



# **District of Ucluelet**

## **Zoning Bylaw No. 1160, 2013**



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## DIVISION 100 – ENACTMENT AND INTERPRETATION

### 101 TITLE AND REPEAL

101.1 This bylaw may be cited as the “District of Ucluelet Zoning Bylaw No. 1160, 2013” or “Zoning Bylaw #1160”.

101.2 The “District of Ucluelet Zoning Bylaw No. 800, 1999” and all its amendments, and all previous zoning bylaws, are hereby repealed.

### 102 SCHEDULES

102.1 The following schedules are attached to and form a part of this Bylaw:

Schedule A – Zoning Map

Schedule B – The Zones

Schedule C – Offences and Fines

### 103 DEFINITIONS

103.1 In this bylaw, the following terms have the following meanings:

#### A

“**Accessory**” means customarily associated with and ancillary but clearly incidental and subordinate to a lawfully established, conforming principal use on the same lot;

“**Accessory Building**” means a detached *building*, the use or intended use of which is *accessory* to that of the principal use and *building* on the same lot;

“**Accessory Residential Dwelling Unit**” means one *accessory dwelling unit*, for *residential* use only, primarily intended for the caretaking, management, staffing or security of the principal non-*residential* uses on the same lot;

“**Accessory Retail Sales and Administration Office**” means the *accessory* use of a minor portion of the *gross floor area* of permitted principal commercial, industrial or institutional use for *retail* sales or office directly related to the principal use in the same *building*;

“**Affordable Housing**” means *residential* housing under the terms of a housing agreement with the District pursuant to section 905 of the *Local Government Act*;

**“Auto Repair Shop”** means the use of land and one principal *building* for the repair and servicing of automobiles and recreational vehicles, specifically excluding *service station*;

## B

**“Basement”** means the lowest level of a *building* that is located below or at grade, and used for utilities, *accessory* laundry, *accessory* parking, *accessory* storage or similar non-habitable space, or no use, and specifically excluding *residential* use and commercial use;

**“Bed and Breakfast”** or **“B&B”** means the *accessory* use of a *single family dwelling* where up to a maximum of three *bedrooms* are used or designated for use as *guest rooms*, provided in accordance with Section 404 of this Bylaw;

**“Bedroom”** means a room used or designated for use for sleeping purposes in which there is no kitchen or cooking facilities;

**“Bistro/Café”** means a small-scale *restaurant*, with or without some food prepared off-site and pre-packaged, with a maximum *gross floor area* of 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) or with seating at tables or counters (or both) not exceeding a total of 20 seats;

**“Boat Building and Repair”** means the use of land, *buildings* or *structures* for the manufacturing, servicing or repair of watercraft;

**“Boutique Retail”** means a small-scale *retail* specialty shop with a maximum *gross floor area* of 185 m<sup>2</sup> (2,000 ft<sup>2</sup>);

**“Building”** means any *structure* that is used or intended to be used for sheltering a use or occupancy;

## C

**“Campground”** means the use of land for *commercial tourist accommodation* of a recreation nature only, in tents, campers and motorized recreational vehicles, specifically excluding Park Models and other *buildings*, *structures* and *vehicles* that are or appear permanent or *residential* in nature;

**“Camping Space”** means the area of a *campground* intended for one tent, camper or motorized recreational vehicle;

**“Carport”** means a roofed *structure* open on a minimum of three sides, other than the necessary supporting posts, or columns attached to the principal *building*, not higher than the *first storey* of the principal *building* and not exceeding 7 m (23 ft) in length by 3.7 m (12 ft) in width, and used for the undercover parking of *vehicle(s)*;

**“Commercial Entertainment”** means the commercial use of a *building* by which the public is entertained or amused including an amusement arcade, bingo hall, dance hall, cabaret, theatre, or movie theatre, specifically excluding *commercial recreation*;

**“Commercial Recreation”** means the commercial use of a *building* for sports and leisure activities and rentals, including a billiard/pool hall, bowling alley, indoor mini-golf or other games court, and bicycle/kayak rentals;

**“Commercial Tourist Accommodation”** means the non-*residential*, daily or short-term (not exceeding 30 consecutive days) accommodation of paying guests, transient motorists, tourists or vacationers, as commonly associated with *hotels, motels, resorts, vacation rentals, guest houses, hostels, bed and breakfasts, and campgrounds*;

**“Community Care Facility”** means the use of land and a *building* for the care of three (3) or more persons and licensed pursuant to the *Community Care and Assisted Living Act*;

**“Community Use”** means the use of land and *buildings* to provide primarily non-commercial social, social enterprise, education, administration, recreation and other public services to the community;

**“Convenience Store”** means a small-scale retail store, with a maximum *gross floor area* of 140 m<sup>2</sup> (1,507 ft<sup>2</sup>), with particular emphasis of books, magazines, food and beverage household staples, accessories and items regularly used by *residential* uses;

## D

**“Daycare Centre”** means the provincially-licensed use of land and principal *building* for care and supervision of children through a prescribed program;

**“Duplex Dwelling”** (or **“Duplex”**) means a *building* that contains two *dwelling units* (specifically excluding *secondary suite*), both for *residential* use only unless *commercial tourist accommodation* is specifically permitted in accordance with the *vacation rental (VR-1)* provisions of Section 406 of this Bylaw;

**“Dwelling Unit”** means a self-contained set of contiguous habitable rooms, consisting of at least kitchen, sanitary (bathroom), living and sleeping rooms and facilities, in the same *building*;

**“Drive-Through Use”** means a land use configured to accommodate users remaining in their *vehicles* while receiving food, services or goods from a use otherwise permitted on the lot;

## E

**“Emergency Services”** means the non-commercial use of land, *buildings* or *structures* for a fire hall, police station, ambulance headquarters, tsunami relief stations and similar essential on-call or relief services;

## F

**“Financial Institution”** means a bank, credit union, acceptance corporation, trust company, finance company, pay-day loans, or similar establishment;

**“First Storey”** means the *storey* of a *building* directly above the *basement*, or where there is no *basement*, the lowest *storey* of a *building*;

**“Front Face”** means the portion of the *building* facing and closest to the *front lot line*, but where there is more than one *front lot line*, the portion of the *building* facing and closest to the *frontage*;

**“Frontage”** means the length of the *front lot line* which provides primary access;

## G

**“Garage”** means an *accessory building*, or a portion of a principal *building*, designated and used solely for the parking or temporary storage of private *vehicles* and where there are no facilities for repairing or servicing of such *vehicles*;

**“Gross Floor Area”** means the total area of all floors of a *building(s)* or use within a *building* (as the case may be) on a *lot*, measured to the exterior walls of the *building*, specifically excluding only non-habitable portions of a *basement* and areas designated and used solely for the parking or temporary storage of private *vehicles*;

**“Guest Cottage”** means an *accessory detached dwelling unit* built on a full and continuous foundation on the same lot as the principal use of a *guest house* or *single family dwelling*, and is used for *commercial tourist accommodation*;

**“Guest House”** means the *accessory* use of a *single family dwelling* where a minimum of three and up to a maximum of six *bedrooms* are for use as *guest rooms*, if provided in accordance with Section 405 of this Bylaw;

**“Guest Room”** means a room used or designated for use for sleeping purposes, with or without an *en suite* bathroom and cooking facilities limited to:

- (a) kettle,
- (b) coffee maker,
- (c) toaster (not including a toaster-oven), and
- (d) microwave (excluding convection/microwave combination),

and is used for *commercial tourist accommodation*;

## H



**“Heavy Equipment Display”** means the use of land, *buildings* or *structures* for the display, sale or rental of *manufactured homes*, industrial vehicles and machinery including sales and *accessory* repair or servicing of such equipment, vehicles or machinery;

**“Height”** means:

(a) the shortest vertical distance from the average elevation of the natural grade of the lot measured at the base of the *building* or *structure*, to the highest point of that *building* or *structure*; or

(b) in the *Marine (M) Zones*,

(i) for a floating *building*, *structure* or floathome stationary for more than 30 days, the shortest vertical distance from the water level to the highest point of that *building*, *structure* or floathome;

(ii) for a *building* or *structure* affixed to a dock or built on pilings, the shortest vertical distance from high high tide to the highest point of that *building* or *structure*;

**“Highway”** includes a public street, road, path, *lane*, walkway, trail, bridge, viaduct, thoroughfare and any other way, but specifically excludes private rights of way on private property;

**“High Level Support Services Housing”** means the use of an otherwise *residential duplex* or *multiple family residential building* to include housing that is fully operated by a third party service provider that requires full support, such as emergency shelters, 24/7 care for people requiring assistance with mental illness, or people that have addictions to drugs or alcohol;

**“Home Occupation”** means the *accessory* use of a *residential dwelling unit* for the purposes of a commercial occupation, profession or craft conducted by its full-time resident, and in accordance with the regulations contained in Section 402 of this Bylaw;

**“Hostel”** means the use of a *building*, which *building* is at least 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) in *gross floor area*, for *commercial tourist accommodation* in the form of one or more dormitories for sleeping facilities and common bathrooms, kitchen, dining and social facilities, specifically excluding private *guest rooms* and *dwelling units*;

**“Hotel”** means the use of one or more *buildings* providing four (4) or more separate *guest rooms* or complete *dwelling units*, or combination, with separate entrances to a common hallway or walkway for *commercial tourist accommodation* use, only functioning collectively from an on-site office and staffed lobby, and may include any one or more of the following uses if *accessory*:

(a) *commercial entertainment*,

(b) *commercial recreation*,

(c) *recreational services*,

(d) *restaurant*,

(e) *spa*, and

(f) *pub/lounge*, provided that the hotel contains at least 50 *guest rooms/dwelling units* and provides dining and meeting room facilities;

## I

**“Industry, Light”** means the use of land, *buildings* or *structures* for:

- (a) *wholesale trade*,
- (b) warehousing, including packing and crating and mini-storage, and
- (c) light manufacturing or servicing of an article, substance, material, fabric or compound;

**“Industry, Medium”** means the use of land, *buildings* or *structures* for:

- (a) assembling, processing, manufacturing, servicing or repairing of a product, article, substance, material, fabric or compound,
- (b) moving, crushing, washing, screening, processing or storage of soil,
- (c) high technology uses and industries, and
- (d) recycling facility and transfer station;

**“Industry, Service”** means the use of land, *buildings* or *structures* for:

- (a) *wholesale trade*,
- (b) warehousing, including packing and crating and mini-storage,
- (c) preparation of food products, including bakery but excluding fish processing, and
- (d) testing, servicing, repairing or maintenance of an article or substance, including artisan shops;

## J

## K

**“Kennel”** means the use of land, *building* or *structure* for the keeping, grooming, breeding, training and boarding of five or more dogs or cats which are more than four (4) months of age, plus their offspring, and may include *accessory* veterinary services;

## L

**“Landscaping”** means any combination of trees, bushes, plants, flowers, lawns and other vegetation, including combined with bark mulch, decorative boulders and gravel, decorative paving, planters, sculptures, fences and the like, all fully and suitably arranged and maintained so as to enhance the appearance of a property, or where required, to effectively screen a *building*, *lot*, portion of a *lot*, storage or other use. Landscaping does not include parking areas, sidewalks, uncleared undergrowth or weed growth;

**“Lane”** means a *highway* not exceeding 8 m (26 ft) in width, intended to provide only secondary access to a *lot*;

**“Loading Space”** means a space for the loading and unloading of a *vehicle*, either outside or inside a *building* or *structure*, but specifically excludes maneuvering aisles and other areas providing access for the space;

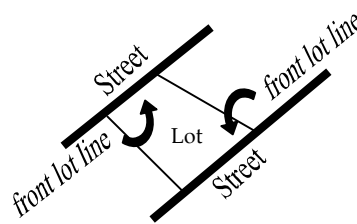
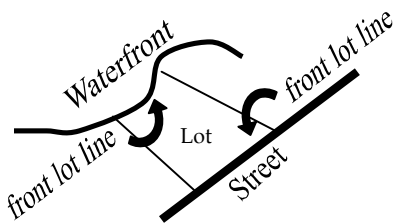
**“Lot”** means a parcel of land registered in the Land Title Office Registry and includes parcels and strata lots created by bare land strata subdivision, specifically excluding areas dedicated as road or park on a plan of subdivision, and:

- (a) **“corner lot”** means a lot which abuts two or more intersecting *highways*;
- (b) **“through lot”** means a lot abutting two parallel or approximately parallel *highways* or any combination of *highway* common property access route and a body of water;

**“Lot Coverage”** means the total horizontal area of all *buildings* or parts thereof, as measured from the outermost perimeter of all *buildings* on the lot, and expressed as a percentage of the total area of the lot;

**“Lot Line”** means the property boundary lines of a *lot*, as identified by survey or other description as registered in the Land Title Office Registry where such records are current and accurate, and

- (a) **“front lot line”** means the property boundary line of the lot and the *highway* it abuts and gains primary access from, however:
  - (i) in the case of a *corner lot*, means the shortest lot line abutting the *highway*;
  - (ii) in the case of a *panhandle lot*, means the lot line or lines common to a *lot* and an abutting *highway* and the lot line approximately parallel to such line at the end of the panhandle access strip;
  - (iii) in the case of a *through lot*, means both the lot lines abutting two parallel or approximately parallel *highways* or combination of *highway*, common property access route or the water;



- (iv) in the case of a *lot* that gains access other than from an abutting *highway*, means the lot line from which it gains access, be that easement area, private road, forest service road or water;
- (b) **“rear lot line”** means the lot line furthest from, and opposite to, the *front lot line*, and, in the case of a triangular shaped lot, a line 3 m (10 ft) in length entirely within the lot, parallel to and at a maximum distance from the *front lot line*;
- (c) **“side lot line”** means the *exterior side lot line* or the *interior side lot line* or both;
- (d) **“exterior side lot line”** means the *lot line(s)* common to the lot and an abutting *highway* (other than a path, *lane*, walkway, trail), that is not the *front lot line*;

(e) “**interior side lot line**” means the *lot line(s)* connecting the front and rear lot lines, common to the lot and another lot or lane;

“**Lot Width**” means the length of a straight line perpendicular to a straight line connecting the mid-point of the *front lot line* and *rear lot line*, except:

(a) in the case of a panhandle lot, the *front lot line* is the portion at the end of the panhandle access strip, not abutting the *highway*;

(b) in the case of a *through lot*, the measurement is at mid-point of the two *front lot lines*; and

(c) in the case of a lot on the rounded portion of *cul-de-sac*, the measurement is taken 7.5 m (25 ft) back from the centre-point of the *front lot line*;

## M

“**Major Road**” means a *highway* designated an arterial or collector road, other than a minor collector road, pursuant to District bylaws and transportation plans;

“**Manufactured Home**” means a *building* containing a *dwelling unit*, certified under Canadian Standards Association (CSA) standard Z-240 or CSA standard A-277 (as updated from time to time), designed to be moved from time to time, which arrives at the lot complete and ready for occupancy except for placing on suitable foundations, connection to utilities, and incidental assembly, and is used only for *residential* purposes, specifically excluding recreational vehicles;

“**Manufactured Home Park**” means the *residential* use of land for the purpose of providing pads for two or more *manufactured homes*, each within its own *manufactured home space*, and *accessory* useable open space not less than 5% of the lot area, all in accordance with the provisions of the MH Zone, and subject to compliance with the District's *Mobile Home Park Bylaw*;

“**Manufactured Home Space**” means an area of land within a *manufactured home park* designated for the exclusive use of one *manufactured home*, the total horizontal area of which home plus all additions, *accessory buildings* and *structures* is not to occupy more than 50% of the space;

“**Marina**” means the use of land, *buildings* or *structures* for the commercial or non-commercial moorage of watercraft, excluding permanent storage, and may include any or all of the following as *accessory* uses only:

- (a) Sale or rental of watercraft,
- (b) Marine-related charters and tours,
- (c) Marine fueling station,
- (d) Marine-related *retail* supplies and equipment,
- (e) *Boat Building and Repair*,
- (f) *Restaurant*,
- (g) *Bistro/Café*,
- (h) Marina management office,
- (i) One *Accessory Residential Dwelling Unit*;

**“Marine Recreation”** means non-commercial leisure or recreational activities on or in the water, such as fishing, swimming, boating and water skiing;

**“Mixed Commercial/Residential”** means the use of a *building* containing a combination of:

- (a) commercial uses that are otherwise permitted within the *Zone* on any *storey*, including *commercial tourist accommodation* uses not on the *first storey*, and
  - (b) *residential* uses located exclusively at the second *storey* or higher,
- unless otherwise specified in a particular *Zone*;

**“Mixed Commercial/Resort Condo”** means the use of a *building* containing a combination of:

- (a) commercial uses that are otherwise permitted within the *Zone*, excluding *commercial tourist accommodation* uses, on any *storey*; and
- (b) *commercial tourist accommodation* uses located exclusively at the second *storey* or higher;

**“Mixed Industrial/Residential”** means the use of a *building* containing a combination of:

- (a) industrial uses that are otherwise permitted within the *Zone*, and
- (b) *residential* uses located exclusively at the second *storey* or higher;

**“Mobile Vending”** means the provision of merchandise, services, or food, while temporarily stationary but primarily on foot, bicycle, *vehicle* or any other means of transportation or with any type of mobile receptacle, including but not limited to carts, tables, and wagons, other than a delivery vehicle owned and operated by a licensed retailer or wholesaler within the District, and specifically excluding hawkers, hucksters and peddlers;

**“Moderate Level Support Services Housing”** means the use of an otherwise *residential duplex* or *multiple family residential building* to include housing that has the option to provide services within the *dwelling units* for people that require social service assistance, for people that are victims of abuse, assisted living units with medical need, or disabilities;

**“Motel”** means a *building*, or group of *buildings* on the same *lot*, providing four (4) or more separate *guest rooms* or *dwelling units* with the entrance to each room being to the outside of the *building*, for *commercial tourist accommodation* use only, functioning from an on-site staffed office, and with on-site parking in close proximity to each *guest room* or *dwelling unit*;

**“Multiple Family Residential”** (or “MFR”) means a *building*, or group of *buildings* on the same *lot*, each containing three or more *dwelling units*, for *residential* use only and specifically excluding *commercial tourist accommodation*, on a *lot* which includes a minimum useable outdoor recreation/ amenity space of:

- (a) 16 m<sup>2</sup> per *bedroom* when in the R-2 *Zone*;
- (b) 20 m<sup>2</sup> per *bedroom* when in the R-3 *Zone*;

(c) 8 m<sup>2</sup> per *bedroom* when in all other Zones (including the *residential* component of the *mixed residential/commercial* and *mixed residential/industrial* uses);

## N

“N/A” means not applicable, in the sense that a specific regulation under the provision noted is not specifically identified in this Bylaw, however the calculations of other regulations may effectively result in a limitation under that provision. (*For example, gross floor area for a principal building may have an N/A symbol yet the maximum available would be limited by the combined application of floor area ratio, lot coverage, height and other regulations.*) “N/A” does not mean zero or unlimited, as the case may be.

“**Natural Boundary**” means the visible high water mark of any ocean, lake, *watercourse* or other body of water where the presence and action of water are so common and usual, and so long continued in ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation as well as in the nature of the soil itself, and if shown, shall be deemed to be that surveyed and identified on a plan registered with the Land Title Office within the previous six (6) months;

“**Neighbourhood Pub**” means an establishment operating as a neighbourhood public house under a “D” type licence issued pursuant to the *Liquor Control and Licensing Act*;

## O

“**Outdoor Recreation**” means the commercial or non-commercial use of land, with or without *accessory buildings* and *structures*, for a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element, and includes *park* or open space, playing field, botanical garden, arboretum, and outdoor exhibits, excluding golf courses;

“**Outdoor Sales**” means the use of land, *buildings* and *structures* for the *retail* sale or rental of items that are of such a size or quantity so as to typically and primarily be displayed outdoors, such as:

- (a) lumber and building products,
- (b) nurseries, soils and garden supplies,
- (c) recreational vehicles, automobiles and boats,

and includes *accessory indoor retail* and *accessory administration office*.

## P

“**Park**” means land for public use or intended for primarily non-commercial outdoor recreational purposes, and includes archeological, historical or natural sites;

**“Parking Lot”** means the principal use of land for *parking spaces* and maneuvering aisles for the short-term parking of *vehicles*, and specifically excluding overnight parking or storage;

**“Parking Space”** means the space for the parking of one *vehicle* either outside or inside a *building* or *structure*, including *garage* or *carport*, excluding maneuvering aisles and areas providing access to the space;

**“Permitted Use, Principal”** means the permissible purpose for which land, *buildings* or *structures* may be used, with or without establishment of other uses;

**“Permitted Use, Secondary”** means the permissible purpose for which land, *buildings* or *structures* may be used, only permitted in conjunction with a *principal permitted use*;

**“Personal Services”** means the use of a *building* for the provision of professional or personal services, with or without the *accessory* sale of goods, wares, merchandise, articles, or things directly related to such services, and includes a barber shop, beauty salon and aesthetics, cosmetic surgery, acupuncture, herbalists and naturopaths, massage services, tattoo parlour, shoe repair shop, dry cleaning shop, and launderette, specifically excluding *financial institutions*, *commercial entertainment* and *offices*;

**“Place of Worship”** means the use of a *building* used for religious worship and *accessory* assembly, entertainment and educational purposes and one *accessory residential dwelling unit*;

**“Public Administration & Utility”** means the use of land, *buildings* or *structures* for non-commercial management of public resources and provision of public services to the community, and includes *parks*, hospitals, cemetery, community centres, *emergency services*, libraries, museums, law courts and the municipal hall;

**“Public Assembly”** means the use of land, *buildings* or *structures* for primarily non-commercial exhibits, special events, or meetings and includes an auditorium, *place of worship*, museum, community centres, fraternal lodge, youth centre or senior citizens complex, specifically excluding *commercial entertainment* and *commercial recreation*;

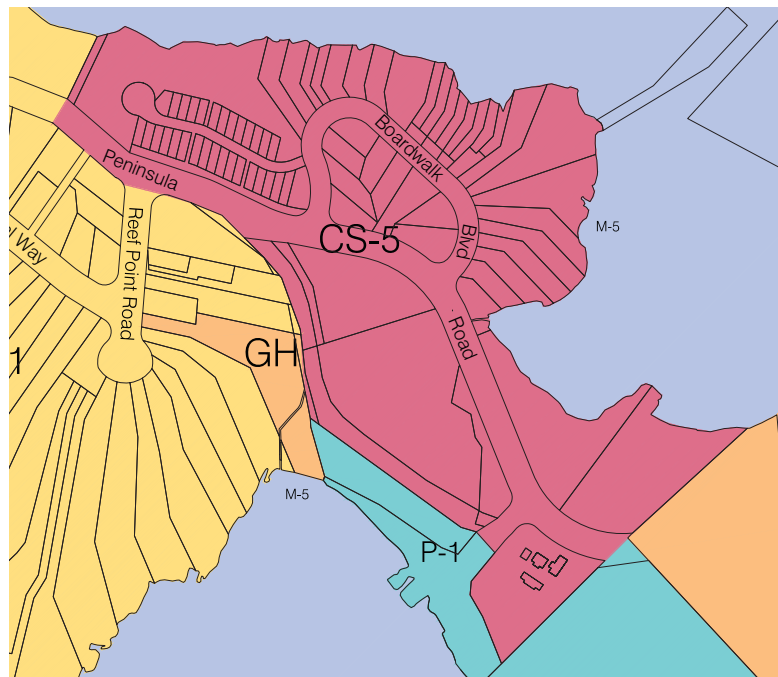
Q

R

**“Recreational Services”** means the commercial use of land, *buildings* or *structures* for sports and leisure activities and services, both on and off shore, and includes tours, charters, a health club, spa or swimming pool, specifically excluding a fairground;

**“Residential”** means the occupancy or use of a *building* or part thereof as a *dwelling unit*, as the residence and domicile of a person or family who intend to return when absent, and excludes *commercial tourist accommodation*;

**“Resort Condo”** means a *building*, or group of *buildings*, providing two or more separate *dwelling units*, for *commercial tourist accommodation* use only, without the *accessory uses* commonly associated with or specifically permitted with *hotels* or *motels*. The building(s) must be on the same *lot* or within the strata plan, except for the parcels within the CS-5 Zone along Peninsula Road, as illustrated below (“Reef Point”), in which case there may be only one unit per lot:



**“Restaurant”** means an eating establishment where food is prepared and served, in a *building* on the same *lot*, to the public for consumption primarily at tables within the building or on a patio on the same *lot*, specifically excluding *drive-through uses*, *neighbourhood pubs* and establishments that have a liquor primary licence;

**“Retail”** means the business of selling goods, wares or merchandise to the ultimate consumer for personal consumption or household use, and not for resale purposes, including *boutique retail* but specifically excluding *personal services*, *outdoor sales*, *convenience store* and *mobile vending*;

## S



**“School”** means the use of land, *buildings* or *structures* for the provision of education to children or adults, and includes pre-school, kindergarten, elementary, middle, secondary and post-secondary institutions, as well as language and other professional or technical education;

**“Screening”** means a continuous fencing, wall, compact hedge or combination thereof, supplemented with *landscaping*, that effectively provide a visual separation or enclosure for a *building*, *lot*, portion of a *lot*, storage or other use, and is broken only by limited access drives and walks;

**“Secondary Suite”:**

- (a) in all instances other than a *Vacation Rental (VR-1)* designation, means one separate *accessory dwelling unit*, for *residential* use only, located within a *single family dwelling*, in accordance with Section 403 of this Bylaw; or
- (b) in a *building* with a *Vacation Rental (VR-1)* designation, means one or two separate *accessory dwelling units* used for either *residential* use or *commercial tourist accommodation* in accordance with Section 406 of this Bylaw;

