

THE CORPORATION OF THE CITY OF GRAND FORKS

Zoning Bylaw No. 2039, 2017

A Bylaw to Regulate Land Use in the City of Grand Forks

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WHEREAS the City of Grand Forks Council may establish zoning, off street parking regulations and runoff control requirements by bylaw;

AND WHEREAS the Council now wishes to replace the existing Zoning Bylaw cited as "City of Grand Forks Zoning Bylaw No. 1606, 1999";

AND WHEREAS the Council has consulted with the Regional District of Kootenay Boundary and referred this Bylaw to the Ministry of Transportation and Highways and the Provincial Agricultural Land Commission;

AND WHEREAS the Council has given the public adequate opportunity to examine and comment on the proposed "City of Grand Forks Zoning Bylaw No. 2039, 2017";

NOW THEREFORE the Council of the City of Grand Forks in open meeting assembled enacts as follows:

PART I - TITLE

SECTION 1 TITLE

This Bylaw may be cited for all purposes as the "City of Grand Forks Zoning Bylaw No. 2039, 2017"

PART II – INTERPRETATION

SECTION 2 GENERAL DEFINITIONS

In this Bylaw, unless the context otherwise requires:

ACCESSORY or **ACCESSORY USE** means a use, building or structure that is incidental or subordinate to, and exclusively devoted to and located on the same parcel as a principal use, building or structure;

AISLE means an area used by registered motor vehicles for access to and from off-street parking spaces onto a highway and shall not be less than 7 metres in width;

ANIMAL HOSPITAL means a building or part thereof provided for the prevention, cure and alleviation of disease and injury to animals and includes shelter for animals within the building or on the grounds, during their period of treatment and recovery;

AVERAGE FINISHED GRADE means:

- (a) The rough grading elevation as identified on a lot grading plan, where such a plan has been approved by the City; or
- (b) Where there is no approved lot grading plan, the lowest of the average levels of finished ground elevations adjoining each exterior wall of a building or structure determined by averaging elevations taken at the outermost corners of the building or structure, excluding localized depressions for vehicular or pedestrian access. Finished ground elevations include fill materials placed on the lot to raise the ground elevation up to but not above the average elevation of adjoining lots at the adjoining lot lines, or to the required flood construction level.

BED AND BREAKFAST means a home occupation that offers a maximum of 3 bedrooms, for rent to the travelling public by the registered owner of the dwelling. The primary use of the dwelling is for the principal residence of the owner;

CAMPGROUND means an area of land, managed as a unit, which provides short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers;

COMMERCIAL RECREATION FACILITY means a building or structure, designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities;

COMMUNITY EVENTS CENTRE means the use of land, buildings or facilities to include but not limited to the following:

- (a) passive or active recreational activities;
- (b) educational activities;
- (c) arts and culture activities and events;
- (d) convention, conference, meeting and business events;
- (e) society and group gatherings and events.

COMMUNITY GARDEN means a site operated on a not-for-profit basis by volunteers

where:

- (a) a parcel of land is used for the production of edible and ornamental plants and trees for the personal use of its members or community use through allotments of garden space or shared plots;
- (b) demonstration gardening or other instructional programming may be offered; and
- (c) the use of plots, greenhouses, storage sheds, accessory buildings and the provision of services such as water, tilling and shared tools may be provided to members.

COMMUNITY SEWAGE SYSTEM means a system of sewage collection and disposal serving two or more parcels;

COMMUNITY USE SERVICES means the use of land, buildings or facilities for the following purposes:

- (a) community sponsored and funded passive or active recreational activities;
- (b) community sponsored and funded educational activities;
- (c) health activities, which includes congregate care facilities, intermediate care facilities, personal care facilities and hospitals;
- (d) or any combination of the above.

COMMUNITY WATER SYSTEM means a system for the distribution of fresh potable water serving two or more parcels;

CONGREGATE CARE FACILITY means housing in the form of one or more dwelling units for semi-independent persons within which is provided living and sleeping facilities, meal preparation, laundry services and room cleaning. A congregate care facility may also include such associated uses and services as administrative offices for that facility, on-site residential accommodation for support staff, transportation for residents and counselling services. A congregate care facility provides only limited on-site health care services;

CONVENIENCE STORE means a commercial operation where merchandise and foodstuffs are offered for retail sale. This operation may contain a banking machine or a postal outlet;

COUNCIL means the Council of the Corporation of the City of Grand Forks;

DAY CARE CENTRE means a public or private facility providing educational enrichment and custodial care to young children and are licensed by the appropriate jurisdictions;

DENSITY means a measure of the intensity of development to the area of the site, expressed as the number of units per area or per site, rounded down to the lowest whole number. Dwelling units are calculated as follows:

- (a) greater than 90 square meters equals one unit;
- (b) 29 square meters and up to 90 square meters equals 0.7 units; and
- (c) Less than 29 square meters equals 0.3 units.

DERELICT VEHICLE means any vehicle which has not been licensed pursuant to the Motor Vehicle Act for a period of more than 12 months and which is not housed in a garage or carport;

DWELLING UNIT or DWELLING UNITS means a building or a part of a building in which a person(s) live(s). This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building. Without restricting the generality of the above, this includes but is not limited to the following classifications:

- (a) Single-family detached dwelling, generally designed for and occupied by one family;
- (b) Two-family dwellings, attached, semi attached or detached and of equivalent floor area;
- (c) Three family dwellings meaning any physical arrangement of three attached or detached dwelling units with separate exterior access to grade;
- (d) Multi-family dwellings, commonly referred to as either townhouses if attached or a 'pocket neighbourhood' if detached;
- (e) Apartments, for rent to the public or for private uses. The private use of apartments may also be used as on-site security or watchperson's quarters for industrial uses;

- (f) Mobile home, a transportable factory built single family dwelling designed to provide year-round living accommodation for one family and able to be connected to utility services, manufactured after June 1, 1989, in conformity with the CAN/CSA-Z240 MH Series.
- (g) Accessory Dwelling Unit (ADU) is an independently habitable dwelling unit including a locking entrance door, intended to enable the creation of additional housing units while respecting the look and scale of the principle dwelling or dwellings on the property, and includes:
- (i) a Secondary Suite, contained within the primary dwelling, and occupying the lesser of 40% of the floor area of the principle dwelling or 90 square metres;
 - (ii) a Garden Suite, subordinate to and detached from the primary dwelling and occupying a maximum of the lesser of 90 square metres or 75% of the principal dwelling floor area.
- (h) Tiny House on Wheels is a dwelling unit on wheeled chassis, greater than 12 square meters and less than 29 square metres designed to be used as a full-time residence in this climate.

ECOLOGICAL RESERVE means land used or intended to be used for the preservation of the environment or for scientific research and education pertaining to studies in the inter-relationships between species and the behaviour of unique flora and fauna;

EMERGENCY RESPONSE AND MUNICIPAL SERVICES means a use providing the public with fire, police and/or ambulance services;

EQUESTRIAN CENTRE means the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the commercial racing of horses;

EXTERIOR SIDE PARCEL LINE means a side parcel line that abuts a highway. Please see the Parcel Definition Diagram No. 1 on Page 10 and the Setback/Height Definition Diagram No. 2;

FARM OPERATION (Animal) means the growing, rearing, producing of poultry, fowl, livestock or game farm animals for commercial purposes;

FARM OPERATION (Crop) means the growing, rearing, producing or harvesting of

agricultural or specialty crops, for commercial purposes;

FLOOR AREA means the aggregate of the area of all floors in a building, measured between the inside surface of the exterior walls of the building, excluding the following: carports, parking garages, and sun decks;

FRONT PARCEL LINE means a front parcel boundary that abuts a highway, and in respect of a corner parcel is the shortest parcel boundary abutting a highway. Please see the Parcel Definition Diagram No. 1 on Page 10 and the Setback/Height Definition Diagram No. 2;

HEIGHT (of a building or structure) means the vertical distance from the average finished grade level recorded at the outermost corners of a building or structure to the highest point of a structure, excluding structures placed on the roof for the protection of Heating, Ventilation and Cooling, maintenance of elevator mechanisms or similar purposes (please see Setback/Height Definition Diagram No. 2);

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

HOME INDUSTRY means an occupation or profession that may include outdoor storage and accessory retail sales, carried out in a dwelling or accessory building, by the residents of the dwelling, where such occupation or profession is incidental or secondary to the residential use of the subject property;

HOME OCCUPATION means an occupation or profession that may include accessory retail sales, carried out in a dwelling, by the residents of the dwelling, where such occupation or profession is incidental or secondary to the residential use of the subject property;

HOTEL means a building wherein accommodation is provided primarily for the travelling members of the public on a daily rental basis. Access to the accommodation is through the main lobby of the business operation. The accommodation may or may not include an on-site kitchenette. The building may or may not contain any of the following services:

- (a) one or more restaurants;
- (b) one or more liquor licensed rooms;

- (c) one or more banquet rooms;
- (d) one or more meeting rooms; and
- (e) recreational facilities.

