

Town of  
Inuvik

Zoning By-Law #2583/P+D/15

Dillon Consulting Limited

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# 1 PART ONE – INTRODUCTION

## 1.1 Short Title

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

## 1.2 Components of the Bylaw

- 1) Schedule A, the By-law text;
- 2) Schedule B, Development Permit Application Forms; and
- 3) Schedule C, the Zoning By-law maps.

## 1.3 Forms

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

- 1) Form A            Application for Development Permit
- 2) Form B            Development Permit
- 3) Form C            Notice of Decision of the Development Officer
- 4) Form D            Development Permit Acceptance
- 5) Form E            Notice of Refusal
- 6) Form F            Notice of Appeal Hearing
- 7) Form G            Notice of Appeal Decision
- 8) Form H            Notice of Zoning By-law Contravention
- 9) Form I            Application for Amendment to the Zoning By-law

#### 1.4 Purpose of the Bylaw

The purpose of this by-law is to facilitate the orderly, economic and sustainable development of the Town of Inuvik in accordance with the Community Plan by regulating the development and use of land.

#### 1.5 Previous Legislation

The following by-law is hereby repealed:

- 1) The Town of Inuvik Zoning By-law #2225/P+D/04 as amended.
- 2) No provision of any other by-law with respect to zoning, development control or development schemes shall hereafter apply to any parts of the Town described in this by-law, subject to the transitional provisions of this by-law.
- 3) Any existing use of land, building or structure which is listed as a conditional use within the zone shall, as a result of the passage of this by-law, be a legal, non-conforming use at that location. The use of land, building or structure at the location shall not be changed except in conformity with this by-law.

#### 1.6 Compliance With Other Legislation

- 1) A person applying for, or in possession of a valid Development Permit, is not relieved from the full responsibility for ascertaining, complying with or carrying out development in accordance with:
  - a. the Government of the Northwest Territories Community Planning and Development Act;
  - b. the requirements of any other relevant federal, territorial or municipal legislation;
  - c. the Inuvik Airport Zoning Regulations (Aeronautics Act);
  - d. the conditions of any caveat, covenant, easement or other instrument affecting a building or land;
  - e. the most recent revision of the National Building Code of Canada; and
  - f. the most recent revision of the National Fire Code of Canada
- 2) The ongoing maintenance and upkeep of developments as regulated by:
  - a. the 'Unsightly Premises Bylaw' adopted by the Town
  - b. the most recent revision of the National Fire Code of Canada

## 1.7 Severability

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.

## 1.8 Violations

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine under any applicable territorial legislation. Each day of violation shall constitute an offence.

## 1.9 Similar Uses

Council shall determine whether or not a specific use of land or a building that is not provided for in the bylaw with respect to any zone is similar in character and purpose to another use of land or a building that is included in the last of uses presented for that zone.

## 1.10 Establishment of Zones

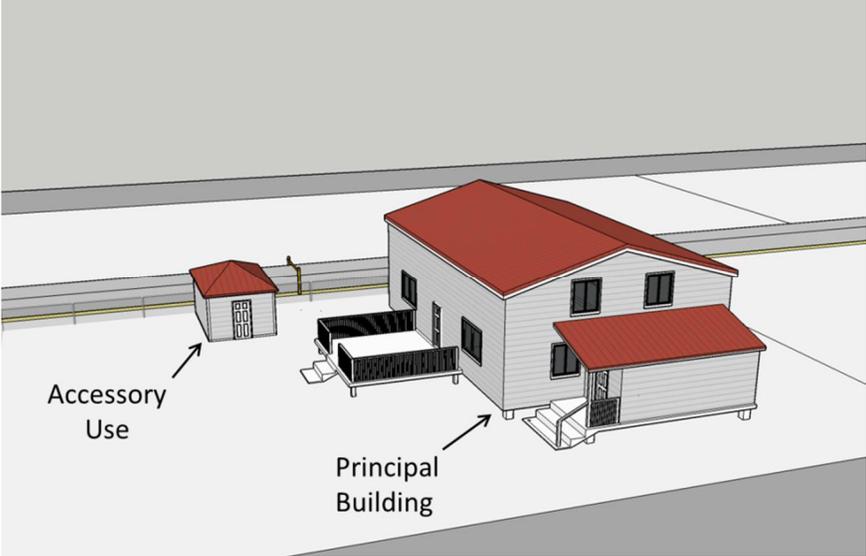
The Zoning Maps are found in Schedule C of this by-law. They divide the Town of Inuvik into zones and specify the zoning provisions applying to particular lands. For the purpose of this by-law, the following zones are hereby established:

R1	Residential Low Density	M1	Light Industrial
R2	Residential Medium Density	M2	Industrial
RMH	Residential Manufactured Home	ST	Science and Technology
CR	Country Residential	P	Parks and Open Space
RC	Recreational Cottage	UR	Urban Reserve
C1	Core Commercial	H	Hinterland
C2	General Commercial	SD1	Special Development
CU	Community Use	SD2	Special Development
		A	Airport

The zone boundaries are delineated on the Zoning Maps. Where uncertainty arises as to the precise location of the boundary of any zone, the following rules shall apply:

- a. a zone boundary shown approximately at a lot, street or lane is at the boundary of the lot, street or lane;
- b. a zone boundary shown approximately at the centreline of a street or line is at the centreline of the street or lane;
- c. a zone boundary shown within a lot, unless specifically noted, is fixed by the scale of the zoning map;
- d. a zone boundary shown following approximately a shoreline or the centreline of a creek, stream or channel follows the shoreline or centreline and moves with any change in such shoreline;
- e. where a zone boundary falls along a lot line, the zoning map shall indicate the lot numbers between which the boundary falls, but the zoning map need not show the lot boundary; and
- f. if un-subdivided land, the zone boundary shall be determined by the use of the scale of the zoning map.

## 2 PART TWO – DEFINITIONS

Term	Meaning in this Bylaw
<p>Accessory</p>	<p>A use, separate building or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but does not include a building or structure used for human habitation.</p> 
<p>Act</p>	<p>The Consolidation of the Community Planning and Development Act S.N.W.T. 2011, c. 22 as amended.</p>
<p>Agricultural Use</p>	<p>The use of the land for agricultural purposes including farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.</p>
<p>Airport</p>	<p>The use of land, including water, runway, or other facility designed , used or intended to be used either publicly or by any person or persons for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures, and open spaces.</p>

Term	Meaning in this Bylaw
Animal Hospital	A building or part thereof used by veterinarians primarily for the purposes of the consultation, diagnosis and office treatment of household pets, but shall not include long-term board facilities for animals.
Apartment Building	A single building comprised of three or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rent or occupation for periods of less than thirty (30) days.
Appellant	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 person who has applied under the provisions of this Bylaw for a permit for the development of land.
Bed and Breakfast Establishments	A home occupation in a single dwelling providing temporary accommodation for a limited number of guests where the owners reside on the premises.
Board	The Development Appeal Board established under this by-law.
Buffer	Anything which visually and/or acoustically shelters, conceals or protects, and which is considered acceptable to the Development Officer or Council. A buffer may include a fence, hedge, berm or bush.
Building	Any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment.
Bunkhouse/ Camp	A building designed or used for the accommodation of up to 25 workers and consisting of at least one bathroom and not fewer than 2 habitable rooms providing therein living, dining, kitchen and sleeping accommodation in appropriate individual or combination rooms.
Caretakers Unit	Premises used for the accommodation of a person employed as a caretaker, manager, security guard, or superintendent for an industrial or commercial use operating on the site.
Clubs and Lodges	Facilities open to members only for private gatherings, meetings, or other assembly uses related to the organization.
Community Garden	Land that is cultivated collectively by a group of community members to raise food for their own consumption or donation.

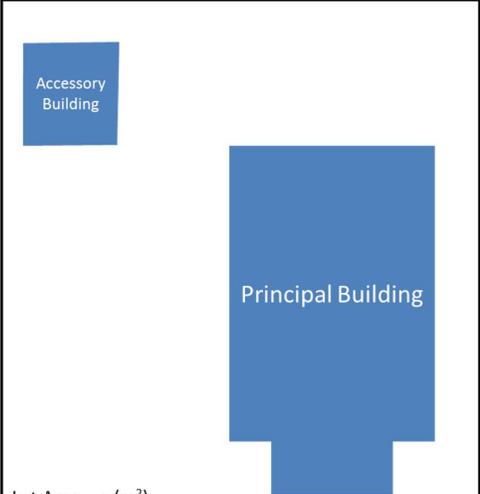
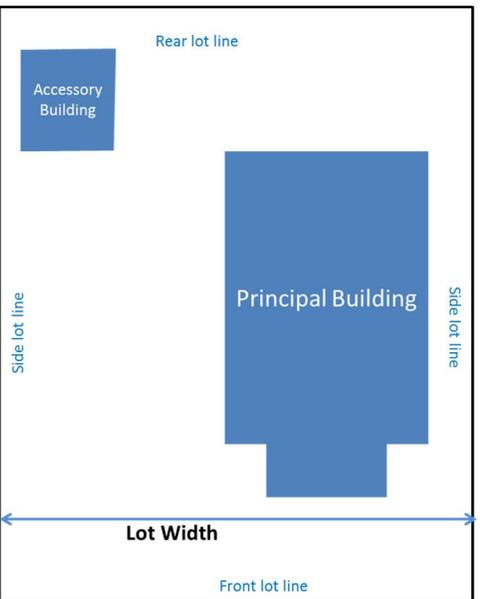
Term	Meaning in this Bylaw
Community Plan	The Community Plan of the Town of Inuvik as adopted by this by-law.
Conditional Uses	Uses which are considered on their individual merits and circumstances by the Council, and may be permitted on a specific site within a zone, provided that the use conforms to all regulations of the particular zone to which the use applies, and provided the Council has given due consideration to adjoining land uses.
Convenience Store	Any retail establishment with a gross leasable area of 186 square meters or less that is primarily engaged in retail dealings in goods required by the inhabitants of a residential district to meet their day-to-day needs.
Cottage	A small, one (1) or one and a half (1½) storey structure, with limited services meant for recreational habitation, and not intended for year-round living.
Council	The Council of the municipal corporation of the Town of Inuvik.
Day Care Facility	A facility and program for the provision, care, and supervision of children in accordance with the <i>NWT Day Care Act and Regulations</i> . The facility is not part of a public school, separate school, private school, or children's health centre.
Development	<p>As defined in the Act means:</p> <ol style="list-style-type: none"> <li>1) The carrying out of <ol style="list-style-type: none"> <li>a. Any construction, including the placement or movement of a building,</li> <li>b. Any excavation, or the deposit or movement of soil or other materials, or</li> <li>c. Other related operations.</li> </ol> </li> <li>2) The product of development, as the term is defined in paragraph (a) such as a building or a developed site, or</li> <li>3) The making of any change in the use or intensity of use of any land or building.</li> </ol> <p>For further clarity, the demolition or structural alteration to existing buildings or structures is considered to be development.</p>
Development Officer	An official of the municipality responsible for administering this by-law.

Term	Meaning in this Bylaw
Development Permit	A certificate or document permitting a development.
Director	An Officer of the Government of the Northwest Territories who is charged with the administration of the Community Planning and Development Act.
Dog Lot	An outdoor kennel, or enclosed area for the temporary or permanent keeping of three (3) or more dogs in the hinterland.
Dwelling Unit	A building, self-contained portion of a building, or suite of rooms for the use or one or more individuals living as a single housekeeping unit. A dwelling unit contains sleeping, cooking, and separate or shared toilet facilities and is intended as a permanent or semi-permanent residence.
Dwelling, Single Detached	A residential building containing one dwelling unit, not including a manufactured home.
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, and including townhouses or apartments
Easement	A right of way giving individuals other than the owner permission to a property for a specific purpose.
Environmental Assessment	A site assessment conducted by a qualified professional following <i>Canadian Environmental Assessment Act (CEA)</i> , to determine potential contamination and mitigation.
Fence	An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.
Floor Area	The total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, unoccupied attics, attached garages, sheds, or open porches unless they contain habitable rooms.
Golf Course	A public or private area operated for the purpose of playing golf that may include a club house and driving range.
Grade	The average of the elevations of all the natural or finished levels of the ground adjoining all the walls of a building.

