and power requirements including water and sewer tank sizes;
 - b. a letter and/or an inspection certificate from the Office of the Fire Marshall indicating the camp plans have been reviewed for conformance to the National Building Code and National Fire Code;
 - c. A bond as security for closure, clean-up and/or to discourage abandonment shall be posted in the amount of \$1,000 per building unit to a maximum of \$100,000;
 - d. a copy of the company camp rules and code of conduct for employees while residing in the community (camps with 30 or more beds only).
- 13) Every application for Vendors temporary permit shall be accompanied by:
- a. the type and nature of the proposed business;
 - b. a sketch showing the desired location, including dimensions and the proposed site in relation to existing developments in the area;
 - c. the signature of the landowner as an indication of permission to occupy the space allocated;
 - d. proof of valid public liability insurance when located on lands owned by the Town;
 - e. proof that any temporary utility hook-up complied with all applicable codes and regulations if applicable; and
 - f. description of any non-mobile activity involving the construction of a temporary structure.
- 14) Every application for a Development Permit to demolish a building or structure shall be accompanied by:
- a. a demolition plan describing the sequence of operations, the type of waste being produced and the disposal/reuse method.
- 15) The Development Officer may also require an applicant to submit additional information as they consider necessary to verify the compliance of the proposed

use or development with the regulations of this By-law, which may include but is not be limited to any of the following:

- a. a proof of review by authorities having jurisdiction;
- b. a phase one and/or phase two environmental site assessment;
- c. a reclamation plan for aggregate extraction or other major surface disturbance; and
- d. a landscaping plan to show site grading, drainage, retaining walls, existing and future tree locations, and open space landscape treatment.

3.3 DEVELOPMENT PERMIT APPLICATIONS INVOLVING A SUBDIVISION

- 1) Development permit applications involving a subdivision shall be reviewed by Council and referred to the Territorial Department of Lands.
- 2) Where the development of land involves a subdivision survey, no Development Permit shall be issued until the application for subdivision has been approved, except otherwise approved by Council.

3.4 APPLICATIONS REFERRED TO THE COMMITTEE OR COUNCIL

- 1) The Development Officer shall submit applications involving a subdivision and applications of a Conditional Use to Council, including an impact analysis and shall inform the Town Planning and Land Use committee.
- 2) The Development Officer may present a Conditional Use application to the Town Planning and Land Use Committee prior to submitting it to Council.
- 3) The Development Officer shall present to the Town Planning and Land Use Committee prior to submitting it to Council, any application which:
 - a. requires a variance according to Section 3.6.4);
 - b. describes Non-Established use;
 - c. in their opinion, either is not within the intent of this By-law or falls outside the powers delegated to them by this By-law; and
 - d. constitutes a permitted use, if in their opinion, utility services are not readily available to the land or the proposed development will detract from the character or appearance of the general development in the area.
- 4) Conditional Use may be permitted on a specific site within a zone, provided that the use conforms to all regulations of the particular zone to which the use applies, and provided that Council has considered the application on its individual merits and circumstances and given due consideration to the regulations of this By-law, the provisions of the Community Plan, and adjoining land uses.

- 5) Council may, 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.
- 6) All applications submitted by the Development Officer to the Town Planning and Land Use committee or Council shall be accompanied by a recommendation.

3.5 APPLICATIONS REFERRED TO A TOWN DEPARTMENT

- 1) The Development Officer may refer, at their discretion, any application for development of permitted or conditional uses to any Town department for comment.

3.6 VARIANCE APPLICATIONS

- 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:
 - a. denial of the application would cause the applicant unnecessary hardship unique to the use; and
 - b. the variance will not result in a development that will unduly interfere with the amenities of the neighbourhood or detract from the use, enjoyment or value of neighbouring parcels of land.
- 2) In approving a variance, the Development Officer shall adhere to the following:
 - a. The policies included in the Community Plan;
 - b. The general intent of the zoning district;

Subject to 4.8 (1) the Development Officer may grant the following variances as follows:

Variance		
	Residential Zones	Other Zones
Fence Height Increase	Front yard: 0.5 m Side and Rear Yard: 0.25 m	Front yard: 0.5 m Side and Rear Yard: 0.25 m
Lot Coverage Increase	10%	10%
Front Yard Setback Reduction	25%	25%
Side Yard Setback Reduction	25%	10%
Rear Yard Setback Reduction	25%	10%

- 3) 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 Development Officer will consider the application for a variance only once a full site inspection has been conducted.
- 4) Any variances other than those specifically described in this section shall only be granted by Council.
- 5) Notwithstanding Sections 3.6.2 and 3.6.4, the Development Authority shall not grant a variance which would:
 - a. contravene with the general intent and purpose of the Community Plan and the Zoning by-law
 - b. vary use, density or flood plain specifications.

3.7 EXISTING UNDERSIZED LOT DEVELOPMENT APPLICATIONS

- 1) Notwithstanding anything in this by-law, a lot having less than the minimum frontage or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located, and a building may be erected on the lot provided that:
 - a. Such lot was legally registered and existing at the date of commencement of this By-law;
 - b. that the development is otherwise in accordance with the regulatory requirements of the zone, or the requirements of a variance; and
 - c. that the development in the zone is permitted under the smallest Minimum Site Area applicable to the zone provisions.

3.8 INCOMPLETE APPLICATIONS

- 1) The Development Officer may refuse to accept a Development Permit application where the information required by sections 3.2 and 3.3 has not been supplied, or where, in their opinion, it is inaccurate or of inadequate quality to properly evaluate the application.
- 2) A Development Officer may consider an application for a Development Permit and decide thereon without all the information required by sections 3.2 and 3.3 if a decision can be properly made without such information.
- 3) Incomplete Development Permit applications shall expire six months after the date they are received.
- 4) A Development Officer may refuse to accept an application for a Development Permit for a proposed development that would otherwise comply with the requirements of this By-law if:
 - a. there is no access to a lot from a legally surveyed road; or

- b. the utility services necessary for the proper operation of the proposed development are not available.

3.9 CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMITS

- 1) The Development Authority may impose, with respect to a Permitted Use or Conditional use, such conditions as are required to ensure complete compliance with this By-law and the provisions of the Community Plan.
- 2) The Development Authority may, as a condition on the Development Permit, require the applicant to, before the expiry of the permit:
 - a. 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 construction of any such utility or facility by the applicant;
 - b. provide evidence that flammable liquids storage tanks will be located in accordance with Territorial Acts and Regulations;
 - c. provide evidence that an acceptable Fire Safety Plan has been submitted to the Office of the Fire Marshal, and to provide a copy of the Fire Safety Plan
 - d. provided evidence of site investigations by a qualified professional engineer to determine the suitability of the site for the intended development;
 - e. provide evidence that a building including its foundations has been designed in accordance with the National Building Code of Canada;
 - f. specify the location and number of vehicular and pedestrian access points to sites from public roadways;
 - g. provide an environmental assessment completed by a qualified professional to identify risks and mitigation measures relevant to the proposed development;
 - h. provide evidence of site investigations by a qualified professional engineer to determine the suitability of the site for the intended development in terms of soil type and stability, tree cover, drainage and any other factors;
 - i. provide evidence of compliance with any other relevant codes, standards, Federal, Territorial or Municipal legislation; and.
 - j. 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.
- 3) The Development Officer may as a condition of issuing a Development Permit require the applicant to 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:

- b. Specify that construction is to start within six months from the date of issue;
 - c. require that all necessary safety measures be taken and that the excavations, storage or piling up of materials required during the construction stage not remain any longer than necessary to complete each stage of the construction work.
 - d. agree to carrying out work relating to drainage and soil stability;
 - e. allow the Development Officer, Public Health Officer, regional and local Fire Marshall or other interested public appointed official to enter and inspect the development at any reasonable time for the purpose of administering or enforcing this By-law or any Territorial Act or Regulation;
 - f. notify the Development Officer when the work has reached various stages so that inspections can be made, and specifically when the building is complete or prior to occupancy;
 - g. construct, or pay for the construction of a public roadway required to give access to the development;
 - h. construct, or pay for the construction of a pedestrian walkway;
 - i. install, or pay for the installation of utilities that are necessary to serve the development;
 - j. repair or reinstate or 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 on the site;
 - k. construct or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities;
 - l. register a caveat or easement against the title;
 - m. seek approval in writing from the Development Officer prior to undertaking any change in plans, use of site, or methods of construction.
- 4) The Development Officer may, as a condition of a Development Permit for the relocation of a building, require certain renovations and alterations so that the building will conform with the requirements of the following:
- a. the regulations for the zone into which the building is moved;
 - b. the National Building Code of Canada;
 - c. the National Fire Code of Canada;
 - d. requirements of the regional Fire Marshall and the Town Fire Chief; and
 - e. requirements of the Department of Health and Environmental Health Officer.

- 5) The Development Officer may refuse an application for a Development Permit for the moving of a building, structure if the building would fail to conform to the requirements of the zone into which it is proposed to be moved.
- 6) In considering applications for industrial uses, the Development Officer shall take into consideration:
 - a. appropriate performance standards;
 - b. the methods, equipment and techniques proposed by the applicant; and
 - c. where there is a potential for air, water or surface pollution resulting from a particular land use, the proposed development may be referred by the Town to an appropriate Government Agency for study and recommendation and due regard shall be given to such recommendation in dealing with the application.

3.10 DECISIONS ON APPLICATIONS

- 1) The Development Officer shall promptly process an application.
- 2) An application is deemed to be refused if a decision of the Development Authority has not been made within forty (40) days of the official final receipt of the application.
- 3) The applicant may request confirmation in writing from the Development Officer that their application has been received.
- 4) The Development Authority shall provide the applicant with a written notice of decision stating that:
 - a. The application is approved and an unconditional permit will be issued when the application conforms with this By-law;
 - b. The application is approved conditionally. The notice will impose the conditions considered appropriate, either permanent, or for a limited period of time. A conditional development permit will be issued if the development can be reasonably made to conform with this By-law by meeting the specified conditions;
 - c. The application is denied. The notice will include the reasons of the denial.;
- 5) When a Development Permit has been approved, the Development Officer shall, as soon as possible:
 - a. issue a Development Permit, including conditions and variances
 - b. clearly post or require the applicant to post a notice of the decision on the lot or structure for which the application has been made; and
 - c. post a notice of the decision in any public or digital location the Development Officer deems necessary.

3.11 VALIDITY OF PERMITS

- 1) When an application for a Development Permit has been approved, 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; and
 - b. no notice of appeal from such approval has been served on the Board within the time period specified in Section 3.12.
- 2) If the Board is served with a written notice of appeal, subject to Section 62 of the Act, such notice shall suspend the Development Permit.
- 3) When an application for a Development Permit has been approved by the Development Appeal Board, it shall not be valid unless and until:
 - a. The Board has adopted the minutes of its meeting at which the application was approved; and
 - b. Any conditions of approval, other than those of a continuing nature, have been fulfilled.
- 4) The final determination of an appeal shall reinstate, revoke or amend (as the case may be) a Development Permit suspended under (2) above.

3.12 SUBMISSIONS TO DEVELOPMENT APPEAL BOARD

- 1) 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 a written notice of appeal to the Town Office and paying the filing fee according to the Services Rates By-law within:
 - a. fourteen (14) days after the day the application for a Development Permit is approved or refused; or
 - b. a further time, not exceeding an additional forty-six (46) days, that the Chairperson of the Board considers appropriate.
- 2) The 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;
 - 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 to this By-law; and
 - d. hear the Development Officer and any other persons who may contribute to a full and proper hearing.

