

# Regional District of Alberni-Clayoquot

## Consolidated Zoning By-law



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## REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

### ZONING BY-LAW, 1971

The Regional Board of the Regional District of Alberni-Clayoquot, duly assembled, enacts as follows:

#### SECTION 1 - TITLE

This By-law may be cited for all purpose as the "Alberni-Clayoquot Zoning By-law 1971".

#### SECTION 1(a) - SEVERABILITY

If any provision of this By-law is held by a Court to be void, voidable or unenforceable, such provision may be severed and the remaining provisions shall continue in effect.

#### SECTION 2 - PURPOSE

Within those parts of the Regional District of Alberni-Clayoquot to which this By-law applies, the Alberni-Clayoquot Zoning By-law regulates the development and use of land and the location and use of buildings and structures erected thereon, having due regard to:

- (1) The promotion of health, safety, convenience, and welfare of the public:
- (2) The prevention of the overcrowding of land, and the preservation of the amenities peculiar to any zone:
- (3) The securing of adequate light, air and access:
- (4) The value of the land and the nature of its present and prospective use and occupancy:
- (5) The character of each zone, the character of the buildings already erected, and the peculiar suitability of the zone for particular uses:
- (6) The conservation of property values:

and in addition, where development areas are declared and land use contracts entered into, having due regard to:

- (a) The development of areas to promote greater efficiency and quality:
- (b) The impact of development on present and future public costs:
- (c) The betterment of the environment:
- (d) The fulfilment of community goals:
- (e) The provision of necessary public space.

#### SECTION 3 - DEFINITIONS

In this By-law unless the context otherwise requires:

Abattoir or slaughterhouse means a building or structure specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include some packing and treating of the product on the premises.

Accessory Building means

- (1) a building, the use or intended use of which is ancillary to that of a principal building situated on the same lot, or
- (2) a building which is ancillary to a principal use being made of the lot upon which such building is located.

Accessory Use means

- (1) a use which is ancillary to a principal building, or use of a principal building, situated on the same lot, or
- (2) a use which is ancillary to a principal use being made of the lot upon which such accessory use is located.

Accommodation and Food Services means establishments classified as such by the Standard Industrial Classification Manual, 1970,

Air Space Parcel means a parcel established and defined as such pursuant to the Air Space Titles Act.

Air Transport means establishments classified as engaging in such by the Standard Industrial Classification Manual, 1970.

Amusement and Recreational Services means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Animal Hospital means any building, structure or premises in which animals are cared for, treated, maintained or hospitalized.

Apartment Building means a type of multiple dwelling divided into not less than three dwelling units with shared entrances and other essential facilities and services and with shared exit facilities above the first storey, and as distinct from a hotel or motel unit.

Aquaculture means the cultivation, rearing, harvesting and processing of aquatic organisms on land or in non-tidal waters for commercial gain or sale as food or a food product for human or animal consumption.

Auction Room means a place of assembly where general retail or wholesale auctioneering is carried out.

Automobile or Boat Sales or Rental Lot means an open area used for the display, sales or rental of new or used passenger motor vehicles, boats, mobile-homes, or trailers in operable condition, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold or rented on the premises.

Automobile Wrecking Yard means an area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked or where vehicles not in operable condition or used parts of motor vehicles are stored.

Bachelor Unit means a dwelling unit having no room used or intended to be used solely as a bedroom.

Basement means that portion of a building between two floor levels which is partly underground, but which has at least one half of its height from finished floor to finished ceiling above adjacent finished grade as determined by the Building Inspector. The height, measured between the finished floor surface and the underside of any finished ceiling surface or exposed beam, shall nowhere be less than 1.915 meters [6 feet 4 inches].

Boarding, Lodging or Rooming House means a dwelling in which more than 2 sleeping units are rented, with or without meals being provided, to more than 4 and not exceeding 15 Persons, other than members of the family of the lessee, tenant or owner and excludes the preparation of meals within the rented units.

Building means a structure, located on the ground, which is designed, erected or intended for the support, enclosure, or protection of persons or property. When a structure is separated by party walls located upon lot lines, then each portion of such structure shall be deemed a separate building.

Building, Completely Enclosed means a building separated on all sides from the adjacent open spaces, or from other buildings or structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

Building, Front Line of means the extended line of the wall of the building, (or of any projecting portion of the building except balconies, steps, sills, cornices, eaves, fire escapes and unroofed porches) which faces the front line of the lot.

Building, Rear Line of means the extended line of the wall of the building (or of any projecting portion of the building except balconies, steps, sills, cornices, eaves, fire escapes and unroofed porches) which faces the rear line of the lot.

Building, Temporary means and includes:

- (1) Any building (except a private garage or other accessory building) not having its exterior walls supported on continuous concrete or masonry foundation or walls.
- (2) Notwithstanding clause (1) above, a temporary building shall also include boat shelters, bunkhouses, skid shacks, huts, tents, trailers, custom built mobile units or any other similar type of portable building or structure, whether or not the same be placed on foundations or affixed to the land in any way. A temporary building shall not be construed to include permanent prefabricated residential dwellings, industrial, warehouse and storage buildings which conform to the construction standards specified in the Building By-law.

Bulk means the size and location of buildings and structures in relation to the lot. Bulk regulations include maximum height of building, minimum lot area and width, minimum front, side and rear yards and maximum lot coverage.

Campground means a site operated and occupied for part of the year only as temporary accommodation for holiday makers in tents and recreational vehicles; but a campground is not a mobile-home park, or motel, or hotel, or auto court.

Carriage House means a dwelling unit attached to or located on the second storey of an accessory building with its own external access, separate from that of the access to the accessory building.

Cartage, Delivery and Express Facilities means establishments engaged in local trucking, parcel delivery, and similar operations but excludes the operation of freight trucking terminals.

Cellar means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below adjacent finished grade as determined by the Building Inspector. The height, measured between the finished floor surface and the underside of any finished ceiling surface or exposed beam, shall nowhere be less than 1.915 meters [6 feet, 4 inches].

Children's Institution means an orphanage, boarding home or other establishment for children, wherein care, food and lodging are furnished, with or without charge, for five or more children under fifteen years of age living apart from their parents or guardians, excepting any home approved as a foster home by the Child Welfare Division, Department of Human Resources, any home maintained by a person to whom the children are related by blood or marriage, and excepting hospitals, nursery schools and kindergartens.

Club Or Lodge means a building or establishment used by an association or organization for fraternal, social or recreational purposes and which shall be operated for the use of club members and their guests only.

Commercial Vehicle means a vehicle engaged in carrying or which is designed to carry goods, wares or merchandise and which is licenced as a commercial vehicle under the appropriate municipal or provincial laws or regulations.

Condominium means land and buildings which have been subdivided by the deposit of a strata plan in accordance with the Strata Titles Act. Bulk regulations contained in Schedule II of the By-law shall refer to the land that is the subject of the strata plan.

Conforming Building or Use means any building or use which conforms with all the regulations of the By-law, or of any amendment thereto for the zoning district in which such building or use is located.

Construction Industry means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Co-Operative Housing Development means a multiple family dwelling or dwellings owned by a company each of whose shareholders is a resident of one dwelling unit within the development.

Cottage means a separate single family dwelling unit built upon continuous and full foundations and intended to be occupied on a short term temporary basis only by visitors or seasonal workers. A cottage is not, however, for the purposes of Section 110, a Mobile Home or a Bachelor Unit or a Building, Temporary.

Coverage means the combined area covered by all buildings or structures on the lot, or any projecting portions thereof, measured at the height of the lowest storey above grade excluding:

- (1) Balconies, canopies, marquees and sun shades, eaves and gutters, fire escapes, steps and similar projections.
- (2) Covered parking areas which are not in or beneath any part of a principal building.

Curb Level means the level of the established curb in front of the building measured at the centre of such front. When no curb has been established, the Building Inspector may establish such curb level or its equivalent, for the purpose of this By-law.

Development means a change in the use of any land, building or structure for any purpose and shall include the carrying out of any building, engineering, construction or other operation in, on, over or under land, or the construction, addition, or alteration of any building or structure.

Display Yard means an open area used for the display of new or used passenger automobiles, motor vehicles, trailers, trucks, truck trailers, equipment, machinery or boats in operable condition, which are continually available for sale or rental, and where no repair work is done except of a minor or incidental nature. A display yard shall also include an open area where samples of the finished projects can be assembled or constructed from the materials (new only) available for sale on the premises.

Dormitory Unit means a building or portion thereof in which sleeping units are provided and/or rented by an institution, agency, or resource industry, and which is regulated and maintained by such body. It may include commercial dining facilities.

Drive-In Business means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles which are driven onto the site where such business is carried on and where normally the customer remains in the vehicle for service, but shall not include car washing establishments, drive-in theatres or gasoline service stations.

Dwelling means a building, occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, motels or institutions.

Dwelling, Single Family means any building consisting of one dwelling unit which is occupied or intended to be occupied as the permanent home or residence of one family.

Dwelling, Two Family means any semi-detached building divided into two dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one family, and in which the units have a party wall.

Dwelling, Multiple Family means any building consisting of three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one family.

Dwelling, Row Housing means a block of at least three and not more than eight side by side family dwelling units, with each dwelling unit having separate yard space and attached to its neighbour at its side, and in which each dwelling unit shall be separated from each other by a party wall.

Dwelling Unit means one or more habitable rooms, constituting a self-contained unit with a separate entrance, and used or intended to be used together for living and sleeping purposes for not more than one family and containing a separate and properly ventilated kitchen with a sink and cooking facilities and a bathroom with a water closet, wash basin and bath or shower.

Dwelling Unit, Accessory means a second dwelling unit:

- (a) on a lot that already has a single-family dwelling on it or that will have a single-family dwelling constructed contemporaneously on it;
- (b) that is an accessory use;



- (c) that is occupied or intended to be occupied as a permanent home or residence of one family;
- (d) that may be within or attached to the principal dwelling unit as a secondary suite;
- (e) that may be a carriage house or granny flat within or attached to an accessory building such as a garage, barn or workshop;
- (f) that may be a detached building such as a cabin, cottage or garden suite.

Electric Power, Gas and Water Utilities means establishments classified as such By the Standard Industrial Classification Manual, 1970.

Engineering and Scientific Service means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Family means an individual or two or more persons related by blood, marriage or adoption, or a group of not more than 5 unrelated nontransient persons, living together as a single non-profit group in a housekeeping unit and including servants employed upon the premises.

For purpose of the Marine Campground Recreation (MRC) District:

Family means one or more persons related by blood or marriage or common law marriage or a group of not more than 3 unrelated persons living together as a single housekeeping unit. Family also includes domestic servants and not more than 2 (two) roomers/boarders.

Finance, Insurance and Real Estate means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Fishing and Trapping means persons and establishments classified as such by the Standard Industrial Classification Manual, 1970.

Floor Area means the total horizontal area of a room or group of rooms, and shall be measured between the interior finished surfaces of those walls forming the perimeter of the room or group of rooms.

Floor Area Ratio means the value reached when dividing the gross residential floor area of all buildings on a lot by the area of the lot, above the surface of the water. Floor areas of less than 28 sq. m. or more than 1.0m below grade are excluded from floor area calculations

Float Home means a house like structure built on a flotation system capable or intended for overnight use or occupancy

Garage, Private means a detached accessory building or a portion of a principal building used solely for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles.

Gasoline Service Stations means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Grade or Grade Level means the finished ground level at the centre of the exposed wall of a building.

Granny Flat means carriage house.

Guesthouse means a dwelling in which a minimum of two and a maximum of six rooms are rented to more than four and not exceeding twelve persons other than members of the family of the lessee, tenant or owner and excludes provision of cooking facilities or preparation of meals within the rented units. A guesthouse shall include a common sitting room and a maximum of one common kitchen and one common dining room for the use of guests.

Habitable Room means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom or kitchen.

Hazardous Material means explosives including explosives within the meaning of the Explosives Act (Canada);

Gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;

Flammable and combustible liquids;

Flammable solids, substances liable to spontaneous combustion and substances that on contact with water emit flammable gases;

Oxidizing substances, organic peroxides;

Poisonous (toxic) and infectious substances;

Radioactive materials and prescribed substances within the meaning of the Atomic Energy Control Act (Canada);

Corrosives;

Miscellaneous products, substances or organisms that are considered by the Lieutenant Governor in Council to be dangerous to life, health, property or the environment.

Health and Welfare Services means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Height of Buildings means the vertical distance from the curb level to the highest point of the roof surface if a flat roof; the deck line of a mansard roof; and to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. When a building is situated on ground above the curb level, such height shall be measured from the average elevation of the finished grade of the lot along the front of the building.

Home Occupation means any homecraft, professional practice, or other livelihood which may be conducted in accordance with the

provisions of subsection 6.7 and which is clearly incidental both to the use of a dwelling unit for residential purposes and to the residential use of a lot occupied by a dwelling.

Hospital means a non-profit institution (operated for the reception and treatment of persons suffering from illness or disability) which has been designated as a hospital under the Hospital Act, but does not include private hospitals, nursing or convalescent homes.

Hospital, Private means a building in which two or more patients, other than the spouse, parent or child of the owner or operator thereof, are living at the same time, and including a nursing home or convalescent home, but does not include a hospital as defined in this By-law or a hospital licenced under the Mental Hospitals Act.

Hotel means a building containing more than six sleeping units wherein accommodation is provided for transient lodgers. No sleeping unit shall contain private cooking facilities and in no case shall sleeping units be used for retail trade. A hotel shall ordinarily include such ancillary facilities as sample rooms, banquet rooms, rooms devoted primarily to the sale of alcoholic beverages, and other activities permitted in the zoning district in which it is located.

Hotel, Motor means a building containing more than six sleeping units wherein accommodation is provided, occupied or intended to be occupied primarily by transient motorists. Up to 20% of the sleeping units may include private cooking facilities and in no case shall sleeping units be used for retail trade. A motor hotel shall include a public dining room or restaurant, and may include such ancillary facilities as sample rooms, banquet rooms and rooms devoted primarily to the sale of alcoholic beverages. Each sleeping unit shall be self-contained, having its own bathroom with a water closet.

Housekeeping Unit means two or more habitable rooms, used or designated to be used together, as living quarters for not more than one family, and containing at least one living room, one kitchen or kitchenette, and one bathroom; and equipped with at least one water closet, one basin, one sink and one bath or shower.

Junk Yard means an area outside of an enclosed building where junk, waste, used, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not be construed to include establishments for the sale, purchase or storage of used furniture, or of salvaged materials as a minor part of manufacturing operations.

Kennels means any building, structure, compound, group of pens, or cages, or property which or where 5 or more dogs or cats are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever, and shall specifically include any building or part thereof in which 2 or more dogs are kept for breeding purposes. A dog or cat means a member of the canine or feline species which is 4 or more months in age.

Kindergarten means an establishment to which pre-school children are sent for educational experience but not for supplemental parental care.

Landscaping means the planting of lawns, shrubs and trees, and the addition of fencing, walks, drives, or other structures and materials as used in landscape architecture.

Lane means a public thoroughfare or way which affords only a secondary means of access to a lot, at the side or rear.

Lot means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Registry Office, and having principal frontage upon a public street, highway, or place except as otherwise provided for in the Highway Access (Alternatives) Regulations pursuant to the Land Registry Act, except that a lot does not include a private road or way created in accordance with Part II of that Regulation. An individual strata lot within a condominium shall not be deemed to be a lot for the purposes of this By-law, but a lot may be subdivided by the deposit of a strata plan. An air space parcel created pursuant to the Air Space Titles Act shall constitute a lot, except that where the land of which the air space parcel is a part constitutes a highway or a portion thereof, the maximum lot coverage requirements of Schedule II of this By-law shall not apply.

Lot Coverage means the horizontal projection of the exterior walls of the building and structures on a parcel, expressed as a percentage of the parcel area, and in the case of a structure with no exterior wall, measured from the drip line of the roof.

Lot Area means the total horizontal area within the lot lines of a lot.

Lot Depth means the mean horizontal distance between the front and rear lot lines.

Lot Width means the mean horizontal distance between side lot lines measured at right angles to the lot depth.

Lot, Corner means a lot at the intersection or junction of two or more streets.

Lot, Interior means a lot other than a corner lot.

Lot, Through means a lot abutting two parallel or approximately parallel streets.

Lot Line, Front means the boundary line of the lot and the street on which the lot abuts. In the case of a corner lot, a lot line abutting a street shall be considered a front lot line if the adjacent lots front on the same street. In the case of a through lot, the lot

lines abutting two parallel or approximately parallel streets shall both be considered as front lot lines. Notwithstanding, a lot line which abuts a waterfront walkway or a waterway giving boat access is considered to constitute the only front lot line of a lot. Where the lot does not front on a public or private street, road or way, or waterfront walkway, or a waterway giving boat access, the front line of the lot shall be as determined by the Building Inspector. Where a lot is divided by a public way, whether dedicated or not, other than a lane or walkway, both sides of such public way shall be considered as front lot lines.

**Lot Line, Rear** means the lot line furthest from and opposite to the front lot line, except that there shall not be more than one rear lot line.

**Lot Line, Side** means a lot line marking the boundary between two lots, or between a lot and a lane, or between a lot and a public street in the case of a corner lot; of which one or both ends intersect a front lot line.

**Manufacturing Industries** means establishments classified as such by the Standard Industrial Classification Manual, 1970.

**Marina Use** includes commercial moorage, floats and boat ramps, boat houses or shelters, rental of watercraft, marine fuel sales, pump-out facilities for sewage disposal, facilities for disposal of waste oil and bilge water, public washrooms, accessory off-street parking, accessory boat repair, commercial retail uses, office space accessory to the above uses and incidental transient overnight accommodation on a vessel or watercraft. It does not include watercraft sales, transient commercial overnight accommodation in a watercraft or vessel or permanent or seasonal residential use in a float home or vessel.

**Marine Transportation** means the movement of a person or persons by watercraft or vessel, but does not include transient, commercial overnight accommodation.

**Marquee** means a permanent roofed structure attached to or supported by a building and projecting over public or private sidewalks or rights-of-way.

**Medical Cannabis Production** means the production, growing, processing, storage or distribution of cannabis for medical purposes as permitted by federal legislation, but specifically excluding the:

- i. production, growing and associated processing, storage or distribution of cannabis for medical purposes within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;
- ii. storefront or retail outlet distribution of cannabis; and
- iii. growing of cannabis by an individual for their personal use.

**Mines, Quarries and Oil Wells** means establishments classified as such by the Standard Industrial Classification Manual, 1970. Miscellaneous

**Services** means establishments classified as such by the Standard Industrial Classification Manual, 1970.

**Mobile-Home** means a single family dwelling which is manufactured as a unit suitable for year-round occupancy, which is designed to be moved along the highway from time to time, and which arrives at the site complete and ready for occupancy except for placing on suitable foundations and connection of utilities. Notwithstanding, where such a structure is converted into a permanent dwelling by removing its undercarriage and installing it on a foundation of continuous concrete or masonry, it may cease to be defined as a mobile-home for the purposes of this Bylaw and shall be subject to the provisions of subsection 6.11 and 7.3 and to all other pertinent provisions of this By-law.

**Motel** means a building or group of buildings wherein accommodation is provided, occupied or intended to be occupied primarily by transient motorists in separate sleeping or dwelling units, none of which shall be used for retail trade. A motel may include a café or restaurant and such ancillary facilities as self-service laundry, and common recreation or cooking facilities. Where the motel is located so as to be occupied primarily by transient motorists, each sleeping or dwelling unit shall have its own parking space conveniently located on the lot.

**Motor Vehicle Repair Shop** means a building used, or intended to be used for major repairs to motor vehicles, trailers, and parts thereof.

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

**Non-Conforming Building or Use** means any building or use which does not conform with all the regulations of this By-law or any amendment thereto, for the zoning district in which such building or use is located.

**Non-Medical Cannabis Production** means the production, growing, processing, storage or distribution of commercial non-medical cannabis as permitted by federal legislation, but specifically excluding the:

- i. production, growing and associated processing, storage or distribution of commercial non-medical cannabis within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;
- ii. storefront or retail outlet distribution of cannabis; and
- iii. growing of cannabis by an individual for their personal use.

Non-Residential when used with reference to a building, structure or use, means designed, intended or used for purposes other than those of a residential use building.

Other Storage and Warehousing means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Parking Area means an open area of land, other than a street, used for the parking of one vehicle, excluding driveways, ramps, columns, office and work areas.

Person includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

Personal Services means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Petting Farm means an operation designed for the display of domesticated animals such as horses, cattle, llamas, sheep, goats, swine, rabbits and poultry to the public, and providing an area for direct contact between the public and the animals.

Principal Use means the main purpose for which land, buildings or structures are ordinarily used.

Public Use means a use for the benefit of the public by a government, including a local government, or agency of a government and includes:

- a) administrative, business or public service office for cultural use or activity, including a police station, fire hall, court facility, post office, library and assembly hall;
- b) public park and playground;
- c) public works including any building, structure or land used for the purposes of the maintenance, repair or storage of vehicles, equipment or construction material used in connection with providing water, sewer or drainage facilities or highways;
- d) public utility, meaning the use of a building, structure or land in connection with the lawful distribution of electricity, gas, water, telephonic or television signals under the Utilities Commission Act, the Municipal Act or a statute of Canada or British Columbia.

Minor or Public Uses and Utilities include:

- a) pumping stations, pressure reducing stations, switching stations, radio repeater stations, microwave towers, weather stations and similar uses having a maximum area of 0.2 hectares [0.5 acres];
  - b) rights-of-way for railways, conduits, transmission lines, gas pipelines and similar uses;
- but do not include uses permitted under Section 141, the Institutional ( P-1 ) District or Section 142, the Park and Public Use ( P-2 ) District or subsection 104.1(8) of the Forest Reserve A-4 ) District.

Radio and Television Broadcasting means establishments classified as engaging in such by the Standard Industrial Classification Manual, 1970.

Recreation Vehicle Use, Seasonal. For the purpose of the Marine Campground Recreational (MRC) District Seasonal Recreational Use means non-permanent use of seasonal vacations and recreational purposes and not as the principal residence of the owners or occupier of the lot.

Regional Board means the governing and executive body of the Regional District of Alberni-Clayoquot.

Residential Floor Area means the sum of the internal private floor areas of all dwelling units in all buildings on a lot; includes basements located within a dwelling unit and areas occupied by internal walls and partitions within a dwelling unit; excludes balconies, common stairwells, common corridors, cellars, concealed parking areas, and common recreation or service facilities.

Residential Use Building means a dwelling, boarding, lodging or rooming house.

Rest Home means a boarding home or other institution where food or lodging, together with care or attention are furnished, with or without charge, for two or more persons who, on account of age, infirmity, physical or mental defect, or other disability, require attention or care, excepting a home maintained by a person to whom the inmates are related by blood or marriage.

Retail Outlets means establishments classified as engaging in Retail Trade (and incidentally or to a much lesser extent in Wholesale Trade or Manufacturing of items retailed on the premises) by the Standard Industrial Classification Manual, 1970.

Retailers of Automotive Products means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Riding Academy means a stable for the housing of horses for hire or for a private riding club.

School, Private means a school, other than a public school, where academic subjects are taught or which is maintained for philanthropic or religious purposes and may include a boarding school, but does not include any school or home otherwise classified or defined under this By-law.

School, Public means a place of instruction maintained at the public expense pursuant to the School Act of the Province of British Columbia.

Screening means a continuous 2.438 meter [8 feet] high tight board fence or wall uniformly painted or a compact evergreen hedge 1.828 meters [6 feet] in height or combination thereof, supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks.

Secondary Suite means a second dwelling unit that is located within or attached to and forms part of a principal dwelling unit.

Services to Business Management means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Setback means the required minimum distance between a building or use and each of the respective property lines.

Shopping Centre means a group of retail stores in one or more buildings designed as an integrated unit, together with its ancillary parking and landscaped areas.

Slaughterhouse - See abattoir.

Sleeping Unit means one or more habitable rooms used or intended to be used for sleeping, or sleeping and living purposes, but not including a sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared.

Storage Yard means an area outside of an enclosed building where contractors or construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, whether a principal or an accessory use. A storage yard shall not be construed to include an automobile wrecking yard, a display yard or a junk yard.

Store, Retail means a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, merchandise, substances, articles or things, sufficient only to service such stores, but does not include any retail outlet otherwise classified or defined in this By-law.

Storey means a habitable space between two floors, or between any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of the building included between the upper surface of the topmost floor and the ceiling above. A basement which contains habitable accommodation shall be considered as a storey.

Street means a public highway, road or thoroughfare which affords the principal means of access to abutting lots.

Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but shall not include fences and walls that are less than the maximum fence height permitted in any district.

Taxicab Operation means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Trailer or Travel Trailer means any portable structure or vehicle used or designed and equipped to be used for living or sleeping purposes while travelling or vacationing and which is designed or intended to be mobile on land, whether or not self-propelled.

Transportation means establishments classified as engaging in such by the Standard Industrial Classification Manual, 1970. Truck

Transport means establishments classified as such by the Standard Industrial Classification Manual, 1970.

Usable Open Space means a compact, level unobstructed area or areas, available for safe and convenient use by all the building's occupants, having no dimension of less than 6.096 meters [20 feet] and no slope greater than 10 percent, providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, public walkways, and required front yards. Not more than half the usable open space required for any dwelling unit may include private balconies, patios or roof areas.

Use means the purpose for which any lot, parcel, tract of land, building or structure is designed, arranged or intended, or for which it is occupied or maintained.

Water Recreation Uses include swimming, fishing, water skiing, all forms of sub aqua and diving activities, boating, sailing, wind surfing and similar uses, but excludes any activity having an element of permanent or seasonal residential use or transient commercial overnight accommodation on a vessel/watercraft, float home or similar craft.

Wholesale Trade means establishments classified as such By the Standard Industrial Classification Manual, 1970.

Winery or Cidery means a farm winery or cidery or an estate winery or cidery where wine or cider is produced and sold and which is licensed by the Liquor Control and Licencing Act.

Yard, Front means that portion of the lot, extending from one side lot line to the other, between the front line of the lot and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front line of the lot and the parallel line. In the case of a through lot there shall be two such front yards.

Yard, Rear means that portion of the lot, extending from one side lot line to the other, between the rear line of the lot and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the rear line of the lot and the Parallel line.

Yard, Required means a minimum front, rear, or side yard specified by Schedule No. II.

Yard, Side means that portion of the lot, extending from the front yard to the rear yard between the side line of the lot and a line drawn parallel thereto. The width of such yard shall mean the perpendicular distance between the side line of the lot and the parallel line.

## SECTION 4 - BASIC PROVISIONS

### 4.1 Application

Within those parts of the Regional District of Alberni-Clayoquot not contained within the City of Port Alberni, the District Municipality of Tofino, the Village of Ucluelet, Indian Reserves, or any area exempted by Section 794A of the Municipal Act, no land, buildings and structures, including the surface of water, shall hereafter be used or occupied, and no building or structure or part thereof shall be erected, moved, altered or enlarged, unless in conformity with this By-law, and the contrary shall be unlawful.

### 4.2 Non-Conforming Uses, Buildings and Structures

- (1) The lawful use of any land, building or structure existing at the time of the adoption of this By-law may be continued (subject to the provisions of Section 970 of the Municipal Act), although such use does not conform with the provisions of this By-law.
- (2) Any building or structure conforming as to use, but which is non-conforming as to size, shape or siting at the time of the effective date of this By-law, may be altered, repaired or extended provided that any alteration, repair or extension shall comply with the regulations specified for the zoning district in which it is located

### 4.3 Interpretation

#### (1) Use of Short Designations

For the purpose of this By-law, including the Official Zoning Atlas and Schedules, short designations may be used for the identification of zoning districts or groups of zoning districts. Short designations for individual zoning districts shall be as in Section 5.1.

Short designations for groups of zoning districts shall be as follows:

A districts shall mean the A 1, A 2, A 3, A 4, A 5, HS, A3-1, A3-2, WC, and CRCD1 districts.

R districts shall mean the R 1, R 2, RVH, RA 1, RA 2, RA 3, RC, RC-1, RC-2, ARC 1, SC, BRC, BI RVH, ARC, CD L364 and CR CD districts. RAB district shall mean the RAB district.

RM districts shall mean the RM 1, RM 2 and RMH districts.

C districts shall mean the C 1, C 2, C2A, C 3, C 4, C 4-A, C 6, C 7, C 8, C8A, C8B, C 9, C 10, CW, LOR and SA districts. GH districts mean the GH district.

MAC districts shall mean MAC district.

M districts shall mean the M 1, M 2, M 2A, M 3, M 4, M 5, M 6, M 7 and M 8 districts.

WD districts mean the WD 2.

SW districts shall mean SW 1, SW2 and SW2A districts.

P districts shall mean the P 1 and P 2 districts.

W districts shall mean the W 1, W 2, W 4, W 5, W 6, WF1, WF2, MAR1 and MAR2 districts.

CD districts shall mean the CD1, CD 565/567, CD CWR, and SA CD districts.

Site specific districts for former land use contracts shall mean the RVH-WI, A3-W, RMH-C, RMH-G, RMH-JL, C3-ARN, A1-RI, C1-FD, RVH-HB districts.

#### (2) Use of Standard Industrial Classification Manual, 1970.

Where a use permitted in any of the zoning districts designated by Section 5.1 is defined by the use of the Standard Industrial Classification Manual, 1970 wherein such use is a division, major group, or class of industries, then any industry designated by this By-law as being a permitted use within such division, major group or class of industries shall also be as classified by the use of the Standard Industrial Classification Manual, 1970, unless otherwise defined in this By-law, and any industry classified elsewhere within the Standard Industrial Classification Manual, 1970 shall not be permitted.