INTERIOR SIDE PARCEL LINE means a side parcel line that is not common to a highway other than a lane or walkway. Please see the Parcel Definition Diagram No. 1 on Page 10 and the Setback/Height Definition Diagram No. 2;

KENNEL means a commercial establishment for the keeping, breeding, or training of domestic pets;

LANE means a highway, generally 10 metres in width or less, providing secondary access to a parcel of land;

LIQUOR LICENSED PREMISES means any building, structure or premises licensed to sell alcohol or spirits, under the Liquor Control and Licensing Act and it may or may not include the selling of food or the providing of entertainment;

LOT AREA means the total area of a parcel of land taken in a horizontal plane;

LOT AREA COVERAGE means the area of the lot covered by buildings or structures, located on the lot, expressed as a percentage of the gross lot area;

MANUFACTURING FACILITIES means a building, structure or a parcel of land used for the making of articles or products by either physical labour or with machinery or a combination of both methods. This excludes the following activities:

- (a) asphalt plants;
- (b) pulp and /or paper manufacturing facility.

MOBILE HOME PARK means **3 or more** mobile homes on a parcel of land, but does not include the storage of unoccupied mobile homes on the parcel;

MOTEL means a building or buildings where accommodation is provided primarily for the travelling members of the public on a daily rental basis. Access to the accommodation is directly from the operation's off street parking lot. The accommodation may or may not include an on-site kitchenette. The building(s) may or may not contain any of the following services:

- (a) one or more restaurants;
- (b) one or more liquor licensed rooms;

- (c) one or more banquet rooms;
- (d) one or more meeting rooms; and
- (e) recreational facilities.

MUNICIPAL SERVICES means a system, work or resource, including but not limited to natural gas distribution, electricity, sewerage, community waterworks, and telephone services;

OPEN FENCING means fencing, which is constructed of wire, chain linking or other material that does not present visual obstruction;

PARCEL OF LAND means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

PERSONAL SERVICE ESTABLISHMENT means a business where personal services are provided to consumers and where the retail sale of goods, wares, merchandise or articles is only accessory to the provisions of such services, without restricting the generality of the above, this includes but is not limited to the following:

- (a) barber shops;
- (b) beauty shops;
- (c) tailor shops;
- (d) laundry;
- (e) dry-cleaning establishments;
- (f) shoe repair shops;
- (g) dressmakers or suit makers;
- (h) catering establishments.

PRINCIPAL USE means a use, building or structure, which occupies the major or central portion of a parcel and constitutes, the primary purpose for which the parcel is used;

PROFESSIONAL SERVICES means the provision of services by an individual who is registered or duly licensed as such to practice under the provisions of the authority of appropriate jurisdiction. Without restricting the generality of the above, this includes but is not limited to the following:

- (a) doctors and dentists;
- (b) lawyers;
- (c) accountants;
- (d) engineers;
- (e) surveyors;
- (f) financial advisors;
- (g) architects; and
- (h) other similar professionals.

REAR PARCEL LINE means the boundary of a parcel that lies the most opposite to and is not connected to the front parcel line. Please see the Parcel Definition Diagram No. 1 on Page 10 and the Setback/Height Definition Diagram No. 2;

RECREATIONAL VEHICLE means any camper, vehicle, trailer, fifth wheel, coach, house, car, structure or conveyance designed to travel or to be transported on the highways and constructed or equipped to be used as a temporary living or sleeping quarter by travelers.

RELIGIOUS CENTRE means a building or structure dedicated to religious worship and may include accessory uses such as a day-care centre, an assembly hall, a library, arts and craft sales, community suppers, sales of pre-owned goods and an accessory dwelling for a caretaker;

RESTAURANT means a building or structure where food and drink is prepared and sold to the public for consumption. This food and drink may be eaten within or outside of the building or structure or taken away from the building or structure;

SALVAGE YARD means the use of land for the abandonment, collection, demolition, dismantlement, keeping, storage, salvage, or sale of used, discarded, worn out or scrapped machinery, vehicles, vehicle parts, scrap metal, scrap wood, chains, used pipes, waste paper, furniture, bottles, cans, rope, iron, copper or other scrap or discarded materials;

SCREENING AND FENCING means a fence, wall, berm or other similar like barriers or any combination thereof, that effectively obstructs the view or denies physical access to a parcel of land or portion thereof;

SENIORS HOUSING means a single building designed to provide accommodation for up to a maximum of **14** senior citizens and may include common eating and social activity areas for the use of the residents, administration facilities and a maximum of one additional dwelling unit in the form of a self-contained apartment within the building for the use of a caregiver and the caregiver's family.

SENIOR CITIZENS COMPLEX means any building or structure, which contains more than 3 senior citizen dwelling units. This building or structure may or may not provide the following services and which may include private or central kitchen facilities, private or common eating areas, common recreational areas, private sleeping areas and accessory facilities such as clubs or lounges;

SETBACK means the minimum distance required under this Bylaw between a building or structure and each of the specified parcel lines (see the Setback/Height Diagram No. 2);

SIDE PARCEL LINE means a parcel line other than a front or rear parcel line. Please see the Parcel Definition Diagram No. 1 on page 10 and the Setback/Height Definition Diagram No. 2;

VALUE ADDED WOOD PROCESSING means either

- (a) a shift away from the standardized high-volume basic wood commodity products produced, with the focus being upon the development of new products or manufacturing techniques that are tailor made for a specific sector of the market; or
- (b) a forestry manufacturing activity that generates more jobs from the same raw material sources used for the development of the standardized high-volume basic wood products;

WATCHPERSON'S QUARTERS means a dwelling unit that may be provided for the use of one person and their immediate family, who is providing on-site security services.

Diagram No. 1
PARCEL DEFINITIONS

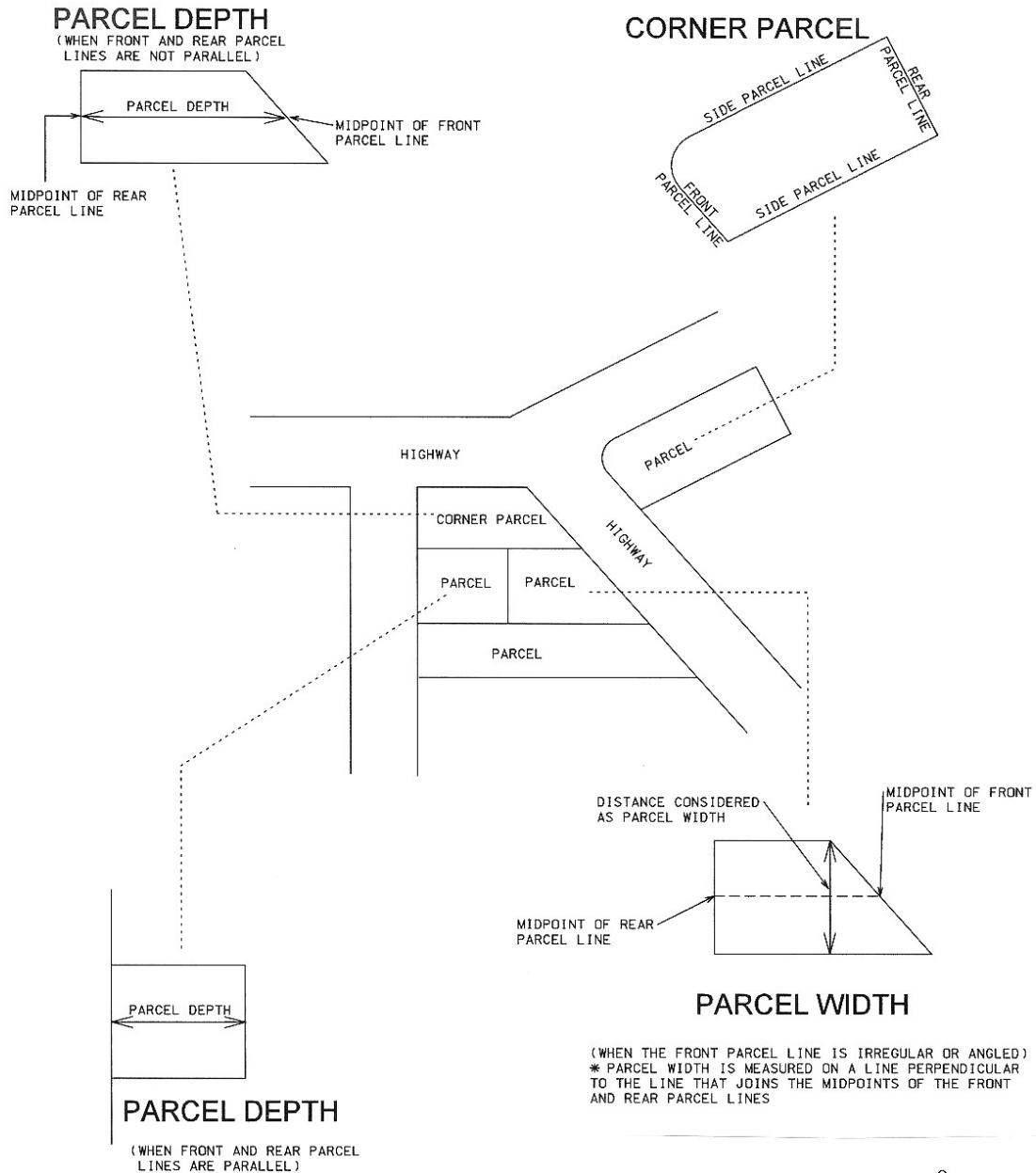
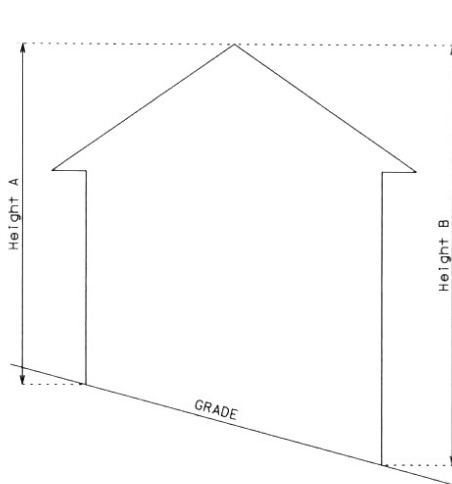
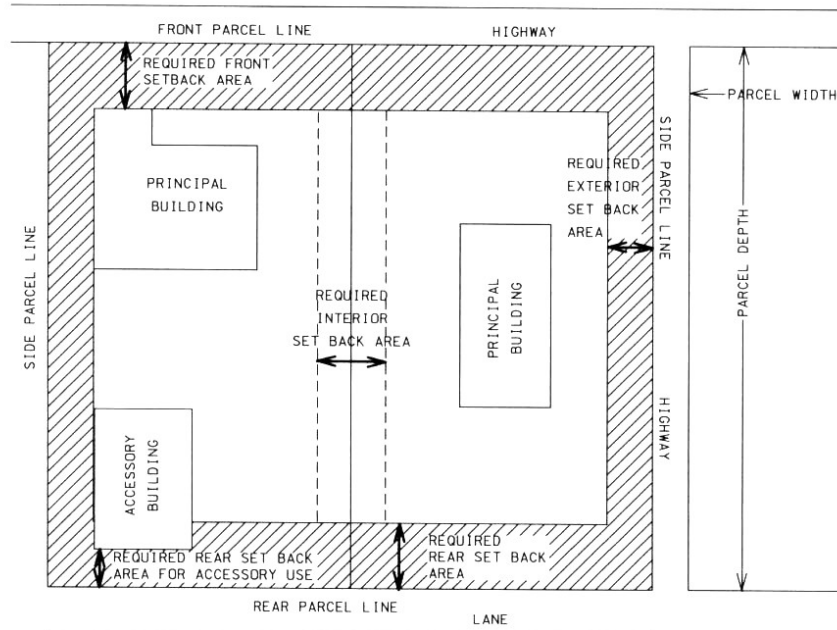
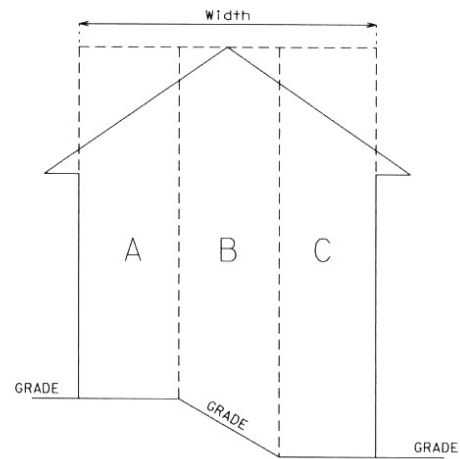