**“Service Station”** means the use of land, *buildings* and *structures* for the retail sale of motor fuels and lubricants, including alternative energy for *vehicles*, and which may include any or all of the following as *accessory* uses only:

- (a) *auto repair shop*;
- (b) towing service;
- (c) retail sale of automobile accessories; and
- (d) convenience *retail* not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>) of *gross floor area*;

**“Single Family Dwelling”** (or **“SFD”**) means a detached principal *building* (including a *manufactured home*) that consists of one *dwelling unit*, and may contain a second *dwelling unit* in the form of a *secondary suite* where specifically permitted, all used for *residential* use only unless *commercial tourist accommodation* is specifically permitted and established in accordance with:

- (a) the *bed and breakfast* provisions of Section 404 of this Bylaw;
- (b) the *guest house* provisions of Section 405 of this Bylaw; or
- (c) the *vacation rental* provisions of Section 406 of this Bylaw;

**“Staff Housing”** means the accessory residential use associated with but subordinate to, and occupied by the current employees of, one or more *principal permitted uses* on the *lot* on which it is located, or, in the case of comprehensive development *Zones* in accordance with the conditions under the CD Zone, and noting:

- (a) Staff Housing may be provided under the terms of a housing agreement with the District pursuant to section 905 of the *Local Government Act*;
- (b) accessory residential use, for the purposes of this definition, means any combination of *accessory residential dwelling units* or bedrooms in a communal facility with common bathrooms, kitchen, dining and social facilities (not exceeding 6 bedrooms per communal facility), each bedroom considered one (1) “staff housing unit”;

“**Storey**” means that part of a *building* situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above, not including a *basement* or unused and non-habitable attic;

“**Studio**” means primarily commercial use of a *building* for the production and sale of photographs, paintings, sculptures, jewelry, crafts and similar art, specifically excluding *residential* use unless in accordance with a *mixed residential/commercial* use designation;

“**Structure**” means anything that is constructed, fixed to, supported by or sunk into land or water;

## T

“**Take Out Food Services**” means an eating establishment where food is prepared in a *building* on the same *lot*, without table service or seating and sold to the public primarily for consumption off-site;

## U

## V

“**Vacation Rental**” means the use of an otherwise *residential dwelling unit* for *commercial tourist accommodation*, provided in accordance with Section 406 of this Bylaw;

“**Vehicle**” means a vehicle licensed pursuant to the *Motor Vehicle Act*, with any vehicle which has not been licensed for a period of one (1) year and which is not stored in a *building* shall be deemed a derelict vehicle;

## W

“**Watercourse**” means any natural or man-made drainage course or source of water, intermittent or not, including any lake, river, creek, spring, ravine, swamp, or source or ground or surface water, or as designated by the *Ministry of Environment*;

“**Wholesale Trade**” means the commercial use of land, *buildings* or structures for the purpose of:

- (a) selling merchandise to retailers;
- (b) selling merchandise to industrial, commercial, institutional, or professional business users;
- (c) selling merchandise to other wholesalers; or
- (d) acting as agents or brokers and buying merchandise for or selling merchandise to such individuals or companies;

X

Y

**“Yard”** means that portion of a *lot* where the siting of *buildings* or structures is prohibited by the minimum setback regulations of this Bylaw, and includes:

(a) **“front yard”** means that part of a *lot* measured perpendicularly from the *front lot line* a distance of the front yard minimum setback and extending across the full width of the *lot* parallel to the *front lot line*;

(b) **“rear yard”** means that part of a *lot* measured perpendicularly from the *rear lot line* a distance of the rear yard minimum setback and extending across the full width of the *lot* parallel to the *rear lot line*;

(c) **“side yard”** means those parts of a *lot* extending from the *front yard* to the *rear yard* and lying between:

(i) the **interior side lot line(s)** and the distance measured perpendicularly from the interior side minimum setback(s), and, if any,

(i) the **exterior side lot line(s)** and the distance measured perpendicularly from the exterior side minimum setback(s);

Z

**“Zone”** means an area of land established under Division 200 and the Schedules of this Bylaw and subject to regulation in accordance with this Bylaw;

103.2 Defined terms are italicized in this Bylaw (other than headings and most tables) for convenience purposes only, and the above definitions apply whether a term is italicized or not.

## 104 MEASUREMENTS

104.1 All regulations and measurements are in metric. Imperial equivalents are provided for convenience only and have no force or effect.

## 105 SEVERABILITY

105.1 Any section, subsection, sentence, clause or phrase of this Bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

105.2 For greater certainty, for *Zones* that include density-bonusing provisions, should any measure of density, condition or amenity be held to be invalid by the decision of any Court of competent jurisdiction, that measure of density, condition or amenity may be severed without affecting the validity of the density-bonusing scheme and other measures of density, conditions or amenities.

## DIVISION 200 – CREATION OF ZONING DISTRICTS

### 201 THE ENTIRE DISTRICT IS DIVIDED INTO ZONES

201.1 The District of Ucluelet is divided into the following *Zones*:

- (1) as shown on the plan entitled “Zoning Map of the District of Ucluelet” attached as Schedule “A”; and
- (2) as detailed with prohibitions, regulations and requirements in the *Zones* attached as Schedule “B”:

<b>Map Symbol</b>	<b>Zone Category and Zone Name</b>
<b>Residential Zones</b>	
MH	Manufactured Home Park
R-1	Single Family Residential
R-2	Medium Density Residential
R-3	High Density Residential
R-4	Small Lot Single Family Residential
RU	Rural Residential
<b>Commercial &amp; Mixed Commercial Accommodation Zones</b> (also includes CD-2B, CD-3B, CD-4, CD-5E and parts of CD-5A CD-5B, CD-5D, CD-6)	
CS-1	Village Square Commercial
CS-2	Service Commercial
CS-3	Service Station Commercial
CS-4	Neighbourhood Pub Commercial
CS-5	Tourist Commercial
CS-6	Tourist Commercial Waterfront
CS-7	Tourist Commercial & Residential
GH	Guest House
HS	Hostel
VR-1	Vacation Rental (VR-1)
<b>Industrial Zones</b> (also includes CD-1)	
I-1	Industrial
I-2	Service Industrial
<b>Institutional Zones</b>	
P-1	Public Institutional
P-2	Limited Institutional
P-3	Village Square Institutional
<b>Marine Zones</b>	
M-1	Small Craft Harbour Marine
M-2	Community Dock Marine
M-3	Marine Commercial
M-4	Marine Industrial
M-5	Marine Recreation & Protection

### Comprehensive Development Zones

- CD-1 Eco-Industrial Park
- CD-2A Big Beach – District Lot 281 (Lot 1)
- CD-2B Big Beach – Black Rock
- CD-3A Rainforest – District Lot 282
- CD-3B Rainforest – District Lot 281 (Remainder)
- CD-4 Whiskey Landing
- CD-5A Former Weyco Forest Lands – Development Area #1  
(Wyndansea/ Signature Circle)
- CD-5B Former Weyco Forest Lands – Development Area #2  
(Central Park)
- CD-5C Former Weyco Forest Lands – Development Area #3  
(OceanWest)
- CD-5D Former Weyco Forest Lands – Development Area #4  
(OceanWest Hotels)
- CD-5E Former Weyco Forest Lands – Development Area #5  
(OceanWest)
- CD-6 Olsen Bay (Lot 5 Plan VIP75113)

(3) For greater certainty, the *Zone* names and grouping into categories reflects the predominant uses for the respective *Zones*, but mixed uses and uses from other categories may be permitted in accordance with the detailed listing and regulations in each respective *Zone* and this Bylaw.

201.2 The prohibitions, regulations and requirements of each *Zone* in this Bylaw are applicable to the areas designated on the Zoning Map with the corresponding alphabetical or alpha-numeric “Map Symbol”.

201.3 For greater certainty, the entirety of the District, including marine (ocean) areas, are regulated by this bylaw and the boundaries of *Marine Zones* extend to the jurisdictional boundary of the District as determined by letters patent, despite scaling on the Zoning Map. All marine areas are zoned M-5 Marine Recreation & Protection Zone unless otherwise noted on the Zoning Map.

## 202 ZONE BOUNDARIES

202.1 Except as shown on the Zoning Map,

- (1) where a *Zone* boundary is designated as following a *highway* or a *watercourse*, the centerline of the *highway* or the *watercourse* is the *Zone* boundary;

- (2) where a *Zone* boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of the boundary is determined by the electronic version of the Zoning Map to the centre of each zoning line; and
- (3) the *natural boundary* of the marine (ocean) shoreline is a *Zone* boundary.

202.2 Where a *lot* is divided by a *Zone* boundary, the areas created by such division are deemed to be separate lots for the purpose of determining the regulations and requirements of this Bylaw, except that setbacks between the *Zones* are not required unless the lot is capable of being subdivided along that *Zone* boundary.

### 203 COMPREHENSIVE DEVELOPMENT ZONES

*The provisions in this section are provided for historical reference, interpretation and informational purposes only:*

203.1 CD Zone designations originally included large undeveloped or forested areas, intended to be developed according to the master plan included with each Zone, generally to include a mixture of uses at a maximum density of 5 units per hectare based on the following equivalencies table, except where otherwise noted. The maximum density may have been increased to a maximum of 25 units per hectare upon provision of additional public open space and other public amenities, with a combination of different land uses accommodated in a Comprehensive Development Area based on the following density equivalency table:

<b>One “Planning” Unit</b>	<b>=</b>	<b>0.5</b> <i>single family dwelling unit / manufactured home</i>
		<b>0.3</b> <i>small lot single family residential lots (3,800 - 7,000 ft<sup>2</sup>)</i>
		<b>0.3</b> <i>vacation rental lots (1,000 - 1,300 m<sup>2</sup>)</i>
		<b>0.5</b> <i>vacation rental lots (1,300 - 1,600 m<sup>2</sup>)</i>
		<b>0.7</b> <i>vacation rental lots (&gt;1,600 m<sup>2</sup>)</i>
		<b>0.3</b> <i>guest house lots (minimum lot size ½ acre - 1 acre)</i>
		<b>1.0</b> <i>multiple family residential dwelling unit</i>
		<b>0.8</b> <i>resort condo units</i>
		<b>2.0</b> <i>hotel rooms in a hotel with restaurant</i>
		<b>3</b> <i>motel units with kitchen facilities</i>
<b>3</b> <i>motel units or camping spaces without kitchen facilities</i>		
<b>2</b> <i>recreational vehicle pads</i>		

30 square metres of <i>gross floor area</i> for environmentally friendly industrial uses
30 square metres of <i>gross floor area</i> of a <i>restaurant</i>
40 square metres of <i>gross floor area</i> of <i>retail commercial, personal services</i>
40 square metres of <i>gross floor area</i> of a <i>public assembly</i> or recreational use.

203.2 The base density of 5 units per hectare assumed dedication of 5% of the CD Area for public open space or parkland. This base density may have been increased in the following manner:

Open Space Dedication/ Amenity Contribution	Maximum Density Allowed
5%	5 units/ha
15%	10 units/ha
25%	15 units/ha
35%	20 units/ha
40%	25 units/ha

203.3 For greater certainty, the regulations of each *CD Zone* are solely applicable and the provisions of this section are intended only to inform the basis for such density bonusing and to inform future potential zoning amendments.



## DIVISION 300 – GENERAL PROHIBITIONS & REGULATIONS

### 301 GENERAL COMPLIANCE

- 301.1 No person shall use, occupy or permit any person to use or occupy any land or *building* in contravention of this Bylaw.
- 301.2 Nothing contained in this Bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to that use, activity or other matter regulated under this Bylaw.
- 301.3 Every use of land, *building* and structure permitted in each *Zone* shall conform to all the regulations of the applicable *Zone* and all other regulations of this Bylaw.

### 302 GENERAL PROHIBITIONS

- 302.1 No land, *building* or structure may be used or occupied, or left with no use, except in conformity with this Bylaw.
- 302.2 No *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged:
- (1) except in conformity with this Bylaw; or
  - (2) so as to cause any existing *building* or structure on the same *lot* to violate the provisions of this Bylaw.
- 302.3 No subdivision may be approved:
- (1) except in conformity with this Bylaw; or
  - (2) so as to cause any existing *building* or structure to violate the provisions of this Bylaw.

### 303 PERMITTED AND PROHIBITED USES

- 303.1 No land, *building* or structure may be used for a use that is not specifically listed under the heading “**Permitted Uses**” in the *Zone* that the land, *building* or structure is located, and no *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than a specifically permitted use in that *Zone*. For greater certainty:

- (1) A use listed under the “**Secondary**” subcategory of “Permitted Uses” is only permitted if a use from the “**Principal**” subcategory is lawfully established and ongoing.
- (2) A use not specifically permitted in a *Zone* is prohibited from that *Zone*.
- (3) A use not specifically permitted in this Bylaw is prohibited from the District.

303.2 Despite Subsection 303.1, the following uses are **permitted**:

- (1) in all *Zones*,
  - (a) utilities use provided that any associated *building* must not exceed a *gross floor area* of 5 m<sup>2</sup> (53.8 ft<sup>2</sup>);
  - (b) *parks* available daily for primarily non-commercial public use, including *accessory* playground equipment, and recreational facilities, and *accessory* parking areas;
  - (c) *accessory buildings* and *accessory* structures in accordance with Section 401;
  - (d) *accessory* off-street parking in accordance with Division 500;
- (2) in *Zones* in which a *residential* use is permitted as a principal use, the temporary use of camper, trailer or other recreational vehicle for habitation during construction of the principal *dwelling unit* portion of a *single family dwelling* or *duplex* on the same *lot* where:
  - (a) a building permit has been taken out to construct a principal *dwelling unit* on the parcel;
  - (b) the building permit has been endorsed for a temporary shelter in accordance with the *District of Ucluelet’s Building Bylaw*;
  - (c) the owner actively proceeds with the work to complete the principal *dwelling unit*; and
  - (d) such use is for a period of time not longer than the lesser of:
    - (i) one year from issuance of the building permit for the principal *dwelling unit*; or
    - (ii) fifteen (15) days following issuance of an occupancy permit for the principal *dwelling unit*;
- (3) in *Zones* in which a *residential* use is permitted as a principal use,
  - (a) *affordable housing*;

- (b) *staff housing*;
- (4) in Zones in which a *single family dwelling* is a *principal permitted use*, one *community care facility*, in accordance with and so long as permitted by section 20 of the *Community Care and Assisted Living Act*, S.B.C. 2002 c.7, being either:
  - (a) a *daycare centre* for no more than 8 children in care; or
  - (b) a residence for no more than 10 persons, not more than 6 of whom are persons in care.

303.3 Without limiting the generality of Subsection 303.1, the following uses are **prohibited** in all *Zones*:

- (1) the use of a tent, camper, trailer or other recreational vehicle, or any structure for habitation purposes, except as noted in Subsection 303.2(2) or unless specifically permitted within a *Zone*;
- (2) the parking, storing, assembling or dismantling, for a total of thirty (30) or more consecutive days of any of the following:
  - (a) more than one (1) unlicensed or derelict vehicle which is not in a garage or *carport*;
  - (b) detached vehicle parts unless fully concealed within a *building* or structure;
  - (c) unlicensed or derelict vehicle, commercial vehicle, truck, bus, container or contractor's equipment within a *front yard*;
- (3) auto wrecking,
- (4) salvage or scrap metal yards;
- (5) *drive-through uses*;
- (6) medical and other federally licensed marihuana production facilities, including parts thereof licensed under the federal *Medical Marihuana for Medical Purposes Regulation*;
- (7) the storage or other keeping of household or business garbage or waste material, and their associated receptacles or containers, anywhere other than within a principal *building*, except on the day of collection, unless kept in:
  - (a) an *accessory building* or garage, or
  - (b) an animal-proof enclosure that is:

- (i) fully enclosed on all sides, and has a roof, door(s) and a self-latching device of a design and strength sufficient to prevent access by animals, as per the criteria listed in Section 7 of the *District of Ucluelet Garbage Collection & Regulation Bylaw No. 960, 2004*;
- (ii) fully and suitably screened and landscaped on all sides except a portion of one side facing the principal *building* for the purposes of access; and
- (iii) sited in accordance with the most restrictive setback requirements for *accessory buildings* or structures for the *Zone* in which the *lot* is located, despite any siting exceptions in the Bylaw.

303.4 Without limiting the generality of Subsection 303.1, the following uses are prohibited in all *Marine Zones* (M-1 through M-5):

- (1) Commercial or recreational aquaculture;
- (2) Boat, vessel or aircraft storage *buildings*; and
- (3) Landfills/ garbage dumps.

303.5 Where a *Zone* includes a “**Minimum Lot Size**”, “**Minimum Lot Frontage**”, “**Minimum Lot Depth**” and “**Minimum Lot Width**”, then a *lot* that does not satisfy all minimum requirements for the regulated use may not be used for that use, unless:

- (1) the *lot* was created prior to the adoption of this Bylaw and no other permitted use is available for the *lot*; or
- (2) the regulation(s) which is not satisfied has been varied by Council or the Board of Variance.

### 304 DENSITY REGULATIONS

304.1 Where a *Zone* includes a regulation entitled “**Maximum Lot Coverage**”, the *lot coverage* of all *buildings* and structures on the *lot* must not exceed the percentage specified for the *Zone* in which the *lot* is located.

304.2 Where a *Zone* includes a regulation entitled “**Maximum Floor Area Ratio**”, the *gross floor area* of all *buildings*, including *accessory buildings*, on

the *lot* divided by the total area of the *lot* must not exceed the ratio identified for the *Zone* in which the *lot* is located.

$$\text{Floor Area Ratio} = \frac{\text{Gross Floor Area}}{\text{Total Lot Area}}$$

304.3 Where a *Zone* includes a regulation entitled “**Maximum Density**” with:

- (1) an absolute number of units figure, no *lot* may be subdivided and no *lot* may be developed with more than the number of *lots* or units identified for the *Zone*, and development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located;
- (2) a units/hectare figure, no *lot* may be subdivided and no *lot* may be developed with more than the number of *lots* or units per hectare as determined by applying the figure for the *Zone* in which the *lot* is located to the area of the *lot*;
- (3) a square metre (m<sup>2</sup>) figure, no *lot* may be developed with more than the square footage noted for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located to the area of the *lot*.

304.4 For greater certainty,

- (1) where more than one of the above density regulations apply to any particular *lot*, the most restrictive governs; and
- (2) in the context of comprehensive development (CD) *Zones*, the above regulations may apply to either a *lot* or a development area or both, as further specified in that CD *Zone*.

304.5 The density bonusing provisions of the *Local Government Act* are incorporated into this Bylaw as follows:

- (1) for Comprehensive Development (CD) *Zones*, in accordance with Section 203, with a “**Base Density**” of 5 units/hectare, and a “**Bonus Density**” according to the *Zone*; and
- (2) for all other *Zones*, where noted with the labels “**Base Density**” and “**Bonus Density**”, the latter only applicable upon the satisfaction of the conditions noted (e.g. amenities and/or housing).

### 305 BUILDINGS & STRUCTURES – NUMBER, SIZE AND HEIGHT

305.1 Not more than one principal *building* may be sited on one *lot*, except as expressly otherwise specified in a definition or a *Zone*.

305.2 Where a *Zone* includes a regulation entitled “**Maximum Number**” in relation to a *building* or structure, no *lot* may contain more *buildings* and structures (combined) than the number specified for the *Zone* in which the *lot* is located.

305.3 Where a *Zone* includes a regulation entitled “**Maximum Height**”, no *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the *height* specified for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *building* or structure is located.

- (1) For greater certainty, maximum *height* in a *Zone* may vary according to the use of the *building* or structure, as specified in the *Zone*.
- (2) Despite Subsection 305.3, the following may exceed the maximum *height* regulations provided that such structures collectively cover no more than five percent (5%) of the *lot*, and no more than five percent (5%) of the roof area of a principal *building*:
  - (a) spires or belfries for *Places of Worship*,
  - (b) domes,
  - (c) monuments,
  - (d) fire and hose towers,
  - (e) observation towers,
  - (f) stadiums,
  - (g) aerials, transmission towers or radio towers,
  - (h) silos,
  - (i) chimneys,
  - (j) flag poles,
  - (k) masts,
  - (l) water tanks,
  - (m) solar panels and photovoltaic cells,
  - (n) cooling towers.

### 306 BUILDINGS & STRUCTURES – SETBACKS AND SITING

306.1 Where a *Zone* includes a regulation entitled “**Minimum Setbacks**”, no *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged nearer to the lot line than the distance specified for the *Zone* in which the *building* or structure is located, and For greater certainty:

- (1) setbacks may vary according to any combination of use, *building*, structure or location within a *Zone* or adjacent *Zone*, or by *lot* dimensions, or to a specific *highway*, and the provisions of this Bylaw must be interpreted accordingly;
- (2) any portion of a *building* or structure located below finished grade is subject to all setbacks for the *Zone* in which the *building* or structure is located.

306.2 In addition to minimum setback requirements of other parts of this Bylaw:

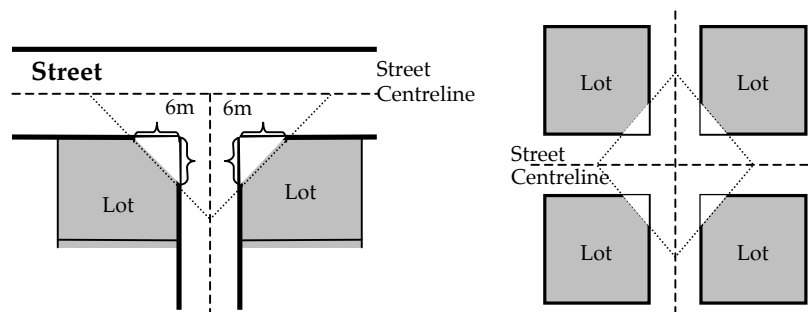
- (1) No *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged within
  - (a) 7.5 m (25 ft) on the upland side of the *natural boundary* of the ocean,
  - (b) 30 m (98.5 ft) of the *natural boundary* of any other natural *watercourse* or source of water supply,

except as expressly otherwise specified in a *Zone*, or a S.219 Covenant registered as a condition of a Master Development Agreement associated with a Comprehensive Development (CD) *Zone*.

- (2) For purposes of vision clearance,
  - (a) no fence, wall, *building* or structure, other than a permitted principal *building*, may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged to a *height* exceeding 1.2 m (4 ft), and
  - (b) no hedge, bush, shrub, tree or other growth may be maintained or allowed to grow,

so as to obstruct vision in the area bounded triangularly by extending a minimum 6 m (20 ft) *boundary* along the *lot* lines from the point of the

exterior corner intersection of the *lot* lines and a line connecting these two points, as illustrated below:



306.3 Despite Subsection 306.1, the following are permitted despite minimum setback requirements but subject to the conditions noted in Subsection 306.2, other requirements of this Bylaw and below:

- (1) one fence along each property line;
- (2) steps;
- (3) eaves and gutters, cornices, sills, bay windows, chimneys or other similar features, provided that such projections do not project more than 0.6 m (2 ft) into the setback area;
- (4) open porches, marquees, canopies, balconies, and sun shades provided that such projections do not project more than 1.2 m (4 ft) into the setback area;
- (5) arbors and trellises, fishponds, ornaments, flagpoles or similar garden features;
- (6) an uncovered and fully open patio at or within 61 cm (24 inches) of the ground in any *Zone*;
- (7) an uncovered patio or terrace, which may be open or enclosed, in a RU, R-1, R-2, R-3, R-4 or MH *Zone* or on a *lot* with the principal use of a *single family dwelling* or *duplex dwelling* in a CD *Zone*.

### 307 SUBDIVISION – CREATION OF LOTS

307.1 Where a *Zone* includes a regulation entitled “**Minimum Lot Size**”, no *lot* may be created by subdivision that has an area less than the figure specified for the *Zone* in which the *lot* is located.



307.2 No *lot* may be created by subdivision that has a *frontage* less than 15 m (50 ft), however:

- (1) despite 307.2, the minimum *lot frontage* for a *lot* on the rounded portion of a cul-de-sac or a curved street is 9 m (30 ft), measured at a point 7.5 m (25 ft) back from the *front lot line* radial from the street centre of curvature;
- (2) despite 307.2 and 307.2(1), where a *Zone* includes a regulation entitled “**Minimum Lot Frontage**”, either for the *Zone* or according to use permitted within that *Zone*, then no *lot* for that use may be created by subdivision that has a *frontage* less than the figure specified for that use within the *Zone*.

307.3 Where a *Zone* includes a regulation entitled “**Minimum Lot Width**”, no *lot* may be created by subdivision that has *lot width* less than the figure specified for the *Zone* in which the *lot* is located.

307.4 For all *Zones*, no **panhandle lot** may be created by subdivision unless the panhandle (access strip) is a minimum width of:

- (1) 20 m (66 ft), where further subdivision of the *lot* is possible under the provisions of this Bylaw; or
- (2) 6 m (20 ft), where further subdivision is not possible, unless back to back (abutting) panhandles are created, in which case each panhandle shall have a minimum width of 3.5 m (11.5 ft).

## DIVISION 400 – SUPPLEMENTAL REGULATIONS

### 401 ACCESSORY BUILDINGS & STRUCTURES

401.1 *Accessory buildings* and *accessory* structures are permitted on any *lot* subject to compliance with the more restrictive of:

- (1) the prohibitions, restrictions and regulations of the *Zone* in which the *lot* is located; and
- (2) all the provisions of this Section.

401.2 No *accessory buildings* or *accessory* structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged unless:

- (1) the *principal permitted use* is being carried out on the *lot*; or
- (2) the *principal building* for such use is under construction with a valid and current building permit.