- 3) The Board may confirm, reverse or vary the decision appealed from and it may impose such conditions or limitations as it considers proper and desirable in the circumstances.
- 4) The Board shall:
 - a. render its decision in writing to the appellant within sixty (60) days from the date the appeal hearing is held; and
 - b. within fifteen (15) days of its decision, provide a complete report to the Director of Planning (as appointed under the Act), the Town, the appellant, and to each interested person upon his/her request.
- 5) A decision of the Board is final and binding on all parties, subject only to appeal under Division B of the Act.

3.13 EXPIRY OF PERMITS

- 1) If a development authorized by a Development Permit is not commenced or is not carried out with reasonable diligence within 12 months, 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 completed.
- 2) The Development Officer may extend the above periods upon application, at their discretion, for a period of not greater than 180 days. Such an extension may only be granted once and thereafter the permit holder shall be required to apply for another Development Permit.
- 3) 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.
- 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 which conflicts with the newly issued one.

3.14 RESUBMISSION INTERVAL

When an application is refused by the Development Authority (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.

4 PART FOUR – GENERAL REGULATIONS

The general regulations apply to developments allowable in multiple zones or to any development on any lot, 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.

4.1 NUMBER OF DWELLINGS

- 1) No more than one dwelling unit shall be installed or built on a single parcel unless otherwise provided in this By-law.

4.2 RIGHT OF WAY, EASEMENTS AND FIRE HYDRANTS

- 1) All public right-of-way shall be subject to the following regulations:
 - a. No right-of-way shall be obstructed by any vehicle, debris, fence, or any other objects except a vehicle barrier (e.g. guard rail) as may be required by Council;
- 2) No structure shall be erected on a utility easement unless:
 - a. in the opinion of the Development Authority the structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
 - b. written consent has been obtained from the utility company to which the easement has been granted unless otherwise provided for by the Town via an agreement.
- 3) Notwithstanding Section 4.2.2), no structure shall be erected on a utilidor easement in any case.
- 4) The Fire Department and the Utility Department shall have a 3-meter wide, clear and unobstructed access to the Town's fire hydrants and the utilidor.
- 5) 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.

4.3 SOILS AND DRAINAGE

- 1) No development shall be permitted unless the surface and subsoil of the land allow for proper drainage and the stability of the buildings and structures to be built can be assured.

- 2) Subject to engineering expertise, where residential lots are identified, all lot preparation and roadway development shall occur a minimum of one year before building on the land. Areas requiring substantial levelling of the lot with granular material, at least two years before construction.
- 3) A minimum gradient of 2% shall be provided on all lots to allow for positive drainage.
- 4) Drainage shall be directed off all lots in a manner acceptable to the Development Officer with adequate drainage facilities to prevent run-off to and/or flooding of adjacent lots.

4.4 PARKING REGULATIONS

- 1) All parking area accesses shall be subject to prior approval of the Development Officer or Council.
- 2) 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 Town and the property owner if applicable by an agreement, that the parking lot will be used for such purposes.
- 3) In the case of a mixed-use development, and where it may clearly be determined that some of the parking spaces will only be used in an off-hour basis, Council may consider a relaxation of the parking requirements and a variance approval is required.
- 4) Any parking or loading space under this section shall be designed, located and constructed so that:
 - a. it is wholly located on the same lot as the building to be served unless otherwise approved by the Development Officer or Council;
 - b. it is accessible to whatever vehicle type(s) it is intended to accommodate;
 - c. it is made of a durable, hard compact surface;
 - d. it can be properly maintained;
 - e. all crossing of drainage courses have a culvert installed, the size of which will be determined by the Development Officer in consultation with Public Works Department;
 - f. its size, shape, location and construction are appropriate for the type(s) and frequency of vehicles using it;
 - g. each off-street loading space is a minimum of 3.5 m in width by 6 m in depth with a minimum vertical clearance of 4 m;
 - h. it provides at all time for adequate access to, and egress from by means of unobstructed manoeuvring aisles in accordance with Table 4-2; and
 - i. situated on the premises so that no street or lane is obstructed when the loading space is being used.

5) Minimum Number Parking Stalls

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

Table 4-1 Off-Street Parking Requirements

Use of Building or Site	Minimum Number of Spaces
Residential Uses	
<ul style="list-style-type: none"> • Bed and Breakfast or Short-Term Rental Accommodation 	One (1) space per one (1) guest rooms
<ul style="list-style-type: none"> • Dwellings 	One (1) space per dwelling unit, plus two (2) additional space for home industry or home occupation uses involving a non-resident employee
<ul style="list-style-type: none"> • Other uses 	Determined by the Development Officer
Commercial Uses	
<ul style="list-style-type: none"> • Business, Professional and Administrative Offices 	One (1) space per 100 square metres of gross floor area
<ul style="list-style-type: none"> • Retail, Personal service, Equipment and repair shops 	Two (2) spaces per 100 square metres of gross floor area
<ul style="list-style-type: none"> • Eating/Drinking establishments 	One (1) space per four (4) seats
<ul style="list-style-type: none"> • Hotels, Motels 	One (1) space per five (5) guest rooms
<ul style="list-style-type: none"> • Churches 	One (1) space per ten (10) seats, or 6 m of bench space.
Industrial Uses	
<ul style="list-style-type: none"> • All uses 	Determined by the Development Officer
Institutional Uses	
<ul style="list-style-type: none"> • All uses 	Determined by the Development Officer

- a. provided for on the same lot as the building to be served unless otherwise approved by the Development Officer or Council.
- b. All uses within commercial, industrial and community use zones excluding offices, financial and personal services shall have one space for each loading door provided.
- c. 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 parking spaces that may have been removed due to the development, on the Table below and

on the number of additional parking spaces required as a result of the development.

- d. A minimum of one (1) barrier-free parking space shall be provided with the development of any on-site parking facilities except for single dwellings and duplexes. Where the total number of required stalls is greater than nineteen (19), a minimum of one in twenty parking spaces shall be provided for barrier free access.

6) Minimum sizes of Parking Stalls for residential areas

- a. Minimum size of a parking stall for residential areas is 2.6 m in width and 5.5 m in Length.

7) Minimum Sizes of Parking Stalls

All off street manoeuvring aisles and parking stalls shall meet the following requirements:

Table 4-2 Minimum Off-Street Parking Dimensions

A	B	C	D	E
0	2.7	2.7	7.0	3.6
45	2.6	5.2	3.7	3.6
60	2.6	5.6	3.0	5.5
90	2.6	5.5	2.6	7.0

- A** – Parking Angle in Degrees
- B** – Width of Space (in meters)
- C** – Depth of Space Perpendicular to Manoeuvring Aisle (in meters)
- D** – Width of Space Parallel to Manoeuvring Aisle (in meters)
- E** – Width of Manoeuvring Aisle (in meters)

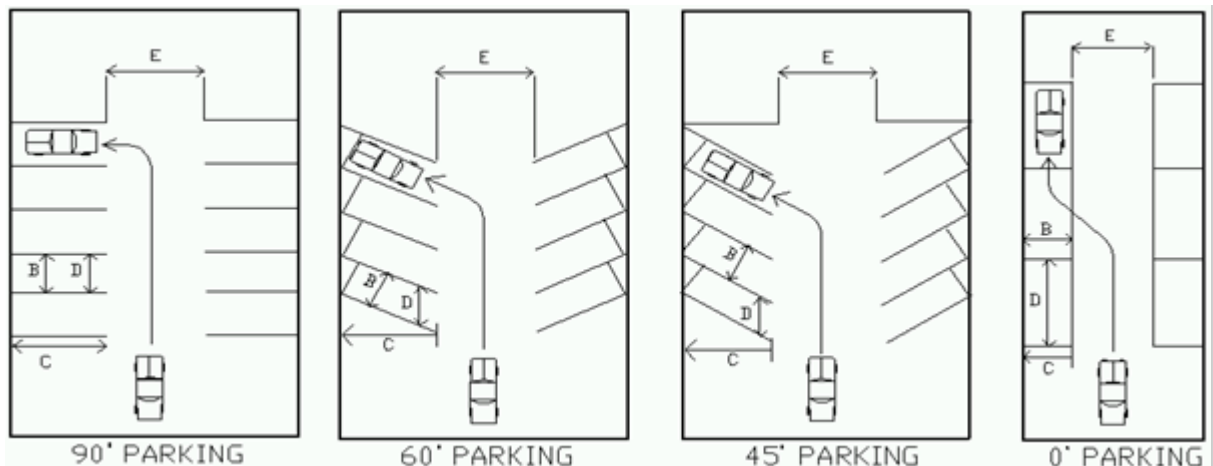


Figure 4-1 Off-Street Parking Space Dimensions

8) Barrier-free parking

- a. A minimum of one (1) barrier-free parking space shall be provided with the development of any on-site parking facilities except for single dwellings and duplexes. Where the total number of required stalls is greater than nineteen (19), a minimum of one in twenty parking spaces shall be provided for barrier free access.
- b. Each barrier-free parking stall must be:
 - i. at least 4 m in width, at least 6.5 m in length;
 - ii. located as close as possible to a main accessible building entrance; and
 - iii. clearly identified with a sign as a barrier free parking stall.

4.5 ACCESSIBILITY

- 1) The organizations under federal responsibility listed below and municipal facilities shall have development design to consent with the Accessible Canada Act. to the satisfaction of the Development Authority.
 - i) the Government of Canada, including government departments, agencies and Crown corporations
 - ii) parts of the private sector that the Government of Canada regulates, such as:
 - banks
 - the federal transportation network, including:
 - airlines
 - rail, road and marine transportation providers that cross provincial or international borders
 - the broadcasting and telecommunications sectors
 - iii) the Canadian Forces and the Royal Canadian Mounted Police“.

4.6 SETBACKS

- 1) Setback regulations are set out individually for each zone in Part Six of this By-law. Where adjacent lots are under the same ownership, they may be considered as one single lot. Therefore, no setbacks are required from interior lot lines.

4.7 PROJECTIONS INTO YARDS

- 2) Notwithstanding any other provision in this By-law, the following structures or portions of structures shall conform to the following provisions:
 - a. Fireplaces, chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, and ornamental features can project to a maximum of

- 0.6 m beyond the yard requirements of this By-law which otherwise apply to the building of which they are a part of;
- b. Eaves and sunlight control devices can project to a maximum of 1.2 m beyond the yard requirements of this By-law which otherwise apply to the building of which they form a part of;
 - c. An open, unenclosed deck or patio at ground level in a residential development can project to a maximum of 2.5m beyond the yard requirements of this By-law.
 - i. The provision of an awning or similar temporary covering for such a deck shall be permitted.
 - ii. The provision of a guard rail or parapet wall not exceeding the maximum height permissible for a fence in the same location shall be permitted.

4.8 ACCESSORY BUILDINGS, STRUCTURES AND USES

- 1) Accessory buildings, structures and uses are not permitted on any parcel unless the principal building and use to which the building, structure or use is accessory has already been established or will be established simultaneously.
- 2) Accessory buildings are subject to the same yard setback requirements required for a principal building in that zone.
- 3) The footage of the accessory building shall be included in the lot coverage calculation.
- 4) No accessory building or structure shall be used for human habitation.
- 5) 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 by the National Building Code.

4.9 LIGHT INDUSTRIAL STANDARDS

- 1) The following standards shall apply to all developments in the Light Industrial Zone:
 - a. Noise – Noise from industrial production shall not be audible at any point of the boundary of the lot on which the operation takes place;
 - b. Smoke – No process involving the use of solid fuel is permitted, save the use of waste disposal incinerators;
 - c. Dust and ash – No process involving the emission of dust fly-ash or other particulate matter is permitted;
 - d. Odour – The emission of any odorous gas or other odorous matter is prohibited;

- e. Toxic gases, etc. – The emission of any toxic gases or other toxic substances is prohibited;
- f. 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.