Diagram No. 2
SETBACK/HEIGHT DEFINITIONS



$$\text{Average Height} = (\text{Height A} + \text{Height B}) / 2$$

EXAMPLE 1



$$\text{Average Height} = (\text{Area A} + \text{Area B} + \text{Area C}) / \text{Width}$$

EXAMPLE 2

PART III – ADMINISTRATION

SECTION 3 APPLICATION

1. This bylaw applies to all the land, surface of water, buildings and structures within the boundaries of the City of Grand Forks.

SECTION 4 CONFORMITY

1. A person shall not use land or water nor construct, alter, locate or use buildings, signs and structures except as specifically permitted in this bylaw.

SECTION 5 NON-CONFORMING USES

1. Non-conforming uses of land, buildings and structures, the current siting, size or dimensions of existing buildings or structures, off-street parking areas and loading spaces shall be governed by the *Local Government Act*.
2. Where the use and density of a building or structure conform to this Bylaw but the size, shape or dimensions, or siting of a building or structure or portions thereof does not conform with this Bylaw, and was lawfully constructed prior to the enactment of the prohibition in this Bylaw, the building or structure or portions thereof may be repaired, extended or altered subject to the *Local Government Act* and the *British Columbia Building Code*, as amended from time to time provided that:
 - (a) The building or structure does not encroach on public property or public right of way;
 - (b) The repair, extension or alteration would when completed involve no further contravention of the Bylaw than that existing at the time the repair, extension or alteration was started except where the repair, extension or alteration is permitted or authorized through a Council approved variance.
3. Lots in existence prior to the adoption of this bylaw do not have to comply with the minimum lot size requirement subject to compliance of all other provisions of this bylaw.

SECTION 6 ADMINISTRATION

1. The Administrator or such other persons appointed by the Council shall administer this bylaw.
2. Persons appointed under Section 7(1) may enter any parcel, building or premises at any reasonable time to ascertain whether the regulations contained in this bylaw are being observed.

SECTION 7 VIOLATION

1. It shall be unlawful for any person to cause, suffer, or permit land to be used or any building or structure to be constructed, reconstructed, altered, moved, extended, or used in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw.
2. It shall be unlawful for any person to prevent or obstruct any official appointed under Section 7(1) from the carrying out of the duties under this bylaw.

SECTION 8 PENALTY

1. Any person who violates the regulations of this bylaw may be liable on summary conviction to a penalty and to the costs of prosecution.

SECTION 9 SEVERABILITY

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

SECTION 10 BYLAW AMENDMENT PROCESS

This information, within Section 10, has been supplied for information purposes only.

1. An application for rezoning shall be treated as an application to amend this bylaw.
2. Any person applying to have this bylaw amended shall apply in writing to the City of Grand Forks, describing the proposed change, plus provide reasons in support of the application. The application shall include the legal description and location of the property sought to be rezoned, name and address of the owner of the property, and if the applicant is not the owner, a statement as to the applicant's interest in the property to be rezoned. The application must be accompanied with the required fee. The rezoning application may also require the Grand Forks Official Community Plan to be amended as well.
3. Every application for rezoning shall be accompanied by a fee as prescribed in the

City of Grand Forks Planning and Procedures Fees Bylaw.

4. The Council will not reconsider an application for amendment to this bylaw, which has been denied within the past 6 months. The Council may review the application prior to this six-month period, if the Council deems that the original application has been substantially modified.

SECTION 11 **METRIC UNITS**

5. Metric units are used for all measurements in this bylaw (one metre in length equals 3.28084 feet and one square metre equals 10.7639 square feet).

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PART IV GENERAL REGULATIONS

SECTION 12 APPLICATION OF GENERAL REGULATIONS

1. Except as otherwise stated in this bylaw, Sections 12 to 32 applies to all zones established under this bylaw.

SECTION 13 ACCESSORY BUILDINGS - PROXIMITY TO PRINCIPAL USE

1. No accessory building or accessory structure shall be located within 1 metre of any principal building on the same parcel.

SECTION 14 AGRICULTURAL LAND RESERVE LANDS

1. For land located within the Agricultural Land Reserve, this bylaw is binding only insofar as it is not contrary to the Land Reserve Commission Act, regulations or orders of the Provincial Agricultural Land Commission.

SECTION 15 DEVELOPMENT ON HAZARDOUS OR UNSTABLE LANDS

(For information purposes only)

1. Please see the appropriate section of the Local Government Act, which outlines when a Building Inspector may require additional information prior to issuing a Building Permit and the Development Permit sections of the City of Grand Forks Official Community Plan.

SECTION 16 ACCESS TO ARTERIAL HIGHWAYS

1. Notwithstanding any regulations contained in this bylaw, access to land adjacent to a controlled access highway shall be subject to approval from the Ministry of Transportation and Highways, pursuant to the Highway Act.
2. There shall be no direct access to a controlled access highway if any alternate access is available, without the approval of the Ministry of Transportation and Highways.

SECTION 17 GARAGES ATTACHED TO A PRINCIPAL BUILDING

1. A garage or carport attached to a principal building is deemed to be a portion of the principal building.

SECTION 18 HEIGHT EXCEPTIONS

1. No building, structure or structural feature shall exceed the height limitations set

out in Part VI of this bylaw except:

- (a) flag poles;
- (b) monuments, Church steeples and spires;
- (c) chimneys;
- (d) communication towers, antennas or masts for the reception of communication signals;
- (e) lighting poles, other than those in residential areas;
- (f) tanks;
- (g) industrial cranes.

SECTION 19 **HOME OCCUPATIONS**

1. Home occupations shall comply with all of the following regulations:

- (a) There shall be no external display or advertisement other than a sign that shall not exceed one square metre in area;
- (b) A maximum of two persons may be employed in a home occupation, that are not residents on the parcel upon which the home occupation is taking place;
- (c) A home occupation shall be conducted entirely within a dwelling or within a building accessory to a dwelling;
- (d) The floor area of the home occupation shall not exceed 30% of the entire floor area of the entire dwelling;
- (e) No outdoor storage of materials, containers, or finished products shall be permitted.

SECTION 20 **HOME INDUSTRIES**

1. Home industries shall comply with all of the following regulations:

- (a) No home industry shall involve or utilize materials or products that produce inflammable or explosive vapours or gases;
- (b) There shall be no external display or advertisement other than a sign which shall not exceed one square metre in area;
- (c) A maximum of four persons may be employed in a home industry who are

not residents of a dwelling on the parcel upon which the home industry is taking place;

- (d) The entire operations of the home industry shall not exceed 25% of the parcel of land.