## SECTION 5 - ESTABLISHMENT OF ZONING DISTRICTS AND SCHEDULES

### 5.1 Designation of Districts

For the purpose of this By-law, those parts of the Regional District of Alberni-Clayoquot to which this By-law applies are hereby divided into the following zoning districts:

Use	Section	District Title	Short Designation
Rural	101	Small Holdings District	A 1
	101A	Winery and Cidery District	W C
	102	Rural District	A 2
	103	Forest Rural District	A 3
	104	Forest Reserve District	A 4
	105	Petting Farm District	A 5
	106	Rural Abattoir District	RAB
	107	Home Site Severance	HS
	108	Forest Rural District	A 3-1
	108A	Forest Rural District	A 3-2
	109	Guesthouse District	GH
Residential	110	Cottage Residential District	RC
	110A	Seasonal Cottage District	SC
	110B	Bamfield Cottage Residential District	BRC
	110C	Acreage Cottage Residential District	ARC
	110D	Cottage Residential District	RC-1
	110E	Acreage Residential District	ARC 1
	110F	Cottage Residential District	RC-2
	111	Single Family Residential District	R 1
	112	Two Family Residential District	R 2
	113	Multiple Family Residential District	RM 1
	114	Multiple Family Residential District	RM 2
	116	Mobile-home Residential District	RMH
	117	Vacation-home District	RVH
	118	Acreage Residential District	RA 1
	119	Acreage Residential District	RA 2
	120	Acreage Residential District	RA 3
Commercial	121	Local Commercial District	C 1
	121A	Long Beach Rural Office District	ROC
	122	General Commercial District	C 2
	122A	General Commercial District	C2A
	123	Service Commercial District	C 3
	124	Highway Commercial District	C 4
	124A	Highway Commercial District	C 4-A
	125	Mixed Accommodation Commercial District	MAC
	126	Tourist Commercial District	C 6
	127	Recreation Commercial District	C 7
	128	Campground Commercial District	C 8
	128A	Campground Commercial District	C 8A
	128B	Campground Commercial District	C 8B
	129	Special Entertainment Commercial District	C 9
	129A	Neighbourhood Commercial District	C 10
	129B	Low Density Outdoor Recreation District	LOR
	129C	Seasonal Staff Accommodations (SA) District	SA
	130	Wilderness Campground District	CW
Industrial	131	Industrial Park District	M 1
	132	Light Industrial District	M 2
	132A	Light Industrial District	M2A
	133	Heavy Industrial District	M 3



	134	Industrial Open Storage District	M 4
	135	Storage Warehouse District	SW 1
	135A	Mixed Storage District	SW-2
	135B	Mixed Storage District	SW-2A
	136	Hazardous Material Storage District	M 5
	137	Industrial Foundry District	M 6
	138	Waste Disposal District	WD 2
	139	Sawmill District	M 7
	140	Gravel Extraction District	M 8
Institutional	141	Institutional District	P 1
	142	Park and Public Use District	P 2
Other	143	Salmon Beach District	SB
Waterfront	151	Waterfront Conservation District	W 1
	152	Waterfront Residential District	W 2
	154	Waterfront Commercial District	W 4
	155	Waterfront Industrial District	W 5
	156	Marine Fuelling District	W 6
	157	Marina District	MAR 1
	158	Waterfront District	WF 1
	159	Waterfront District	WF 2
	160	Marina Two District	MAR 2
Comprehensive	161	Comprehensive Development District	CD 1
Development Use	162	Country Residential Comprehensive Development	CR CD
	162A	Country Residential Comprehensive Development 1	CRCD1
	163	Airport District	AV
	164	Comprehensive Development Lot 364 District	CDL364
	165	Comprehensive Development Lot 565/567 District	CD 565/567
	166	Beauty Island RVH District	BI RVH
	167	Stirling Arm Crescent Development District	SA CD
	168	Comprehensive Development Wilderness Resort District	CD CWR
Former Land	601	Wickaninnish Island Vacation Home District	RVH-WI
Use Contracts	602	Willowbrae Road Forest Rural District	A3-W
	603	Cougar Mobile-Home Residential District	RMH-C
	604	Greenridge Mobile-Home Residential District	RMH-G
	605	Jay-Lee Mobile-Home Residential District	RMH-JL
	606	Athol Road North Service Commercial District	C3-ARN
	607	Rance Island Small Holdings District	A1-RI
	608	Fish and Duck Local Commercial District	C1-FD
	609	Headquarters Bay Vacation Home District	RVH-HB

## 5.2 Official Zoning Atlas

- (1) The location of the zoning districts established by this By-law are shown on the Official Zoning Atlas of the Regional District of Alberni-Clayoquot, all maps of which bear the certificate: "This map forms part of the Atlas referred to in Section 5.2 of the Alberni-Clayoquot Zoning By-law 1971" and signed by the Chairman and Secretary, and which, with all explanatory matter thereon, is hereby made and declared to be an integral part of this By-law.
- (2) When the zoning district boundary is designated on the Official Zoning Atlas as following a road allowance, creek or railway right-of-way, the centre line of such road allowance, creek or railway line shall be the zoning district boundary.
- (3) Where the zoning district boundary is designated on the Official Zoning Atlas as following the boundary of or encompassing waters designated by Statute as Navigable Waters, the zoning district boundary shall be the lowest low water of said Navigable Waters.
- (4) Where a zoning district boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Official Zoning Atlas.
- (5) Where a zoning district boundary is designated on the Official Zoning Atlas as encompassing all or part of an area to which this By-law does not apply, the boundary shall be considered to follow the boundaries of the said area so as to exclude it from the zoning district.

- (6) Where a zoning district is designated as encompassing land subdivided into air space parcels, then the air space parcels shall be in the same zoning district as the land from which they were subdivided, unless otherwise indicated by a land use contract or by a By-law to amend this By-law.

### 5.3 Schedules

#### I Zoning District and Use Regulations

Regulations regarding uses of land, buildings and structures within each zoning district shall be as set forth in Schedule I which is hereby made and declared to be an integral part of this By-law.

Within each zoning district in Schedule I, all uses of land are prohibited except those specifically set out under that zone.

#### II Bulk and Site Regulations

Regulations regarding the height of buildings, lot area and width, lot coverage, front, side and rear yards shall be as set forth in Schedule II which is hereby made and declared to be an integral Part of this By-law.

#### III Off-Street Parking Regulations

Regulations regarding the amount, location and siting of off-street parking shall be as set forth in Schedule III which is hereby made and declared to be an integral part of this By-law.

#### IV Off-Street Loading Regulations

Regulations regarding the amount, location and siting of off-street loading facilities shall be as set forth in Schedule IV which is hereby made and declared to be an integral part of this By-law.

#### V Development Areas

The designation of development areas shall be as set forth in Schedule V which is hereby appended to this By-law and which shall be considered as an amendment in accordance with Section 702A of the Municipal Act.

## SECTION 6 - SUPPLEMENTARY REGULATIONS

### 6.1 Number of Principal Buildings on a Lot:

- (1) No residential use building shall be located on the same lot as any other residential use building, except as otherwise provided for in this By-law.
- (2) No residential use building shall be located on the same lot as any non-residential building or use, except as otherwise provided for in this By-law.
- (3) Notwithstanding (1) and (2) above, where a residential use building existing at the time of the effective date of this By-law is located together with not more than one other residential or non-residential use building, in a circumstance not otherwise provided for in this By-law, on a lot which cannot be subdivided so as to give separate title to each principal building, such residential use building shall be deemed to be a permitted use subject to the Provisions of the Regulations governing Sewage Disposal.

### 6.2 Location and Siting of Buildings

- (1) No principal building shall be located in any required front, side or rear yard, and, except where one or more of the lots is an air space parcel, no principal building shall be located so as to be within more than one lot.
- (2) No accessory building shall be located in any required front or side yard, except as specifically provided for in this By-law.
- (3) Where a parcel of land is of greater area than 1 114.836 square meters [12,000 square feet], the administrator of this By-law may require that the siting of a proposed building shall be such as to facilitate the future subdivision of the parcel or adjacent parcels of land, or may require the filing of written confirmation of the subdivider's recognition that further subdivision is precluded or impaired by reason of the proposed siting.
- (4) Notwithstanding anything else contained in this By-law, except where relief is granted by the Water Resources Service of the Department of Lands, Forests and Water Resources, no building shall be constructed:
  - (a) Within 7.62 meters [25 feet] of the natural boundary of a lake or within 30.48 meters [100 feet] of the natural boundary of any other natural water course or source of water supply (other than a well, which is governed by the Sanitary Regulations, 1917), or
  - (b) on ground surface less than 0.609 meters [2 feet] above 200 Year flood level (other than flood caused by tsunami) where it can be determined, or, where it cannot be determined, 3.048 meters [10 feet] above the natural boundary of a lake or any other natural water course in the immediate flood hazard area.

### 6.3 Height of Buildings and Structures

The following type of structures or structural parts shall not be subject to the building height requirements of this By-law: Church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadiums, transmission towers, silos, chimneys, flag poles, radio towers, masts, aerials, water tanks, monitors, cooling towers, drive-in theatre projection screens, elevator and ventilating machinery penthouses, provided that no such structure shall cover more than 20 percent of the lot, or, if located on a building, not more than 10 percent of the roof area of the principal building.

### 6.4 Conversion of Buildings

Buildings may be converted, altered or remodelled for another use, provided that:

- (1) The Building Inspector certified that the building is structurally suitable for such conversion.
- (2) The converted building shall conform to all the provisions and regulations prescribed for the zoning district in which it is located.

### 6.5 Accessory Buildings and Uses

#### 1. General Regulations

- a) no accessory building or structure shall be permitted to be erected on any lot unless:
  - i) such lot contains a principal building; or
  - ii) the accessory building is erected or constructed simultaneously with a proposed principal building;

- b) an accessory building or structure shall not be used as a dwelling or for any habitable purposes, either temporarily or permanently, in whole or in part;
- c) an accessory building shall not be located, unless otherwise provided for in this by-law:
  - i) within a required front yard;
  - ii) within 3.657 meters [12 feet] of the ultimate centre line of a lane which is either existing or proposed except in the case where the provisions of Section 6.14 applies; and
  - iii) within 0.914 meters [3 feet] of a side or rear yard lot line.
- d) an accessory building or structure, where attached to a principal building by at least 66% of the length of any of its sides, is not deemed to be an accessory building. In such cases, notwithstanding any other provision of this by-law, the required setback from side lot lines shall not be less than 0.914 meters [3 feet].
- e) an accessory building shall not exceed 3.657 meters [12 feet] in height except as otherwise provided for in this By-law.
- f) where section 6.5.2(a) applies, an accessory building shall not exceed two storeys.

2. Residential (A, R, RM, GH, W-1 and W-2)

- a) except in A Districts, an accessory building may be increased in height by 0.304 meters [one foot] vertical distance for every 0.609 meters [2 feet] horizontal distance, in excess of a minimum side and rear yard setback requirement established by by-law for the zoning district within which such accessory building is sited or situated;
- b) in the case of a corner lot the provisions of section 6.5 (3) (a) apply;
- c) in "A" Districts,
  - i) the provisions of Section 6.5 (1) (e) are increased to 6.096 meters [20 feet]
  - ii) and the provisions of Section 6.5 (1) (c) (iii) are increased to 4.572 meters [15 feet]; and
  - iii) the provisions of Section 6.5 (2) (a) are increased to 1.219 meters [four feet] horizontal distance in excess of minimum side and rear yard setback requirements.
- d)
  - i) Except in R-1 or R-2 districts, the total combined floor area of accessory buildings shall not exceed five percent (5%) of the registered lot area.
  - ii) In R-1 and R-2 districts, the total combined floor area of accessory buildings shall not exceed five percent (5%) of the registered lot area or 61.3159 square meters [660 square feet], whichever is the greater.
- e) In an A or R district, if for topographical reasons a private garage or carport cannot be constructed other than in the required front yard such garage or carport may be constructed in an excavation in a front yard provided that no part of such structure apart from the roof shall extend more than 1.219 meters [4 feet] above the surface of the surrounding ground at any point other than the driveway, nor be less than 7.62 meters [25 feet] from the front lot line, provided that where approval of the Department of Highways is obtained pursuant to Section 43 of the Highways Act, such structure may extend to not less than 3.048 meters [10 feet] from the front lot line.
- f) An accessory building in an RM district shall be located no closer than 3.048 meters [10 feet] to the rear lot line of an adjoining lot in an R district.
- g) Not more than two-thirds of the width of the rear yard of any lot in an A or R district shall be occupied by accessory buildings.
- h) A structure for sheltering a boat may be located between the principal building and a waterway giving boat access, regardless of its location in a required front or side yard.
- i) Notwithstanding sections 6.5(2) (a) through 6.5(2) (g), where a lot is larger than 8 000 square meters [2 acres] one secondary dwelling unit limited to a mobile home as defined in Section 3 of this By-law, containing a minimum unit size 60 square meters [645.8 square feet] may be sited on the same property provided that:
  - i. there is only one principal building sited on the property and it is occupied as a single family dwelling;
  - ii. the setbacks for the secondary dwelling are the same as the requirements for the principal dwelling;

- iii. the secondary dwelling unit shall be occupied by no more than 2 persons.
  - iv. This provision is intended for but not limited to parents or grandparents of the family living in the principal dwelling unit.
- j) Notwithstanding sections 6.5(2)(a) through 6.5(2)(h) and section 6.6, where a lot in a residential zone has an area of 4 047 square metres (1 acre) or greater, a maximum of one secondary dwelling may be sited on a property, subject to the following conditions :
- (i) the secondary dwelling is limited to a mobile home as defined under section 3 of this by-law, containing a minimum unit size of 32.516 square metres (350 square feet);
  - (ii) the secondary dwelling is occupied by a relative who either receives care from, or administers care to, the occupants of the principal dwelling;
  - (iii) the medical requirement for such care is confirmed in writing by a physician;
  - (iv) the ongoing need for the secondary dwelling shall be reaffirmed in writing on an annual basis;
  - (v) the secondary dwelling shall not be anchored to a permanent foundation on the land;
  - (vi) the secondary dwelling shall be sited :
    - (1) in accordance with the minimum setbacks from property lines for the zoning designation in which it is located as set out in Schedule II, (Bulk and Site Regulations) of this by-law;
    - (2) a minimum of 5 metres (16.4 feet) from the principal dwelling
  - (vii) the secondary dwelling shall be removed from the property within ninety days of the time when it is no longer required for the purpose of receiving or administering care from/to the occupant of the principal building.
  - (viii) to ensure compliance with sub-section (vii), the owner shall be required to post a security in the amount of \$5,000.00 by way of cash or an irrevocable standby letter of credit;
  - (ix) the owner of the property enters into a housing agreement with the Alberni Clayoquot Regional District pursuant to Section 905 of the Local Government Act respecting the terms and conditions outlined above;
  - (x) Section 6.5(2)(j) is not applicable to any property on which a second dwelling has already been located pursuant to Section 6.5(2)(l)."
3. Non-Residential Districts (C, M, P, W 4, and W 5 districts):
- (a) On a corner lot an accessory building shall be located not closer to the flanking street than the principal building on the same lot, nor closer than the required setback from the flanking street of the principal building on an adjoining lot, whether or not a lane intervenes.
  - (b) An accessory building shall be located not closer than 3.048 meters [10 feet] to the rear lot line of an adjoining lot in an R or RM district.
  - (c) An accessory building shall not exceed 3.657 meters [12 feet] in height if it is located within a required rear yard.
4. Accessory Building and Dwelling Units - Regulations for accessory dwelling units
- (a) Accessory dwelling units may be permitted, provided the principal use of the lot is a single-family dwelling and the lot is located within the Official Community Plan area of Electoral Area "A", Electoral Area "B", Electoral Area "C", Electoral Area "D", Electoral Area "E", of Electoral Area "F", in the following districts: (i) R1 and R2; (ii) RA1, RA2, and RA3; and (iii) A1, A2, A3 and A4;
  - (b) the minimum lot area for an accessory dwelling unit is 0.404 hectares;
  - (c) no more than one accessory dwelling unit is permitted per lot;
  - (d) no accessory dwelling unit shall be permitted to be erected on any lot unless: (i) such lot contains a principal dwelling unit; or (ii) the accessory dwelling unit is erected or constructed simultaneously with

- a proposed principal dwelling unit;
- (e) an accessory dwelling unit shall have a total floor area of not more than 90 m<sup>2</sup>;
- (f) an accessory dwelling unit may only be one storey;
- (g) an accessory dwelling unit shall not be located, unless otherwise provided for in this Bylaw: (i) within a required front yard; and (ii) within 3 meters of a side or rear yard lot line.
- (h) an accessory dwelling unit shall not exceed 3.7 meters in height except as otherwise provided for in this Bylaw;
- (i) an accessory dwelling unit, if located within the principal dwelling unit or within a non-residential accessory building, shall have an entrance that is separate from that of the main building;
- (j) an accessory dwelling unit shall include facilities for storing, preparing and cooking food, sanitary facilities and a bedroom;
- (k) an accessory dwelling unit shall be provided with potable water and sewer disposal facilities approved by the local health authority;
- (l) no person shall occupy an accessory dwelling unit unless an occupancy permit has been issued for it;
- (m) one off-street parking space shall be provided for the exclusive use of the accessory dwelling unit;
- (n) the registered owner of the property must occupy either the principal dwelling unit or the accessory dwelling unit as his or her principal residence;
- (o) an accessory dwelling unit may not be a separate strata unit.

For clarity, accessory dwelling units are for primary residents, not vacation rentals.

#### 5. Secondary Suites – Secondary dwellings within or attached to a principal dwelling

- (a) a maximum of one (1) secondary suite is permitted per lot in the following districts: R1, R2, RA1, RA2, and RA3, provided the principal use of the lot is a single-family dwelling or two family dwelling.
- (b) there shall be a maximum of two (2) dwelling units per lot in the R1, R2, RA1, RA2, and RA3 Districts.
  - i. a lot in the Two Family Residential (R2) District is only permitted two (2) dwelling units; one (1) single-family dwelling and one (1) attached secondary suite, or one (1) two family dwelling.
- (c) there is no minimum lot area required for a secondary suite that is located within or attached to and forms part of a principal dwelling unit.
- (d) a secondary suite shall only be permitted to be erected on a lot where it is located within or attached to a principal dwelling unit.
- (e) a secondary suite shall have a total floor area of not more than 90 m<sup>2</sup>.
- (f) a secondary suite shall only be one (1) storey.
- (g) a secondary suite shall have an entrance that is separate from that of the principal dwelling unit.
- (h) a secondary suite shall include facilities for storing, preparing and cooking food, sanitary facilities and a bedroom.
- (i) a secondary suite must be provided with potable water and sewage disposal facilities approved by the local health authority.
- (j) no person shall occupy a secondary suite unless an occupancy permit has been issued for it.
- (k) one (1) off-street parking space shall be provided for the exclusive use of the secondary suite.
- (l) the principal dwelling unit or the secondary suite must be occupied as a principal residence.
- (m) a secondary suite may not be a separate strata unit.

For clarity, secondary suites are for primary residents, not vacation rentals.

## 6.6 Temporary Buildings:

- (1) A temporary building, structure or mobile-home shall not be used as a dwelling for a period longer than twenty-four hours, with the following exceptions:
  - (a) A trailer or travel trailer may be used as a dwelling on a transitory basis only, when located in an authorized campground.
  - (b) Mobile-homes may be used as dwellings for temporary holiday accommodation in an authorized mobile-home park or on a lot in the Vacation Home District.
  - (c) Independent mobile-homes located in an authorized mobile-home park may be used for continuous residence.
  - (d) Not more than one mobile-home or trailer or travel trailer may be occupied as a dwelling on a lot in an A 1, A 2 or A 3 district for a period not exceeding thirty days.
  - (e) Where a residence is under construction on a lot of at least 0.404 hectares [one acre] in area, one temporary building or mobile-home may be occupied as a dwelling for a period not to exceed the duration of such construction, provided that the Building Inspector certifies that such temporary building or mobile-home is and continues to be habitable. Such temporary building or mobile-home shall be removed upon completion of such construction or upon the expiry and non-renewal of the building permit for the residence under construction.
- (2) A temporary building or structure may be erected for construction purposes on a lot being developed for a period not to exceed the duration of such construction.
- (3) In all other cases, temporary buildings or structures shall be subject to the following requirements.
  - (a) Application shall be made in writing to the Building Inspector for a permit to erect a temporary building or structure.
  - (b) If the Building Inspector is satisfied that the proposed temporary building or structure would not constitute or cause a public hazard or public nuisance, nor obstruct unnecessarily any public right-of-way, he shall grant a permit for a period of not more than 6 months.
  - (c) At the expiration of a permit such temporary building or structure shall be removed and the site thereof restored as nearly as possible to its former condition.

## 6.7 Home Occupation

- (1) A home occupation shall involve no internal or external structural alterations to the dwelling; there shall be no exterior indication (other than a sign) that the building is being utilized for any purpose other than that of a dwelling, and no building, structure, fence, or enclosure, other than those in conformity with permitted residential uses in the zoning district in which it is located may be erected.
- (2) A home occupation shall not involve the use of mechanical equipment save as is similar to that ordinarily employed in purely private domestic and household use for recreational hobbies. In particular, the premises must not be used for manufacturing or any other light industrial use, and the home occupation carried on therein shall not produce noise, vibration, smoke, dust, odour litter, or heat, other than that normally associated with a dwelling, nor shall it create or cause any fire hazard, electrical interference or traffic congestion on the street.
- (3) No part of the premises shall be used primarily as a warehouse or retail outlet and there shall be no external storage of materials, containers, or finished product, except for the temporary storage of harvested crops.
- (4) Subject to more restrictive requirements of professional practice where applicable, one person who is not a resident in the dwelling unit may be employed in the home occupation.
- (5) The operation of a kindergarten, daycare or preschool as a home occupation shall be for a maximum of eight children at any one time.
- (6) The operation of a boarding, lodging, or foster home as a home occupation shall not include the keeping of more than four boarders, lodgers, or foster children.
- (7) The operation of a dance school as a home occupation shall be limited to a maximum of 8 students at any one time.

## 6.8 Caretaker Accommodation

Living accommodation for a caretaker or watchman upon the site of premises within C 3, W 4, W 5, A, P, or M districts is not authorized except where, in the opinion of the Building Inspector, the R.C.M.P. Officer-in-Charge and, where appropriate, the Fire Chief, the premises cannot be effectively secured or where the public safety might be endangered by lack of supervision. Authorized accommodation shall conform to requirements of this By-law respecting floor area and siting, and to all requirements of the Building By-law.

#### 6.9 Living Accommodation in Basements Where Permitted

No dwelling unit or housekeeping unit shall be permitted in any basement unless at least 30 percent of the perimeter of such dwelling unit or housekeeping unit is external wall all above the grade of the adjoining ground as determined by the Building Inspector.

#### 6.10 Access to Dwelling Units in Multiple Family Developments:

Access to every dwelling unit within a multiple family development shall be provided from a public hall or walk and shall be located and arranged to avoid the necessity of passage within 3.048 meters [10 feet] of a window of a habitable room of any other unit unless an effective screen protects the privacy of the room. Balconies which furnish access from one dwelling unit to another shall not be permitted.

#### 6.11 Minimum floor Area for Dwelling Units:

- (1) A single family dwelling in an R 1 and RA 1 district shall contain not less than 83.613 square meters [900 square feet] of floor area on the main floor level; a single family dwelling in an A district need not observe a minimum floor area provided it observes the minimum room dimensions set forth by the Regional District of Alberni-Clayoquot Building By-law 1968 and amendments thereto which in no case shall admit of a dwelling smaller than 29.729 square meters [320 square feet]. In all other districts, single family and two family dwellings shall contain not less than 52.02 square meters [560 square feet] of floor area on the main floor level for each dwelling unit.
- (2) No row house dwelling shall contain less than 50.186 square meters [540 square feet] of floor area on the main floor level.
- (3) Except in A districts, no dwelling unit, other than a permitted dwelling in a temporary building and other than a mobile-home located in an authorized Mobile Home Park, shall contain less than the following minimum floor areas:
  - a) Bachelor Unit - 32.516 square meters [350 square feet]
  - b) 1 Bedroom Unit - 51.097 square meters [550 square feet]
  - c) 2 Bedroom Unit - 69.677 square meters [750 square feet]
  - d) 3 Bedroom Unit - 83.613 square meters [900 square feet]
- (4) In the case of motel and hotel buildings, the following minimum floor areas shall apply, provided that these floor areas may be reduced by up to twenty percent in not more than forty percent of the units where additional common recreation or cooking facilities are provided:
  - a) Sleeping Units - 18.581 square meters [200 square feet]
  - b) Living Units - 32.516 square meters [350 square feet]
- (5) Notwithstanding clause (3) above, no dwelling in a Vacation Home district shall contain less than 18.581 square meters [200 square feet] of the floor area on the main floor level.

#### 6.12 Lot Area and Width

- (1) Existing Lots:

The lot area and lot width requirements of this By-law shall not apply to any lot in an A, R, C or M District which has an area or width less than that required by this By-law, if such a lot was described on the official records on file in the Land Registry Office on or before the effective date of this By-law.

Notwithstanding the above, no two family dwellings shall be erected on any lot having a width of less than 20.116 meters [66 feet].

- (2) Lots of Irregular Shape:

In R districts, on "pie shaped" or other irregularly shaped asymmetrical lots, lot frontages may be reduced below the minimum prescribed widths, provided that the average lot width throughout a depth of 30.769 meters [100 feet] measured along a perpendicular line from the centre of the property on the frontage street complies with the required minimum lot width.



## 6.13 Projections

- (1) The following features may project into a required front, side, or rear yard:
  - (a) Steps.
  - (b) Eaves and gutters, cornices, sills, bay windows, chimneys or other similar features, provided that such projections do not exceed 0.914 meters [3 feet] nor .609 meters [2 feet] in the case of a side yard of less than 1.524 meters [5 feet] in width.
  - (c) Open porches, marquees, and canopies, provided that such projections do not exceed 1.828 meters [6 feet] nor 50 percent of the width of a required side yard.
  - (d) Balconies and sun shades, provided that such projections do not exceed 1.219 meters [4 feet] and are not supported by columns.
  - (e) An uncovered patio or terrace, which may be open or enclosed, in any yard in an R or RM district, subject to the fence height limitations as specified in Section 6.15 of this By-law. The provision of an awning or similar temporary covering for such a terrace shall be permitted.
  - (f) Arbors and trellises, fish ponds, ornaments, flag poles, or similar landscape features.
  - (g) An uncovered swimming pool, provided that such pool shall not be constructed within any required front yard nor nearer than 3.048 meters [10 feet] to any property line and shall be located within a separate fenced enclosure fitted with a safety gate.
  - (h) A covered or roofed swimming pool, subject to the provisions of clause (g) and to the regulations governing accessory buildings contained in Section 6.5 of this By-law.
  - (i) Gasoline service pumps or pump islands in a required front yard or a required side yard, provided that such pumps or pump islands shall be located no closer than 4.572 meters [15 feet] to any property line. Notwithstanding clause (c) above, canopies erected above such pumps or pump islands may project more than 1.828 meters [6 feet] into a required front yard, provided that such canopies shall be located not closer than 4.267 meters [14 feet] to any property line.
- (2) The following features may project over a public right-of-way of width 10.058 meters [33 feet] or greater, in districts where no yard is required, provided always that measurements to nearest finished grade shall be made with reference to the nearest constructed or proposed street, sidewalk, right-of-way or lot surface:
  - (a) Cornices, eaves and gutters projecting not more than .609 meters [2 feet] from the building wall, provided that no part of such projection is less than 3.657 meters [12 feet] from the nearest finished grade.
  - (b) Marquees and canopies projecting not more than 1.828 meters [6 feet] from the building wall, provided that the underside of such marquee or canopy is not less than 2.743 meters [9 feet] not more than 3.657 meters [12 feet] from nearest finished grade.
  - (c) Sun shades projecting not more than 1.219 meters [4 feet], provided that no part of any such sun shade is less than 2.438 meters [8 feet] from the nearest finished grade.

## 6.14 Vision Clearance at Intersections

In any zoning district, no fence, wall or structure other than a permitted principal building shall be erected to a greater height than .914 meters [3 feet] and no hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance in the area bounded By:

- (1) The intersecting lot lines at a street corner and a line adjoining points along said lot lines 9.144 meters [30 feet] from their point of intersection.
- (2) The intersecting lots lines at a lane corner and a line joining points along said lot lines 6.096 meters [20 feet] from their point of intersection. A lane intersection shall include the intersection of a lane with any other lane or with a street.

## 6.15 Fences

- (1) Except in A districts, subject to the vision clearance provisions of subsection 6.14, the following height limitations shall apply to fences, walls, and other structures not being a building, other than required screening:
  - (a) If located within a required front yard, fences shall not exceed a height of 1.371 meters [4 feet 6 inches].

- (b) If located within a required side or rear yard, fences shall not exceed a height of 1.825 meters [6 feet] except in a C 3 and M district where they shall not exceed a height of 2.438 meters [8 feet].
- (c) Notwithstanding (a) and (b) above, open mesh or chain link type fences erected on cemetery, public playground, park, playfield, elementary or high school areas, and on the site of uses permitted in the M district shall not exceed a height of 3.657 meters [12 feet].
- (2) The height of a fence, wall or hedge shall be determined by measurement from the ground level at the average grade level within 0.914 meters [3 feet] of both sides of such fence, wall or hedge.
- (3) That portion of a retaining wall which projects above the surface of the ground which it supports shall be considered as a fence and subject to the regulations of this subsection.
- (4) Notwithstanding clause (2), in cases where a retaining wall has been constructed along a property line the height of a fence, wall or hedge shall be determined by measurement from the surface of the ground which the retaining wall supports at the average grade level within 0.914 meters [3 feet] of such retaining wall.

#### 6.16 Parking or Storage of Commercial Vehicles, Trucks, Trailers, Boats, or Equipment in Residential Districts

No commercial vehicle, truck, bus, contractors' equipment, dismantled, wrecked, or unlicensed automobile, boat, trailer or any similar vehicle, conveyance, craft Or equipment shall be parked or stored in the open in any R or RM district, except the following which may only be parked or stored in other than the required front yard.

- (1) Not more than two of the following:
  - (a) trucks or commercial vehicles not exceeding .89 of a tonne [one ton] rate capacity, or
  - (b) personnel carriers not exceeding a carrying capacity of 18 passengers.
- (2) Trucks, commercial vehicles or equipment required for the construction, repair, servicing or maintenance of the premises.
- (3) Any dismantled, wrecked, or unlicensed vehicle for a period of not more than 30 successive days.
- (4) One boat or vessel which may be stored in a required front yard adjoining a waterway giving boat access.
- (5) One trailer or travel trailer.
- (6) Notwithstanding anything else contained in this subsection, where an existing residence is so located as to preclude vehicular access to the rear yard, or where open storage in the rear yard is precluded because of the presence of sewage disposal facilities, not more than one recreational vehicle may be parked or stored in the open in the front yard.

#### 6.17 Waterfront Access Facilities

- (1) The following shall be permitted in any district, and shall be exempted from the minimum parcel size and width requirements of this by-law.
  - (a) Wharves, piers, floats and boat launching facilities constructed, leased, kept, or maintained by public agencies for public purposes.
  - (b) Private floats and wharves including necessary shelter for moored boats; walkways parallel to the foreshore.
  - (c) Walkways perpendicular to the foreshore only where necessary to gain access from a float or wharf to otherwise inaccessible property abutting the foreshore.
- (2) The uses permitted in (1) above, shall be subject to the following regulations:
  - (a) No private float or wharf shall extend any further distance from the shore than is necessary for boat access and moorage.
  - (b) No section of a private float or wharf shall exceed a width of 4.876 meters [16 feet].
  - (c) Where the presence of an unlighted float or wharf is likely to constitute a navigational nuisance, the Building Inspector may require that it carry adequate lighting to alleviate the nuisance.

#### 6.18 Keeping of Animals in A and R district

- (1) On lots having an area less than 0.404 hectares not more than four cats, dogs, or domestic animals of similar

size not referred to in the following clauses may be kept, and not more than one horse may be kept provided an area of at least 0.202 hectares (½ acre) is provided on the lot for its use.

- (2) On lots having an area of at least 0.404 hectares, bees, pigeons, not more than four cats, dogs, or domestic animals of similar size not referred to in the following clauses, and not more than two horses may be kept, provided an area of at least 0.404 hectares is provided on the lot for the use of the horses.
- (3) On lots in the A districts having an area of at least .809 hectares kennels for domestic use, the keeping of poultry and fur bearing animals, and the keeping of cows, goats, horses, sheep and swine for domestic purposes are permitted, provided that an area of at least .202 hectares is provided on the lot for the use of each cow or horse.
- (4) On lots in the A districts having an area of at least 2.02 hectares, any number of farm animals may be kept for commercial purposes, and kennels maintained primarily for the purpose of realizing gain from the training, caring for, breeding, boarding, or keeping for any purpose whatsoever of dogs or cats shall be permitted where provision is made to reduce excessive noise.
- (5) In all cases, animal waste shall be managed in accordance with current good practice, as reflected in the Canada Animal Waste Management Guide.
- (6) In all cases the design and siting of buildings, structures, cages, pens or runs shall be in accordance with the Canadian Code for Farm Buildings and the Sanitary Regulations, 1917.
- (7) In no case shall buildings, structures, cages, pens or runs be located less than 9.144 meters [30 feet] from lot lines or dwellings on the same lot.
- (8) In no case shall buildings, structures, cages, pens or runs for used described in clauses (3) and (4) be located less than 24.384 meters [80 feet] from any lot line.