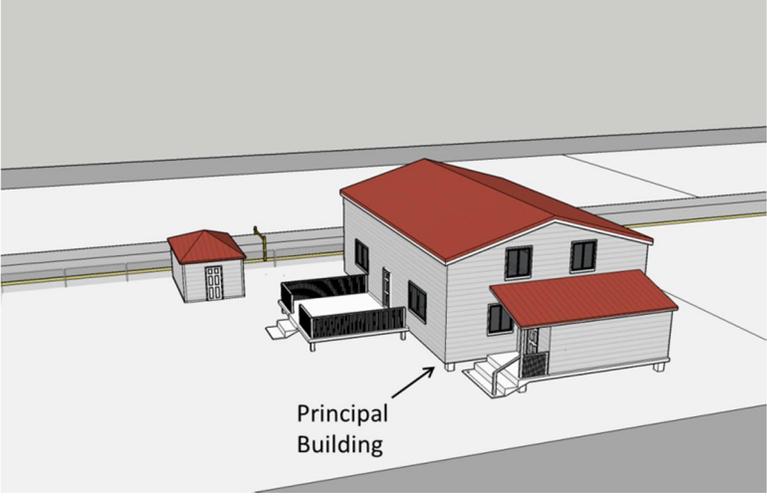
Term	Meaning in this Bylaw
Grade, Finished	The final elevation of the ground surface after development.
Group Home	A residential facility which provides resident care to individuals who are in need of adult supervision or assistance, and who are provided supervision and services in accordance with their individual needs. May also be identified as Senior Citizen Home or Long Term Care Home.
Hard Surfaced	A hard, durable, dust-free surface consisting of compacted ¾ inch crushed rock graded for appropriate site drainage, or surfaced with chip seal, asphalt or concrete.
Hazardous Substance or Dangerous Goods	<p>Any of the following:</p> <ul style="list-style-type: none"> <li>a. explosives and pyrotechnics;</li> <li>b. gases (either compressed, deeply refrigerated, liquefied, or dissolved under pressure);</li> <li>c. flammable and combustible liquids;</li> <li>d. flammable solids (including substances liable to spontaneous combustion and substances which, on contact with water, emit flammable gases);</li> <li>e. oxidizing substances and organic peroxides;</li> <li>f. poisonous and infectious substances;</li> <li>g. radioactive material;</li> <li>h. medical or biological waste;</li> <li>i. corrosives; and,</li> <li>j. other miscellaneous substances of similar nature.</li> </ul>
Height	When used with reference to a building or structure, is the vertical distance between the average finished grade and the highest point of the roof.
Highway	A highway or proposed highway that is described as a <i>primary highway</i> by the Public Highways Act.
Home Occupation	Any occupation, trade, profession or craft carried out by the occupant of a residential building which is incidental and subordinate to the residential use and which does not change the character thereof.

Term	Meaning in this Bylaw
Hotel/Motel	A building containing either sleeping and/or dwelling units, used as a temporary abode for tourists or transients, providing sanitary facilities, parking spaces that in the case of a motel are convenient to each unit, and may also include a general kitchen, dining, and other public rooms.
Industrial Light	A use or development of land for the purpose of processing, warehousing, repairing, distribution or storage of goods and materials and where minimal nuisances are generated.
Industrial Heavy	A use or development of land for the purposes of manufacturing, processing, warehousing, stockpiling or storage that requires a large track of land and is subject to the generation of off-site nuisances including noise, smoke, ash, dust, toxic gases, glare, heat or obnoxious odours.
Kennel	Accommodation for the boarding and/or breeding of small animals. Uses associated with the shelter and care of small animals such as dogs and cats (e.g. grooming, training and exercising) are also included.
Loading Space	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.
Long Term Care Home	See Senior Citizen Home and Group Home
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 <i>Territorial Lands Act and Regulations</i> or the <i>Commissioner's Land Act and Regulations</i> .

Term	Meaning in this Bylaw
Lot Line	<p>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.</p> <p>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.</p> <p>Side: the property line of a lot other than a front lot line or rear lot line.</p>
	<p style="text-align: center;">Road</p> <p style="text-align: center;">Front Lot Line</p> <p style="text-align: center;">Side Lot Line</p> <p style="text-align: center;">Side Lot Line</p> <p style="text-align: center;">Rear Lot Line</p> <p style="text-align: center;">Utilidor</p> <p style="text-align: center;">Rear Lot Line</p> <p style="text-align: center;">Side Lot Line</p> <p style="text-align: center;">Side Lot Line</p> <p style="text-align: center;">Front Lot Line</p> <p style="text-align: center;">Road</p> <p>Note: a utilidor may run through a property.</p>

Term	Meaning in this Bylaw	
<p>Lot/Site Coverage</p>	<p>The portion of the total area of a lot or site which may be covered by buildings or structures.</p>	 <p>Lot Area = a (m<sup>2</sup>)  Principal Building Footprint = b (m<sup>2</sup>)  Accessory Building Footprint = c (m<sup>2</sup>)  Total Lot Coverage = b+c/a (%)</p>
<p>Lot/Site Width</p>	<p>The average distance between the side lot lines of a lot or site.</p>	

Term	Meaning in this Bylaw
Manufactured Home	<p>A dwelling unit that meets the following criteria; is suitable for permanent occupancy, is designed to be transported on its own wheels or by a low-boy transport trailer, and is ready for occupancy except for incidental building operations (i.e. placement on foundation supports and connection to utilities).</p> <ol style="list-style-type: none"> <li>1) single-wide – a mobile unit designed specifically to be towed or hauled in a single load; and,</li> <li>2) double-wide – a mobile unit consisting of two (2) sections separately towed or hauled, designed to be joined together into one (1) integral unit.</li> </ol>
Mobile Home Park	<p>A parcel of land under one ownership, which has been planned, divided and improved for the placement of manufactured homes for residential use.</p>
Motor Vehicle	<p>Any machine powered by a fuel combustion engine or electric motor system that is designed to carry a driver/passenger.</p>
Municipality	<p>The corporation of the Town of Inuvik.</p>
Natural Resource Development	<p>Development for the on-site removal, extraction, and primary processing of raw minerals found on or under a site, or accessible from the site. Typical uses include gravel pits, sandpits, clay pits, oil and gas wells, coal mining, and stripping of topsoil. Natural resource development does not include the processing of raw materials transported to the site.</p>
Non-conforming Building	<p>A building that is lawfully constructed, or under construction, at the date this by-law is passed, and does not, or will not, conform to the requirements of the Zoning By-law when it becomes effective.</p>
Non-conforming Use	<p>Any intended or existing legal use of land or building which does not, and will not, conform to the requirements of this by-law.</p>
Nuisance	<p>Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.</p>
Off-street Parking	<p>A designated parking area (i.e. lot) for one (1) or more vehicles. It may be part of a development or, with the approval of the Development Officer, may be separate from the development.</p>

Term	Meaning in this Bylaw
Parking Area or Lot	An open area of land, other than a street or a building, designed and used for the parking of a number of vehicles.
Parking Space	An off-street area available for the parking of one motor vehicle.
Permitted Use	Any land use which is allowed in a particular zone, provided that the use conforms to the regulations of the particular zone to which the use applies.
Principal Building	<p>A building which:</p> <ol style="list-style-type: none"> <li>1) occupies the major or central portion of a lot;</li> <li>2) is the chief or main building on a lot; and</li> <li>3) constitutes by reasons of its use, the primary purpose for which the lot is used.</li> </ol> 
Principal Use	The main purpose for which a lot is used.
Public Building or Quasi-public Building	A building which is available to the general public for non-commercial public uses and activities.
Public Roadway	Any lane, service road, local street, collector street, major street or highway corridor.
Public Use	Typically include public schools, libraries, arenas, museums, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational facilities.

Term	Meaning in this Bylaw
Public Utility	<p>Any one or more of the following:</p> <ol style="list-style-type: none"> <li>1) systems for the distribution of gas, whether artificial or natural;</li> <li>2) facilities for the storage, transmission, treatment, distribution or supply of potable water;</li> <li>3) facilities for the collection, treatment, movement or disposal of sanitary sewage;</li> <li>4) storm sewer drainage facilities;</li> <li>5) systems for electrical energy generation, transmission and distribution; and,</li> <li>6) systems for telephone and telecommunications, including towers or satellite dishes.</li> </ol>
Retail Store	<p>A building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store.</p>
Row Housing	<p>a building containing a row of two (2) or more dwellings joined in whole or in part at the side, with no dwelling being placed over another in whole or in part. Dwellings shall be separated by vertical party walls which are insulated against sound transmission. Each dwelling shall have separate, individual and direct access to grade.</p>
Scrap Yard/ Junk Yard	<p>A place where 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.</p>
Screened	<p>Totally or partially concealed from by a fence, wall, berm or soft landscaping.</p>
Senior Citizen Home	<p>See Long Term Care Home</p>
Service Station	<p>Premises or the portion thereof used or intended to be used for the servicing of motorized vehicles.</p>

Term	Meaning in this Bylaw
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, and banners.
Site Area	The land contained within the boundaries of a site. See Lot Area.
Solid Waste Site	Any property where refuse of a non-hazardous type is deposited.
Storey	That portion of a building between the upper surface of any floor and the floor next above, except that the topmost storey shall be the portion of a building between the upper surface of the topmost floor and roof line.
Structural Alteration	Any change in or alteration to a structure involving a bearing wall, column, beam, girder, floor or ceiling joists, roof rafters, foundations, piles, retaining walls or similar components.
Structure	Anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls, fences or any sign.
Temporary	Such time limit as may be set by the Council for a specific use. In a case where no time limit is set, "temporary" shall be no more than sixty (60) consecutive days.
Tourist Trailer Park or Campsite	A site which provides for the temporary location of tents and trailers used by travelers and tourists for overnight accommodation and which is not used for permanent residence.
Trailer, Vacation	Any portable accommodation providing temporary living quarters in which all facilities are not necessarily self-contained.
Unlicensed Vehicle	A motor vehicle or part thereof that is not currently legally registered and insured.

Term	Meaning in this Bylaw
Vehicle, Dismantled or Wrecked	<p>A motorized vehicle that is not legally registered with the Territorial Government and is in a condition of disrepair rendering it immobile and/or is not considered structurally safe to operate on a public roadway. Subject to sections 178 and 180 of the Cities, Towns and Villages act, Council may, by by-law, provide for the removal and disposal of vehicles that:</p> <ol style="list-style-type: none"> <li>are inoperable, wrecked or dismantled;</li> <li>are not located in a building; and</li> <li>do not form part of a business lawfully operated on the premises.</li> </ol>
Yard	<p>A part of a parcel upon or over which no structure is erected.</p> <ol style="list-style-type: none"> <li>Front Yard means a yard extending across the full width of a parcel from the front lot line of the parcel to the front wall of the principal building situated on the parcel;</li> <li>Side Yard means a yard extending from the front wall of the principal building situated on a parcel to the rear wall of the principal building and lying between the side lot line of the parcel and the side wall of the principal building; and,</li> <li>Rear Yard means a yard extending across the full width of a parcel from the rear wall to the principal building situated on the parcel to the rear lot line of the parcel.</li> </ol> <div data-bbox="688 1192 1403 1577" data-label="Diagram"> </div>
Zone	The category of use of land, buildings, structure, or activities permitted by this by-law.

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

## 3 PART THREE – AGENCIES

### 3.1 Development Officer

- 1) The office of the Development Officer is hereby established and shall be filled by a person appointed by resolution of Council established in accordance with Section 52 of the Act.
- 2) Development Officer is authorized to perform the duties specified in Part Four of this by-law, and has enforcement powers as specified by Council pursuant to Section 52 through 57 of the Act.
- 3) The Development Officer shall:
  - a. keep and maintain for the inspection of the public during all reasonable hours, a copy of this by-law obtainable by the public at reasonable charge; and
  - b. keep a register of all applications of development, including the decision thereon and the reasons therefore.
- 4) The Development Officer is hereby declared to be an official of the municipality and an authorized officer or servant of Council.

### 3.2 Town Council

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

### 3.3 Development Appeal Board

- 1) A Development Appeal Board is hereby established and must consider and determine such appeals as may be referred to it under the provisions of the Act.
- 2) The Development Appeal Board shall discharge such duties that are given to it in this by-law or amendment thereof.
- 3) The Development Appeal Board may meet as frequently as necessary, but shall meet within thirty (30) days after an application for an appeal has been made to it.
- 4) The Board shall be composed of a Chairperson and four (4) other members to be appointed concurrently for three (3) years of office by resolution of Council, and who shall not be dismissed except for just cause.
- 5) The Board shall include at least one (1) member of Council, but a majority of the Board shall be persons other than members of Council and the Board shall not include employees of the municipality.
- 6) When retirement or resignation of an Appeal Board member results in a vacancy, the vacant position shall be filled by resolution of Council.
- 7) The Chairperson of the Development Appeal Board shall sign all notices of decisions and any other documents on behalf of the Board, relative to any jurisdiction or power of the Board, and any documents so signed shall be deemed to be signed on behalf of, and with the approval of, the Development Appeal Board.
- 8) Where the Chairperson of the Development Appeal Board is absent or disabled, any document of the Board may be signed by any one (1) member, and when so signed, shall have the like effect as though signed by the Chairperson.
- 9) Three (3) members of the Development Appeal Board constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Board.
- 10) Only those members of the Development Appeal Board in attendance at a Board meeting shall vote on any matter then before the Board.
- 11) The decision of the majority of the members of the Board present at a meeting duly convened is deemed to be the decision of the whole Board.

### 3.4 Secretary Development Appeal Board

- 1) The office of the Secretary of the Development Appeal Board is hereby established and shall be filled by an employee of the Town of Inuvik, as appointed by Council, or the Senior Administrative Officer acting on behalf of Council.
- 2) The secretary to the Development Appeal Board shall not be a member of the appeal board nor will the Secretary in any case be the Development Officer.
- 3) The Secretary Shall:
  - a. keep available for public inspection before the commencement of the public hearing all relevant documents and materials respecting an appeal under the Act, including the application for the development permit, its refusal and the appeal there from;
  - b. receive and administer all applications for appeal;
  - c. notify all members of the Development Appeal Board of the arrangements for the holding of each hearing and other meetings of the Board;
  - d. ensure that reasonable notice of a hearing is given to the appellant and other persons who, in the opinion of the Board, may be affected. Notification may be given in any or all of the following manners: letter, verbal, newspaper, poster or television notification;
  - e. prepare and maintain a file of written minutes of all business transacted at all meetings of the Development Appeal Board, copies of which shall be regularly filed with the Council;
  - f. serve the appellant and all affected parties a notice of the decision of the Board and the reasons therefore;
  - g. notify the Council of the decisions of the Board;
  - h. within thirty (30) days after the Appeal Board renders its decision, make a complete report of the appeal proceedings to the Director, including all representations made at the hearing; and
  - i. carry out such other administrative duties as the Development Appeal Board may specify.