401.3 No *accessory building* or *accessory* structure may contain a *dwelling unit* or be used for the purposes of habitation, except for a *guest cottage* in a *Zone* that lists such as a permitted use.

401.4 No *accessory building* or *accessory* structure may be located in a *front yard*, except:

- (1) a *garage* or *carport* in accordance with all of the following conditions:
  - (a) topographical reasons of the *lot* prevent or significantly hinder the *garage* or *carport* to be located in other parts of the *lot*, as certified by a professional engineer;
  - (b) the *garage* or *carport* is located in an excavation in as little of the *front yard* as possible, such that no part of the *garage*, apart from its roof, or *carport* may:
    - (i) extend more than 1.2 m (4 ft) above the surface of the finished grade at any point other than the driveway, and
    - (ii) be less than 3 m (10 ft) from the *front lot line*.
- (2) on the waterfront portion of a *through lot*,
  - (a) a *guest cottage* in a *Zone* that lists such as a permitted use,
  - (b) a boathouse or similar *accessory building* or structure related to use of the marine areas.

401.5 Any *building* (such as *garage*) is deemed to be an *accessory building* unless it is attached to and shares a foundation and wall with opening, common services and functional use and integration, with the principal *building* for at least 15% of the total perimeter of the principal *building*.

## 402 HOME OCCUPATIONS

402.1 Where a *Zone* specifically includes *home occupation* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *home occupation*:

- (1) Only one *home occupation* per *dwelling unit* is permitted and must be conducted from within the *dwelling unit* or *accessory building* on the same *lot*, or combination.
- (2) For *single family dwellings*, only one *home occupation* is permitted per lot, either from the principal *dwelling unit* or a *secondary suite*, if permitted.
- (3) A *home occupation* is not permitted in a *guest house*, *guest cottage*, *vacation rental*, *resort condo* or other *commercial tourist accommodation*.
- (4) The *home occupation*
  - (a) must be solely operated by one or two persons who are full-time and present residents of the *dwelling unit*, and
  - (b) may involve the employment of one additional person who is a non-resident.
- (5) The maximum *gross floor area* of the *home occupation* must not exceed 40% of the *gross floor area* of the *dwelling unit* (or *secondary suite* if operating from a *secondary suite*).
- (6) Only goods manufactured, produced or assembled within the *home occupation* portion of the *dwelling unit* or *accessory buildings* may be sold from the *dwelling unit* or *accessory buildings*.
- (7) Exterior Appearance:
  - (a) Not more than one non-illuminated sign not exceeding 0.18 m<sup>2</sup> (2 ft<sup>2</sup>) in total area may be posted per *home occupation*, either on the *dwelling unit* or in a window, freestanding or on a fence, but at all times in accordance with and subject to more restrictive regulations and requirements under the *District's Sign Bylaw*.

- (b) Otherwise, there must be no external indication of the existence of the *home occupation*, whether by displays, floodlighting, storage of materials, alteration of the appearance of *building(s)* or by any other means.
  - (8) *Home occupations* must not discharge or emit the following across *lot* lines:
    - (a) dust, odorous, toxic or noxious matter or vapours;
    - (b) heat, glare, electrical interference or radiation;
    - (c) recurring ground vibration;
    - (d) noise levels exceeding 55 decibels.
  - (9) A valid District of Ucluelet Business Licence is required for a *home occupation* use.
  - (10) Off-street parking must be provided in accordance with Division 500.
- 402.2 For greater certainty, *Bed & Breakfasts, Vacation Rentals* or other *commercial tourist accommodation* may not be conducted as a *home occupation* under this Section.

#### **403 SECONDARY SUITES**

- 403.1 Where a *Zone* specifically includes *Secondary Suite* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *secondary suite*:
- (1) *Secondary Suites* are only permitted:
    - (a) in the *Zones* where *single family dwelling* or *vacation rental* is listed as a *principal permitted use* and *secondary suite* is identified as a *secondary permitted use*;
    - (b) *accessory* to a permanent *residential* use and administered by the full-time and present resident;
    - (c) within one *single family dwelling* per *lot*; and
    - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
  - (2) A *Secondary Suite* must not have more than 2 *bedrooms*.
  - (3) The *gross floor area* of the *secondary suite* must not exceed the lesser of:
    - (a) 90 m<sup>2</sup> (969 ft<sup>2</sup>); or

- (b) 35% of the habitable area of the *single family dwelling* in which it is located.
  - (4) A *Secondary Suite* must comply with all relevant provisions of the BC Building Code.
  - (5) A valid District of Ucluelet Business Licence is required in order to register a *secondary suite*.
  - (6) Off-street parking must be provided in accordance with Division 500.
- 403.2 For greater certainty, notwithstanding other provisions of this Bylaw, *Secondary Suites*:
- (1) must not contain a *home occupation* if the principal dwelling unit contains a *home occupation*;
  - (2) must not be established or operate in a *single family dwelling* that is used as a *Bed & Breakfast* or *Guest House*.

#### **404 BED & BREAKFASTS**

- 404.1 One *bed and breakfast* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *bed and breakfast*:
- (1) *Bed and Breakfasts* are only permitted:
    - (a) in the *Zones* where *single family dwelling* is listed as a *principal permitted use* and *bed and breakfast* is identified as a *secondary permitted use*;
    - (b) *accessory* to a permanent *residential* use and administered and operated by the full-time and present resident;
    - (c) within one *single family dwelling* per lot; and
    - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
  - (2) A maximum of three (3) guest rooms may be used for the *Bed and Breakfast*.
  - (3) The area designated for *Bed and Breakfast* use (including *guest rooms* and any common room provided outside of the *residential* occupant's personal area) must not contain the following.

- (a) Cooking Facilities, with the exception of:
  - (i) Kettle
  - (ii) Coffee maker
  - (iii) Toaster (not including a toaster-oven)
  - (iv) Microwave (excluding convection / microwave combination)
- (b) 220 volt supply which could be used for larger appliances;
- (c) Refrigerators in excess of 6.0 cubic feet capacity
- (4) A valid District of Ucluelet Business Licence is required in order to register a *bed and breakfast*.
- (5) Off-street parking must be provided in accordance with Division 500.

404.2 For greater certainty, notwithstanding other provisions of this Bylaw, *Bed and Breakfasts*:

- (a) must not be combined with *Guest House, Vacation Rentals, Resort Condo* or other *commercial tourist accommodation*;
- (b) must not be combined with *Guest Cottage* use unless *guest cottage* is a specifically permitted use for the *Zone* in which the *Bed & Breakfast* is located; and
- (c) must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed commercial/residential, mixed industrial/residential, accessory residential dwelling unit, or in a secondary suite or a single family dwelling that has a secondary suite*.

#### **405 GUEST HOUSES & GUEST COTTAGES**

405.1 Where a *Zone* specifically includes *Guest House* as a permitted use, one *guest house* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *guest house*:

- (1) *Guest Houses* are only permitted:
  - (a) in the GH and CD *Zones* where *Guest House* is listed as a permitted use;

- (b) as *accessory* to a permanent *residential* use and administered by the full-time and present resident;
  - (c) within one *building* per lot;
  - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
- (2) The number of *guest rooms* may vary according to *Zone* and *lot* size, and unless otherwise specified in a *Zone*, a minimum of three (3) guest rooms must, and a maximum of six (6) guest rooms may, be used for the *Guest House*.
- (3) The area designated for *Guest House* use (including *guest rooms* and any common room provided outside of the *residential* occupant's personal area) must not contain the following:
- (a) Cooking Facilities, with the exception of:
    - (i) Kettle
    - (ii) Coffee maker
    - (iii) Toaster (not including a toaster-oven)
    - (iv) Microwave (excluding convection/microwave combination)
  - (b) 220 volt supply which could be used for larger appliances;
  - (c) Refrigerators in excess of 6.0 cubic feet capacity
- (4) A valid District of Ucluelet Business Licence is required in order to register a *Guest House*.
- (5) Off-street parking must be provided in accordance with Division 500.
- 405.2 Where a *Zone* specifically includes *Guest Cottage* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *guest cottage*:
- (1) *Guest Cottages* are only permitted:
    - (a) in the GH and CD *Zones* where *Guest Cottage* is listed as a permitted use;
    - (b) in conjunction with a *guest house* or *single family dwelling*;
    - (c) as *accessory* to a permanent *residential* use and administered by the full-time and present resident;
  - (2) *Guest Cottages* must not be attached to each other and must exist as separate independent *buildings*;

- (3) The number of *guest cottages* may vary according to *Zone* and lot size, and unless otherwise specified in a *Zone*, a maximum of four (4) *guest cottages* may be permitted per *lot*.
  - (4) A valid District of Ucluelet Business Licence is required in order to register a *Guest Cottage*.
  - (5) Off-street parking must be provided in accordance with Division 500.
- 405.3 For greater certainty, notwithstanding other provisions of this Bylaw:

- (1) *Guest House* must not be combined with *Bed and Breakfast, Vacation Rentals, Resort Condo* or other *commercial tourist accommodation*,
- (2) *Guest Cottage* must not be combined with *Vacation Rentals, Resort Condo* or other *commercial tourist accommodation*, except *Bed and Breakfast*, and
- (3) *Guest House* or *Guest Cottage* uses must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed commercial/residential, mixed industrial/residential, accessory residential dwelling unit*, or in a *secondary suite*.
- (4) A *Guest House* may or may not provide meals to its overnight occupants.

#### 406 VACATION RENTALS

406.1 Where a *Zone* specifically includes *Vacation Rental (VR-1)* or *Vacation Rental (VR-2)* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *vacation rental*:

- (1) The "VR-1" designation restricts the *commercial tourist accommodation* as:
  - (a) *accessory* to a permanent *residential* use and administered by the full-time and present resident occupying at least sixty percent (60%) of the principal *building*;
  - (b) occupying a maximum of two (2) *secondary suites*; and
  - (c) occupying a maximum of forty percent (40%) of the principal *building* on the *lot*, and no part of an *accessory building* or structure.
- (2) The "VR-2" designation permits the *commercial tourist accommodation* to be either an *accessory* use or a principal use, as follows:



- (a) If *accessory*, the VR-1 provisions of section 406.1(1) apply fully; and
- (b) If *principal*,
  - (i) only one *dwelling unit per lot* that is not a *secondary suite* may be used for *commercial tourist accommodation*;
  - (ii) a *secondary suite*, if present, must only be used for *residential use*.
- (3) A *Vacation Rental* must not be located within a *building* or on a *lot* that includes a *Daycare Centre* or other *Community Care Facility*.

406.2 For greater certainty, notwithstanding other provisions of this Bylaw:

- (1) VR-1 uses are permitted within *single family dwellings* and *duplexes* (including their *secondary suites*), but are not permitted in *multiple family residential buildings*;
- (2) VR-2 uses are permitted within *single family dwellings* only, but are not permitted in *duplexes*, or *multiple family residential buildings*, or the *secondary suite(s)* of a *single family dwelling*; and
- (3) *Bed and Breakfasts*, *Guest Houses*, *Guest Cottages*, *Guest Rooms*, *Hostels*, *Hotels*, *Motels*, *Mixed Commercial/Residential*, and *Resort Condo* are, or may include, other *commercial tourist accommodation* and are regulated separately under this Bylaw.

406.3 A valid District of Ucluelet Business Licence is required in order to register a *vacation rental*.

406.4 Off-street parking must be provided in accordance with Division 500.

**DIVISION 500  
OFF-STREET PARKING AND OFF-STREET LOADING**

**501 OFF-STREET PARKING & OFF-STREET LOADING REQUIREMENTS**

501.1 For all uses, *buildings* and structures identified in this Division and the *Zones*, off-street parking and off-street loading must be provided and maintained in accordance with the regulations of this Bylaw. For greater certainty:

- (1) The regulations and requirements of this Division are cumulative.
- (2) For the purpose of computing the number of off-street *parking spaces* and off-street *loading spaces*, any fraction must be rounded up to the nearest whole number.
- (3) An off-street *loading space* is not considered as an off-street *parking space*, and vice versa.
- (4) If a use, *building* or structure is not listed in the off-street parking requirements table or the off-street loading requirements table, the respective number of required spaces is calculated on the basis of the most similar use, *building* or structure that is listed.

501.2 For existing uses, *buildings* and structures lawfully established, the number of off-street *parking spaces* and off-street *loading spaces* is the lesser of:

- (1) the number of respective spaces existing on the *lot* at the date of adoption of this Bylaw, provided such satisfied the applicable regulations when the uses, *buildings* or structures were established, or
- (2) the number of spaces required by applying the regulations set out in this Division to the existing uses, *buildings* and structures.

501.3 For additions to existing *buildings* or structures, or for changes or additions to an existing use, the numerical requirement for off-street *parking spaces* and off-street *loading spaces* is determined by applying the regulations of this Division to those changes or additions, but must not result in the loss of any existing spaces.

501.4 The location and design standard regulations and requirements of Sections 503 and 504 of this Bylaw apply fully to off-street *parking spaces* and off-street *loading spaces* provided in excess of Bylaw requirements.

## 502 USE

502.1 All required off-street *parking spaces* may only be used for the purpose of accommodating the *vehicles* of clients, customers, employees, members, residents, tenants or visitors who make use of the principal *building* or use for which the parking area is provided.

502.2 Without limiting the generality of the forgoing, and for greater certainty:

- (1) all required off-street parking areas must not be used for off-street loading, driveways, *highway* access or egress, commercial repair work, display, or sale or storage of any kind;
- (2) off-street *parking spaces* provided in excess of this Bylaw's requirements may be used for temporary *accessory* displays, events or sales if otherwise permitted on that *lot*.

## 503 LOCATION

503.1 All required off-street *parking spaces* and off-street *loading spaces* must be located on the same *lot* as the uses, *buildings* or structures for which the spaces are provided, subject to the following limited exceptions for uses other than *residential dwelling units*:

- (1) Off-street *parking spaces* may be provided and used collectively by two or more uses, *buildings* or structures on the same *lot*, provided that the total number of *parking spaces* when used in conjunction is not less than the sum of the required *parking spaces* for each individual use;
- (2) Off-street *parking spaces* may be located on a *lot* within 150 m (492 ft) of the *lot* containing the use, *building* or structure requiring the *parking spaces*, if access is secured by written agreement and use of area on the *lot* containing the spaces is restricted to parking by means of covenant registered under section 219 of the *Land Title Act*.

503.2 Off-street *parking space(s)* must not be located:

- (1) within 3 m (10 ft) of the *lot* line which abuts a *highway*;
- (2) within 1.5 m (5 ft) of all other *lot* lines;
- (3) so as to require the backing out of *vehicles* onto a *highway*, other than for *residential dwelling units*.

#### 504 OFF-STREET PARKING DESIGN STANDARDS

504.1 All off street *parking spaces* must contain a clear minimum rectangular dimension of:

- (1) for standard spaces, 6 m (20 ft) in length by 2.5 m (8 ft) in width,
- (2) for small spaces, 5.2 m (17 ft) in length by 2.5 m (8 ft) in width,
- (3) for spaces parallel to a maneuvering aisle, 7 m (23 ft) in length by 2.5 m (8 ft) in width,
- (4) for spaces designated for disabled persons, 6 m (20 ft) in length by 3.7 m (12 ft) in width,
- (5) for any of the above spaces that abuts a wall or structure over 0.3 m (1 ft) in *height*, the above widths shall be increased by 0.3 m (1 ft).

504.2 A minimum of 70% of required off-street *parking spaces* must be standard spaces.

504.3 All off-street *parking spaces* must provide for individual access and egress by *vehicles* at all times by means of unobstructed maneuvering aisles, with minimum widths based on parking angle as follows:

- (1) For 90 degree parking angle, a minimum aisle width of 7.5 m (25 ft);
- (2) For 60 degree parking angle, a minimum aisle width of 5.5 m (18 ft);
- (3) For 45 degree parking angle, a minimum aisle width of 4.5 m (15 ft);

504.4 All off-street *parking spaces* that abut a *building*, fence, wall, hedge or landscaped area must include a solid and durable (e.g. concrete) barrier curb located:

- (1) no less than 1 m (3.3 ft) from the end of the parking stall so abutting, and
- (2) in such a manner as to prevent vehicular damage to *landscaping* or *vehicle valances*.

504.5 All off-street *parking spaces* must:

- (1) be surfaced with asphalt, concrete, or crushed 19 mm minus gravel or rock, so as to provide a trafficable surface which is durable and serviceable;
- (2) be properly graded to shed incident surface water to suitable discharge locations, being a public storm sewer system if available, and if not available then, to an approved planting area, bio-swale, rock pit or private storm sewer system;

504.6 For greater certainty, variances to the surfacing and grading requirements of the previous section may be considered in accordance with the authority and procedures under the *Local Government Act*, and for such purposes, it is the District's intent that:

- (1) spaces that collect water which is ultimately discharged to a sensitive lake, *watercourse* or the sea, other measures may be taken to mitigate erosion or contamination to the receiving environment;
- (2) variance requests should be supported by a Stormwater Management Plan, including an engineered drainage conveyance plan;
- (3) a pervious pavement structure may be permissible instead of hard surfacing in areas;
  - (a) where traffic will not be channelized (i.e. in one *lane*),
  - (b) that will not receive repeated heavy traffic loads such as delivery trucks garbage dumpster pick-up heating oil and the like,
  - (c) that will not result in the creation of a public nuisance, including from pothole formation or gravel being washed or pushed onto *highways*;
- (4) the provisions of this subsection are for information purposes only and do not limit the matters which may be considered by the District or fetter its discretion in any manner.

## 505 OFF-STREET PARKING REQUIREMENTS

505.1 Off-street *parking spaces* must be provided for each use, *building* and structure on each *lot*, calculated in accordance with the following requirements:

<b>Use, Building or Structure</b>	<b>Off-Street Parking Spaces Required</b>
<i>Single Family Dwelling</i>	2 spaces for use of principal <i>dwelling unit</i>
<i>Duplex Dwelling</i>	3 spaces for use of both <i>dwelling units</i>
<i>Multiple Family Residential (including Affordable Housing and Staff Housing)</i>	1.5 spaces per <i>dwelling unit</i> , Plus 1 Visitor Parking Space per 5 <i>dwelling units</i>
<i>Residential above Commercial</i>	1 space per <i>dwelling unit</i> ,
<i>Accessory Residential Dwelling Unit</i>	1 space per <i>dwelling unit</i> ,
<i>Secondary Suite</i>	1 space per suite
<i>Home Occupation</i>	1 space per non-resident
<i>Bed &amp; Breakfast</i>	1 space per <i>bedroom</i> or guest room for B&B use
<i>Vacation Rental</i>	1 space per unit
<i>Guest House</i>	1 space per guest room
<i>Guest Cottage</i>	1 space per cottage
<i>Manufactured Home Park</i>	1 space per <i>manufactured home space</i>
<i>Hotel</i> <i>Motel</i> <i>Resort Condo</i>	1 space per guest room or <i>dwelling unit</i> , Plus 1 space per 40 m <sup>2</sup> <i>gross floor area</i> of accessory administrative offices
<i>Hostel</i>	1 space per 15 m <sup>2</sup> of <i>gross floor area</i> used for sleeping facilities
<i>Campground</i>	1 space per <i>camping space</i>
<i>Financial Institution</i>	1 space per 30 m <sup>2</sup> <i>gross floor area</i>
<i>Office</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Emergency Services</i>	1 space
<i>Restaurant</i> <i>Bistro/Café</i> <i>Pub</i> <i>Lounge</i> <i>Commercial Entertainment</i>	1 space per 4 seats, - <i>Except</i> in OCP designation of Village Square, then the lesser of 1 space per 4 seats or 1 space per 30 m <sup>2</sup> <i>gross floor area</i> - <i>Except</i> if directly accessed from Peninsula Road, then 1 space per 3 seats
<i>Take Out Food Services</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Retail</i> <i>Boutique Retail</i>	1 space per 30 m <sup>2</sup> <i>gross floor area</i> - <i>Except</i> if directly accessed from Peninsula Road, then 0.75 spaces per 10 m <sup>2</sup> of <i>gross floor area</i> , or 6.5 space per 100 m <sup>2</sup> of lot area if in shopping centre/ plaza/ supermarket format
<i>Convenience Store</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Accessory Retail Sales &amp; Administrative Offices</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Outdoor Sales</i>	1 space per 70 m <sup>2</sup> of outdoor sales area <i>plus</i> 1 space per 15 m <sup>2</sup> <i>gross floor area</i> covered retail
<i>Mobile Vending</i>	No Parking Required
<i>Public Market</i>	No Parking Required
<i>Kennel</i>	2 spaces
<i>Personal Services</i>	1 space per 30 m <sup>2</sup> <i>gross floor area</i> - <i>Except</i> if directly accessed from Peninsula Road, then 0.75 spaces per 10 m <sup>2</sup> of <i>gross floor area</i>
<i>Art Gallery</i> <i>Museum</i> <i>Marine Museum</i> <i>Aquarium</i> <i>Library</i> <i>Studio</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Tourist Information Booth</i>	2 spaces

<b>Use, Building or Structure</b>	<b>Off-Street Parking Spaces Required</b>
<i>Commercial Recreation</i> - Billiard/ Pool Hall - Bowling Alley - Other	- 2 spaces per table - 3 spaces per bowling lane - 1 space per 40 m <sup>2</sup> gross floor area
<i>Recreational Services</i>	1 space per 40 m <sup>2</sup> gross floor area
<i>Outdoor Recreation</i>	1 space per 70 m <sup>2</sup> commercial recreation area
<i>Golf Course</i>	40 spaces for 9 hole course 75 spaces for 18 hole course
<i>Public Assembly</i> <i>Place of Worship</i> <i>Community Use</i>	1 space per 10 seats
<i>Community Care Facility</i>	1 space per 3 beds, plus 1 space per 3 employees
<i>Daycare Centre</i>	1 space per 5 children
<i>School</i> - Pre-school - Kindergarten/ Elementary - Secondary - Other	1 space per 5 children 2 spaces per classroom 3 spaces per classroom 3 spaces per classroom
<i>Service Station</i>	1 space per 40 m <sup>2</sup> gross floor area
<i>Auto Repair Shop</i>	1 space per 40 m <sup>2</sup> gross floor area
<i>Light Industry</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Medium Industry</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Service Industry</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Wood Processing</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Shipping Yard</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Heavy Equipment Display</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Boat Building and Repair</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Marina</i> - Commercial or Recreational Wharf	1 space per 4 moorage berths

505.2 Where ten (10) or more off-street *parking spaces* are required, collectively for all the uses, *buildings* and structures on the *lot*, a minimum one (1%) percent of those *parking spaces* must be designed, sited, designated and reserved for disabled persons as follows:

- (1) the *parking space(s)* must be located closest to the *building* entrance, or where there is no *building*, then closest to the use or *structure* requiring the parking;
- (2) the *parking space(s)* must be clearly marked and signed for use by disabled persons only with the international symbol of Accessibility for the Disabled;

- (3) the *parking space(s)* must be a minimum design standards for disabled persons identified in other parts of this Division.

## **506 CASH-IN-LIEU OF PARKING SPACES**

506.1 An owner or occupier of a *lot* within the OCP designation of Village Square may pay cash-in-lieu in the amount of \$8,000 per space, of up to fifty percent (50%) of the required off-street *parking spaces*.

## **507 OFF-STREET LOADING DESIGN STANDARDS**

507.1 All off street *loading spaces* must contain a clear minimum rectangular dimension of 9 m (30 ft) in length by 3 m (10 ft) in width, and a vertical clearance of 4.3 m (14 ft).

507.2 All off-street *loading spaces* must provide for individual access and egress by *vehicles* at all times by means of unobstructed maneuvering aisles, with minimum width of 6 m (20 ft).

507.3 All off-street *loading spaces* must:

- (1) be surfaced with asphalt, concrete, or similar surface, so as to provide a trafficable surface which is durable and serviceable;
- (2) be properly graded to shed incident surface water to suitable discharge locations, being a public storm sewer system if available, and if not available then, to an approved planting area, bio-swale, rock pit or private storm sewer system;
- (3) if lit, have the lighting placed in such a manner so as to minimize light falling on abutting properties.

## **508 OFF-STREET LOADING SPACE REQUIREMENTS**

508.1 Every *lot* containing at least one use, *building* or *structure* of a commercial, industrial or institutional nature, or other use that requires or receives supplies by truck transport, must provide one off-street *loading space* for each 1900 m<sup>2</sup> (20,450 ft<sup>2</sup>) of *gross floor area*.



**DIVISION 600  
LANDSCAPING AND SCREENING**

**601 SEPARATION OF RESIDENTIAL USES**

601.1 For all *Zones*, a *lot* which contains a *single family dwelling* as the principal *building* and *residential* as the principal use without any *commercial tourist accommodation*, or a *manufactured home park*:

- (1) may, but is not required to be, fully and suitably landscaped and screened with existing trees maintained where possible; and
- (2) must not have a fence of a *height* exceeding:
  - (a) 1.4 m (4.6 ft) in the required *front yard*, and
  - (b) 2 m (6.6 ft) to the rear of the required *front yard*.

601.2 For the R-2, R-3, R-4, VR-1 GH, CS-1, CS-2, CS-3, CS-4, CS-5, CS-6, CS-7, I-1 and I-2 *Zones* and all CD *Zones*, any *lot* containing any commercial (including *home occupation* or *commercial tourist accommodation*), industrial or *multiple family residential* use must be fully and suitably landscaped and screened from adjacent uses as follows:

- (1) along every *lot* line that abuts a *lot* containing a lawful *residential* use (zoned or non-conforming), with:
  - (a) continuous *landscaping* not less than 1.5 m (5 ft) in width and 1.5 m (5 ft) in *height*; and
  - (b) a solid decorative fence not less than 1.5 m (5 ft) in *height* and a maximum of 2 m (6.6 ft) in *height*; and
- (2) along every other *lot* line that abuts a *highway*, with continuous *landscaping* not less than 1.5 m (5 ft) in width, except only for access points to the abutting *highway(s)*.

