



DISTRICT OF NEW HAZELTON

Bylaw No. 375, 2023

A bylaw to amend Zoning Bylaw No. 317, 2014 pertaining to dwelling and minimum lot sizes

The Council for the District of New Hazelton, in open meeting assembled, enacts as follows:

That, the following amendments be made to Zoning Bylaw No. 317, 2014 as follows:

1. This bylaw may be cited as District of New Hazelton Zoning Amendment Bylaw No. 375, 2023; and
2. District of New Hazelton Zoning Bylaw No. 317, 2014 is hereby amended by making the following changes with respect to minimum and maximum sizes on dwelling and lots.

PART D - ZONES

The simple act of stating community goals and objectives never assures their realization. Rather, it is necessary to utilize a variety of methods to confirm that aspirations of the community are consciously being worked towards.

1.1 Single Family Residential (R-1)

This zone is intended for Single Family Residential use with the provision for secondary or garden suites.

Permitted Land Uses

Permitted Uses	Minimum Lot Size
Single Family Residential	552 m ²
Garden Suite or one Secondary Suite allowed	
Accessory Buildings	N/A
Home Occupation	

Building and Structure Specifications

	Single Family Residential	Garden Suite	Secondary Suite	Accessory Buildings
Maximum Number of Dwelling Units per lot	1	1 Garden Suite or 1 Secondary Suite		2 (including Garden Suite)
Minimum Unit Size	40 m ²	40 m ²		
Maximum Floor Area	N/A	70 m ²		
Maximum Height	10 m	8 m	N/A	8 m
Maximum Lot Coverage (all structures)	50%			
Minimum Lot Frontage	15.0 m *	N/A		
Minimum Width	6.5 m			

* Excluding pan-handle lots.

Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	4 m	6 m	2 m	1.5 m
Accessory Buildings and Structures *	7.5 m	1.5 m	2 m	1.5 m

* Accessory buildings and structures shall be located to the rear of the Single Family Dwelling (with the exception of corner lots which may locate an accessory building on the exterior side of the principal dwelling).

Additional regulations can be found in section 4.0 of Zoning Bylaw No. 317, 2014.

1.2 Medium Residential Density (R-2)

To provide for medium density residential development including options for infill, mixed housing and affordable residential dwelling units.

Land Use Permitted

Permitted Use	Minimum Lot Size
Single Family Residential*	552 m ²
Garden Suite or one Secondary Suite allowed	
Multi-Unit Residential	1000 m ²
Duplex (Strata or Fee Simple)*	552 m ²
Affordable Housing	552 m ²
Home Occupation (exclusive to Single Family Residential use and Duplex uses)	552 m ²
Accessory Use	

- * Duplex cannot be combined with Secondary Suite
 Single Family Residence can be combined with Garden Suite or Secondary Suite but not both

Building, Structure and Lot Specifications

	Single Family Residential	Duplex	Townhouse	Garden Suite	Secondary Suite	Accessory Building
Maximum Number of Dwelling Units	1	2	N/A	1		N/A
Minimum Unit Size	40 m ²	40 m ²	40 m ²	40 m ²		N/A
Maximum Floor Area	N/A	N/A	N/A	70 m ²		N/A
Maximum Height	10 m	10 m	12 m	8 m	N/A	8 m
Maximum Lot Coverage/Area	50%	50%	50%	N/A	N/A	N/A
Minimum Lot Frontage	15.0 m	15 m	15.0 m	N/A		

Minimum Building Setbacks

Uses/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	From Principal Building
Principal Residential Dwelling	4 m	3 m	2 m	1.2 m	N/A
Garden Suite*	N/A	1.5 m	1.5 m	1.2 m	4 m
Duplex	4 m	5 m	3 m	1.5 m	N/A
Accessory Buildings and Structures*	5 m	1.5 m	1.5 m	3.2 m	N/A

- * Shall be located to the rear of the primary Single Family Residential use with the exception of corner lots that can use exterior side-line.

Additional regulations can be found in section 4.0 of Zoning Bylaw No. 317, 2014.

1.3 Multi-Unit Residential (R-3)

This zone is to provide for multi-dwelling residential accommodation located near community amenities and services.

Permitted Land Uses

Permitted Uses	Minimum Lot Size
Multi-Unit Residential	2000 m ²
Park & Playground	N/A
Affordable Housing	
Neighbourhood Commercial (exclusive to Townhouse & Apartment uses only)	
Public Art Gallery	
Convenience Store	
Post Office	
Mobile Food Stand	
Coffee Stand	

Building and Structure Specifications

Multi-Unit Residential Maximum Density *	50 units per Ha.
Total Floor Area for all Accessory Buildings	70 m ²
Maximum Height and Storeys of Principal Building	12 m (3.5 storeys)
Maximum Height of Accessory Buildings and Structures	10 m
Minimum Lot Frontage	18 m
Maximum Lot Coverage	70%

- * Where 70% or more of the required off street parking spaces are provided underground or concealed within the building, the density of multiple family residential units may be increased by 10 units per Ha.
- * Where 15% or more of the total number of units are “affordable housing units”, the maximum number of multiple family residential units may be increased by 20 units per Ha.