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

### 4.1 Control of Development

- 1) No development shall be undertaken within the municipality unless an application for it has been approved and a Development Permit has been issued.
- 2) For the purpose of this by-law, "Development" shall refer to those considerations listed under the definition of "Development".
- 3) Nothing in this By-law, or in a development permit, or other approval issued under this By-law or under the Act, shall be construed as authorization for the carrying out of any activity that is regulated through Federal or Territorial legislation or other Town bylaws.
- 4) Excluding the developments listed in Section 4.4 below, no development shall be undertaken, nor occupancy granted, use commenced, structure moved, building erected or demolished, or utility connection approved without the necessary permits having been obtained pursuant to this by-law.

### 4.2 Transition

- 1) An application for a development which is received in its complete and final form prior to the effective date of this by-law shall be processed, and any permit issued shall be in accordance with By-law 2225/P+D/04 as amended, and the regulations thereto, as applicable.
- 2) An application to amend By-law 2225/P+D/04 which has been received before the effective date of this by-law by the Development Officer in a complete and final form and in accordance with the requirements of By-law 2225/P+D/04 may be considered and adopted by Council without the necessary reapplication subsequent to the adoption of this by-law.

### 4.3 Development Permit Exemptions

- 1) No development permit is required under this by-law for the developments listed in this section, provided that such developments comply with all other regulations of this by-law which are applicable.
- 2) The following is considered development for which no permit is required:

- a. the carrying out of works involving maintenance, repair or interior renovations to any building, if such works do not increase any dimensions of the original building or structure and do not include structural alterations;
- b. the landscaping, or similar work, on any property provided that such work does not substantially alter the terrain;
- c. the completion and/or use of a building which is lawfully under construction at the date of approval of this by-law, provided that the building is completed in accordance with the terms of the permit granted by the Development Officer, Council or Board in respect of it, and subject to the conditions to which that permit was granted;
- d. the erection, location or construction of temporary buildings, works, plant or machinery needed in connection with construction operations for which a Development Permit has been issued, for the period of those operations;
- e. the maintenance and repair of public works, services and utilities carried out by or on behalf of the municipal authority on land which is publicly owned or controlled;
- f. the construction or installation of an accessory structure that does not exceed 10 m<sup>2</sup> in area and is not more than 3 m in height;
- g. temporary tents used for camping;
- h. unenclosed decks no higher than 0.6 m above ground level; and
- i. The keeping of animals subject to other applicable Town of Inuvik by-laws.

#### 4.4 Non-Conforming Buildings and Uses

- 1) When, at the time this by-law is adopted, a non-conforming use exists, the non-conforming use of land or building may be continued but if that use is discontinued for a period of 180 days or more, any future use of the land or building shall conform with the provisions of the Zoning By-law then in effect.
- 2) A non-conforming use of part of a building may be extended throughout the building but the building shall not be enlarged or added to, and no structural alterations shall be made to it.
- 3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot, and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- 4) A non-conforming building may continue to be used but the building shall not be structurally altered unless alterations conform to this Bylaw.

- 5) If a non-conforming building is damaged or destroyed such that more than seventy-five percent (75%) of the most recently assessed value of the building above its foundation is affected, the building shall not be repaired or rebuilt except in accordance with the Zoning By-law.
- 6) The non-conforming use of land or building is not affected by reason only of a change in ownership, tenancy or occupancy of the land or building.

#### 4.5 Permission for Development

- 1) An application for a development permit may only be made by a person with a legal, equitable estate, or interest in the property sought to be developed by a person duly authorized by him/her in this regard.
- 2) Where the applicant is other than the owner, the owner's written consent must be submitted with the application.
- 3) An application for development permit shall be made by submitting a completed Form "A" to the Development Officer, which shall be subject to any minor amendments the Development Officer may make.
- 4) Every application for a Development Permit shall include:
  - a. a detailed statement of the proposed use(s) for the property and buildings in question.
  - b. a site plan showing the legal description of the lot and the proposed front, rear and side yards, if any, and any provisions for off-street loading and vehicle parking, access and exit points to the site, locations and dimensions of all existing buildings, structures or uses on the lot, and provision for landscaping and drainage;
  - c. floor plans, exterior elevations, or other drawings that describe the development;
  - d. a statement of ownership of land and interest of the application therein;
  - e. the estimated commencement and completion dates;
  - f. the estimated cost of the project or contract price; and
- 7) The Development Officer may also require an applicant to submit such additional information as he/she considers necessary to verify the compliance of the proposed use or development with the regulations of this by-law.

#### 4.6 Conditions of Approval of Development Permits

- 1) The Development Officer may impose, with respect to a Permitted Use, such conditions as are required to ensure complete compliance with this by-law.
- 2) Council shall, with respect to a Conditional Use, impose such conditions as deemed appropriate to ensure complete compliance with the regulations of this by-law and the provisions of the Community Plan.
- 3) A condition may impose a time limit on the development or use.
- 4) The Development Officer or Council may, as a condition of issuing a development permit, require the applicant to:
  - 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 constructing any such utility or facility by the applicant;
  - b. 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;
  - c. provide evidence of site investigations by a qualified professional engineer to determine the suitability of the site for the intended development;
  - d. provide evidence that a building including its foundations will be designed in accordance with the National Building Code of Canada;
  - e. provide a traffic study completed by a qualified professional;
  - f. provide an environmental assessment completed by a qualified professional to identify risks and mitigation measures relevant to the proposed development;
  - g. provide evidence of compliance with any other relevant federal, territorial or municipal legislation;
  - h. 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:
    - i. prior to occupancy provide proof that inspections have been carried out and the development found to be ready for occupancy by authorities or utility providers;
    - ii. construct, or pay for the construction of, a public roadway required to give access to the development;
    - iii. construct, or pay for the construction of, a pedestrian walkway;
    - iv. specify the location and number of vehicular and pedestrian access points to sites from public roadways;
    - v. install, or pay for the installation of, utilities that are necessary to serve the development;

- vi. construct, or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities;
- vii. repair or reinstate, or to pay for the repair or reinstatement to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed by development or building operations upon the site; or
- viii. register a caveat against the title any agreement entered into pursuant to Section 4 (h).

5) No change in plans, use of site, or methods of construction shall be undertaken unless, and until, such change is approved in writing by the Development Officer.

4.7 Fees

- 1) Each application for a Development Permit shall be accompanied by a fee as determined in the Consolidated Rates and Fees Bylaw as amended or its successors.

4.8 Variances

- 1) The Development Officer may approve a development application notwithstanding that the proposed development does not comply with the provisions of this by-law:
  - a. if the non-compliance is minor and where, in the opinion of the Development Officer (DO), denial of the application would cause the applicant unnecessary hardship unique to the use; and
  - b. the variance does not exceed maximum allowed as follows:

Variance			
	<i>Residential Zones</i>	<i>Other Zones</i>	<i>Fence Height</i>
Building Height	10%	10%	n/a
Front Yard	25%	25%	No relaxation
Side Yard	25%	10%	0.15 m
Rear Yard	25%	10%	Discretion of DO
Where a side or rear yard variance is requested, and where the property has a utilidor at the rear and/or side of the lot, the applicant must first obtain permission for the desired variance from the Town Fire Chief and the Town of Inuvik Public Works and Services Department. Once this is complete, the Development Officer or Council acting as the Development Officer, may consider the application for variance.			

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

#### 4.9 Decisions on Applications

- 1) An application is deemed to be refused if a decision of the Development Officer has not been made within forty (40) days of the official final receipt of the application.
- 2) The applicant may request confirmation in writing from the Development Officer that his/her application has been received.
- 3) The Development Officer and Council shall promptly process a development permit application with a notice of decision recorded on the application stating that the application has been approved subject to such conditions, if any, as may be required (including any zoning regulation relaxation that has been granted) or that it has been refused for such reasons as may be specified.
- 4) When a development permit has been granted, the Development Officer shall, as soon as possible:
  - a. clearly post a notice of decision on the lot or structure for which the application has been made; and,
  - b. post a notice of the decision in the municipal office, and any other public location the Development Officer deems necessary.

- 5) A Development Permit does not come into effect until 15 days after the date an order, decision or development permit is publicized and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 6) All development permits shall be issued by the Development Officer, including permits for Conditional Uses and permits containing relaxations, once they have been approved by Council.
- 7) The permit holder shall keep copies of the approved plans and specifications so that they are available for inspection on the lot by the Development Officer.

#### 4.10 Appeal to 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 written notice of appeal within:
  - a. fourteen (14) days after the applicant has received notice of decision or posted at the Municipal Office; or
  - b. a further time, not exceeding an additional forty-six (46) days, that the Chairperson of the Development Appeal Board considers appropriate for "just cause".

#### 4.11 Validity of Permits

- 1) When an application for a development permit has been approved by the Development Officer, the development permit shall not be valid unless and until:
  - a. any conditions of approval, other than those of a continuing nature, have been fulfilled.
- 2) If the Development Appeal Board is served with notice of an application for leave to appeal its decision, subject to Section 61 and 62 of the Act, such notice shall suspend the development permit.
- 3) The final determination of an appeal shall reinstate, revoke or amend (as the case may be) a development permit suspended under (2) above.

#### 4.12 Expiry of Permits

- 1) A development permit shall become void if the development has been discontinued for a period of 180 days or has not been actively carried on for a period of 365 days.
- 2) If a development authorized by a development permit is not commenced, or is not carried out with reasonable diligence (i.e. within 365 days from the date of issue), the permit ceases to be valid, providing that, if the permit holder is unable to proceed

pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.

- 3) The Development Officer may extend the above periods, at his/her discretion, upon application for a period of not greater than 180 days. Such a period of extension may only be granted once and thereafter the permit holder shall be required to apply for another development permit.
- 4) When a development permit is issued for a site where any other valid development permit has already been issued, it shall invalidate any previous permit.
- 5) When a development permit becomes void, a new application for a permit is required before development may proceed. Such application shall be treated as if it were a first application and there shall be no obligation to approve such application.

#### 4.13 Resubmission Interval

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

#### 4.14 Submissions to the Development Appeal Board

- 1) Pursuant to the Act, any person claiming to be adversely affected by a decision of the Development Officer or Council may appeal by written petition to the Development Appeal Board within fourteen (14) days after notice of decision has been mailed to the applicant; after the approval has been posted conspicuously on the lot; or within such further time (not exceeding an additional forty-six [46] days) as the Chairperson of the Development Appeal Board, for just cause, may allow.
- 2) The Development Appeal Board shall:
  - a. hold a public hearing within thirty (30) days from the receipt of the notice of appeal;
  - b. by Registered Mail and/or personal delivery ensure that at least seven (7) days notice of the hearing is given to the appellants and all other persons who, in the opinion of the Board, may be affected; and,
  - c. consider each appeal, having due regard for the circumstances and merits of its case and according to the purpose, scope and intent of the Community Plan and Zoning By-laws.

- 3) The Development Appeal Board shall hear the Development Officer and any other persons who may contribute to a full and proper hearing.
- 4) The Development Appeal Board may confirm, revoke, or vary the decision under appeal and it may impose any conditions or limitations as it sees fit.
- 5) The Development Appeal Board shall render its decision in writing to the appellant within sixty (60) days from the date the appeal hearing is held.
- 6) A decision of the Development Appeal Board is final and binding on all parties, subject only to appeal under Division B of the Act.
- 7) The Development Appeal Board shall, within thirty (30) days of its decision, make a complete report to the Director of Planning (as appointed under section 74 of the Act), the Municipality, the appellant, and to each interested person upon his/her request.

#### 4.15 Enforcement and Penalties

- 1) 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 through 60 of the Act to:
  - a. inspect any land or building for a purpose as stated in the Act;
  - b. enforce the Act, regulations, zoning bylaw or development permit
- 2) A person who commences a development and fails to obtain a Development Permit; or comply with a condition of a Development Permit granted under this Bylaw, is guilty of an offence under Section 77 of the *Act* and is liable on summary conviction to punishments set out in Section 78 of the *Act*:
  - a. In the case of a corporation to a fine not exceeding \$100,000 and to a further fine not exceeding \$5,000 each day or part of a day during which the offence continues; and
  - b. In the case of an individual
    - i. to a fine not exceeding \$5,000 and, in addition, to a fine not exceeding \$1,000 for every day the offence continues, or
    - ii. to imprisonment for a term not exceeding six months in default of payment of the fine.
- 3) The Development Officer or Council may require security in the form of a letter of credit, performance bond, or certified cheque to ensure the development is conducted and completed in compliance with any requirement of a development permit or development agreement.

#### 4.16 Right to Enter

- 1) Where a person fails or refuses to comply with an order directed to him/her within the specified time, Council, or a person appointed by Council may, in accordance with

Section 54 and 55 of the Act, enter upon the land or building and take any necessary action to carry out the order.