SECTION 21 **MOBILE HOME PARKS**

- 1. Mobile home parks shall be subject to the "City of Grand Forks Mobile Home Park Bylaw", as amended.

SECTION 22 **GARDEN SUITES**

- 1. In any zone in which a Garden Suite is permitted, the following conditions shall be satisfied:
 - (e) A Garden Suite shall have a minimum floor area of 12 sq. m. and a maximum floor area of 40 sq. m.;
 - (f) A Garden Suite shall satisfy all the requirements of the *British Columbia Building Code* and other associated bylaws and regulations;
 - (g) If a Garden Suite does not have direct access to a highway on an exterior side or rear parcel line, it shall have private or emergency access via an unobstructed pathway constructed and maintained between the public street and the Garden Suite entrance, with a minimum width of 1 m;
 - (h) A Garden Suite shall be sited on a permanent foundation;
 - (i) A Garden Suite shall not be permitted to be strata titled;
 - (j) A Garden Suite shall not include a Secondary Suite.

SECTION 23 **Tiny House on Wheels**

- 1. In any zone in which a Tiny House on Wheels is permitted, the following conditions shall be satisfied;
 - (a) the House must be constructed according to the current BC Building Code if built on site, or
 - (b) be constructed in accordance with the CSA A277 Procedure for the Certification of Prefabricated Buildings, Modules and Panels to the current BC Building Code if it is premanufactured;

2. For residential zones permitting a single family dwelling with a floor area between 18 and 29 square meters or a Garden Suite, the Tiny House on Wheels must be converted to a single family dwelling or a Garden Suite by placement on a full-depth perimeter or point-support foundation, subject to the conditions of a Building Permit from the City;
3. A person must obtain a Temporary Use Permit to place a Tiny House on Wheels in a residential zone that does not include this as a form of dwelling, such that;
 - (a) Bonding sufficient for removal of the Tiny House on Wheels is provided to the City before the time of placement; and
 - (b) The Tiny House on Wheels is removed at the end of the Permit period; or
 - (c) To remain on the property the Tiny House on Wheels must be converted as per subsection 2.

SECTION 24 **MINIMUM PARCEL SIZE EXCEPTIONS**

1. Notwithstanding the regulations of this bylaw there shall be no minimum parcel size requirements for any of the following uses:
 - (a) ecological reserves;
 - (b) fish and wildlife habitat areas;
 - (c) watershed protection and erosion control areas;
 - (d) municipal services;
 - (e) solid waste transfer stations or sites; and
 - (f) religious centres.

SECTION 25 **OFFSTREET LOADING**

1. This section applies to the following land use zones;
 - (a) Tourist Commercial
 - (b) Highway Commercial
 - (c) Neighbourhood Commercial
 - (d) Light, General and Value Added Industrial
 - (e) Gravel/Mineral Processing

2. Each offstreet loading area shall **not** be smaller than 3.7 metres in width by 9 metres in length with 4 metres of vertical clearance.
3. Each offstreet loading area shall be set back a minimum of 6 metres from the designated fronting street or a back lane.
4. Each offstreet loading area shall have at all times access to an unobstructed aisle that intersects with a highway.
5. The required offstreet loading area shall be located on the same parcel of land as the use, building or structure they serve.
6. Offstreet loading areas, as required by this bylaw, shall not be credited against the additional requirement of offstreet parking, if required.
7. The number of offstreet loading areas required shall be based upon the following criteria;
 - (a) One space for the first 500 square metres of floor area or fraction thereof, and
 - (b) One additional space for each additional 2,024 square metres of floor area or fraction thereof.
8. The offstreet loading areas shall not project into any highway.

SECTION 26 **OFFSTREET PARKING**

1. Each offstreet parking space shall be not less than 2.5 metres wide and 5.5 metres long, and have a vertical clearance of not less than 2.5 metres;
2. Where the calculation of the number of offstreet parking spaces in Section 25(10) results in a fraction, one parking space shall be provided in respect of the fraction.
3. Where seating accommodation is the basis for the calculation of the number of parking spaces under Section 25(10) and the building or use consists of benches, pews, booths, or similar seating accommodation, each 0.5 metres of width of such seating shall be deemed to be one seat.
4. Every offstreet parking space shall have at all times access to an aisle that intersects with a highway, with exception to the second space required for a single-family dwelling.
5. With the exception of single-family dwelling units, accessory dwelling units, mobile

homes and campground uses parking areas and access points shall be surfaced with durable dust free and preferably pervious material and all parking spaces shall be clearly marked.

6. For non-residential uses the required offstreet-parking areas that accommodate 3 or more vehicles, shall include a parking space for a disabled person.
7. Offstreet parking areas, as required by this bylaw, shall not be credited against the requirement of offstreet loading.
8. The number of access points from each parking area to a fronting street shall not exceed two per parcel of land.
9. Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 1 below, the City shall accept a cash contribution in the amount of \$1000.00 per required parking space not developed.
10. Off street parking spaces for each building, structure and use permitted shall be provided in accordance with the requirements in Table 1. Where a building or parcel of land contains more than one function or use the required number of parking spaces shall be the sum of the requirements of each function

Table 1: Class of Building/Use: Required Number of Spaces

Animal hospital	one space per every 30 square metres of floor area
Automobile parts supply	one space per every 45 square metres of floor area, including outdoor sales area
Automobile sales, rentals, service and repair	one space per every 45 square metres of retail and outdoor storage space
Automobile service station	one space per every 45 square metres of floor space
Bed and breakfast accommodation	one space for every bedroom offered to the patrons
Building supply establishments supply stores	one space per every 45 square metres of covered and outdoor sales area
Campground	one space for the proposed campsite plus 2

additional spaces for the campground host

Community centre, club, and lodge	one space per every 10 square metres of floor area
Contractors shop and yard	one space per every 50 square metres of the shop floor area
Convenience store	one space per every 45 square metres of retail sales portion of floor area plus one space per employee per shift
Congregate care and rest homes	one space for every 3 bedrooms including Seniors Housing plus one space for every employee
Day care centre	one spaces per employee plus one space for every 5 children registered in the day care facility
Dwelling unit (greater than 90 square metres)	two spaces per every unit
Dwelling Unit (equal to or under 90 square metres)	one space per every unit
Farm machinery sales, service and repair	one space per every 45 square metres of retail floor and storage area
Fuel sales (bulk) or key lock installations	one space per every 15 square metres of floor area
Home occupation, home industry	one space per every 40 square metres of area used for the home occupation or home industry
Hospital	one space per every 10 square metres of floor space
Hotel, motel	one space per every unit offered daily to the public
Library	one space per every 10 square metres of floor area
Machine, welding, woodworking shop	one space per every 50 square metres of floor area
Manufacturing, fabricating, or processing	one space per 50 square metres of floor space

Medical clinic, dental clinic	one space per every 20 square metres of total floor area
Museum	one space per every 25 square metres of floor area
Nursery	one space per every 45 square metres of covered and outdoor sales area
Professional services	one space per every 60 square metres of floor area
Personal service establishment	one space per every 20 square metres of floor area
Printing and publishing establishment	one space per every 45 square metres of floor space
Public house (liquor licensed premises)	one space per every 3 seats for the patrons
Recreation facility	one space per every 10 square metres of ice, pool, or game area
Religious centre	one space per every 4 seats
Restaurant	one space per every 3 seats for the patrons
Retail store	one space per every 45 square metres of floor area
School, elementary	3 spaces per every classroom
School, secondary and post-secondary:	4 spaces per every classroom
Storage, warehousing and freight facility	one space per every 100 square metres of floor area, including outdoor sales and storage areas
Transportation depot	one space per every 20 square metres of total floor space

SECTION 27 **PERMITTED USE EXCEPTIONS**

1. Notwithstanding the regulations set out in Part VI and Section 14 of this bylaw, the following uses are permitted in all zones
 - (a) emergency response and municipal services;
 - (b) ecological reserves;

- (c) fish and wildlife habitat;
- (d) watershed protection and erosion control;
- (e) publicly owned and operated parks and playgrounds including buildings and facilities associated therewith;
- (f) temporary structures or storage of materials required for approved construction projects, to be removed within 30 days of the completion of the construction;
- (g) community garden.

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SECTION 28 **SCREENING AND FENCING**

1. Except where provided otherwise in this bylaw:
 - (a) landscape screens, fencing and open fencing 1.3 metres or less may be sited on any portion of a parcel;
 - (b) closed fencing to 1.3 metres with open upper section to 1.85 metres may be sited on any portion of a parcel;
 - (c) Landscape screens, solid and closed fencing on the interior side parcel line shall be 1.85 metres or less in height and sited in accordance with the required setbacks for a principal building within the same zone;
 - (d) open fencing 2.4 metres or less may be sited on any portion of a parcel;
 - (e) landscape screens, fencing and open fencing greater than 2.4 metres shall be sited in accordance with the required setbacks for a principal building within the same zone;
 - (f) open fencing shall not be restricted as to height or location only in the zones so noted in Part VI of this bylaw.