#### 6.19 Minor Public Uses and Utilities

The following uses are permitted in all zoning districts and are exempted from the minimum parcel size and width requirements of this by-law:

minor public uses and utilities, including but not limited to, pumping stations, pressure reducing stations, switching stations, radio repeater stations, microwave towers, weather stations and similar uses, up to a maximum area of 0.2 hectares (0.5 acres).

rights-of-way for railways, conduits, transmission lines, gas pipelines and similar uses.

The provisions of this section do not apply to those uses permitted under Section 141, the Institutional (P-1) District or section 142, the Park and Public Use ( P-2 ) District or subsection 104.1(8) of the Forest: Reserve (A-4) District.

#### 6.20 Minor Lot Line Adjustments (By-law No. 1121 and P1276)

Minimum lot area and lot width requirements of this bylaw shall not apply to a subdivision that:

- (1) combines two or more lots into a single lot;
- (2) does not increase the number of lots and adjusts the boundary between existing adjoining lots, provided the boundary changes does not result in the reduction of either lot by 20% or more of the original lot area.

## SECTION 7 - ADMINISTRATION AND ENFORCEMENT

### 7.1 Administration

This By-law shall be administered by the Building Inspector, or any other official who may be appointed by the Regional Board.

### 7.2 Permits and Licences

No permit or licence shall be issued for a building, structure or use which violates any of the provisions of this By-law.

### 7.3 Utilities Required before Commencements

- (1) Notwithstanding any right contained in this By-law, the Building Inspector may prohibit a person who proposes to erect a building from commencing the erection of such building until firm arrangements have been made to supply such building with electric power and public water, sewerage, street and other facilities available or scheduled for installation by the responsible authority.
- (2) No building shall be constructed, erected or occupied on any lot not serviced by a municipal sanitary sewer until a permit is issued under the provisions of the Regulations governing Sewage Disposal.

### 7.4 Inspection

The Building Inspector or any other official who may be appointed by the Regional Board is hereby authorized to enter, at all reasonable times, upon any property or premises to ascertain whether the provisions of this By-law are being complied with, but he shall not enter a dwelling without prior giving of written notice unless invited to do so by an occupant.

### 7.5 Enforcement

- (1) Every person who violates any of the provisions of this By-law, or who acts or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do or refrains from doing anything required to be done under the provisions of this By-law shall be deemed to be guilty of an infraction of this By-law.
- (2) Where any building or part thereof contravenes this By-law, the Building Inspector or any other official who may be appointed by the Regional Board, shall give to the owner or agent or the responsible persons written notice specifying the violation, ordering the cessation thereof, and requiring such remedial work to be done in a manner and within a reasonable time specified by the notice. In the event of failure to comply with such order within the time specified, the Building Inspector or any other official who may be appointed by the Regional Board may cause such work to be done and the cost of such work shall be recoverable by the Regional District of Alberni-Clayoquot, and in the event of default of payment of such assessed costs, then the cost of such work, if unpaid by December 31 in any year, shall be a charge upon the property, and the said costs, when certified, shall be entered in the Collector's Roll and collected in the same manner as the taxes shown thereon.

### 7.6 Penalties

Every person guilty of an infraction of this By-law shall be liable on summary conviction to a penalty not exceeding One Hundred (\$100.00) Dollars for each infraction or offence. Each day that a violation or infraction exists or is permitted to exist shall constitute a separate offence under this By-law.

### 7.7 By-law Amendments

- (1) This By-law shall not be amended or repealed, except after a hearing under Section 703 of the Municipal Act, and except upon the affirmative vote in accordance with the provisions of Section 778 of the Municipal Act.
- (2) An application for rezoning or for a land-use contract shall be treated as an application to amend this By-law, except that before a hearing is held on a rezoning or land-use contract, the Secretary shall give notice by mail, according to the mailing addresses appearing on the records of the Provincial Assessor, to the owners and occupiers of all real property within the area, separated from the area by a highway, or within 60.96 meters [200 feet] of the area that is subject to the rezoning or land-use contract, and to all other occupiers of adjoining real property according to the list supplied under (3) below, and shall require that the applicant cause to be placed within or near the area on a site visible and accessible to the general public a notice of public hearing, the form of such notice to be supplied by the Regional District of Alberni-Clayoquot.
- (3) Any person applying to have this By-law amended shall apply in writing to the Secretary describing the proposed change and furnishing reasons in support of the application. In addition, if such application is for an amendment to the Official Zoning Atlas, it shall include a legal description and the location of the property for which rezoning or a land-use contract is sought, names and addresses of all owners and occupiers of the property, names and addresses of all persons who occupy real property separated by a highway or within 60.96 meters [200 feet] of the property, and if the applicant is not the owner, a statement as to the applicant's interest in the property.

Any application for by-law amendment or for any permit that may be required under Part 29 of the Municipal Act, shall be accompanied

by a current copy of the Certificate of Title or a Title Search Document, together with any liens, covenants or charges registered against the title, for the subject property or properties. The requirement for Certificate of Title does not apply to Crown Land which is no registered in the Land Title Office.

- (4) No application for an amendment to this By-law shall be again considered by the Regional Board where the requested change has been denied within the six month period immediately preceding the filing of such application.

#### 7.8 Board of Variance

There is hereby established a Board of Variance as set out in Part 26, Division 6, Section 899 of the Local Government Act.

## **SECTION 8 - EFFECTIVE DATE OF BY-LAW**

This By-law shall come into force and take effect upon the adoption thereof

Read a first time this November 21, 1970

Read a second time this November 21, 1970

Read a third time this November 24, 1971.

Approved by the Lieutenant-Governor in Council by

Order in Council No. 889 this March 15, 1973.

Reconsidered and finally adopted by a two-thirds majority of all the Directors of the Regional Board having among them a two-thirds majority of all the votes on the Regional Board, and including among them a two-thirds majority of the Directors of those parts of the Regional District of Alberni-Clayoquot to which this By-law applies having among them a two-thirds majority of the votes allotted to those parts of the Regional District to which this by-law applies.

This March 28, 1973.

"William A. Russell" CHAIRMAN

"Ian S. Asher" SECRETARY

## SCHEDULE NO. I - ZONING DISTRICT AND USE REGULATIONS

100. Subject to all Other provisions of this By-law, on any lot or portion in any district designated by the Official Zoning Atlas, land may only be used and buildings and structures used and erected, for the purposes indicated herein:

### 101 SMALL HOLDINGS DISTRICT (A 1)

This District provides for intensive farming, truck gardening, orchard or nursery cultivation, greenhouses and other intensive rural uses, and for the holding of Potential urban land in large parcels for future development.

#### 101.1 Uses Permitted

- (1) Single family dwellings, provided that where the area of a lot is 1.618 hectares [4 acres] or greater not more than two such dwellings may be located on one lot. Such dwellings may be located on the same lot as any other use permitted in this district.
- (2) Where a lot 4.046 hectares [10 acres] or greater in area is classified as farm land in accordance with the provisions of the Taxation Act, the following uses shall be permitted provided they are demonstrated to be essential to the Operation of the farm.
  - (a) More than one single family dwelling, provided that in no case shall a density of one dwelling to 2.023 hectares [five acres] be exceeded;
  - (b) Temporary accommodation in the form of mobile-homes, provided that where more than one mobile-home is placed on the farm, the requirements of the Mobile Home Parks Regulations, 1967 pursuant to the Health Act shall be adhered to;
  - (c) Not more than two dormitory units.

Where such uses cease to be essential to the operation of a farm, such as by the disestablishment of the farm, the Building Inspector may require their removal.

- (3) Home occupations.
- (4) Animal Hospitals.
- (5) Farming, feed and hay dealing, truck gardening, orchard or nursery cultivation, greenhouses and other similar enterprises and uses, including the incidental direct sale of farm produce to the consumer.
- (6) Grazing livestock, but excluding abnormally intensive livestock feeding operations.
- (7) Mushroom growing, provided that such is located at a distance of not less than 30.48 meters [100 feet] from all street or lot lines.
- (8) Accessory buildings and uses.
- (9) Upland aquaculture (fish farming) including all activities incidental to such operations such as hatchery and nursery facilities, grow out ponds, storage and processing aquatic organisms cultivated, reared and harvested on the lots.
- (10) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:
  - i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
  - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.
- (11) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:
  - i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
  - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.

#### 101.2 Conditions of Use

1. The provisions of subsection 101.1(9) shall not apply to or within any lot less than 8 909 square meters [2 acres] in area and, notwithstanding any other relevant provision contained in this By-law, any and all such facilities placed within a lot must

be setback a minimum of 21.54 meters [75 feet] from all property lines .

- i) aquaculture shall be conducted within an enclosed building except necessary nursery and/or growout ponds;
- ii) all such ponds (i.e. conventional holes whether lined or unlined or water containment devices located above ground wherein fish are kept) shall be encircled by a fence of no less than 1.524 meters [5 feet] in height constructed so as to prevent the passage of a spherical object having a diameter of 200 millimetres [8 inches] through and underneath such fence unless it can be shown that the location and size of openings which exceed this limit do not represent a hazard. Any gates located within such perimeter fences shall be self closing with locking mechanism located on the inside of the gate;
- iii) the fence referred to in subsection (ii) above shall be located within a 3.048 to 6.096 meters [10 foot to 20 foot] setback from the ponds edge;
- iv) nothing shall be done in any part of this District that will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours and noise including generator or pump noise and use of floodlighting.

#### 101.2 Lot Area Requirements

Where Section D(2) of By-law No. 476 (East Sproat Lake Official Settlement Plan) applies, no lot shall be less than 0.34 hectares (36,597 square feet) in lot area.



## 101A WINERY AND CIDERY (WC) DISTRICT

This district provides for small acreage winery and cidery uses and associated onsite wine/cider production and retail.

### 101A.1 Uses Permitted

Lands, buildings and structures in WC District may be used for the following purposes only:

#### 101A.1.1 The following main uses:

- a) winery and cidery, provided that at least 0.8 hectares (2 acres) in area is under continuous cultivation as a vineyard or orchard on the same legal parcel, subject to all other applicable acts, regulations, and licensing requirements;
- b) agriculture, excluding intensive livestock; and,
- c) one single family dwelling.

#### 101A.1.2 The following secondary uses where a use listed in section 101A.1.1 exists on the parcel:

- a) outdoor seating or picnic areas;
- b) sales of wine and cider produced on the farm and related products, provided that the retail area does not exceed 1,500 square feet; and
- c) accessory buildings and uses.

#### 101A.1.3 Conditions of Use

- a) All development must be in conformance with the requirements of the *Liquor Control and Licensing Act*, the *Liquor Distribution Act* and all other applicable regulations.
- b) All illuminated areas must have lighting placed in such a manner that direct rays of light are limited by using full cut-off lighting fixtures which reduce the amount of light escaping above the plane of horizontal or similar lights that achieve the same result in order to reduce light pollution.

This District provides for the conservation of agricultural and non-urban land by the holding of land in large parcels, and for the protection of public health, safety and welfare in areas which being subject to periodic floods and overflow are unsuitable for urban-type uses and intensive development.

102.1 Uses Permitted

(1) Single family dwellings, provided that where the area of a lot is 4.046 hectares [10 acres] or greater not more than two such dwellings may be located on one lot. Such dwellings may be located on the same lot as any other use permitted in this district, excepting those listed in (4) and (7) below.

(2) Where a lot 4.046 hectares [10 acres] or greater in area is classified as farm land in accordance with the provisions of the Taxation Act, the following uses shall be permitted provided they are demonstrated to be essential to the operation of the farm.

(a) More than one single family dwelling, provided that in no case shall a density of one dwelling to 2.438 hectares [5 acres] be exceeded;

(b) Temporary accommodation in the form of mobile-homes, provided that where more than one mobile-home is placed on the farm, the requirements of the Mobile Home Parks Regulations, 1967 pursuant to the Health Act be adhered to;

(c) Not more than two dormitory units.

Where such uses cease to be essential to the operation of a farm, such as by the disestablishment of the farm, the Building Inspector may require their removal.

(3) Home occupations.

(4) Airfields, airports, enterprises engaged in Air Transport, and Services Incidental to Air Transport.

(5) Arboreta, botanical gardens, wildlife refuges and similar uses.

(6) Farming, feed and hay dealing, truck gardening, orchard or nursery cultivation, greenhouses, and other similar enterprises and uses including the incidental direct sale of farm produce to the consumer.

(7) Golf courses.

(8) Grazing livestock, but excluding abnormally intensive livestock feeding operations.

(9) Mushroom growing, provided that such use is located at a distance of not less than 30.48 meters [100 feet] from all street or lot lines.

(10) Parks and playgrounds.

(11) Accessory buildings and uses.

(12) Upland aquaculture (fish farming) including all activities incidental to such operations such as hatchery and nursery facilities, grow out ponds, storage and processing aquatic organisms cultivated, reared and harvested on the lots.

(13) Radio Transmission Towers.

a) Wineries and Cideries provided that a vineyard or orchard at least 2 hectares (5 acres) in area is under continuous cultivation on the same farm or legal parcel.

b) Sales of wine and cider produced on the farm and related products, provided that the retail area does not exceed 500 square feet or 5 percent of the floor area of the winery, whichever is more; winery and cidery tours, as ancillary uses to a winery or cidery.

- (14) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:
- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
  - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.
- (15) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:
- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
  - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.

#### 102.2 Conditions of Use:

1. The provisions of subsection 102.1(12) shall not apply to or within any lot less than 8 909 square meters [2 acres] in area and, notwithstanding any other relevant provision contained in this By-law, any and all such facilities placed within a lot must be setback a minimum of 75 feet (21.54 meters) from all property lines.
2.
  - i) aquaculture shall be conducted within an enclosed building except necessary nursery and/or growout Ponds;
  - ii) all such ponds (i.e. conventional holes whether lined or unlined or water containment devices located above ground wherein fish are kept) shall be encircled by a fence of no less than 1.524 meters [5 feet] in height constructed so as to prevent the passage of a spherical object having a diameter of 200 millimetres [8 inches] through and underneath such fence unless it can be shown that the location and size of openings which exceed this limit do not represent a hazard. Any gates located within such perimeter fences shall be self closing with locking mechanism located on the inside of the gate;
  - iii) the fence referred to in subsection (ii) above shall be located within a 3.048 to 6.096 meters [10 foot to 20 foot] setback from the ponds edge;
  - iv) nothing shall be done in any part of this District that will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours and noise including generator or pump noise and use of floodlighting.
3. Lot Area Requirements

Where Section D(2)(g) of By-law No. 476 (East Sproat Lake Official Settlement Plan) applies, no lot shall be less than 1.7 hectares (4.25 acres) in lot area.

This District provides for the retention of undeveloped forest and wild land as non-urban and rural land, and for its use for either large hobby farms or forest and recreation activities.

103.1 Uses Permitted

- (1) Single family dwellings, provided that where the area of a lot is 8.093 hectares [20 acres] or greater, not more than two such dwellings may be located on one lot. Such dwellings may be located on the same lot as any other use permitted in this district .
- (2) Home occupations.
- (3) Airfields, airports, enterprises engaged in Air Transport and Services incidental to Air Transport.
- (4) Arboreta, botanical gardens, wildlife refuges and similar uses.
- (5) Farming, the grazing of livestock, and the incidental direct sale of farm produce to the consumer but excluding abnormally intensive livestock feeding operations.
- (6) Fishing and Trapping.
- (7) Harvesting, transport and storage of forest resources and the erection of necessary facilities such as portable sawmills, but excluding other processing and activities not directly related, such as the transfer of logs to and from the water or large-scale dry-land sorting.
- (8) Harvesting of wild crops such as salal, ferns, moss, berries, tree seeds.
- (9) Parks, playgrounds, campgrounds and recreation facilities maintained by public agencies for public use.
- (10) Rights-of-way for railways, conduits, transmission lines.
- (11) Accessory buildings and uses.
- (12) Upland aquaculture (fish farming) including all activities incidental to such operations such as hatchery and nursery facilities, grow out ponds, storage and processing aquatic organisms cultivated, reared and harvested on the lots.
- (13) Wineries and Cideries provided that a vineyard or orchard at least 2 hectares (5 acres) in area is under continuous cultivation on the same farm or legal parcel.
- (14) Sales of wine and cider produced on the farm and related products, provided that the retail area does not exceed 500 square feet or 5 percent of the floor area of the winery, whichever is more; winery and cidery tours, as ancillary uses to a winery or cidery.
- (15) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:
  - i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
  - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.
- (16) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:
  - i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and

- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.

103.2 Conditions of Use

- (1) Nothing shall be done in any part of this district within 30.48 meters [100 feet] of any other district, recreation area, public roadway or navigable waterway which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise or glare nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (2) The provisions of subsection 103.1(12) shall not apply to or within any lot less than 8 909 square meters [2 acres] in area and, notwithstanding any other relevant provision contained in this By-law, any and all such facilities placed within a lot must be setback a minimum of 75 feet (21.54 meters) from all property line.
- (3)
  - i) aquaculture shall be conducted within an enclosed building except necessary nursery and/or growout ponds;
  - ii) all such ponds (i.e. conventional holes whether lined or unlined or water containment devices located above ground wherein fish are kept) shall be encircled by a fence of no less than 1.524 meters [5 feet] in height constructed so as to prevent the passage of a spherical object having a diameter of 200 millimetres [8 inches] through and underneath such fence unless it can be shown that the location and size of openings which exceed this limit do not represent a hazard. Any gates located within such perimeter fences shall be self closing with locking mechanism located on the inside of the gate;
  - iii) the fence referred to in subsection (ii) above shall be located within a 3.038 to 6.096 meter [10 foot to 20 foot] setback from the ponds edge;
  - iv) nothing shall be done in any part of this District that will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours and noise including generator or pump noise and use of floodlighting.

The intent of this district is to provide for the retention of forest and wildland. The primary uses allowed by this district are natural resource development and extraction, protecting the land from premature building development or subdivision fragmentation.

#### 104.1 Uses Permitted

In considering applications for building permits, the Building Inspector shall pay due regard to the general purpose of this District, namely: to conserve the natural resources of the area for purposes of primary production and to prevent the wastage of land by premature or scattered subdivision and building activities.

- (1) Airfields, airports, enterprises engaged in Air Transport.
- (2) A single family dwelling, provided that where the area of a lot is 32 hectares [80 acres] or greater, not more than two such dwellings may be located on one lot. Such dwellings may be located on the same lot as any other use permitted in this district.
- (3) Farms and grazing of livestock
  - (a) Where a property is classified as farm land in accordance with the Taxation Act, the following accessory uses may be permitted provided they are demonstrated to be essential to the operation of a farm.
    - i) more than one single family dwelling
    - ii) temporary accommodation in the form of mobile homes or dormitory units for employees.

When such uses cease to be essential to operation of the farm they shall be removed.

- (4) Harvesting, transportation, storage of forest resources, including log booming, dumping and storage grounds and the operation of primary processing such as portable sawmills for resources harvested from the property, but excluding other processing activities not directly related such as equipment repair depots.
  - (a) Where a property is being used for primary processing as a portable sawmill in accordance with the regulations of this by-law, the following accessory uses may be permitted provided they are essential to the operation.
    - i) temporary accommodation in the form of mobile homes or dormitory units for employees.

When such uses cease to be essential to the operation they shall be removed.

- (5) Harvesting of wild crops, such as salal, ferns, moss, berries and tree seeds, or fishing and trapping.
- (6) Processing incidental to the operation of Mines, Quarries and other natural resource extraction industries.
- (7) Parks, playgrounds, campgrounds and buildings accessory to these uses, which are owned by public agencies.
- (8) Public services and utilities including buildings accessory to these uses: sewage disposal, utility storage, waste disposal grounds and similar uses.
- (9) Rights-of-way for railways, conduits and transmission lines.
- (10) Water resource development including intake, storage, and transmission conduits, and hydro-electric works.
- (11) Upland aquaculture (fish farming) including all activities incidental to such operations such as hatchery and nursery facilities, grow out ponds, storage and processing aquatic organisms cultivated, reared and harvested on the lots.
- (12) Foreshore and water-based aquaculture including hatchery and nursery facilities, grow-out ponds and pens, docks, storage, ancillary parking and employee accommodation, but excluding processing subject to Section 104.2(5) below.

- (13) Wineries and Cideries provided that a vineyard or orchard at least 2 hectares (5 acres) in area is under continuous cultivation on the same farm or legal parcel.
- (14) Sales of wine and cider produced on the farm and related products, provided that the retail area does not exceed 500 square feet or 5 percent of the floor area of the winery, whichever is more; winery and cidery tours, as ancillary uses to a winery or cidery.
- (15) Accessory Buildings and Uses. (By-law No. P1121)

#### 104.2 Conditions of Use

- (1) Nothing shall be done in any part of this district within 60 meters [197 feet] of any other district, recreation area, public roadway or navigable waterway, which is or will become a nuisance or reduce enjoyment of the use of surrounding land. The use and operation being proposed is to be conducted so it will not cause nor permit any objectionable or dangerous conditions outside the property, including but not limited to:
  - Noise
  - Vibration
  - Dust, smoke and other kinds of particulate matter
  - Odour Toxic and noxious matter
  - Fire and explosive hazards, heat, humidity and glare.
- (2) Notwithstanding regulations contained elsewhere in this by-law, Schedule II requirements shall not be applied to rights-of-way or licence of occupation granted by the Ministry of Forestry.
- (3) The provisions of subsection 104.1(11) shall not apply to or within any lot less than 8 909 square meters [2 acres] in area and, notwithstanding any other relevant provision contained in this By-law, any and all such facilities placed within a lot must be setback a minimum of 21.54 meters [75 feet] from all property lines.
- (4) The following other conditions apply in respect of subsection 104.1(11) uses;
  - i) aquaculture shall be conducted within an enclosed building except necessary nursery and/or growout ponds;
  - ii) all such ponds (i.e. conventional holes whether lined or unlined or water containment devices located above ground wherein fish are kept) shall be encircled by a fence of no less than 1.524 meters [5 feet] in height constructed so as to prevent the passage of a spherical object having a diameter of 200 millimetres [8 inches] through and underneath such fence unless it can be shown that the location and size of openings which exceed this limit do not represent a hazard. Any gates located within such perimeter fences shall be self closing with locking mechanism located on the inside of the gate;
  - iii) the fence referred to in subsection (ii) above shall be located within a 3.048 to 6.096 meters [10 foot to 20] foot setback from the ponds edge;
  - iv) nothing shall be done in any part of this District that will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours and noise including generator or pump noise and use of floodlighting.
- (5)
  - i) foreshore and water-based aquaculture permitted under section 104.1(12) above shall be exempt from the minimum parcel size and width requirements contained in Schedule II, Bulk and Site Regulations.
  - ii) nothing shall be done that will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours and noise including generator or pump noise and use of floodlighting.
- (6) Log booming, dumping and storage grounds permitted under Section 104.1(4) above shall be exempt from the minimum parcel size and width requirements contained in Schedule II, Bulk and Site Regulations.

- (7) Sand and gravel extraction operations and incidental processing permitted under Section 104.1(6) above shall be exempt from the minimum parcel size and width requirements contained in Schedule II Bulk and Site Regulations.



## 105 PETTING FARM (A-5) DISTRICT

This district provides for the development of petting farms in rural areas.

### 105.1 Uses Permitted

- (1) Petting Farms
- (2) One single family dwelling per legal lot for the owner or operator of a petting farm located on the property.
- (3) Accessory buildings and uses, limited to:
  - i) Displays of crafts, antiques, models, tools and other items relating to farming, animal husbandry and pioneer days;
  - ii) Office space for the administration of the petting farm;
  - iii) Food concession;
  - iv) Gift shop;
  - v) Tack and buggy shop selling items for use by miniature horses;
  - vi) Children's play area;
  - vii) Picnic area;
  - viii) Public toilets.

### 105.2 Conditions of Use

- (1) The accessory uses permitted under Section 105.1(3) may only be carried on in connection with the use of the land as a petting farm.
- (2) There shall be no retail sales on any land located on the A-5 zone other than from the gift shop, food concession and tack and buggy shop permitted under Section 105.1(3) above.
- (3) Items sold in the gift shop shall be restricted to items intended for use by children or animals or related to animals, petting farms or pioneer days living.
- (4) There will be no storage or piling of manure within 25 meters (82.02 feet) of any property line or within 60 meters (196.85 feet) of any residence on an adjacent property.
- (5) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluents, dust, fumes or noise; nor shall anything be done which created or causes a health hazard or undue traffic congestion.
- (6) Hours of Operation. Petting Farm and Accessory Uses shall not open earlier than 9:00 a.m., nor shall they be open later than 9:00 p.m. or dusk, whichever comes first.

### 105.3 Accessory Buildings

The construction and use of accessory buildings in the A-5 zone shall be governed by the following :

- (1) Pens, runs, animal shelters and necessary outbuildings for storage of equipment and feed necessary for the operation of the petting farm are permitted; however, in no case, shall buildings, structures, cages, pens or runs be located less than 9.144 meters [30 feet] from any lot line or from any dwelling located on the parcel on which the petting farm is located.

- (2) The design, siting and size of buildings, structures, cages, pens or runs shall be in accordance with the relevant Provincial guidelines and without restricting the generality of the foregoing with all regulations administered by the Ministry of Agriculture, Ministry of Health and the Ministry of Environment.
- (3) Buildings and areas used for the display of crafts antiques, models, tools and other items permitted under Section 105.1(3)(l) shall be limited to maximum of 2% of the total parcel area.
- (4) The office space use permitted under Section 105.1(3)(ii) shall be limited to a maximum floor area of 116.12 square meters [1,250 square feet].
- (5) The combined floor area of the food concession and gift shop permitted under Sections 105.1(3)(iii) and (iv) above shall not exceed 116.12 square meters [1,250 square feet].
- (6) The tack and buggy shop use permitted under Section 105.1(3)(v) shall have a maximum floor area of 92.9 square meters (1,000 square feet).
- (7) The single family dwelling permitted under Section 105.1(2) above shall have a minimum floor area on the main floor of 83.6 square meters (900 square feet).
- (8) A barbecue shelter having a maximum size of 6 meters by 6 meters [20 feet] by 6.096 meters [20 feet by 20 feet] may be constructed in the picnic area permitted under Section 105.1(3)(vii) above.
- (9) With the exception of a barn, no accessory building shall exceed one storey or 3.65 meters [12 feet] in height.

## 106 RURAL ABATTOIR (RAB) DISTRICT

This district is intended to provide for custom slaughtering on a small scale on larger properties located in rural or agricultural areas.

### 106.1 Uses permitted

- (1) One abattoir, provided that the total floor area does not exceed 250 square metres (2,691 square feet).
- (2) A maximum of one single family dwelling on a lot where the entire legal parcel is zoned Rural Abattoir (RAB) District.

Where a property is split zoned, and a dwelling unit(s) is/are permitted under the other zoning district(s), a single family dwelling shall not be permitted within the RAB portion of the lot.

- (3) Buildings and uses accessory only to a single family dwelling permitted under subsection 106.1(2) above.

### 106.2 Conditions of Use

- (1) An abattoir shall be set back a distance of at least 15 metres (49.2 feet) from any residential use building within the same lot.
- (2) Development and use of the property shall be in accordance with all relevant provincial and federal regulations and without restricting the generality of the foregoing with all regulations administered by the Ministries of Agriculture, Health and Environment.
- (3) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise, glare, nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.

107 HOME SITE SEVERANCE (HS) DISTRICT

107.1 Uses Permitted

- (1) One single family dwelling per lot, provided that where the lot area is 0.808 hectares (2 acres) or greater, not more than two single family dwellings may be located on one lot.
- (2) Home Occupations as per Section 6.7
- (3) Accessory Buildings and Uses as per Section 6.5

107.2 Conditions of Use

- (1) There shall be a separation distance of at least 9.14 metres (30 feet) between two single family dwellings on the same lot."

108 FOREST RURAL (A3-1) DISTRICT

This District provides for the retention of undeveloped forest and wild land as non-urban and rural land, and for its use for either large hobby farms or forest and recreation activities.

108.1 Uses Permitted

- (1) Uses permitted in Forest Rural (A3) District, Section 103.1, Subsection (2) through (14).
- (2) Single family dwellings, provided that where the area of a lot is 16.188 (40 acres) or greater, no more than three such dwellings may be located on one lot. Such dwellings may be located on the same lot as any other use permitted in this district.

108.2 Conditions of Use

- (1) This district only applies to District Lot 109, Alberni District.
- (2) Where the lands are affected by the Agricultural Land Reserve, approval from the Agricultural Land Commission is required for more than two single family dwellings.

## 108A FOREST RURAL (A3-2) DISTRICT

This District provides for the retention of undeveloped forest and wild land as non-urban and rural land, and for its use for either large hobby farms or forest and recreation activities.

### 108A.1 Uses Permitted

- (1) Single family dwellings, provided that where the area of a lot is 8.093 hectares [20 acres] or greater, not more than two such dwellings may be located on one lot. Such dwellings may be located on the same lot as any other use permitted in this district.
- (2) Home occupations.
- (3) Airfields, airports, enterprises engaged in Air Transport and Services incidental to Air Transport.
- (4) Arboreta, botanical gardens, wildlife refuges and similar uses.
- (5) Farming, the grazing of livestock, and the incidental direct sale of farm produce to the consumer but excluding abnormally intensive livestock feeding operations.
- (6) Fishing and Trapping.
- (7) Harvesting, transport and storage of forest resources and the erection of necessary facilities such as portable sawmills, but excluding other processing and activities not directly related, such as the transfer of logs to and from the water or large-scale dry-land sorting.
- (8) Harvesting of wild crops such as salal, ferns, moss, berries, tree seeds.
- (9) Parks, playgrounds, campgrounds and recreation facilities maintained by public agencies for public use.
- (10) Rights-of-way for railways, conduits, transmission lines.
- (11) Accessory buildings and uses.
- (12) Upland aquaculture (fish farming) including all activities incidental to such operations such as hatchery and nursery facilities, grow out ponds, storage and processing aquatic organisms cultivated, reared and harvested on the lots.
- (13) Wineries and Cideries provided that a vineyard or orchard at least 2 hectares (5 acres) in area is under continuous cultivation on the same farm or legal parcel.
- (14) Sales of wine and cider produced on the farm and related products, provided that the retail area does not exceed 500 square feet or 5 percent of the floor area of the winery, whichever is more; winery and cidery tours, as ancillary uses to a winery or cidery.
- (15) On land employee only accommodation to support surrounding aquaculture uses.

### 108A.2 Conditions of Use

- (1) Nothing shall be done in any part of this district within 30.48 meters [100 feet] of any other district, recreation area, public roadway or navigable waterway which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise or glare nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (2) The provisions of subsection 103.1(12) shall not apply to or within any lot less than 8 909 square meters [2 acres] in area and, notwithstanding any other relevant provision contained in this By-law, any and all such facilities placed within a lot must be setback a minimum of 75 feet (21.54 meters) from all property line.
- (3) i) aquaculture shall be conducted within an enclosed building except necessary nursery and/or growout ponds;

ii) all such ponds (i.e. conventional holes whether lined or unlined or water containment devices located above ground wherein fish are kept) shall be encircled by a fence of no less than 1.524 meters [5 feet] in height constructed so as to prevent the passage of a spherical object having a diameter of 200 millimetres [8 inches] through and underneath such fence unless it can be shown that the location and size of openings which exceed this limit do not represent a hazard. Any gates located within such perimeter fences shall be self closing with locking mechanism located on the inside of the gate;

iii) the fence referred to in subsection (ii) above shall be located within a 3.038 to 6.096 meter [10 foot to 20 foot] setback from the ponds edge;

iv) nothing shall be done in any part of this District that will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours and noise including generator or pump noise and use of floodlighting.