**602 SEPARATION OF OUTDOOR STORAGE AND OPEN USES**

602.1 For all *Zones*, any of the following uses that are not within a principal or *accessory building* or a fully enclosed *structure* must be fully and suitably landscaped and screened from all adjacent *lots* and uses by a solid decorative fence or continuous *landscaping* not less than 1.8 m (6 ft) in *height* and 1.8 m (6 ft) in width:

- (1) garbage containers and receptacles,
- (2) outdoor storage yards,
- (3) utilities,
- (4) recycling facilities, and
- (5) transfer station.

### **603 SEPARATION OF PARKING LOT USE**

603.1 *Parking Lots* must be fully and suitably landscaped and screened from all adjacent uses as follows:

- (1) along every *lot* line that abuts a *lot* containing a lawful *residential* use (zoned or non-conforming), with continuous *landscaping* not less than 1.8m (6 ft) in width and 1.2 m (4 ft) in *height*; and
- (2) along every other *lot* line, with continuous *landscaping* not less than 1.8m (6 ft) in width, except only for access points to abutting *highway(s)*.

**DIVISION 700  
ADMINISTRATION AND ENFORCEMENT**

**701 DESIGNATED OFFICIALS & INSPECTION**

701.1 Unless supplemented by other District bylaws, the following are designated Bylaw Enforcement Officers with the authority to administer this Bylaw:

- (1) District's Chief Administrative Officer;
- (2) District's Bylaw Enforcement Officer;
- (3) District's Director of Planning;
- (4) District's Building Inspector;
- (5) Royal Canadian Mounted Police ("RCMP") officers.

701.2 The designated Bylaw Enforcement Officer or any other official appointed for the purpose of inspection by Council, and their deputies, may enter on to premises or lands that are subject to the regulations of this Bylaw in accordance with section 16 of the *Community Charter*, S.B.C. 2003, c. 26 and all amendments thereto and any other applicable legislation.

701.3 No person shall prevent or obstruct, or attempt to prevent or obstruct, the designated Bylaw Enforcement Officer.

**702 ORDERS AND DIRECTIONS**

702.1 District officials designated Bylaw Enforcement Officers, or such other person as is authorized by resolution of Council, may order or direct any person:

- (1) to discontinue or refrain from proceeding with any work or using or occupying any land or *building* or doing anything that is in contravention of this Bylaw; and
- (2) to carry out any work or do anything to bring any land or *building* into conformity with this Bylaw.

702.2 An order or direction pursuant to this Section that is to be given to a person who is an owner of property shall be sufficiently served if sent by

registered mail to the owner at the owner's address as it appears on the records of the Assessment Authority of British Columbia.

702.3 This section does not apply to lawfully conforming uses and siting governed by section 911 of the *Local Government Act*.

### **703 TICKETING**

703.1 Violation tickets issued for offences against this Bylaw shall be in accordance with District bylaws, including Schedule "C" "Zoning Bylaw Offences and Fines" until such time as it is repealed and replaced with alternate bylaw.

### **704 PENALTIES**

704.1 Any person who violates any provisions of this Bylaw, or who causes or permits any act in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing to be done or thing which is required to be done by any provisions of this Bylaw, commits an offence against this Bylaw and is

- (1) liable to the penalties imposed under this Bylaw; or
- (2) punishable upon summary conviction:
  - (a) in accordance with the procedure set out in the *Offence Act*, R.S.B.C. 1996, c. 338 and all amendments thereto and is liable to a fine not exceeding \$10,000, or
  - (b) where information is laid by means of a violation ticket, in accordance with the procedure set out in the *Offence Act*, a fine that is stipulated by bylaw,

and, in either case, costs including legal fees and disbursements for each offence.

704.2 If a corporation violates any provision of this Bylaw, each director, manager and secretary of the corporation who has assented to the commission of the violation is a party to that violation.

704.3 Each day that a violation is permitted to exist shall constitute a new and separate offence.

**READ A FIRST TIME** this 25<sup>th</sup> day of June, 2013

**FIRST READING RESCINDED, BYLAW UPDATED AND AMENDED FOLLOWING PUBLIC COMMENT AND PREPARATION OF MAPS & PLANS AND READ ANEW A FIRST TIME AND READ A SECOND TIME** this 10<sup>th</sup> day of June, 2014

**OPEN HOUSE** held the 24<sup>th</sup> day of July, 2014.

**SECOND READING RESCINDED, UPDATED AND AMENDED AND READ ANEW A SECOND TIME** this 12<sup>th</sup> day of August, 2014.

**PUBLIC HEARING** held this 9<sup>th</sup> day of September, 2014

**READ A THIRD TIME** this 14<sup>th</sup> day of October, 2014

**APPROVED IN ACCORDANCE WITH SECTION 52 OF THE TRANSPORTATION ACT** this 16<sup>th</sup> day of October, 2014

**ADOPTED** this 16<sup>th</sup> day of October 2014

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Zoning Bylaw No. 1160, 2013."

\_\_\_\_\_  
Bill Irving  
Mayor

\_\_\_\_\_  
Andrew Yeates  
Chief Administrative Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

\_\_\_\_\_  
Andrew Yeates  
Chief Administrative Officer

**SCHEDULE A**  
**ZONING MAP OF THE DISTRICT OF UCLUELET**

In accordance with Division 200 and Schedule B of this Bylaw, the District is divided into *Zones*, as shown on the Zoning Map attached to this Bylaw on adoption. This paper copy represents the official version of the location and extent of the *zones* on adoption, but the electronic version on file at the District municipal offices will be the official version for legal interpretation purposes and future updating, noting:

1. Where there is a conflict between the electronic version and the attached paper version as of the date of adoption of this Bylaw, the paper version prevails;
2. The base or underlying layers of unofficial information (e.g. subdivisions, road layouts, etc.) on the Zoning Map may be updated to reflect development without further amendment to this Bylaw; but
3. The location and extent of *Zones* may only be updated in accordance with official amendments to this Bylaw, adopted by bylaw.

**SCHEDULE B  
THE ZONES**

For all Zones, unless specifically exempted, the regulations of all other Divisions of the District of Ucluelet Zoning Bylaw No. 1160, 2013 are applicable.

## MH Zone – MANUFACTURED HOME PARK

*This Zone is intended for residential use of manufactured home parks in accordance with the District’s related bylaws.*

### MH.1 Permitted Uses

MH.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Manufactured Home Park*
- (2) Secondary:
  - (a) *Home Occupation*

### MH.2 Lot Regulations

- MH.2.1 Minimum Lot Size: 8,094 m<sup>2</sup> (2 acres)
- MH.2.2 Minimum Lot Frontage: N/A
- MH.2.3 Minimum Lot Width: N/A
- MH.2.4 Minimum Lot Depth: N/A

### MH.3 Density:

- MH.3.1 Maximum Density: 20 *manufactured home spaces* per hectare
- MH.3.2 Maximum Floor Area Ratio: 0.2
- MH.3.3 Maximum Lot Coverage: 50%

### MH.4 Maximum Size (Gross Floor Area):

- MH.4.1 Principal Building: N/A
- MH.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

### MH.5 Maximum Height:

- MH.5.1 Principal Buildings & Structures: 7.5 m (25 ft)
- MH.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

### MH.6 Minimum Setbacks:

MH.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively, of the *manufactured home park*:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)



(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
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MH.6.2 The following minimum setbacks apply, as measured from the front (internal access road), rear and side *lot lines(s)* of each *manufactured home space*, respectively:

	(a) Front (Internal Access Road)	(b) Rear	(c) Sides
(1) Principal	3 m (10 ft)	1.5 m (5 ft)	1.5 m (5 ft)
(2) Accessory	3 m (10 ft)	1.5 m (5 ft)	1.5 m (5 ft)

## **R-1 Zone - SINGLE FAMILY RESIDENTIAL**

*This Zone is intended for traditional low density single family residential development, with accessory uses providing a minimal impact on the surrounding residential neighbourhood.*

### **R-1.1 Permitted Uses**

R-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

### **R-1.2 Lot Regulations**

R-1.2.1	Minimum Lot Size:	650 m <sup>2</sup> (7,000 ft <sup>2</sup> )
R-1.2.2	Minimum Lot Frontage:	18 m (60 ft)
R-1.2.3	Minimum Lot Width:	N/A
R-1.2.4	Minimum Lot Depth:	N/A

### **R-1.3 Density:**

R-1.3.1	Maximum Density:	1 <i>single family dwelling per lot</i>
R-1.3.2	Maximum Floor Area Ratio:	0.35
R-1.3.3	Maximum Lot Coverage:	35%

### **R-1.4 Maximum Size (Gross Floor Area):**

R-1.4.1	Principal Building:	N/A
R-1.4.2	Accessory Buildings:	60 m <sup>2</sup> (645 ft <sup>2</sup> ) combined total

### **R-1.5 Maximum Height:**

R-1.5.1	Principal Buildings & Structures:	8.5 m (28 ft) or 2 ½ <i>storey</i>
R-1.5.2	Accessory Buildings & Structures:	5.5 m (18 ft)

**R-1.6 Minimum Setbacks:**

R-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*.

## R-2 Zone – MEDIUM DENSITY RESIDENTIAL

*This Zone is intended for low to medium density residential uses in a variety of housing types.*

### R-2.1 Permitted Uses:

R-2.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

R-2.1.2 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Duplex Dwelling*
  - (b) *Multiple Family Residential*
    - (i) Despite the above, *Multiple Family Residential* is not permitted on Lots 3, 4, 5 and 6 of Plan VIP76238.
- (2) Secondary:
  - (a) *Home Occupation*

R-2.1.3 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Moderate Level Support Services Housing*

### R-2.1 Lot Regulations:

R-2.1.1 Minimum Lot Size:

- (1) Single Family Dwelling: 650 m<sup>2</sup> (7,000 ft<sup>2</sup>)
- (2) Duplex Dwelling: 750 m<sup>2</sup> (8,075 ft<sup>2</sup>)
- (3) Multiple Family Residential: 1,000 m<sup>2</sup> (¼ acre), but 878 m<sup>2</sup> for a “Moderate Level Support Services Housing” development on PID: 002-407-299 Lot 11, District Lot 282, Clayoquot District, Plan 26711 (1686 Bay Street).

- R-2.1.2 Minimum Lot Frontage:
- (1) Single Family Dwelling: 18 m (60 ft)
  - (2) Duplex Dwelling: 20 m (66 ft)
  - (3) Multiple Family Residential: 23 m (75 ft)
- R-2.1.3 Minimum Lot Width: N/A
- R-2.1.4 Minimum Lot Depth: N/A

**R-2.2 Density:**

- R-2.2.1 Maximum Density:
- (1) Single Family Dwelling: 1 per lot, or
  - (2) Duplex Dwelling: 1 per lot, or
  - (3) Multiple Family Residential
    - (a) Base Density: 30 units/hectare per lot
    - (b) Bonus Density – Level 1: 40 units/ hectare per lot on the provision of minimum 70% of the required off-street parking being provided underground or concealed within the *building* on the lot.
    - (c) Despite the above, four (4) units are permitted for a “Moderate Level Support Services Housing” development on PID: 002-407-299 Lot 11, District Lot 282, Clayoquot District, Plan 26711 (1686 Bay Street).

- R-2.2.2 Maximum Floor Area Ratio:
- (1) Single Family Dwelling: 0.50
  - (2) Duplex Dwelling: 0.70
  - (3) Multiple Family Residential: 0.70

- R-2.2.3 Maximum Lot Coverage:
- (1) Single Family Dwelling: 35%
  - (2) Duplex Dwelling: 35%
  - (3) Multiple Family Residential: 40%

**R-2.3 Maximum Size (Gross Floor Area):**

- R-2.3.1 Principal Building: N/A
- R-2.3.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

**R-2.4 Maximum Height:**

- R-2.4.1 Principal Buildings & Structures:
- (1) Single Family Dwelling: 8.5 m (28 ft) or 2 ½ storey

- (2) Duplex Dwelling: 8.5 m (28 ft) or 2 ½ storey
- (3) Multiple Family Residential: 11 m (36 ft) or 3 storey
- R-2.4.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-2.5 Minimum Setbacks:**

R-2.5.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal SFD/ Duplex	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Principal Other	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(3) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	5 m (16.5 ft)	1.5 m (5 ft)

R-2.5.2 In addition, for *single family dwelling and duplex dwellings*, the *side yards* combined must not be less than 20% of the *lot width*.

R-2.5.3 In addition, all *accessory buildings and structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building(s).

## R-3 Zone – HIGH DENSITY RESIDENTIAL

*This Zone is intended for a mixture of medium to high density residential uses.*

### R-3.1 Permitted Uses:

R-3.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

### R-3.2 Lot Regulations

R-3.2.1	Minimum Lot Size:	1,000 m <sup>2</sup> (¼ acre)
R-3.2.2	Minimum Lot Frontage:	18 m (60 ft)
R-3.2.3	Minimum Lot Width:	N/A
R-3.2.4	Minimum Lot Depth:	N/A

### R-3.3 Density:

R-3.3.1	Maximum Density:	Multiple Family Residential
(1)	Base Density:	65 units/ hectare per <i>lot</i>
(2)	Bonus Density – Level 1:	75 units/ hectare per <i>lot</i> on the provision of minimum 70% of the required off-street parking being provided underground or concealed within the building on the <i>lot</i> ;
(3)	Bonus Density – Level 2:	85 units/ hectare per <i>lot</i> on the provision of minimum 30 % of the <i>dwelling units</i> as <i>affordable housing units</i> .
(4)	Bonus Density – Level 3:	95 units/ hectare per <i>lot</i> on the provision of: <ol style="list-style-type: none"><li>(a) minimum 70% of the required off-street parking being provided underground or concealed within the building on the <i>lot</i>; and</li><li>(b) minimum 30 % of the <i>dwelling units</i> as <i>affordable housing units</i>.</li></ol>
R-3.3.2	Maximum Floor Area Ratio:	1.5
R-3.3.3	Maximum Lot Coverage:	50%

### R-3.4 Maximum Size (Gross Floor Area):

R-3.4.1	Principal Building:	N/A
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R-3.4.2 Accessory Buildings: 70 m<sup>2</sup> (750 ft<sup>2</sup>) combined total

**R-3.5 Maximum Height:**

R-3.5.1 Principal Buildings & Structures: 11 m (36 ft)

R-3.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-3.6 Minimum Setbacks:**

R-3.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(2) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-3.6.2 In addition, *accessory buildings* and *structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building(s).



## **R-4 Zone – SMALL LOT SINGLE FAMILY RESIDENTIAL**

*This Zone is intended to facilitate smaller single family dwellings on smaller lots, with some exceptions for The Pass of Melfort (Wild Pacific Cove) subdivision.*

### **R-4.1 Permitted Uses**

R-4.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

### **R-4.2 Lot Regulations**

R-4.2.1	Minimum Lot Size:	360 m <sup>2</sup> (3,875 ft <sup>2</sup> )
R-4.2.2	Minimum Lot Frontage:	10 m (33 ft)
R-4.2.3	Minimum Lot Width:	N/A
R-4.2.4	Minimum Lot Depth:	N/A

### **R-4.3 Density:**

R-4.3.1 Maximum Density: 1 *single family dwelling per lot*

R-4.3.2 Maximum Floor Area Ratio: 0.2, except with respect to the

following:

- (1) 0.35 for lands legally described as Strata Lots 2-9, 13-15, 18, 20, 22, 24 and 25, all of Section 1, Barclay District, Strata Plan VIS5896;
- (2) 0.39 for lands legally described as Strata Lot 1, Section 1, Barclay District, Strata Plan VIS5896;
- (3) 0.5 for lands legally described as Strata Lot 21, Section 1, Barclay District, Strata Plan VIS5896;
- (4) 0.66 for lands legally described as Strata Lot 17, Section 1, Barclay District, Strata Plan VIS5896;
- (5) 0.67 for lands legally described as Strata Lot 16, Section 1, Barclay District, Strata Plan VIS5896.

R-4.3.3 Maximum Lot Coverage: 45%

**R-4.4 Maximum Size (Gross Floor Area):**

- R-4.4.1 Principal Building: N/A
- R-4.4.2 Accessory Buildings: 50 m<sup>2</sup> (535 ft<sup>2</sup>) combined total

**R-4.5 Maximum Height:**

- R-4.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey
- R-4.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-4.6 Minimum Setbacks:**

- R-4.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	4.5 m (15 ft)	6 m (20 ft)	1.5 m (5 ft)	2.5 m (8 ft)
(2) Accessory	4.5 m (15 ft)	1.5 m (5 ft)	1.5 m (5 ft)	2.5 m (8 ft)

## RU Zone - RURAL RESIDENTIAL

*This Zone is intended for large landholdings with minimal residential uses and associated or accessory uses suited to larger parcels.*

### RU.1 Permitted Uses:

RU.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Kennel*
  - (b) *Bed and Breakfast*
  - (c) *Home Occupation*
  - (d) *Secondary Suite*

### RU.2 Lot Regulations

RU.2.1	Minimum Lot Size:	10 hectares (24.7 acres)
RU.2.2	Minimum Lot Frontage:	60 m (196 ft)
RU.2.3	Minimum Lot Width:	N/A
RU.2.4	Minimum Lot Depth:	N/A

### RU.3 Density:

RU.3.1	Maximum Density:	2 <i>single family dwellings</i> per lot
RU.3.2	Maximum Floor Area Ratio:	0.50
RU.3.3	Maximum Lot Coverage:	3%

### RU.4 Maximum Size (Gross Floor Area):

RU.4.1	Principal Building:	N/A
RU.4.2	Accessory Buildings:	100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) combined total

### RU.5 Maximum Height:

RU.5.1	Principal Buildings & Structures:	8.5 m (28 ft) or 2 ½ <i>storey</i>
RU.5.2	Accessory Buildings & Structures:	5.5 m (18 ft)

**RU.6 Minimum Setbacks:**

RU.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	15 m (50 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	15 m (50 ft)

## CS-1 Zone – VILLAGE SQUARE COMMERCIAL

*This Zone is intended for a mixture of commercial, residential, tourist commercial accommodations and personal services uses in the downtown core harbour front business area with pedestrian oriented shops and offices. Generally corresponding to the Village Square designation in the District Official Community Plan, it is intended to provide a vibrant social and cultural centre of the District with a mix of community uses, public amenity spaces and a strong pedestrian emphasis.*

### **CS-1.1 Permitted Uses:**

CS-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Mixed Commercial/Residential*
  - (c) *Retail*
  - (d) *Personal Services*
  - (e) *Office*
  - (f) *Tourist Information Booth*
  - (g) *Art Gallery*
  - (h) *Financial Institution*
  - (i) *Neighbourhood Pub*
  - (j) *Restaurant*
  - (k) *Bistro/Café*
  - (l) *Take Out Food Services*
  - (m) *Commercial Recreation*
  - (n) *Commercial Entertainment*
  - (o) *Public Assembly*
  - (p) *Community Use*
  - (q) *Daycare Centre*
  - (r) *Studio*
  - (s) *Boat Building and Repair*
- (2) Secondary: N/A

CS-1.1.2 For Peninsula Road and Main Street, and for properties fronting either, *Mobile Vending* is also a *principal permitted use*.

CS-1.1.3 On the following properties, *residential* use is also permitted on the first storey of existing buildings provided the existing building also contains commercial use(s) otherwise permitted in this Zone in accordance with the condition so noted below:

- (1) PID 007-073-267 Lot 9, District Lot 282, Clayoquot District, Plan 1686 [286 Main Street], the exclusively commercial use on the majority of that first storey and fully occupying the front of the building.
- (2) PID 005-117-861 Lot 13, District Lot 282, Clayoquot District, Plan 11055 [1766 Cypress Road], the exclusively commercial use measuring an area not less than 9.7 m<sup>2</sup> (11' x 9.5') at the front of the building.

CS-1.1.4 On the following properties, *Single Family Dwelling* is also permitted as a *principal permitted use* and *Bed and Breakfast, Home Occupation* and *Secondary Suite* as related secondary permitted uses only permitted in conjunction with a *Single Family Dwelling*, and subject to the stricter regulations under this zone and the R-1 Zone – Single Family Residential:

- (1) PID: 005-117-496: Lot 3, District Lot 282, Clayoquot District, Plan 11055
- (2) PID: 005-117-470: Lot 1, District Lot 282, Clayoquot District, Plan 11055
- (3) PID: 001-483-978: Lot 2, District Lot 282, Clayoquot District, Plan 11055
- (4) PID: 001-357-221: Lot A, District Lot 282, Clayoquot District, Plan 29748
- (5) PID: 024-481-386: Lot A, District Lot 282, Clayoquot District, Plan VIP68634
- (6) PID: 025-505-092: Lot A, District Lot 282, Clayoquot District, Plan 11055
- (7) PID: 005-117-828: Lot 12, District Lot 282, Clayoquot District, Plan 11055
- (8) PID: 005-118-069: Lot 17, District Lot 282, Clayoquot District, Plan 11055
- (9) PID: 006-167-918: Lot C, District Lot 282, Clayoquot District, Plan 4011.

### **CS-1.2 Lot Regulations**

CS-1.2.1	Minimum Lot Size:	200 m <sup>2</sup> (2,150 ft <sup>2</sup> )
CS-1.2.2	Minimum Lot Frontage:	15 m (50 ft)
CS-1.2.3	Minimum Lot Width:	N/A
CS-1.2.4	Minimum Lot Depth:	N/A

**CS-1.3 Density:**

CS-1.3.1 Maximum Floor Area Ratio: 2.0

CS-1.3.2 Maximum Lot Coverage: 85%

**CS-1.4 Maximum Size (Gross Floor Area):**

CS-1.4.1 Principal Building: N/A

CS-1.4.2 Accessory Buildings: N/A

**CS-1.5 Maximum Height:**

CS-1.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storey

CS-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-1.6 Minimum Setbacks:**

CS-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	0 m (0 ft)	4 m (13 ft)	1.5 m (5 ft)	1.5 m (5 ft)
(2) Accessory	1.5 m (5 ft)	1.5 m (5 ft)	1.5 m (5 ft)	7.5 m (25 ft)

CS-1.6.2 In addition, the minimum *yard* setback of 4.5 m (15 ft) applies to all *lot lines* abutting Peninsula Road.

## CS-2 Zone – SERVICE COMMERCIAL

*This Zone is intended for convenient shopping opportunities for those travelling in vehicles and those commercial uses which, due to their service nature, may require larger lot areas. Vibrancy is added with mixed uses including residential and tourist commercial accommodation.*

### CS-2.1 Permitted Uses:

CS-2.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Mixed Commercial/Residential*
  - (d) *Mixed Commercial/Resort Condo*
  - (e) *Office*
  - (f) *Tourist Information Booth*
  - (g) *Retail, including supermarket*
  - (h) *Convenience Store*
  - (i) *Restaurant*
  - (j) *Bistro/Café*
  - (k) *Take Out Food Services*
  - (l) *Personal Services*
  - (m) *Commercial Recreation*
  - (n) *Studio*
  - (o) *Community Use*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

CS-2.1.2 For Peninsula Road and Main Street, and for properties fronting either, *Mobile Vending* is also a *principal permitted use*.

### CS-2.2 Lot Regulations

CS-2.2.1 Minimum Lot Size:

- (1) Hotel: 1,000 m<sup>2</sup> (¼ acre)
- (2) Motel: 1,000 m<sup>2</sup> (¼ acre)
- (3) All other uses: 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)



CS-2.2.2 Minimum Lot Frontage: 15 m (50 ft)

CS-2.2.3 Minimum Lot Width: N/A

CS-2.2.4 Minimum Lot Depth: N/A

**CS-2.3 Density:**

CS-2.3.1 Maximum Number

(1) Mixed Commercial/Residential: 4 residential dwelling units per 1,000 m<sup>2</sup> (¼ acre) lot area

(2) Accessory Residential Dwelling Unit: 1 per 250 m<sup>2</sup> (2,700 ft<sup>2</sup>) non-residential gross floor area

CS-2.3.2 Maximum Floor Area Ratio: 0.60

CS-2.3.3 Maximum Lot Coverage: 50%

**CS-2.4 Maximum Size (Gross Floor Area):**

CS-2.4.1 Principal Building:

(1) Restaurant: 40 seats or 167 m<sup>2</sup> (1,800 ft<sup>2</sup>)

(2) Other: N/A

CS-2.4.2 Accessory Buildings: N/A

CS-2.4.3 Despite any other section of this Bylaw, an Accessory Residential Dwelling Unit in this Zone must not be less than 42 m<sup>2</sup> (450 ft<sup>2</sup>) gross floor area and must not exceed 90 m<sup>2</sup> (970 ft<sup>2</sup>).

**CS-2.5 Maximum Height:**

CS-2.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey

CS-2.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-2.6 Minimum Setbacks:**

CS-2.6.1 The following minimum setbacks apply, as measured from the front lot line, rear lot line and side lot lines(s), respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	0 m (0 ft)	3 m (10 ft)	1.5 m (5 ft)	3 m (10 ft)
(2) Accessory	15 m (50 ft)	1.5 m (5 ft)	1.5 m (5 ft)	3 m (10 ft)

CS-2.6.2 In addition, the minimum yard setback of 4.5 m (15 ft) applies to all lot lines abutting Peninsula Road.