SECTION 29 **SECONDARY SUITES**

1. Notwithstanding the regulations set out in Part VI of this bylaw, a secondary suite is permitted on every parcel where a single-family dwelling is permitted, subject to the following conditions:
 - (a) A secondary suite shall comply with all statutory and bylaw requirements, such as but not limited to approval from the agency having the jurisdiction for the proposed means of sewage disposal;
 - (b) The secondary suite shall not exceed 90 square metres or 40% of the floor area of the principal single family dwelling, whichever is less;
 - (c) No more than one secondary suite shall be located on a parcel of land.

SECTION 30 **SETBACK AREA EXCEPTIONS**

1. Notwithstanding the regulations set out in Part VI of this bylaw, no building, structure, or structural feature shall be located in a setback area except:
 - (a) eaves, cornices, sills, bay windows, steps, stairs, chimneys and other similar features, provided such constructions do not extend more than 0.6

metres into the setback area;

- (b) signs, other than those specified in Part VI of this bylaw;
- (c) open porches or canopies over entrances to buildings, provided such projections do not extend more than 1.5 metres into the setback area. These projections into the interior setback area shall be limited to not more than 0.6 metres;
- (d) communication towers and antennas for the reception of radio and television;
- (e) a patio or terrace without a roof provided that the patio or terrace does not extend more than one metre into the setback area;
- (f) a fire escape provided that the fire escape does not extend more than one metre into the setback area;
- (g) fences, as described in Part II of this bylaw;
- (h) an arbour, trellis, fish pond, ornament, monument, silo, or flag pole.

SECTION 31 **STORAGE OF DERELICT VEHICLES**

1. In all zones, except as provided for in the (Industrial – 2) General Industrial zone:
 - (a) no parcel of land shall be used for the wrecking or storage of more than one derelict vehicle or as a junkyard.

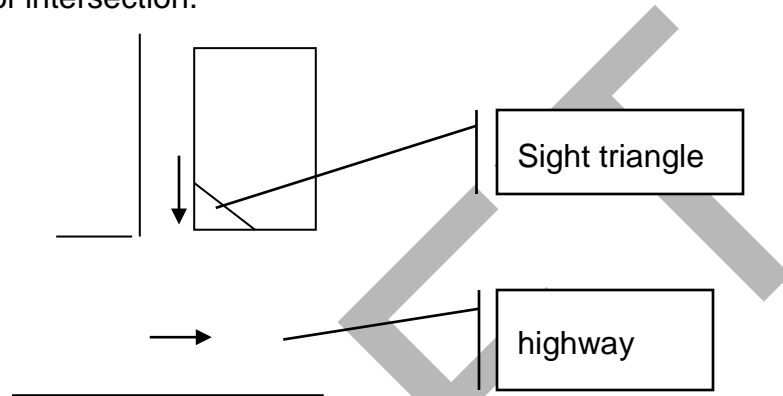
SECTION 32 **STRATA PARCELS SITING REQUIREMENTS**

1. Interior side parcel line setbacks required by this bylaw shall not apply to a strata parcel under a registered building strata plan pursuant to the *Condominium Act* where there is a common wall shared by two or more dwellings within a building.
 - (a) The setback regulations of this bylaw apply to all bare land strata parcels.

SECTION 33

VISIBILITY

1. Where a parcel of land is located at the intersection of any two highways, no trees, shrubs, plants, fences, buildings or other structures shall be placed that are greater than 1.0 metres in height within a sight triangle bounded by the intersecting parcel lines at a highway corner and a line joining points along said parcel line 7.5 metres from their point of intersection.



PART V CREATION OF ZONES

SECTION 34 DEFINITIONS OF ZONES

2. The City of Grand Forks is divided into the zones depicted on "Schedule A", the "Official Zoning Map".

SECTION 35 LOCATIONS OF ZONES

3. The location of each zone is defined on "Schedule A" entitled "Official Zoning Map" of Zoning Bylaw No. 1606, 1999.
4. Where a zone boundary is shown on "Schedule A" as following a highway, rail right-of-way, or watercourse, the centre line of the highway, rail right-of-way or watercourse shall be the zone boundary. The dashed lines used in "Schedule A" shall be interpreted as if they were solid lines.

PART VI ZONES

SECTION 36

R-1 (Residential – Single & Two Family) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-1 zone:

- (a) dwelling units;
- (b) religious centres;
- (c) day care centres;
- (d) bed and breakfast accommodations;
- (e) home occupations.

Permitted accessory uses and buildings on any parcel includes the following:

- (f) any accessory buildings or structures to any of the above uses.

Regulations

2. On a parcel of land located in an R-1 zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 10,120 square metres where there is no community sewage or water system;
- (b) The minimum parcel size is 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
- (c) The minimum parcel size is 697 square metres when the parcel is connected to both a community sewage and water system.

Number and type of Dwelling Units allowed

- (d) The following types of dwelling units are allowed on a parcel of land in an R-1 zone;
 - (i) One single family dwelling, plus
 - (ii) One secondary suite and one garden suite; **or**
 - (iii) One two-family dwelling, plus
 - (iv) One garden suite.

Height

- (e) No principal building or structure shall exceed 9.75 metres in height. No accessory building or structure shall exceed 4.8 metres in height.

Setbacks

- (f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (i) 6 metres of a front parcel line;
 - (ii) 1.5 metres of an interior side parcel line;
 - (iii) 4.6 metres of an exterior side parcel line; or
 - (iv) 6 metres of a rear parcel line.

Accessory Buildings

- (g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure or 45 square metres if the principal structure is smaller than 90 square metres;
- (h) No accessory building shall be located closer than 1.5 metres to a rear parcel line or side parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

- (i) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional requirements

- (j) The minimum size for a single-family dwelling in this zone shall be 40 square metres;
- (k) See Sections 12 to 32 of this Bylaw.

SECTION 37

R-1A (Residential – Single Family) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-1A zone:

- (a) dwelling units;
- (b) religious centres;
- (c) day care centres;
- (d) bed and breakfast accommodations;
- (e) home occupations.

Permitted accessory uses and buildings on any parcel includes the following:

- (f) any accessory buildings or structures to any of the above uses.

Regulations

2. On a parcel of land located in an R-1A zone:

Minimum Parcel Size for Subdivision purposes

- (g) The minimum parcel size is 10,120 square metres where there is no community sewage or water system;
- (h) The minimum parcel size is 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
- (i) The minimum parcel size is 697 square metres when the parcel is connected to both a community sewage and water system.

Number and type of Dwelling Units allowed

- (j) The only type of dwelling unit allowed on a parcel of land in an R-1A zone is:
 - (i) One single-family dwelling;

Height

- (k) No principal building or structure shall exceed 9.75 metres in height. No accessory building or structure shall exceed 4.8 metres in height.

Setbacks

- (l) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (ii) 6 metres of a front parcel line;
 - (iii) 1.5 metres of an interior side parcel line;
 - (iv) 4.6 metres of an exterior side parcel line; or
 - (v) 6 metres of a rear parcel line.

Accessory Buildings

- (m) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure;
- (n) No accessory building shall be located closer than 1.5 metres to a rear parcel line or side parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional requirements

- (b) The minimum size for a single-family dwelling shall be 75 square metres;
- (c) See Sections 12 to 32 of this Bylaw.

SECTION 38 **R-1B (Residential Care) Zone**

Permitted Uses

1. The following uses and no others are permitted in the R-1B zone:

- (a) Seniors Housing subject to the Community Care Facility Act, as amended

Permitted accessory uses and buildings on any parcel includes the following:

- (b) any accessory building or structure for the above use.

Regulations

2. On a parcel of land located in an R-1B zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 10,120 square metres where there is no community sewage or water system;
- (b) The minimum parcel size is 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
- (c) The minimum parcel size is 697 square metres when the parcel is connected to both a community sewage and water system.

Density and Minimum Parcel Size

- (d) The minimum parcel size shall be 929 square metres with on-site accommodation for a caregiver; or 697 square metres with no on-site accommodation for a caregiver.

Height

- (e) No principal building or structure shall exceed 9.75 metres in height. No accessory building or structure shall exceed 4.8 metres in height.

Setbacks

- (f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (i) 6 metres of a front parcel line;
 - (ii) 1.5 metres of an interior side parcel line;
 - (iii) 4.6 metres of an exterior side parcel line; or

- (iv) 6 metres of a rear parcel line.

Accessory Buildings

- (g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure;
- (h) No accessory building shall be located closer than 1.5 metres to a rear parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional requirements

- (b) See Sections 12 to 32 of this Bylaw.

SECTION 39

R-2 (Residential – Small Lot) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-2 zone:

- (a) dwelling units;
- (b) religious centres;
- (c) day care centres;
- (d) bed and breakfast accommodations;
- (e) home occupations.

Permitted accessory uses and buildings on any parcel includes the following:

- (f) any accessory building or structure for any of the above uses.

Regulations

2. On a parcel of land located in an R-2 zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 10,120 square metres where there is no community sewage or water system;
- (b) The minimum parcel size is 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
- (c) The minimum parcel size is 485 square metres when the parcel is connected to both a community sewage and water system.

Number and type of Dwelling Units allowed

- (d) One of the following types of dwelling units is allowed on a parcel of land in an R-2 zone;
 - (i) One single family dwelling, plus
 - (ii) One secondary suite and one garden suite; **or**
 - (iii) One two-family dwelling, plus
 - (iv) One garden suite.