- 2) Where a person fails or refuses to comply with an order to permit entry upon the land or building, he/she shall be guilty of an offence as defined under Section 57 of the Act and be liable to a fine or to imprisonment.

#### 4.17 Suspending or Revoking a Development Permit

- 1) If a development is not being carried out or completed as approved then the Development Officer may suspend or revoke the Development Permit. Written notice stating that the development permit has been suspended or revoked will be served in person or sent by registered mail to the owner and/or occupant of the property affected, and to any contractor engaged in the work.
- 2) The notice described in 4.17 (1) will:
  - a. state the grounds for the suspension or revocation
  - b. state the conditions that must be met for a suspended development permit to be reinstated
- 3) 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.

#### 4.18 By-Law Amendments

- 1) Any person applying to amend any part of this by-law shall apply in writing to the Development Officer furnishing reasons to support the application, and requesting that the Development Officer submit the application to Council. All applications to amend this by-law shall require the completion of Form I.
- 2) All applications to amend any part of this by-law, except those initiated by Council or the Development Officer, shall be accompanied by a non-refundable fee in accordance with Schedule B Fees.
- 3) If a person applies to Council in any manner for an amendment to this by-law, Council shall require them to submit an application to the Development Officer in accordance with the provisions of this section, before it considers the amendment proposed by such person.
- 4) Notwithstanding anything contained in this section, an application for a proposed amendment to any section of this by-law which has been rejected by Council within the previous 365 days shall not be accepted.

#### 4.19 Zoning Amendments

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

#### 4.20 Zoning Amendment Process

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

#### 4.21 Notification of Amendment

- 1) After giving a proposed by-law amendment first reading, and before giving it second reading, Council shall, in compliance with the Act and Cities, Towns and Villages Act, direct the Development Officer to (1) place a notice in two separate issues of the local

newspaper, describing the pending amendment, and (2) dispatch a notice by ordinary mail to:

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

## 5 PART FIVE – GENERAL PROVISIONS

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

### 5.1 Environmental Protection

- 1) Where there is a potential for air or water pollution resulting from a particular land use, the application for a proposed development may be referred by the municipality to an appropriate Government Agency for study and recommendation and due regard shall be given to such recommendation in dealing with the application.
- 2) Relating to Watershed Reserves:
  - a. No development which might endanger or impair the quality of water shall be allowed.

### 5.2 Moving Buildings

- 1) No person shall move a building, structure or mobile home larger than 14.0 m<sup>2</sup> (150 sq. ft.) within, into or out of the municipality unless a Development Permit for approval of use and location on the proposed site has been approved.
- 2) The Development Officer may refuse to issue a permit for the moving of a building, structure or mobile home if:
  - a. the building would fail to conform to the requirements of the zone in which it is proposed the building be moved;
  - b. the Development Officer may, as a condition of a moving permit, require certain renovations and alterations so that the building will conform with the current requirements of the following:
    - i. the zone into which the building is moved;
    - ii. the National Building Code of Canada;
    - iii. the National Fire Code of Canada;
    - iv. the NWT Fire Marshall and the Town Fire Chief;
    - v. the Department of Health and Environmental Health Officer; and,
    - vi. the Regulations for Construction in Flood Fringe Areas.
- 3) The Development Officer may require the owner of a building that is to be moved to post a performance bond that shall be held to ensure that any renovations or alterations be completed within a specified time period.

### 5.3 Soils and Drainage

- 1) In all cases, lot grades shall be established with the following minimum requirements:
  - a. a minimum 2% gradient for drainage shall be provided.
- 2) All lot grading and drainage shall meet the approval of the Development Officer.
- 3) No development shall be permitted unless the surface and subsoil of the land allows for proper drainage and the stability of the buildings and structures to be built can be assured.

### 5.4 Accessory Buildings

- 1) Where any building or structure on a site is attached to a principal building, it shall be deemed to be part of the principal building and not an accessory building.
- 2) Accessory buildings are subject to the same yard setback requirements required for a principal building in that zone.
- 3) No accessory building shall be used for human habitation.
- 4) Accessory buildings shall be located a minimum of 3 m from the principal building.

### 5.5 Projections into Yards

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

## 5.6 Plan of Subdivision

- 1) Where the development of land involves a subdivision survey and mapping of land, no Development Permit shall be issued until written evidence has been received by the Development Officer that the necessary subdivision has been approved in accordance with the Act.

## 5.7 Number of Dwellings

- 1) Unless otherwise provided for in this by-law, no more than one single dwelling unit is permitted on a single parcel in any zone.

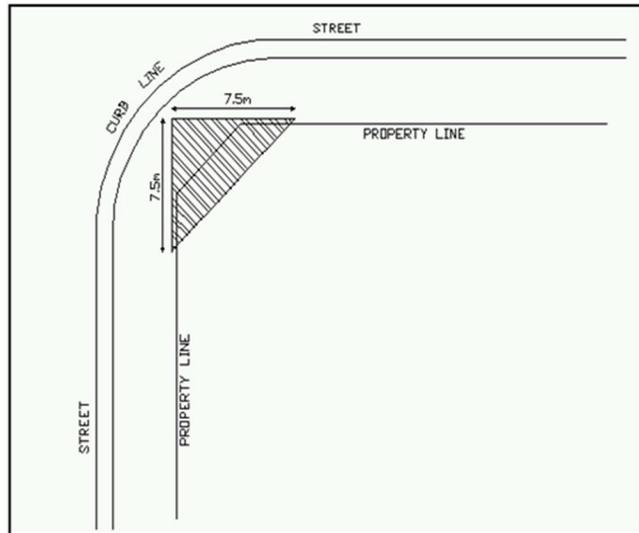
## 5.8 Lot Servicing

- 1) Development Permits shall not be issued where, in the opinion of the Development Officer, satisfactory arrangements have not been made with the Town regarding the supply of any or all of the following services: water, electricity, sanitary sewer, street access or other services/facilities, including the payment of costs for installing any such service or facility.

## 5.9 Fences

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

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



- 3) Commercial buildings abutting residential areas shall be screened by a wooden fence of not less than 2.0 metres in height.

- 4) No fence shall obstruct access to the Town of Inuvik fire hydrants.

#### 5.10 Protection from Explosive Hazards

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

#### 5.11 Utilidor ROW and Setbacks

- 1) Whenever a utilidor runs through a property or adjacent to a property, the owner shall comply with all requirements of Bylaw 1531/UTIL/98 or its successors.

#### 5.12 Fire Protection and Access to Fire Hydrants

- 1) Whenever a fire hydrant is located on or adjacent to a property, the owner shall comply with all requirements of Bylaw 1531/UTIL/98 or its successors.

- 2) Access to fire hydrants and the utilidor system must be maintained for direct public access.
- 3) Where access to fire hydrants is not provided, alternative access and fire protection methods shall be provided, and approved by the Town's Fire Chief in consultation with the respective property owners.
- 4) Where any distribution pipeline carrying highly pressurized gas or volatile liquid crosses or is situated in the vicinity of land proposed for development, no habitable building shall be sited closer than 15.5 metres (51 feet) to the centre line of the pipeline right-of-way or the pipeline, whichever is closest.
- 5) The following distances shall be considered the minimum amount of separation between overhead power transmission lines and buildings, signs, bridges, light standards, antennas or other objects.

Overhead Equipment or Conductor	SEPARATION DISTANCE	
	Horizontal	Vertical
0 – 750 V Insulation	300 mm	300 mm
Above 750 V Insulated	1.0 m	3.0 m
0 – 22 kV*	3.0 m	5.0 m
Above 22 kV*	3.0 m	5.0 m
* Bare, exposed or non-rated insulation	Plus 10 mm/kV in excess of 22 kV	Plus 10 mm/kV in excess of 22 kV

### 5.13 Signs

- 1) All signs shall require a development permit unless otherwise specified under this by-law.
- 2) No sign permit is required for the following:
  - a. a sign posted or exhibited in a building;
  - b. a sign posted or exhibited in or on an operating motor vehicle if the vehicle is not parked (temporarily or permanently) for the sole purpose of displaying the sign;
  - c. a statutory or official notice of a function of the Town of Inuvik;
  - d. traffic and directional signs authorized by the Town; and
  - e. the erection of campaign signs for federal, territorial, municipal or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under territorial or federal legislation provided that:
    - i. such signs are removed within ten (10) days of the election date;

- ii. the consent of the property owner or occupant is obtained;
    - iii. such signs do not obstruct or impair vision or traffic;
    - iv. such signs are not attached to utility poles; and
    - v. such signs indicate the name and address of the sponsor and the person responsible for removal.
  - f. a sign that is posted or exhibited solely for the identification of the land or building on which it is displayed (e.g. signs for professional, corporate or trade name plates identifying the occupants), if the sign:
    - i. does not exceed 1.0 m<sup>2</sup> (10.76 sq. ft.) in size; and
    - ii. is posted only at each entrance from which access from a public roadway to the building is provided.
  - g. a sign that is posted for the sale, lease or rental of land of a building if the sign:
    - i. is not capable of being illuminated;
    - ii. is 4.0 m<sup>2</sup> (43.0 sq. ft.) or less in size; and
    - iii. is posted only on each side of the building or land facing a different public roadway.
- 3) Minimum yard requirements shall be observed for any sign located on a lot and, the sign must be located no further than 30.0 m (99 ft.) from the principal building.
  - 4) No sign shall be of such size or design or placed in such a way as to, in the opinion of the Development Officer, be a traffic hazard, or obstruct the vision of vehicular traffic.
  - 5) Except as otherwise specified in this by-law, the maximum area of any sign shall be 35.0 m<sup>2</sup> (376 sq. ft.)
  - 6) Flashing, animated or interiorly illuminated signs shall not be permitted in residential zones where, they might:
    - a. affect residents in adjacent housing or residential zones; or
    - b. interfere with or obstruct a motor vehicle driver's vision and/or their interpretation of oncoming traffic signs or traffic signal lights.
  - 7) Signs which are located off-site shall require written permission from the owner of the property prior to approval of a sign permit application.
  - 8) Free-standing signs in residential zones will be permitted only to identify the name of an apartment, multi-family complex, mobile home park or a subdivision, provided it does not:
    - i. exceed 2.0 m<sup>2</sup> (21.5 sq. ft.) in size; or
    - ii. project within 0.6 m (2.0 ft.) from the property line; or
    - iii. exceed 3.5 m (11.5 ft.) in height.
  - 9) In all land use zones, except residential zones, one free-standing sign may be allowed per lot as follows:

- a. where a lot is considered to be double fronting, each frontage may have a free-standing sign provided that the signs are no closer than 90 m (297 ft.) apart;
  - b. the maximum height of any free-standing sign shall not exceed 9.1 m (30.0 ft.) from grade. No part of any sign that is highway oriented and within 200 m (660 ft.) of the edge of the pavement shall be more than 9.1 m (30.0 ft.) above the grade of the highway or 15 m (49.5 ft.) above the grade of the lot of the sign, whichever is lowest;
  - c. the total sign area of a free-standing sign shall not exceed 17 m<sup>2</sup> (56.0 sq. ft.) for each sign;
  - d. the free-standing sign shall not project within 0.6 m (2.0 ft.) of the property line, or within 2.0 m (6.5 ft.) of overhead utility lines; and,
  - e. free-standing signs may rotate at no more than six (6) revolutions per minute.
- 10) Projecting signs shall be permitted only in commercial and industrial zones.
- 11) The maximum area for a projecting sign shall be 4.0 m<sup>2</sup> (43.0 sq. ft.).
- 12) No part of a projecting sign shall:
- a. extend more than 2.0 m (6.5 ft.) above the parapet of the building;
  - b. extend more than 2.0 m (6.5 ft.) from the face of the building; and
  - c. be less than 3.0 m (10.0 ft.) above ground or sidewalk grade.
- 13) Projecting signs shall be placed at right angles to the building face, except when they are located at the corner of the building, at which time the sign shall be placed at equal angles to the building faces.
- 14) Canopy signs shall be permitted only in commercial and industrial zones.
- 15) The canopy signs shall have a clearance of not less than 3.0 m (10.0 ft.) between the bottom of the canopy and the sidewalk, walkway or ground level.
- 16) In commercial zones where the front portion of the building extends out to the front property line, the canopy sign shall not project more than 2.0 m (6.5 ft.) over the sidewalk.
- 17) Notwithstanding other sections in this by-law and at the discretion of Council, off-site signs may be erected on ground or wall locations in commercial or industrial zones, but in no case shall be allowed in residential zones. Off-site signs shall be subject to the following conditions:
- a. signs shall not be placed closer together than 90 m (297 ft.);
  - b. the maximum size shall not exceed 28 m<sup>2</sup> (301 sq. ft.);
  - c. the sign shall be neat and clean in appearance as shall the area surrounding the sign; and
  - d. no part of the sign shall be located any closer to the street line than the front line of the nearest buildings.
- 18) Wall and fascia signs shall be permitted in all land use zones except residential zones.

- 19) Only one fascia sign will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a height of 1.5 m (5.0 ft.) and a horizontal dimension greater than the length of the bay which the proprietor's sign identifies. In no case, however, shall the fascia sign exceed 20% of the building face or bay which the sign identifies.
- 20) A wall sign on commercial or industrial buildings shall not exceed an area of more than 4% of the wall to which it is attached.
- 21) A wall sign shall not exceed beyond the limits of the wall to which it is attached.