4.10 FLAMMABLE LIQUIDS STORAGE TANKS

- 1) Flammable liquids (including fuel and propane) storage tanks shall be located in accordance with Territorial Acts and Regulations.
- 2) The location of a liquefied petroleum gas (LPG) storage tank with a water capacity exceeding 9,100 litres shall not be less than a minimum distance of 120 metres from assembly, institutional, commercial or residential buildings.
- 3) LPG containers with a water capacity of less than 9,100 litres shall be located in accordance with the Federal and Territorial Acts and Regulations.
- 4) Certified true evidence of flammable liquids storage tanks approval shall be provided to the Development Officer as a condition of permit.
- 5) Any fuel and propane storage tank with capacity exceeding 400 L is considered an accessory structure.

4.11 SCREENING

- 1) All outdoor storage areas shall be enclosed with suitable fencing to screen from view any outdoor storage of equipment, machinery, building materials, lumber or other materials.
- 2) Parking, loading, storage and trash collection areas in the Commercial zone shall be screened to the satisfaction of the Development Officer
- 3) Screening in the form of fences, hedges, landscaped berms or other means is required along the lot lines of all mobile home and industrial lots where such lines are adjacent to a residential zone. Such screening shall be at least 1.8 m high. Length and width of the screening shall be at the discretion of the Development Officer.

In all zones, the placement of a fence shall comply with the following requirements. The height of fences will be measured from the average grade, on whichever side of the fence is lower.

- 1) A fence in a residential zone shall not be constructed greater than:
 - a. 1.0 m for the portion of the fence that extends beyond the foremost portion of the principal building on the site; and
 - b. 1.82 m tall for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site.

- 2) Notwithstanding Section 4.8.3, the Development Officer may allow a fence of up to 2.44 m in height to be erected in a residential zone, upon the written consent of the owners of the neighbouring properties, provided that such a fence would not be seen to adversely affect the amenities of the area.
- 3) In the case of corner lots, the foremost portion of the building referred to in Section 4.8.3) (a) and (b) shall apply to both faces of the building fronting onto each street.
- 4) At an intersection, there shall be no obstruction to vision by fences between 1.0 metre and 3.0 metres in height, within the triangular area. This area shown on Figure 4-2 is formed on a corner site by the two street property lines and a straight line which intersects each of them 7.5 metres from the corner where they meet.

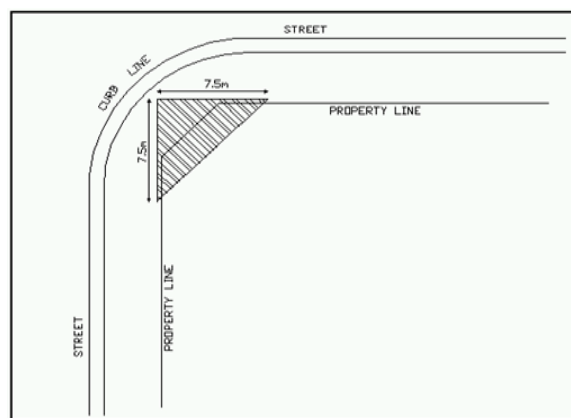


Figure 4-2 Fence Requirement at Vision Triangle

4.12 BEAUTIFICATION

- 1) The following requirements apply to the commercial zones:
 - a. A minimum of 5% of the area including all yards abutting the street shall be landscaped to the satisfaction of the Development Officer;
 - b. 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;
 - c. The design, siding and external finish of all additions shall be complementary to the main building.

4.13 SIGNS

- 1) No Person Shall:
 - a. locate a sign where it may cause a traffic hazard or conflict with parking, loading or walkway areas; and
 - b. locate a sign within a road right-of-way or on a public property.

2) Permits Required:

Except the ones described in Section 4.9.3, no sign shall be erected on land or affixed to any exterior surface of a building or structure unless a sign permit for this purpose has been issued by the Development Officer.

3) Signs Not Requiring Permits

The following signs do not require a Development Permit, but shall otherwise comply with this By-law:

- a. One temporary sign which does not exceed 3.0 m² in area and is intended for:
 - i. identifying a construction or demolition project for which a permit has been issued;
 - ii. advertising a campaign event or drive which has been approved by Council. Such a sign may be posted for a maximum period of fourteen (14) days; or
 - iii. advertising the sale or lease of a building or land.
- b. One temporary sign which does not exceed 1.0 m² in area and 1.0 m in height and is intended for:
 - i. identifying a political campaign. Such a sign may be displayed for thirty (30) days prior to an election or referendum and must be removed within seven (7) days following the election or referendum; or
 - ii. advertising a garage sale or open house. Such a sign may be posted for a maximum period of forty-eight (48) hours;
- c. banner signs that are not permanently installed and which are displayed for a period of time not exceeding two (2) months per calendar year per commercial unit, and on the wall of one (1) commercial or community use unit within a building;
- d. banner signs in residential districts which contain no more than the name of the resident or the name of the Home Occupations or Bed and Breakfast business, telephone numbers, logos provided the sign area does not exceed 1 m²;
- e. municipal signs used to indicate street names, to control traffic, or to identify municipal buildings;
- f. an official notice, sign, placard or bulletin required to be displayed pursuant to the provisions of Federal, Territorial or Municipal legislation;
- g. existing signs when only the face of a previously approved sign is being changed to reflect a change in the business name;

- h. window signs, in any non-residential zone, if intended as a substitute for other forms of exterior building or structure signage not requiring a sign permit;
 - i. community information signs; and
 - j. a-board signs.
- 4) Fascia Signs
- a. shall only be allowed in the Community Use Zone and all the commercial and industrial zones.
 - b. shall be located on an exterior frontage wall, and at the discretion of the Development Authority, may be located on an existing wall which is not a frontage.
 - c. shall be allowed provided that the total copy area of a sign shall not exceed 20% of the face of the building or bay to which the sign is attached;
- 5) Free-Standing Signs:
- a. Notwithstanding Section 4.9.3) all free-standing signs require a permit and shall comply with the following requirements.
 - b. Free-standing signs shall be permitted in the Community Use (CS) zone and all the commercial and industrial zones - subject to the following provisions:
 - i. does not exceed 2.0m² (21.5 sq. ft.) in size;
 - ii. shall not project within 0.6m (2.0 ft) of the property line or within 2.0 m (6.5ft.) of overhead utility lines; and
 - iii. does not exceed 3.5m (11.5 ft.) in height.
 - a. Free-standing signs for home occupations shall be permitted under the following special provisions:
 - i. does not exceed 1.5m² (16.1 sq. ft.) in size;
 - ii. shall not project within 0.6m (2.0 ft) of the property line or within 2.0 m (6.5ft.) of overhead utility lines; and
 - iii. does not exceed 2.5m (8.2 ft.) in height.
- 6) Dynamic Signs
- a. No Dynamic Sign may be erected except as permitted in this Section.
 - b. Dynamic Signs shall only be permitted in Commercial, Industrial and Community Use zones, and must meet the following requirements:
 - i. not be located within 30.0 m radius of a residential district
 - ii. be limited to one sign per building or site
 - iii. not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign,
 - iv. comprise of not more than 25% of the total freestanding sign area.

- c. A dynamic sign may not allow the display or message to change more frequently than once every eight (8) seconds, with a transition period of one (1) second or less.
- d. Any digital sign located within 50 m of a residential district may be subject to restricted operating hours at the discretion of the Development Authority.

4.14 SEA CANS

- 1) A sea can located on any site for two (2) months or less in any zone requires a temporary development permit.
- 2) A sea can located on any site for more than two (2) months in any zone will be considered an accessory building and shall meet requirements for accessory buildings, including setback requirements.
- 3) A sea can shall not be used as a dwelling unit and shall not contain cooking or sanitation facilities.
- 4) A sea can shall be developed with exterior finish materials that compliment those of the principal building in any zone other than a M1 or M2 zone.

4.15 MOVING OF BUILDINGS

- 1) No building or structure shall be moved within the limits of the Town of Norman Wells or into the Town unless the building or structure is to be used for an allowable purpose by this By-law, satisfies the requirements of the zone in which it is to be located and if required, a Development Permit was issued in collaboration with the Public Works Department.
- 2) Where a building or structure is moved from one lot to another within the limits of the Town of Norman Wells, a single application and Development Permit may be issued for the relocation (both the removal and placement) at the discretion of the Development Officer.

4.16 DEMOLITION AND EXCAVATION

- 1) Where a demolition is carried out, the applicant shall at his own expense:
 - i) protect from displacement any public properties, including infrastructure and utilities to be affected by such demolition and shall sustain, protect and underpin the same so that they will remain in the same condition as before the demolition was commenced; and
 - ii) provide for adequate measures to be taken by way of fencing and screening to ensure the general public's safety.
 - iii) iii) provide for adequate measures to be taken for fire prevention, subject to the local Fire Marshall's approval.

- 2) Whenever a Development Permit is issued for demolition of a building, it shall be a condition of the permit that the site shall be properly cleaned with all debris removed and left in a graded condition in a reasonable timeline.
- 3) 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.

5 PART FIVE – SPECIFIC USES REGULATIONS

The Special Land Use Regulations apply irrespective of the zone in which the use is located. Where these regulations appear to conflict with the zone regulations (whether for a permitted or conditional use), the Special Land Use Regulations shall take precedence and shall be applied in addition to the requirements of the zone.

5.1 ALLOTMENT GARDENS

- 1) The public or private lands dedicated to allotment gardens shall be:
 - a. safe, uncontaminated, using clean topsoil, compost and mulch; and
 - b. not located on steep slopes or on lands where its location would have a potential negative impact on natural heritage or ecological features, and which are overall compatible with the development of a garden for food production.
- 2) An allotment garden may be allowed in a zone other than the ones where this use is permitted in part 6, as either an accessory use or a conditional use, subject to a site by site evaluation, including an analysis of the designated land and the neighbouring lands.

5.2 MOBILE HOMES

- 1) No mobile home shall be permitted on the RMH1 zone located on Mackenzie Drive as the area is designated for Tiny homes.
- 2) A mobile home shall meet or exceed the provisions of CSA Z240 and be:
 - a. placed on permanent foundations as per the National Building Code;
 - b. levelled; and
 - c. skirted from the floor level to an acceptable height from the ground with adequate open area to provide for proper ventilation.
- 3) The hitch shall be removed within 60 days of the mobile home being placed on the lot.
- 4) A mobile home placed on a lot must be no more than ten (10) years old as of the date of manufacture.
- 5) Notwithstanding 4), a development permit application to place on a lot a mobile home older than ten (10) years old as of the date of manufacture may be approved, subject to providing a proof of building inspection certifying the mobile home meets the current National Building Code standards.
- 6) The following requirements apply to decks and additions to a mobile home:

- a. The maximum floor area shall not be greater than 100% of the floor area of the original mobile home.
 - b. Decks 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.
- 7) All accessory structures such as decks, additions and storage facilities shall be factory prefabricated units, or of a quality equivalent so that design and construction will complement the mobile home.

5.3 TINY HOMES

- 1) A tiny home shall be placed on a permanent foundation as per the National Building Code.
- 2) A tiny home may be allowed in all RMH1 areas, except the one located downtown.
- 3) A tiny home community may be allowed in the RMH1 areas located on Mackenzie Drive and Willow Crescent.
- 4) A tiny home community should have units oriented to front the public street where possible. If it is unfeasible for a unit to front the street, building façade facing the street shall include a minimum of two of the following architectural features:
 - a. primary building entrance;
 - b. front decks;
 - c. variation in façade depth so as to avoid the creation of large featureless walls; or
 - d. variation in siding and trim material and/or colour.
- 5) A tiny home community shall have:
 - a. a maximum lot coverage of 40%
 - b. a maximum building height of 10.0 m.
- 6) A minimum building separation of 6 m is required on at least two sides of each residential building. A minimum 2.5 m building separation is required on all other sides of each residential building.