Minimum Building Setbacks

Use/Structure	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
Multi-Unit Residential	6 m	6 m	6 m	6 m
Accessory Buildings and Structures *	7.5 m	1.5 m	5 m	1.5 m

- * Accessory buildings and structures shall be located to the rear of the front face of the building, not less than 3 meters from any portion of the principal building.

Additional regulations can be found in section 4.0 of Zoning Bylaw No. 317, 2014.

1.4 Mobile Residential Neighbourhood (R-4)

This zone is intended to provide for land for the continued use for mobile homes or the stratification of land for ownership for the same use.

Permitted Land Uses

Permitted Uses	Minimum Lot Size
Modular Dwelling Unit	8000 m ²
Per Modular Dwelling Unit	368 m ²
Accessory Buildings and Structures	N/A

Building and Structure Specifications

Maximum Number of Units per ha	27
Dwelling Unit	1/mobile home space
Maximum Height	principal building: 7 m
	accessory building: 5 m
Minimum Lot Frontage of Modular Pad	10 m
Maximum Accessory Building Floor Area	12 m ²
Maximum Parcel Coverage	40%

Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	3 m	3 m	1.5 m	1.5 m
Accessory Buildings and Structures	5 m	1.5 m	1.5 m	3 m

Additional regulations can be found in section 4.0 of Zoning Bylaw No. 317, 2014.

1.5 Rural Residential (R-5)

This zone is intended for Single Family Residential use with the provision for large lots and protected open-space.

Permitted Land Uses

Permitted Uses	Minimum Lot Size
Single Family Residential Use	1840 m ²
Secondary Suite	
Accessory Buildings	
Garden Suite	
Animal Breeding and Boarding	
Hobby Farm	10000 m ²

Building and Structure Specifications

	Single Family Residential	Garden Suite	Accessory Buildings
Maximum Number of Single Family Dwelling Units	1	1	N/A
Minimum Unit Size	40 m ²	40 m ² **	N/A
Maximum Height	10 m	8 m	8 m ***
Maximum Lot Coverage	40%		
Minimum Lot Frontage	36m *	N/A	N/A

* Excluding pan-handle lots.

** Maximum Unit Size is 70 m².

*** Excluding Barns.

Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	7.5 m	7.5 m	5 m	5 m
Accessory Buildings and Structures *	8 m	2 m	3 m	3 m

* Accessory buildings and structures shall be located to the rear of the principal dwelling (with the exception of corner lots which may locate an accessory building on the exterior side of the principal dwelling).

Additional regulations can be found in section 4.0 of Zoning Bylaw No. 317, 2014.

1.6 Modular Home Residential (R-6)

This zone is intended for modular home residential use on fee simple lots. Homes must be de-registered and placed on approved foundation.

Permitted Land Uses

Permitted Uses	Minimum Lot Size
Single Family Residential	552 m ²
Accessory Buildings	N/A
Home Occupation	

Building and Structure Specifications

	Single Family Residential	Accessory Buildings
Maximum Number of modular homes per lot	1	2
Minimum Unit Size	40 m ²	
Maximum Floor Area	N/A	
Maximum Height	8 m	6 m
Maximum Lot Coverage (all structures)	50%	
Minimum Lot Frontage	15.0 m *	N/A
Minimum Width	3.65 m	

* Excluding pan-handle lots.

Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	4 m	6 m	2 m	1.5 m
Accessory Buildings and Structures *	7.5 m	1.5 m	2 m	1.5 m

* Accessory buildings and structures shall be located to the rear of the Single Family Dwelling (with the exception of corner lots which may locate an accessory building on the exterior side of the principal dwelling).

Additional regulations can be found in section 4.0 of Zoning Bylaw No. 317, 2014.

Citation This Bylaw may be cited for all purposes as "District of New Hazelton Zoning Amendment Bylaw 375, 2023".

READ A FIRST TIME this 11th day of September, 2023.

READ A SECOND TIME this 11th day of September, 2023.

READ A THIRD TIME this 2nd day of October, 2023.

PUBLIC HEARING held this 6th day of November, 2023 .

DISTRICT OF NEW HAZELTON MAYOR & COUNCIL APPROVAL this 6th day of November, 2023.

ADOPTED this 6th day of November, 2023.

Mayor

Chief Administrative Officer