## 5.14 Parking

- 1) In all zones, user/occupant parking shall be wholly provided for on the same lot as the building to be served unless otherwise approved by the Development Officer or Council.
- 2) In accordance with Section 18 (2) of the Act, subject to the approval of Council, a developer may choose to provide the required amount of off-street parking for the development on land other than that to be developed.
- 3) Where a required parking area is not located on the same lot where the building or use is located, the owner shall covenant with the municipality by an agreement, that the parking lot be used for such purposes as long as required under this by-law.
- 4) All parking area accesses shall be subject to approval of the Development Officer or Council.
- 5) Parking facilities shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system of sidewalks and on-site pedestrian spaces.
- 6) All off-street parking facilities shall be constructed such that:
  - a. a standard design landscaped boulevard and/or sidewalk separates the off-street parking facility from the street;
  - b. the width and location of curb cuts, necessary to access the parking facility meets the approval of the Development Officer;
  - c. every off-street parking space provided, and the access thereto shall be surfaces shall be of a durable, hard surface and/or constructed with concrete, asphalt or similar pavement; and,
  - d. runoff is directed away from the site in accordance with the drainage plan for the site.
- 7) Parking facilities shall be equipped with adequate lighting. Such lighting shall be directed away from any adjacent properties.
- 8) A minimum of one (1) barrier-free parking space shall be provided with the development of any on-site parking facilities except that a minimum of one in twenty parking spaces is to be provided for barrier free access wherever the total number of required stalls is greater than 19.
- 9) Adequate access to, and egress from, individual parking spaces is to be provided at all times by means of unobstructed maneuvering aisles which meet the approval of the Development Officer.

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

A – Parking Angle in Degrees

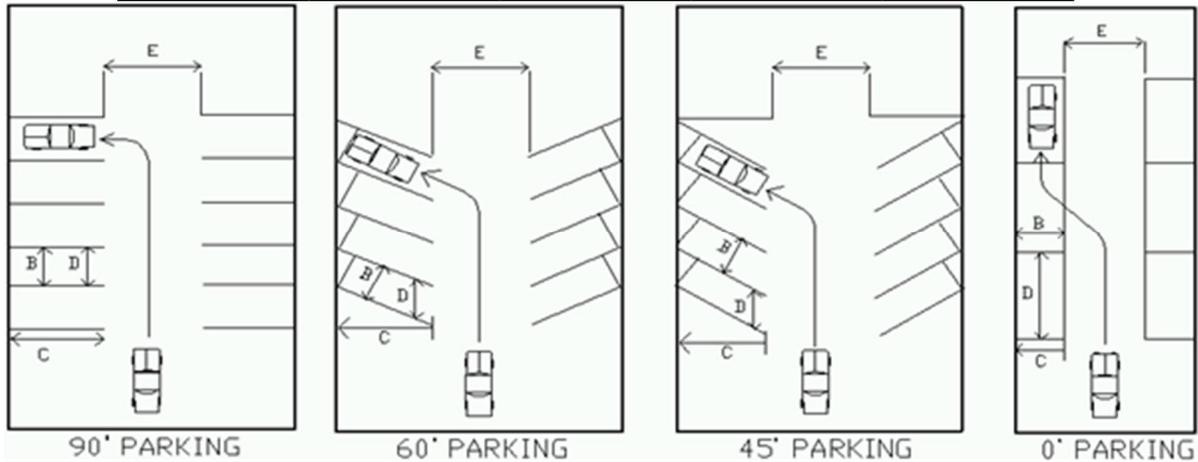
B – Width of Space (in meters)

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)

A	B	C	D	E
0	2.7	2.7	7.0	3.6
45	2.6	5.20	3.7	3.6
60	2.6	5.6	3.0	5.5
90	2.6	5.5	2.6	7.0



- 11) Barrier-free spaces shall be located close to the building entrances and the width of the space shall measure 4.0 m
- 12) Where the side of a parking stall is against any permanent structure greater than 0.2 m in height, the stall shall be a minimum of 2.7 m wide.
- 13) A parking stall shall have a minimum width of 3.0 m whenever it is an end space that abuts a physical barrier along an entire side.
- 14) Where there are structural elements along parts of both sides of a parking stall, the stall shall have a minimum width of 3.0 m

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

Use of Building or Site	Minimum Number of Spaces
<b>Residential Uses</b>	
Single Detached Dwelling/Duplex or Manufactured Home	2.0 per dwelling unit
Basement Suites	1.0 per unit
Bed and Breakfasts	1.0 per rented guest room
Apartments Row Housing Town Housing	1.0 per dwelling unit, plus one for every four dwelling units to serve as visitor parking
<b>Commercial Uses</b>	
Business, administrative and professional offices	1.0 per 100 m <sup>2</sup> of gross floor area
Retail commercial uses and personal service shops Area for retail purposes	1.0 per 50 m <sup>2</sup> of gross floor area
Eating and drinking establishments	1.0 per four seating spaces or 1.0 per every 5 m <sup>2</sup> of seating area
Take-out restaurants	1.0 per 15 m <sup>2</sup> of public area
Hotels	1.0 per three guest rooms
Motels	1.0 per sleeping unit
<b>Schools</b>	
Elementary School	1.0 per classroom plus 5.0 spaces
High School	1.0 per classroom plus 1.0 space for every 20 students or 1.0 space per 10 seating spaces used for assembly in an auditorium, whichever is greatest
Post-Secondary Institutions	1.0 space for each classroom plus 1.0 space for every 20 students

Use of Building or Site	Minimum Number of Spaces
Places of Public Assembly	
Service Stations	1.0 per 50 m <sup>2</sup> of floor area used for business purposes
Auditoriums Religious Assembly Halls Theatres Gymnasiums Sports Arenas Recreational or Amusement Places Private Clubs	1.0 per ten seating spaces or 1.0 per 10 m <sup>2</sup> used by the public, whichever is greatest
Industrial	
All uses in the M1 and M2 zones	1.0 per 500 m <sup>2</sup> of gross floor space or as determined by Development Officer
Hospitals and Similar Uses	
Hospitals or Similar Uses	1.0 per 100 m <sup>2</sup> of gross floor space
Care Homes	1.0 space per four units
Day Care Facilities	
Child Care Facilities	1.0 space per 35 m <sup>2</sup> of gross floor area

- 16) When calculating the necessary number of parking spaces to be provided any fractional number shall be rounded to the next highest number.
- 17) Where a development on a lot falls within more than one type of use, the required number of spaces shall be the sum of the requirements for each of the uses.
- 18) If the use is not specified in subsection (15), the number of stalls provided shall be the same as for a similar use.
- 19) Where a building is enlarged, altered or its use is intensified, provisions must be made for additional parking spaces as per the parking provisions of this by-law. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement, alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.

### 5.15 Off-Street Loading Spaces

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

### 5.16 Dempster Highway

- 1) Development within the Dempster Highway right-of-way is subject to approval from the GNWT Department of Transportation.
- 2) Vehicular road access to and from the Dempster Highway is subject to the approval of the GNWT Department of Transportation.

## 6 PART SIX – ZONING DISTRICT REGULATIONS

### 6.1 R1 – Residential Low Density

The general purpose of this land use zone is to establish areas of low density residential development on standard size lots.

#### 1) Permitted Uses

- a. Single detached dwelling;
- b. Religious establishments;
- c. Small parks and playgrounds which serve specific residential developments;
- d. Home occupations;
- e. Public or quasi-public buildings and uses serving the immediate area;
- f. Public utility buildings and installations; and
- g. Accessory buildings and uses to the above uses.

#### 2) Conditional Uses

- a. Duplex dwelling;
- b. Manufactured home;
- c. Bed and Breakfast establishments;
- d. Group Home;
- e. Day care facility;
- f. Convenience stores; and
- g. Other uses which Council considers to be similar in character and purpose, and which are compatible with residential uses.

### 3) Dimensions

	Dwelling Type		
	Single Detached	Duplex (one over the other)	Duplex (side by side)
Minimum Site Area	350 m <sup>2</sup>	575 m <sup>2</sup>	670m <sup>2</sup>
Maximum Lot Coverage			
Dwelling	50%	50%	50%
Accessory	12%	12%	12%
Minimum Front Yard Setback	5 m	5 m	5 m
Minimum Rear Yard Setback	3.0 m	3.0 m	3.0 m
Minimum Side Yard Setback	1.5 m	1.5 m	1.5 m
- if Yard abuts flanking street	4.6 m	4.6 m	4.6 m
- from a utilidor	3 m	3 m	3 m
Minimum floor area	88 m <sup>2</sup>	56m <sup>2</sup>	56m <sup>2</sup>
Maximum Height	10.5 m	10.5 m	10.5 m

- 4) All other uses shall have maximum lot coverage of 50%.
- 5) In the case of duplex units and semi-detached units, the side yard requirement along the common wall is waived.
- 6) With the approval of Council, the minimum site area may be less in the case of existing sub-standard lots.
- 7) All development shall meet the requirements of Part Five and Seven of this Bylaw.

## 6.2 R2 – Residential Medium Density

The general purpose of this zone is to permit medium density residential development such as row housing and apartment buildings, with the possibility of some other uses compatible with the permitted uses.

### 2) Permitted Uses

- a. Duplex dwelling;
- b. Multiple unit dwellings (row housing);
- c. Multiple unit dwellings (apartments);
- d. Group Homes;
- e. Senior citizen and long term care homes;
- f. Park and/or playground that serve specific residential developments;
- g. Religious establishments;
- h. Home occupations;
- i. Public or semi-public buildings and uses serving the immediate area;
- j. Public utility buildings and installations; and
- k. Accessory buildings and uses.

### 3) Conditional Uses

- l. Single detached dwelling;
- m. Manufactured home;
- n. Bed and Breakfast establishments; and
- o. Other uses which are considered by Council to be similar in character and purpose to the uses listed above as part of a Medium Density Residential Zone (R2).

4) Development Regulations

	Dwelling Type				
	Single Detached	Duplex (one over the other)	Duplex (side by side)	Row Housing	Apartment
Minimum Site Area	350 m <sup>2</sup>	575 m <sup>2</sup>	670m <sup>2</sup>	930m <sup>2</sup>	800m <sup>2</sup>
Maximum Lot Coverage					
- Dwelling	50%	50%	50%		30%
- Accessory	12%	12%	12%		
Minimum Front Yard Setback	5 m	5 m	5 m	5 m	9.0 m
Minimum Rear Yard Setback	3.0 m	3.0 m	3.0 m	3.0 m	3.0m
Minimum Side Yard Setback	1.5 m	1.5 m	1.5 m	3.0 m	3.0 m
-if Yard abuts flanking street	4.6 m	4.6 m	4.6 m	4.6 m	4.6 m
- from a utilidor	3.0 m	3.0 m	3.0 m	3.0 m	-
Minimum Floor Area	88 m <sup>2</sup>	56 m <sup>2</sup>	56 m <sup>2</sup>	56 m <sup>2</sup>	56 m <sup>2</sup>
Maximum Height	10.5 m	10.5 m	10.5 m	10.5 m	12 m

- 5) In the case of duplex units and semi-detached units, side yard requirement along the common wall is waived
- 6) The density of Row Housing shall not exceed 35 units per hectare, and no more than nine dwelling units shall be combined to form a unit
- 7) The density of Apartment shall not exceed 60 units per hectare
- 8) All development shall meet the requirements of Part Five and Seven of this Bylaw.
- 9) The maximum number of dwelling units permitted in an apartment developed on Lot 11, Block 9, Plan 228 is six (6).

### 6.3 RMH – Residential Manufactured Home

The general purpose of this zone is to locate single-wide manufactured dwellings in a common area while allowing for improvements and redevelopment of a compatible character.

#### 1) Permitted Uses

- a. Manufactured home;
- b. Small parks and playground that serve specific residential developments;
- c. Home occupations;
- d. Accessory buildings and uses;
- e. Public or semi-public buildings and uses serving the immediate area; and
- f. Public utility buildings and installations.

#### 2) Conditional Uses

- a. Single detached dwellings;
- b. Duplex dwellings;
- c. Multiple unit dwellings (row housing); and
- d. Other uses which are considered by Council to be similar in character and purpose in keeping with the intent and purpose of the Community Plan.

3) Development Regulations

	Use Type		
	Manufactured Home	Single Detached Dwelling	Duplex Dwelling (each unit)
Minimum Site Area	350 m <sup>2</sup>		
Minimum Site Width	10.5 m		
Maximum Site Coverage			
- Dwelling	40%	50%	40%
- Accessory	10%	10%	10%
Maximum Height	5 m	10.5 m	10.5
Minimum Front Yard Setback	4 m	4m	4m
Minimum Rear Yard Setback	3 m	3 m	3 m
- yard abuts flanking street	4.6 m	4.6 m	4.6 m
- from a utilidor	3 m	3 m	3 m
Minimum Side Yard Setback	1.5 m	1.5 m	1.5 m
- if Yard abuts flanking street	4.6 m	4.6 m	4.6 m
- from a utilidor	3 m	3 m	3 m

- 4) Minimum lot area and width may be less in the case of existing registered sub-standard lots, with the approval of Council.
- 5) All development shall meet the requirements of Part Five and Seven of this Bylaw.

## 6.4 CR – Country Residential

The general purpose of this zone is to permit single detached dwellings development in a rural setting.