5.4 MULTI-ATTACHED AND MULTI-UNIT DEVELOPMENTS

- 1) For all residential developments containing more than two (2) dwellings, the following must be provided:
 - a. access for fire department vehicles and other emergency vehicles;
 - b. a suitable enclosed garbage area which can be accessed by garbage collector trucks;
 - c. landscaping and fencing if necessary;
 - d. safe pedestrian access to and from the principal buildings; and

- e. any other matter the Development Officer considers necessary to maintain a residential environment.
- 2) All new residential developments that include more than ten (10) dwelling units, including mobile home parks, shall include tot lot(s) and/or a playground (neighbourhood park) with accessories at the cost of the applicant. The standard park size requirements are:
 - a. Tot Lots - 0.2 hectares; and
 - b. Neighbourhood parks - 0.8 hectares

5.5 SECONDARY SUITES

- 1) Only one (1) In-Home or Detached Secondary Suite is permitted on a property;
- 2) Secondary Suites are subject to the maximum height, and other zoning regulations applicable to the principal dwelling and the zone which they reside.
- 3) Secondary suites shall not be subdivided or converted into a condominium and sold in fee simple title as a separate property.
- 4) In-Home Secondary Suites are permitted on all lots where the principal residential use is a single detached dwelling or duplex and the single detached dwelling or duplex has been legally permitted pursuant to the Zoning By-law.
- 5) Detached Secondary Suites shall be permitted within the Country Residential (CR) Zone on all lots where the principal residential use is a single detached dwelling;
- 6) Detached Secondary Suites are not permitted in the front yard of a property.
- 7) Floor Area requirements are as follows:
 - a. The total floor area of all storeys of an In-Home Secondary Suite shall not be more than:
 - i. 80% of the total floor area of all storeys of the other dwelling unit; or
 - ii. 80 square metres (860.8 square feet);whichever is less.
 - b. The total floor area of all storeys of a Detached Secondary Suite shall not be more than 80% of the total floor area of all storeys of the other dwelling unit.
- 8) Street Access and public safety:
 - a. In-Home suites must have direct access to the outdoors and at least two exits for emergency escape during a fire, to the discretion of the authority having jurisdiction.
 - b. Detached Secondary Suites shall provide an unimpeded pedestrian/emergency access to a street or lane frontage with a minimum width of 1 metre. Emergency access to detached suites must be approved by the regional or local Fire Marshall to obtain a Development Permit.

5.6 HOME OCCUPATIONS

- 1) Home occupations shall be permitted in any zone as an accessory use to a residential dwelling unit.
- 2) No more than two (2) home occupations may be located in the same residence without the approval of Council.
- 3) Development Authority may set a limit to the number of customers that may be in attendance at any one time as a condition of the Development Permit.
- 4) Hours of operations for commercial operations for a home occupation directly serving the public may be within 7 am to 10 pm daily.
- 5) No vehicles over 5,000 kilograms gross vehicle weight associated with the business can be parked at or near the residence.
- 6) Eating and Drinking Establishments as a home occupation may have a fenced outdoor patio or deck which encroaches 2.0 m within the front yard setback.
- 7) Retail sales shall not be permitted in a home occupation except for:
 - a. products incidental to a service being provided;
 - b. products produced on the site;
 - c. telephone sales, mail order sales, online sales, or other types of sales where the customer does not enter the premises to inspect or pick up goods; and
 - d. direct distributorships where customers do not enter the premises to inspect, purchase, or pick up goods.
- 8) A home occupation shall not:
 - a. change the principal character or external appearance of the dwelling involved;
 - b. employ any person on-site more than a full-time resident of the dwelling, and a maximum of three non-resident employees on site at any given time;
 - c. occupy more than 74.3 m² (800 ft.²) of the dwelling unit or 40% of the total floor area of the dwelling unit, whichever is less, except for Bed & Breakfast Establishment;
 - d. have outdoor business activity or storage of materials or equipment;
 - e. create a hazardous or dangerous condition for the property, the neighbourhood or the environment;
 - f. use mechanical or electrical equipment that creates external noise, or visible and audible interference with home electronic or communication device beyond the parcel line of the parcel on which the home occupation is located;
 - g. generate traffic congestion or parking problems for the Town or the immediate neighbourhood;
 - h. involve materials or products that produce flammable or explosive vapours or gasses under normal Norman Wells temperature ranges; and

- i. create any kind of nuisance by way of dust, noise, odour, smoke, bright light or anything objectionable, as determined by the Development Officer.

5.7 FAMILY HOME DAY CARE AND DAY CARE FACILITIES

- 1) A Family home day care shall be processed as a Home occupation.
- 2) The Family home day care shall not be the principal use of a building.
- 3) All Family home day care and Day care facilities shall conform with the associated GWNT Child Day Care Act and Child Day Care Standards and Regulations.
- 4) The maximum number of children for which care may be provided shall be established by the Development Officer who shall have regard for:
 - a. the nature of the day care;
 - b. the density of the zone in which it is located;
 - c. the potential increases in traffic; and
 - d. the location of the use in relation to other uses in the area of development.
- 5) The maximum number of children shall not exceed the maximum allowable under the GWNT Child Day Care Act and Child Day Care Standards and Regulations.

5.8 BED AND BREAKFAST ESTABLISHMENTS

- 1) The owner of the Bed and Breakfast and his/her family shall be the principal residence of the property.
- 2) In addition to all other provisions and requirements of this By-law, the following additional requirements shall apply to bed and breakfast operations:
 - a. A maximum of four (4) rental rooms are available, with a maximum occupant load of eight (8) persons over and above the owner and their household.

5.9 SHORT TERM RENTAL ACCOMMODATION

- 1) In addition to all other provisions and requirements of this By-law, the following additional requirements shall apply to Short Term Rental Accommodation operations:
 - a. Short Term Rental Accommodation is only permitted in a lawful dwelling unit, or secondary suite as an accessory use to a single dwelling unit;
 - b. A maximum of four (4) rental rooms are available, with a maximum occupant load of six (6) persons over and above the owner and their household.
 - c. Short Term Rental Accommodation is not permitted in a dwelling unit in combination with a Bed and Breakfast Establishment; and

5.10 HOME INDUSTRY

- 1) A home industry is an accessory use that must only be conducted within the principal residential building and within up to one accessory building.
- 2) The combined floor area of accessory buildings used for home industry must not exceed 185.8 m² (2,000 ft.²).
- 3) Except in the front yard setback, exterior storage of materials associated with the home industry shall be permitted, provided that storage areas do not exceed 92.9 m² (1,000 ft.²) and are enclosed by a privacy fence or landscaped screen and that the stored materials are not visible beyond the property line.
- 4) An exterior storage area must be set back at least 4.57 m (15 ft.) from any property line.
- 5) Retail sales shall not be permitted in a home industry except for:
 - a. products incidental to a service being provided;
 - b. products produced on the site;
 - c. telephone sales, mail order sales, online sales, or other types of sales where the customer does not enter the premises to inspect or pick up goods; and
 - d. direct distributorships where customers do not enter the premises to inspect, purchase, or pick up goods.
- 6) A home industry shall not:
 - a. be used for the salvage or storage of derelict vehicles and equipment, used buildings, domestic products, and/or similar discarded materials;
 - b. occupy more than 74.3 m² (800 ft.²) of the dwelling unit or 25% of the total floor area of the dwelling unit, whichever is less;
 - c. create a hazardous or dangerous condition for the property, neighbourhood or the environment;
 - d. generate traffic congestion or parking problems for the Town or the immediate neighbourhood;
 - e. create any kind of nuisance by way of dust, noise, odour, smoke, bright light or anything objectionable, as determined by the Development Officer;
 - f. involve materials or products that produce flammable or explosive vapours or gasses under normal Norman Wells temperature ranges; and
 - g. use mechanical or electrical equipment that creates external noise, or visible and audible interference with home electronic or communication devices equipment in adjacent dwellings beyond the parcel line of the parcel on which the home occupation is located.

5.11 CAMPS

- 2) Facilities must consist 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.
- 3) When a development permit is issued for a temporary camp, there will be an annual renewal/review required for each development permit issued and a maximum project duration. An administrative fee is required, in addition to the development permit application fee, as set out in the Services Rates By-law.
- 4) The owner shall be responsible for the costs of any necessary development of roads and culverts on the site.

5.12 CARETAKER / SECURITY UNITS

- 1) A Caretaker/ Security Unit shall be designed to accommodate no more than one (1) household.
- 2) Any change in use of the site where the caretaker unit is located will constitute a change in use of the Caretaker/ Security Unit.

5.13 ANIMAL SHELTERS

- 1) An animal shelter shall be subject to the following requirements:
 - a. Shall be located in the rear yard and shall have a minimum separation distance of 15 m between the animal structure and the rear and side yard lot lines;
 - b. Structures for the purpose of housing animals which are not in an enclosed building shall be located in the side or rear yard and shall have a minimum setback distance of 15 m between the animal structure and lot lines;
 - c. An enclosed structure must be constructed for the sheltering of the animal(s); and
 - d. Structures shall be located 30 m from any watercourse.
- 2) No more than 70 dogs may be kept on a lot, and no more than 12 of them may be intact females except where under the supervision by a registered charity, non-for-profit organization or government authority.

5.14 SEWAGE LAGOONS AND SOLID WASTE FACILITIES

- 1) The development of Sewage Lagoons and Solid Waste Facilities must conform with the provisions of the Public Health Ordinance and Regulations and any amendments thereto.

5.15 SCRAP YARDS/ JUNK YARDS

- 1) Scrap yards/junk yards shall not be situated within 150 m of 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.
- 2) The minimum distance between any residential property line and any junkyard/scrap yard property line shall be 450 m.
- 3) Every scrap yard/junk yard shall be screened from view along all property lines consisting of a fence at a minimum of 4 m in height, or if located in the light industrial area a buffer of trees or bush.
- 4) At least one access route connected to a public thoroughfare must be provided. Where the site area of a scrap yard/junkyard exceeds 6,000 m², two access routes connected to a public thoroughfare must be provided.
- 5) All access routes must be equipped with a lockable gate.
- 6) An environmental impact assessment may be required to be submitted as part of a development permit application.

5.16 AUTOMOBILE SERVICE STATIONS (INCLUDING GAS BARS)

- 1) Provision of adequate points of access and egress.
- 2) The minimum site area shall be 740 m² and the maximum building coverage shall be twenty-five percent (25%) of the site area. For automobile service stations including a car wash, the minimum site area shall be 1,100 m².
- 3) All parts of the site which may be accessed by vehicles shall be surfaced and drained to the satisfaction of the Development Officer in consultation of Public Works Department.
- 4) All repair equipment shall be kept, and all repair work shall be done, entirely within the building or in the maintenance yard.
- 5) All exterior lighting must deflect away from adjacent parcels.
- 6) A minimum 1.83 m (6 ft.) fence must be provided on all property lines separating the parcel from any abutting residential areas.

5.17 WORKSHOP ACCESSORY TO RETAIL STORE

- 1) A workshop accessory to a retail use is to be located behind the principal building and have a maximum floor area of 370 m².

5.18 MIXED USE BUILDING

- 1) The residential portion of a Mixed use building shall:
 - a. be located at the back of the business or on the second storey;

- b. be occupied by the business operator.
- 2) The residential portion of a Mixed use building shall not
 - a. change the principal character or external appearance of the business involved;
 - b. occupy more than 74.3 m² (800 ft.²) of the business portion or 40% of the total floor area of the business, whichever is less.