Height

- (e) No building or structure shall exceed 9.75 metres in height. No accessory building or structure shall exceed 4.8 metres in height.

Setbacks

- (f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (v) 6 metres of a front parcel line;
 - (vi) 1.5 metres of an interior side parcel line;
 - (vii) 4.6 metres of an exterior side parcel line; or
 - (viii) 6 metres of a rear parcel line.

Accessory Buildings

- (g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure;
- (h) No accessory building shall be located closer than 1.5 metres to a rear parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional requirements

- (b) The minimum size for a single-family dwelling shall be 18 square metres;
- (c) The maximum size of any unit in a bare land strata complex shall be 140 square metres. The minimum size of any unit in a bare land strata complex shall be 18 square metres;
- (d) See Sections 12 to 32 of this Bylaw.

SECTION 40

R-3 (Multi-Family Residential) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-3 zone:

- (a) dwelling units;
- (b) religious centres;
- (c) home occupations;
- (d) uses listed in the Neighbourhood Commercial (NC) zone.

Permitted accessory uses and buildings on any parcel includes the following:

- (e) any accessory building or structures for the above uses.

Regulations

1. On a parcel of land located in an R-3 zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 500 square metres and every parcel must be connected to a community sewage and water system.

Number and type of Dwelling Units allowed

- (b) One of the following types of dwelling units are allowed on a parcel of land in an R-3 zone:
 - (i) multi-family dwellings or;
 - (ii) apartment units.

Height

- (c) No building or structure shall exceed 18 metres in height.

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (iii) 6 metres of a front parcel line;
 - (iv) 1.5 metres of an interior side parcel line;
 - (v) 4.6 metres of an exterior side parcel line; or

- (vi) 6 metres of a rear parcel line.

Accessory Buildings

- (e) No accessory building shall have a total floor area greater than 20% of the principal structure;
- (f) No accessory building shall be located closer than 1.5 metres to a rear parcel line or side parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

- (g) The maximum permitted lot area coverage shall be as follows: Principal building with all accessory buildings and structures 50%

Additional Requirements

- (h) Home occupations are only allowed in dwellings that are individually owned and have direct access to the City's roadway network;
- (i) Neighbourhood Commercial uses may only be placed on the first storey of a multi-storey building in an R-3 zone and may occupy a maximum of 30% of the floor area of the building.
- (j) The maximum size of any unit in a bare land strata complex shall be 140 square metres. The minimum size of any unit in a bare land strata complex shall be 18 square metres;
- (k) See Sections 12 to 32 of this bylaw.

SECTION 41

R-3A (Compact Multi-Family Residential) Zone

Permitted Uses

1. The following uses and no others are permitted in the R-3A zone:
 - (a) dwelling units;
 - (b) home occupation.

Permitted accessory uses and buildings on any parcel includes the following:

2. any accessory building or structure for the above noted uses.

Regulations

3. On a parcel of land located in an R-3A zone:

Minimum Parcel Size for Subdivision Purposes

- (a) The minimum parcel size is 485 800 square metres and every parcel must be connected to a community sewage and water system.

Type of Dwelling Units Allowed

- (b) The following dwelling unit types are allowed on a parcel of land in an R- 3A zone:
 - (i) single family dwellings;
 - (ii) two family dwellings;
 - (iii) three family dwellings.

Height

- (c) No dwelling shall exceed 9.75 metres in height;
- (d) No accessory building or structure shall exceed 4.8 metres in height.

Setbacks

- (e) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (iv) 6 metres of a front parcel line;
 - (v) 1.5 metres of an interior side parcel line;
 - (vi) 4.6 metres of an exterior side parcel line; or

- (vii) 6 metres of a rear parcel line.

Accessory Buildings

- (f) No accessory building shall have a total floor area greater than 20% of the principal structure.
- (g) No accessory building shall be located closer than 1.5 metres to a rear parcel line and not closer to the front parcel line than the facing wall of the principal building to which it is accessory.

Lot Area Coverage

- (h) The maximum permitted lot area coverage shall be as follows:
- (i) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional Requirements

- (j) Home occupations are only allowed in dwellings that are individually owned and have direct access to the City's roadway network;
- (k) The maximum size of any unit in a strata complex shall be 140 square metres;
- (l) The minimum size of any unit in a strata complex shall be 18 square metres;
- (m) See Section 12 to 32 of this bylaw.

SECTION 42

R-4 (Rural Residential) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-4 zone:

- (a) dwelling units;
- (b) farm operations (crops and/or animals);
- (c) bed and breakfast accommodations;
- (d) kennels;
- (e) home occupations;
- (f) home industries.

Permitted accessory uses and buildings on any parcel includes the following:

- (g) any accessory buildings or structures for any of the above uses.

Regulations

2. On a parcel of land located in a R-4 zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 10,120 square metres where there is no community sewage or water system;
- (b) The minimum parcel size is 1,393.5 square metres when the parcel is connected to either a community sewage or water system, but not both;
- (c) The minimum parcel size is 1,400 square metres when the parcel or parcels are connected to a community sewage and water system;

Number and type of Dwelling Units allowed

- (d) One of the following types of dwelling units are allowed on a parcel of land in an R-4 zone:
 - (i) One single family detached dwelling; or
 - (ii) one two-family dwelling; plus
 - (iii) one mobile home; or
 - (iv) One Garden Suite.

Height

- (e) No building or structure shall exceed 10 metres in height. This height restriction does not apply to any farm buildings or structures.

Setbacks

- (f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (i) 6 metres of a front parcel line;
 - (ii) 3 metres of an interior side parcel line;
 - (iii) 4.6 metres of an exterior side parcel line; or
 - (iv) 6 metres of a rear parcel line.

Accessory Buildings

- (g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure. This does not apply to farm buildings or structures;
- (h) No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the setback permitted for the property.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional requirements

- (b) open fencing with no height or location restrictions is allowed in this zone;
- (c) The minimum size for a dwelling shall be 18 square metres;
- (d) See Sections 12 to 32 of this Bylaw.

SECTION 43

R-4A (Rural Residential) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-4A zone:

- (a) dwelling units;
- (b) farm operations (crops);
- (c) bed and breakfast accommodations;
- (d) kennels;
- (e) home occupations;
- (f) home industries.

Permitted accessory uses and buildings on any parcel includes the following:

- (g) any accessory buildings or structures for any of the above uses.

Regulations

2. On a parcel of land located in a R-4A zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 10,120 square metres where there is no community sewage or water system;
- (b) The minimum parcel size is 1,393.5 square metres when the parcel is connected to either a community sewage or water system, but not both;
- (c) The minimum parcel size is 1,400 square metres when the parcel or parcels are connected to a community sewage and water system.

Number and type of Dwelling Units allowed

- (d) One of the following types of dwelling units are allowed on a parcel of land in an R-4A zone:
 - (i) One single family dwelling; or
 - (ii) one two-family dwelling; plus
 - (iii) one mobile home.

Height

- (e) No building or structure shall exceed 10 metres in height. This height restriction does not apply to any farm buildings or structures.

Setbacks

- (f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (i) 6 metres of a front parcel line;
 - (ii) 3 metres of an interior side parcel line;
 - (iii) 4.6 metres of an exterior side parcel line; or
 - (iv) 6 metres of a rear parcel line.

Accessory Buildings

- (g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure. This does not apply to farm buildings or structures;
- (h) No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the setback permitted for the property.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional requirements

- (b) open fencing with no height or location restrictions is allowed in this zone.
- (c) The minimum size for a single-family dwelling shall be 18 square metres;
- (d) See Sections 12 to 32 of this Bylaw.

SECTION 44 **R-5 (Mobile Home Park) Zone**

Permitted Uses

1. The following uses and no others are permitted in an R-5 zone:

- (a) dwelling unit;
- (b) mobile home park;
- (c) recreation facilities;
- (d) laundry facilities;
- (e) home occupations.

Permitted accessory uses and buildings on any parcel includes the following:

- (f) any accessory buildings or structures for any of the above uses.

Regulations

2. On a parcel of land located in an R-5 zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 0.40 hectares;

Number and type of Dwelling Units allowed

- (b) A maximum of one single-family dwelling, accessory to a mobile home park is permitted;

Height

- (c) No principal building or structure shall exceed 7.5 metres in height;

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any lot line;

Accessory Buildings

- (e) on each mobile home space only 1 detached storage shed or accessory building, not exceeding 13 square metres in size, may be located, subject to the following regulations:
 - (i) that such storage shed or accessory building be constructed and

finished so that the design, construction and finish will complement and blend in with the mobile home;

- (ii) that the height of the storage shed or accessory building not exceed 2.5 metres;
- (iii) that such storage shed or accessory building be located to the side or rear of the mobile home and placed not closer than 1 metre (3 feet) to the mobile home.

Lot Area Coverage

- (f) The maximum permitted lot area coverage shall be as follows: Principal building with all accessory buildings and structures 60%

Additional requirements

- (g) The minimum size for a single-family dwelling shall be 18 square metres;
- (h) See Sections 12 to 32 of this Bylaw and the City of Grand Forks Mobile Home Park Bylaw, as amended.

SECTION 45

AUC (Adaptive Use Commercial) Zone

Permitted Uses

1. The following uses and no others are permitted in the AUC zone:

- (a) Professional services;
- (b) Personal service establishments;
- (c) Retail establishments;
- (d) Dwelling units;
- (e) Religious centres;
- (f) Bed and breakfast accommodations;
- (g) Home occupations.