109 GUESTHOUSE (GH) DISTRICT

This district is intended to provide accommodation, primarily of a "bed and breakfast" character to transient tourists and vacationers.

109.1 Uses Permitted

- (1) One Guesthouse per legal lot.
- (2) Accessory buildings and uses subject to Section 109.2(3) below and to Section 6.5.

109.2 Conditions of Use

- (1) For guesthouses, the minimum floor area on the main floor shall be 83.6 square meters (900 square feet).
- (2) Off-street parking shall be provided and maintained in accordance with the standards of Schedule III, in the following ratios:

Use	Required Parking Space
Guesthouse	1.1 for each sleeping unit
Operator's family	1.5
- (3) Uses accessory to the guesthouse shall not include restaurants or dining rooms, or lounges open to the general public. Dining facilities provided shall be for the exclusive use of overnight guests of the establishments.
- (4) Where accommodation is provided for the family of a guesthouse operator, it shall be located within the guesthouse and not in a separate or accessory building



## 110 COTTAGE RESIDENTIAL DISTRICT (RC)

This district provides for small scale cottage development, compatible with residential neighbourhoods, and primarily intended to provide temporary accommodation on a short term basis to visitors and seasonal workers.

### 110.1 Uses Permitted

- (1) One single family dwelling
- (2) Cottages, subject to section 110.2, below.
- (3) Home occupations, subject to section 6.7.
- (4) Accessory buildings and uses subject to Section 6.5.

### 110.2 Conditions of Use

- (1) For single family dwellings, the minimum floor area on the main floor shall be 83.6 square meters [900 square feet].
- (2) For cottages, the minimum floor area on the main floor shall be 27.8 square meters [300 square feet] and the maximum floor area on the main floor shall be 46.5 square meters [500 square feet].
- (3) No cottage shall be constructed within a required front, rear or side yard.
- (4) There shall be a separation distance of at least 9.14 meters [30 feet] between cottages and between cottages and a permitted single family dwelling on the same legal parcel.
- (5) There shall be a maximum of five units per legal parcel or a density of one unit per 1 000 square meters [10,763.9 square feet] of lot area, whichever is the lesser. For the purposes of this section, a "unit" refers to both single family dwellings and cottages.
- (6) In no circumstances shall Section 110 apply to any lot not having a single family dwelling constructed and located thereon; nor shall Section 110 apply to any lot less than 2 acres in area having 2 separate single family dwellings constructed and located thereon by virtue of Section 6.1(3) or Section 6.5 (2) (H) of By-law 15.

## 110A SEASONAL COTTAGE (SC) DISTRICT

This district provides for small scale cottage development in less directly accessible or remote locations, intended to provide seasonal accommodation primarily during summer months with no demand for regional district or public agency services.

### 1. Definitions

In this zone:

"Site Area" means that part of a lot set aside or available for the exclusive use of the occupants of a seasonal residence and may include land within a strata lot.

"Seasonal Residence" means a dwelling unit used for a secondary, vacation or recreational home for a maximum of 150 days per year from May 1 to September 30 and not more than 30 days from October 1 to April 30.

"Caretaker's Residence" means a dwelling used to provide year round or full time accommodation for a maximum of 5 persons, as an accessory use to seasonal residence use.

### 2. Permitted Uses

- (1) Seasonal Residence
- (2) Caretaker's Residence
- (3) Accessory Building
- (4) Accessory Recreational Use

### 3. Density

- (1) Number of Dwelling Units

The density of use shall not exceed

- (a) 50 seasonal residences and 1 caretaker's residence per 80 hectares; and
- (b) 1 seasonal residence per strata lot.

- (2) Site Area

Each seasonal residence shall have a site area of at least 0.8 hectares (2 acres).

- (3) Lot Coverage

Lot coverage of all buildings and structures may not exceed 2 %

### 4. Dimensions of Buildings and Structures

- (1) Maximum Dimensions:

No principal building or structure constructed under section 110A.2(1) shall exceed the following:

- (a) height 7.3 metres (24 feet)
- (b) area 52 square metres (560 square feet)

No accessory building or structure to a principal building under section 110A.2(1) shall exceed the following:

- (a) height 4.6 metres (15 feet)
- (b) area 27.9 square metres (300 square feet).

- (2) Minimum Dimensions

- (a) No principal building or structure constructed under section 110A.2(1) shall have a floor area less than 23.8 square metres (256 square feet).
  - (b) No seasonal residence shall have a width less than 4.9 metres (16 feet).
- (3) Any Caretaker Residence constructed under section 110A.2(2) shall be subject to the following:
- (a) Maximum height 2 ½ stories and 35 feet.
  - (b) Minimum Floor area of 52 square metres (560 square feet).
  - (c) Requirements under section 6.5(2)(d)(2) shall apply in terms of caretaker accommodations.

5. Subdivision (Lot and Strata Lot Sizes)

A lot or strata lot created by subdivision within the SC Zone shall not have an area less than 0.8 hectares (2 acres).

6. Setbacks

A person must not build or place any building or structure within the areas listed below:

	Natural Boundary	Another building	Lot or Strata Lot Boundary
Principal Building	15 metres	5-metres	10 metres
Accessory Building	15 metres	5 metres	10 metres

Where more than one of the above setback requirements are applicable, the owner shall meet all requirements.

Note: No Regional Services

The regional district has no plans to construct, install, operate or maintain sewer, sewage disposal, water supply, drainage or fire protection services for the benefit of lands within this zone.

## 110B BAMFIELD COTTAGE RESIDENTIAL DISTRICT (BRC)

This district provides for small scale cottage development, compatible with residential neighbourhoods, and primarily intended to provide temporary accommodation on a short term basis to visitors and seasonal workers.

### 110B.1 Uses Permitted

- (1) One single family dwelling
- (2) Cottages, subject to section 110B.2, below.
- (3) Home occupations, subject to section 6.7.
- (4) Accessory buildings and uses subject to Section 6.5.

### 110B.2 Conditions of Use

- (1) For single family dwellings, the minimum floor area on the main floor shall be 83.6 square meters [900 square feet].
- (2) For cottages, the minimum floor area on the main floor for each cottage shall be 32.515 square meters [350 square feet] and the maximum floor area on the main floor shall be 46.5 square meters [500 square feet] and each cottage shall be limited to a single storey.
- (3) No cottage shall be constructed within a required front, rear or side yard.
- (4) There shall be a separation distance of at least 9.14 meters (30 feet) between cottages and between cottages and a permitted single family dwelling on the same legal parcel.
- (5) No cottages will be permitted on lots less than 2 000 square metres (21,537 square feet) in area.
- (6) One cottage permitted on lots from 2 001 square meters to 3 000 square meters (21538 to 32,300 square feet) in area.
- (7) Two cottages permitted on lots from 3 001 to 4 086 square meters (32,301 square feet to 43,980 square feet) in area.
- (8) Three cottages permitted on lots greater than 4 086 square meters (43,980 square feet) in area.
- (9) In no circumstances shall Section 110B apply to any lot not having a single family dwelling constructed and located thereon; nor shall Section 110B apply to any lot less than 2 acres in area having 2 separate single family dwellings constructed and located thereon by virtue of Section 6.1(3) or Section 6.5 (2) (I) of By-law 15.

## 110C ACREAGE COTTAGE RESIDENTIAL DISTRICT (ARC)

This district provides for low impact cottage development, compatible with rural uses, and primarily intended to provide temporary accommodation on a short term basis to visitors and seasonal workers.

### 110C.1 Uses Permitted

- (1) One single family dwelling
- (2) Four cottages, subject to section 110C.2, below.
- (3) Home occupations, subject to section 6.7.
- (4) Accessory buildings and uses subject to Section 6.5.

### 110C.2 Conditions of Use

- (1) For single family dwellings, the minimum floor area on the main floor shall be 83.6 square meters [900 square feet].
- (2) For cottages, the minimum floor area on the main floor for each cottage shall be 32.515 square meters [350 square feet] and the maximum floor area on the main floor shall be 69.67 square meters [750 square feet] and each cottage shall be limited to a one and a half stories and 6.7 metres (22 feet in height).
- (3) For section 110C, a half story means a habitable space or loft constructed above the main floor used exclusively for sleeping and limited in total floor area to no more than 50% of the main floor.
- (4) No cottage shall be constructed within a required front, rear or side yard.
- (5) There shall be a separation distance of at least 9.14 meters (30 feet) between cottages and between cottages and a permitted single family dwelling on the same legal parcel.
- (6) No cottages will be permitted on lots less than 12141 square metres (3 acres) in area.
- (7) In no circumstances shall Section 110C apply to any lot not having a single family dwelling constructed and located thereon; nor shall Section 110C apply to any lot less than 3 acres in area having 2 separate single family dwellings constructed and located thereon by virtue of Section 6.1(3) or Section 6.5 (2) (I) of By-law 15.

## 110D COTTAGE RESIDENTIAL DISTRICT (RC-1)

This district provides for small scale cottage development, compatible with residential neighbourhoods, and primarily intended to provide temporary accommodation on a short term basis to visitors and seasonal workers.

### 110D.1 Uses Permitted

- (1) One single family dwelling
- (2) Cottages, subject to section 110D.2, below
- (3) Home occupations, subject to section 6.7
- (4) Accessory buildings and uses subject to Section 6.5

### 110D.2 Conditions of Use

- (1) For single family dwellings, the minimum floor area on the main floor shall be 83.6 square metres (900 square feet).
- (2) For cottages, the minimum floor area on the main floor shall be 27.8 square metres (300 square feet) and the maximum floor area on the main floor shall be 46.5 square metres (500 square feet).
- (3) No cottage shall be constructed within a required front, rear or side yard.
- (4) There shall be a separation distance of at least 9.14 metres (30 feet) between cottages and between cottages and a permitted single family dwelling on the same legal parcel.
- (5) There shall be a maximum of five units per legal parcel or a density of one unit per 1,000 square metres (10,763 square feet) of lot area, whichever is the lesser. For the purposes of this section, a "unit" refers to both single family dwellings and cottages.
- (6) In no circumstances shall Section 110D apply to any lot not having a single family dwelling constructed and located thereon; nor shall Section 110D apply to any lot less than 2 acres in area having 2 separate single family dwellings constructed and located thereon by virtue of Section 6.1(3) or Section 6.5(2)(h) of the Bylaw 15.
- (7) For clarity, cottages permitted under Section 110D.1(2) are intended to be occupied on a short term temporary basis only by transient visitors. Cottages are not intended to be occupied as the permanent residence of one or more persons.

## 110E ACREAGE COTTAGE RESIDENTIAL 1 DISTRICT (ARC 1)

This district provides for low impact rural cottage development, compatible with rural uses, and primarily intended to provide temporary accommodation on a short term basis to visitors and seasonal workers.

### 110E.1 Uses Permitted

- (1) One single family dwelling
- (2) Four cottages, subject to section 110E.2, below.
- (3) Home occupations, subject to section 6.7.
- (4) Accessory buildings and uses subject to Section 6.5.

### 110E.2 Conditions of Use

- (1) For single family dwellings, the minimum floor area on the main floor shall be 83.6 square meters [900 square feet].
- (2) For cottages, the minimum floor area on the main floor for each cottage shall be 32.515 square meters [350 square feet] and the maximum floor area on the main floor shall be 69.67 square meters [750 square feet] and each cottage shall be limited to a one and a half stories and 6.7 metres (22 feet in height).
- (3) For section 110E, a half story means a habitable space or loft constructed above the main floor limited in total floor area to no more than 50% of the main floor.
- (4) No cottage shall be constructed within a required front, rear or side yard.
- (5) There shall be a separation distance of at least 9.14 meters (30 feet) between cottages and between cottages and a permitted single family dwelling on the same legal parcel.
- (6) No cottages will be permitted on lots less than 20,234 square metres (5 acres) in area.
- (7) In no circumstances shall Section 110E apply to any lot not having a single family dwelling constructed and located thereon; nor shall Section 110E apply to any lot less than 5 acres in area having 2 separate single family dwellings constructed and located thereon by virtue of Section 6.1(3) or Section 6.5 (2) (I) of By-law 15.

## 110F COTTAGE RESIDENTIAL (RC-2) DISTRICT

This district provides for small scale cottage development, compatible with residential neighbourhoods, and primarily intended to provide temporary accommodation on a short term basis to visitors and seasonal workers in the South Long Beach Official Community Plan area.

### 110F.1 Uses Permitted

- (1) One single family dwelling
- (2) Cottages, subject to section 110F.2, below
- (3) Home occupations, subject to section 6.7
- (4) Accessory buildings and uses subject to Section 6.5

### 110F.2 Conditions of Use

- (1) For single family dwellings, the minimum floor area on the main floor shall be 83.6 square metres (900 square feet).
- (2) For cottages, the minimum floor area on the main floor shall be 27.8 square metres (300 square feet) and the maximum floor area on the main floor shall be 46.5 square metres (500 square feet).
- (3) No cottage shall be constructed within a required front, rear or side yard.
- (4) There shall be a separation distance of at least 9.14 metres (30 feet) between cottages and between cottages and a permitted single family dwelling on the same legal parcel.
- (5) There shall be a maximum of five units per legal parcel or a density of one unit per 1,000 square metres (10,763 square feet) of lot area, whichever is the lesser. For the purposes of this section, a "unit" refers to both single family dwellings and cottages.
- (6) In no circumstances shall Section 110F apply to any lot not having a single family dwelling constructed and located thereon; nor shall Section 110F apply to any lot less than 2 acres in area having 2 separate single family dwellings constructed and located thereon by virtue of Section 6.1(3) or Section 6.5(2)(h) of the Bylaw 15.
- (7) For clarity, cottages permitted under Section 110F.1(2) are intended to be occupied on a short term temporary basis only by transient visitors. Cottages are not intended to be occupied as the permanent residence of one or more persons.
- (8) The RC-2 District only applies to the South Long Beach Official Community Plan area in Electoral Area "C".



111 SINGLE FAMILY RESIDENTIAL DISTRICT (R 1)

This District provides for single family residential development of an urban character.

111.1 Uses Permitted

- (1) One single family dwelling which is constructed on the site on which it will be occupied.
- (2) Home occupations.
- (3) Accessory buildings and uses.

111.2 Conditions of Use

- (1) Side yards shall be provided, the total of both of which shall not be less than 20 percent of lot width, provided that a yard not less than 3.657 meters [12 feet] wide shall adjoin any flanking street. In no case shall the width of any side yard fall below the minimum yard dimensions contained in Schedule II.

## 112 TWO FAMILY RESIDENTIAL DISTRICT (R 2)

This District provides for the use and development of two-family residential dwellings.

### 112.1 Uses Permitted

- (1) One single family dwelling which is constructed on the site on which it will be occupied.
- (2) Two family dwellings.
- (3) Home occupations.
- (4) Accessory buildings and uses.

### 112.2 Conditions of Use

- (1) Side yards shall be provided, the total of both of which shall not be less than 20 percent of lot width, provided that a yard not less than 3.657 meters [12 feet] wide shall adjoin any flanking street. In no case shall the width of any side yard fall below the minimum yard dimensions contained in Schedule II.

### 113 MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM 1)

This District provides for low density garden apartment, group, row or terrace housing development particularly designed for family accommodation.

#### 113.1 Uses Permitted

- (1) Two Family Residential (R-2) uses.
- (2) Multiple family dwellings, groups of multiple family dwellings, row or terrace housing, including co-operative housing developments.
- (3) Accessory buildings and uses.

#### 113.2 Conditions of Use

- (1) The residential floor area within all principal buildings for garden apartment use together shall not exceed 0.50 times that part of the total horizontal area of the lot which is not within 3.657 meters [12 feet] of the ultimate centre-line of any lane.
- (2) Design and site planning of the development shall meet, in addition to all other requirements of this By-law, the applicable italicized requirements set forth in the Site Planning Handbook of the Central Mortgage and Housing Corporation.
- (3) The principal access to each dwelling shall be from an outdoor or unenclosed area.
- (4) Usable open space shall be provided on the lot at the ratio of not less than 46.453 square meters [500 square feet] for each 3 bedroom unit and not less than 27.871 square meters [300 feet] for each unit of smaller size.

## 114 MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM 2)

This District provides for medium density apartment development primarily catering to families with older children, couples, single people and elderly persons.

### 114.1 Uses Permitted

- (1) Multiple Family Residential District (RM 1) uses.
- (2) Boarding, lodging and rooming houses.
- (3) Dormitory units or groups of dormitory units.
- (4) Accessory buildings and uses.

### 114.2 Conditions of Use

- (1) The residential floor area within all principal buildings for apartment use together shall not exceed 0.80 times that part of the total horizontal area of the lot which is not within 3.657 meters [12 feet] of the ultimate centre-line of any lane.
- (2) Design and site planning of the development shall meet, in addition to all other requirements of this By-law, the applicable italicized requirements set forth in the Site Planning Handbook of the Central Mortgage and Housing Corporation.
- (3) Usable open space shall be provided on the lot at the ratio of not less than 46.452 square meters [500 square feet] for each 3 bedroom unit and not less than 18.581 square meters [200 square feet] for each unit of smaller size.

This District provides for the accommodation of mobile-homes in courts or parks in proper relationship to services, community facilities, and compatible adjacent land uses; and requires development of adequate on-site sanitary and service facilities and amenities

#### 116.1 Uses Permitted

- (1) Mobile-home parks.
- (2) One dwelling or dwelling unit for the owner, caretaker or watchman providing the dwelling is located on a plot of land used solely for the Permanent dwelling.
- (3) Accessory buildings and uses.

#### 116.2 Conditions of Use

- (1) The use, design, and operation of all buildings, spaces, facilities, and services shall comply with the requirements of the Mobile Home Parks Regulations, 1967 pursuant to the Health Act.
- (2) Where the mobile-home park is subdivided in accordance with the Strata Titles Act, the subdivision so created shall contain not less than ten and not more than forty strata lots.
- (3) Each space for a mobile-home (including permissible additions) up to 4.876 meters [16 feet] wide shall have a minimum area of 260.128 square meters [2,800 square feet] and a minimum width of 10.972 meters [36 feet].
- (4) Each space for a mobile-home (including permissible additions) 4.876 meters [16 feet] to 8.579 meters [28 feet] wide shall have a minimum area of 343.741 square meters [3,700 square feet] and a minimum width of 14.63 meters [48 feet].
- (5) Each space shall have all its boundaries clearly and permanently marked on the ground.
- (6) Each space shall have a minimum 4.572 meters [15 feet] wide continuous frontage on, and easy access from a roadway of at least 7.62 meters [25 feet] width.
- (7) Every space shall have the following minimum yards: side - 1.524 meters [5 feet] provided that a combination of the two adjoining side yard is not less than 6.096 meters [20 feet]; front 3.048 meters [10 feet]; rear - 2.285 meters [7 feet 6 inches].
- (8) Not more than fifty percent of the area of a mobile-home park shall comprise the total area of:
  - (a) all buildings,
  - (b) all mobile-home spaces 343.741 square meters [3,700 square feet] or less in area, and,
  - (c) an area of 343.741 square meters [3,700 square feet] within each mobile-home space greater than 343.741 square meters [3,700 square feet] in area
- (9) All spaces shall have unobstructed (but not direct) access to a street or highway.
- (10) All driveways shall be not less than 6.096 meters [20 feet] in width, shall be hard surfaced or gravelled and shall be lighted at night to a minimum of 0.2 foot-candles.
- (11) Not less than 0.15 cubic meters [5 cubic feet] of refuse container space shall ordinarily be provided at each mobile-home space, provided that common refuse containers of less total area may be provided,
  - (a) where they are contained within racks to prevent their being tipped.
  - (b) where they are situated so that no mobile-home space is more than 60.96 meters [200 feet] from a refuse container, and

- (c) where all refuse is removed from such containers not less than twice weekly.
- (12) Electrical energy at 115/230 nominal voltage shall be made available to each mobile-home space, and electrical energy outlets shall be in a manner satisfactory to the Electrical Energy Inspector.

117 VACATION-HOME DISTRICT (RVH)

This District provides for seasonal residences principally to accommodate vacationing families in the summer season, or sport fishermen and hunters at other seasons, particularly in areas which are unsuitable for year-round residences by reason of inadequate relationship or access to community facilities and services.

117.1 Uses Permitted:

- (1) One single family dwelling which is constructed on the site on which it will be occupied or one mobile home, neither of which is to be occupied as the permanent home or residence of any family, but rather as a vacation or seasonal residence for a family or families maintaining permanent residence elsewhere.
- (2) Accessory buildings or uses.

117.2 Conditions of Use:

- (1) Where a lot adjoins a water area, at least 836.127 square meters [9,000 square feet] of lot area shall be 0.609 meters [2 feet] or more above the high water mark or level of the flood waters of the greatest known flood. The dwelling or mobile home shall be located within such area.
- (2) Tree-cutting in a strip parallelling the shoreline and extending 10.668 meters [30 feet] inland from all points along the normal highwater mark of the shoreline shall be limited so that natural trees shall be preserved as far as practicable, and where removed they shall be replaced with vegetation that is effective in retarding runoff, preventing erosion and enhancing natural beauty.
- (3) Where access to a lot in this district is not from a constructed road, no off-street parking space need by provided.
- (4) Where land is zoned for Vacation Home (RVH) use, the Regional District of Alberni-Clayoquot shall at no time be required to provide public utilities or other works or services to the lands, and in particular, but without restricting the generality of the foregoing, to such services as hydro-electric power, community water or sewer systems, telephone, schools, fire protection or public roads.

118 ACREAGE RESIDENTIAL DISTRICT (RA 1)

This District provides for single family residential development on large lots in areas not ultimately intended for intensive urban development.

118.1 Uses Permitted:

- (1) One single family dwelling which is constructed on the site on which it will be occupied.
- (2) Home occupations.
- (3) Accessory buildings and uses.

119 ACREAGE RESIDENTIAL DISTRICT (RA 2)

This District provides for single family residential development on large lots in certain types of rural settings.

119.1 Uses Permitted:

- (1) One single family dwelling which is constructed on the site on which it will be occupied.
- (2) Home occupations.
- (3) Accessory buildings and uses.



120 ACREAGE RESIDENTIAL DISTRICT (RA 3)

This District provides for the development of lands designated for single family residential use in the rural neighbourhoods that aims at allowing a relatively high density while introducing regulations which encourage the retention of rural qualities

120.1 Uses Permitted:

- (1) One single family dwelling which is constructed on the site on which it will be occupied.
- (2) Home Occupations, subject to section 6.7.
- (3) Accessory Buildings and uses, subject to section 6.5.

120.2 Special Setbacks:

- (1) No dwelling may be constructed within 15 meters [49.2 feet] of the high water mark of any watercourse as defined in the Water Act.
- (2) Notwithstanding section 120.2(1) above, as of the adoption of this by-law no new septic fields shall be located less than 60 meters [196.8 feet] from the high water mark on any non-tidal watercourse.

- 120.3
- (1) Where Section D(2)(g) of By-law No. 476 (East Sproat Lake Official Settlement Plan) applies, no lot shall be less than 2 040 square meters [22,100 square feet] in lot area.
  - (2) in all other cases, the requirements of Schedule No. II, Bulk and Site Regulations apply to the zone (i.e. 26,000 square feet minimum lot area and 100 foot lot width or 27% of the site depth.

121 LOCAL COMMERCIAL DISTRICT (C 1)

This District provides for convenience shopping and local services of either the corner store or drive-in shopping centre type and permits only such uses as are customarily provided at a neighbourhood centre.

121.1 Uses Permitted:

(1) The following Retail outlets:

- (a) Food Stores
- (b) General Merchandise Stores, excluding department store, retail
- (c) Apparel and Shoe Stores
- (d) Drug Stores
- (e) Other Retail Stores excepting retail trade in airplanes, mobile-homes, prefabricated houses and buildings, or secondhand merchandise.

(2) Offices of the following enterprises engaged in Finance, Insurance and Real Estate:

- (a) Banks and Other Deposit Accepting Establishments
- (b) Other Credit Agencies
- (c) Insurance Agencies and Real Estate Industry.

(3) The following Health and Welfare Services:

- (a) Offices of Physicians and Surgeons (b) Offices of Para-medical Personnel (Practitioners) (c) Offices of Dentists.

(4) The following Personal Services:

- (a) Shoe Repair Shops
- (b) Barber and Beauty Shops
- (c) Self-service Laundries and Dry Cleaners.

(5) The following Accommodation and Food Services:

Restaurants and the like, but excluding establishments primarily engaged in preparing food specialties for off-premises consumption, and excluding drive-in business.

(6) Within a particular C 1 district, one dwelling unit for accommodation of the immediate family of the caretaker, manager or proprietor of the particular premises or centre, provided that:

- (a) It shall be located above or behind the commercial use but where it is located behind the commercial use it shall not be closer than 6.096 meters [20 feet] to the front of the building.
- (b) It is fully separated from the commercial use with the main street access to the dwelling unit being entirely separate from the related commercial use.

(7) Accessory buildings and uses.

121.2 Conditions of Use:

- (1) Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities.

- (2) Goods shall consist primarily of new merchandise and all goods produced on the premises shall be sold at retail on the same premises.
- (3) Side yards shall be provided, the total of both of which shall not be less than 20 per cent of lot width provided that in no case shall the width of any side yard fall below the minimum yard dimensions contained in Schedule
- (4) Off-street parking and off-street loading facilities shall be provided in accordance with Schedule III and IV except for isolated retail stores the retail floor area of which does not exceed 185.806 square meters [2,000 square feet] which premises shall be exempt from this requirement.

121A LONG BEACH RURAL OFFICE (ROC) DISTRICT

This zone may be applied to lands only located within Electoral Area "C" (Long Beach) of the Regional District of Alberni-Clayoquot.

121A.1 Uses Permitted

- (1) Office facilities for enterprises and businesses principally conducted off-site;
- (2) Dwelling Unit - for caretaker accommodation only;
- (3) Accessory Buildings and Uses under Section 6.5, 1 and 3 only;

121A.2 Conditions of Use

- (1) The principal office use/uses are limited to a maximum of 297.3 square metres (3,200 square feet) floor area;
- (2) The caretakers accommodation noted under 121A.1(2) above and authorized under that subsection shall comply with Section 6.9 and 6.11(3) of Zoning By-law in relation to use of Basements and minimum floor area requirements;
- (3) There shall be a separation distance of at least 7.2 metres (25 feet) between the principal building on-site and any accessory building permitted under 121A(3);
- (4) Only one principal building shall be permitted to be erected on-site and for clarity, any caretaker accommodation shall be incorporated into this single structure;
- (5) For the purposes of this Section "Office Facilities" means office space used for the conducting, managing and corporate administration of a business enterprise, between the hours of 9:00am and 7:00pm daily. For clarity, no retail operations and no retail components of any business are permitted to take place on-site;
- (6) The total floor area of accessory buildings shall be limited to a maximum of 92.9 square metres (1,000 square feet);
- (7) Section 6.7 (Home Occupations) of Zoning By-law No. 15 does not apply to the Caretaker Accommodation component within this zone;
- (8) No commercial vehicle, truck, bus, contractors equipment or any similar conveyance or equipment or craft shall be parked or stored in the open, within this District;

122 GENERAL COMMERCIAL DISTRICT (C 2)

This District is designed for intensive pedestrian-oriented commercial, office and hotel development to serve the residents at the community level.

122.1 Uses Permitted:

- (1) The following Manufacturing Industries: Printing, Publishing and Allied Industries excepting Commercial Printing.
- (2) Public transportation depots and Taxicab Operations, excluding maintenance or repair facilities.
- (3) Radio and Television Broadcasting, excepting transmitters.
- (4) Post Office.
- (5) The following Retail outlets:
  - (a) Food Stores
  - (b) General Merchandise Stores
  - (c) Motor Vehicle Dealers, excluding sale of gasoline
  - (d) Apparel and Shoe Stores
  - (e) Hardware Stores
  - (f) Household Furniture and Appliance Stores including Radio, Television, and Appliance Repair Shops
  - (g) Drug Stores
  - (h) Other Retail Stores, excepting retail trade in airplanes, mobile-homes, prefabricated houses and buildings, or secondhand merchandise.
- (6) Offices of enterprises engaged in Finance, Insurance and Real Estate.
- (7) The following Health and Welfare Services:
  - (a) Offices of Physicians and Surgeons
  - (b) Offices of Para-medical Personnel (Practitioners)
  - (c) Offices of Dentists
  - (d) Diagnostic and therapeutic Services
  - (e) Miscellaneous Health Services.
- (8) The following Amusement and Recreational Services:
  - (a) Motion Picture Theatres (excluding drive-in)
  - (b) Motion Picture Production and Distribution
  - (c) Theatrical and other Staged Entertainment Services.
- (9) Services to Business Management
- (10) The following Personal Services:
  - (a) Shoe Repair Shops
  - (b) Barber and Beauty Shops
  - (c) Laundries, Cleaners and Pressers, excluding establishments engaged in bringing in laundry and dry cleaning for on-site treatments, cleaning and processing.
  - (d) Self-service Laundries and Dry Cleaners
  - (e) Miscellaneous Personal Services.
- (11) The following Accommodation and Food Services:
  - (a) Hotels
  - (b) Clubs or lodges
  - (c) Night club, cabaret

- (d) Restaurants and the like, but excluding establishments primarily engaged in preparing food specialties for off-premises consumption, and excluding drive-in business.
  - (12) The following Miscellaneous Services:
    - (a) Labour Organizations and Trade Associations (b) Photographic Services.
  - (13) Dwelling units where located above the first storey in accordance with subsection 122.2 (2).
  - (14) Accessory buildings and uses.
- 122.2 Conditions of Use:
- (1) Every business or undertaking shall be conducted within a completely enclosed building except for parking, loading and display facilities.
  - (2) Dwelling units located above the first storey of a commercial building shall comply with the following requirements:
    - (a) The ground floor of the building shall be used only for commercial purposes.
    - (b) A completely separate public entrance to the apartment accommodation shall be provided from a ground floor entrance opening directly onto the public street.
    - (c) All suites shall be entirely self-contained and all floor areas shall be in accordance with Section 6.11 except that there shall not be more than one suite having more than one bedroom.
    - (d) Each suite shall be provided with a private balcony of minimum floor area of 4.645 square meters [50 square feet] and minimum width of 1.524 meters [5 feet] opening off the living room.
    - (e) One off-street parking space shall be provided for each suite, located so as not to impair access to the commercial premises or the use of off-street loading facilities.

## 122A GENERAL COMMERCIAL (C2A) DISTRICT

This District is designated for pedestrian-oriented commercial, office and hotel development to serve the residents at the community level.

### 122A.1 Uses Permitted:

- (1) Uses permitted in the General Commercial (C2) District.
- (2) Accessory buildings and uses.

### 122A.1.2 Conditions of Use:

- (1) Every business or undertaking shall be conducted within a completely enclosed building except for parking, loading and display facilities.
- (2) Dwelling units located above the first storey of a commercial building shall comply with the following requirements:
  - (a) The ground floor of the building shall be used only for commercial purposes.
  - (b) A completely separate public entrance to the apartment accommodation shall be provided from a ground floor entrance opening directly onto the public street.
  - (c) All suites shall be entirely self-contained and all floor areas shall be in accordance with Section 6.11 except that there shall not be more than one suite having more than one bedroom.
  - (d) Each suite shall be provided with a private balcony of minimum floor area of 4.645 square meters [50 square feet] and minimum width of 1.524 meters [5 feet] opening off the living room.
  - (e) One off-street parking space shall be provided for each suite, located so as not to impair access to the commercial premises or the use of off-street loading facilities.