5.19 CANNABIS RETAIL STORE

- 1) All Retail services, restricted premises are required to comply with Federal and Territorial regulations and any applications and/or approval documents must be submitted to the Town once issued.
- 2) The lot line of a Cannabis Retail operation may not be within 100 metres of a lot zoned:
 - a. Community Use (CU) Zone or Open Space Park (OS) Zone that includes a play structure;
 - b. Community Use (CU) Zone that is used for Temporary Shelter Services; or
 - c. Community Use (CU) Zone that is used services to youth at risk or people suffering from substance abuse.

5.20 VENDORS

- 1) Vendors include both commercial and food vendors. These uses are intended to be short- term or seasonal in nature and may be dismantled and removed from the site from time to time.
- 2) Vendors shall be responsible for
 - a. the supply and maintenance of garbage receptacles and disposal of garbage to an approved disposal site;
 - b. maintaining the lands in the vicinity of their operation in a clean, litter-free, and tidy state;
 - c. not interfering with the quiet use and enjoyment of the surrounding areas by the public;
- 3) Vendors shall be limited to:
 - a. a mobile refreshment stand completely contained within a trailer, a motorized vehicle, a bicycle, a push-cart, an approved container, or some other;
 - b. non-mechanized means; or
 - c. a temporary commercial operation completely contained within a trailer, a motorized vehicle, a bicycle, a push-cart, an approved container, or some other non-mechanized means.

- 4) Vendors shall not be permitted anywhere other than the site specified in the temporary Development Permit.
- 5) The Town may inspect any temporary vendor facility to ensure compliance with this By-law.
- 6) Ongoing operation of a temporary vendor permit shall not be inferred as a right or entitlement.

5.21 PARKS AND PLAYGROUNDS

- 1) All park and playground equipment shall meet or exceed Canadian Safety Association (CSA) standards.
- 2) Proposed areas will be adequately lit in conformance with CPTED principles to the satisfaction of the Development Officer.

5.22 AIRPORT

- 1) In recognition of the jurisdiction and authority of the Government of the Northwest Territories and Government of Canada over Commissioner's public airport lands, forming part of the Norman Wells Airport, all uses and developments on these Commissioner's public airport lands and Federal lands shall be subject only to the approval of the Government of the Northwest Territories, or the Government of Canada as appropriate. For greater certainty, nothing in this By-law shall apply to the use or development of those Commissioner's public airport lands and Federal lands within the Airport Zone (A).
- 2) When Developments are carried out on airport lands, as approved and directed by Department of Infrastructure, Airports Division, the developers (lease holders) are required to complete a municipal development permit application and submit it with the appropriate fee (refer to the Services Rates by-law), to the Development Officer. The purpose the Town's development permit process regarding development on Airport lands is for the Municipal Government to keep track of all developments within the municipal boundaries and collection of taxes for any new developments.

6 PART SIX – ZONING REGULATIONS

6.1 DESIGNATION OF ZONES

- 1) The location of each zone is established on Schedule C, the Zoning Map.

Table 6-1 Zone Table

NAME OF ZONE	MAP SYMBOL
Residential	R
Residential Mobile Home Park	RMH1
Country Residential	CR
Commercial	C
Service Commercial	SC
Commercial Industrial	CI
Light Industrial	M1
Heavy Industrial	M2
Community Use	CU
Open Space Park	OS
Hinterland	H
Airport	A

6.2 ZONE INTENT

- 1) The descriptions of zones contained in this Part are intended to assist in selecting the appropriate zone for different types of land, and to assist in identifying the intended character of each district. Whenever there is a conflict between any zone description and a substantive requirement in other Sections of this Bylaw, the more stringent requirement shall apply.
- 2) Intent of each zone:
 - a. Residential (R) is to establish areas of residential uses.
 - b. Residential Mobile Home Parks (RMH1) is to permit the development of neighbourhoods where mobile homes are installed on individually

owned lots, with the possibility of some uses which are compatible with the permitted uses.

- c. Country Residential (CR) is to permit development of single dwellings on larger lots with minimal municipal services with the possibility of some uses, at the discretion of Council, which are compatible with permitted uses.
- d. Community Use (CU) is to provide for public and privately-owned facilities open to the public and of an institutional or community service nature.
- e. Commercial (C) is to permit development of commercial uses, along with other uses considered compatible with those permitted uses and similar in character and purpose in keeping with the intent and purpose of the Community Plan.
- f. Service Commercial (SC) is to permit development of commercial uses which require larger amounts of parking or that require outdoor storage of trade goods, with the possibility of the development of some uses which are compatible with the permitted use.
- g. Commercial Industrial (CI) is to provide for a mix of commercial and industrial uses that require larger areas of parking or outdoor storage spaces than would be appropriate in land areas designated for Commercial uses.
- h. Light Industrial (M1) is to permit development of light industrial uses which generally carry out a portion of their activities outdoors, and do not generate any off-site nuisances.
- i. Heavy Industrial (M2) is to permit development of heavy industrial uses which require large areas to conduct their operations and carry out a portion of their activities outdoors. Properties may be principally used for hydrocarbon extraction.
- j. Airport (A) is to identify airport-controlled property and operations. It identifies industrial and commercial operations which, due to the nature of the operations, require proximity to the Norman Wells Airport.
- k. Open Space Park (OS) is to preserve, as close to a natural state as possible, those lands within the Town which, because of their unique physical or ecological characteristics should be preserved and protected from all but the most passive of development use.
- l. Hinterland (H) is to protect those natural areas outside the built-up area of the Town for the enjoyment and benefit of all of Norman Well's residents until such time the lands are needed for future expansion, at which time lands will be re-zoned.

6.3 USE TABLE

- 1) In Table 6-2, land uses and activities are classified into general ‘use categories’ based on common functional or physical characteristics, such as
 - a. The type and / or intensity of land use;
 - b. The type and / or number of residents or customers;
 - c. How goods and / or services are managed or delivered; or
 - d. Other site-specific conditions.
- 2) This classification system provides a method for assigning present and future land uses into appropriate Zones. This classification does not list every use or activity that may exist, and some uses may be listed in one category when they may reasonably be listed in another.
- 3) In Table 6-1:
 - a. The letter “P” in a cell indicates a use is Permitted use in the associated Zone;
 - b. The letter “C” in a cell indicates a use is Conditional use in the associated Zone;
 - c. A blank cell indicates a use is prohibited in the associated Zone.
- 4) Subject to all other provisions of this Bylaw, on any lot in the zones identified in the following table, the following uses shall be permitted:

Table 6-2 Use Table

Uses	Residential	Residential Mobile Home Park	Country Residential	Commercial	Services Commercial	Commercial Industrial	Light Industrial	Heavy Industrial	Community Use	Open Space Park	Hinterland	Airport *
	R	RMH1	CR	C	SC	CI	M1	M2	CU	OS	H	A
Residential Uses												
Single detached dwelling	P	C	P									
Duplex dwelling	P	C	C									
Multi-unit dwelling up to 4 units (apartments) ⁵	P		C									
Multi-unit dwelling more than 4 units (apartments) ⁵	C											
Multi-unit attached dwelling (row housing) ⁵	C											
Mobile home ⁵		P										
Tiny home ⁵		C	C									
Tiny home community ⁵		C										
Group home	C		C						P			
Mixed use building (commercial-residential) ⁵				C	C							
In-home secondary suite ⁵	P	C	P	C								
Detached secondary suite ⁵			P									
Permanent camp ⁵					P	P	P					
Accessory Uses												
Accessory buildings and uses ⁴	P	P	P	P	P	P	P	P	P	P	C	
Home occupation ⁵	P	P	P	C	C							
Home industry ⁵	C	C	C	C	C							
Bed and Breakfast establishment ⁵	P	P	P	C	C							
Short-term rental accommodation ⁵	C	C	C	C	C							
Family home day care ⁵	P	P	P	C	C							
Workshop accessory to retail store ⁵				C	C	P						
Community Services Uses												
Allotment garden ⁵	C	C	P	C	C				P	C		
Animal shelter ⁵						C	P					
Day care facility ⁵				P	C				P			
Health care service				P	P	P			P			
Library									P			
Place of Worship	C								P			

Uses	Residential	Residential Mobile Home Park	Country Residential	Commercial	Services Commercial	Commercial Industrial	Light Industrial	Heavy Industrial	Community Use	Open Space Park	Hinterland	Airport *
	R	RMH1	CR	C	SC	CI	M1	M2	CU	OS	H	A
Community Services Uses												
Police station									P			
School									P			
Cemetery									C			
Federal, Territorial and municipal building				P	P	P			P			
Public utility	P	P	P	P	P	P	P	P	P	P	P	
Public or quasi public building or use	P	P	P	P	P	P	P	P	P	P	P	
Quarry							C		C			
Sewage lagoon ⁴							C		C			
Solid waste site ⁴							C		C			
Veterinary service				P		C						
Commercial Uses												
Commercial school				P								
Cannabis Store ⁵				C								
Grocery store				P								
Liquor store				P								
Eating and drinking establishment				P	P	P						
Entertainment establishment				P	P	P						
Hardware and home improvement centre				C	P	P						
Hotel/motel operation				P	P	P						
Professional, financial, office and business support service				P	P	P						
Retail store				P	P	P						
Tire shop					C							
Automobile service station ⁵					C	C						
Vehicle sales, rentals, and service				C	C							
Warehouse					C	P	P					
Warehouse Store					C	P	P					
Recreational and Tourism Uses												
Tourism office									P	C		
Campground										C		

Uses	Residential	Residential Mobile Home Park	Country Residential	Commercial	Services Commercial	Commercial Industrial	Light Industrial	Heavy Industrial	Community Use	Open Space Park	Hinterland	Airport *
	R	RMH1	CR	C	SC	CI	M1	M2	CU	OS	H	A
Recreational and Tourism Uses												
Recreational Cottages/Cabins										C		
Recreational facilities (community hall, arena, curling rink, public pool, baseball field, golf course, etc.)									P	C		
Marina servicing pleasure craft									C	C		
Private club and lodge									C			
Museum									P			
Small park and playground which serve immediate area ⁴	P	P	P	P	P	P			P			
Public park									P	P	P	
Territorial park										P	P	
Walking trail and cross-country ski trail										P	P	
Industrial Uses												
Bulk fuel facility								P				
Caretaker/Security Unit ⁵					C	C	C	C				
Exterior storage							P					
Explosive storage ⁴								C				
Natural resource development/Hydrocarbon, storage facility and processing plant								P				
Open storage of heavy equipment and machinery							P					
Manufacturing							P	P				
Marine Transportation Facilities							P					
Pipelines and related facilities								P				
Oilfield supplies and equipment						C	P					
Quarry						C		C				
Sawmills							P					
Scrap yards ⁵							C					
Trucking companies							P					
Agricultural Uses												
Agricultural uses			C		C	P	P				C	
Garden centre			C	C	C	C	C					
Reserve Uses												
Open reserve area for environmental protection										P	P	

Uses	Residential	Residential Mobile Home Park	Country Residential	Commercial	Services Commercial	Commercial Industrial	Light Industrial	Heavy Industrial	Community Use	Open Space Park	Hinterland	Airport *
	R	RMH1	CR	C	SC	CI	M1	M2	CU	OS	H	A
Temporary Uses												
Temporary structure for sales, amusement, recreational or promotional purpose				P						C		
Vendor, commercial ⁵				P	P				P	C		
Vendor, food ⁵				P	P				P	C		
Non-Conforming Uses												
Non-conforming buildings to be enlarged, added to, rebuilt or structurally altered ³	C	C	C	C	C	C	C	C	C	C	C	
Undefined Uses												
Those uses which, in the opinion of Council, are similar to the permitted or conditional uses, and which conform to the general purpose and intent of the zone.	C	C	C	C	C	C	C	C	C	C	C	

3 in accordance with the requirements of Part 3

4 in accordance with the requirements of Part 4

5 in accordance with the requirements of Part 5

* in accordance with section 5.22 Airport regulations

6.4 SITE REGULATIONS

- 5) Subject to all other provisions of this Bylaw, on any lot in any zone identified in Table 6-3, the dimensional standards of this section shall apply.
- 6) No land shall be used or occupied, and no structure shall be erected, altered, used or occupied herein for any use in the Zone in which such land or structure is located other than in accordance with the Dimensional Standards as listed in Table 6-1, with the exception of established non-conforming buildings and uses status.