## CS-3 Zone – SERVICE STATION COMMERCIAL

*This Zone is intended for the principal use of a service station with accessory uses to service the needs of vehicular traffic in harmony with surrounding development.*

### CS-3.1 Permitted Uses:

CS-3.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Service Station*
  - (b) *Auto Repair Shop*
- (2) Secondary:
  - (a) *Accessory Car Wash*
  - (b) *Accessory Residential Dwelling Unit*

### CS-3.2 Lot Regulations

CS-3.2.1	Minimum Lot Size:	1,200 m <sup>2</sup> (12,917 ft <sup>2</sup> )
CS-3.2.2	Minimum Lot Frontage:	18 m (60 ft)
CS-3.2.3	Minimum Lot Width:	N/A
CS-3.2.4	Minimum Lot Depth:	N/A

### CS-3.3 Density:

CS-3.3.1	Maximum Number	
(1)	<i>Accessory Residential Dwelling Unit:</i>	1 per lot (non-strata only)
CS-3.3.2	Maximum Floor Area Ratio:	0.35
CS-3.3.3	Maximum Lot Coverage:	35%

### CS-3.4 Maximum Size (Gross Floor Area):

CS-3.4.1	Principal Building:	N/A
CS-3.4.2	Accessory Buildings:	N/A

### CS-3.5 Maximum Height:

CS-3.5.1	Principal Buildings & Structures:	8.5 m (28 ft) or 2 ½ storey
CS-3.5.2	Accessory Buildings & Structures:	5.5 m (18 ft)

### CS-3.6 Minimum Setbacks:

CS-3.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	3 m (10 ft)	3 m (10 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	3 m (10 ft)	3 m (10 ft)	7.5 m (25 ft)

CS-3.6.2 In addition, the minimum *yard* setback of 7.5 m applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

### CS-4 Zone – NEIGHBOURHOOD PUB COMMERCIAL

*This Zone is intended to provide for the use of a Neighborhood Pub in harmony with its surrounding neighbourhood uses.*

#### CS-4.1 Permitted Uses:

CS-4.1.1 The following uses are permitted, with no *secondary permitted uses*:

(1) Principal:

(a) *Neighbourhood Pub*

(2) Secondary:

N/A

#### CS-4.2 Lot Regulations

CS-4.2.1 Minimum Lot Size: 750 m<sup>2</sup> (8,073 ft<sup>2</sup>)

CS-4.2.2 Minimum Lot Frontage: 15 m (50 ft)

CS-4.2.3 Minimum Lot Width: N/A

CS-4.2.4 Minimum Lot Depth: N/A

#### CS-4.3 Density:

CS-4.3.1 Maximum Floor Area Ratio: N/A

CS-4.3.2 Maximum Lot Coverage: 35%

#### CS-4.4 Maximum Size (Gross Floor Area):

CS-4.4.1 Principal Building: 300 m<sup>2</sup> (3,225 ft<sup>2</sup>)

CS-4.4.2 Accessory Buildings: N/A

#### CS-4.5 Maximum Height:

CS-4.5.1 Principal Buildings & Structures: 8.5 m (28 ft)

CS-4.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

#### CS-4.6 Minimum Setbacks:

CS-4.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

## CS-5 Zone – TOURIST COMMERCIAL

*This zone is intended to provide for tourist commercial accommodations and other related recreational and primarily tourist commercial uses outside the District's Village Square and its residential areas, but in proper relationship to major thoroughfares and surrounding uses.*

### CS-5.1 Permitted Uses:

CS-5.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Resort Condo*
  - (d) *Mixed Commercial/Resort Condo*
  - (e) *Campground*
  - (f) *Restaurant*
  - (g) *Bistro/Café*
  - (h) *Commercial Recreation*
  - (i) *Marina*
  - (j) *Art Gallery*
  - (k) *Public Assembly*
  - (l) *Tourist Information Booth*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

CS-5.1.2 On the following properties, *residential* use of existing units is also permitted provided the existing building(s) contain primarily *commercial tourist accommodation* uses:

- (1) Strata Plan VIS4943 [Water's Edge – 1971 Harbour Drive].

### CS-5.2 Lot Regulations

CS-5.2.1 Minimum Lot Size:

- (1) Tourist Information Booth: N/A
- (2) All other uses: 1,000 m<sup>2</sup> (¼ acre)

CS-5.2.2 Minimum Lot Frontage: 15 m (50 ft)

CS-5.2.3 Minimum Lot Width: N/A

CS-5.2.4 Minimum Lot Depth: N/A

**CS-5.3 Density:**

CS-5.3.1 Maximum Number

(1) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)

CS-5.3.2 Maximum Floor Area Ratio: 0.70

CS-5.3.3 Maximum Lot Coverage: 40%

**CS-5.4 Maximum Size (Gross Floor Area):**

CS-5.4.1 Principal Building: N/A

CS-5.4.2 Accessory Buildings: N/A

**CS-5.5 Maximum Height:**

CS-5.5.1 Principal Buildings & Structures: 12 m (39 ft)

CS-5.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-5.6 Minimum Setbacks:**

CS-5.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)
(2) Accessory	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)

CS-5.6.2 In addition, the minimum *yard* setback of 6 m (20 ft) applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

## CS-6 Zone – TOURIST COMMERCIAL WATERFRONT

*This Zone is intended as a variation of the Tourist Commercial CS-5 Zone, with similar purposes but in a waterfront context and therefore with greater emphasis on marine-oriented uses.*

### CS-6.1 Permitted Uses:

CS-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Resort Condo*
  - (d) *Mixed Commercial/ Resort Condo*
  - (e) *Office*
  - (f) *Restaurant*
  - (g) *Bistro/Café*
  - (h) *Take Out Food Services*
  - (i) *Marina*
  - (j) *Fish Buying and Selling Station*
  - (k) *Boat Building and Repair*
  - (l) *Art Gallery*
  - (m) *Tourist Information Booth*
  - (n) *Aquarium*
  - (o) *Museum*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

### CS-6.2 Lot Regulations

CS-6.2.1 Minimum Lot Size:

- (1) Tourist Information Booth: N/A
- (2) All other uses: 1,000 m<sup>2</sup> (¼ acre)

CS-6.2.2 Minimum Lot Frontage: N/A

CS-6.2.3 Minimum Lot Width: N/A

CS-6.2.4 Minimum Lot Depth: N/A

**CS-6.3 Density:**

CS-6.3.1 Maximum Number

(1) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)

CS-6.3.2 Maximum Floor Area Ratio: N/A

CS-6.3.3 Maximum Lot Coverage: 70%

**CS-6.4 Maximum Size (Gross Floor Area):**

CS-6.4.1 Principal Building: N/A

CS-6.4.2 Accessory Buildings: N/A

**CS-6.5 Maximum Height:**

CS-6.5.1 Principal Buildings & Structures: 12 m (39 ft)

CS-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-6.6 Minimum Setbacks:**

CS-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)
(2) Accessory	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)

CS-6.6.2 In addition, the minimum yard setback of 6 m (20 ft) applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.



## **CS-7 Zone – TOURIST COMMERCIAL & RESIDENTIAL**

*This Zone is intended as a variation of the Tourist Commercial CS-5 Zone, with similar purposes but including optional residential, for areas closer to Village Square or transitional areas to residential neighbourhoods or tourist accommodation enclaves. It allows a broader range of commercial and office uses without detracting from the focus and top of the “hierarchy” of Village Square and permits residential uses if combined with commercial or commercial tourist accommodation uses.*

### **CS-7.1 Permitted Uses:**

CS-7.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Resort Condo*
  - (d) *Mixed Commercial/Residential*
  - (e) *Mixed Commercial/Resort Condo*
  - (f) *Boutique Retail*
  - (g) *Convenience Store*
  - (h) *Office*
  - (i) *Bistro/Café*
  - (j) *Art Gallery*
  - (k) *Daycare Centre*
  - (l) *Public Assembly*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

### **CS-7.2 Lot Regulations**

- |          |                       |                               |
|----------|-----------------------|-------------------------------|
| CS-7.2.1 | Minimum Lot Size:     | 1,000 m <sup>2</sup> (¼ acre) |
| CS-7.2.2 | Minimum Lot Frontage: | 15 m (50 ft)                  |
| CS-7.2.3 | Minimum Lot Width:    | N/A                           |
| CS-7.2.4 | Minimum Lot Depth:    | N/A                           |

### **CS-7.3 Density:**

CS-7.3.1 Maximum Number

- (1) Hotel: 1 guest room or dwelling unit per 95 m<sup>2</sup> (1,025 ft<sup>2</sup>) lot area

(2) Motel: 1 guest room or dwelling unit per 95 m<sup>2</sup> (1,025 ft<sup>2</sup>) lot area

(3) Resort Condo: 1 dwelling unit per 250 m<sup>2</sup> (2,700 ft<sup>2</sup>) lot area

(4) Residential component of Mixed Commercial/ Residential use:

1 dwelling unit per 250 m<sup>2</sup> (2,700 ft<sup>2</sup>) lot area

(5) Accessory Residential Dwelling Unit: 1 per lot (non-strata only)

CS-7.3.2 Maximum Floor Area Ratio: 0.70

CS-7.3.3 Maximum Lot Coverage: 40%

**CS-7.4 Maximum Size (Gross Floor Area):**

CS-7.4.1 Principal Building: N/A

CS-7.4.2 Accessory Buildings: N/A

**CS-7.5 Maximum Height:**

CS-7.5.1 Principal Buildings & Structures: 12 m (39 ft)

CS-7.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-7.6 Minimum Setbacks:**

CS-7.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)
(2) Accessory	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)

CS-7.6.2 In addition, the minimum yard setback of 6 m (20 ft) applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling or duplex dwelling* in a CD Zone.

## GH Zone – GUEST HOUSE

*This Zone is intended for commercial tourist accommodation mixed with residential in the form and appearance of traditional single family dwelling buildings, with or without small scale guest cottages, generally on larger lots.*

### GH.1 Permitted Uses:

GH.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Guest House*
- (2) Secondary:
  - (a) *Guest Cottage*

### GH.2 Lot Regulations

GH.2.1	Minimum Lot Size:	2,000 m <sup>2</sup> (½ acre)
GH.2.2	Minimum Lot Frontage:	24 m (80 ft)
GH.2.3	Minimum Lot Width:	N/A
GH.2.4	Minimum Lot Depth:	N/A

### GH.3 Density:

- GH.3.1 Maximum Density:
- (1) 1 *single family dwelling* per lot or 1 *guest house* per lot, the latter with up to:
    - (a) 4 *guest rooms* if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (b) 6 *guest rooms* if lot area exceeds 4,000 m<sup>2</sup> (1 acre); plus
  - (2) 2 *guest cottages* per lot if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (3) 4 *guest cottages* per lot if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

GH.3.2 Maximum Lot Coverage: 40%

### GH.4 Maximum Size (Gross Floor Area):

- GH.4.1 Principal Building: N/A
- GH.4.2 Accessory Buildings:
- (1) Guest Cottages: 37.2 m<sup>2</sup> (400 ft<sup>2</sup>)
  - (2) Other Accessory Buildings:
    - (a) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or

(b) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

**GH.5 Maximum Height:**

GH.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey

GH.5.2 Guest Cottages & Other Accessory Buildings & Structures: 5.5m (18ft)

**GH.6 Minimum Setbacks:**

GH.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	6 m (20 ft)	4.6 m (15 ft)	7.5 m (25 ft)
(2) Accessory Guest Cottage	7.5 m (25 ft)	4 m (13 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(3) Accessory Other	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	3.5 m (11.5 ft)

GH.6.2 In addition, *guest cottages* and all other *accessory buildings and structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building.

GH.6.3 In addition, each *guest cottage* must be located at least 9 m (30 ft) from every other *guest cottage*.

## HS Zone – HOSTEL

*This Zone is intended for commercial tourist accommodation in the form of hostel dormitory style use and building.*

### HS.1 Permitted Uses:

HS.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hostel*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

### HS.2 Lot Regulations

HS.2.1	Minimum Lot Size:	2,000 m <sup>2</sup> (½ acre)
HS.2.2	Minimum Lot Frontage:	23 m (75 ft)
HS.2.3	Minimum Lot Width:	N/A
HS.2.4	Minimum Lot Depth:	N/A

### HS.3 Density:

- HS.3.1 Maximum Density:
- (1) 1 *hostel per lot*, with up to 50% of *gross floor area* dedicated for sleeping facilities (*areas excluding bathrooms, kitchen, dining and social facilities, accessory and other areas not used for sleeping*);
  - (2) 1 bed per 5 m<sup>2</sup> (55 ft<sup>2</sup>) of *gross floor area* dedicated for sleeping facilities;
  - (3) 1 *accessory residential dwelling unit*.

HS.3.2 Maximum Lot Coverage: N/A

### HS.4 Maximum Size (Gross Floor Area):

HS.4.1 Principal Building: 500 m<sup>2</sup> (5,375 ft<sup>2</sup>) combined total

HS.4.2 Accessory Buildings:

- (1) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>,  
or
- (2) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup>.

HS.4.3 Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 35 m<sup>2</sup> (375 ft<sup>2</sup>) *gross floor area* and must not exceed 90 m<sup>2</sup> (970 ft<sup>2</sup>).

**HS.5 Maximum Height:**

HS.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storey

HS.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**HS.6 Minimum Setbacks:**

HS.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	8.5 m (28 ft)	8 m (26 ft)	8.5 m (28 ft)	8.5 m (28 ft)
(2) Accessory	8.5 m (28 ft)	1.5 m (5 ft)	1.5 m (5 ft)	3.5 m (11.5 ft)

HS.6.2 In addition, all other *accessory buildings* and *structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building.

## VR-1 Zone – VACATION RENTAL (VR-1)

*This Zone is intended for commercial tourist accommodation accessory to traditional single family residential use and appearance, though traditional residential use may occur.*

### VR-1.1 Permitted Uses

VR-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Vacation Rental (VR-1)*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

### VR-1.2 Lot Regulations

VR-1.2.1	Minimum Lot Size:	650 m <sup>2</sup> (7,000 ft <sup>2</sup> )
VR-1.2.2	Minimum Lot Frontage:	18 m (60 ft)
VR-1.2.3	Minimum Lot Width:	N/A
VR-1.2.4	Minimum Lot Depth:	N/A

### VR-1.3 Density:

- VR-1.3.1 Maximum Density:
- (1) *1 single family dwelling per lot;*
  - (2) *2 secondary suites per single family dwelling.*

VR-1.3.2 Maximum Floor Area Ratio: 0.5

VR-1.3.3 Maximum Lot Coverage: 45%

### VR-1.4 Maximum Size (Gross Floor Area):

VR-1.4.1 Principal Building: N/A

VR-1.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

### VR-1.5 Maximum Height:

VR-1.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey

VR-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

### VR-1.6 Minimum Setbacks:

VR-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

VR-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*.



## I-1 Zone – INDUSTRIAL

*This Industrial Zone is intended for a range of light and medium industries which are not dependent on accessory commercial uses and intended to have minimal conflict to surrounding uses.*

### I-1.1 Permitted Uses:

I-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

(1) Principal:

- (a) *Light Industry*
- (b) *Medium Industry*
- (c) *Bistro/Café*
- (d) *Outdoor Sales*
- (e) *Heavy Equipment Display*
- (f) *Shipping Yard*
- (g) *Wood Processing*
- (h) *Auto Repair Shop*

(2) Secondary:

- (a) *Accessory Residential Dwelling Unit*
- (b) *Accessory Retail Sales and Administration Office*

### I-1.2 Lot Regulations

- I-1.2.1 Minimum Lot Size: 2,000 m<sup>2</sup> (½ acre)
- I-1.2.2 Minimum Lot Frontage: 23 m (75 ft)
- I-1.2.3 Minimum Lot Width: N/A
- I-1.2.4 Minimum Lot Depth: N/A

### I-1.3 Density:

I-1.3.1 Maximum Number:

- (1) *Accessory Residential Dwelling Unit: 1 per lot (non-strata only)*
- (2) *Accessory Retail Sales and Administration Office: 1 per lot*

I-1.3.2 Maximum Floor Area Ratio: 1.0

I-1.3.3 Maximum Lot Coverage: 60%

### I-1.4 Maximum Size (Gross Floor Area):

I-1.4.1 Principal Building:

(1) *Accessory Retail Sales and Administration Office:* 30% of gross floor area

(2) Other: N/A

I-1.4.2 Accessory Buildings: N/A

I-1.4.3 Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 32.5 m<sup>2</sup> (350 ft<sup>2</sup>) gross floor area and must not exceed 75 m<sup>2</sup> (800 ft<sup>2</sup>).

**I-1.5 Maximum Height:**

I-1.5.1 Principal Buildings & Structures: 12 m (39 ft)

I-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**I-1.6 Minimum Setbacks:**

I-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	8 m (26 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(2) Accessory	8 m (26 ft)	1.5 m (5 ft)	1.5 m (5 ft)	7.5 m (25 ft)

I-1.6.2 In addition, the minimum *yard* setback of 7.5 m applies to all *side lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

## I-2 Zone – SERVICE INDUSTRIAL

*This Industrial Zone is intended for a variety of service and light industry uses in conjunction with those recreational, commercial and public emergency uses which may be better suited in a closer proximity to residential neighbourhoods.*

### I-2.1 Permitted Uses:

I-2.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

(1) Principal:

- (a) *Light Industry*
- (b) *Service Industry*
- (c) *Restaurant*
- (d) *Bistro/Café*
- (e) *Take Out Food Services*
- (f) *Outdoor Sales*
- (g) *Commercial Recreation*
- (h) *Emergency Services*
- (i) *Motel*

(2) Secondary:

- (a) *Accessory Residential Dwelling Unit*
- (b) *Accessory Retail Sales and Administration Office*

### I-2.2 Lot Regulations

I-2.2.1	Minimum Lot Size:	1,500 m <sup>2</sup> (16,150 ft <sup>2</sup> )
I-2.2.2	Minimum Lot Frontage:	23 m (75 ft)
I-2.2.3	Minimum Lot Width:	N/A
I-2.2.4	Minimum Lot Depth:	N/A

### I-2.3 Density:

I-2.3.1 Maximum Number:

- (1) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)
- (2) *Accessory Retail Sales and Administration Office:* 1 per business
- (3) *Motel:* 1 guest room or dwelling unit per 95 m<sup>2</sup> (1,025 ft<sup>2</sup>) lot area

I-2.3.2 Maximum Floor Area Ratio: 0.60

I-2.3.3 Maximum Lot Coverage: 50%

**I-2.4 Maximum Size (Gross Floor Area):**

I-2.4.1 Principal Building:

(1) *Accessory Retail Sales and Administration Office:* 40% of gross floor area

(2) Other: N/A

I-2.4.2 Accessory Buildings: N/A

I-2.4.3 Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 32.5 m<sup>2</sup> (350 ft<sup>2</sup>) gross floor area and must not exceed 75 m<sup>2</sup> (800 ft<sup>2</sup>)

**I-2.5 Maximum Height:**

I-2.5.1 Principal Buildings & Structures: 12 m (39 ft)

I-2.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**I-2.6 Minimum Setbacks:**

I-2.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	10 m (33 ft)	3 m (10 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(2) Accessory	10 m (33 ft)	3 m (10 ft)	5 m (16.5 ft)	7.5 m (25 ft)

I-2.6.2 In addition, the minimum *yard* setback of 7.5 m applies to all *side lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling or duplex dwelling* in a CD Zone.

## **P-1 Zone – PUBLIC INSTITUTIONAL**

*This Institutional Zone is intended for the governmental, administrative, educational recreational, cultural and related uses which serve the District and its residents.*

### **P-1.1 Permitted Uses:**

P-1.1.1 The following uses are permitted, with no *secondary permitted uses*:

(1) Principal:

- (a) *School*
- (b) *Public Administration & Utility*
- (c) *Public Assembly*
- (d) *Community Care Facility*
- (e) *Outdoor Recreation*
- (f) *Park*

(2) Secondary: N/A

### **P-1.2 Lot Regulations**

P-1.2.1 Minimum Lot Size: N/A

P-1.2.2 Minimum Lot Frontage: N/A

P-1.2.3 Minimum Lot Width: N/A

P-1.2.4 Minimum Lot Depth: N/A

### **P-1.3 Density:**

P-1.3.1 Maximum Floor Area Ratio: 1.0

P-1.3.2 Maximum Lot Coverage: 60%

### **P-1.4 Maximum Size (Gross Floor Area):**

P-1.4.1 Principal Building: N/A

P-1.4.2 Accessory Buildings: N/A

### **P-1.5 Maximum Height:**

P-1.5.1 Principal Buildings & Structures: 10 m (33 ft)

P-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**P-1.6 Minimum Setbacks:**

P-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

## **P-2 Zone – LIMITED INSTITUTIONAL**

*This Institutional Zone is intended as a variation of the P-1 Zone, with less administration and more service uses generally to service the District and its residents.*

### **P-2.1 Permitted Uses:**

P-2.1.1 The following uses are permitted, with no *secondary permitted uses*:

(1) Principal:

(a) *School*

(b) *Daycare Centre*

(c) *Place of Worship*

(d) *Community Care Facility*

(2) Secondary: N/A

### **P-2.2 Lot Regulations**

P-2.2.1 Minimum Lot Size: N/A

P-2.2.2 Minimum Lot Frontage: N/A

P-2.2.3 Minimum Lot Width: N/A

P-2.2.4 Minimum Lot Depth: N/A

### **P-2.3 Density:**

P-2.3.1 Maximum Number

(1) Principal Building: N/A

(2) Accessory Buildings & Structures: 1 per lot

P-2.3.2 Maximum Floor Area Ratio: 0.5

P-2.3.3 Maximum Lot Coverage: 30%

### **P-2.4 Maximum Size (Gross Floor Area):**

P-2.4.1 Principal Building: N/A

P-2.4.2 Accessory Buildings: N/A

### **P-2.5 Maximum Height:**

P-2.5.1 Principal Buildings & Structures: 10 m (33 ft)

P-2.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**P-2.6 Minimum Setbacks:**

P-2.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)



### **P-3 Zone – VILLAGE SQUARE INSTITUTIONAL**

*This Institutional Zone is intended for the social, education, administration, recreation and other services for the community, both public and private, which enhance the Village Square Development Area and underline the policies and objectives within the Official Community Plan.*

#### **P-3.1 Permitted Uses:**

P-3.1.1 The following uses are permitted, with no *secondary permitted uses*:

(1) Principal:

- (a) *Public Administration & Utility*
- (b) *Public Assembly*
- (c) *Mobile Vending*
- (d) *Public Market*
- (e) *Community Care Facility*
- (f) *Outdoor Recreation*
- (g) *Parking Lot*
- (h) *Park*

(2) Secondary: N/A

#### **P-3.2 Lot Regulations**

- P-3.2.1 Minimum Lot Size: N/A
- P-3.2.2 Minimum Lot Frontage: N/A
- P-3.2.3 Minimum Lot Width: N/A
- P-3.2.4 Minimum Lot Depth: N/A

#### **P-3.3 Density:**

- P-3.3.1 Maximum Floor Area Ratio: 1.0
- P-3.3.2 Maximum Lot Coverage: 60%

#### **P-3.4 Maximum Size (Gross Floor Area):**

- P-3.4.1 Principal Building: N/A
- P-3.4.2 Accessory Buildings: N/A

#### **P-3.5 Maximum Height:**

- P-3.5.1 Principal Buildings & Structures: 10 m (33 ft)
- P-3.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**P-3.6 Minimum Setbacks:**

P-3.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

## M-1 Zone – SMALL CRAFT HARBOUR MARINE

*This Marine Zone is intended for active use of near land areas for Marina and related commercial and community activities, generally to coincide with the District's prominent small craft harbour.*

### M-1.1 Permitted Uses

M-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Marina, except no sales of watercraft and no accessory residential dwelling unit*
  - (b) Fish Buying & Selling Stations
  - (c) *Recreational Services*
  - (d) *Community Use*
  - (e) *Marine Recreation*
- (2) Secondary
  - (a) *N/A*

### M-1.2 Lot Regulations

M-1.2.1	Minimum Lot Size:	N/A
M-1.2.2	Minimum Lot Frontage:	N/A
M-1.2.3	Minimum Lot Width:	N/A
M-1.2.4	Minimum Lot Depth:	N/A

### M-1.3 Density:

M-1.3.1	Maximum Number:	N/A
M-1.3.2	Maximum Floor Area Ratio:	N/A
M-1.3.3	Maximum Lot Coverage:	N/A

### M-1.4 Maximum Size (Gross Floor Area):

M-1.4.1	Principal Building:	N/A
M-1.4.2	Accessory Buildings:	N/A

**M-1.5 Maximum Height:** 5.5 m (18 ft)

**M-1.6 Minimum Setbacks:** N/A

### **M-2 Zone – COMMUNITY DOCK MARINE**

*This Marine Zone is intended for a plethora of commercial, community and transportation uses, including to facilitate public access and use of the foreshore and marine areas.*

#### **M-2.1 Permitted Uses**

M-2.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) *Marina*
  - (b) *Fish Buying & Selling Stations*
  - (c) *Aquarium*
  - (d) *Public Assembly*
  - (e) *Public Market*
  - (f) *Mobile Vending*
  - (g) *Retail*
  - (h) *Commercial Entertainment*
  - (i) *Recreational Services*
  - (j) *Community Use*
  - (k) *Marine Recreation*
  - (l) *Water and Air Transportation*
- (2) Secondary N/A

#### **M-2.2 Lot Regulations**

- M-2.2.1 Minimum Lot Size: N/A
- M-2.2.2 Minimum Lot Frontage: N/A
- M-2.2.3 Minimum Lot Width: N/A
- M-2.2.4 Minimum Lot Depth: N/A

#### **M-2.3 Density:**

- M-2.3.1 Maximum Number: N/A
- M-2.3.2 Maximum Floor Area Ratio: N/A
- M-2.3.3 Maximum Lot Coverage: N/A

#### **M-2.4 Maximum Size (Gross Floor Area):**

- M-2.4.1 Principal Building: N/A
- M-2.4.2 Accessory Buildings: N/A

**M-2.5 Maximum Height:** 8.5 m (28 ft)

**M-2.6 Minimum Setbacks:** N/A

### **M-3 Zone – MARINE COMMERCIAL**

*This Marine Zone is intended for limited commercial, recreation and transportation uses and development, unless in conjunction with an upland marina.*

#### **M-3.1 Permitted Uses**

M-3.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) Fish Buying & Selling Stations
  - (b) *Recreational Services*
  - (c) *Marine Recreation*
  - (d) Water and Air Transportation
- (2) Secondary        *N/A*

M-3.1.2 For areas directly abutting an upland zone that permits *Marina* use, *Marina* is also a *principal permitted use*.