This District provides for the accommodation of commercial uses requiring large areas for the storage and handling of materials, goods and equipment and for low intensity commercial uses.

123.1 Uses Permitted:

- (1) The following Manufacturing Industries
  - (a) Bakery Products Industries
  - (b) Custom Woodworking
  - (c) Household Furniture Manufacturers
  - (d) Printing, Publishing and Allied Industries
  - (e) Signs and Displays Industry.
- (2) Offices, storage buildings, and workshops for the following enterprises within the Construction Industry
  - (a) Building Construction
  - (b) Septic Tank Construction (on site)
  - (c) Special-Trade Contractors excepting Demolition, Excavating, House Moving Contractors.
- (3) The following establishments engaged in Wholesale Trade:
  - (a) Wholesalers of Coal and Coke
  - (b) Offices of Wholesalers of Petroleum Products
  - (c) Wholesalers of Lumber and Building Materials.
- (4) The following Transportation uses:
  - (a) Cartage, Delivery and Express
  - (b) Bus Transport, Interurban and Rural
  - (c) Urban Transit Systems (d) Taxicab Operations
  - (e) Other Transportation.
- (5) Telephone Systems, Telegraph and Cable Systems
- (6) Frozen Food Lockers
- (7) Commercial nurseries and greenhouses
- (8) Animal hospitals
- (9) Auction Rooms.
- (10) The following Retail outlets:
  - (a) Tire, Battery and Accessory Stores.
  - (b) Motor Vehicle Dealers including automobile or boat sales or rental lot
  - (c) Motor Vehicle Repair shops including Auto Body repair shops and Auto Body spray painting shops
  - (d) Hardware Stores
  - (e) Household Furniture and Appliance Stores
  - (f) Radio, Television and Electrical Appliance Repair Shops
  - (g) Second Hand Merchandise Shops
  - (h) Prefabricated house and building dealers.
- (11) The following Health and Welfare Services:



- (a) Diagnostic and therapeutic Services.
- (12) The following Amusement and Recreation Services
  - (a) Motion Picture Production and Distribution
  - (b) Bowling Alleys and Billiard Parlours
  - (c) Miscellaneous Amusement and Recreation Services.
- (13) Services to Business Management.
- (14) The following Personal Services:
  - (a) Shoe Repair Shops
  - (b) Barber and Beauty Shops
  - (c) Laundries, Cleaners and Pressers
  - (d) Self-service Laundries and Dry Cleaners
  - (e) Funeral Services excluding cemeteries and crematoria
  - (f) Miscellaneous Personal Services
- (15) The following Accommodation and Food Services:
  - (a) Clubs or lodges
  - (b) Restaurants and the like, but excluding drive-in businesses.
- (16) Miscellaneous Services excluding exterminating service.
- (17) Accessory Buildings and uses.
- 123.2 Conditions of Use:
  - (1) All business, repair or servicing uses shall be conducted within a completely enclosed building except for permitted outdoor display, rental, sales or storage yards, parking and loading facilities.
  - (2) Any part of a lot used or intended to be used as an outside storage areas shall be enclosed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening.

This District provides for the accommodation of vehicular-oriented commercial uses of low intensity and for services essential to, or dependent upon highway traffic.

124.1 Uses Permitted:

- (1) The following Retailers of Automotive Products:
  - (a) Gasoline Service Stations, including car washing establishments and the incidental sale of bulk petroleum products
  - (b) Motor Vehicle Dealers
  - (c) Motor Vehicle Repair Shops including Auto Body repair shops and Auto Body spray painting shops
  - (d) Boat repair and maintenance, small engine repair and service and boat storage facilities.
- (2) The following Retail outlets, provided that the retail floor area shall not exceed 185.806 square meters [2,000 square feet]:
  - (a) Food Stores
  - (b) General Merchandise Stores
  - (c) Other enterprises oriented to highway traffic, such as garden supplies, or gift shops
  - (d) ship chandlery goods and sale of marine components and equipment.
- (3) The following Personal Services:
  - (a) Barber and Beauty shops
  - (b) Self-service Laundries and Dry Cleaners
  - (c) Tourist guide service.
- (4) The following Other Services Industries:
  - (a) Motor Vehicle Rental facilities.
- (5) Restaurants and the like.
- (6) One dwelling on the same lot as a permitted business or undertaking, for accommodation of the immediate family of the caretaker, manager or proprietor of the particular premises or centre, provided that:
  - (a) Such dwelling may be contained in the same building as uses listed under clauses (2) and (3) above, where such uses are conducted within a completely closed building, in which case the permitted dwelling unit shall be located behind the commercial use and not closer than 6.096 meters [20 feet] to the front of the building, and shall be fully separated from the commercial use with the principal access to the dwelling unit being entirely separate from the related commercial use.
  - (b) In the case of other types of business or undertaking, a permitted dwelling unit shall be located in a structure clearly separated from the related commercial use.
  - (c) Not less than 46.452 square meters [500 square feet] of usable open space shall be provided in conjunction with the dwelling unit.
- (7) Accessory buildings and uses.

124.2 Conditions of Use:

- (1) Every business or undertaking shall be conducted within a completely enclosed building except for drive-in businesses, fruit and vegetable markets, ice dispensaries and vending machines, outdoor garden shops, parking and loading facilities.
- (2) All goods produced on the premises shall be sold at retail on the same premises.

## 124A HIGHWAY COMMERCIAL (C4-A) DISTRICT

This District provides for the accommodation of vehicular-oriented commercial uses of low intensity and for services essential to, or dependent upon highway traffic.

### 124A.1 Uses Permitted

- (1) The following Retailers of Automotive Products:
  - (a) Motor Vehicle Dealers
  - (b) Motor Vehicle Repair Shops including Auto Body repair shops and Auto Body spray painting shops
  - (c) Boat repair and maintenance, small engine repair and service and boat storage facilities.
- (2) The following Retail outlets, provided that the retail floor area shall not exceed 185.806 square meters [2,000 square feet]:
  - (a) Food Stores
  - (b) General Merchandise Stores
  - (c) Other enterprises oriented to highway traffic, such as garden supplies, or gift shops
  - (d) Ship chandlery goods and sale of marine components and equipment.
- (3) The following Personal Services:
  - (a) Barber and Beauty shops
  - (b) Self-service Laundries and Dry Cleaners
  - (c) Tourist guide service.
- (4) The following Other Services Industries:
  - (a) Motor Vehicle Rental facilities.
- (5) Restaurants and the like.
- (6) One dwelling on the same lot as a permitted business or undertaking, for accommodation of the immediate family of the caretaker, manager or proprietor of the particular premises or centre, provided that:
  - (a) Such dwelling may be contained in the same building as uses listed under clauses (2) and (3) above, where such uses are conducted within a completely closed building, in which case the permitted dwelling unit shall be located behind the commercial use and not closer than 6.096 meters [20 feet] to the front of the building, and shall be fully separated from the commercial use with the principal access to the dwelling unit being entirely separate from the related commercial use.
  - (b) In the case of other types of business or undertaking, a permitted dwelling unit shall be located in a structure clearly separated from the related commercial use.
  - (c) Not less than 46.452 square meters [500 square feet] of usable open space shall be provided in conjunction with the dwelling unit.
- (7) Accessory buildings and uses.

### 124A.2 Conditions of Use

- (1) Every business or undertaking shall be conducted within a completely enclosed building except for drive-in businesses, fruit and vegetable markets, ice dispensaries and vending machines, outdoor garden shops, parking and loading facilities.
- (2) All goods produced on the premises shall be sold at retail on the same premises.

## 125 MIXED ACCOMMODATION COMMERCIAL (MAC) DISTRICT

This District provides for tourism development primarily intended to provide temporary accommodation on a short term basis to visitors.

### 125.1 Uses Permitted

- (1) One single family dwelling, only as an ancillary use to the commercial operation authorized under this by-law.
- (2) Cottages.
- (3) Campground.
- (4) Accessory buildings and uses.
- (5) Common use facilities.
- (6) Home occupations, subject to Section 6.7. of By-law No. 15 as amended.

### 125.2 Conditions of Use

- (1) For the single family dwelling, the minimum floor area on the main floor shall be 83.6 square meters [900 square feet].
- (2) For cottage rental units, the minimum floor area shall be 46.45 square meters [500 square feet] and the maximum floor area shall be 74.32 square meters [800 square feet] per cottage.
- (3) No cottage without Single Family Dwelling shall be constructed within a required front, rear or side yard.
- (4)
  - a) There shall be a distance of at least 10 meters [32.8 feet] between all buildings or structures. This requirement does not apply in the case of any structure which is a common use facility.
  - b) No building or structure shall be located within 20 meters [65.6 feet] of the natural high water of a water course. The area between the high water mark and the 20 meter [65.6 feet] shall be called the "buffer area".
  - c) A boat launch, access road, hiking or jogging trails and open space are permitted in the buffer area.

### 125.3 Density

- a) One cottage shall be permitted for every 2 000 square meters [21,528 square feet] of the area of a lot zoned mixed accommodation commercial.
- b) One campsite shall be permitted for every 1 000 square meters [10,764 square feet] of the area of a lot zoned mixed accommodation commercial.

### 125.4 "Common use facilities" for the purposes of this section means:

- a) structures required to contain fire, emergency or garbage collection equipment;
- b) gazebos, barbecue and picnic shelters and pits;
- c) recreational facilities such as playing fields and tennis courts;

### 125.5 Accessory uses and buildings shall be limited to:

- a) parking of 2 vehicles per campsite; and 2 parking spaces;
- b) one (1) storage building for grounds maintenance purposes to a maximum size of 60.96 square meters [656 square feet];
- c) boat launch;
- d) screened compounds for the storage of recreational vehicles, boats or boat trailers;
- e) one (1) accessory common building. For the purposes of this zoning district an accessory common building is only permitted as an ancillary use containing convenience store, laundromats, drying room etc. and only one accessory common building is permitted.

- f) For the purposes of this by-law a trailer or travel trailer designed to shelter human occupancy shall be considered a vehicle.
- 125.6 In the case of cottages permitted under Section 3.2 no building shall
- a) exceed 4.26 meters [14 feet] in height;
  - b) have a maximum floor area greater than 74.322 square meters (800 square feet);
  - c) be constructed within 10 meters [32.8 feet] of any lot line;
- 125.7 An accessory common building shall not:
- a) exceed 2 (two) stories, or a maximum of 10 meters (32.80 feet) in height;
  - b) have a maximum floor area greater than 148.64 square meters (1,600 square feet);
  - c) be used for other than common meeting areas, recreational areas, laundromats, drying room or small convenience store;
  - d) where an accessory common building is used for a convenience store, the maximum floor area of the accessory common building used as a small convenience store shall not exceed 22.29 square meters [240 square feet];
  - e) be used for purposes of accommodation or occupancy by any person.
- 125.8 Campgrounds shall be established or extended in accordance with the following regulations and standards:
- 1. Layout Standards
    - A. Camping Spaces
      - 1. Every camping space shall have a minimum area of not less than 55 square meter [592 square feet].
      - 2. Every camping space shall have a maximum slope of 5%.
      - 3. No camping space shall be located within:
        - a) 2.0 meters [6.56 feet] of an internal access road; and
        - b) the setback areas in the applicable zones established pursuant to Section 14 of this by-law.
      - 4. Each camping space shall have one conveniently located parking space adjacent to the internal access road and may be sited in the area allotted for the 2.0 meter [6.56 feet] setback.
      - 5. No recreation vehicle or tent shall be located other than on a camping space.
    - B. Buffer Area
      - 1. Within a setback area established pursuant to this by-law the following may be located:
        - 1) A boat launch or amenity areas;
        - 2) a wall or a campground identification sign not exceeding 1.5 square meters [16 square feet] in area;
        - 3) such parts of such a system as may be underground;
        - 4) vehicle parking; or
        - 5) internal access roads that directly traverse the setback area to connect the internal access road system of the campground to a highway.

C. Internal Access Roads

1. All internal roads in the campground shall be of hard durable surface so as not to produce dust.
2. The minimum internal access road width requirement shall be 6.0 meters [19.6 square feet].
3. Dead-end internal access roads and cul-de-sacs shall have a turning circle radius of 12.0 meters [39.37 square feet].

D. Parking

Every campground shall provide for:

- a) one parking space for each employee; and
- b) three parking spaces for the owner's or manager's residence.

2. Servicing

A. Sewage Disposal

Sewage disposal shall be by a community sewer system or a septic disposal system constructed to the standards of the relevant provincial enactments.

B. Washroom Facilities

Washroom facilities shall be provided in every campground, and:

- a) shall be located in a separate building or buildings except for the multi-use building;
- b) shall be located a maximum of 150 meters [492 feet] from any camping space and a minimum of 4.5 meters [14.76 feet] from any camping space;

C. Sewage Disposal Station

One sewage disposal station for use by recreational vehicles shall:

- a) be established in every campground that contains more than 30 camping spaces; and
- b) be located in an area apart from any internal access road and to allow easy and convenient access by recreational vehicles for the purpose of disposing of the contents of such vehicle's sewage storage tanks; and
- c) constructed in accordance with relevant provincial enactments.

D. Water System

Every campground that contains more than 30 camping spaces shall be serviced by a community water system or a water supply system built to the standards of the relevant provincial enactments and provide:

- a) a minimum of 0.18 cubic meters [6.35 cubic feet] per day of potable water per camping space;
- b) 20% of all camping spaces in the campground shall be equipped with a water hookup for recreational vehicles.

E. Garbage Disposal

Each container shall be durable, insect-proof, water-tight and rodent-proof.

125.9 There may be a provision for temporary recreational vehicle and/or boat storage. The maximum area that can be

used for temporary boat storage is 5% of the area of the lot zoned Mixed Accommodation Commercial.

- 125.10 All compounds for recreational vehicle storage and boat/boat trailer storage must be enclosed by a fence, not exceeding 2 meters [6 foot 6 inches] in height, except for necessary access and egress points, gated appropriately and must be screened or bermed.

126 TOURIST COMMERCIAL DISTRICT (C 6)

This District provides for the orderly development of resort and motel accommodation for transient motorists, tourists, and vacationers, in proper relationship to thoroughfares and waterways, surrounding uses, and natural amenities.

126.1 Uses Permitted:

- (1) Motels and Motor Hotels.
- (2) One single family dwelling per legal lot.
- (3) Accessory buildings and uses.

126.2 Conditions of Use:

- (1) Usable Open space shall be provided on the lot in a ratio of not less than 9.29 square meters [100 square feet] for each rental unit and 46.452 square meters [500 square feet] for a permitted single family dwelling.
- (2) Any part of a lot not used for building, parking or vehicular access shall be fully and suitably landscaped and properly maintained.
- (3) All motels shall have an administration building or an office which may be located within a permitted single family dwelling provided it has a separate, suitably identified entrance.
- (4) Where a café or restaurant is included as an accessory use to a motel development, not more than 3 seats shall be provided for each motel unit located on the lot.



127 RECREATION COMMERCIAL DISTRICT (C 7)

This District provides for low intensity private recreational uses which require large areas for development and only minor water supply and sewerage.

127.1 Uses Permitted:

- (1) Archery ranges.
- (2) Drive-in theatres.
- (3) Facilities ancillary to canoeing, hiking, hunting, skiing, and similar outdoor recreations.
- (4) Golf driving ranges.
- (5) Gun clubs.
- (6) Private bowling greens, tennis courts and similar outdoor recreational uses.
- (7) Race tracks (automobile, horse, go-cart) and grandstands.
- (8) Riding academies.
- (9) Accessory buildings and uses.

128 CAMPGROUND COMMERCIAL DISTRICT (C 8)

This District provides for facilities to accommodate tourists and vacationers in tents and recreational vehicles in areas which are particularly located and suited to such use.

128.1 Uses Permitted:

- (1) Campgrounds.
- (2) Operator's residential plot.
- (3) Accessory buildings and uses.

128.2 Conditions of Use:

The use, design and operation of all buildings, facilities and services shall comply with the requirements of the Camp-site Regulations, 1967 pursuant to the Health Act.

## 128A CAMPGROUND COMMERCIAL DISTRICT (C8A)

This District provides for a facilities to accommodate tourists and vacationers in tents and recreational vehicles in areas which are particularly located and suited to such uses.

### 128A.1 Uses Permitted:

- (1) Campgrounds.
- (2) One caretaker residence.
- (3) Accessory buildings and uses.

### 128A.2 Conditions of Use:

- (1) In this zone "campsite" means an established site within a campground for the temporary location and siting of one (1) recreational vehicle as a temporary recreational use for a period not to exceed 180 days in any calendar year.
- (2) No recreational vehicle shall be located other than on an established campsite.
- (3) Where a campground is subdivided, the subdivision created shall contain no more than 26 campsites and each campsite shall be a minimum of 83.91 square metres (900 square feet) in area.
- (4) No year round or permanent occupation of a campsite may occur.
- (5) In this zone "accessory buildings and uses" includes office facilities, washroom/shower facilities, parking and play areas, gazebos, picnic shelters, garbage containment, and boat trailer parking.

## 128B CAMPGROUND COMMERCIAL DISTRICT (C8B)

This District provides for facilities to accommodate tourists and vacationers in tents and recreational vehicles in areas which are particularly located and suited to such uses.

### 128B.1 Uses Permitted

- (1) Campgrounds
- (2) Staff Accommodation Use
- (3) One (1) single family dwelling as a caretaker residence
- (4) Accessory buildings and uses

### 128B.2 Conditions of Use

- (1) In this zone "campsite" means an established site within a campground for the temporary location and siting of recreational vehicles or tents as a temporary recreational use for a period not to exceed 180 days in any calendar year.
- (2) Maximum number of campsites shall not exceed 160 within the C8B District.
- (3) In this zone "staff accommodation use" means residential dwelling units for employees working on-site and for residents working off-site. The residential units shall not be used as short term vacation rental units.
- (4) Maximum number of residential units shall not exceed ten (10) within the C8B District.
- (5) For residential units, the minimum floor area shall be 30 square metres (322.9 square feet) and the maximum floor area shall be 80 square metres (861.1 square feet).
- (6) No recreational vehicle or tent shall be located other than on an established campsite.
- (7) No year round or permanent occupation of a campsite may occur.
- (8) A residential unit or campsite shall not be a separate strata unit.
- (9) In this zone "accessory buildings and uses" includes office facilities, retail store, surf rental, washroom/shower facilities, parking, play areas, gazebos, picnic shelters, garbage containment, compost containment.

129 SPECIAL ENTERTAINMENT COMMERCIAL DISTRICT (C 9)

129.1 Uses Permitted

- a) Restaurants, but excluding establishments primarily engaged in food specialties for off-premises or drive-in business.
- b) Amusement Arcade.
- c) Public Swimming Pool.
- d) One dwelling unit.

129.2 Conditions of Use:

- a) Any dwelling unit shall be constructed solely for the manager/caretaker of the special entertainment uses permitted in this zone.
- b) No more than one principal structure or building per use shall be permitted.

129.3 Special Setbacks:

- a) No buildings, structure or parking area shall be located within 30 meters [98.4 feet] of any property line fronting onto a public road right-of-way in existence on or before April 28th, 1982 and 6 meters [19.68 feet] from any other property or zone boundary line except as provided for under Section 6.5 of Zoning By-law No. 15.

129.4 Bulk and Site Regulations:

- a) Unless otherwise stated in this zone the Bulk and Site Regulations specified for the Tourism Commercial (C 6) District Zone in Schedule II of Zoning By-law No. 15 shall apply.

## 129A NEIGHBOURHOOD COMMERCIAL (C 10) DISTRICT

This district provides for small-scale commercial development, primarily in isolated locations.

### 129A.1 Uses Permitted:

- (1) One retail outlet per legal lot. The following retail uses are permitted:
  - (a) Food Stores;
  - (b) General Merchandise Stores;
  - (c) Ship chandlery goods and sale of marine components and equipment.
- (2) Upland location of gasoline storage tanks for marine fuelling outlets on adjacent foreshore.
- (3) One dwelling on the same lot as a permitted business, for the accommodation of staff, or the immediate family of the caretaker, manager or proprietor of the permitted business.
- (4) Accessory buildings.

### 129A.2 Conditions of Use:

- (1) The retail floor area of a permitted retail outlet shall not exceed 185.806 square metres (2,000 square feet).
- (2) The required setbacks between gasoline storage tanks and buildings on the same property and between gasoline storage tanks and property lines shall be as determined by the Fire Commissioner.
- (3) A permitted dwelling unit may be located either:
  - (a) in the same building as the retail use permitted under Section 129A.1(1) above. In such a case, the permitted dwelling unit shall be located behind the commercial use and not closer than 6.096 metres (20 feet) to the front of the building. It shall be fully separate from the commercial use with the principal access to the dwelling unit being entirely separate from the related commercial use;
  - or
  - (b) a permitted dwelling unit may be located in a structure clearly separate from the related commercial use. In such a case, the separation distance between the retail use and the dwelling shall be a minimum of 9.144 metres (30 feet).
- (4) Not less than 46.452 square metres (500 square feet) of usable open space shall be provided in conjunction with the dwelling unit.
- (5) The use of permitted accessory building shall be limited to storage and the housing of required utilities such as a generator, light plant, pump house, etc.

## 129B LOW DENSITY OUTDOOR RECREATION (LOR) DISTRICT

This District provides for very low density outdoor recreational activities, primarily seasonal in nature, with minimal impact on the environment and minimal requirements for services and infrastructure.

### 129B.1 Uses Permitted

- (1) Zip lines and facilities ancillary to canoeing, kayaking, cross country skiing, hunting, hiking and similar forms of outdoor recreation.
- (2) Accessory buildings and uses.

### 129B.2 Conditions of Use

- (1) Commercial overnight accommodation is not a permitted accessory use in this zone.
- (2) Off-street parking for 20 vehicles or less shall not require to be paved.

### 129B.3 Bulk and Site

Min. Lot Width:	200 feet	(60.96 meters)
Min. Lot Area:	2 acres	(0.8 hectares)

#### Max. Lot Coverage:

#### Setbacks:

- Front:	25 feet	(7.62 meters)
- Rear:	30 feet	(9.14 meters)
- Side:	15 feet	(4.57 meters)

## 129C SEASONAL STAFF ACCOMMODATION DISTRICT (SA)

This District provides for seasonal staff accommodation in isolated or remote locations with minimal facilities, intended to provide a supportive function to affiliated properties within the vicinity that are used primarily for commercial or industrial purposes.

### 129C.1 Definitions

In this zone:

“Seasonal Staff Accommodation” means a dwelling or dwelling unit providing for the accommodation of staff when used in conjunction with an associated commercial or industrial use on the same or nearby property or properties for a maximum of 150 days per year from May 1 to September 30 and not more than 30 days from October 1 to April 30.

“Site Area” means the part of a lot set aside or available for the exclusive use of the occupants of a seasonal staff accommodation and may be included in a strata lot.

### 129C.2 Uses Permitted

- (1) Seasonal staff accommodation.
- (2) Agricultural uses.
- (3) Accessory buildings and uses.

### 129C.3 Density

- (1) Subdivision (Lot and Strata Lot sizes)

A lot or strata lot created by subdivision within the SA Zone shall not have an area less than 2 hectares (4.94 acres).

The regional district has no plans to construct, install, operate or maintain sewer, sewage disposal, water supply, drainage or fire protection services for the benefit of lands within this zone.



130 WILDERNESS CAMPGROUND DISTRICT (CW)

This District provides for establishment of campgrounds in isolated locations with minimal facilities, to accommodate tourists and vacationers in tents and/or self-contained recreational vehicles.

130.1 Uses Permitted

- (1) Campgrounds
- (2) One service building

130.2 Conditions of Use

- (1) Wilderness Campground (CW) Districts shall be located outwith areas served by or capable of being serviced by community services such as water systems, and at least 10 kilometres [6.2 miles] from a paved highway.
- (2) There are no minimum servicing requirements.
- (3) The maximum density shall not exceed 80 campsites per hectare.

This District provides for the accommodation of light manufacturing, warehousing and wholesaling functions under development standards and conditions designed to minimise conflicts with surrounding uses.

131.1 Uses Permitted:

(1) The following Manufacturing Industries:

- (a) Food and Beverage Industries, excluding the Fish Products Industry and Meat and Poultry Products Industries.
- (b) Knitting Mills, Textile, Leather, Rubber and Plastic Products, Tobacco Products, and Clothing Industries.
- (c) Coffin and Casket Industry, Wooden Box Factories, and those Miscellaneous Wood Industries concerned with manufacturing or finishing from prepared lumber.
- (d) Furniture and Fixture Industries.
- (e) Printing, Publishing and Allied Industries, excepting enterprises engaged in Publishing Only.
- (f) Machinery, Electrical Products, Transportation Equipment and Metal Fabricating Industries, excepting Boiler and Plate works and the Fabricated Structural Metal Industry.
- (g) Glass and Glass Products Manufacturers.
- (h) Miscellaneous Manufacturing Industries.

(2) Offices, storage buildings, and workshops for the following enterprises within the Construction Industry:

- (a) Building Construction
- (b) Septic tank construction (on site).
- (c) Special-Trade Contractors excepting Demolition, excavating, House Moving Contractors.

(3) Wholesale Trade, excluding Wholesalers of Lumber and Building Materials, Wholesalers of Scrap and Waste Materials.

(4) Other Storage and Warehousing, excluding open storage as a principal use.

(5) Electric Power, Gas, Water Utilities, and government agencies, work yards.

(6) Cartage, Delivery and Express Facilities.

(7) Retailers of Automotive Products, excluding sale of gasoline but including an automobile or boat sales or rental lot.

(8) Engineering and Scientific Service laboratories.

(9) Laundries, Cleaners and Pressers (except Self-service).

(10) The following Miscellaneous Services:

- (a) Blacksmithing and Welding Shops
- (b) Services to Buildings and Dwellings
- (c) Machinery and Equipment Rental;
- (d) Motor Vehicle repair shops including Auto Body repair shops and Auto Body spray painting shops.

(11) Accessory buildings and uses, including display, storage, and retail sales of goods produced on the premises.

(12) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.

- (13) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:
- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
  - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
  - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.

131.2 Conditions of Use:

- (1) All permitted uses shall be housed completely within an enclosed building, except for permitted outdoor display, rental, sales or storage yards, parking and loading facilities.
- (2) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluents, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (3) Any part of a lot used or intended to be used as an outside storage area shall be enclosed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening. Required front screening shall be so situated as to conform with the front yard setback provisions.
- (4) All those portions of a required front yard not used for permitted parking or display areas shall be fully and suitably landscaped and properly maintained.
- (5) Where the side line of the lot abuts a lot in an R or RM District, or is separated by a street or lane therefrom, all those portions of a required side yard not used for permitted parking shall be fully and suitably landscaped and properly maintained.

132 LIGHT INDUSTRIAL DISTRICT (M 2)

This District provides for the accommodation of general industrial activities under conditions designed to minimize conflicts with surrounding uses:

132.1 Uses Permitted:

- (1) Uses permitted in the Industrial Park District (M 1).
- (2) Offices, storage buildings, and workshops for that part of the Construction Industry not permitted in the Industrial Park District (M 1).
- (3) Wholesalers of Lumber and Building Materials including screening and grinding of sand and gravel.
- (4) Open storage as a principal use.
- (5) Truck Transport.
- (6) Commercial nurseries and greenhouses.
- (7) Accessory buildings and uses, including display, storage and retail sale of goods produced on the premises.

132.2 Conditions of Use:

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (2) Where a lot or any part thereof is used or intended to be used as an outside storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R or RM district or is separated by a lane therefrom, shall be screened and no material located within 15.39 meters [50 feet] of the screen shall be piled to extend above such screening. Required front screening shall be so situated as to conform with the front yard setback provisions.

## 132A LIGHT INDUSTRIAL DISTRICT (M2A)

This District provides for the accommodation of general industrial activities under conditions designed to minimize conflicts with surrounding uses:

### 132A.1 Uses Permitted:

- (1) Uses permitted in the Industrial Park District (M 1).
- (2) Offices, storage buildings, and workshops for that part of the Construction Industry not permitted in the Industrial Park District (M 1).
- (3) Wholesalers of Lumber and Building Materials including screening and grinding of sand and gravel.
- (4) Open storage as a principal use.
- (5) Truck Transport.
- (6) Commercial nurseries and greenhouses.
- (7) Accessory buildings and uses, including display, storage and retail sale of goods produced on the premises.
- (8) Ready-Mix Concrete Manufactures.

### 132A.2 Conditions of Use:

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (2) Where a lot or any part thereof is used or intended to be used as an outside storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R or RM district or is separated by a lane therefrom, shall be screened and no material located within 15.39 meters [50 feet] of the screen shall be piled to extend above such screening. Required front screening shall be so situated as to conform with the front yard setback provisions.

133 HEAVY INDUSTRIAL DISTRICT (M 3)

This District provides for the accommodation of special types of industry and heavy industrial activities.

133.1 Uses Permitted:

- (1) Uses permitted in the Light Industrial District (M 2).
- (2) The following Manufacturing Industries:
  - (a) Fish Products Industry, Meal and Poultry Products Industries.
  - (b) Those Wood Industries not permitted in the Light Industrial District (M 2).
  - (c) Paper and Allied Industries.
  - (d) Primary Metal Industries.
  - (e) Boiler and Plate Works, Fabricated Structural Metal Industry.
  - (f) Non-Metallic Mineral Products Industries not permitted in the Light Industrial District (M 2).
  - (g) Petroleum and Coal Products Industries.
  - (h) Chemical and Chemical Products Industries, provided that where explosives are manufactured or stored, outside safety distance regulations pursuant to the Explosives Act shall be observed as though a place of public assembly were located adjacent to all lot lines.
  - (i) sand and gravel and other natural resource extraction and processing incidental to such, and similar operations.
- (3) Wholesalers of Scrap and Waste Materials, provided that autowrecking and junk yard shall be located 30.48 meters [100 feet] or more from the zoning boundary or an R or RM district and are completely enclosed by a solid view-obscuring 2.438 meter [8 foot] fence or wall. No material shall be piled to a greater height than that of the surrounding fence or wall.
- (4) Accessory buildings and uses, including display, storage and retail sales of goods produced on the premises.

132.2 Conditions of Use:

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise, glare, nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (2) Where a lot or any part thereof is used or intended to be used as an outside storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R or RM district or is separated by a lane therefrom, shall be screened and no material located within 15.39 meters [50 feet] of the screen shall be piled to extend above such screening.
- (3) Nothing shall be done which is not in accordance with the provisions of the Health Act.

134 INDUSTRIAL OPEN STORAGE DISTRICT (M 4)

This District provides for the accommodation of industrial storage and materials handling operations requiring extensive areas, little or no shelter, protection, retention works, or municipal services.

134.1 Uses Permitted:

- (1) Storage, of logs, lumber, chips, including facilities for the transfer of logs to and from the water, and for dry-land log sorting.
- (2) Storage of ore, concentrates, refined products.
- (3) Storage of gravel, sand, quarried material.

134.2 Conditions of Use:

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise, glare, nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue congestion.
- (2) Where a lot or any part thereof is used or intended to be used as an outside storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R or RM district or is separated by a lane therefrom, no material shall be located within 15.24 meters [50 feet] of the property line.