6.5 DIMENSIONAL STANDARDS

- 7) The following standards apply to all development under the jurisdiction of this Bylaw:
 - a. The owner has a continuing obligation to maintain the minimum yards and other open spaces required by this Bylaw;
 - b. The minimum yards and other open spaces required by this Bylaw for one use may not serve to satisfy the requirements of this Bylaw for minimum yards and other open spaces for another use; and
 - c. Accessory uses, buildings, or structures shall be developed in accordance with the requirements for Accessory Buildings in Section 4.6 and on Table 6-2.

6.6 TABLE ORGANIZATION

- 1) In Table 6-3, the cells in each row specify a dimensional standard for development for each zone, noted in the far left column, in relation to the requirement set out at the top of the column in which the cell is contained. Notes indicate special situations that affect the application of dimensional standards to specific zones.

Table 6-3 Dimensional Standard Table

ZONE	USE TYPE	MINIMUM							MAXIMUM	
		PARCEL AREA (m ²)	PARCEL WIDTH (m)	FLOOR AREA (m ²)	FRONT YARD (m)	SIDE YARD		REAR YARD (m)	HEIGHT	SITE COVERAGE
						INTERIOR (m)	CORNER (m)			
R	<i>Principal Building</i>	Single-detached or Modular Dwelling: 350m ² Duplex (one over the other) 465m ² Duplex (side by side) 670m ² Other Uses: 800m ²	11m	Single-detached or Modular Dwelling: 85m ² for 1 storey Duplex (one over the other) 56m ² Duplex (side by side) 85m ²	Multiple-Unit Dwelling or Multi Attached Dwelling: 8m Other Uses: 4.5m	Multiple-Unit Dwelling or Multi Attached Dwelling: 3m Other Uses: 1.5m	4.5m	Multiple-Unit Dwelling or Multi Attached Dwelling: 3m Other Uses: 1.5m	Multiple-Unit Dwellings: 3 storeys or 12m Other Uses: 10m	Multiple-Unit Dwelling or Multi Attached Dwelling: 30% Other Uses: 50%
	<i>Accessory Structures</i>	As per principal building requirements.								12%
RMHI	<i>Principal Building</i>	325m ²	11m	50 m ² excluding attached desks	3m	1.5m	4.5m	2.3m	5m	40%
	<i>Accessory Structures</i>	As per principal building requirements.								10%
CR	<i>Principal Building</i>	4046m ²	11m	75 m ²	6m	5m	5m	5m	10m	5%
	<i>Accessory Structures</i>	-	-	-	6m	5m	5m	1.3m	10m	2%
CU	<i>Principal Building</i>	To be established by the Development Authority	30m	-	6m	4.5m	5m	7.5m	10m	60%
	<i>Accessory Structures</i>	As per principal building requirements.								
C	<i>Principal Structures</i>	Hotels: 1,115m ² Other Uses: 278m ²	Hotels: 30m Other Uses: 7.5m	-	Shall be at the discretion of the Development Authority, with consideration given to development or	3 m if next to a residential zone, or 2.5	4.5m	Parking or loading areas shall be provided where there is not conflict with a utilidor. If there is a conflict, the setback shall be determined by the Development	13m, If a sprinkler system is provided, then the building height may be increased at the	100%

ZONE	USE TYPE	MINIMUM							MAXIMUM	
		PARCEL AREA (m ²)	PARCEL WIDTH (m)	FLOOR AREA (m ²)	FRONT YARD (m)	SIDE YARD		REAR YARD (m)	HEIGHT	SITE COVERAGE
						INTERIOR (m)	CORNER (m)			
					potential development on adjacent lots.	m for all other lots		Authority in consultation with the Northwest Territories Power Corporation and the Fire Chief.	discretion of the Development Officer.	
	<i>Accessory Structures</i>	As per principal building requirements.								
SC	<i>Principal Building</i>	278m ²	7.5m	-	6m	6m	6m	5m	12m	35%
	<i>Accessory Structures</i>	As per principal building requirements.								
M1	<i>Principal Building</i>	278m ²	30m	-	6m	4.5m	4.5m	7.5 m if next to a residential zone, or 5 m for all other lots	10m	70%
	<i>Accessory Structures</i>	As per principal building requirements.								
CI	<i>Principal Building</i>	278m ²	30m	-	6m	4.5m	4.5m	7.5 m if next to a residential zone, or 5 m for all other lots	10m	70%
	<i>Accessory Structures</i>	As per principal building requirements.								
M2	<i>Principal Building</i>	<i>Principal Building</i>	278m ²	-	30m	6m	4.5m	4.5m	7.5 m if next to a residential zone, or 5 m for all other lots	10m
	<i>Accessory Structures</i>	As per principal building requirements.								
A	<i>Principal Building</i>	-	-	-	-	-	-	-	-	-
	<i>Accessory Structures</i>	-	-	-	-	-	-	-	-	-
OS	<i>Principal Building</i>	278m ²	-	-	-	-	-	-	-	-
	<i>Accessory Structures</i>	-	-	-	-	-	-	-	-	-
H	<i>Principal Building</i>	-	-	-	-	-	-	-	-	-
	<i>Accessory Structures</i>	-	-	-	-	-	-	-	-	-

7 PART SEVEN – ENFORCEMENT

7.1 OFFENCE

- 1) Every person commits an offence who:
 - Violates any provision of this Bylaw;
 - Causes or permits any act or thing to be done in contravention of any of the provisions of this Bylaw;
 - Neglects or omits to do anything required under this Bylaw;
 - Carries out, causes or permits to be carried out, any use or development in a manner prohibited by or contrary to any of the provisions of this Bylaw;
 - Fails to comply with an order, direction or notice given under this Bylaw; or
 - Prevents or obstructs or attempts to prevent or obstruct the authorized entry of an individual identified in Section 6.3.
- 2) The Development Officer shall issue a written notice to the owner and/or occupant of the property affected, and to any contractor engaged in the work if applicable stating:
 - a. the nature of the offense along with the relevant regulations;
 - b. a Stop Work Order suspending or revoking the Development Permit if applicable in accordance with Section 20 of the Act and Section 7.2 of this by-law;
 - c. the conditions that must be met for the property to be in compliance with the relevant regulations in a specific timeframe.
- 3) The Development Officer shall provide to Council:
 - a. a list of the contraventions for consultation when required; and
 - b. a copy of the notice when the permit holder has refused, failed or neglected to rectify within a reasonable time any discrepancy that has been brought to their attention by the Development Officer.
- 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 52 of the Act.
- 5) 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.

7.2 STOP WORK ORDER

- 1) The Development Officer, the By-law enforcement officer or a consultant hired by the Town may issue a Stop Order in writing to the owner, the person in possession of the land or buildings or the person responsible for the contravention of all or any of them to:
 - a. stop the development or use of the land or buildings in whole or part as directed by the notice; or
 - b. demolish, remove or replace the development; or
 - c. take other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, and the regulations there under, a Development Permit, or the By-law, as the case may be; within the time specified by the order.
- 2) A Stop Order written pursuant to this By-law shall be served on the owner by:
 - a. delivering the order personally to the owner of the premises to which it relates by the By-law Enforcement Officer or a consultant hired by the Town;
 - b. leaving the order for the owner at the premises with a person who appears to be at least 18 years of age;
 - c. posting the order in a conspicuous place on the premises to which the Stop Order relates, or on the private dwelling place of the owner of the premises, as registered at the Land Titles Office or on the municipal tax roll for the premises. The Stop Order shall be deemed to be served upon the expiry of three (3) days after the remedial order is posted;
 - d. sending the order registered mail to the last known address of the owner, and the Stop Order shall be deemed to be served upon confirmation of receipt of the registered mail; or
 - e. sending the order regular mail to the last known address of the owner, and the Stop Order shall be deemed to be served fourteen (14) days if mailed within the Northwest Territories, and thirty (30) days elsewhere in Canada.
- 3) If a person fails or refuses to comply with a Stop Order, the Town may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order in accordance with Section 6.3.
- 4) The Town may register a caveat with respect to the Stop Order in the Land Titles Office.

7.3 RIGHT TO ENTER/TAKE ACTION

- 1) A person appointed by Council may, in accordance with Section 32 of the Act and with an escort or a member of the RCMP for prevention only, may enter upon the land or building and take any necessary action to carry out a non-respected order.
- 2) Where Council, or a person appointed by Council, carries out a non-respected order, Council shall recover any costs incurred in carrying out the order at the expense of 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, they shall be guilty of an offence as defined under Section 54 of the Act and be liable to a fine or to imprisonment as per Section 6.4.

7.4 PENALTIES

- 1) A person who is guilty of an offense and will be liable, upon summary conviction:
 - a. to a fine not exceeding \$500.00 and, in addition, to a fine not exceeding \$100.00 for every day the offense continues;
 - b. in default of payment of a fine under subsection (a), to imprisonment for a term not exceeding thirty (30) days.
- 2) 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 this By-law.

8 PART EIGHT – DEFINITIONS

8.1 PREAMBLE

- 1) Typical uses listed as examples in the definitions are not intended to be exclusive or restrictive. Intent, impact, and definition of the use, among others, will be considered when determining whether a use is permitted.
- 2) When a specific use does not conform to the wording of any use definition, or generally conforms to the wording of two or more definitions, the development officer may use discretion to deem that the use conforms to, and is included in, that use which is considered to be most appropriate in character and purpose.
- 3) If a use is not listed as permitted or conditional, it shall be interpreted as not permitted.

8.2 DEFINITIONS

Term	Meaning in this By-law
A-Board Sign	a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.
Accessory Building / Structure	a building / structure separate from and subordinate to the principal building and located on the same parcel of land. 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 / structure. Accessory structure may include sea can.
Accessory Use	a use that is subordinate and incidental to the principal use of land or a building and is located on the same parcel. An accessory use may or may not be within the same building as the principal use. An accessory use is permitted at the same time or after the permitted principal use is established on a parcel.
Act	the <i>Community Planning and Development Act</i> , being Bill 7 of the Revised Statutes of the Northwest Territories, as amended from time to time.

the use of land, buildings or structures for:

Agricultural
Use

- a) the production of farm products for sale such as market gardens, commercial greenhouses, beekeeping, poultry products, cattle, horse, sheep, and other animals, grain grasses, vegetables, or other crops including cannabis.
- b) the use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.
- c) accessory uses including packing or storing produce provided that the operation is accessory to that of the normal agricultural activities
- d) dwelling units occupied by a person engaged on a full-time basis in an agricultural pursuit.

Airport

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

Allotment
Garden

a use of land where garden plots are available for individual, non-commercial gardening or growing food plants on a communal property.