M-3.1.3 On Water Lots Block B-DL 985 & Block B-DL 986, (Canadian Princess) *restaurant* use and commercial tourist accommodation are also *principal permitted uses*.

M-3.1.4 On Water Lot Block A-DL 199 (Jamie’s Whaling Station):

- (1) Retail uses are permitted for so long as consistent with and accessory to existing upland uses
- (2) Residential use and commercial tourist accommodation are also *principal permitted uses* on the second storey only.

M-3.1.5 On Water Lot Block B-DL 199 (Pioneer Boat Works):

- (1) *Boat building and Repair* and *Retail* uses are permitted for so long as consistent with and accessory to existing upland uses; and
- (2) Residential use and commercial tourist accommodation are also *principal permitted uses* on the second storey only.

#### **M-3.2 Lot Regulations**

- |         |                       |            |
|---------|-----------------------|------------|
| M-3.2.1 | Minimum Lot Size:     | <i>N/A</i> |
| M-3.2.2 | Minimum Lot Frontage: | <i>N/A</i> |
| M-3.2.3 | Minimum Lot Width:    | <i>N/A</i> |
| M-3.2.4 | Minimum Lot Depth:    | <i>N/A</i> |

#### **M-3.3 Density:**

- |         |                 |            |
|---------|-----------------|------------|
| M-3.3.1 | Maximum Number: | <i>N/A</i> |
|---------|-----------------|------------|

M-3.3.2 Maximum Floor Area Ratio: *N/A*

M-3.3.3 Maximum Lot Coverage: *N/A*

**M-3.4 Maximum Size (Gross Floor Area):**

M-3.4.1 Principal Building: *N/A*

M-3.4.2 Accessory Buildings: *N/A*

**M-3.5 Maximum Height:** 5.5 m (18 ft)

**M-3.6 Minimum Setbacks:** *N/A*

## M-4 Zone – MARINE INDUSTRIAL

*This Marine Zone is intended for commercial development and transportation complementary to upland industrial uses.*

### M-4.1 Permitted Uses

M-4.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) *Boat Building and Repair*
  - (b) *Fish Buying & Selling Stations*
  - (c) *Recreational Services*
  - (d) *Marine Recreation*
  - (e) *Water and Air Transportation*

(2) Secondary            *N/A*

M-4.1.2 For areas directly abutting an upland zone that permits *Marina* use, *Marina* is also a *principal permitted use*.

M-4.1.3 For areas directly abutting an upland zone that permits *an Industrial* use or *zone*, the same and *accessory* industrial uses are also a *principal permitted use*.

### M-4.2 Lot Regulations

M-4.2.1	Minimum Lot Size:	<i>N/A</i>
M-4.2.2	Minimum Lot Frontage:	<i>N/A</i>
M-4.2.3	Minimum Lot Width:	<i>N/A</i>
M-4.2.4	Minimum Lot Depth:	<i>N/A</i>

### M-4.3 Density:

M-4.3.1	Maximum Number:	<i>N/A</i>
M-4.3.2	Maximum Floor Area Ratio:	<i>N/A</i>
M-4.3.3	Maximum Lot Coverage:	<i>N/A</i>

### M-4.4 Maximum Size (Gross Floor Area):

M-4.4.1	Principal Building:	<i>N/A</i>
M-4.4.2	Accessory Buildings:	<i>N/A</i>

**M-4.5 Maximum Height:** 8.5 m (28 ft)

**M-4.6 Minimum Setbacks:** *N/A*

## M-5 Zone – MARINE RECREATION & PROTECTION

*This Marine Zone is intended for minimal use and development.*

### M-5.1 Permitted Uses

M-5.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) *Marine Recreation*
  - (b) *Environmental Conservation*
- (2) *Secondary* N/A

M-5.1.2 On Water Lot DL 2087 (BC Packers site), *residential* use is also permitted but only as *accessory* to upland development.

M-5.1.3 On Water Lot DL 2098 (Gas Dock), *marine fueling station*, and *marine-related retail supplies and equipment* uses are permitted for so long as consistent with and accessory to existing upland uses.

M-5.1.4 For Imperial Lane properties, the area between the natural boundary and Water Lot DL 1887 (52 Steps), *residential* use is also permitted for so long as attached to and forming part of an existing upland residential building.

### M-5.2 Lot Regulations

- |         |                       |     |
|---------|-----------------------|-----|
| M-5.2.1 | Minimum Lot Size:     | N/A |
| M-5.2.2 | Minimum Lot Frontage: | N/A |
| M-5.2.3 | Minimum Lot Width:    | N/A |
| M-5.2.4 | Minimum Lot Depth:    | N/A |

### M-5.3 Density:

- |         |                           |  |
|---------|---------------------------|--|
| M-5.3.1 | Maximum Number:           | 1 <i>dwelling unit</i> on Water Lot 2087 |
| M-5.3.2 | Maximum Floor Area Ratio: | N/A                                      |
| M-5.3.3 | Maximum Lot Coverage:     | N/A                                      |

**M-5.4 Maximum Size (Gross Floor Area):** 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) on Water Lot 2087

**M-5.5 Maximum Height:** 5.5 m (18 ft)

**M-5.6 Minimum Setbacks:** N/A



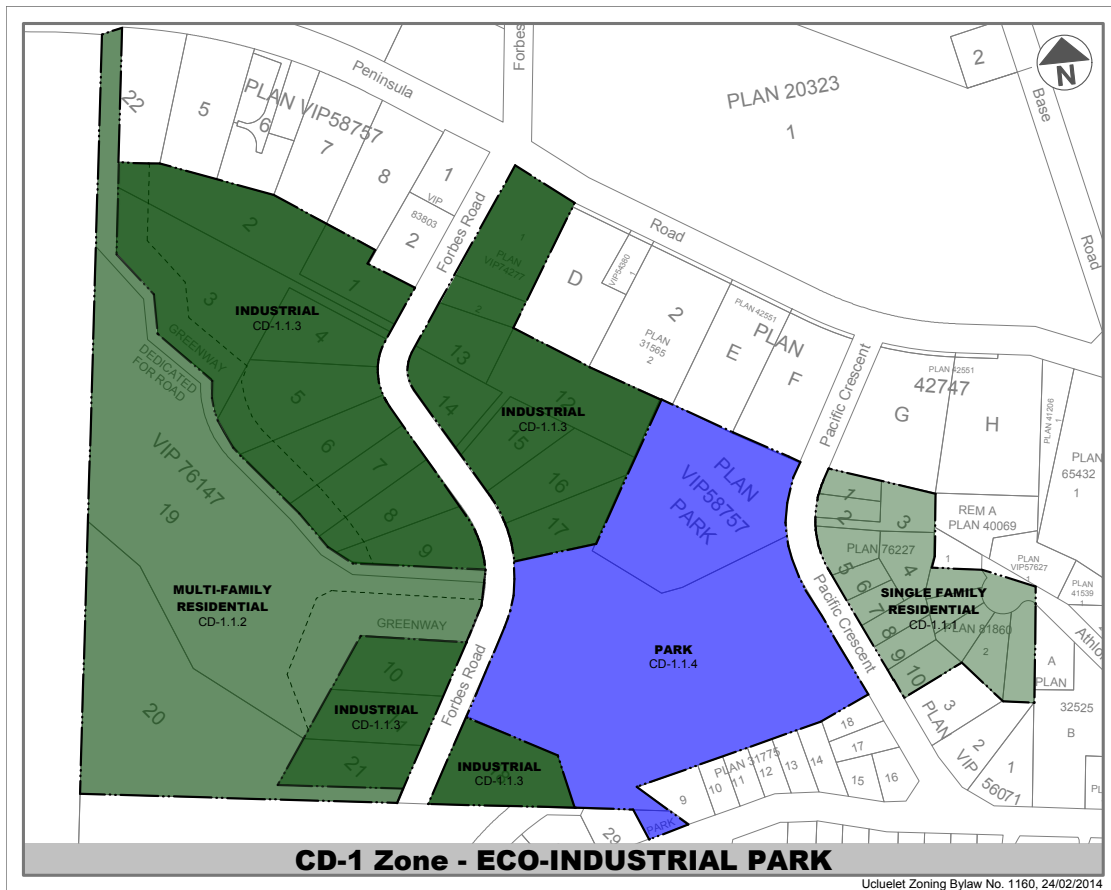
### CD-1 Zone – ECO-INDUSTRIAL PARK

*In this Comprehensive Development Zone, and Industrial Zone, the densities identified below were bonused and based on a 20% open space dedication/ amenity contribution further to Section 203 of this Bylaw, with development at 5 units/hectare as the base density if amenities were not provided.*

*2014 Update: The base density of 5 units/ hectare no longer applies as the amenities have been provided. Parkland Exchange Bylaw No.838, 2000 exchanged land to create the current park.*

*Save for the multiple-family residential portion of the CD-1 Comprehensive Development Plan (“CD-1 Plan”), this zone has been largely subdivided and uses and density allocated as detailed below. Future variations would require amendment of the Zoning Bylaw.*

### Comprehensive Development (“CD-1 Zone”) Plan



**CD-1.1 Permitted Uses:**

CD-1.1.1 The following uses are permitted in the area of the CD-1 Zone Plan labeled "Single Family Residential", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-1.1.2 The following uses are permitted in the area of the CD-1 Zone Plan labeled "Multi-Family Residential", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Duplex Dwelling*
  - (b) *Multiple Family Residential*
  - (c) *Community Care Facility*
- (2) Secondary:
  - (a) *Home Occupation*

CD-1.1.3 The following uses are permitted in the areas of the CD-1 Zone Plan labeled "Industrial", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Mixed Industrial/Residential*
  - (c) *Light Industry*
  - (d) *Medium Industry*
  - (e) *Service Industry*
  - (f) *Service Station, with accessory car wash*
  - (g) *Auto Repair Shop*
  - (h) *Bistro/Café*
  - (i) *Outdoor Sales*

- (j) *Heavy Equipment Display*
- (k) *Wood Processing*
- (2) *Secondary:*
  - (a) *Accessory Residential Dwelling Unit*
  - (b) *Accessory Retail Sales and Administration Office*

CD-1.1.4 The following uses are permitted in the area of the CD-1 Zone Plan labeled “Park”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) *Principal*
  - (a) *Park*
  - (b) *Public Assembly*
- (2) *Secondary*
  - (a) *Outdoor Recreation*

## **CD-1.2 Lot Regulations**

### CD-1.2.1 Minimum Lot Size:

- (1) *Single Family Dwelling:*
  - (a) 600 m<sup>2</sup> (6,450 ft<sup>2</sup>) in “Industrial” Area of CD-1 Plan
  - (b) 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) in “Single Family Residential” Area of CD-1 Plan
- (2) *Duplex Dwelling:* 750 m<sup>2</sup> (8,075 ft<sup>2</sup>)
- (3) *Multiple Family Residential:* 1,000 m<sup>2</sup> (¼ acre)
- (4) *All other uses:* 2,000 m<sup>2</sup> (½ acre)

### CD-1.2.2 Minimum Lot Frontage:

- (1) *Single Family Dwelling:*
  - (a) 15 m (50 ft) in “Industrial” Area of CD-1 Plan
  - (b) 18 m (60 ft) in “Single Family Residential” Area of CD-1 Plan
- (2) *Duplex Dwelling:* 20 m (66 ft)
- (3) *Multiple Family Residential:* 23 m (75 ft)
- (4) *All other uses:* 23 m (75 ft)

CD-1.2.3 Minimum Lot Width: N/A

CD-1.2.4 Minimum Lot Depth: N/A

## **CD-1.3 Density:**

### CD-1.3.1 Maximum Number:

- (1) *Single Family Dwelling:* 1 per lot

- (2) Duplex Dwelling: 1 per lot
- (3) Multiple Family Residential: 30 dwelling units per hectare
- (4) Accessory Residential Dwelling Unit: 1 per lot

**CD-1.3.2 Maximum Floor Area Ratio:**

- (1) Single Family Dwelling: 0.50
- (2) Duplex Dwelling: 0.70
- (3) Multiple Family Residential: 0.70
- (4) All other uses: 1.0

**CD-1.3.3 Maximum Lot Coverage:**

- (1) Single Family Dwelling: 35%
- (2) Duplex Dwelling: 35%
- (3) Multiple Family Residential: 40%
- (4) All other uses: 60%

**CD-1.4 Maximum Size (Gross Floor Area):**

**CD-1.4.1 Principal Building:**

- (1) Accessory Retail Sales and Administration Office: 40% of principal permitted use
- (2) Other: N/A

**CD-1.4.2 Accessory Buildings:** 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot

**CD-1.4.3** Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 32.5 m<sup>2</sup> (350 ft<sup>2</sup>) gross floor area and must not exceed 90 m<sup>2</sup> (970 ft<sup>2</sup>).

**CD-1.5 Maximum Height:**

**CD-1.5.1 Principal Buildings & Structures:**

- (1) Single Family Dwelling: 8.5 m (28 ft) or 2 ½ storey
- (2) Duplex Dwelling: 8.5 m (28 ft) or 2 ½ storey
- (3) Multiple Family Residential: 11 m (36 ft) or 3 storey
- (4) All other uses: 12 m (39 ft)

**CD-1.5.2 Accessory Buildings & Structures:** 5.5 m (18 ft)

**CD-1.6 Minimum Setbacks:**

CD-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal: SFD or Duplex	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Principal: MFR	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(3) Principal: All other uses	9 m (30 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(4) Accessory: SFD, Duplex, MFR	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(5) Accessory: All other uses	8 m (26 ft)	1.5 m (5 ft)	1.5 m (5 ft)	7.5 m (25 ft)

CD-1.6.2 In addition, for *single family dwelling* and *duplex dwelling*, the *side yards* combined must not be less than 20% of the *lot width*.

CD-1.6.3 In addition, all *accessory buildings* and *structures* to *residential uses* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal *building(s)*.

CD-1.6.4 In addition, the minimum *yard setback* of 7.5 m applies to all *side lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

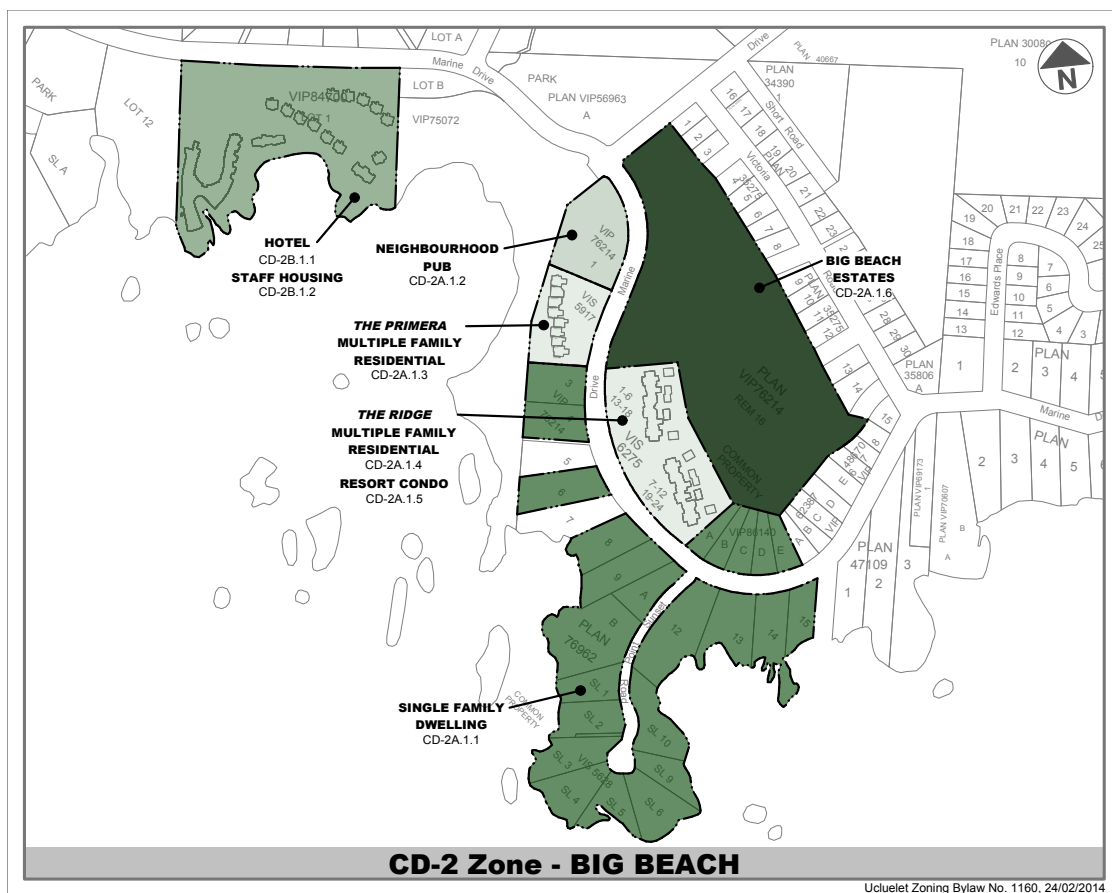
## CD-2 Zone – BIG BEACH

In this Comprehensive Development Zone, the density bonusing framework is based on a 15-20% parkland dedication/ amenity contribution, which is to be in the form of

1. public recreational amenities, open space and green space;
2. new swimming pool and fitness facility, which will be privately owned and maintained;
3. 10 metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone.

2014 Update: The latter two amenities remain to be provided with the future development of Remainder Lot 16, labeled “Big Beach Estates” in plan and as further defined below, in the CD-2A SubZone. The amenities for the CD-2B SubZone have been accounted for, and the Black Rock Resort has largely developed this subarea. Descriptions for the SubZones follow.

### Comprehensive Development (“CD-2 Zone”) Plan



### **CD-2A SubZone – DISTRICT LOT 281 (Lot 1)**

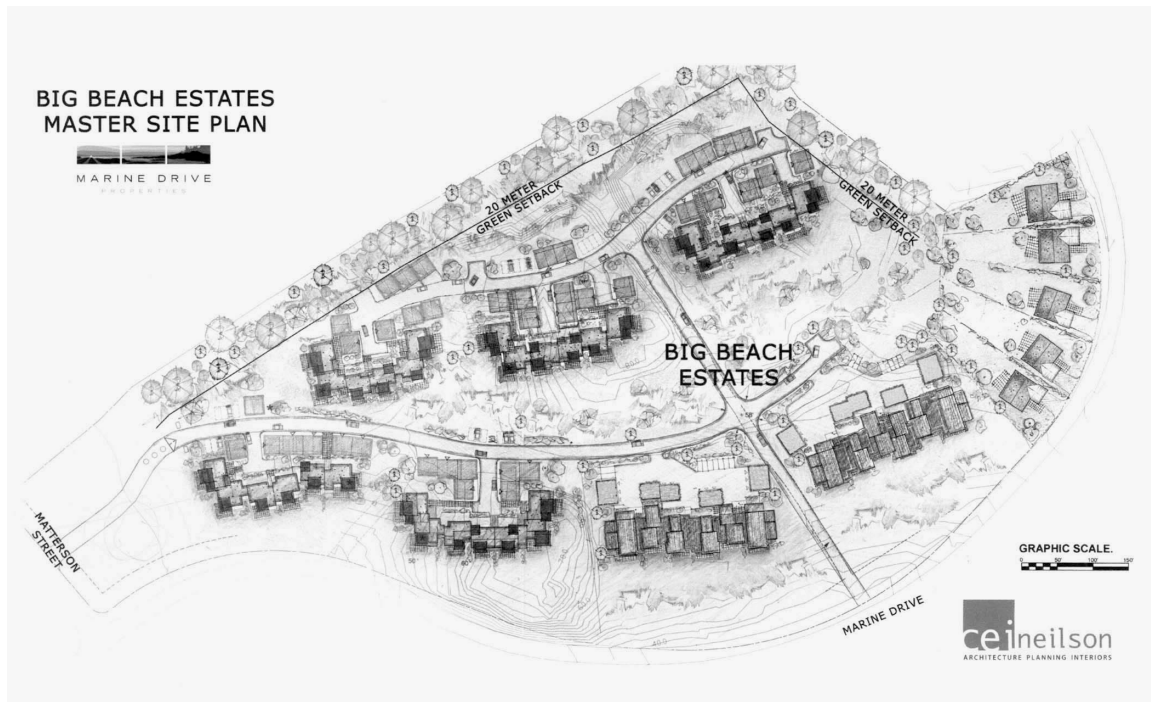
2014 Update: Plan VIP76214 created 16 lots, and most of the development parcels as follows:

- Lot 1 is designated for neighbourhood pub use.
- Lot 2 was developed as multiple family residential only per Strata Plan VIS5917 (The Primera). In 2008, an owner was successful in its Court case against the original developer regarding representations suggesting tourist accommodation use was permitted but a related challenge of the Zoning Bylaw was unsuccessful. The Court upheld the District's zoning as multiple family residential use only, with no nightly rentals or other commercial tourist accommodation permitted on these lands or under the multiple family residential use category.
- Lots 5 and 7 were removed from the CD-2A Zone and placed in the Vacation Rental (VR-1) Zone, further to rezoning applications.
- Lot 11 was originally intended for a wellness centre but was subsequently rezoned and subdivided into single family dwelling lots.
- Lot 16 was the large lot created north of Marine Drive, labeled "Big Beach Estates". It remains only partially subdivided and developed:
  - Lot A, Plan VIP80735 created a lot for two buildings, The Ridge, which was stratified into 24 units per Strata Plan VIS6275.
  - Plan VIP86140 created 5 single family dwelling lots.
  - PID 025-812-823 Lot 16, Plan VIP76214 except that part in Plan VIP80735, VIP83067 and VIP86140 ("Remainder Lot 16") will support additional subdivision and development according to this zone, noting the **Big Beach Estates Master Plan** may require further consideration following requested alteration of uses and densities in rezonings subsequent to the preparation of that plan. Amenities are outstanding in this area, and are preferred to be accessed off Matterson Drive to create synergy with the Community Centre.
  - The maximum density for Multiple Family Residential use has been reached, through the 18 dwelling units in The Primera and 12 dwelling units in The Ridge.
  - With 12 Resort Condo units developed at The Ridge, up to 76 Resort Condo units may be provided on Remainder Lot 16, in addition to other uses noted below.