## 135 STORAGE WAREHOUSE (SW 1) DISTRICT

This District provides for the accommodation of storage and warehousing functions in accordance with development standards, guidelines and conditions designed to minimize conflict with surrounding uses as well as to minimize impacts on and within areas of visual and aesthetic sensitivity.

### 135.1 Uses Permitted

- (1) Storage and Warehousing, excluding open storage.
- (2) Dwelling for caretaker or watchman provided that such dwelling is located on the same lot as the storage/warehouse facility it is intended to serve.
- (3) Accessory buildings and uses, including office facility as ancillary to the main use and parking and loading facilities.

### 135.2 Conditions of Use

- (1) All permitted uses shall be housed completely within an enclosed building except for permitted parking/loading and unloading facilities.
- (2) Landscaping shall be provided along lot lines to acceptable standards and in no case shall be less than 5 meters [16 feet] in width except for necessary vehicular access/egress points.
- (3) Car parking/loading and unloading facilities may be located within either front or rear yard setbacks; however no such facilities shall be located within the minimum 5 meter [16 feet] landscape strip specified.



## 135A MIXED STORAGE (SW-2) DISTRICT

This district provides for warehousing and for both open and closed storage for non-industrial purposes.

### 135A.1 Uses Permitted

- (1) Warehousing and closed storage.
- (2) Open storage for boats, trucks, trailers, campers and similar items, but excluding works yards and the storage of industrial products and industrial materials such as those permitted under the Industrial Open Storage (M-4) District.
- (3) One dwelling for a caretaker or watchman.
- (4) Accessory buildings and uses including an office facility ancillary to the main use and parking and loading facilities.

### 135A.2 Conditions of Use

- (1) Where any lot or part thereof is used or intended to be used as an open storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R, RM, A1 or A2 district or is separated by a lane therefrom, shall be screened to a minimum height of 2 meters (6.5 feet) and no items stored within 15.39 meters (50 feet) of the screen shall extend above such screening.

## 135B MIXED STORAGE (SW-2A) DISTRICT

This district provides for warehousing and for both open and closed storage for non-industrial purposes.

### 135B.1 Uses Permitted

- (1) Warehousing and closed storage.
- (2) Open storage for boats, trucks, trailers, campers and similar items, but excluding works yards and the storage of industrial products and industrial materials such as those permitted under the Industrial Open Storage (M-4) District.
- (3) One dwelling for a caretaker or watchman.
- (4) Accessory buildings and uses including an office facility ancillary to the main use and parking and loading facilities.

### 135B.2 Conditions of Use

- (1) Where any lot or part thereof is used or intended to be used as an open storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R, RM, A1 or A2 district or is separated by a lane therefrom, shall be screened to a minimum height of 2 meters (6.56 feet) and no items stored within 15.24 meters (50 feet) of the screen shall extend above such screening.

### 135B.3 Density

- (1) The minimum lot size shall be 1.0 hectare (2.47 acres) where the lot is serviced by an on-site well and septic system. The minimum lot size shall be reduced to 0.24 hectare (0.6 acre) where the lot is serviced by a community or communal water or sewer system.

## 136 HAZARDOUS MATERIAL STORAGE (M 5) DISTRICT

This district provides for the storage of environmentally hazardous materials, produced as by-products from industrial processes or used directly or indirectly in industrial processes, in isolation and off-site from the lands upon which such industrial processes are, in the main, conducted, under conditions placed to minimize conflicts with uses adjacent to and in proximity to any site so used:

### 136.1 Uses Permitted

- (1) The storage of hazardous or noxious materials including, but not limited to PCB contaminated oils or fluids, corrosive chemicals.
- (2) One guardroom facility on-site.
- (3) One caretaker accommodation on site.

### 136.2 Conditions of Use

- (1) No outside storage of any hazardous material or any container or thing in which such hazardous material is contained shall be permitted:
- (2) A hazardous material storage site shall be enclosed by a security fence no less than 2.4 meters [8 feet] in height constructed of chain link or similar material. The security fence shall contain one entrance only and the entrance shall be fitted with a security gate of no less than 2.4 meters [8 feet] and the security gate shall be constructed of chain link or similar material.
- (3) On any site so used, a gravelled or paved area shall be placed/constructed for a distance of not less than 9.14 meters [30 feet] from all sides of the storage facility constructed on the site;
- (4) Construction of such a storage facility shall include an impervious and sealed barrier constructed to such a height that it is capable of retaining 150% of the volume of material stored without external spillage occurring.
- (5) No hazardous material storage site shall be located within 1.5 kilometres [1 mile] of any 'R' District.
- (6) Any building in which hazardous material is stored or contained shall be constructed of bullet-proof material.

137 INDUSTRIAL FOUNDRY (M6) DISTRICT

This district provides for the operation of foundries.

137.1 Uses Permitted

- 1) Foundries
- 2) Accessory buildings and uses including office facilities as ancillary to the main use and parking and loading facilities and outside storage

137.2 Conditions of Use

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise, glare, nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion
- (2) Where any lot or any part thereof is used or intended as an outside storage area in a location which is not serviced by storm sewers, provision must be made for containment and treatment of run-off and approved by the Waste Management Branch of the Ministry of Environment.
- (3) Where a lot or any part thereof is used or intended to be used as an outside storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R or RM district or is separated by a lane therefrom, shall be screened and no material located within 15.39 meters [50 feet] of the screen shall be piled to extend above such screening.
- (4) Nothing shall be done which is not in accordance with the provisions of the Health Act

## 138 WASTE DISPOSAL (WD-2) DISTRICT

This District provides for waste disposal sites and similar uses operated by both private and public sectors and is intended to minimise conflicts with adjacent land uses.

### 138.1 Uses Permitted

- (1) Sanitary landfill sites, industrial landfill sites, waste disposal grounds, utility storage and similar uses.
- (2) One caretaker accommodation on site.
- (3) Accessory buildings and uses.

### 138.2 Conditions of Use

- (1) Nothing shall be done in any part of this district within 60 meters [197 feet] of any other district, recreation area, public roadway or navigable waterway, which is or will become a nuisance or reduce enjoyment of the use of surroundings land. The use and operation being proposed is to be conducted so it will not cause nor permit any objectionable or dangerous conditions outside the property, including but not limited to:

Noise, vibration, dust, smoke and other kinds of particulate matter, odour, toxic and noxious matter, fire and explosive hazard, heat, humidity and glare

- (2) Operation of a sanitary landfill, industrial landfill or waste disposal site or similar use shall also be subject to the operator holding a valid permit from the Waste Management Branch of the Ministry of Environment and/or any other authority having jurisdiction.

139 SAWMILL (M 7) DISTRICT

139.1 Uses Permitted

- (1) One sawmill on permanent foundations or one portable sawmill per legal parcel.
- (2) One mobile home for the purpose of housing a caretaker or watchman.
- (3) Accessory Buildings and Uses for both Industrial and Residential purposes.

139.2 Conditions of Use

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall any thing be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (2) Where a lot or any part thereof is used or intended to be used as an outside storage area, that portion of such storage area which fronts upon or adjoins a public street, a lot in an R or RM district or is separated by a lane therefrom, shall be screened and no material located within 15.39 meters [50 feet] of the screen shall be piled to extend above such screening. Required front screening shall be so situated so as to conform with the front yard setback provisions.

## 140 GRAVEL EXTRACTION (M 8) DISTRICT

The intent of this district is to provide for small to medium scale natural resource extraction compatible with agricultural and forestry uses in rural areas.

### 140.1 Uses Permitted

1. Extraction of sand and gravel and similar natural resources, including screening and crushing as secondary uses on an intermittent basis, but excluding other processing incidental to such operations.
2. Accessory Buildings for office, workshop or storage purposes.
3. Caretaker Accommodation, subject to the conditions of Section 6.8 .

### 140.2 Conditions of Use

1. Nothing shall be done in any part of this district within 30 metres (98.4 feet) of any other district, recreation area, public roadway or navigable waterway which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise or glare nor shall anything be done which causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
2. A buffer with a minimum depth of five metres shall be maintained around all areas of excavation, with the exception of points of access and egress. Buffers shall be vegetated and planted and bermed where necessary to screen the site from roads and adjoining properties.

141 INSTITUTIONAL DISTRICT (P 1)

This District provides for the proper location and regulation of religious, fraternal, private educational, and private hospital facilities in the community.

141.1 Uses Permitted:

- (1) Cemeteries and crematoria, provided that no part of any crematorium building shall be located at a lesser distance than 30.18 meters [100 feet] from any street or lot line.
- (2) Children's Institutions.
- (3) Hospitals.
- (4) Institutions of a religious, fraternal, philanthropic or charitable nature including clubs and lodges, church camps and retreats.
- (5) Kindergartens.
- (6) Private and parochial schools.
- (7) Rest homes and private hospitals.
- (8) Dormitory units, or groups of dormitory units provided they are located on the same lot and serve a children's institution, hospital, rest home or private hospital, or school or church camp or universities and similar educational establishments.
- (9) Dwellings or dwelling units, provided they are located on the same lot as, and serve a rest home or private hospital or universities and similar educational establishments.
- (10) A dwelling or a dwelling unit for a minister, caretaker or watchman provided that such dwelling or dwelling unit is located on the same lot as the institution which it serves.
- (11) Accessory buildings and uses.
- (12) Child and Family Daycare Centres.
- (13) Universities and similar educational establishments.
- (14) One Single Family Dwelling per legal lot.



This District provides for the location and development of administration, cultural, educational, governmental, recreational and other related services and facilities which serve the community.

142.1 Uses Permitted:

- (1) Assembly, cultural and recreational facilities, including armouries, art galleries, auditoriums, bowling greens, community centres, cultural centres (art, drama and music), curling rinks, gymnasiums, meeting halls, museums, public libraries, skating rinks and arenas, stadiums, swimming pools and tennis courts and historic sites
- (2) Fair grounds.
- (3) The following Health and Welfare Services, which may be operated privately:
  - (a) Clinic, operated by physicians in group practice
  - (b) Diagnostic and therapeutic Services
  - (c) Miscellaneous Health Services.
- (4) Hospitals, public.
- (5) Parking and boat mooring areas and facilities, as a principal use.
- (6) Post Office.
- (7) Public Administration and Defence, offices.
- (8) Public parks and playgrounds.
- (9) Public schools.
- (10) Public services and utilities including: electric power stations and installations, fire halls, police stations, pounds, sewage disposal facilities, telegraph and cable systems, telephone exchanges, utility storage, waste disposal, works yards and similar uses.
- (11) A dwelling or dwelling unit for a caretaker, watchman or other persons similarly employed, when considered to be essential to the operation of the facility.
- (12) Accessory buildings and uses.
- (13) Permanent and/or seasonal accommodation for employees of public parks, public schools and similar institutional uses.
- (14) One Single Family Dwelling per legal lot.
- (15) Campgrounds located on land owned by a public agency.

This District provides for seasonal recreational use. It is intended that lands in this District be located in proximity to the ocean or ocean inlets. It is further intended that the use of land in this District be of a nature that requires a minimum of infrastructure. Water supply and sewage disposal is to be provided by property owners in accordance with provincial enactments. The Regional District shall not supply or be responsible for the supply or provision of any services including water supply, sewer, telephone, power, gas or fire protection or school transportation services on lands so zoned. No person shall use any lot or construct or use any building except in accordance with the following:

143.1 Uses Permitted

143.1(1) Seasonal recreational use.

143.1(2) Common use facilities.

143.1(3) Accessory uses in accordance with Section 143.3.

143.2 Conditions of Use

143.2(1) Seasonal recreational use shall be limited to not more than 180 days in one calendar year, regardless of whether the use is continuous or intermittent;

143.2(2) "Common use facilities" means:

- a) structures required to contain fire, emergency or garbage collection equipment or community centre social activities;
- b) screened compounds for the storage of recreational vehicles, boats or boat trailers;
- c) gazebos and/or barbecue and picnic shelters and pits;
- d) boat launch facilities;
- e) common recreational facilities such as playing fields and tennis courts;
- f) common washroom/toilet facilities subject to formal approval of sewage disposal method by the Ministry of Health or by the Ministry of Water, Land and Air Protection;
- g) public parking areas; and
- h) covered storage facilities within compounds outlined in (2)(b) above.

143.3 Accessory Uses

(1) The following accessory uses are permitted in this zoning district:

- a) one (1) storage building having a maximum floor area of 160 square feet (14.86 square metres) and not exceeding a height of 12 feet (3.66 metres).
- b) one (1) common services building having a maximum floor area of 25 square feet (2.32 square metres).

(2) In addition to the uses permitted under 143.3(1), land within this zoning district may be used for one (1) of the following accessory use options:

- a) trailer/portico accessory use; or
- b) cabin accessory use.

(3) For the purposes of this section:

- a) "Portico accessory use" means:
  - i) parking of not more than three vehicles one of which may be a recreation vehicle; and
  - ii) one (1) portico, being a structure having a ground cover not exceeding a maximum 420 square feet (39.01 square metres) or the area of any permitted recreational trailer or travel trailer placed on site;
  - iii) a deck or decks with a maximum combined horizontal area of 1000 square feet.

- b) "Cabin accessory use" means:
- i) parking of not more than two (2) vehicles;
  - ii) in the case of a lot having a lot area greater than 6000 square feet (557.41 square metres), a cabin not exceeding 560 square feet (52.02 square metres) in floor area;
  - iii) in the case of a lot having a lot area greater than 9400 square feet (873.29 square metres), a cabin not exceeding 768 square feet (71.35 square metres);
  - iv) a deck or decks with a maximum combined horizontal area of 1000 square feet (92.9 square metres) and one porch with a maximum horizontal area of 240 square feet (22.3 square metres).
- c) "Ground cover" means the total of the gross horizontal area of land covered by a portico permitted under Section 143.3(2)(a) measured in relation to the point on the ground directly below the outermost perimeter of the portico;
- d) "Height" means the vertical distance between the topmost part of the structure to average natural grade taken within 3 feet (0.9 metres) around the perimeter of the base of the building or structure.
- e) "Deck" means a structure abutting a dwelling, with no roof or walls except for visual partitions and railings which is constructed on piers or foundations above-grade for use as an outdoor living area.
- f) "Porch" means a structure abutting a dwelling, having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof except for removable screens.
- (4) For certainty, a trailer/portico accessory use and a cabin accessory use are not permitted on the same parcel and one (1) recreational or travel trailer may only be stored on a lot where an owner does not use the lot for a cabin accessory use.
- (5) A portico permitted under Section 143.3:
- i) shall not exceed 420 square feet (39.01 square metres) of ground cover;
  - ii) shall be freestanding;
  - iii) shall not be used for storage of any kind, including storage of firewood, household goods;
  - iv) shall not exceed the lesser of 18 feet in height (5.53 metres) or the height of a permitted recreational (or travel) trailer plus 3 feet (0.9 metres);
  - v) shall be post and beam construction and open ended on all sides; and
  - vi) may be constructed upon permanent foundations or provide tie downs for a permitted recreational (or travel) trailer.
- (6) No person shall construct or cause to be constructed on any lot within this zoning district any foundations other than foundations for buildings or structures permitted under the following:
- a) a type of common use facility referred to in Section 143.2(2)(a), (b), (e), (f) or (h);
  - b) a storage building referred to in Section 143.3(1)(a);
  - c) a common services building referred to in Section 143.3(1)(b);
  - d) a portico referred to in Section 143.3(2)(a); and
  - e) a cabin referred to in Section 143.3(2)(b).
- (7) A building or structure permitted under Section 143.2 or 143.3 shall not be constructed within:
- i) 20 feet (6.096 metres) of any front or rear lot line; or
  - ii) within 10 feet (3.04 metres) of any side lot line,
- except for a common services building referred to in Section 143.3(1)(b) where such building is not less than 3.25 feet (1.0 metre) from all lot lines.
- (8) For certainty:
- a) Sections 6.5 and 6.7 of Zoning Bylaw 15 do not apply to this zoning district;

- b) common services buildings are the only buildings that may be placed within front yards within this zoning district.
- (9) A common use facility permitted under Section 143.2(2), a storage building referred to in Section 143.3(1)(a) or a common services building referred to in Section 143.3(1)(b) shall not:
  - i) exceed one (1) storey or 12 feet (3.66 metres) in height; or
  - ii) be used for any type of human accommodation or human occupancy.
- (10) A cabin erected as a "cabin accessory use" shall not exceed one and one-half (1½) storeys or 18 feet (5.53 metres) in height.

#### 143.4 Density

The maximum density of use and development permitted shall be limited to:

- a) one (1) family;
- b) one (1) recreational trailer or travel trailer or one (1) single cabin; or
- c) two (2) vehicle parking spaces, except as permitted under Section 143.3(2)(a) and Section 143.3(3)(a)(i) where three (3) such spaces are permitted;

per parcel.

#### 143.5 Definitions and General Conditions

- (1) For the purposes of this zoning district the following words have the following meaning:

"Family" means one or more persons related by blood or marriage or common law marriage or a group of not more than 3 unrelated persons living together as a single housekeeping unit. Family also includes domestic servants or not more than 2 (two) roomers/boarders.

"Seasonal Recreational Use" means periodic non-permanent use for seasonal vacations and recreational purposes and not as the principal residence of the owners or occupiers of the lot.

"Common services building" means an enclosed service building containing elements of infrastructure that are appropriate on the lot, including but not limited to common generator equipment and common battery banks and photo voltaics apparatus and geothermal heat exchange systems and equipment:

"Half storey" means a habitable space or loft constructed above the first floor (or main floor) level within the roof space used exclusively for sleeping purposes and limited in total floor area to no more than 50% of permitted cabin floor area, on the first or main floor level.

- (2) All compounds for recreational vehicle storage and boat/boat trailer storage must be enclosed by a fence, not exceeding 2 metres [6 foot 6 inches] in height, except for necessary access and egress points, gated appropriately.
- (3) No individual or collective pressurized water system is permitted serving any trailer or travel trailer or any other facility or accessory building or any group of such within the development;
- (4) For the purpose of Section 143.5(3), a pressurized water supply/system shall include all forms of water distribution through pipe or conduit by use of a motor driven pump or pressure head excluding that contained within a trailer or travel trailer as an integral component or similar systems used within cabins permitted under Section 143.3(2)(b) and excluding internally sited gravity feed systems;

"Common" wells only shall be permitted under the following conditions;

- a) restricted to hand pump activating mechanisms only; and
- b) limited and restricted to one common well per block or per group of 20 lots maximum."

- (5) Despite Section 143.3(1)(b), the floor area of a common services building that contains works providing services to more than one lot may be increased by 25 square feet (2.32 square metres) for each lot serviced by the building, to a maximum of 160 square feet (14.86 square metres).

151 WATERFRONT CONSERVATION DISTRICT (W 1)

This District provides:

- i) for the protection and conservation of those portions of sea coast, lake shore, and river or creek banks that are considered to be best retained close to their natural state;
- ii) for the protection of aquatic lands and foreshore lands covered by water, either tidal or non-tidal by limiting uses legally permitted within/on such lands and related to or on the water surface.

151.1 Uses Permitted:

Uses permitted on those parts of this district located within an upland area:

- (1) Parks, playgrounds, campgrounds and recreational facilities operated by Municipal or other Governmental authorities only;
- (2) Yards accessory to residential use;
- (3) Passive and amenity open space and landscaping;

Uses permitted on those parts of this district located within an intertidal area:

- (4) Navigational aids;
- (5) Fisheries Management and Environmental Protection Activities;
- (6) Accessory riparian uses including private dock/wharf facilities for accessory residential use purposes only;
- (7) Marine transportation and Water Recreation Uses.

151.2 Conditions of Use:

- (1) "Natural Boundary" means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, and vegetation, as well in the nature of the soil itself.
- (2) "Upland" means land located, or lying higher or above the natural boundary of a body of water.
- (3) Any camping use permitted within this district shall be limited to a maximum of five consecutive days per individual or per family unit in a tent, trailer or camper/recreation vehicle.

## 152 WATERFRONT RESIDENTIAL DISTRICT (W 2)

This District provides for restrictions and minimum standards governing areas where the surface of water is used for residential purposes and where on-shore facilities are provided relative to waterfront residential uses.

### 152.1 Uses Permitted:

- (1) Houseboats or float houses.
- (2) Temporary or seasonal residence on a boat or vessel.

### 152.2 Conditions of Use:

- (1) For each group of houseboats or float houses and for each location where boats or vessels are wharfed for temporary or seasonal residence the following on-shore facilities shall be provided as a minimum in separate rooms: for females - two water-closets, two wash basins, and one bathtub or shower; for males - one urinal and one water-closet and two wash-basins and one bathtub or shower.
- (2) Minimum mooring area for a house-boat or float house shall be 185.806 square meters [2,000 square feet].
- (3) Minimum distance between the sides or ends of adjacent houseboats or float houses shall be 3.048 meters [10 meters].
- (4) At least one side of each houseboat or float house shall abut open water at least 12.192 meters [40 feet] wide and open continuously to navigable waters.
- (5) For each houseboat or float house there shall be provided one off-street parking space within a distance of 182.88 meters [600 feet].
- (6) Each houseboat or float house shall be serviced by a sanitary sewer which shall be connected to a municipal sanitary sewer unless a permit for the installation of a septic tank on an adjoining land lot has been obtained from the Health Authority and such permit shall not be issued unless the topography, usable area for sewage control, and surface drainage of the lot will permit the satisfactory operation of a septic tank.

This District provides for the accommodation of a broad range of commercial enterprises primarily oriented to water users and water traffic.

154.1 Uses Permitted:

- (1) Boat rental operations including temporary boat storage.
- (2) Restaurants and the like (excluding drive-in business).
- (3) Commercial mooring facilities or marinas.
- (4) Docks, wharves, and floats for the use of water taxis, ferries, float planes and amphibious vessels.
- (5) Marine fuelling operations provided that these shall be located not less than 60.96 meters [200 feet] from any residence or from any R or W 2 district.
- (6) Marine-oriented clubs such as yacht clubs.
- (7) Retail sale of live or fresh fish including shellfish.
- (8) Retail sale of fishing supplies, live or fresh bait, and other marine equipment.
- (9) Private floats and wharves necessary for practical access by boats to commercial enterprises primarily oriented to water uses and water traffic.
- (10) Dredging operations necessary for the construction, or maintenance of the above uses.
- (11) Permanent residence on one boat or vessel by one member or employee of a yacht club, or a proprietor or employee of any other use permitted within this District for purposes of security and fire protection.
- (12) Temporary or seasonal residence on a boat or vessel for commercial fishing purposes, provided that the vessel is wharfed at a location where the following on-shore facilities are provided as a minimum in separate rooms; one urinal and one water-closet and two wash-basins and one bathtub or shower.

154.2 Conditions of Use:

- (1) All structures and floats shall be set back at least 3.048 meters [10 feet] within the boundaries of a water lease or licence of occupation granted or approved by the Department of Lands, Forest and Water Resources.
- (2) Retail activities permitted in this District shall take place primarily within a building or structure.
- (3) No boatbuilding or commercial repair business shall be conducted in this District.
- (4) No boathouses or boat shelters shall be permitted in this zone; provided, however, that this restriction shall not be deemed to apply to floating boat shelters which in addition to complying with the foregoing provisions of this Section shall also conform to the following regulations:
  - (i) Where more than one floating boat shelter is permitted, all floating boat shelters shall be planned, erected, and constructed in groups of not less than 3 (nor more than 8) together and the component units of such groupings shall be a uniform length and height; provided further that a space of not less than 24.384 meters [80 feet] shall be maintained between the sides of a boat shelter groupings where there is a total of 9 or more floating boat shelters in line with each other;
  - (ii) No floating boat shelter shall exceed a maximum height of 4.876 meters [16 feet] above the surface of the water nor shall any boat shelter exceed a maximum length of 13.716 meters [45 feet].
  - (iii) All floating boat shelters shall be of permanent construction.



155 WATERFRONT INDUSTRIAL DISTRICT (W 5)

This District provides for the accommodation of industries that are related to the fishing industry, marine transportation, shipbuilding and maintenance.

155.1 Uses Permitted

- (1) Marine fuelling.
- (2) Mooring or wharfing of commercial vessels.
- (3) Repair and maintenance shops oriented to marine use and water traffic.
- (4) Shipbuilding, boatbuilding and repair.
- (5) Warehouses, works yards, storage and loading facilities oriented to marine use and water traffic.
- (6) Fish Products Industry, except reduction, oil extracting, or the processing or storage of offal.

155.2 Conditions of Use:

- (1) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise or glare, nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.

This district provides for marine fuel outlets and moorage, primarily in isolated locations.

156.1 Uses Permitted:

- (1) Marine fuelling operations.
- (2) Commercial mooring facilities.
- (3) Docks, wharves and floats for the use of water taxis, ferries, float planes and amphibious vessels.
- (4) Private floats and wharves necessary for practical access by boats to commercial enterprises primarily oriented to water uses and water traffic.

156.2 Conditions of Use:

- (1) Marine fuelling operations shall be located not less than 60.96 metres (200 feet) from any residence or from any R or W-2 district.
- (2) All structures and floats shall be set back at least 3.048 metres (10 feet) within the boundaries of a water lease or licence of occupation granted or approved by the Ministry of Crown Lands or the Port Alberni Harbour Commission.
- (3) No boathouses or boat shelters shall be permitted in this zone; provided, however, that this restriction shall not be deemed to apply to floating boat shelters which shall conform to the following regulations:
  - (i) Where more than one floating boat shelter is permitted, all floating boat shelters shall be planned, erected and constructed in groups of not less than three (nor more than eight) together, and the component units of such groupings shall be a uniform length and height; provided further that a space of not less than 24.384 metre (80 feet) shall be maintained between the sides of boat shelter grouping where there is a total of nine or more floating boat shelters in line with each other.
  - (ii) No floating boat shelter shall exceed a maximum height of 4.876 metres (16 feet) above the surface of the water nor shall any boat shelter exceed a maximum length of 13.716 metres (45 feet).
  - (iii) All floating boat shelters shall be of permanent construction.

157 MARINA (MAR1) DISTRICT

This district provides for a limited range of commercial services oriented to water users and water traffic in vessels subject to conditions.

157.1 Uses Permitted

The following uses and no others are permitted in this zone :

- (1) Marina Use

157.2 Conditions of Use

- (1) No floating shelter for watercraft/vessels shall exceed a maximum height of 3.658 metres (12 feet) above the surface of the water nor shall any such shelter exceed a maximum length of 7.620 metres (25 feet).
- (2) Marine fueling operations shall be located not less than 60.96 metres (200 feet) from any residence or from any A, R, RA, RMH, P or W-2 district.
- (3) Pump-out facilities for sewage disposal shall be located not less than 30.48 metres (100 feet) from any residence or from any residential zoning district.
- (4) Maximum collective retail commercial use floor area is 186 square metres (2,000 square feet)

158 WATERFRONT (WF1) DISTRICT

This district provides primarily for water based recreational activities and foreshore uses accessory to adjoining residential uses.

158.1 Uses Permitted

The following uses and no others are permitted in this district :

- (1) Marine Transportation
- (2) Navigational aids
- (3) Water recreation use
- (4) Accessory riparian use
- (5) Private float plane moorage, taxiing, take-off and alighting
- (6) Water bomber moorage, taxiing, take-off and alighting
- (7) Activities ordinarily incidental to fisheries management and environmental protection
- (8) Pumping stations, pressure reducing stations and similar uses up to a maximum area of 0.2 hectares (0.5 acres)
- (9) Dock facilities accessory to uses specified in (1) to (8) above.

158.2 Conditions of Use

- (1) No floating shelter for watercraft shall exceed a maximum height of 3.658 metres (12 feet) above the surface of the water nor shall any such shelter exceed a maximum length of 7.620 metres (25 feet).
- (2) Notwithstanding 158.1 (1) - (9) above, permanent or seasonal residential use and transient commercial overnight accommodation in a vessel or watercraft or float home is not permitted within this district.

Notwithstanding 158.1(1) to (9) above, moorage of float homes is not permitted within this District.

159 WATERFRONT (WF2) DISTRICT

This district provides primarily for a wide range of water based recreational activities and foreshore accessory uses

159.1 Uses Permitted

The following uses and no others are permitted in this district :

- (1) Boat/Vessel or watercraft and Float Plane navigation
- (2) Navigational aids
- (3) Water recreation use
- (4) Seasonal residential use or transient commercial overnight accommodation on a vessel, float home or similar craft
- (5) Watercraft/Boat moorage as a principal use.
- (6) Private float plane moorage, taxiing, take-off and alighting
- (7) Water bomber moorage, taxiing, take-off and alighting
- (8) Activities ordinarily incidental to fisheries management and environmental protection
- (9) Pumping stations, pressure reducing stations and similar uses up to a maximum area of 0.2 hectares (0.5 acres).

159.2 Conditions of Use

- (1) No floating shelter for watercraft shall exceed a maximum height of 3.658 metres (12 feet) above the surface of the water nor shall any such shelter exceed a maximum length of 7.620 metres (25 feet).
- (2) For clarity, "Water Recreation Use" within this district will include transient commercial overnight accommodation on a vessel or watercraft.
- (3) In this zone transient commercial accommodation on a vessel or watercraft shall be limited to a maximum of 7 consecutive days per individual or per family unit.

160 MARINA TWO (MAR2) DISTRICT

This district provides for a range of commercial services oriented to water users and water traffic in vessels with uses more limited than the Marina (MAR1) District.

160.1 Uses Permitted

Subject to Section 160.2, the following uses and no others are permitted in this zone:

- (1) Marina Use

160.2 Float Home Use Not Permitted

The moorage of float homes and transient overnight accommodation in float homes are not permitted uses in this District.

160.3 Conditions of Use

- (1) No floating shelter for watercraft/vessels shall exceed a maximum height of 3.659 meters (12 feet) above the surface of the water nor shall any such shelter exceed a maximum length of 7.620 meters (25 feet).
- (2) Marine fueling operations shall be located not less than 60.96 meters (200 feet) from any residence or from any A, R, RA, RMH, P or W2 District;
- (3) Pump-out facilities for sewage disposal shall be located not less than 30.48 meters (100 feet) from any residence or from any residential zoning district.
- (4) Maximum collective retail commercial use floor area is 186 square meters (2,000 square feet);

## 161 COMPREHENSIVE DEVELOPMENT (CD1) DISTRICT

This zone provides for a mix of land uses including residential, commercial and recreational use with much of the development incorporated into the natural setting. The zone is developed into sub-zones CD1A, CD1B, CD1C and CD1D.

### 161.1 Overall Maximum Density Permitted

As determined by sewage disposal and potable water supply limitations, the maximum density permitted shall not exceed 8 units of either dwelling units or units for other accommodations per hectare of total land area being developed. For the purposes of this section, the following shall be equivalent to one dwelling unit:

- i) One (1) cottage.
- ii) Four (4) camping sites or recreational vehicle spaces within a campground.

For clarity, the total land area calculated to determine the maximum overall density does not include the lakebed within the foreshore of Great Central Lake or the lakebed of Boot Lagoon.

### 161.2 Definitions Specific to the CD1 District

"Cottage" means a single family dwelling built upon a continuous foundations where each unit is occupied as a secondary, vacation or recreation home. The maximum floor area of each cottage dwelling unit is 150 square metres and the minimum floor area is 30 square metres.

### 161.3 Application to Strata Plan Developments

For greater clarity, a lot within the CD1 District zone includes a strata plan.

### 161.4 Cottage and Campground sub-zone (CD1A)

This sub-zone is designed for tourists and recreation seekers interested in fishing and convenient access to the waterfront. Main uses include cottages and campgrounds. This area is intended for seasonal dwellings designed to accommodate families and individuals along with some supporting commercial or recreational uses for those maintaining permanent residence elsewhere.