Alter

in reference to:

a building or part thereof shall mean to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof;

a lot shall mean to change the area frontage or depth thereof, to change the width, depth or area of any required yard, landscaped open space or parking area, or to change the location of any boundary of such lot in respect to a street or private lane, whether such alteration is made by conveyance, or otherwise; and

Altered and alteration shall have corresponding meanings.

Amenity

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 Shelter	a lot and/or building or part thereof used for the care of lost, abandoned or neglected animals.
Apartment Building	a single building containing three or more dwelling units, each of which has its principal access from an entrance common to the building. It does not include row housing, hotels, or motels.
Appellant	a person who, pursuant to the Act, has served notice of appeal to the Development Appeal Board.
Applicant	any person having a legal or equitable interest in property or a person acting as the authorized representative of such persons and who has applied under the provisions of this By-law for a development permit
Automobile Service Station	an establishment intended for the sale of gasoline and other products necessary for the operation of motor vehicles, and including automobile repairs.
Bed and Breakfast	a home occupation in a single dwelling providing temporary accommodation for a limited number of guests where the owners reside on the premises.
Barrier-free Parking Space	stalls designated for use only by persons with disabilities or other mobility limitations who possess a valid government-issued parking permit for persons with disabilities, or a valid license plate for persons with disabilities.
Banner Sign	a temporary sign constructed from a non-rigid fabric in a banner style which is attached to a wall of a building.
Board	the Development Appeal Board established under this By-law pursuant to section 30 of the Act.
Buffer	anything which visually and/or acoustically shelters, conceals or protects, and which is considered acceptable to the Development Authority. A buffer may include a fence, hedge, berm or bush.

Building	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.
Building footprint	as defined in the National Building Code, to total area of a building.
Camp	Mobile home used to house a workforce. Temporary camps are installed for a specific project and for a specific period of time, and relocated to new project sites upon completion of each project.
Cannabis Retail Store	a retail premises that is licensed by the Northwest Territories Liquor and Cannabis Commission (NTLCC) for the sale of cannabis for recreational purposes.
Commercial School	a use primarily engaged in providing instruction and training for profit. Typical uses include, but are not limited to, schools, community colleges, universities, business schools, private schools, athletic instruction, and technical and trade schools.
Caretaker/ Security Unit	a single dwelling unit 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	a facility which provides resident care to individuals with disabilities or in need of adult supervision, and who are provided service and supervision in accordance with their individual needs.
Committee	the Town Planning and Land Use Committee established under this By-law pursuant to Town By-law 14-02.
Community Information Sign	a sign sponsored directly or indirectly by the Town which provides information about the Town's special community events.
Community Plan	the Community Plan of the Town of Norman Wells.

Conditional Use	a use which is considered on its individual merits and circumstances and may be permitted in a specific zone to which the use applies provided the Development Officer has given due consideration to adjoining land uses.
Council	the Council of the municipal corporation of the Town of Norman Wells.
Day Care Facility	an establishment licensed under the <i>Child Day Care Act</i> and intended to provide care, educational services, and supervision for children during a period of less than 24 consecutive hours. The facility is not part of a public school, separate school, private school or children's health Centre.
Deck	means an unroofed elevated platform projecting from the wall of a building that may be semi-enclosed by a railing or a parapet, but where the structure remains open to the outside elements.
Development	as defined in the Act means: <ol style="list-style-type: none"> 1) The carrying out of <ol style="list-style-type: none"> a) Any construction, including the placement or movement of a building, b) Any excavation, or the deposit or movement of soil or other materials, or c) Other related operations, 2) The product of development, as the term is defined in paragraph (1) such as a building or a developed site, or 3) The making of any change in use or intensity of use of any land or building. 4) The placement of fuel or propane storage tanks, erection of signs, construction of fences or decks are all considered to be development.
Development Officer	an official appointed by the Town responsible for administering this By-law.
Development Permit	a document authorizing a development issued pursuant to the Zoning By-law.

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

Dwelling Unit: 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 outdoors or through a common hall without passing through any other dwelling unit.

Dwelling, Single Detached: a residential building not sharing a common wall containing one dwelling unit, not including a tiny home or manufactured dwelling.

Dwelling, Duplex: a residential building divided horizontally or vertically into two separate dwelling units of approximately equal floor areas, each of which has an independent entrance.

Dwelling, Multiple Unit: a residential building containing three or more dwelling units.

Dwelling, Multi-Attached: a residential building containing three (3) or more dwelling units, separated from each other by walls extending from foundation to roof and not attached to any other residential buildings, where each residential unit has a separate and direct access to the outside grade.

Dwelling, Tiny Home: a residential building not sharing a common wall, and having a gross floor area of 85 square meters (915 square feet) or less.

Dynamic Sign a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or other method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message

or image is changed by physically removing and replacing the sign or its components.

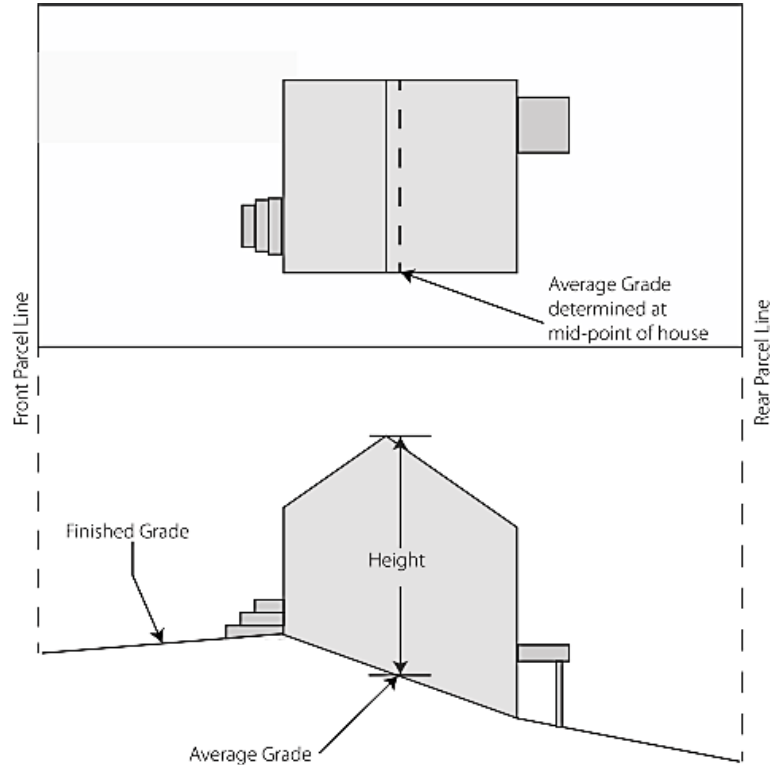
Easement	a right-of-way giving individuals other than the owner permission to a property for a specific purpose.
Eating and Drinking Establishment	the use of land and premises for preparing and offering of food and beverages for sale to the public. Food and beverages for sale may be consumed within the premises or taken off-site.
Entertainment Establishment	a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a night club, live theatre or cinema, but does not include an Eating and Drinking Establishment, gaming establishment-bingo, gaming establishment-casino facility.
Environmental Assessment	a site assessment conducted by a qualified professional following <i>Canadian Environmental Assessments Act</i> (CEA), to determine potential contamination and mitigation.
Family Home Day Care	an establishment licensed under the NWT Child Day Care Act that is intended to provide care, educational services, and supervision for children during a period of less than 24 consecutive hours. Unlike day care facility, Family Home Day Cares are located in dwelling units and are accessory to a residential use as a Home Occupation.
Fascia Sign	a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached and may include a dynamic sign.
Fence	a vertical physical barrier including gates constructed to provide visual screening, sound attenuation, or to prevent or restrict passage.
Floor Area	1) for a dwelling the total floor area of all storeys contained within the outside walls of the dwelling or dwelling unit exclusive of garage, carport, sunroom, veranda, decks, unfinished attic, unfinished basement, or unfinished cellar;

- 2) for a building other than a dwelling, the total floor area of all storeys contained within the outside walls of the building.
- 3) in all cases, only that floor area having a clear height to the ceiling of at least 2.1 metres shall be calculated for floor area purposes, as per the National Building Code of Canada as amended from time to time.

Floor Area Ratio	the total floor area of all main buildings on a lot, divided by the area of the lot.
Garage	an enclosed accessory building or structure, or a part of the principal building, designed and used primarily for the storage of motor vehicles of the occupants of the premises.
Golf Course	a public or private area operated for the purpose of playing golf that may include a clubhouse and a driving range.
Grade	the average elevations of all the natural or finished levels of the ground adjoining all the walls of a building.
Greenhouse	a structural frame covered in a translucent or transparent material and which is intended for growing plant, fruit or vegetables which are destined for personal consumption or sale.
Group Home	A residential facility which provides resident care to individuals who are in need of adult supervision or assistance, and who are provided supervision and services in accordance with their individual needs. May also be identified as Senior Citizen Home or Long Term Care Home.
Habitable Room	any structure for living, sleeping, eating or cooking. Crawlspace, garages and similar areas are not considered habitable space.
Highway	a public thoroughfare intended for vehicular use by the general public. (see also Street).

Height,
Building

means the maximum vertical distance between average grade and the highest point of the building or structure, as shown on figure 1. Solar panels, chimney stacks, elevator housings, flagpoles, guardrails, roof stairway entrances, skylights, steeples, or ventilating equipment shall not be considered for the purpose of determining height.



Height, Fence

means the maximum vertical distance between the natural ground level and the top of the fence at any given point, as shown in figure 2.

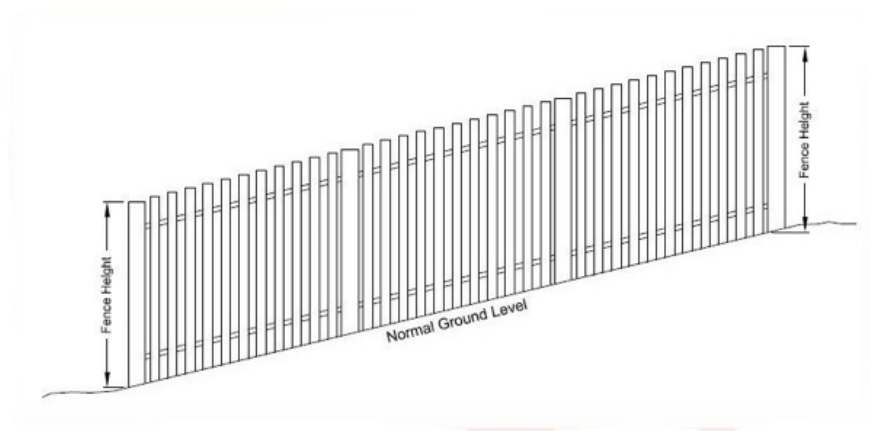


Figure 8-2 Height, Fence

Health Care Services development used for the provision of physical and mental health services on an outpatient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, and chiropractic offices.

Home Occupation an occupation, trade, or business activity that results in a product or service which is conducted in part in the dwelling unit and is clearly subordinate to the residential use of the dwelling unit. Common uses include, but are not limited to:

- Dressmaking and millinery, home cooking, preserving and similar domestic home activities;
- Small-scale manufacture of novelties, souvenirs and handicrafts for sales;
- Private music instruction;
- 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 a maximum of three non-resident employees at any given time. The restaurant use is not permitted as a home occupation.

Home Industry a trade of a small-scale industrial nature, which is clearly accessory to the use of a dwelling unit, such as but not limited to fabricating, light manufacturing, servicing and repairing, distribution, assembly, wholesaling, and testing.