Permitted accessory uses and buildings on any parcel includes the following:

- (h) restaurants;
- (i) any accessory building or structure for the above-noted uses.

Regulations

2. On a parcel of land located in the AUC zone:

Minimum Parcel Size for subdivision purposes

- (a) The minimum parcel size is 700 square metres and the parcel shall be connected to a community sewage and water system.

Number and Type of Dwelling Units Allowed

- (b) The following dwelling unit types are allowed on a parcel of land in an AUC zone:
 - (i) one single family dwelling;
 - (ii) one two family dwelling;
 - (iii) one multi-family dwelling; or
 - (iv) dwelling units in combination with another permitted use.

Height

- (c) No principal building or structure shall exceed 10.5 metres in height. No accessory building or structure shall exceed 4.8 metres in height.

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (i) 6 metres of a front parcel line;
 - (ii) 1.5 metres of an interior side parcel line;
 - (iii) 4.6 metres of an exterior side parcel line; or
 - (iv) 7.6 metres of a rear parcel line.

Accessory Buildings

- (e) The total of all the accessory building shall have a floor area not greater than 50% of the principal structure.
- (f) No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building to which it is accessory.

Lot Coverage

- (g) The maximum permitted lot area coverage for all building and structures shall be 50%.

Additional Requirements

- (h) The minimum parcel size that is to be used for a two-family dwelling or a multi-family dwelling shall be 930 square metres.
- (i) A residential use shall be the only use in each storey so used.
- (j) The minimum size for a dwelling shall be 18 square metres.
- (k) The maximum floor space dedicated to retail sales, excluding storage, for the use permitted under Subsection 1(c) shall be 100 square metres.
- (l) Operation of a commercial use is not permitted between the hours of 10:00 P.M. and 8:00 A.M.

(m) Accessory off-street parking and accessory off-street loading shall be located entirely to the rear of that wall of the principal building that is located closest to and facing the front parcel line.

(n) See Sections 12 to 32 of this bylaw.

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SECTION 46

NC (Neighbourhood Commercial) Zone

Permitted Uses

1. The following uses and no others are permitted in a NC zone:
 - (a) convenience stores;
 - (b) restaurants and liquor licensed premises;
 - (c) personal service establishments;
 - (d) dwelling units above or in conjunction with the commercial operation;
 - (e) professional services;
 - (f) post office.

Permitted accessory uses and buildings on any parcel includes the following:

- (g) any accessory building or structure for the above noted uses.

Regulations

2. On a parcel of land located within an NC zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size and the parcel must be connected to a community sewage and water system;

Number and type of Dwelling Units allowed

- (b) Apartment units shall be permitted up to a maximum of 50% of the principal building first storey floor area and 100% of any upper storey floor area;
- (c) One Garden Suite shall be permitted;

Height

- (d) No principal building or structure shall exceed 18 metres in height. No accessory building or structure shall exceed 4.8 metres in height;

Setbacks

- (e) Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a Residential zone.

Accessory Buildings

- (f) No accessory building shall have a total floor area greater than 25% of the principal structure;
- (g) No accessory building shall be located closer than 1.5 metres to a rear or side parcel line.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional Requirements

- (b) If a fence is erected it shall not exceed a height of 2.4 metres;
- (c) See Sections 12 to 32 of this Bylaw.

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SECTION 47

HC (Highway Commercial) Zone

Permitted Uses

1. The following uses and no others are permitted in a HC zone:

- (a) hotels or motels;
- (b) restaurants;
- (c) automobile sales and parts supply, service stations;
- (d) convenience stores including gas bars;
- (e) car wash establishments;
- (f) retail sales establishments;
- (g) personal service establishments;
- (h) liquor licensed premises;
- (i) animal hospitals;
- (j) building supply establishments;
- (k) offices;
- (l) tool and equipment rental establishments.

Permitted accessory uses and buildings on any parcel includes the following:

- (m) a dwelling unit contained within the above noted permitted uses;
- (n) any accessory building or structure for the above noted uses.

Regulations

2. On a parcel located in a HC zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size and the parcel shall be connected to a community sewage and water system;

Number and type of Dwelling Units allowed

- (b) Apartment units contained within the above-mentioned commercial activities shall be permitted up to a maximum of 50% of the principal building floor area.

Height

- (c) No building or structure shall exceed 18 metres in height;

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a Residential zone;

Accessory Buildings

- (e) No accessory building shall have a total floor area greater than 25% of the principal structure;
- (f) No accessory building shall be located closer than 1.5 metres to a rear or side parcel line.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional Requirements

- (b) If a fence is erected it shall not exceed a height of 2.4 metres;
- (c) See Sections 12 to 32 of this Bylaw.

SECTION 48

CC (Core Commercial) Zone

Permitted Uses

1. The following uses and no others are permitted in a CC zone:

- (a) wholesale establishments;
- (b) retail establishments;
- (c) restaurants and/or liquor licenced premises;
- (d) professional offices and offices;
- (e) medical and dental clinics;
- (f) personal service establishments;
- (g) clubs, lodges and similar fraternal organizations;
- (h) indoor entertainment facilities;
- (i) bus depots;
- (j) taxi stands;
- (k) financial institutions;
- (l) hotels and motels;
- (m) post office;
- (n) theatres;
- (o) animal hospitals with no outside runs or enclosures.

Permitted accessory uses and buildings on any parcel includes the following:

- (p) apartment units;
- (q) any accessory building or structure for the above noted uses.

Regulations

2. On a parcel located in a CC zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size and the parcel must be connected to a community sewage and water system.

Number and type of Dwelling Units allowed

- (b) Apartment units shall be permitted to a maximum of 50% of first storey floor area and 100% of second or higher storey floor area.

Height

- (c) No building or structure shall exceed 18 metres in height;

Accessory Buildings

- (d) No accessory building shall have a floor area greater than 10% of the principal structure.

Lot Area Coverage

- (e) The maximum permitted lot area coverage shall be as follows:
 - (i) Principal building with all accessory buildings and structures, with approved fire retardant walls: 100%
 - (ii) Principal building with all accessory buildings and structures, without approved fire retardant walls: 80%

Additional requirements

- (f) The buildings or structures used for the commercial operation must be a minimum of 4.6 metres from any parcel lot line that is adjacent to a residential parcel of land;
- (g) If a fence is erected it shall not exceed a height of 2.4 metres;
- (h) See Sections 12 to 32 of this Bylaw.

SECTION 49

TC (Tourist Commercial) Zone

Permitted Uses

1. The following uses and no others are permitted in a TC zone:

- (a) hotels or inns;
- (b) recreational businesses and campgrounds;
- (c) tourist facilities and related amenities;
- (d) retail establishments;
- (e) restaurants.
- (f) convenience stores including gas bars

Permitted accessory uses and buildings on any parcel includes the following:

- (g) dwelling unit in conjunction with any of the above uses, and
- (h) any accessory building or structure for the above noted uses.

Regulations

2. On a parcel located in a TC zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size and the parcel must be connected to a community sewage and water system;

Number and type of Dwelling Units allowed

- (b) Apartment units contained within the above mentioned commercial activities are permitted. Not more than 50% of the principal building shall be used for apartments.
- (c) One Garden Suite shall be permitted.

Height

- (d) No building or structure shall exceed 18 metres in height;

Setbacks

- (e) Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a

Residential zone.

Accessory Buildings

- (f) No accessory building shall have a total floor area greater than 25% of the principal structure.
- (g) No accessory building shall be located closer than 1.5 metres to a rear or side parcel line.

Lot Area Coverage

- (h) The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings, structures, and offstreet parking.

Additional Requirements

- (i) No designated recreational space shall be used as a permanent residence;
- (j) If a fence is erected it shall not exceed a height of 2.4 metres;
- (k) See Sections 12 to 32 of this Bylaw.

SECTION 50 **I-1 (Light Industrial) Zone**

Permitted Uses

1. The following uses and no others are permitted in an I-1 zone:
 - (a) auction markets, excluding the sales of animals;
 - (b) contractors shop and storage yard for trade, trucking and construction service;
 - (c) warehousing, cartage, express, freight facilities, indoor storage;
 - (d) building supply establishments;
 - (e) transportation depots, including taxi dispatch office;
 - (f) public utility offices, including works yard and substations;
 - (g) bulk fuel sales;
 - (h) wholesale establishments;
 - (i) machine shop, welding shop or a woodworking shop;
 - (j) manufacturing facilities;
 - (k) recycling depots;
 - (l) tool and equipment rental establishments;
 - (m) watchperson's quarters;
 - (n) community events centre.

Permitted accessory uses and buildings on any parcel includes the following:

- (o) any accessory building or structure for the above noted uses.

Regulations

2. On a parcel located in an I-1 zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size;

Number and type of Dwelling Units allowed

- (b) One of the following types of dwelling units shall be permitted for use as a

watchperson's quarters:

- (i) single detached dwelling;
- (ii) manufactured home;
- (iii) Tiny House on Wheels;
- (iv) private apartment with its own separate entrance

Height

- (c) No building or structure shall exceed 18 metres in height;

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign, shall be located within 4.6 metres of a lot in a Residential zone;

Accessory Buildings

- (e) No accessory building shall have a total floor area greater than 50% of the principal structure;
- (f) No accessory building shall be located closer than 1.5 metres to a rear parcel line.