#### 161.4.1 Permitted Principal Uses

- (1) One (1) cottage per lot
- (2) Lodge, motel and motor hotel, having a combined floor area of not greater than 6,000 square metres
- (3) Project sales and management office
- (4) Tourist guide service
- (5) Marina use
- (6) Campgrounds with ancillary common-use facilities
- (7) Parks and playgrounds
- (8) Recreation equipment and recreation vehicle sales, repair and construction
- (9) Boat launch facilities
- (10) Restaurants and the like
- (11) Retail use for the sale of general merchandise and liquor
- (12) Closed storage and warehousing
- (13) Open storage for boats, trailers, campers and similar items

#### 161.4.2 Permitted Accessory Uses

- (1) Marine repair and construction
- (2) Parking areas
- (3) Campground common-use facilities and structures
- (4) Fuel dock
- (5) Accessory buildings and uses

#### 161.4.3 Conditions of Use

- (1) There shall be no more than one (1) motel or motor hotel in the CD1 zone.
- (2) There shall be no more than 190 camping sites in the CD1A sub-zone.
- (3) There shall be no more than 100 closed storage and warehousing units in the CD1A sub-zone.
- (4) There shall be no more than 50 open storage units for boats, trailers, campers and similar items in the CD1A sub-zone.
- (5) Within the CD1A sub-zone campground common-use facilities include structures required to contain fire, emergency or garbage collection equipment, clubhouse, gazebos, barbecues, picnic shelters, common meeting areas, recreational areas, convenience store, laundry facilities, washrooms, swimming pool, mini golf course.
- (6) Each campsite in a campground is permitted one (1) accessory building not to exceed 10 square metres in floor area and 4 metres in building height.

#### 161.4.4 Lot Development Regulations

Minimum lot area for single-family cottage	600 m <sup>2</sup>
Minimum lot area for campground	1.0 ha
Minimum lot area for other uses	600 m <sup>2</sup>
Maximum lot coverage for lot containing a restaurant, general merchandise store and liquor store	60%
Maximum lot coverage for lot containing all other buildings or structures except for campgrounds, where lot coverage does not apply	35%
Minimum front setback for principal buildings	7.5 m
Minimum rear setback for principal buildings	4 m
Minimum side setback for principal buildings	1.5 m
Minimum front setback for accessory buildings	5 m
Minimum rear and side setback for accessory buildings	1 m
Minimum setback from natural boundary of a water body, if the use has a water orientation and the development proposed is supported by an environmental impact study	0 m
Minimum setback from natural boundary of a water body where not supported by an impact study	15 m
Maximum height of cottages	7.5 m
Maximum height of motel and motor hotel	12.5 m
Maximum height of all other buildings	10 m

#### 161.5 Marine Centre sub-zone (CD1B)

This sub-zone provides for uses that serve as a resort area community centre, providing a range of day-to-day services for those on retreats or vacations. This sub-zone provides convenient access to the waterfront.

##### 161.5.1 Permitted Principal Uses

- (1) Marina use
- (2) Food stores that may contain dwelling units above the main floor, where a maximum of one dwelling unit may be used as a year-round residence
- (3) General merchandise buildings that may contain dwelling units above the main floor, where a maximum of one dwelling unit may be used as a year-round residence
- (4) Dry-cleaners and self-service laundries
- (5) Restaurants and the like, but excluding establishments primarily engaged in preparing food specialties for off-premises consumption and excluding drive-in business
- (6) Tourist guide centres
- (7) Liquor stores
- (8) Gasoline service station
- (9) Resort offices
- (10) Interpretation centre
- (11) Float homes to a maximum of 54, where sewage disposal is provided
- (12) Boat launch facilities
- (13) Parks and playgrounds
- (14) Conference centre
- (15) Motel and motor hotel, having a floor area of not greater than 4,000 square metres



161.5.2 Permitted Accessory Uses

- (1) Parking areas
- (2) Accessory buildings and uses

161.5.3 Conditions of Use

- (1) There shall be no more than one (1) motel or motor hotel in the CD1 zone.

161.5.4 Lot Development Regulations

Minimum lot area (excluding float home site)	600 m <sup>2</sup>
Maximum lot coverage (excluding float home site)	35%
Maximum floor area ratio for all of area CD1B	0.45
Minimum front setback for principal buildings (excluding float home site)	5 m
Minimum rear setback for principal buildings (excluding float home site)	4 m
Minimum side setback for principal buildings (excluding float home site)	1.5 m
Minimum rear and side setbacks for accessory buildings	1 m
Minimum setback from natural boundary of a water body, if the use has a water orientation and the development proposed is supported by an environmental impact study	0 m
Minimum setback from natural boundary of a water body where not supported by an impact study	15 m
Maximum height above the surface of the water for float homes	8 m
Maximum height of all other buildings	10 m

161.6 Residential Resort Neighbourhood sub-zone (CD1C)

This sub-zone provides for residential resort accommodation in an aesthetic neighbourhood-like setting with convenient access to the waterfront. Dwelling units in this sub-zone are intended for either seasonal occupation or permanent residency.

161.6.1 Permitted Principal Uses

- (1) Residential use
- (2) Community centre building
- (3) Parks and playgrounds
- (4) Marina use
- (5) Restaurants and the like
- (6) Retail use for the sale of general merchandise and liquor

161.6.2 Permitted Accessory Uses

- (1) Daycare or nursery accessory to a residence or community centre
- (2) Parking areas
- (3) Accessory buildings and uses

161.6.3 Conditions of Use

- (1) Residential use in this sub-zone may take the form of single-family dwellings or multiple-family dwellings.
- (2) Parking must be provided on the same lot on which the use that generates the parking is carried on.
- (3) The Regional Board may consider a variance to the requirement of providing parking on the same lot where the owner can provide the required parking spaces on another lot (the second lot) if the parking spaces are located within 150 metres of the nearest point of the building or structure in which the use occurs and if such parking is secured by a covenant under Section 219 of the Land Title Act in favour of the Regional District, reserving the use of an area on the second lot separately from the land on which the use that generates the parking is carried on.

Minimum lot area for single-family dwelling	600 m <sup>2</sup>
Minimum lot area for multiple-family dwelling	900 m <sup>2</sup>
Minimum lot area for community centre	100 m <sup>2</sup>
Maximum lot coverage for lot containing single-family dwelling	35%
Maximum lot coverage for lot containing multiple-family dwelling	50%
Maximum lot coverage for lot containing community centre	50%
Maximum floor area ratio for multiple-family dwelling	0.5
Minimum front setback	7.5 m
Minimum rear setback for all principal buildings	4 m
Minimum rear and side setbacks for accessory buildings	1 m
Minimum side setback for all principal buildings	1.5 m
Minimum setback from natural boundary of a water body, if the use has a water orientation and the development proposed is supported by an environmental impact study	0 m
Minimum setback from natural boundary of a water body where not supported by an impact study	15 m
Maximum height of single family dwellings	10 m
Maximum height of multiple-family dwellings	12.5 m

## 161.7 Float Home Upland Community sub-zone (CD1D)

This sub-zone is primarily intended for upland passive uses to support the waterfront float home community.

## 161.7.1 Permitted Principal Uses

- (1) Amenities building that may contain one (1) dwelling unit above the main floor which may be used as a year-round caretaker residence
- (2) Common-use facilities to support the waterfront float home development
- (3) Landings to provide access to float homes
- (4) Pathways to provide access to float homes
- (5) Parks and trails
- (6) Open space

## 161.7.2 Permitted Accessory Uses

- (1) Parking and loading areas
- (2) Accessory buildings and uses

## 161.7.3 Conditions of Use

- (1) There shall be no residential use within the CD1D sub-zone except for one (1) dwelling unit located above the main floor of the amenities building which may be used as a year-round caretaker residence.
- (2) Within the CD1D sub-zone the amenities building includes a clubhouse, washroom and laundry facilities and common-use facilities including structures required to contain fire, emergency or garbage collection equipment, barbeques, picnic shelters, common meeting areas, and recreational areas.

## 161.7.4 Lot Development Regulations

Minimum lot area for all uses	1 hectare
Maximum lot coverage	2%
Minimum front setback	5 m
Minimum rear setback for all principal buildings	4 m
Minimum rear and side setbacks for accessory buildings	1 m
Minimum side setback for all principal buildings	1.5 m

Minimum setback from natural boundary of a water body, if the use has a water orientation and the development proposed is supported by an environmental impact study	0 m
Minimum setback from natural boundary of a water body where not supported by an impact study	15 m
Maximum height of amenities building	10 m

This district provides for lower density development in a less accessible location, intended to provide for a mix of land uses including residential, tourist commercial, and recreational uses without the provision of water, sewer, sewage disposal, drainage or fire protection services by the Regional District. The natural setting and environmental features will be incorporated into the development through density averaging and clustering. The district will be divided into sub areas.

#### 162.1 Definitions

In this zone:

"Cabin" means a dwelling unit built upon a continuous or permanent foundation where each unit is occupied as a secondary, vacation, or recreational home.

"Communal Sewage Disposal" means a common sewer or system of sewerage or sewage disposal that services multiple lots.

"Communal Water System" means a common system of water works that services multiple lots.

"Lodge" means a tourist establishment containing four or more suites served by a common entrance and which may have additional separate entrances directly from outside the building. Accessory uses may include accommodations for staff, one or more dining rooms, and recreational facilities for use by the guests.

"Open Space" means an area consisting largely of open space, which may include communal water systems, communal sewage disposal systems, roads, trails, transmission lines, recreational areas, natural areas, play grounds, play fields or similar uses and but does not include a campground.

"Residential Unit" means a single family dwelling.

#### 162.2 Permitted Uses

- (1) One (1) Single Family Dwelling per lot,
- (2) Cabins,
- (3) Lodges,
- (4) One R.V. campground with a maximum of 30 sites,
- (5) Accessory or service buildings and uses including staff accommodations,
- (6) Open space uses, and
- (7) The uses of land permitted under this section are permitted only in the sub areas as shown on Schedule "A" in accordance with Tables 1 and 2.

#### 162.3 Density

- (1) Number of Dwelling Units
  - (a) The density of use shall not exceed 1.25 residential units per two (2) hectares over the entire area included in this zone.
  - (b) Four (4) cabins, eight (8) bedrooms in a lodge, or six (6) R.V. campground sites are considered one (1) residential unit.
  - (c) For the purposes of calculating permitted gross density, 70% of the residential unit equivalent is to be comprised of "single family dwellings".
  - (d) If the owner of the land provides and maintains the amenities set out in section 162.7, the number of permitted dwelling units may be increased to the densities specified in section 162.8(2).
- (2) Lot Coverage
  - (a) Lot coverage of all buildings and structures may not exceed 20%.

#### 162.4 Dimensions of Buildings and Structures

##### (1) Maximum Dimensions

No Single Family Dwelling constructed under section 162.2(1) shall exceed the following:

- (a) height 9 meters (29 feet)
- (b) total floor area 278.7 square meters (3000 square feet)

No Cabin constructed under section 162.2(2) shall exceed the following:

- (a) height 9 meters (29 feet)
- (b) total floor area 139.4 square meters (1500 square feet)

No Lodge constructed under section 162.2(3) shall exceed the following:

- (a) height 9 meters (29 feet)
- (b) building footprint area 1100 square meters (11, 840 square feet)

No accessory building or structure to a principal building under section 162.2(5) shall exceed the following:

- (a) height 4.6 meters (15 feet) and one (1) storey
- (b) total floor area 65 square meters (700 square feet)

##### (2) Minimum Dimensions Residential

- (a) No Single Family Dwelling constructed under section 162.2(1) shall have a floor area less than 65 square meters (700 square feet).
- (b) No Single Family Dwelling shall have a width less than 4.9 meters (16 feet).

#### 162.5 Minimum Lot Dimensions

- (1) For lots not serviced by communal water supply and communal sewage disposal, the minimum lot area is two (2) hectares (five acres).
- (2) For lots serviced by communal water supply and communal sewage disposal, the minimum parcel lot area is 0.404 hectares (one acre).
- (3) For individual R.V. sites serviced by a communal water supply and a communal sewage disposal, the minimum site area is 500 square meters (5382 square feet).
- (4) Cabins may be clustered providing the minimum lot size is two (2) hectares (five acres).

#### 162.6 Setbacks

A person must not build or place any building or structure within the areas listed below:

	Natural Boundary	Another Building	Lot or Strata Lot Boundary
Principal Building	30 meters	5 meters	5 meters
Accessory Building	30 meters	5 meters	5 meters

Where more than one of the above setback requirements are applicable, the owner shall meet all requirements.

#### 162.7 Amenities

- (1) In Country Residential Comprehensive Development (CR CD) District, the following are amenities as shown on Schedule A:

- (a) Two thousand meters of low-impact public trail up to one (1) meter width, to be surfaced with gravel or bark mulch to be located substantially as shown on Schedule A.
- (b) Dedication of 5% of Public Use lands in excess of the park land provision requirements under section 941 of the Local Government Act or protection by restrictive covenant registered under s. 219 of the *Land Title Act* in favour of the Regional District as Covenantee.
- (c) At least eight (8) locations providing ocean access to be provided by way of dedicated highway or statutory right of way for public access and use granted in favour of the Regional District.

#### 162.8 Sub Areas

- (1) This zone will be divided into sub areas as shown in Tables 1 and 2. The uses of land permitted under section 162.2 are permitted in the sub areas as shown on Schedule A in accordance with Tables 1 and 2. The base density is shown in Table 2. If the amenities outlined in section 162.8(2) are provided, the densities in Table 1 shall apply. For certainty, Table 1 or Table 2 will apply, provided that the overall density set out in section 162.3 shall not be exceeded.
- (2) If all of the amenities described in sections 162.7(1)(a) to (c), are provided a density bonus of 22 cabins, 12 lodge bedrooms and 11 R.V. sites are permitted. The units shall be sited in the sub areas, as shown on Schedule A, in accordance with the distribution of units in Table 1.
- (3) The units shown in Table 1 may be transferred from one sub area to another sub area, provided the number of units in any sub area does not increase or decrease by more than 20% and the total number of residential units does not increase beyond the number of units specified in section 162.8(2).

TABLE 1 (Bousing with amenities provided):

R.U. - Residential Unit Equivalents	UNITS							
	SINGLE FAMILY DWELLING		CABIN		LODGE		R.V.	
SUB AREA	UNITS	R.U.	UNITS	R.U.	BEDROOMS	R.U.	UNITS	R.U.
CR CD 1			6	1	22	2	30	3.3
CR CD 2			24	4				
CR CD 3	24	24						
CR CD 4			28	4.7				
CR CD 5	27	27						
CR CD 6					22	2		
CR CD7			6	1				

SUBTOTAL	51	51	64	10.7	44	4	30	3.3
TOTAL	69 (R.U.)							

- (4) If all of the amenities as described in sections 162.7(1)(a) to (c) are not provided, then the density permitted within the CR CD Zone shall be sited in the sub areas, as shown on Schedule A, in accordance with the distribution of units in Table 2.
- (5) The units shown in Table 2 may be transferred from one sub area to another sub area, provided the number of units in any sub area does not increase or decrease by more than 20% and the total number of residential units does not increase beyond the number of units specified in section 162.8(4).

TABLE 2: (with no Bonusing)

R.U. - Residential Unit Equivalents	UNITS							
	SINGLE FAMILY DWELLING		CABIN		LODGE		R.V.	
SUB AREA	UNITS	R.U	UNITS	R.U	BEDROOMS	R.U	UNITS	R.U
CR CD 1			4	1	16	2	19	3.3
CR CD 2			16	4				
CR CD 3	24	24						
CR CD 4			18	4.7				
CR CD 5	27	27						
CR CD 6					16	2		
CR CD 7			4	1				
SUBTOTAL	51	51	42	10.7	32	4	19	3.3
TOTAL	69 (R.U.)							

NOTE: No Regional Services

For certainty, the Regional District has no plans to construct, install, operate, or maintain sewer, sewage disposal, water supply, drainage, or fire protection services to serve the lands within this zone.

## 162A COUNTRY RESIDENTIAL COMPREHENSIVE DEVELOPMENT (CRCD1) DISTRICT

This District provides for low-density development of large parcels intended for residential and/or recreational use without the provision of water, sewer, sewage disposal, drainage or fire protection services by the Regional District. The natural setting and environmental features will be protected and preserved through large lot sizes, low density, and limited natural vegetation removal.

### 162A.1 Permitted Uses

- (1) Single Family Dwellings;
- (2) Accessory buildings and Uses; and
- (3) Home Occupations.

### 162A.2 Density

- (1) The number of residential lots shall not exceed 26;
- (2) The minimum lot size shall be (2) hectares (4.94 acres);
- (3) The density of use shall not exceed 1.25 residential units per two (2) hectares;
- (4) Single family dwellings, mobile and manufactured homes are equal to 1.0 residential unit; and
- (5) a second dwelling unit of no more than 70 square metres (753.5 square feet) is equal to 0.25 residential unit.



## 163 AIRPORT (AV) DISTRICT

This district provides for airport, airport related and other compatible uses. The district will be developed as sub areas APAV1 and APAV2.

### 163.1 Alberni Valley Airport One (APAV1) District

This district is to provide for aviation-related and compatible community activities on publicly-owned land for uses associated with airport operations such as light industrial, commercial and recreational uses.

#### 163.1.1 Permitted Uses

Lands, buildings and structures in AP1 may be used for the following purposes only:

- a) airport base
- b) heliport
- c) airport service facilities
- d) passenger terminal
- e) aircraft fuel depot
- f) aircraft hangars
- g) aircraft sales
- h) aircraft servicing and maintenance
- i) utilities and communication facilities
- j) emergency services
- k) hospital and health facilities
- l) aviation training, trade schools, high school and biosphere-related schools
- m) scientific, electronic and technological research
- n) taxi dispatchers, bus depots
- o) storage yard, cold storage, warehousing
- p) aviation-related light industrial
- q) National and Provincial Parks offices and support facilities
- r) Department of National Defence uses
- s) meteorological station and metrological facilities
- t) manufacturing, assembly, disassembly, processing or packaging of materials and goods
- u) vehicle rental and ancillary servicing
- v) marine value-added facilities
- w) vehicle and equipment repairs and maintenance
- x) hotel, motel
- y) conference centre
- z) residential use, including staff rental housing
- aa) caretaker accommodation
- bb) offices
- cc) restaurants, cafes and pubs
- dd) retail store not exceeding 125 square metres
- ee) commercial laundry
- ff) agriculture, market gardening, community gardening
- gg) forestry and silviculture
- hh) forestry value-added facilities
- ii) vegetative-waste (brush, etc.) composting site
- jj) recycling facilities
- kk) golf course and clubhouse
- ll) camping and parking for recreational vehicles
- mm) arena, swimming pool, curling rink
- nn) seasonal exhibition use
- oo) surfboard and/or bicycle rentals, sales and repairs
- pp) natural resource extraction
- qq) museum

#### 163.1.2 Lot Size

For the purpose of a lease, land within this zone must not be divided into parcels of less than 500 square metres.

#### 163.1.3 Lot Coverage

The maximum lot coverage of the leased lot for all buildings and structures is 65%.

#### 163.1.4 Minimum Dimensions Required for Yards

Yard and lease area setback requirements will be in accordance with Transport Canada Airport Regulations and spatial separation requirements of the BC Building Code.

#### 163.1.5 Building Height

The height of all buildings and structures will be limited to the requirements of Transport Canada Airport (TCA) Zoning Regulations.

#### 163.1.6 Setbacks

The setbacks for any building will be as follows:

from any external lot line	not less than 15 m
from the edge of a runway or taxiway	per TCA Regulations
from another building	not less than 5 m
from an internal lot line	not less than 3 m

#### 163.1.7 Off-Street Parking

Off-street parking spaces will be required as per Schedule III of the Alberni-Clayoquot Regional District Zoning Bylaw.

#### 163.1.8 Off-Street Loading

Off-street loading spaces will be required as per Schedule IV of the Alberni-Clayoquot Regional District Zoning Bylaw.

#### 163.1.9 Conditions of Use

- a) All development must be in conformance with the requirements of the airport operations manual or, in the absence of an operations manual, with Transport Canada's publication TP312, *Aerodromes Standards and Recommended Practices*.
- b) All development must be planned, designed and constructed to avoid creating a hazard to flights, such as attracting birds, rodents or other animals to the property.
- c) All illuminated storage and parking areas must have lighting placed in such a manner that all direct rays of light are limited to the storage or parking areas by using full cut-off lighting fixtures which reduce the amount of light escaping above the plane of horizontal or similar lights that achieve the same result in order to reduce light pollution.

### 163.2 Alberni Valley Airport Two (APAV2) Zone

This zone is intended for less intensive uses.

163.2.1 The only uses permitted in this zone are the following:

- a) passive recreation such as walking trails
- b) agriculture
- c) forestry, silviculture
- d) transportation of natural resources
- e) water runway

This district provides for airport, airport related and other compatible uses. The district will be developed as sub areas APLB1 and APLB2.

#### 164.1 Long Beach Airport One (APLB1) District

This district is to provide for aviation-related and compatible community activities on publicly-owned land for uses associated with airport operations such as light industrial, commercial and recreational uses.

##### 164.1.1 Permitted Uses

Lands, buildings and structures in APLB1 District may be used for the following purposes only:

- a) airport base
- b) heliport
- c) airport service facilities
- d) passenger terminal
- e) aircraft fuel depot
- f) aircraft hangars
- g) aircraft sales
- h) aircraft servicing and maintenance
- i) utilities and communication facilities
- j) emergency services
- k) hospital and health facilities
- l) aviation training, trade schools, high school and biosphere-related schools
- m) scientific, electronic and technological research
- n) taxi dispatchers, bus depots
- o) storage yard, cold storage, warehousing
- p) aviation-related light industrial
- q) National and Provincial Parks offices and support facilities
- r) Department of National Defence uses
- s) meteorological station and metrological facilities
- t) manufacturing, assembly, disassembly, processing or packaging of materials and goods
- u) vehicle rental and ancillary servicing
- v) marine value-added facilities
- w) vehicle and equipment repairs and maintenance
- x) hotel, motel
- y) conference centre
- z) residential use, including staff rental housing
- aa) caretaker accommodation
- bb) offices
- cc) restaurants, cafes and pubs
- dd) retail store not exceeding 125 square metres
- ee) commercial laundry
- ff) agriculture, market gardening, community gardening
- gg) forestry and silviculture
- hh) forestry value-added facilities
- ii) vegetative-waste (brush, etc.) composting site
- jj) recycling facilities
- kk) golf course and clubhouse
- ll) camping and parking for recreational vehicles
- mm) arena, swimming pool, curling rink
- nn) seasonal exhibition use
- oo) surfboard and/or bicycle rentals, sales and repairs
- pp) natural resource extraction
- qq) museum

##### 164.1.2 Lot Size

For the purpose of a lease, land within this district must not be divided into parcels of less than 500 square metres.

##### 164.1.3 Lot Coverage

The maximum lot coverage of the leased lot for all buildings and structures is 65%.

#### 164.1.4 Minimum Dimensions Required for Yards

Yard and lease area setback requirements will be in accordance with Transport Canada Airport Regulations and spatial separation requirements of the BC Building Code.

#### 164.1.5 Building Height

The height of all buildings and structures will be limited to the requirements of Transport Canada Airport (TCA) Zoning Regulations.

#### 164.1.6 Setbacks

The setbacks for any building will be as follows:  
from Pacific Rim Park Reserve boundary not less than 30 m  
from the Pacific Rim Highway not less than 60 m  
from the edge of a runway or taxiway per TCA Regulations  
from another building not less than 5 m  
from an internal lot line not less than 3 m  
from the top of bank of a ravine not less than 30 m without an environmental assessment  
from the natural boundary of a wetland or watercourse  
not less than 15 m without an environmental assessment

#### 164.1.7 Off-Street Parking

Off-street parking spaces will be required as per Schedule III of the Alberni-Clayoquot Regional District Zoning Bylaw.

#### 164.1.8 Off-Street Loading

Off-street loading spaces will be required as per Schedule IV of the Alberni-Clayoquot Regional District Zoning Bylaw.

#### 164.1.9 Conditions of Use

- a) All development must be in conformance with the requirements of the airport operations manual or, in the absence of an operations manual, with Transport Canada's publication TP312, *Aerodromes Standards and Recommended Practices*.
- b) All development must be planned, designed and constructed to avoid creating a hazard to flights, such as attracting birds, rodents or other animals to the property.
- c) All illuminated storage and parking areas must have lighting placed in such a manner that all direct rays of light are limited to the storage or parking areas by using full cut-off lighting fixtures which reduce the amount of light escaping above the plane of horizontal or similar lights that achieve the same result in order to reduce light pollution.

#### 164.2 Long Beach Airport Two (APLB2) District

This zone is intended for less intensive uses.

##### 164.2.1 The only uses permitted in this district are the following:

- a) passive recreation such as walking trails
- b) agriculture
- c) forestry, silviculture
- d) transportation of natural resources

## 164 COMPREHENSIVE DEVELOPMENT LOT 364 (CDL364) DISTRICT

This District provides for low-density development of large parcels intended for residential and/or recreational use without the provision of water, sewer, sewage disposal, drainage or fire protection services by the Regional District. The natural setting and environmental features will be protected and preserved through large lot sizes and low density..

### 164.1 Permitted Uses

- (1) One single family dwelling per lot which is constructed on the site on which it will be occupied, which is not to be occupied as the permanent home or residence of any family, but rather as a vacation or seasonal residence for a family maintaining a permanent residence elsewhere;
- (2) One accessory building;

### 164.2 Density

- (1) One (1) single family dwelling per lot,
- (2) The minimum lot size shall be one (1) hectare (2.47 acres);
- (3) The maximum number of lots shall not exceed four (4) lots;
- (4) The maximum floor area of a single family dwelling unit shall not exceed 150 square metres (1614 square feet) in floor area;
- (5) The maximum floor area for an accessory building shall not exceed 40 square metres (430 square feet) and the height shall not exceed 3.66 metres (12 feet).

## 165 COMPREHENSIVE DEVELOPMENT LOT 565/567 DISTRICT (CD 565/567)

This District provides for the recreational development of parcels intended for recreational use without the provision of water, sewer, sewage disposal, drainage or fire protection services by the Regional District. Occupancy is intended to be for the spring and summer months. This zone will be divided into two sub zones "CD 565/567A" and "CD 565/567 B".

### 165.1 Permitted Uses

- (1) Four (4) cottages which is constructed on the site on which it will be occupied, which is not to be occupied as the permanent home or residence of any family, but rather as a vacation or seasonal residence for a family maintaining a permanent residence elsewhere. The maximum total floor area for each cabin is 112 square meters. Occupancy is limited to 180 days per calendar year;
- (2) One (1) seasonal campground with a maximum of Fifty-Five (55) camping sites. Occupancy is limited to 153 days per calendar year;

### 165.2 Sub Areas

- (1) CD 565/567 A will permit one campground with a maximum of 55 camping sites.
- (2) CD 565/567 B will permit a maximum of four cottages.
- (3) The area zoned CD 565/567 A and CD 565/567 B shall only be subdivided into a maximum of three (3) fee simple or bare land strata lots.

### 165.3 Density

- (1) One (1) campground within sub area CD 565/567 A;
- (2) Four (4) cottages within sub area CD 565/567 B;
- (3) the maximum floor area of a Single Family Dwelling unit shall not exceed 112 square meters in total floor area;

#### Note: No Regional Services

For certainty, the Regional District has no plans to construct, install, operate, or maintain sewer, sewage disposal, water supply, drainage, or fire protection to serve the lands within this zone.

166 BEAUTY ISLAND DISTRICT (BI RVH)

This District provides for low-density development of large parcels intended for recreational use without the provision of water, sewer, sewage disposal, drainage or fire protection services by the Regional District. The natural setting and environmental features will be protected and preserved through large lot sizes and low density.

166.1 Permitted Uses

- (1) One Single Family Dwelling per lot which is constructed on the site on which it will be occupied, which is not to be occupied as the permanent home or residence of any family, but rather as a vacation or seasonal residence for a family maintaining a permanent residence elsewhere;
- (2) One Accessory building;

166.2 Density

- (1) One (1) Single Family Dwelling per lot;
- (2) the minimum lot size shall be one (1) hectare (2.47 acres);
- (3) the maximum number of lots shall not exceed four (4) lots;
- (4) the maximum floor area of a Single Family Dwelling unit shall not exceed 150 square meters (1,614 square feet) in floor area;
- (5) the maximum floor area for an accessory building shall not exceed 40 square meters (430 square feet) and the height shall not exceed 3.66 meters (12 feet).

This site-specific Comprehensive Development District provides for large-scale closed storage of personal vehicles and equipment with screening and buffering guidelines designed to minimize conflict with surrounding uses and to minimize the visual impact of the personal storage use.

167.1 Uses Permitted

- (1) Closed indoor storage for personal vehicles and personal equipment that may be listed for sale, excluding open storage and excluding on-site sales.
- (2) One single family dwelling.
- (3) Accessory buildings and uses.
- (4) Home Occupations.

167.2 Conditions of Use

- (1) Closed indoor storage uses shall be for personal vehicles and personal equipment only. There shall be no commercial rental of storage space and no on-site commercial sale of vehicles or equipment.
- (2) All permitted uses shall be housed completely within an enclosed building except for permitted parking areas. A minimum of four (4) parking spaces and a maximum of ten (10) parking spaces shall be provided on the property.
- (3) A minimum 5-metre-deep landscaped area, or combination of landscaping, solid screening and native vegetation, shall be provided and maintained along all lot lines except for necessary vehicular access/egress points.
- (4) Vehicle parking areas shall not be located within any required front, rear, or side yard setback.



This site-specific Comprehensive Development District provides for the development of a wilderness resort campground located adjacent to the Bedwell River in the Clayoquot Sound area. The Clayoquot Wilderness Resort lands are located in a remote region of the Regional District accessed by water and served by limited public services.

#### 168.1 Permitted Uses

##### (1) Campgrounds

##### (2) Campground amenities

#### 168.2 Conditions of Use

- (1) Within the CD CWR District, campgrounds include tent platforms and camping sites for guest accommodation. The maximum density of campground uses shall not exceed 26 tent platforms and camping sites.
- (2) Within the CD CWR District, campground amenities include: one (1) communal dining hall or cookhouse building; one (1) lounge building; spa, yoga, sauna and hot tub facilities; recreational equipment storage; kitchen, washroom and laundry facilities; administration and housekeeping buildings; storage buildings; barns; common areas; boardwalks; marina facilities, moorage floats and access ramps; water and sewage treatment and distribution facilities; structures and facilities required to contain electrical, propane, garbage, recycling and compost facilities; and similar uses.
- (3) With the exception of the redevelopment of the cookhouse structure and lounge structure primarily within their existing footprints, the location, siting and density of all campground uses and campground amenities shall not be expanded greater than the existing footprint of campground uses and campground amenities as shown on Figure 1 – East Part of LOT 451, Figure 2 – West Part of LOT 451, and Figure 3 – LOT 517 of Bylaw number P1416.