Hotel/Motel	a building, or part of a building, or two or more disconnected or detached buildings, designed to be used for the purpose of catering to the needs of the transient public by furnishing sleeping accommodation with or without kitchens, with or without supplying food, and may include meeting rooms, banquet halls, public dining rooms, and any premises licensed for serving alcohol, but shall not include boarding houses, taverns and apartment dwellings, but shall include motel and motor inns.
Industrial, Light	a use or development of land for the purpose of processing, warehousing, repairing, distribution or storage of goods and materials where minimal nuisances are generated.
Industrial, Heavy	a use or development of land for the purposes of manufacturing, processing, hydrocarbon extraction, 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.
Land	any ground, soil or earth whatsoever regarded as the subject of ownership and everything annexed to it whether by nature (such as trees, water) or by humans (such as buildings, fences).
Landscaping	the modification and enhancement of a site through the use of any or all of the following elements: 1) vegetation such as trees, shrubs, hedges, grass and ground cover; and 2) non-vegetative materials such as brick, stone, concrete and asphalt.
Lane	a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
Loading Space	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	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	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	the property line of a lot other than a front lot line or rear lot line.
Lot, Site or Parcel	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	the combined area of all buildings or structures on the lot as a percentage of the site area, measured at the level of the lowest storey above grade; including all decks and verandas, open or covered, but excluding open and enclosed terraces at grade, steps, cornices, eaves and similar projections.
Lot Width	the average distance between the side lot lines of a lot.
Mixed Use Building	building intended to be used for commercial purpose while allowing the business owner or operator to use part of the building as a dwelling unit. The principal use of the building shall be a commercial use and the residential component shall be an accessory use.
Mobile Home	a factory-built single or multiple section single detached dwelling unit that is designed to be transportable on its own chassis and that conforms to the CSA Z240 Manufactured Home Series of Standards; also known as mobile home.
Mobile Home Park	means the use of land and facilities for placement of two or more mobile homes.

Modular Home	a factory-built single- or multiple-section single detached dwelling unit that is constructed to the National Building Code of Canada CAN/CSAA277 standard and is designed to be transported to the site and fitted together structurally, mechanically, and electrically to form a single structure placed on a permanent foundation.
Non-Conforming Building	a building (a) that is lawfully constructed or lawfully under construction at the date this By-law or any amendment thereof affecting the building or land on which the building is situated becomes effective, and (b) that on the date this By-law or any other amendment thereof becomes effective does not, or when constructed will not, comply with this By-law.
Non-Conforming Use	a lawful specific use (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date this By-law or any amendment thereof affecting the land or building becomes effective, and (b) that on the date this By-law or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with this By-law
Nuisance	anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.
Office	the use of premises for professional, management, administrative, consulting, and/or financial services in an office setting.
Owner	1) in the case of land owned by the Commissioner of the Northwest Territories or the Crown in the right of Canada, the Commissioner or Minister of the Crown having the administration of the land; or 2) in the case of any other land, any person, firm or corporation having any right, title, estate or interest in the property in question, and any agents, contractors, attorneys, trustees, successors, assignees, or executors thereof, as the case may be, but does not include a mere occupant or mortgagee.
Park	an area of land consisting largely of open space which may include a recreational area, playground, play field or similar use.

Parking, Off-street	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 a development.
Permitted Uses	those uses which are allowed in a particular zone, provided that the use conforms to the regulations of the particular zone to which the use applies.
Personal Services	the provision of personal services to an individual that are related to the care and appearance of the body, or to the cleaning and repair of personal effects. Typical uses include barbershops, beauty salons, dressmakers, laundry, dry cleaning establishments and laundromats, hairdressers, shoe repair shops, and tailors.
Place of Worship	a development owned and used by a religious organization for worship and related religious, philanthropic, or social activities including rectories, manses, classrooms, and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.
Principal Building	a building that contains floor space, the majority of which is used for the permitted principal use on a parcel.
Public Authority	the Town of Norman Wells, any company supplying utilities to the Town and any Department of the Government of the Northwest Territories and Canada, or other similarly recognized Boards.
Public Park	a park owned and maintained by the Town or other public authority.
Public Use	a development which is publicly owned, supported and subsidized, involving public assembly or use. Public uses typically include public schools, private school, libraries, arenas, museums, art galleries, hospitals, cemeteries, community centre, government buildings tennis courts, swimming pools and other indoor and outdoor recreational facilities.
Public Utility	a system, work, plant, equipment, utilidor or service, whether owned or operated by or for the Town or by a corporation, under agreement with or under a franchise from the Town or under a Federal or Territorial statute, which furnishes services and facilities available at

approved rates, to or for the use of all the inhabitants of the Town including by not limited to:

- 1) communication by way of telephone, cable television or internet;
- 2) Public transportation
- 3) Production, transmission, delivery or furnishing of water, gas or electricity to the public at large
- 4) Collection and disposal of sewage, garbage, and other waste

Recreational Cottage or Cabin a permanent recreational residential “getaway” where occupation is on a non-permanent basis and where year-round habitation is prohibited.

Recreational Facility any building or structure or specific area planned for, used for or related to recreational activities and shall include campgrounds, picnic areas, outdoor shelters, playground areas and equipment, hiking trails and the like.

Retail Store a premise where goods, merchandise, or other materials are offered for sale at retail to the public, but excludes Cannabis Retail Stores.

Right-of-Way a surveyed strip of land which is used as a road bed, either for a street, or any purpose deemed necessary by the Town (such as utilities, access, etc). The land is set aside either as an easement or in fee simple. In many cases the right-of-way differs from an easement in the sense that no development occurs within a right of way, it is a parcel of land to be used for municipal purposes. The utilidor right-of-way is 6 meter in width.

Rooming House any house or building or portion thereof which the proprietor supplies lodging, for compensation, to other persons without meals in rooms furnished by the proprietor with necessary furnishings, and does not include a hotel, as defined in the Hotel Registration of Guests Act.

Row Housing see Dwelling, Multi-attached.

School a public site or building wherein teaching, instruction or research may be conducted, and which may include related recreational facilities.

Scrap Yard/ Junk Yard	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.
Sea Can	a steel transportable storage container used for temporary dry storage and shipping of goods also known as an intermodal shipping container.
Sewage Disposal Site	a site which is licensed or approved by regulators for use as a disposal site for sewage.
Short Term Rental Accommodation	the use of a dwelling unit, or one or more bedrooms in a dwelling unit, as temporary accommodation, but does not include Bed and Breakfast Accommodation or Hotel.
Sign	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, boards, and banners.
Similar Use	a specific use of land or of a building that is not expressly mentioned in this By-law but which the Development Officer has determined to be similar in character and purpose to a use listed as a Permitted or Conditional Use in the district in which the use is proposed.
Site Area	the land contained within the boundaries of a site.
Storey	that portion of a building, other than a cellar or crawl space, between the surface of any floor and the surface of the floor next above it, or,

if there is no floor above it, that portion between the surface of such floor and the ceiling above it.

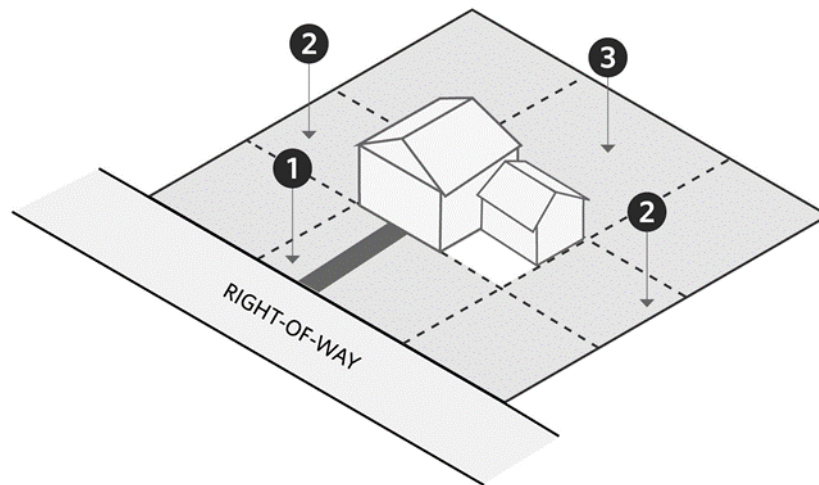
Street or Road	a public thoroughfare under the jurisdiction of either the Town or the Territory (see also Highway). This definition does not include an access lane or private right-of-way.
Structure	means anything that is erected, built, or constructed, either permanent or temporary of parts joined together or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls, wharves, seawalls, attached decks, signs, and fences.
Structural Alteration	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.
Subdivision	a land area subdivided by registered plan, containing lots for freehold or leasehold tenure. Also includes consolidation of one or more lots, or any rearrangement of the boundaries of a lot or any other parcel of land. Refer to definition in the Act.
Tiny Home Community	A site where more than one tiny home is located.
Temporary Use	such time limit as may be set for a specific use. In a case where no time limit is set, "temporary" shall be no more than sixty (60) consecutive days.
Trailer	a vehicle that is designed to be drawn on a highway by a motor vehicle, whether or not part of its weight or load rests on or is carried by that motor vehicle.
Tourist Trailer, Park or Campsite	a site which provides for the temporary location of tents and trailers used by travellers and tourists for overnight accommodation and which is not used for permanent residence.

Use	means the utilization of a parcel of land for a particular development activity.
Utilidor	short for utility corridor, a passage built underground or above ground to carry utility lines such as electricity, steam, water supply pipes, and sewer pipes.
Variance	an authorization for a proposed development that does not fully conform with the bylaw, if the development authority is satisfied that the proposed development would not (a) unduly interfere with the amenities of the neighbourhood; or (b) detract from the use, enjoyment or value of neighbouring parcels of land.
Vehicle, Heavy Equipment or Construction	a grader, loader, shovel, tractor, mobile crane, backhoe, fork lift, service or drilling rig components, structures and other similar equipment not normally used for travel on a highway.
Vendor, Commercial	the carrying on of a business providing professional, personal, or other services not including the sale of food, beverages, and refreshments for immediate consumption. This definition includes the sale of arts and craft products by non- profit organizations. Commercial vendors may be dismantled and removed from the site from time to time and must follow the regulations of Section 6.13 of this By-law.
Vendor, Food	a booth, stand, or vehicle that sells food, beverages, and/or refreshments for immediate consumption. Food vendors must be temporary in nature and must be able to be dismantled and removed from the site from time to time and must follow the regulations of section 6.13 of this By-law.
Warehouse	the use of a building or portion thereof for the storage and distribution of materials, goods or products, but does not include a warehouse store
Warehouse Store	the use of a building for the retail sale of a limited range of bulky goods the size and nature of which typically require large floor areas for direct display to the purchaser, and include, but are not

limited to, such bulky goods as furniture, carpets and floor coverings, major appliances, paints and wall coverings, light fixtures, plumbing fixtures and building materials and equipment, but does not include the sale of food, clothing, or other personal goods, wares, substances, articles or things.

Waste Disposal Site a place where ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse is disposed of or dumped. This definition shall not include a sewage treatment plant, lagoon or sludge disposal area.

Yard means the portion of a site that is unoccupied from any portion of a building or structure and unobstructed from the ground to the sky unless otherwise permitted in this Bylaw. Yards (also referred to as setbacks) are measured using the horizontal distance between any site line and the closest wall of a building or structure along a line perpendicular to the site line.



(1) Front Yard; (2) Side Yard; (3) Rear Yard

Figure 8-3 Yard

Front Yard: 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.

Side Yard: 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 of line of the parcel and the side wall of the main building.

Rear Yard: 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 permitted by this By-law.

Zone a zone established under this By-law indicating the category of use or activity of land, buildings, structure or activities.

All other words and expressions have the meaning respectively assigned to them in the Act or carry their customary meaning.

SCHEDULE "A" ZONING MAP