### 1) Permitted Uses

- a. Single detached dwelling; and
- b. Buildings and uses accessory to the above.

### 2) Conditional Uses

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

### 3) Development Regulations

	Single Detached Dwelling	Accessory Buildings
Minimum Site Area	0.15 hectares	
Maximum Site Area	2 hectares	
Maximum Site Coverage	25%	2%
Minimum Site Width	30 m	
Minimum Front Yard Setback	15 m	3 m (from dwelling)
Minimum Rear Yard Setback	15 m	1 m
Minimum Side Yard Setback	10 m	1 m
Minimum Floor Area	75 m <sup>2</sup>	
Maximum Height	10 m (or 2.5 storeys)	

- 4) All development shall meet the requirements of Part Five and Seven of this Bylaw.

## 6.5 RC – Recreational Cottage

This zone provides a recreational residential “get away” not intended for year-round habitation, and no municipal services are provided.

### 1) Permitted Uses

- a. Cottage;
- b. Buildings and uses accessory to the above.

### 2) Conditional Uses

- a. Other uses which are considered by Council to be similar in character and purpose to uses listed above as part of a Recreational Cottage zone.

### 3) Development Regulations

	Cottage	Accessory Buildings
Minimum Site Area	-	-
Maximum Site Area	-	-
Minimum Site Width	30 m	1 m
Maximum Site Coverage	25%	2%
Minimum Front Yard Setback	15 m	3 m (from dwelling)
Minimum Rear Yard Setback	15 m	1 m
Minimum Side Yard Setback	10 m	1 m
Maximum Floor Area	100 m <sup>2</sup>	15 m <sup>2</sup>
Maximum Building Height	5 m or 1.5 storeys	3 m

- 4) As a condition of approval the Development Authority will require the owner to provide proof of satisfactory arrangements for water, wastewater, garbage disposal, fire protection, and access.
- 5) All development shall meet the requirements of Part Five and Seven of this Bylaw.

## 6.6 C1 – Core Commercial

The general purpose of this zone is to provide for a central business district.

### 1) Permitted Uses

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

### 2) Conditional Uses

- a. Auction establishments;
- b. Private clubs and lodges;
- c. Public or quasi-public uses;
- d. Day cares;
- e. Repair service establishments;
- f. Local utility services;
- g. Combined commercial/residential complexes
- h. Workshops accessory to retail stores;
- i. Buildings and uses accessory to the above; and

- j. 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.

3) Development Regulations

	Buildings
Minimum Site Area	278 m <sup>2</sup>
- Hotels	900 m <sup>2</sup>
Minimum Site Depth	30 m
Minimum Site Width	7.5 m
- Hotels	30 m
Minimum Front Yard Setback	-
Minimum Rear Yard Setback	6 m
Minimum Side Yard Setback	2.5 m
If next to residential zone	3 m
Maximum Height	13 m

- 4) Doors and windows to cover at least 30% of the ground floor wall along street frontages.
- 5) Off-street parking shall be located along the side(s) of the building or behind the building not between the primary business and the frontage and the street.
- 6) A workshop will be permitted an accessory to a retail store provided that:
  - a. The workshop is not located at the front of the store;
  - b. the floor area of the workshop is not greater than 370m<sup>2</sup>; and
  - c. the manufacturer or the treatments of the products in the workshop are essential to the retail business conducted on the premises.
- 7) A minimum of 5% of the site area shall be landscaped to provide a public amenity.
- 8) All development shall meet the requirements of Part Five and Seven of this Bylaw
- 9) A person applying to develop a hotel or motel shall comply with the provisions of Part Seven of the Zoning Bylaw.

## 6.7 C2 – General Commercial

The C2 General Commercial Zone provides for commercial uses that require larger areas of parking or outdoor storage spaces that would not be appropriate in the Downtown Central Core area.

### 1) Permitted Uses

- a. Tourist-related facilities dependant on close proximity to a highway for trade, not including motels or hotels;
- b. Service stations;
- c. Restaurants developed in conjunction with service stations;
- d. Convenience stores;
- e. Drive-in restaurants;
- f. Storage and/or sales of building supplies and lumber;
- g. Repair and service shops;
- h. Car rental and sales;
- i. Automobile garages or automobile body shops;
- j. Car washes; and
- k. Accessory buildings and uses;

### 2) Conditional Uses

- a. Motels;
- b. Hotels
- c. Campgrounds;
- d. Public buildings and uses;
- e. Public utility buildings and installations; and
- f. Other uses which are considered by Council to be similar in character and purpose to the uses listed above as part of a Commercial Zone (C2).

3) Development Regulations

	Buildings
Minimum Site Area	To be established by the Development Authority
Minimum Lot Depth	30 m
Minimum Lot Width	30 m
Maximum Site Coverage	30%
Minimum Front Yard Setback	6 m
Minimum Rear Yard Setback	7 m
Minimum Side Yard Setback	6 m
Maximum Building Height	12 m

- 4) Where development fronts on a designated highway pursuant to the Public Highways Act, a service roadway of not less than 15 m (50 ft.) in width shall be required adjacent and parallel to the highway. Council may require a service road of not less than 15 m (50 ft.) in width on all highways within the Town.
- 5) A landscaped buffer shall be provided between any yard adjacent to a highway or roadway.
- 6) All outdoor storage areas, freight or trucking yards shall be enclosed and screened from view through the use of buildings, landscape features or fences or a combination thereof.
- 7) All development shall meet the requirements of Part Five and Seven of this Bylaw

## 6.8 CU – Community Use

The purpose of the Community Use Zone is to provide for the development of public and privately owned facilities of an institutional or community service nature.

### 1) Permitted Uses

- a. Religious establishments;
- b. Community halls;
- c. Schools;
- d. Hospitals;
- e. Public and Quasi-public buildings or uses;
- f. Senior citizens homes and similar buildings;
- g. Parks, playgrounds, recreation areas; and
- h. Accessory buildings and uses.

### 2) Conditional Uses

- a. Cemeteries;
- b. marinas servicing pleasure craft;
- c. Clubs and lodges;
- d. Public utility installations and uses;
- e. Other uses which are considered by Council to be similar in character and purpose to uses listed above as part of a Community Zone.

### 3) Development Regulations

	Buildings
Minimum Site Area	determined by the Development Authority
Maximum Site Coverage	60%
Minimum Front Yard Setback	6 m
Minimum Rear Yard Setback	7.5 m
Minimum Side Yard Setback	4.5 m
Minimum Lot Width	30 m
Minimum Lot Depth	Determined by the Development Authority
Maximum Building Height	10 m

## 6.9 M1 – Light Industrial

The purpose of this zone is to provide for industrial uses which generally carry out a portion of the activities outdoors, but do not generate any off-site nuisances, and require smaller lots than those required for heavy industry.

### 1) Permitted Uses

- a. A workshop used by any of the following:
  - i. Cabinet maker;
  - ii. Carpenter;
  - iii. Electrician;
  - iv. Gas fitter;
  - v. Metal worker;
  - vi. Painter;
  - vii. Plumber;
  - viii. Printing shop;
  - ix. Pipe fitter;
  - x. Tinsmith;
  - xi. Upholsterer;
- b. Cold storage lockers;
- c. Warehousing/storage;
- d. Receiving and distributing depots;
- e. Servicing and repair establishments;
- f. Service or gas station;
- g. Automobile repair shop;
- h. Small engine repair shop;
- i. The storage and/or sale of automobiles or building supplies;
- j. Dog lots; and
- k. Buildings and uses accessory to the above.

### 2) Conditional Uses

- a. Hardware and improvement centres;
- b. Auction establishments;
- c. Parking facilities;
- d. Public and semi-public uses;
- e. Animal hospital and kennels;
- f. Detention or correction facilities;

- g. Motels;
- h. Caretaker units;
- i. Local utility services and installations;
- j. Buildings and uses accessory to the above;
- k. Such recreational and public uses which are considered by Council to be compatible with a light industrial area; and
- l. Other industrial uses which are considered by Council to be similar in character and purpose in keeping with the intent and purpose of the Community Plan.

### 3) Development Regulations

	Buildings
Minimum Site Area	To be established by the Development Authority
Maximum Site Coverage	60%
Minimum Front Yard Setback	6 m
Minimum Rear Yard Setback	5 m
- where abutting residential zone	7.5 m
Minimum Side Yard Setback	4.5 m
Maximum Building Height	10 m

- 4) A caretaker's unit shall not exceed 80 m<sup>2</sup> in floor area.
- 5) Where it is deemed that physical limitations make it impractical to conform with the minimum yard requirements above a variance to yard setbacks may be granted by Council in accordance with Section 4.8.
- 6) External storage yards must be designed to allow goods to be kept in a neat and orderly manner and suitably enclosed by a fence or wall, to the satisfaction of the Development Officer or Council.
- 7) For the purpose of this by-law, "light industrial" shall refer to those considerations listed under the definition of "light industrial" and only uses that conform to the following will be approved:
  - a. No process involving the use of solid fuel will be used;
  - b. No emission of any odorous or toxic gas, substance, or matter will occur;
  - c. No glare or heat will be produced that will be discernible beyond the property line of the lot concerned; and
- 8) All development shall meet the requirements in Part Five and Seven of this Bylaw.

## 6.10 M2 – Industrial

The purpose of the Industrial Zone is to contain industrial uses which generally carry out a portion of their activities outdoors and which are of such a nature that they may require larger lots and may create off-site nuisances.

### 1) Permitted Uses

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

### 2) Conditional Uses

- a. Such municipal uses that, in the opinion of Council, are compatible with an industrial area;
- b. Other uses which are considered by Council to be similar in character and purpose to the uses listed above.

### 3) Development Regulations

	Buildings
Minimum Site Area	To be established by the Development Authority
Minimum Site Depth	To be established by the Development Authority
Minimum Site Width	30 m
Maximum Site Coverage	60%
Minimum Front Yard Setback	10 m
Minimum Rear Yard Setback	9 m
Minimum Side Yard Setback	9 m
Maximum Building Height	10 m

- 4) External storage yards are to be designed to allow goods and equipment to be kept in a neat and orderly manner and suitably enclosed by a fence or wall, to the satisfaction of the Development Officer or Council.
- 5) For the purpose of this by-law, "heavy industrial" shall refer to those considerations listed under the definition of "heavy industrial" and only industrial operations that conform to the following will be approved:
  - a. Smoke, dust, ash, odour, toxic gases, etc. will only be released to the atmosphere in such amounts and under such conditions and safeguards as shall have been approved in writing by Council after consultation with the appropriate Government Agency.
  - b. No glare or heat will be produced so as to be offensive beyond the property line of the lot concerned.
  - c. No industrial wastes shall be discharged into any water drainage system without the express approval of the Town of Inuvik
  - d. The emission of any toxic or odorous gas, substance or matter will only be released in such amounts and under such conditions and safeguards as shall have been approved in writing by Council after consultation with the appropriate Government Agency.
- 6) All development shall meet the requirements in Part Five and Seven of this Zoning Bylaw.

## 6.11 SR – Science and Technology

The general purpose of this zone is to maintain an area for the installation and operation of equipment used for scientific research, technology, or communications that do not produce any nuisances require certain clearances.

- 1) Permitted Uses
  - a. Satellite facilities;
  - b. Data centres; and
  - c. Buildings and uses accessory to the above.
- 2) Conditional Uses
  - a. Such municipal uses that, in the opinion of Council, are compatible with the permitted uses;
  - b. Other uses which are considered by Council to be similar in character and purpose to the uses listed above.
- 3) All other regulations shall be determined on a case by case basis by the Development Authority or Council.
- 4) All development shall meet the requirements in Part Five and Seven of this Zoning Bylaw.

## 6.12 P – Parks and Open Space

This zone designates land for active and passive recreational uses. It also preserves open and natural areas and parkland along the river, creeks and ravines, to protect the natural environment or provide natural buffers.

### 1) Permitted Uses

- a. Playgrounds;
- b. Community parks;
- c. Community gardens;
- d. Natural areas for environmental protection; and
- e. Buildings and uses accessory to the above.

### 2) Conditional Uses

- a. Campgrounds and day use areas;
- b. Visitor Centres;
- c. Tourist lodges;
- d. Golf courses;
- e. Marinas;
- f. Public or quasi-public buildings and uses;
- g. Public utility installations and uses;
- h. Buildings and uses accessory to the above; and
- i. Other uses which are considered by Council to be similar in character and purpose and in keeping with the intent and purpose of the Community Plan.

### 3) All park and playground equipment shall meet or exceed Canadian safety standards.

### 6.13 UR – Urban Reserve

The purpose of the Urban Reserve Zone is to reserve areas for anticipated needs of specific types of development. Development of these lands shall be consistent with the Community Plan land use concept plan and policies, and will require the rezoning of any land prior to development.

#### 1) Permitted Uses

- a. None

#### 2) Conditional Uses

- a. Recreational uses;
- b. Parks/Open Space uses; and,
- c. Public Utility uses which are not prejudicial to future development for residential, commercial, community use or compatible urban uses.

#### 3) Development Regulations

- a. Land in this zone shall be subdivided or transferred only if the proposed use does not prejudice the future economical subdivision or servicing of the land on a neighbourhood or community basis.
- b. All approved uses are interim uses only and an agreement outlining the conditions and duration of use must be approved by Council.