Lot Area Coverage

- (g) The maximum permitted lot area coverage shall be as follows: Principal building with all accessory buildings and structures 60%

Additional Requirements

- (h) All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a highway shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence;
- (i) See Sections 12 to 32 of this Bylaw.

SECTION 51

I-2 (General Industrial) Zone

Permitted Uses

1. The following uses and no others are permitted in an I-2 zone:
 - (a) manufacturing facilities and storage areas for raw materials;
 - (b) auction market, including the sales of animals;
 - (c) storage, warehousing, cartage, express and freight facilities;
 - (d) salvage yards and recycling depots;
 - (e) gravel extraction activities such as processing and screening;
 - (f) machine, welding and woodworking shops, and the retail sale of these items;
 - (g) kennels;
 - (h) automotive repair shops;
 - (i) watchperson's quarters;
 - (j) bulk fuel sales;
 - (k) tool and equipment rental establishments

Permitted accessory uses and buildings on any parcel includes the following:

- (l) accessory buildings for any of the above.

Regulations

2. On a parcel located in an I-2 zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size;

Number and type of Dwelling Units allowed

- (b) One of the following types of dwelling units shall be permitted for use as a watchperson's quarters:
 - (i) single detached dwelling;
 - (ii) Tiny House on Wheels;

- (iii) manufactured home; or
- (iv) private apartment with its own separate entrance;

Height

- (c) No building or structure shall exceed 18 metres in height;

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign, shall be located within 4.6 metres of a lot in a Residential zone;

Accessory Buildings

- (e) No accessory building shall have a total floor area greater than 50% of the principal structure.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings, structures.

Additional requirements

- (b) All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a highway shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence; and
- (c) See Sections 12 to 32 of this Bylaw.

SECTION 52

I-3 (Value Added Industrial) Zone

Permitted Uses

1. The following uses and no others are permitted in an I-3 zone:
 - (a) value added wood processing activities;
 - (b) storage yards and warehouses;
 - (c) building supply establishments;
 - (d) manufacturing facilities and retail sales of the products produced on-site;
 - (e) watchperson's quarters
 - (f) repairs, maintenance and storage of heavy equipment.

Permitted accessory uses and buildings on any parcel includes the following:

- (g) accessory buildings for any of the above.

Regulations

2. On a parcel located in an I-3 zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size;

Number and type of Dwelling Units allowed

- (b) One of the following types of dwelling units shall be permitted for use as a watchperson's quarters:
 - (i) single detached dwelling;
 - (ii) Tiny House on Wheels;
 - (iii) manufactured home;
 - (iv) private apartment with its own separate entrance

Height

- (c) No building or structure shall exceed 18 metres in height;

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a

Residential zone;

Accessory Buildings

- (e) No accessory building shall have a floor area greater than 50% of the principal structure.

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be principal building with all accessory building and structures 60%

Additional requirements

- (b) All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a street shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence; and
- (c) See Sections 12 to 32 of this Bylaw.

SECTION 53

I-4 (Gravel/Mineral Processing) Zone

Permitted Uses

1. The following uses and no others are permitted in an I-4 zone:
 - (a) gravel/mineral crushing or processing;
 - (b) gravel and mineral storage piles;
 - (c) watchperson's quarters;
 - (d) storage of raw materials and finished products;
 - (e) manufacturing, including processing facilities and the retail sales of the products produced on-site;
 - (f) construction business operations;
 - (g) heavy equipment repair and maintenance operations.

Permitted accessory uses and buildings on any parcel includes the following:

- (h) accessory buildings for any of the above.

Regulations

2. On a parcel located in an I-4 zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size;

Number and type of Dwelling Units allowed

- (b) One of the following types of dwelling units shall be permitted for use as a watchperson's quarters:
 - (i) single detached dwelling;
 - (ii) Tiny House on Wheels;
 - (iii) manufactured home;
 - (iv) private apartment with its own separate entrance

Height

- (c) No building or structure shall exceed 15 metres in height;

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any lot line.

Accessory Buildings

- (e) No accessory building shall have a floor area greater than 50% of the principal structure;

Lot Area Coverage

- (a) The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

Additional requirements

- (b) All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a street shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence;
- (c) See Sections 12 to 32 of this Bylaw.

SECTION 54 **LF (Landfill) Zone**

Permitted Uses

1. The following uses and no others are permitted in a LF zone:

- (a) landfill operations;
- (b) commercial composting operations;
- (c) recycling depot or containers;
- (d) kennels.

Permitted accessory uses and buildings on any parcel includes the following:

- (e) accessory buildings for any of the above
- (f) watchperson's quarters

Regulations

2. On a parcel located in an LF zone:

Minimum Parcel Size for Subdivision purposes

- (a) There is no minimum parcel size;

Number and type of Dwelling Units allowed

- (b) One of the following types of dwelling units shall be permitted for use as a watchperson's quarters:
 - (i) single detached dwelling;
 - (ii) Tiny House on Wheels;
 - (iii) manufactured home;
 - (iv) private apartment with its own separate entrance

Setbacks

- (c) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any lot line.

Accessory Buildings

- (d) No accessory building shall have a floor area greater than 60% of the principal structure;

Additional requirements

- (e) All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a street shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence;
- (f) See Sections 12 to 32 of this Bylaw.

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SECTION 55 **AP (Airport Industrial) Zone**

Permitted Uses

1. The following uses and no others are permitted in an AP zone:
 - (a) warehousing, cartage, express, and freight facilities;
 - (b) aircraft maintenance and repair facilities;
 - (c) bulk aviation gas operations;
 - (d) air terminal buildings, car rental agencies and aircraft runways;
 - (e) manufacturing facilities, including agricultural value-added processing;
 - (f) machine shops;
 - (g) restaurants;
 - (h) watchperson's quarters;
 - (i) retail sales, secondary to the Airport use;
 - (j) fire suppression base.

Permitted accessory uses and buildings on any parcel includes the following:

- (k) accessory buildings for any of the above.
2. Regulations

On a parcel located in an AP zone:

Minimum Parcel Size for Subdivision purposes

- (l) There is no minimum parcel size;

Number and type of Dwelling Units allowed

Height

- (m) One of the following types of dwelling units shall be permitted for use as a watchperson's quarters:
 - (i) single detached dwelling;
 - (ii) manufactured home;
 - (iii) Tiny House on Wheels;

- (iv) private apartment with its own separate entrance
- (n) No building or structure shall exceed 10 metres in height;

Setbacks

- (o) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any other zone;
- (p) Setbacks from runways are subject to the Aeronautics Act of Canada.

Accessory Buildings

- (q) No accessory building shall have a floor area greater than 50% of the principal use.

Lot Area Coverage

- (r) The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

Additional requirements

- (s) Open fencing with no height or location restrictions is allowed in this zone;
- (t) See Sections 12 to 32 of this Bylaw.

SECTION 56

CU (Community Use) Zone

Permitted Uses

3. The following uses and no others are permitted in a CU zone:

- (u) libraries;
- (b) museums;
- (c) cemeteries;
- (d) hospital, including medical clinic, dental clinic, ambulance station, rest home or private hospitals;
- (e) post office;
- (f) community events centre;
- (g) community use service;
- (h) community gardens;
- (i) open space passive recreational areas;
- (j) municipal, local government or educational buildings, day care centers;
- (k) senior citizen complexes, senior activity centres and congregate care facilities;
- (l) any building or structure operating under a Private-Council partnership agreement.

Permitted accessory uses and buildings on any parcel includes the following:

- (m) accessory buildings for any of the above.

Regulations

4. On a parcel located in a CU zone:

Minimum Parcel Size for Subdivision purposes

- (n) There is no minimum parcel size and the parcel shall be connected to a community sewage and water system.

Height

- (b) No building or structure shall exceed 10 metres in height, except fire halls;

Setbacks

(c) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

(d) 6 metres of a front parcel line;

(i) 1.5 metres of an interior side parcel line;

(e) 3 metres of an exterior side parcel line, or

(i) 6 metres of a rear parcel line

Accessory Buildings

(f) No accessory building shall have a floor area greater than 50% of the principal structure.

Additional requirements

(g) See Sections 12 to 32 of this bylaw

SECTION 57 **INCORPORATION**

1. Schedule "A" and the Land Use Zoning Map attached hereto are hereby made part of this bylaw.

Read a **FIRST** time this ____ day of ____, 2017.

PUBLIC HEARING NOTICE ADVERTISED this ____ day of ____, 2017 AND this ____ day of ____, 2017.

PUBLIC HEARING HELD this ____ day of ____, 2017.

Read a **SECOND** time this ____^t day of ____, 2017.

Read a **THIRD** time this ____ day of ____, 201__.

APPROVED by the Ministry of Transportation and Infrastructure, in accordance with the Highways Act this ____ day of ____, 201__.

Approving Officer

FINALLY ADOPTED this ____ day of ____, 201__.

Mayor Frank Konrad

Corporate Officer Diane Heinrich

CERTIFIED

I hereby certify that the foregoing to be a true copy of Bylaw No. 2039 as passed by the
Municipal Council of the City of Grand Forks

on the ____ day of _____, 201__.

Corporate Officer of the Municipal Council
of the City of Grand Forks