**Big Beach Estates Master Plan (per Zoning Amendment Bylaw 1045, 2006):**



**CD-2A.1 Permitted Uses:**

CD-2A.1.1 The following uses are permitted on Lots 3, 4, 6, 8-15 Plan VIP76214 (and lots subdivided therefrom) and on Lots A-E, Plan VIP86140, in the areas of the CD-2 Zone Plan labeled “Single Family Dwelling”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-2A.1.2 The following uses are permitted on Lot 1, Plan VIP76214, , in the area of the CD-2 Zone Plan labeled “Neighbourhood Pub”, but *secondary*

*permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Neighbourhood Pub*
- (2) Secondary:
  - (a) *Mixed Commercial/Residential*

CD-2A.1.3 The following uses are permitted on Strata Plan VIS5917, in the area of the CD-2 Zone Plan labeled “*The Primera Multiple Family Residential*”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

CD-2A.1.4 The following uses are permitted on Strata Plan VIS6275, in the area of the CD-2 Zone Plan labeled “*The Ridge Multiple Family Residential / Resort Condo*”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

CD-2A.1.5 The following uses are permitted on Strata Plan VIS6275, in the area of the CD-2 Zone Plan labeled “*The Ridge Multiple Family Residential / Resort Condo*”, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Resort Condo*
- (2) Secondary: N/A

CD-2A.1.6 The following uses are permitted on *Remainder Lot 16* (and lots subdivided therefrom), , in the area of the CD-2 Zone Plan labeled “*Big Beach Estates*”, not already developed per previous subsections, with no *secondary permitted uses*:

- (1) Principal:

- (a) *Resort Condo*
- (b) *Retail*
- (c) *Personal Services*
- (d) *Recreational Services*
- (e) *Community Use*

(2) Secondary: N/A

## **CD-2A.2 Lot Regulations**

### CD-2A.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
  - (a) 1,000 m<sup>2</sup> (¼ acre) for 5 lots in Plan VIP86140
  - (b) 2,000 m<sup>2</sup> (½ acre) otherwise
- (2) Multiple Family Residential: 1,000 m<sup>2</sup> (¼ acre)
- (3) Resort Condo: 1,000 m<sup>2</sup> (¼ acre)
- (4) Neighbourhoob Pub with Mixed Commercial/Residential: 6,475 m<sup>2</sup> (1.6 acre)
- (5) Retail: 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)
- (6) Personal Services: 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)
- (7) Recreational Services 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)
- (8) All other uses: N/A

### CD-2A.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling: 18 m (60 ft)
- (2) Duplex Dwelling: 18 m (60 ft)
- (3) Multiple Family Residential: 23 m (75 ft)

CD-2A.2.3 Minimum Lot Width: N/A

CD-2A.2.4 Minimum Lot Depth: N/A

## **CD-2A.3 Density:**

### CD-2A.3.1 Maximum Number:

- (1) Single Family Dwelling: 1 per lot
- (2) Multiple Family Residential:
  - (a) 18 *dwelling units* on Strata Plan VIS5917 (*The Primera*)
  - (b) 12 *dwelling units* on Strata Plan VIS6275 (*The Ridge*)
- (3) Resort Condo:
  - (a) 12 *dwelling units* on Strata Plan VIS6275 (*The Ridge*)

(b) 76 dwelling units on Remainder Lot 16

(4) Neighbourhoob Pub with Mixed Commercial/Residential:

(a) Neighbourhoob Pub: 1,942 m<sup>2</sup> (20,900 ft<sup>2</sup>)

(b) Residential component of Mixed Commercial/Residential:

6 dwelling units with 487.5 m<sup>2</sup> (5,250 ft<sup>2</sup>) gross floor area combined, and each unit must not be less than 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) gross floor area

(5) Retail, Personal Services & Commercial Recreation:

1,672 m<sup>2</sup> (18,000 ft<sup>2</sup>) combined total

(6) All other uses: N/A

CD-2A.3.2 Maximum Floor Area Ratio:

(1) Single Family Dwelling: 0.50

(2) Multiple Family Residential: 0.70

(3) Neighbourhoob Pub with Mixed Commercial/Residential: N/A

(4) All other uses 0.50

CD-2A.3.3 Maximum Lot Coverage:

(1) Single Family Dwelling: 35%

(2) Multiple Family Residential: 40%

(3) Neighbourhoob Pub with Mixed Commercial/Residential: 50%

(4) All other uses: 30%

**CD-2A.4 Maximum Size (Gross Floor Area):**

CD-2A.4.1 Principal Building: N/A

(1) Neighbourhoob Pub with Mixed Commercial/Residential:

(a) Neighbourhoob Pub: 1,942 m<sup>2</sup> (20,900 ft<sup>2</sup>)

(b) Residential component of Mixed Commercial/Residential:

6 dwelling units with 487.5 m<sup>2</sup> (5,250 ft<sup>2</sup>) gross floor area combined, limited to gross floor area above pub

(2) All other uses: N/A

CD-2A.4.2 Accessory Buildings:

(1) Single Family Dwelling: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot

(2) Multiple Family Residential: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot

(3) Neighbourhoob Pub with Mixed Commercial/ Residential: N/A

(4) All other uses: 80 m<sup>2</sup> (860 ft<sup>2</sup>) combined total per *lot*

#### CD-2A.5 Maximum Height:

##### CD-2A.5.1 Principal Buildings & Structures:

- (1) Single Family Dwelling: 9 m (30 ft) or 2 ½ *storey*  
 (2) Multiple Family Residential: 12 m (39 ft) or 3 *storey*  
 (3) Neighbourhoob Pub with Mixed Commercial / Residential: 11 m (36 ft)  
 (4) All other uses: 11 m (36 ft)

CD-2A.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

#### CD-2A.6 Minimum Setbacks:

CD-2A.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling – Lots less than 2,023 m <sup>2</sup> (½ acre) in lot area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Single Family Dwelling – Lots at least 2,023 m <sup>2</sup> (½ acre) in lot area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	7.5 m (25 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(3) Multiple Family Residential:				
(i) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(4) Neighbourhood Pub, Recreational Services or Community Use:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(5) All other uses:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	8 m (26 ft)	1.5 m (5 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot or <i>multiple family residential</i> lot or lot with a principal residential use.				

## CD-2B SubZone – BLACK ROCK

2014 Update: Portions of the original CD-2B Zone were removed and placed in the CD-3 Zone (per Zoning Amendment Bylaw 1025, 2006). The remainder represents the constructed Black Rock Resort and adjacent Lot 1 Plan VIP85870 currently restricted by Covenant for use as passive recreation and accessory parking, until consolidated with adjacent Lot 12 Plan VIP84686 (portion of CD-5 Zone) for development of staff housing. Amenities have been provided.

### CD-2B.1 Permitted Uses:

CD-2B.1.1 The following uses are permitted, , in the area of the CD-2 Zone Plan labeled “Hotel / Staff Housing”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Parking Lot*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

CD-2B.1.2 On Lot 1 Plan VIP85870, *Staff Housing* is also permitted when this lot is consolidated with Lot 12 Plan VIP84686.

### CD-2B.2 Lot Regulations

CD-2B.2.1	Minimum Lot Size:	10,000 m <sup>2</sup> (2½ acres)
CD-2B.2.2	Minimum Lot Frontage:	18 m (60 ft)
CD-2B.2.3	Minimum Lot Width:	N/A
CD-2B.2.4	Minimum Lot Depth:	N/A

### CD-2B.3 Density:

CD-2B.3.1	Maximum Number:	
(1)	Hotel:	150 <i>guest rooms</i> or <i>dwelling units</i>
(2)	<i>Accessory Residential Dwelling Unit</i> :	1 per lot (non-strata only)
CD-2B.3.2	Maximum Floor Area Ratio:	0.70
CD-2B.3.3	Maximum Lot Coverage:	40%

### CD-2B.4 Maximum Size (Gross Floor Area):

CD-2B.4.1	Principal Building:	
(1)	Spa:	743.2 m <sup>2</sup> (8,000 ft <sup>2</sup> )
(2)	Other	N/A
CD-2B.4.2	Accessory Buildings:	N/A

**CD-2B.5 Maximum Height:**

CD-2B.5.1 Principal Buildings & Structures: 12 m (39 ft)

CD-2B.5.2 Accessory Buildings & Structures: 5 m (16 ft)

**CD-2B.6 Minimum Setbacks:**

CD-2B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)
(2) Accessory	6 m (20 ft)	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)

CD-2B.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*.

CD-2B.6.3 In addition, the minimum *yard* setback of 7.5 m applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling or duplex dwelling* in a CD Zone.

### **CD-3 Zone – RAINFOREST**

*In this Comprehensive Development Zone, the density bonusing framework is based on a 10% parkland dedication/ amenity contribution, provided in the form of public recreational amenities, open space and green space as follows:*

1. *A “tot” park worth approx. \$20,000.00;*
2. *A skateboard park and associated parking area worth approx. \$200,000.00;*
3. *The rebuilding and reconstruction of the Big Beach Trail from Bay Street to Marine Drive and dedication of a public right-of-way from Bay Street to Big Beach (Big Beach Trail) worth approx. \$25,000.00;*
4. *The construction 1,500 metres of Trail within District right-of-ways (1,500 metres at \$80/m) valued at \$120,000.00;*
5. *The donation of a 7,100 ft<sup>2</sup> lot to the District of Ucluelet for a daycare centre and the dedication of an additional 4.12 acres of parkland on DL 282. (\$50,589.00);*
6. *The construction of a basketball court worth approx. \$55,000.00;*
7. *A \$100,000.00 monetary contribution to the District of Ucluelet payable at the time of the completion of subdivision of DL 282 (2004);*
8. *10 metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone.*

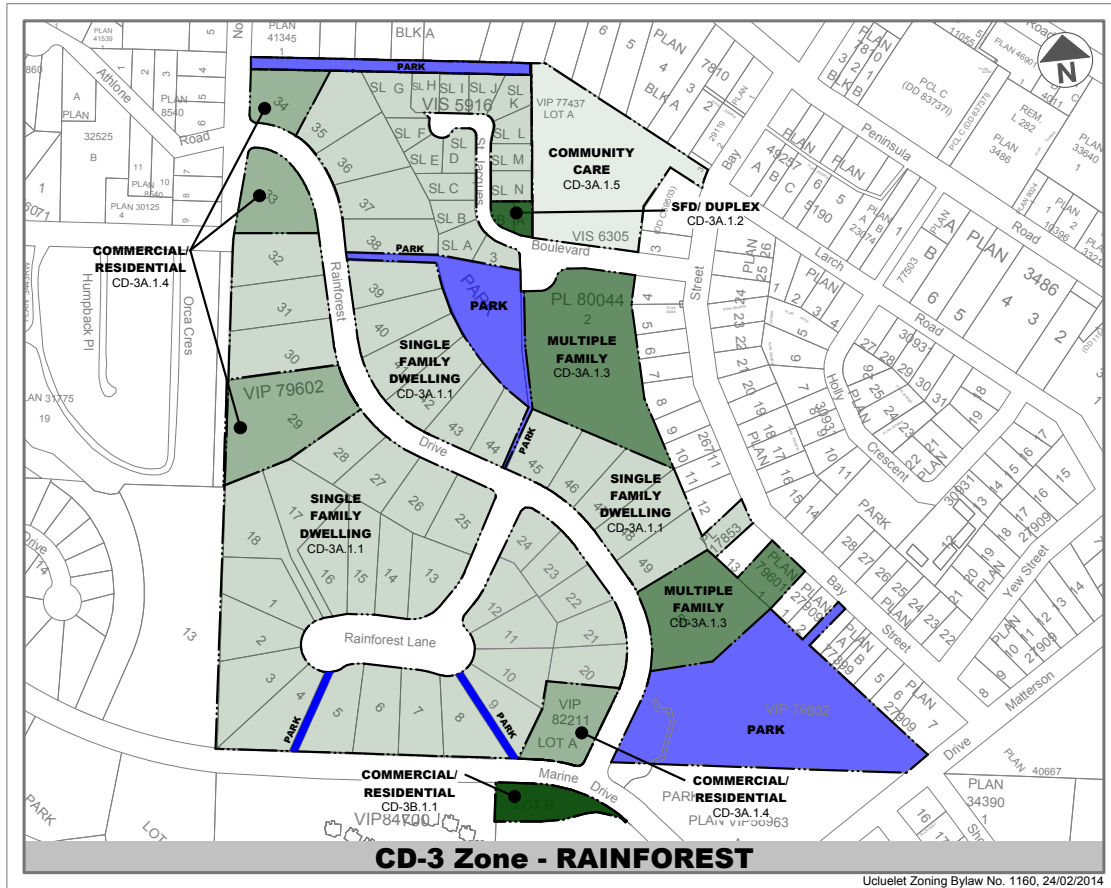
*The CD-3 Zone is divided into two (2) development areas, as reflected in the CD-3A SubZone and the CD-3B SubZone.*

*2014 Update: All amenities have been provided, and continue to form an integral part of the community. Except for the potential to subdivide Lot 2, Plan VIP80044 into two fee simple Multiple Family Residential Lots, the original CD-3 Zone (now CD-3A SubZone) has been fully subdivided (Building Stratas may be possible on certain lots). A number of parcels remain vacant and undeveloped, but the uses have been established by way of the subdivision in accordance with the original Comprehensive Development Plans.*

**See plan on next page.**



## Comprehensive Development ("CD-3 Zone") Plan - Updated



## CD-3A SubZone – DISTRICT LOT 282

2014 Update: Except for the potential to subdivide Lot 2, Plan VIP 80044 into two fee simple lots with Multiple Family Residential use, the original CD-3 Zone (now CD-3A SubZone) has been fully subdivided, as uses allocated, as shown below and described in this section.

### CD-3A.1 Permitted Uses:

CD-3A.1.1 The following uses are permitted on Lots 1-18, 20-28, 30-32, 35-49, all of Plan VIP79602, and Remainder Lot A Plan VIP17853, in the areas of the CD-3 Zone Plan labeled “Single Family Dwelling”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-3A.1.2 The following uses are permitted on PID 026-514-681 Lot 1, District Lot 282, Clayoquot District, Plan VIP80044, in the area of the CD-3 Zone Plan labeled “SFD/ Duplex”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Duplex Dwelling*
- (2) Secondary:
  - (a) *Home Occupation*
- (3) This lot was stratified into Strata Lots A & B, Plan VIS6305 for a side-by-side duplex. For greater certainty, each of the lots may only contain one dwelling unit.

CD-3A.1.3 The following uses are permitted on Lot 50, Plan VIP79602 and Lot 2, Plan VIP8044, in the areas of the CD-3 Zone Plan labeled “Multiple Family”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

CD-3A.1.4 The following uses are permitted on Lots 19, 29, 33 & 34, all of Plan VIP79602, in the areas of the CD-3 Zone Plan labeled “Commercial/Residential”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) Office
  - (b) *Retail*
  - (c) *Personal Services*
  - (d) *Daycare Centre*
  - (e) *Commercial Entertainment*
  - (f) *Recreational Services*
  - (g) *Community Use*
- (2) Secondary:
  - (a) *Mixed Commercial/Residential*
  - (b) *Mixed Commercial/Resort Condo*

CD-3A.1.5 The following uses are permitted on Lot A Plan VIP77437, in the area of the CD-3 Zone Plan labeled “Community Care”, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Community Care Facility*
  - (b) *Community Use*
- (2) Secondary: N/A

CD-3A.1.6 The following uses are permitted in the areas of the CD-3 Zone Plan labeled “Park”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal
  - (a) *Park*
  - (b) *Public Assembly*
- (2) Secondary

(a) *Outdoor Recreation*

**CD-3A.2 Lot Regulations**

CD-3A.2.1 Minimum Lot Size:

(1) Single Family Dwelling:

(a) 645 m<sup>2</sup> (6,940 ft<sup>2</sup>) for 16 small lots.

(b) 1,450 m<sup>2</sup> (15,600 ft<sup>2</sup>) for maximum of 50 lots.

(2) Multiple Family Residential: 4,856 m<sup>2</sup> (1.2 acres)

(3) Mixed Commercial/Residential: 2,305 m<sup>2</sup> (24,800 ft<sup>2</sup>)

(4) Mixed Commercial/Resort Condo: 2,305 m<sup>2</sup> (24,800 ft<sup>2</sup>)

CD-3A.2.2 Minimum Lot Frontage:

(1) Single Family Dwelling: 18 m (60 ft)

(2) Duplex Dwelling: 18 m (60 ft)

(3) Multiple Family Residential: 23 m (75 ft)

CD-3A.2.3 Minimum Lot Width: *N/A*

CD-3A.2.4 Minimum Lot Depth: *N/A*

**CD-3A.3 Density:**

CD-3A.3.1 Maximum Number:

(1) Single Family Dwelling: 1 per lot

(2) Duplex Dwelling: 1 per lot

(3) Multiple Family Residential: 20 dwelling units per lot

(4) *Dwelling Unit* component of Mixed Commercial/Residential & Mixed Commercial/Resort Condo combined:

(a) 6 dwelling units on Lot 19, Plan VIP79602

(b) 12 dwelling units on Lot 29, Plan VIP79602

(c) 6 dwelling units on Lot 33, Plan VIP79602

(d) 6 dwelling units on Lot 34, Plan VIP79602

CD-3A.3.2 Maximum Floor Area Ratio:

(1) Single Family Dwelling: 0.50

(2) Duplex Dwelling: 0.50

(3) Multiple Family Residential: 0.70

(4) All other uses 0.50

CD-3A.3.3 Maximum Lot Coverage:

(1) Single Family Dwelling: 35%

- (2) Duplex Dwelling: 35%
- (3) Multiple Family Residential: 40%
- (4) All other uses: 30%

**CD-3A.4 Maximum Size (Gross Floor Area):**

**CD-3A.4.1 Principal Building:**

- (1) Mixed Commercial / Residential & Mixed Commercial / Resort Condo:
  - (a) 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) *gross floor area* combined on Lot 19, Plan VIP79602;
  - (b) 743.2 m<sup>2</sup> (8,000 ft<sup>2</sup>) *gross floor area* combined on Lot 29, Plan VIP79602;
  - (c) 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) *gross floor area* combined on Lot 33, Plan VIP79602;
  - (d) 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>) *gross floor area* combined on Lot 34, Plan VIP79602.
- (2) All other uses: N/A

**CD-3A.4.2 Accessory Buildings:**

- (1) Single Family Dwelling: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot
- (2) Duplex Dwelling: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot
- (3) Multiple Family Residential: 300 m<sup>2</sup> (3,225 ft<sup>2</sup>) combined total per lot
- (4) All other uses: 80 m<sup>2</sup> (861 ft<sup>2</sup>) combined total per lot

**CD-3A.5 Maximum Height:**

**CD-3A.5.1 Principal Buildings & Structures:**

- (1) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey
- (2) Duplex Dwelling: 9 m (30 ft) or 2 ½ storey
- (3) Multiple Family Residential: 11 m (36 ft) or 3 storey
- (4) All other uses: 10 m (33 ft)

**CD-3A.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)**

**CD-3A.6 Minimum Setbacks:**

CD-3A.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling – Lots less than 1,450 m <sup>2</sup> (15,600 ft <sup>2</sup> ) in lot area:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	3 m (10 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(2) Single Family Dwelling – Lots at least 1,450 m <sup>2</sup> (15,600 ft <sup>2</sup> )				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(3) Duplex				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(4) Multiple Family Residential:				
(i) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(5) <i>Community Care Facility, Daycare Centre or Community Use:</i>				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(6) All other uses:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	8 m (26 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot, duplex lot or <i>multiple family residential</i> lot.				

### **CD-3B SubZone – DISTRICT LOT 281 (REMAINDER)**

*2014 Update: This SubZone was originally part of the CD-2 Zone, with a road closure and exchange creating a lot at the T-Intersection of Marine Drive and Rainforest Drive, across from the Community Centre.*

#### **CD-3B.1 Permitted Uses:**

CD-3B.1.1 The following uses are permitted in the area of the CD-3 Zone Plan labeled “Commercial/ Residential CD-3B.1.1”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) Office
  - (b) *Retail*
  - (c) *Personal Services*
- (2) Secondary:
  - (a) *Mixed Commercial/Resort Condo*
  - (b) *Mixed Commercial/Residential*
  - (c) *Home Occupation for Residential of Mixed Commercial/Residential*

#### **CD-3B.2 Lot Regulations**

CD-3B.2.1 Minimum Lot Size:

- (1) Mixed Commercial/ Residential: 1,725 m<sup>2</sup>(18,550 ft<sup>2</sup>)
- (2) Mixed Commercial/ Resort Condo: 1,725 m<sup>2</sup>(18,550 ft<sup>2</sup>)
- (3) All other uses: N/A

CD-3B.2.2 Minimum Lot Frontage: N/A

CD-3B.2.3 Minimum Lot Width: N/

CD-3B.2.4 Minimum Lot Depth: N/A

#### **CD-3B.3 Density:**

CD-3B.3.1 Maximum Number:

- (1) 3 *Dwelling Units* for SubZone
- (2) 520 m<sup>2</sup>(5,600 ft<sup>2</sup>) for 3 *Dwelling Units* combined

CD-3B.3.2 Maximum Floor Area Ratio: 0.50

CD-3B.3.3 Maximum Lot Coverage: 30%

#### **CD-3B.4 Maximum Size (Gross Floor Area):**

CD-3B.4.1 Principal Building: N/A

CD-3B.4.2 Accessory Buildings: N/A

**CD-3B.5 Maximum Height:**

CD-3B.5.1 Principal Buildings & Structures: 9 m (30 ft)

CD-3B.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-3B.6 Minimum Setbacks:**

CD-3B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	8 m (26 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)

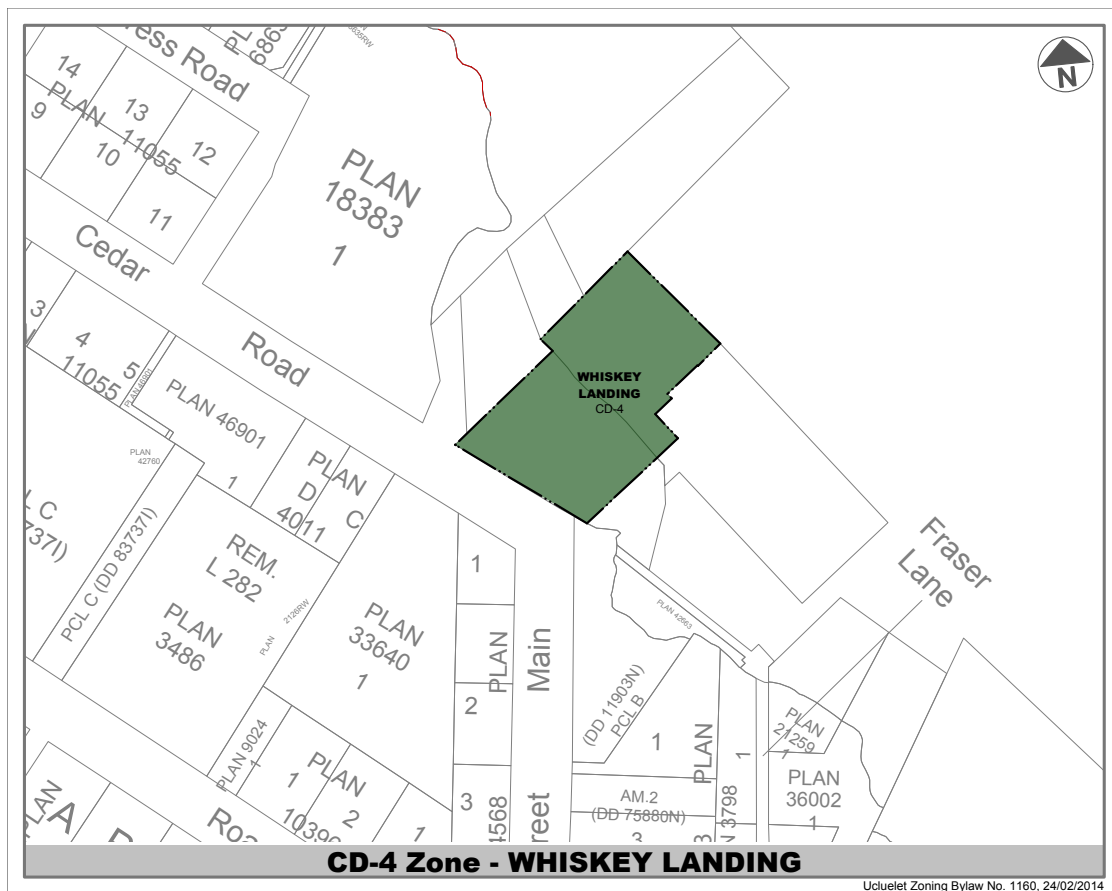


## CD-4 Zone – WHISKEY LANDING

*This Comprehensive Development Zone was originally established in 2003 and named “Main Street Dock” following the clean-up of the old “Chevron” property.*

*2014 Update: Phase 1 of Whiskey Landing has been constructed as a 4-storey building, with lower restaurant/pub space and basement. The first storey has shop frontages only to the northwest (parking lot) side of the building. The southeast side finished grade is higher with second storey shops level with and facing the Main Street Dock and the Ucluelet Aquarium. As a modification to the “Mixed Commercial/Residential” use definition, residential units in this Phase 1 building may only be located on the top two storeys and those portions of the second storey that do not directly exit at the southeast finished grade (e.g. This allows Unit 107 to be residential). The Phase 2 building is expected to have the same finished grade on all sides of the building and therefore the use definitions apply without modification.*

### Comprehensive Development (“CD-4 Zone”) Plan



**CD-4.1 Permitted Uses:**

CD-4.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Resort Condo*
  - (c) *Mixed Commercial/Residential, as modified per above.*
  - (d) *Marina*
  - (e) *Restaurant*
  - (f) *Neighbourhood Pub*
  - (g) *Retail*
  - (h) *Personal Services*
  - (i) *Commercial Entertainment*
  - (j) *Recreational Services*
  - (k) *Office*
  - (l) *Public Assembly*
  - (m) *Tourist Information Booth*
  - (n) *Daycare Centre*
  - (o) *Studio*

(2) Secondary: N/A

**CD-4.2 Lot Regulations**

- CD-4.2.1 Minimum Lot Size: 2,428 m<sup>2</sup> (26,150 ft<sup>2</sup>)
- CD-4.2.2 Minimum Lot Frontage: N/A
- CD-4.2.3 Minimum Lot Width: N/A
- CD-4.2.4 Minimum Lot Depth: N/A

**CD-4.3 Density:**

- CD-4.3.1 Maximum Number:
  - (1) Hotel & Resort Condo combined: 1 *guest room or dwelling unit* per 140 m<sup>2</sup> (1,522 ft<sup>2</sup>) lot area
  - (2) Restaurant: 167 m<sup>2</sup> (1,800 ft<sup>2</sup>)
  - (3) Neighbourhood Pub: 111 m<sup>2</sup> (1,200 ft<sup>2</sup>)
  - (4) Retail: 784 m<sup>2</sup> (8,435 ft<sup>2</sup>)

CD-4.3.2 Maximum Floor Area Ratio: 2.2

CD-4.3.3 Maximum Lot Coverage: 90%

**CD-4.4 Maximum Size (Gross Floor Area):**

CD-4.4.1 Principal Building:

(1) Restaurant: 167 m<sup>2</sup> (1,800 ft<sup>2</sup>)

(2) Neighbourhood Pub: 111 m<sup>2</sup> (1,200 ft<sup>2</sup>)

(3) Retail: 784 m<sup>2</sup> (8,437 ft<sup>2</sup>)

CD-4.4.2 Accessory Buildings: N/A

**CD-4.5 Maximum Height:**

CD-4.5.1 Principal Buildings & Structures: 12 m (39 ft)

CD-4.5.2 Accessory Buildings & Structures: 5 m (16 ft)

**CD-4.6 Minimum Setbacks:**

CD-4.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	0 m	0 m	4.2 m (14 ft)	0 m
(2) Accessory	5 m (16.5 ft)	1.5 m (5 ft)	0 m	1.5 m (5 ft)

## CD-5 Zone – FORMER WEYCO FOREST LANDS

*This Comprehensive Development Zone was established in 2005 from the following parent parcels:*

- *PID: 025-635-735 Lot 3 District Lots 286, 471, 472 and 473 Clayoquot District Plan VIP75113 Except that part in Plan VIP77604;*
- *PID: 025-635-743 Lot 4 District Lots 285, 286 and 473 Clayoquot District Plan VIP75113;*
- *PID: 009-398-031 District Lot 283 Clayoquot District Except part in Plans 31490 and 26106.*

*The density bonusing framework is based on a 15% parkland dedication/ amenity contribution (as it stood at time of adoption), provided in the form of the Central Park dedication, cash contributions, public recreational amenities and open space, green space and trail areas secured by either dedication on a plan of subdivision or statutory right of way, along with requirements for affordable housing and staff housing.*

*A Master Development Agreement was registered under S.219 Covenant EV125879 (October 3, 2005) and continues to apply, as amended, to govern the development and provision of remaining amenities. The MDA includes special provisions for riparian area setbacks, including reports of qualified professionals, which setbacks are intended to supercede and vary the otherwise standard provisions of this Zone and Bylaw*

*The CD-5 Zone is divided into five (5) development areas, as reflected in CD-5A through CD-5E SubZones. The following three (3) plans aide in the interpretation of this zone:*

1. ***Overall Illustrative Land Use Concept Plan*** – a representative example of the proposed layout and potential building form and scale, with exact configuration, siting, form and character to be determined at subdivision and development permit stage of development.
2. ***Illustrative CD Zoning Plan and the Density*** – dictates and confines the location of permitted uses and density, variations to require amendment to the Zoning Bylaw.
3. ***Wild Pacific Trail / Trail Network Plan*** – general representation of proposed approximate location of the Wild Pacific Trail and Subsidiary Trails (red dotted lines), with exact configuration to be determined at subdivision and development permit stage of development.