## 6.14 H – Hinterland

The purpose of the Hinterland Zone is to protect those natural areas outside the built up area of Inuvik for the benefit of all of Inuvik's residents until it is identified for future growth in the Community Plan, and to provide for core public infrastructure including areas required to meet environmental protection regulations and setbacks.

### 1) Permitted Uses

- a. None

### 2) Conditional Uses

- a. Traditional cultural activities including temporary tenting or camping where provision is made for adequate access, water supply, waste disposal and other services;
  - b. Trap lines and fishing areas;
  - c. Ski trails and snowmobile trails;
  - d. Parks and open space;
  - e. Installations for scientific or archaeological research, airports, resource development, national security or defence or of a similar nature;
  - f. Drainage channels or power lines;
  - g. Game preserves or conservation areas;
  - h. Public or quasi-public buildings and uses including municipal or public utility installations;
  - i. Solid waste disposal site;
  - j. Sewage disposal site;
  - k. Quarry;
  - l. Telecommunication towers and facilities;
  - m. Shipping and navigation aids;
  - n. Water reservoirs and water supply facilities;
  - o. Cemeteries;
  - p. Environmental reserves for watershed protection; and
  - q. Those uses which, in the opinion of Council, do not detract from the existing use of the area, and which conform to the general purpose and intent of the zone.
- 3) An Environmental Assessment may be required as condition of a development permit.
  - 4) No subdivision or development other than for the above uses shall proceed without amending the Community Plan and land use concept
  - 5) Council shall be the approval authority for all uses in this zone.

### 6.15 SD1- Special Development

The purpose of the Special Development designation is to allow for existing land uses while preparing for a transition to an environmental reserve or park use.

#### 1) Permitted Uses

- a. No permitted uses.

#### 2) Conditional Uses

- a. All applications for development on lands with this zoning designation are to be considered on their individual merit by Council.
- b. As a general guideline, Council will only approve those developments which will not jeopardize the transition of this area.

#### 3) Development Regulations

- a. Development will generally comply with regulations for similar land uses in other zoning designations, except that setbacks shall be as approved by Council.

### 6.16 SD2- Special Development

The purpose of the Special Development designation is to allow for a mix of uses that are capable of operating with a limited level of municipal services.

#### 1) Permitted Uses

- a. No permitted uses.

#### 2) Conditional Uses

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

#### 3) Development Regulations

- a. Development will generally comply with regulations for similar land uses in other zoning designations, except that setbacks shall be as approved by Council.

## 6.17 Airport

The purpose of this zone is to recognize the jurisdiction and authority of the Government of the Northwest Territories and the Government of Canada over public airport lands forming part of the Inuvik Airport as designated in the Commissioners' Public Airport Lands Regulations.

- 1) All uses and developments on those Commissioner's public airport lands shall be subject only to the approval of the Government of the Northwest Territories. For greater certainty, nothing in this by-law shall apply to the use or development of those Commissioner's public airport lands.
- 2) Council or the Development Officer, if requested, may provide input respecting any proposed development on Commissioner's public airport lands.

## 7 PART SEVEN – SPECIFIC LAND USE REGULATIONS

The Specific Land Use Regulations apply to the uses included in this section irrespective of the zone in which they are located. Where these regulations appear to be in conflict of the zone regulations (whether for a permitted or conditional use), the Specific Land Use Regulations shall take precedence and shall be applied in addition to the requirements of the zone.

### 7.1 Religious Establishments

- 1) Anyone applying to develop a site as a religious establishment shall comply with the following provisions:
  - a. The site on which a religious establishment is situated shall have a frontage of not less than 30 m and an area of not less than 900 m<sup>2</sup>.
  - b. Front, side and rear yards shall adhere to the guidelines of the zone in which the religious establishment site is located.

### 7.2 Neighbourhood Convenience Stores

- 1) Convenience stores, located in residential neighbourhoods, shall be located only on major streets and shall not be within 400 m of another such development in any residential zone.
- 2) A single residential dwelling unit may be accessory to the commercial use.
- 3) The total floor area of any store shall not exceed 60 m<sup>2</sup>.
- 4) The minimum site area shall be 465 m<sup>2</sup>.

### 7.3 Drive-through business

- 1) Points of access and egress shall meet the approval of the Development Officer.
- 2) The minimum site area shall be 550 m<sup>2</sup>. The minimum area of buildings to be erected shall be 37m<sup>2</sup>.
- 3) There shall be a provision for at least six customer cars on the street.
- 4) The owner/operator of a drive-in shall be responsible for providing adequate vehicular access and parking facilities for the safe and orderly operation of motor vehicles using the site.
- 5) All parts of the site with vehicle access shall be surfaced and drained to the satisfaction of the Development Officer.

#### 7.4 Car Washing Establishments

- 1) The minimum site area shall be 550 m<sup>2</sup> except where a car wash is combined with a service station and then the minimum site area shall be 1,100 m<sup>2</sup>.
- 2) Site requirements are the same as drive-through businesses.
- 3) Water or waste water used for washing purposes will not be permitted to drain off the site but shall be retained and disposed of in a manner deemed satisfactory by the Development Officer.

#### 7.5 Service Stations (Including Gas Bars)

- 1) Provision of points of access and egress shall meet with the approval of the Development Officer.
- 2) The minimum site area shall be 740 m<sup>2</sup> except where a car wash is combined with a service stations and then the minimum site area shall be 1,100 m<sup>2</sup>.
- 3) The maximum building coverage shall be twenty-five percent (25%) of the site area.
- 4) All parts of the site which may be accessed by vehicles shall be surfaced and drained to the satisfaction of the Development Officer.

#### 7.6 Motels

- 1) For the purpose of this subsection, a rentable unit means a separate unit or suite of a motel intended for occupancy by one or more persons.
- 2) Unless connected to a continuous roof a minimum of 3.7m of separation shall be provided between each rentable unit and any other building on the site.
- 3) Motor vehicle access shall be provided by:
  - a. not more than one entrance and one exit onto a street, each of a minimum width of 7.0 m measured at its minimum dimension, or
  - b. no more than one combined entrance and exit not less than 9.0 m in width.

#### 7.7 Multiple Dwelling Developments

- 1) For all residential developments containing more than two (2) dwelling units, the following must be provided:
  - a. access for fire department vehicles and other emergency vehicles;
  - b. suitable enclosed garbage area;
  - c. landscaping to enhance the general appearance of the project;
  - d. fencing that protects the privacy of dwelling units in and adjacent to the development;

- e. safe pedestrian access to and from the public sidewalk fronting;
  - f. any other matter the Development Authority considers necessary to maintain a residential environment.
- 2) All new residential developments that include more than ten (10) dwelling units, including mobile home park parks, shall include tot lot(s) and/or a playground (neighbourhood park) with accessories. The standards park sizes include:
- a. Tot Lots - 0.2 hectares
  - b. Neighbourhood parks - 0.8 hectares
- g. Developers shall be responsible for all the costs associated with the development of tot lots and playgrounds.

## 7.8 Manufactured Dwellings

- 1) Manufactured homes shall in all cases:
- a. be placed on permanent foundations and footings that comply with the requirements of the National Building Code of Canada;
  - b. meet or exceed the provisions of C.S.A. Z240;
  - c. have a floor area not less than 74.34 m<sup>2</sup> (800 ft<sup>2</sup>); and
  - d. enclose the undercarriage with skirting that allows adequate ventilation to maintain permafrost, and complements the dwelling to the extent possible;
- 2) All accessory structures such as patios, porches, decks, additions and storage facilities shall be factory prefabricated units, or of an equivalent quality to complement the dwelling.

## 7.9 Mobile Home Parks

- 1) The density of mobile home parks shall not exceed 22 mobile homes per hectare.
- 2) Design and street patterns shall be compatible with existing municipal street and utility system standards.
- 3) Pedestrian Access
- a. Safe, convenient and clear walkways shall be provided for easy access to individual mobile homes, streets and common areas, such as parks and laundry areas.
  - b. All walkways shall have a minimum width of 1.2 m and shall have a durable, dust-free all-weather surface.
- 4) Recreation and Landscaping
- a. Areas for recreation shall constitute at least 5% of the mobile home park area.

- b. Recreation areas shall be conveniently located for all park residents and shall also be removed from areas which present potential traffic hazards.
  - c. Recreation areas shall not be included in areas designed as buffer strips.
  - d. Recreation areas shall be landscaped and properly equipped with facilities.
  - e. Adequate fencing or screening shall be provided between recreational and other land uses within the mobile home park.
  - f. All areas of a mobile home park that are not developed (i.e. containing improvements) shall be landscaped.
  - g. Adequate fencing or screening in the form of trees or other plantings shall be provided between a mobile home park and adjacent uses where these uses are incompatible with the residential character of the mobile home park.
  - h. Adequate screening in the form of fencing, trees or shrubs shall be provided around laundry areas, service buildings, refuse collecting points and other common areas.
- 5) Common Areas
- a. Adequately covered storage facilities shall be provided, either on individual lots or in common storage facilities.
  - b. Common storage facilities shall be located in a permanent building conveniently located to all park residents.
  - c. Adequately screened storage components shall be provided for large trucks, campers, travel trailers, snowmobiles and boats to the satisfaction of the Development Officer.
  - d. Where heating fuel is provided by a local distribution system such as propane, container space shall be inconspicuously located and must meet the approval of the Fire Chief.
- 6) Additional Lot Requirements
- a. Each mobile home lot shall be clearly marked on the ground by permanent stakes, markers or other means, and shall be clearly defined according to lot number or other address system.
  - b. Permanent additions such as patios, porches, garages or other structural additions:
    - i. must not conflict with other regulations pertaining to this zone;
    - ii. are considered to be part of the mobile home and require a building permit prior to construction;
    - iii. may not exceed 50 percent of the mobile home unit area, or 50 percent of the lot area; and
    - iv. shall be of a design similar to the mobile home unit and will harmonize with the exterior of the unit.

- c. Mobile homes shall be separated by a minimum distance of 3.0 m (9.8 ft.) and any porch or addition to the mobile home shall be regarded as part of the mobile home in determining this distance.
  - d. Each mobile home lot shall be provided with a permanent foundation or stand in the form of a hard compacted gravel or concrete pad at the original ground level.
  - e. A sound base for the blocking and levelling of a mobile home will be provided, either with pads of concrete or with any other material appropriate for a stand.
  - f. Each mobile home unit shall have skirting around the base of the unit that harmonizes with the unit. This skirting shall permit the circulation of air beneath the unit and must be completed within 30 days, or within a time period specified by the Development Officer, following the placement of the mobile home.
  - g. Space shall be provided for at least two (2) parking stalls per mobile home lot. At least one of the stalls must be provided on the mobile home lot itself.
  - h. The hitch and wheels are to be removed from the mobile home.
- 7) Utilities and Services
- a. There shall be allowances for garbage disposal containers on each lot and a screened garbage disposal area at a central point convenient for collection.
  - b. The park owner shall provide access to the utilidor system where necessary and any other fire protection equipment or facilities as deemed necessary by the Fire Chief.

#### 7.10 Playgrounds

- 1) All playground equipment installed in a park or playground area shall meet or exceed current Canadian safety standards.

#### 7.11 Day Cares

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

## 7.12 Group Homes

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

## 7.13 Caretaker Units

- 1) A caretaker unit shall be designed to be occupied by no more than one (1) household, or a maximum of five (5) unrelated persons.
- 2) Continued occupancy of the caretakers unit shall only be permitted where the site is in use for a commercial or industrial operation.

## 7.14 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 the vicinity of the airport shall be subject to the policies, regulations and standards established by the Department of Transportation, Arctic Airports Division, Government of the Northwest Territories and the Inuvik Airport Zoning Regulations pursuant to Section 6 of the Aeronautics Act.

## 7.15 Home Occupations

- 1) A home occupation shall not be permitted in a residence if, in the opinion of Council the business would be more appropriately located in a Commercial or Industrial zone.
- 2) A resident who intends to operate a home business where permitted under this by-law, shall make application for the following:
  - a. a development permit that shall be in effect for the period the home occupation is operated; and

- b. a business licence that shall be in effect for the period of one calendar year requiring annual renewal to continue the home occupation.
- 3) All home occupations, if given approval, shall comply with the following provisions:
- a. no outdoor business activity, storage of materials or equipment shall be associated with the business;
  - b. the business shall not generate pedestrian traffic, vehicular traffic or parking in excess of that which is characteristic of the zone within which it is located;
  - c. the number of employees shall not exceed three at any one time;
  - d. the number of customers in attendance at any one time is limited to six (6) unless otherwise determined by Council;
  - e. There shall be no exterior display or advertisement, other than a permitted sign measuring 45.7 cm x 60.9 cm (18" x 24");
  - f. No equipment/activity that results in noise and/or interference (i.e. visible, audible) to radio or television reception in adjacent buildings will be used;
  - g. The business shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling involved; and
  - h. The following lists some of the more common types of home occupations (but is by no means exclusive):
    - i. The small-scale manufacture of novelties, souvenirs and handicrafts;
    - ii. Stamp and coin collecting and/or sales;
    - iii. Private music instruction;
    - iv. Hair salon;
    - v. The minor repair of domestic equipment normally used within dwellings;
    - vi. 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.