**SCHEDULE NO. II - BULK AND SITE REGULATIONS (all measurements shown in imperial)**

200 Subject to all other provisions of this By-law and to the provisions of Section 43 of the Highway Act, the following bulk regulations governing the maximum height of buildings, minimum lot area and width, maximum lot coverage and minimum front, side and rear yards shall apply except where in the absence of a public water supply and/or sewage disposal system, the parcel area requirements stipulated by the Medical Health Officer shall determine

**BULK AND SITE REGULATIONS**

Zoning District or Use	Minimum Lot Width (Feet)	Minimum Lot Area (Sq. Ft) (See Also Page )	Maximum Lot Coverage	Minimum Setbacks (Feet)			Maximum Height	
				Front	Rear	Side	Storeys	Feet
<sup>1</sup> **A 1	165	2 acres	-	25	30	5	2½	35
<sup>2</sup> **A 2	330	5 acres	-	50	30	15	2½	35
A 3	330	10 acres	-	50	30	15	2½	35
A 4	660	40 acres	-	50	30	15	2½	35
A 5	165	2 acres	-	25	30	15	2½	-
HS	90	1 SFD 1 acre 2 SFD's 2 acres	33%	25	30	15	2½	35
RAB S/F Dwellings Abattoirs	147.6	1 acre	25%	4049.2	3049.2	1549.2	2½ 1	-
GH	120	1 acre	25%	40	30	15	2½	35
MAC	328.08	2.47	-	32.8	32.8	32.8	1	32.8
A3-1	660	40 acres	-	50	30	15	2 ½	35
R 1	60	7200	33%	25	30	5*	2½	35
R 2 Single Family	50	6000	33%	25	30	5*	2½	35
R2 Two Family	66	7920	33%	25	30	5*	2½	35
RA 1	90	18000	25%	40	30	15	2½	35
RA 2	120	1 acre	25%	40	30	15	2½	35
RA 3	98.4	0.24 hectare	25%	40	30	15	2½	32.8
RM 1	120	12000	40%	25	35	12	2	30
RM 2	75	9000	50%	20	30	15	3	40
RMH	200	2 acres	-	25	25	25	2	30
RVH	100	20000	10%	35	35	15	2	30
RC	90	0.5 acres	30%	40	30	15	2½	35
RC-1	90	0.6 acres	30%	40	30	15	-	35
RC-2	90	1 acre	30%	40	30	15	-	35
ARC 1	200	5 acres	10%	40	30	15	2.5	35
SC	N/A	see Section 110A.3	2%	49.2	49.2	32.8	2	24
BRC	90	0.5 acres	30%	40	30	15	2½	35
ARC	200	3 acres	10%	40	30	15	2½	35
C 1	50	6000	50%	20	20	5*	2	30
ROC	120	32000	5%	40	25	15	2½	35
C 2	50	6000	90%	0	10	0	3	40
C2A	50	26200	60%	20	20	20	-	30
C 3	100	10000	60%	0	10	0	2	30
C 4	100	10000	40%	30	20	20	2	30
C 4 -A	100	0.4 hectare	40%	30	32.8	32.8	-	30
C 6	120	15000	-	20	20	15	2	30
C 7	200	2 acres	-	25	30	15	2	40
C 8	200	2 acres	-	25	30	15	2	30
C8A	85	2 acres	-	25	30	15	-	-
C8B	330	40 acres	-	25	30	15	-	30
C 9	120	15000	-	20	20	15	2	30
CW	120	1 acre	-	25	30	15	1	24
C 10	100	10000	40%	30	20	20	2	30
LOR	200	2 acres	-	25	30	15	-	-
SA	330	2 hectares	10%	50	30	15	-	-
M 1	100	10000	50%	20	10	Total of both side yds. not less than 20 ft.	3	40
M 2	100	10000	60%	10	10		3	40
M2A	100	10000	60%	10	10		3	40
M 3	100	10000	60%	10	10		-	-
M 4	100	1 acre	-	20	20		-	-

M 5	164.04	.62 acres	40%	33	33	33	1	24
M 6	100	10000	60%	10	10	Total of both side yards not less than 20 ft.	3	40

WD 2	328.08	4.94 acres	-	40	30	15	2½	35
				Additional setback of 60m for Waste Disposal Grounds				
M 7	328	5 acres	50%	49.2	49.2	49.2	2 ½	35
M 8	164	5 acres	80%	49.2	49.2	49.2	1	24.6
M 8 Caretaker Accommodation				24.6	24.6	24.6	2 ½	35
P 1	100	12000	40%	25	30	20	2	30
		Minimum side yard setback for single family dwellings (in P1)				15		
P 2	50	6000	40%	20	30	5	3	40
W 1	-	-	-	-	-	-	-	-
W 2	-	-	-	-	-	-	1	12
W 4	-	-	-	-	-	-	2	25
SW 1	100	20000	40%	25	15	15	2	35
SW2	100	20000	60%	25	15	15	2	35
SW-2A	100	See Section 135B.3	60%	25	15	15	-	35
W 5	-	-	-	-	-	-	3	40
W 6	-	-	-	-	-	-	2	30
MAR1	0	0	0%	10	10	10		12
WF1	0	0	0%	0	0	0		12 Max. Length: 25
WF2	0	0	0%	0	0	0		12 Max. Length 25
MAR2	0	0	0	10	10	10		12
CR CD	120	see section 162.5	20%	16.4	16.4	16.4	2	29.5
CRCDD1	330	5 acres	5%	50	30	15	-	35
CD L364	150	2.5 acres	5%	50	30	15	-	30
CD 565/567 A	0	7 acres	10%	50	30	15	-	18
CD 565/567 B	150	1 hectare	10%	50	30	15	-	18
BIRVH	150	2.5 acres	5%	50	30	15	-	30
CD CWR	330	20 hectares	15%	25	30	15	2	30
SACD	200	1 hectare	15%	50	32.8	19.7	2	32.8
WC	165	2.6 acres	15%	25	30	15	-	35

1: Ancillary Lot Area Requirements may apply refer to Section 101.2

2: Ancillary Lot Area Requirements may apply refer to Section 102.2

3: Ancillary Lot Area Requirements may apply refer to Section 120.3

\* See also additional yard regulations for this zoning district, contained in Schedule I.

\*\* Provided that where a flanking road up to 33 feet wide is established from the parcel, minimum width and area may be reduced by the width and area established as road allowance. Only one such road allowance from a lot in the A 1 district and two from a lot in the A 2 district will so qualify.

### SCHEDULE NO. III - OFF-STREET PARKING REGULATIONS

300 Subject to the provisions of Section 300.1 and to more stringent regulations pursuant to the Controlled Access Highways Act where applicable, when any development takes place on any lot, off-street parking shall be provided and maintained in accordance with the regulations contained in this Schedule.

#### 300.1 Existing Buildings, Structures and Uses

The regulations contained in this Schedule shall not apply to buildings, structures or uses existing on the effective date of this By-law, except that:

- (1) Off-street parking shall be provided and maintained in accordance with this Schedule for any addition to such existing building or structure, or any change or addition to such existing use.
- (2) Off-street parking existing on the effective date of this By-law shall not be reduced below the applicable off-street parking requirements of this Schedule.

#### 300.2 Voluntary Establishment of Parking facilities:

Where off-street parking facilities are provided when not required, the location, design and operation of such facilities shall comply with all the regulations of this Schedule .

#### 300.3 Units of Measurement:

- (1) Where gross floor area is used as a unit measurement for the calculation of required parking spaces, it shall include the floor area of accessory buildings and basements, except where they are used for parking, heating or storage .
- (2) Where number of employees is used as a unit of measurement, it shall mean the greatest number of persons at work, at any time of the day or night, in a particular building or for a particular use during any season of the year.
- (3) Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each 50.8 centimeters [20 inches] of width of such seating accommodation shall be counted as one seat.
- (4) When the calculation of parking requirements results in a fractional parking space, one parking space shall be provided to meet this fractional requirement.
- (5) For Marina Use, where a berth is used as a unit of measurement, one berth is equivalent to 7.62 metres (25 feet) of linear dock space.

#### 300.4 Required Off-Street Parking Spaces

- (1) Off-street vehicular parking or garage spaces shall be provided in accordance with the standards in this Schedule.
- (2) Where a use is not specifically mentioned, the required off-street parking spaces shall be the same as for a similar use.

USE		REQUIRED PARKING SPACES
(1)	Single Family, two-family and row-housing dwellings	1.5 for each dwelling unit
(2)	Multiple Family dwellings	1.5 for each dwelling unit
(3)	Dwellings or dwelling units related to commercial or other premises	1.5 for each dwelling unit
(4)	Boarding, lodging houses	1 for each 2 sleeping units
(4a)	Guesthouses	1.1 for each sleeping unit plus 1.5 for operator's use
(5)	Senior Citizens housing	1 for each 3 dwelling units

(6)	Children's Institutions, dormitories	1 for each 3 employees, plus 1 for each 6 beds
(7)	Hospitals, sanatoria and private hospitals	1 for each 2 staff doctors, plus 1 for each 4 employees, plus 1 for each 5 beds
(8)	Churches	1 for each 10 seats, plus 1 for each 18.581 square meters [200 square feet] of gross floor area used for assembly within a church building and church hall
(9)	Schools, public or private:	
	(a) Kindergartens, Elementary and Junior High Schools	1 for each staff member
	(b) Senior High Schools	1 for each staff member, plus 1 for each 10 students
(10)	Hotels and Motels	1.1 for each dwelling or sleeping unit in addition to those required in (17)
(11)	Places of public assembly including arenas, armouries, art galleries, assembly halls, auditoriums, clubs, lodges and fraternal building, community centres, dance halls, exhibition halls, funeral parlours and undertaking establishments, gymnasiums, meeting halls, museums, public libraries, stadiums, theatres and similar uses	1 for each 10 seats, or 1 for each 9.290 square meters [100 square feet] of floor area in areas without fixed seats which are used or intended to be used for public assembly, excluding playing surfaces.
(12)	Recreational uses, including miniature golf courses, health centres, reducing salons, steam baths, roller rinks, swimming pools, and similar uses	1 for each 46.452 square meters [500 square feet] of gross floor area, plus 1 for each 10 spectator seats
(13)	Billiard and pool halls	1 for each table
(14)	Bowling alleys	2 for each alley
(15)	Banks, business administrative and professional offices	1 for each 46.452 square meters [500 square feet] of gross floor area
(16)	Medical or dental offices and clinics	1 for each 46.452 square meters [500 square feet] of gross floor area
(17)	Restaurants and eating establishments, lunch counters, tea rooms, diners, beer parlours, cocktail lounges, bars, night clubs and other similar establishments for the sale and consumption of food or beverages on the premises excepting those within a W 4 district	1 for each 3 seats
(18)	Retail stores and Personal Service establishments, with commercial floor area exceeding 185.806 square meters [2,000 square feet]	1 for each 27.871 square meters (300 square feet) of floor area.
(19)	Gasoline Service Station	1 for each 2 employees, plus 1 for service bay
(20)	Manufacturing and industrial buildings and uses, display yards, research laboratories, servicing and repair establishments or other similar uses	1 for each 3 employees, or 1 for each 92.903 square meters [1,000 square feet] of gross floor area, whichever is greater, plus 1 for each 92.903 square meters [1,000 square feet] of floor area and/or of lot area used for display, rental or retail sales purposes.
(21)	Warehousing, storage buildings, wholesale establishments or other similar uses	1 for each 3 employees or 1 for each 185.806 square meters [2,000 square feet] of gross floor area, whichever is greatest
(22)	Petting farms	One parking space for every 400 square meters [4,305 square feet] of area occupied by the petting farm and permitted accessory uses under the "Petting Farm (A-5)" zone, plus one parking space for every two employees non-resident in the on-site single family dwelling, plus two parking spaces for the owner/operators' dwelling

(23) Marina Uses	One parking space for every employee, plus one for every three berths.
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#### 300.5 Use of Parking Facilities:

- (1) All required off-street parking spaces shall be used only for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or tenants who make use of the principal building or use for which the parking area is provided, and such parking area shall not be used for off-street loading, driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.
- (2) Except in the case of dwellings located in residential districts, off-street parking spaces may be provided and used collectively by two or more buildings or uses, provided that the total number of parking spaces when used together is not less than the sum of the requirements for the various individual uses.
- (3) Notwithstanding Section 300.5 (1), parking spaces located in an A, R, or RM Districts shall be used solely for the parking of private non-commercial vehicles.

#### 300.6 Location and Siting of Parking Facilities:

- (1) No parking shall be located within a required frontyard except that in a C or M district where a principal building is set back from the required frontyard, parking may be provided in such required front yard, providing that the total landscaped area between the front line of the lot and the front line of the building is not decreased below that which would otherwise be required if such parking in the front yard was not allowed.
- (2) No parking area shall be located within a required side yard.
- (3) For residential buildings the parking facilities for all residents shall be wholly provided on the same lot as the building required to be served.
- (4) No part of any parking area shall be located closer than 3.658 meters [12 feet] to any multiple family dwelling.
- (5) In respect of SW District parking areas shall be permitted within required front yard setbacks provided that a minimum 5 meter [16 foot] landscaped area is maintained between front lot line and front building line.

#### 300.7 Development and Maintenance Standards:

- (1) The location of all points of ingress and egress to a parking area shall be subject to the approval of the Building Inspector.
- (2) All off-street parking spaces shall have a clear length of not less than 5.486 meters [18 feet], a clear width of not less than 2.59 meters [8 feet 6 inches], and a clear height of not less than 2.133 meters [7 feet]. When a parking space adjoins a fence or structure over 0.305 meters [1 foot] in height, the width of the parking space shall be increased by 0.305 meters [1 foot] on the side or sides which abut such fence or structure to enable the opening of vehicular doors.
- (3) Adequate provision shall be made for individual ingress or egress by vehicles to all parking spaces at all times by means of unobstructed manoeuvring aisles. Manoeuvring aisles, which may include a lane, of not less than the following widths shall be provided:

Parking Angles in Degrees	Minimum Width of Aisle
over 60 and up to 90	6.705 meters [22 feet]
over 45 and up to 60	5.181 meters [17 feet]
up to 45	3.657 meters [12 feet]

Any permitted manoeuvring aisle less than 6.096 meters [20 feet] wide shall be indicated as suitable only for one way traffic flow.

- (4) All parking areas shall be provided with adequate curbs in order to retain all vehicles within such permitted parking area, and to ensure that required fences, walls, hedges or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- (5) All parking areas for more than 10 vehicles shall be surfaced with an asphalt, concrete or similar pavement so as to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water.
- (6) Any lighting used to illuminate any parking area or parking garage shall be so arranged that all direct rays of light are reflected upon such parking area, and not on any adjoining premises.
- (7) The provisions of clauses (4) and (5) may be waived where a lot is part of a substantial area not accessible to vehicles, provided that an off-street parking area is received for development in accordance with this Schedule, such development to be completed within six months of the provision of vehicular access.

#### **SCHEDULE NO. IV - OFF-STREET LOADING REGULATIONS**

400 Subject to the provisions Of Section 400.1 when any development takes place in any lot, off-street parking shall be provided and maintained in accordance with the regulations contained in this Schedule.

##### **400.1 Existing Buildings, Structures and Uses:**

The regulations contained in this Schedule shall not apply to buildings, structures, or uses existing on the effective date of this By-law, except that:

- (1) Off-street loading shall be provided and maintained in accordance with this Schedule where there is a change in the principal use, or where the total floor area is increased in excess of 10 percent over the existing floor area.
- (2) Off-street loading existing on the effective date of this By-law shall not be reduced below the applicable off-street loading requirements of this Schedule.

##### **400.2 Unit of Measurement:**

When calculating off-street loading requirements, the gross floor area shall include the floor area of accessory buildings, or basements, except where they are used for parking or heating.

##### **400.3 Mixed Occupancies:**

In the case of mixed uses, the total requirements for off-street loading facilities shall be the sum of the requirements for the various uses computed separately.

##### **400.4 Required Off-Street Loading Spaces:**

- (1) On every site used as a retail store, business, industry, warehouse or other similar use, the minimum number of spaces shall be as follows:

Total Gross Floor Area of Building(s)		Spaces Required
(a)	Less than 464.515 square meters [5,000 square feet]	1
(b)	464.515 square meters [5,000 square feet] to 2 322.576 square meters [25,000 square feet]	2
(c)	where the total gross floor area of building(s) exceeds 5 574 square meters [60,000 square feet] meters, each additional 5 574 square meters [60,000 square feet] or fraction thereof shall require one off-street loading space.	3

- (2) On every site used as an office building, place of public assembly, hospital, institution, hotel, club or lodge, auditorium, public utility, school or other similar, the minimum number of spaces shall be as follows:

Total Gross Floor Area of Building(s)		Spaces Required
(a)	Less than 2 787.091 square meters [30,000 square feet]	1
(b)	2 787.091 square meters [30,000 square feet] to 5 574.182 square meters [60,000 square feet]	2
(c)	Each additional 5 574.182 square meters [60,000 square feet] or fraction thereof	1

400.5 Location and Siting of Loading Facilities:

Off-street loading spaces and facilities shall be located on the same lot as the use served, but not within the required front yard nor closer than 7.620 meters [25 feet] to the nearest point of intersection of any two street allowances.

400.6 Development and Maintenance Standards:

- (1) The location of all points of ingress and egress to a loading area shall be subject to approval of the Building Inspector.
- (2) All off-street loading and unloading spaces shall be of adequate size, and with adequate access thereto, to accommodate the types of vehicles which will be loading and unloading, but in no case shall be insufficient to accommodate a vehicle 9.144 meters [30 feet] in length, 2.438 meters [8 feet] in width and 3.657 meters [12 feet] in height.
- (3) All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas, and to ensure that required fences, walls, hedges or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- (4) Each loading space shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a durable, dust-free surface, and shall be so graded and drained as to properly dispose of all surface water.
- (5) Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area, and not on any adjoining premises.
- (6) The provisions of clauses (3) and (4) may be waived where a lot is part of a substantial area not accessible to vehicles, provided that an off-street loading area is reserved for development in accordance with this Schedule, such development to be completed within six months of the provision of vehicular access.
- (7) The provisions of clause (4) may be waived where a lot is part of a substantial area where public highways are not hard surfaced, provided that each loading space shall be kept dust-free, and shall be surfaced in accordance with clause (4) within six months of the provision of hard surfacing to the vicinity of the lot.



## SCHEDULE NO. V - DEVELOPMENT AREAS

500. Within the area to which this By-law applies, development areas may be declared from time to time and appended to this Schedule. Within such development areas the Regional Board may enter into land use contracts pursuant to Section 702A of the Municipal Act.

### 501 DEVELOPMENT AREA #1

501.1 The following area is hereby designated a development area:

NW 1/4 Sec. 20 and SW 1/4 Sec. 29, Twp. 1, Barclay District, except thereout the area covered by Plan 14636.

501.2 Within this area the Regional Board may enter into land use contracts for the purpose of allowing construction and operation of a marine biological and research station including marine laboratory facilities, staff and student accommodations, recreation facilities, and the like.

### 502 DEVELOPMENT AREA #2

502.1 The following area is hereby designated a development area:

Lots 8 - 14, NE 1/4 Sec. 20, Twp. 1, Barclay District, Plan 3770; the west 200 feet of Part (C of T 75222-I) of NE 1/4 Sec. 20.

502.2 Within this area the Regional Board may enter into land use contracts for the purpose of encouraging the accommodation of tourists and the provision of access to the water for tourists and residents.

### 503 DEVELOPMENT AREA #3

503.1 The following area is hereby declared a development area:

Burlo Island and waters lying immediately west thereof, south of the northerly boundary of Lot C, SE 1/4 Sec. 19, Barclay District, Plan 2915.

503.2 Within this area the Regional Board may enter into land use contracts for development not likely to hinder the establishment of Stage III of Pacific Rim National Park.

### 504 DEVELOPMENT AREA #4

504.1 the following area is hereby designated a development area:

That portion of the remainder of DL 469 lying west of the Ucluelet-Tofino Highway.

504.2 In entering into a land use contract within this development area, the Regional Board and the intending developer shall be mindful of any potential and intended development of the adjoining Ucluth Indian Reserve No. 6.

### 505 DEVELOPMENT AREA #5

505.1 A development area is hereby declared, consisting of District Lots 277 and 278, Clayoquot District, and adjoining foreshore within 150 feet of the said District Lots.

505.2 Within this development area the Regional Board may enter into land use contracts subject to the following guidelines:

- (1) All development shall, in addition to being in accordance with the aims of the Regional District of Alberni-Clayoquot Official Regional Plan By-law 1970, be for the primary purpose of accommodating and enhancing the visit of tourists to the region.
- (2) All development shall be according to competently drawn plans indicating the precise location of all building, roads, landscaped areas, services, and the like and which shall show the intended appearance of the completed development.

- (3) The Regional Board may require the posting of a performance bond and may require that it remain posted until the development has been completed in accordance with all the provision set forth in (2).

506 DEVELOPMENT AREA #6

506.1 A development area is hereby declared, consisting of District Lot 125, Clayoquot District.

506.2 Within this development area the Regional Board may enter into land use contracts subject to the following guidelines:

- (1) Development may be for purposes of accommodating tourists, of providing services to users of the beach, of allowing development of seasonal residence sites, or the like, but may not include industrial works or commercial establishments out of character with the public enjoyment of the beach.
- (2) Development shall not inhibit public access to the beach at the north and south limits of the District Lot.

507 DEVELOPMENT AREA #7

507.1 A development area is hereby declared, consisting of the following lands and the intervening roads: Blocks 8, 22, 23, 24, 25 and 26 of DL 19, Alberni District, Plan 1749; Block 2, 3 and 4 of DL 138, Alberni District, Plan 1119A; an unsubdivided portion of the remainder of DL 136, Alberni District, lying north of a line drawn from the southwest of DL 136 nine hundred feet in a northeasterly direction parallel to the southern boundary of Lot A, DL 136, Plan 18037 and from that point northerly to the southeast corner of Lot A, Plan 18037: Lot 1, DL 136, Alberni District, Plan 13663 and all parcels created from that Lot except thereout the Cemetery.

507.2 Within this development area the Regional Board may enter into land use contracts subject to the following guidelines:

- (1) All development shall be primarily for light industrial uses, such as those permitted within the Industrial Park (1) District;
- (2) Notwithstanding (1), development of suitable types of commercial activity is not ruled out;
- (3) Until such time as sewerage is made available only those development shall be allowed whose requirement for water supply and sewerage are minimal.
- (4) Near the Cemetery and existing motel development, special area shall be taken to ensure that new development is sympathetic to existing development.

## SCHEDULE NO. VI – SITE SPECIFIC DISTRICTS FOR LAND USE CONTRACTS

- 600 Within the area to which this Bylaw applies, land use contracts (LUCs) formerly governed the use and development of site-specific properties. As per Section 547 of the *Local Government Act*, all LUCs are terminated on June 30, 2024, and lands within the former LUC area are subject to this Bylaw.
- 601 Wickaninnish Island Vacation Home District (RVH-WI)
- 601.1 This district applies only to Wickaninnish Island Estates, DISTRICT LOT 1161 (WICKANINNISH ISLAND), CLAYOQUOT DISTRICT, and is intended to reflect the terms of a former land use contract for the island. The LUC provided for temporary accommodation and year-round caretaker use without any services provided by the ACRD. Vacation Home District (RVH) uses and density apply, and are varied as follows:
- (1) Additional Permitted Principal Uses:
    - (a) Common amenity building
    - (b) Guest cottages
  - (2) Additional Permitted Accessory Use:
    - (a) Greenhouses
  - (3) Maximum Density:
    - (a) 35 seasonal dwellings
    - (b) 4 guest cabins
  - (4) Additional Condition of Use:
    - (a) Only one (1) of the dwelling units may be used as a year-round caretaker's residence.
- 602 Willowbrae Road Forest Rural District (A3-W)
- 602.1 This district applies only to LOT B DISTRICT LOT 468 CLAYOQUOT DISTRICT PLAN VIP87429, and is intended to reflect the terms of a former land use contract permitting wood processing. Forest Rural District (A3) uses and density apply, and are varied as follows:
- (1) For Clarity, the Following Uses are Not Permitted:
    - (a) Medical cannabis production
    - (b) Non-medical cannabis production
  - (2) Permitted Principal Uses are Restricted to the Following:
    - (a) Shake-and-shingle mill use including a lumber saw
  - (3) Permitted Accessory Uses are Restricted to the Following:
    - (a) Retail sales of products processed on lot
    - (b) Indoor and outdoor storage
    - (c) Wood waste disposal necessary to the operation of the mill
    - (d) Single family dwelling
  - (4) Additional Conditions of Use:
    - (a) Outdoor storage and the stockpiling of wood waste materials shall not be located within setback areas of a minimum of 12 m from the lot line adjoining Willowbrae Road and a minimum of 90 m from the southeast corner of the lot or on the foreshore.
    - (b) A continuous 12 m deep vegetative buffer shall be maintained along all lot lines except for the access on Willowbrae Road and along the boundary of Ucluelet Inlet. The screening shall cover that portion of the lot within 104 m of the southeast corner of the lot.
    - (c) The single detached dwelling must be located a minimum of 104 m from the southeast corner of the lot.
- 603 Cougar Mobile-Home Residential District (RMH-C)
- 603.1 This district applies only to Cougar Mobile Home Park, PARCEL B (DD 18416N) OF DISTRICT LOT 152, ALBERNI DISTRICT, and is intended to reflect the terms of a former land use contract for a mobile home park. Mobile-Home Residential District (RMH) uses and density apply, and are varied as follows:
- (1) Principal uses and number of dwellings within this district are limited to a maximum of 16 mobile homes.
  - (2) Additional Condition of Use:
    - (a) A 45.7 m setback from Roger Creek shall be retained in its natural state as potential park land reserve or greenspace.

- 604 Greenridge Mobile-Home Residential District (RMH-G)
- 604.1 This district applies only to Greenridge/Larsen Mobile Home Park, THAT PART OF DISTRICT LOT 152, ALBERNI DISTRICT, LYING TO THE SOUTH OF THE SOUTHERLY BOUNDARY OF PLAN 7451 AND TO THE WEST OF THE WESTERLY BOUNDARY OF JOHN STREET, AS SAID STREET IS SHOWN ON PLAN 1539, and is intended to reflect the terms of a former land use contract for a mobile home park. Mobile- Home Residential District (RMH) uses and density apply, and are varied as follows:
- (1) Principal uses and number of dwellings within this district are limited to a maximum of 33 mobile homes.
- 605 Jay-Lee Mobile-Home Residential District (RMH-JL)
- 605.1 This district applies only to Jay-Lee Mobile Home Park, LOT 17, DISTRICT LOT 18, ALBERNI DISTRICT, PLAN 906 EXCEPT PART IN PLAN 2051 RW, and is intended to reflect the terms of a former land use contract for a mobile home park. Mobile- Home Residential District (RMH) uses and density apply, and are varied as follows:
- (1) Principal uses and number of dwellings within this district are limited to a maximum of 24 mobile homes and two (2) single family dwellings.
- (2) Additional Condition of Use:
- (a) A continuous 10 m deep vegetative buffer shall be maintained along the entire lot line adjoining Edland Road, except for vehicle access points to the lot.
- 606 Athol Road North Service Commercial District (C3-ARN)
- 606.1 This district applies only to LOT 11 DISTRICT LOT 18 ALBERNI DISTRICT PLAN 7319 and LOT 12 DISTRICT LOT 18 ALBERNI DISTRICT PLAN 7319 EXCEPT PART IN PLAN 2051 RW, on the Alberni Highway at Athol Road North, and is intended to reflect the terms of a former land use contract. Small Holdings District (A1), Single Family Residential District (R1), and Service Commercial District (C3) uses and density apply, and are varied as follows:
- (1) Additional Conditions of Use:
- (a) Uses permitted in A1 district are restricted to those portions of the property adjoining Athol Road North, except for area described in (b) below, and adjoining the Alberni Highway for a depth of 15 m from the exterior lot lines and along the interior lot line for a distance of 22.9 m from the eastern side lot line and a depth of 38.1 m from the front lot line on the Alberni Highway.
- (b) Uses permitted in R1 district are restricted to an area of 1,137 m<sup>2</sup> with 22.9 m of frontage on Athol Road North commencing 15.8 m from the northern lot line of Lot 11 and continuing for a distance of 22.9 m along Athol Road North.
- (c) Uses permitted in the C3 district are restricted to those listed in Section 123.1(2)(a)(c) and are limited to the remaining portions of the properties, outside the areas where A1 and R1 uses are permitted.
- (d) A continuous vegetative buffer not less than 1.8 m in height shall be maintained along the northern lot line of Lot 11 and the eastern lot lines of Lot 11 and the remainder of Lot 12 where C3 uses are permitted.
- 607 Rance Island Small Holdings District (A1-RI)
- 607.1 Applies only to LOT 1, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 3077, in Bamfield Inlet, and is intended to reflect the terms of a former land use contract that permits the property owner to pursue a boat-building and boat- repair business. Small Holdings District (A1) uses and density apply, and are varied as follows:
- (1) Additional Permitted Accessory Uses:
- (a) Boat-building and boat-repair within an enclosed building and outside within 15 m of the building
- (b) Storage of small watercraft
- (2) Additional Lot Regulation:
- (a) Any foreshore building, structure, use or work ancillary to the business of boat-building and boat-repair shall be permitted only within the boundaries of a water lease approved and granted by the relevant provincial authority.
- 608 Fish and Duck Local Commercial District (C1-FD)
- 608.1 Applies only to LOT 42, 43 and 44, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275, known as the Fish and Duck Pub and Marina, and is intended to reflect the terms of a former land use contract for a neighbourhood pub. Local Commercial District (C1) uses and density apply, and are varied as follows:
- (1) Permitted Principal Uses are Restricted to the Following:
- (a) Neighbourhood pub
- (b) Single family dwelling
- (c) Seasonal cottage rental

- (d) Retail sales of fishing gear and supplies
- (e) Houseboat and waterski rental office

(2) Permitted Accessory Uses are Restricted to the Following:

- (a) Secondary suite attached to the pub for caretaker use
- (b) Accessory buildings, structures and uses
- (c) Houseboat maintenance, service and repair
- (d) Storage of equipment related to the permitted principal and accessory uses
- (e) Boat fuel pumps
- (f) Pump-and-haul facilities

(3) Additional Lot Regulation:

- (a) The maximum total retail commercial use floor area is 186 m<sup>2</sup>.

(4) Maximum Density:

- (a) 5 seasonal cottages
- (b) 2 single family dwelling and caretaker's residence

609 Headquarters Bay Vacation Home District (RVH-HB)

609.1 Applies only to SECTION 77 ALBERNI DISTRICT (SITUATE IN BARCLAY DISTRICT) EXCEPT PART IN PLAN 38569, known as Headquarters Bay, and is intended to reflect the terms of a former land use contract for temporary accommodation. Vacation Home District (RVH) uses and density apply, and are varied as follows:

(1) Maximum Number of Seasonal Dwellings Permitted:

- (a) 41 seasonal dwelling areas, each with one (1) seasonal dwelling
  - i. One (1) seasonal dwelling area may contain one (1) caretaker's residence for year-round occupancy

(2) Additional Permitted Accessory Uses:

- (a) Boat launch
- (b) Moorage facilities

(3) Seasonal Dwelling Area Regulations:

- (a) Minimum land area is restricted to 2 ha
- (b) Maximum floor area for a seasonal dwelling is 111 m<sup>2</sup>
- (c) Minimum setback from the natural boundary of the Alberni Inlet is 11 m
- (d) Minimum building elevation of the bottom of the lowest habitable floor above the natural boundary of the Alberni Inlet is 4 m
- (e) No vegetation removal within 11 m of the natural boundary of Alberni Inlet

(4) Additional Conditions of Use:

- (a) Each seasonal dwelling to have a minimum of 2 ha of individual land area.
- (b) No boat launch or moorage facilities shall be constructed without a foreshore lease from the relevant provincial authority.
- (c) All services are the responsibility of the owners of the property. Neither the ACRD nor utility providers shall provide any public utilities or any other works or services to the property.