#### 7.16 Bed and Breakfast

- 1) The building in which the Bed and Breakfast is located must be the principal residence of the owner of the Bed and Breakfast and his/her family.
- 2) Any person wishing to operate a bed and breakfast operation shall be required to apply for a development permit;
  - a. bed and breakfast operations shall be limited to residential land use zone and shall be contained in or physically linked with the principal building;

- b. a bed and breakfast operation shall provide no more than one meal per day, shall cater to registered guests only, shall prepare food in one common kitchen and shall serve food in one common room;
- c. off-street parking requirements for the residential unit itself, one (1) off-street parking space shall be required per rented guest room; and,
- d. the maximum number of rental rooms in a Bed and Breakfast is four (4) to be designed for a maximum occupant load of eight (8) persons over and above the owner and their family.
- e. Applications for a development permit for a Bed and Breakfast must be accompanied by proof that the plans met all requirements of the Office of the Fire Marshal.

#### 7.17 Scrap Yards/Junk Yards

##### 1) Location

- a. Scrap yards/junk yards shall not be situated near naturally occurring sources of water be it seasonal or permanent including but not limited to lakes, rivers, streams, ponds and creeks.
- b. Minimum distance of any junkyard/scrapyard property line from any residential property line shall be at least four hundred (400) metres.

##### 2) Fencing

- a. Every scrap yard/junk yards shall have opaque privacy screening on all property lines consisting of a fence of at least four (4) metres high from grade.
- b. The construction of fences enclosing junkyards/scrapyards shall be:
  - i. of a uniform type with no patchwork construction;
  - ii. built with lockable access gates;

##### 3) Access

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

## 8 SCHEDULE "B" APPLICATION FORMS



**TOWN OF INUVIK**

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

FORM 'A'  
APPLICATION FOR A DEVELOPMENT PERMIT

Applicant Information (Please Print):

Name: \_\_\_\_\_ Interest (if not owner): \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

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

Owner Information (if different than applicant):

Registered Owner's Name: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

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

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

Property Information:

Address of Property to be Developed: \_\_\_\_\_

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

Lot Width: \_\_\_ metres      Lot Depth: \_\_\_ metres      Lot Area: \_\_\_ square metres

Type of Lot (check one):  Street Facing     Corner     Interior     Other

Existing Use(s) of Property: \_\_\_\_\_

Proposed Use(s) of Property : \_\_\_\_\_



**TOWN OF INUVIK**

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Phone: (867) 777-8600 Fax: (867) 777-8601

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

**PROPOSED DEVELOPMENT(S):**

*Check all applicable development(s) and submit the completed, corresponding checklist of supporting information with your application.*

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 1. LAND DEVELOPMENT | <input type="checkbox"/> 2. CONSTRUCTION      | <input type="checkbox"/> 3. EXCAVATION |
| <input type="checkbox"/> 4. ACCESSORY USE    | <input type="checkbox"/> 5. PORCHES AND DECKS | <input type="checkbox"/> 6. FENCE      |
| <input type="checkbox"/> 7. RELOCATION       | <input type="checkbox"/> 8. DEMOLITION        | <input type="checkbox"/> 9. SIGN       |
| <input type="checkbox"/> 10. HOME OCCUPATION | <input type="checkbox"/> 11. VARIANCE         |  |

Estimated Cost of Project: \$ \_\_\_\_\_

*I hereby make application under the provisions of the Zoning By-law (\_\_\_\_\_) for a Development Permit in accordance with the supporting information submitted herewith and which form part of this application.*

**SIGNATURE:**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature (if different than applicant)

\_\_\_\_\_  
Date



## TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

### SUPPORTING INFORMATION

#### 1. LAND DEVELOPMENT

- Site Plan showing:
  - development location
  - surrounding roads
  - proposed servicing (utilidor access, power, gas)
  - proposed site grading and drainage plan(s)
  - proposed culvert locations and sizes(culvert sizes and locations may be specified by the Town as a condition of the permit).
  
- Area (m<sup>2</sup>) \_\_\_\_\_
  
- Proposed Lot Fill: \_\_\_\_\_
  
- Number of Pilings: \_\_\_\_\_
  
- Proof that notification has been given to all Utility Providers (please attach)
  
- Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



## TOWN OF INUVIK

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

### 2. CONSTRUCTION:

- New Construction
- Addition to Existing Building
- 2 sets of site plans showing:
  - Building footprint
  - Legal description of lot
  - Yards and set-backs (front, rear, and side)
  - Provisions for off-street parking, loading, and access and egress points
  - Provisions for landscaping and drainage
- 2 sets of floor plans (minimum 1:100 scale)
- 2 sets of sections (minimum 1:100 scale)
- Proof that notification has been given to all Utility Providers (please attach for gas, electrical, water, sewer etc.)
- For industrial uses, proof that the OFM has received and accepted a Safety Plan in conformance with the National Fire Code.
- Estimated commencement date \_\_\_\_\_
- Estimated completion date \_\_\_\_\_
- Development Application Fee (enter amount) \_\_\_\_\_

Please note that the submission of complete construction documents may be a requirement of the Office of the Fire Marshal of the NWT .

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



## TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
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Application No. \_\_\_\_\_

### 3. PROPOSED EXCAVATION

- Site plan indicating location of excavation
- Length (in metres) \_\_\_\_\_
- Width (in metres) \_\_\_\_\_
- Depth (in metres) \_\_\_\_\_
- Planned Excavation Start Date \_\_\_\_\_
- Planned Excavation Completion Date \_\_\_\_\_
- Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



## TOWN OF INUVIK

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

### 4. ACCESSORY USE

- Accessory Use Proposed: \_\_\_\_\_
  
- Site Plan (minimum 1:100 scale) showing:
  - location of existing buildings
  - location of proposed accessory building
  - property dimensions and proposed setback dimensions
  
- Percentage of Lot Occupied: \_\_\_\_\_ Height of Accessory Building: \_\_\_\_\_
  
- Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



# TOWN OF INUVIK

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

5. PROPOSED PORCHES AND DECKS (if over 0.6 m in height above ground level)
- Height (in meters) \_\_\_\_\_
  - Deck/Porch Size (in square meters) \_\_\_\_\_
  - Existing Side and Front Yard Measurements (from property line): \_\_\_\_\_
  - Setback from: Side Lot Line: \_\_\_\_\_ Rear Lot Line: \_\_\_\_\_
  - Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*

DRAFT



## TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

### 6. PROPOSED FENCE

- Site plan showing location of proposed fence
- Height (in metres): \_\_\_\_\_
- Width (in metres): \_\_\_\_\_
- Planned Fencing Start Date: \_\_\_\_\_
- Planned Fencing Completion Date: \_\_\_\_\_
  
- Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*

DRAFT



# TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
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Application No. \_\_\_\_\_

## 7. PROPOSED RELOCATION

- Type of Building or Structure to be Relocated: \_\_\_\_\_
- Building Height \_\_\_\_\_
- Building Footprint (in square meters) \_\_\_\_\_
- From: Lot# \_\_\_\_\_ Block# \_\_\_\_\_ Plan# \_\_\_\_\_
- To: Lot# \_\_\_\_\_ Block# \_\_\_\_\_ Plan# \_\_\_\_\_
  
- Proposed Route: \_\_\_\_\_
  
- Planned Date of Move: \_\_\_\_\_
  
- Proof of notification to all service providers (i.e. water, sewer, power, gas)
  
- Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



## TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

### 8. PROPOSED DEMOLITION

Type of Building or Structure to be Demolished: \_\_\_\_\_

Demolition Methods to be Used: (describe here or attach description)

Proof that all applicable regulatory authorities have been advised of the proposed demolition, and have received and reviewed any required safety plans.

Planned Demolition Start Date: \_\_\_\_\_

Planned Demolition Finish Date: \_\_\_\_\_

Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



# TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

## 9. PROPOSED SIGN

Business License Number: \_\_\_\_\_

Site Plan Showing Location of Sign

2 Sets of Drawings to Scale, showing:

- Sign location on lot
- Dimensions (Height, Width, and Thickness)
- Size of letters
- Projection from building face
- Height above average ground level at the building face
- Manner of illumination, animation, or flashing lights (if applicable)

Message on Sign: \_\_\_\_\_

Installation Contractor: \_\_\_\_\_

Planned Installation Date: \_\_\_\_\_

Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



## TOWN OF INUVIK

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

### 10. HOME OCCUPATION

- Type of Home Occupation proposed: \_\_\_\_\_
- Business License Number: \_\_\_\_\_
- Floor plan showing the portion of the residence to be used for the business (attach)
- Description of how this Home Occupation will preserve the character of the residential neighbourhood, and the rights of other residents to quiet enjoyment of the residential neighbourhood:
  
- Planned commencement date: \_\_\_\_\_
- Development Application Fee (enter amount) \_\_\_\_\_

*Note: Development Application Fees to be determined in accordance with the Consolidated Rates and Fees Bylaw*



**TOWN OF INUVIK**

Box 1160, #2 Firth Street, Inuvik NT, X0E 0T0  
Phone: (867) 777-8600 Fax: (867) 777-8601

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

11. REQUEST FOR VARIANCE

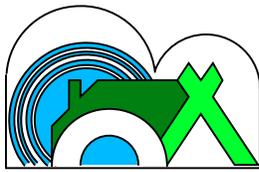
Type of variance requested: \_\_\_\_\_

Rationale \_\_\_\_\_

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

Plan or elevation drawing describing variance (attach)

DRAFT



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

TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'B'

### DEVELOPMENT PERMIT

Development involving: \_\_\_\_\_  
\_\_\_\_\_

As further described in Application No. \_\_\_\_\_ has been:

APPROVED

APPROVED – subject to conditions (see attached)

Shall comply with:

Town Zoning By-law;  
National Building Code, most current;  
National Fire Code, most current; and  
All Federal and Territorial Regulations

The applicant is hereby authorized to proceed with the specified development provided that any stated conditions are complied with, that development is in accordance with any approved plans and applications. Should an appeal be made against this decision to the Development Appeal Board, this Development Permit shall be null and void.

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

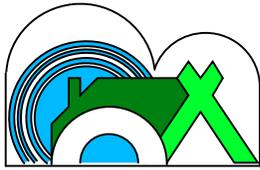
\_\_\_\_\_  
*Date of issue of Development Permit*

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

#### NOTES:

The issuance of a Development Permit, in accordance with the Notice of Decision, is subject to the condition that it does not become effective until fifteen (15) days after the date the order, decision or Development Permit is issued;

The Zoning By-law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within fourteen (14) days after notice of the decision is given; and, a permit issued in accordance with the Notice of Decision is valid for a period of 365 days from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.



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

TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'C'

### NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

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

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

\_\_\_\_\_

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

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

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

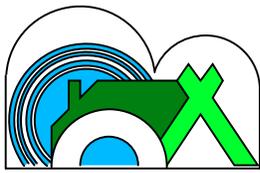
The Zoning By-law provides that any person claiming to be adversely affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within fourteen (14) days after notice of the decision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

\_\_\_\_\_

*Date of Notice*

\_\_\_\_\_

*Signature of Development Officer*



TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'D'

### DEVELOPMENT PERMIT ACCEPTANCE

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

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

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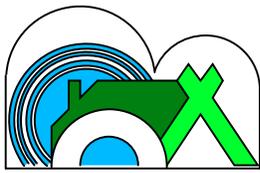
*Signature of Applicant*

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*Date*

---

*Signature of Witness*



TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'E'

### NOTICE OF REFUSAL

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

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

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

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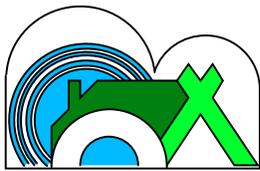
*Date of Decision*

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*Date of Notice of Decision*

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*Signature of Development Officer*



TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'F'

### NOTICE OF APPEAL HEARING

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

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

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

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

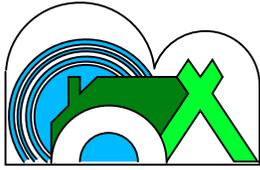
Any persons affected by the proposed development have the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board not later than: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

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*Date*

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*Signature of Secretary Development Appeal Board*



TOWN OF INUVIK

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

ZONING BY-LAW #2583/P+D/15

## FORM 'G' NOTICE OF APPEAL DECISION

This is to notify you that an appeal against the:

APPROVAL

APPROVAL – with conditions

REFUSAL

Of a Development Permit with regard to the following:

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

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\_\_\_\_\_

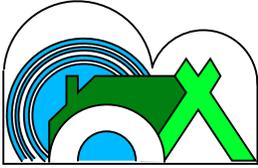
\_\_\_\_\_

*Date*

*Signature of Secretary Development Appeal Board*

NOTE:

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 50 of the Planning Act. An application for leave to appeal to the Supreme Court shall be made to a judge of the Supreme Court within thirty (30) days after the issue of the order, decision, permit or approval sought to be appealed.



**REGISTERED MAIL or  
SERVED IN PERSON**

TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'H'

### NOTICE OF ZONING BY-LAW CONTRAVENTION

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

- Zoning By-law
- Development Permit

By reason of:

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

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

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

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



TOWN OF INUVIK  
ZONING BY-LAW #2583/P+D/15

## FORM 'I'

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

PLEASE PRINT:

I/We hereby make application to amend the Zoning By-law (#xxxx).

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

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

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

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

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

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

Amendment Proposed: \_\_\_\_\_

Reasons in support of application for amendment: (attach additional pages as required)

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

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*Signature of Applicant*

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*Date*

## 9 SCHEDULE "C" ZONING MAPS