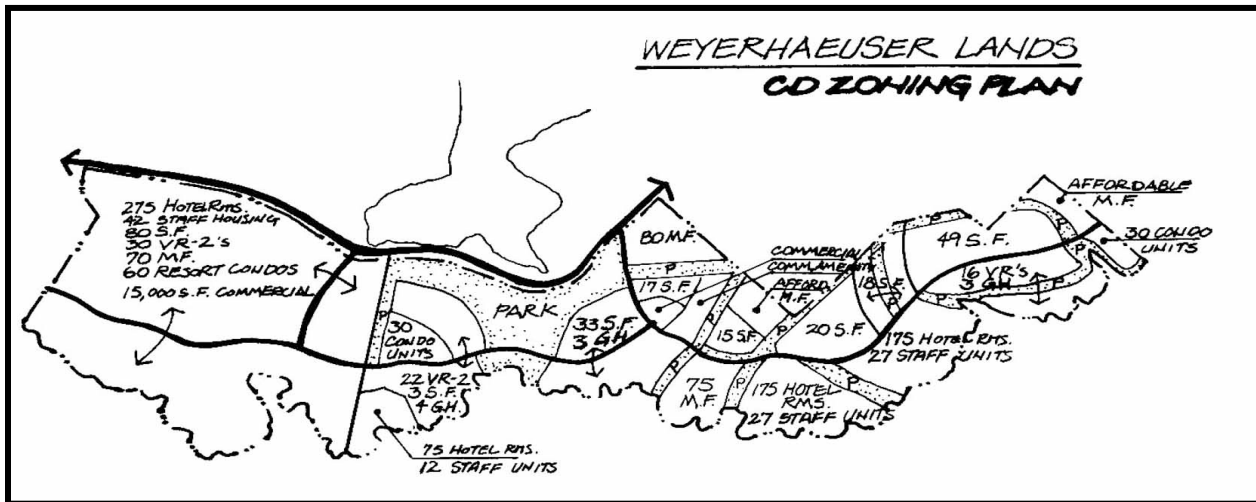
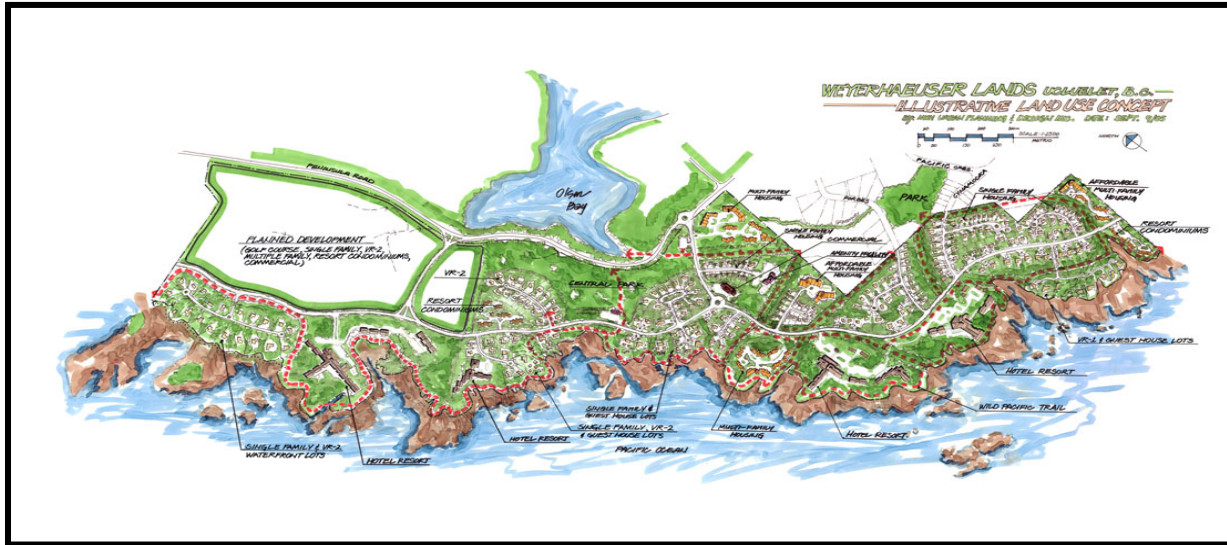
*2014 Update: Subdivision and some development has commenced in this comprehensive development zone, as detailed below. The initial amenities were provided, and several are ongoing and expected as development proceeds, including parkland and trails.*

*Following challenges to property assessments by the developer, the S.219 Covenant associated with the Master Development Agreement was modified in 2011 to clarify the role of the original plans:*

- *That the location of the density and uses shown on the Illustrative CD Zoning Plan shall be located in and confined to those areas shown on the Illustrative CD Zoning Plan;*

- Within Development Area #2, only 20% of the area with label "33 S.F 3 G.H." may be used as guest houses.

### CD-5 Zone Plans (Overall)





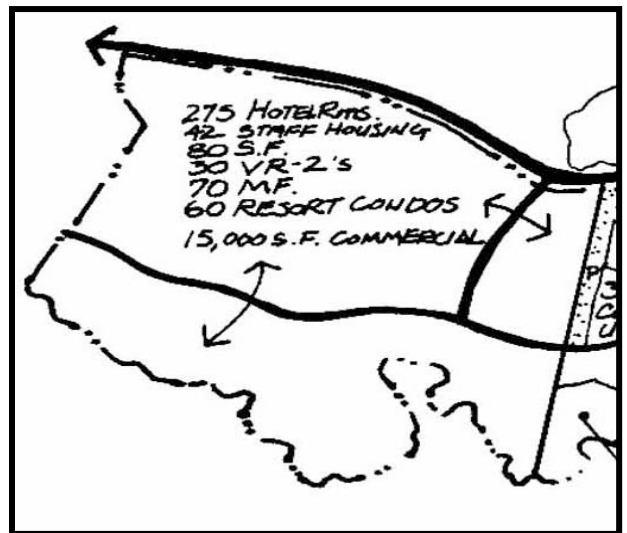
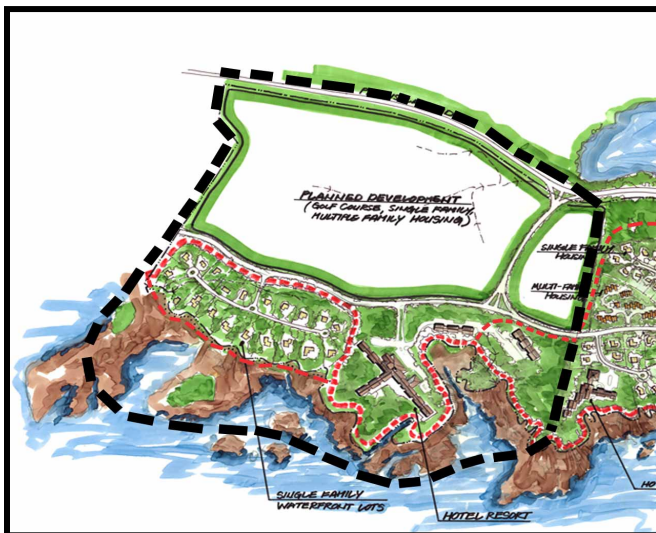
### CD-5A SubZone (Development Area #1) WYNDANSEA/ SIGNATURE CIRCLE

2014 Update: Most of this area was subdivided into 5 development parcels being Lots 1-4, Plan VIP84561 and Remainder Lot A. As detailed below:

- Lot 2 was designated for a Hotel development with on or off-site Staff Housing.
- Lot 3 was designated for a Vacation Rental (VR-2) lot.
- Lot 4 was subdivided as the 30-lot "Signature Circle" bare land Strata Plan VIS6504, for single family residential lots, though could also contain Vacation Rental (VR-2) lots.
- Lot 1, the Remainder Lot A and the Adjacent Lot A, Plan VIP77604 is intended to include the proposed golf course (with holes also on CD-6 Zone), and may include further single family residential lots and/or VR-2s, multiple family residential and resort condominium. Note that density is limited for the multiple family residential, resort condo or combination, until affordable housing is provided off-site (in the CD-5C SubZone, on either Lot 13 Plan VIP84686, or another yet-to-be created lot appropriately zoned for affordable housing or both)

The development stalled, and went into receivership, after initial subdivision. In 2013, the developer made arrangements to reacquire control and proposed amendments were expected in 2014, in particular with respect to anticipated road configurations, but this appears in doubt.

#### CD-5 Development Area #1 Plan - Original







- (3) Principal #2:
  - (a) *Single Family Dwelling*
- (4) Secondary to Subsection (3) *Single Family Dwelling*:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*
- (5) Principal #3:
  - (a) *Affordable Housing*
- (6) Secondary to Subsection (5) *Affordable Housing*, noting that *secondary permitted uses* are only permitted to exceed 50% density in conjunction with the *principal permitted use*, though the *principal permitted use* in this case is expected to be developed off-site, in the CD-5C SubZone (Development Area #3):
  - (a) *Multiple Family Residential*
  - (b) *Resort Condo*

CD-5A.1.2 The following uses are permitted Lot 2, Plan VIP84561, in the area of the CD-5A SubZone Plan labeled “Staff Housing & Hotel” but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*, though the *principal permitted use* in this case may be developed on-site or off-site if linked to and dedicated for use of the *Hotel*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

CD-5A.1.3 The following uses are permitted Lot 3, Plan VIP84561, in the area of the CD-5A SubZone Plan labeled “Vacation Rental (VR-2)”, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Vacation Rental (VR-2)*
- (2) Secondary: N/A

CD-5A.1.4 The following uses are permitted on Strata Plan VIS6504, in the area of the CD-5A SubZone Plan labeled “Signature Circle SFR & VR-2” and “Private Park”, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Vacation Rental (VR-2)*
  - (b) *Single Family Dwelling*
  - (c) *Park*
- (2) Secondary:       *N/A*

**CD-5A.2     Lot Regulations**

CD-5A.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
  - (a) 728.5 m<sup>2</sup> (0.18 acre) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for 40 lots
  - (b) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for 40 lots
- (2) Vacation Rental (VR-2):               1,618 m<sup>2</sup> (0.4 acre)
- (3) Multiple Family Residential:       4,047 m<sup>2</sup> (1 acre)
- (4) Hotel:                                   4 ha. (10 acre)
- (5) Resort Condo:                       1,618 m<sup>2</sup> (0.4 acre)
- (6) All other uses:                       *N/A*

CD-5A.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling:               25 m (82 ft)
- (2) Vacation Rental (VR-2):               25 m (82 ft)
- (3) Multiple Family Residential:       23 m (75 ft)
- (4) Hotel:                                   *N/A*
- (5) Resort Condo:                       23 m (75 ft)
- (6) All other uses:                       *N/A*

CD-5A.2.3 Minimum Lot Width:               *N/A*

CD-5A.2.4 Minimum Lot Depth:               *N/A*

**CD-5A.3     Density:**

CD-5A.3.1 Maximum Number:

- (1) Single Family Dwelling:               80 lots; 1 per lot
- (2) Vacation Rental (VR-2):               30 lots; 1 per lot
- (3) Multiple Family Residential:
  - (a) Base Density:               *35 dwelling units*

(b) Bonus Density: Additional 35 *dwelling units* for maximum of 70 *dwelling units* on the provision of 10 *affordable housing units* in Development Area #3 (CD-5C SubZone).

(4) Hotel:

(a) Base Density: 25 *guest rooms* or *dwelling units* combined

(b) Bonus Density Factor: Additional *guest rooms* or *dwelling units* on the provision of *staff housing* units constructed and secured by LGA s.905 Housing Agreement at a rate of 15% of total *guest rooms* or *dwelling units* combined;

(c) Bonus Density Maximum: 275 *guest rooms* or *dwelling units* combined on the provision of 42 *staff housing* units constructed and secured by LGA s.905 Housing Agreement.

(5) Resort Condo:

(a) Base Density: 30 *dwelling units*

(b) Bonus Density: Additional 30 *dwelling units* for maximum of 60 *dwelling units* on the provision of 10 *affordable housing units* in Development Area #3 (CD-5C SubZone – Lot 13, Plan VIP84686) secured by LGA s.905 Housing Agreement.

(6) Retail: 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)

**CD-5A.4** Maximum Floor Area Ratio: N/A

CD-5A.4.1 Maximum Lot Coverage:

- |                                  |     |
|----------------------------------|-----|
| (1) Single Family Dwelling:      | 20% |
| (2) Vacation Rental (VR-2):      | 20% |
| (3) Multiple Family Residential: | 30% |
| (4) Hotel:                       | 20% |
| (5) Resort Condo:                | 30% |
| (6) All other uses:              | N/A |

**CD-5A.5** Maximum Size (Gross Floor Area):

CD-5A.5.1 Principal Building: N/A

CD-5A.5.2 Accessory Buildings:

- |                                  |  |
|----------------------------------|--|
| (1) Single Family Dwelling:      | 40 m <sup>2</sup> (430 ft <sup>2</sup> ) |
| (2) Vacation Rental (VR-2):      | 40 m <sup>2</sup> (430 ft <sup>2</sup> ) |
| (3) Multiple Family Residential: | 40 m <sup>2</sup> (430 ft <sup>2</sup> ) |

(4) Hotel: 75 m<sup>2</sup> (800 ft<sup>2</sup>)

(5) Resort Condo: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-5A.6 Maximum Height:**

**CD-5A.6.1 Principal Buildings & Structures:**

(1) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey

(2) Vacation Rental (VR-2): 9 m (30 ft) or 2 ½ storey

(3) Multiple Family Residential: 11 m (36 ft) or 3 storey

(4) Hotel: 12 m (39 ft) or 3 storey

(5) Resort Condo: 11 m (36 ft) or 3 storey

(6) All other uses: 11 m (36 ft) or 3 storey

**CD-5A.6.2 Accessory Buildings & Structures:** 5.5 m (18 ft)

**CD-5A.7 Minimum Setbacks:**

**CD-5A.7.1** The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

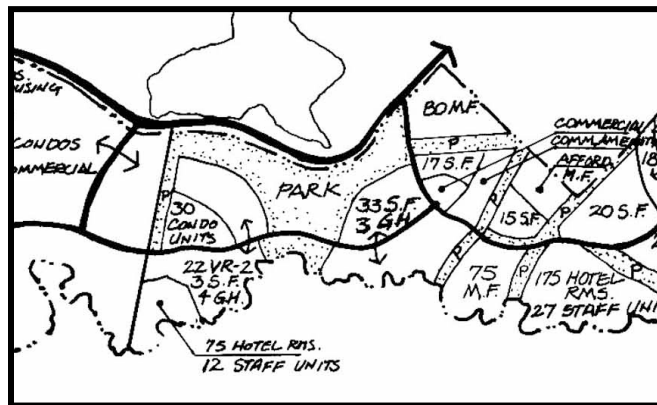
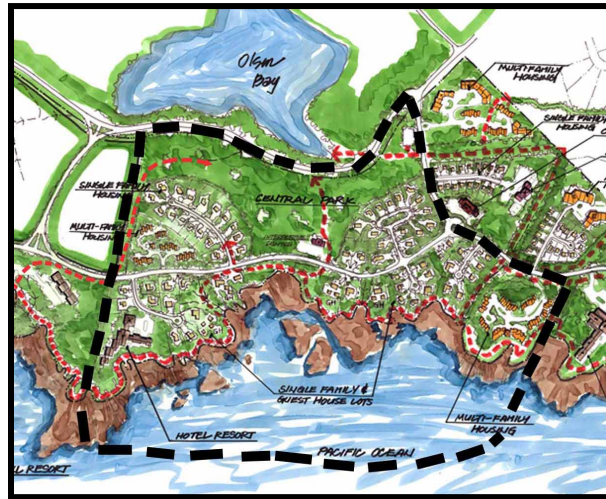
	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
<b>(1) Single Family Dwelling:</b>				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 7.5 m minimum <i>yard</i> setback applies to all <i>lot lines</i> of waterfront lots.				
(iv) In addition, for principal <i>building</i> , 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a golf course.				
(v) In addition, for principal <i>building</i> , 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
<b>(2) Vacation Rental (VR-2), and SFD in a VR-2 area:</b>				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(iii) In addition, 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential</i> lot.				
(iv) In addition, for principal <i>building</i> , 7.5 m minimum <i>yard</i> setback applies to all <i>lot lines</i> of waterfront lots.				
(v) In addition, for principal <i>building</i> , 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a golf course.				
(vi) In addition, for principal <i>building</i> , 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(3) Multiple Family Residential:				
(i) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 10 m (33 ft) minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> .				
(4) Hotel:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, for principal <i>buildings</i> , 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(5) Resort Condo:				
(i) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	8 m (26 ft)
(iii) In addition, for principal <i>buildings</i> , 15 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential</i> lot.				

## CD-5B SubZone (Development Area #2) CENTRAL PARK

2014 Update: There has been no subdivision or development of the parent parcel Lot 4, Plan VIP75113 in this SubZone.

### CD-5B Plan (Development Area #2) - Original



#### CD-5B.1 Permitted Uses:

CD-5B.1.1 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*

(c) *Secondary Suite*

CD-5B.1.2 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Guest House*
  - (b) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Guest Cottage*

CD-5B.1.3 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*, though the *principal permitted use* in this case may be developed on-site or off-site if linked to and dedicated for use of the *Hotel*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

CD-5B.1.4 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*, though the *principal permitted use* in this case may be developed on-site, or off-site (including in CD-5C SubZone (Development Area #3) if developed in conjunction with the *secondary permitted uses*:

- (1) Principal:
  - (a) *Affordable Housing*
- (2) Secondary:
  - (a) *Multiple Family Residential*
  - (b) *Resort Condo*

CD-5B.1.5 The following uses are permitted with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Vacation Rental (VR-2)*
  - (b) *Single Family Dwelling*
  - (c) *Community Use*
  - (d) *Park*
- (2) Secondary:        *N/A*

## CD-5B.2 Lot Regulations

### CD-5B.2.1 Minimum Lot Size:

- (1) *Single Family Dwelling*:
  - (a) 1,000 m<sup>2</sup> (¼ acre) for 10 *lots*
  - (b) for 26 lots combined total:
    - (i) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) if accessed off minor collector road
    - (ii) 1,618 m<sup>2</sup> (0.4 acre) if accessed off a *major road*
- (2) Vacation Rental (VR-2) and SFD in a VR-2 area:
  - (a) for 22 lots combined total:
    - (i) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) if accessed off minor collector road
    - (ii) 1,618 m<sup>2</sup> (0.4 acre) if accessed off a *major road*
- (3) Guest House, or SFD in GH area: 2,000 m<sup>2</sup> (½ acre)
- (4) Multiple Family Residential: 1 ha (2.5 acres)
- (5) Hotel: 2 ha (5 acres)
- (6) Resort Condo: 8,094 m<sup>2</sup> (2 acres)
- (7) All other uses: N/A

### CD-5B.2.2 Minimum Lot Frontage:

- (1) *Single Family Dwelling*:
  - (a) 21.3 m (70 ft) for *lots* less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
  - (b) 25 m (82 ft) for *lots* equal to or exceeding 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
- (2) Vacation Rental (VR-2):
  - (a) 21.3 m (70 ft) for lots less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
  - (b) 25 m (82 ft) for lots equal to or exceeding 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
- (3) Guest House, or SFD in GH area: 24 m (80 ft)
- (4) Multiple Family Residential: 23 m (75 ft)
- (5) Hotel: N/A
- (6) Resort Condo: 30 m (98.5 ft)
- (7) All other uses: N/A

CD-5B.2.3 Minimum Lot Width: N/A

CD-5B.2.4 Minimum Lot Depth: N/A

CD-5B.2.5 In addition, all lots having access onto a *major road* must have dual access easement for the purposes of a shared driveway.



**CD-5B.3 Density:**

CD-5B.3.1 Maximum Number:

- (1) Single Family Dwelling: 36 lots; 1 per lot
- (2) Vacation Rental (VR-2): 22 lots; 1 per lot
- (3) Guest House & Guest Cottages: 7 lots with
  - (a) 1 single family dwelling per lot or 1 guest house per lot, the latter with up to:
    - (i) 4 guest rooms if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (ii) 6 guest rooms if lot area exceeds 4,000 m<sup>2</sup> (1 acre); plus
  - (b) 2 guest cottages per lot if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (c) 4 guest cottages per lot if lot area exceeds 4,000 m<sup>2</sup> (1 acre).
- (4) Multiple Family Residential: 75 dwelling units
- (5) Hotel: 75 guest rooms or dwelling units combined
- (6) Resort Condo: 30 dwelling units

CD-5B.3.2 Maximum Floor Area Ratio: N/A

CD-5B.3.3 Maximum Lot Coverage:

- (1) Single Family Dwelling: 20%
- (2) Vacation Rental (VR-2): 20%
- (3) Guest House, or SFD in GH area: 40%
- (4) Multiple Family Residential: 30%
- (5) Hotel: 20%
- (6) Resort Condo: 30%
- (7) All other uses: N/A

CD-5B.3.4 In addition, *Guest House* lots must not exceed 20% of the CD-2B SubZone area.

**CD-5B.4 Maximum Size (Gross Floor Area):**

CD-5B.4.1 Principal Building: N/A

CD-5B.4.2 Accessory Buildings:

- (1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (2) Vacation Rental (VR-2): 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (3) Guest House & Guest Cottages:
  - (a) Guest Cottages: 46.45 m<sup>2</sup> (500 ft<sup>2</sup>)

(b) Other Accessory Buildings:

(i) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or

(ii) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre)

(4) Multiple Family Residential: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(5) Hotel: 75 m<sup>2</sup> (800 ft<sup>2</sup>)

(6) Resort Condo: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-5B.5 Maximum Height:**

CD-5B.5.1 Principal Buildings & Structures:

(1) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey

(2) Vacation Rental (VR-2): 9 m (30 ft) or 2 ½ storey

(3) Guest House or SFD in GH area: 9 m (30 ft) or 2 ½ storey

(4) Multiple Family Residential: 11 m (36 ft) or 3 storey

(5) Hotel: 12 m (39 ft) or 3 storey

(6) Resort Condo: 11 m (36 ft) or 3 storey

CD-5B.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5B.6 Minimum Setbacks:**

CD-5B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling (Non-waterfront lots less than 1,618 m <sup>2</sup> (0.4 acres) in lot area):				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	2.5 m (8 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	2.5 m (8 ft)	2.5 m (8 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>front lot lines</i> abutting a <i>major road</i> .				
(2) Single Family Dwelling (Non-waterfront lots equal to or exceeding 1,618 m <sup>2</sup> (0.4 acres) in lot area):				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	2.5 m (8 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>front lot lines</i> abutting a <i>major road</i> .				

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(3) Single Family Dwelling (All waterfront lots):				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>front lot lines</i> abutting a <i>major road</i> .				
(4) Vacation Rental (VR-2), and SFD in a VR-2 area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(vi) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>front lot lines</i> abutting a <i>major road</i> .				
(5) Guest House or SFD in GH area, & Guest Cottages:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	4 m (13 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	4 m (13 ft)	4 m (13 ft)	7.5 m (25 ft)
Guest Cottage				
(iii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
Other				
(iv) In addition, <i>guest cottages</i> and all other <i>accessory buildings</i> and <i>structures</i> must be located:				
(A) to the rear of the <i>front face</i> of the <i>principal building</i> , and				
(B) at least 3 m (10 ft) from the <i>principal building</i> .				
(v) In addition, each <i>guest cottage</i> must be located at least 3 m (10 ft) from every other <i>guest cottage</i> .				
(6) Multiple Family Residential:				
(i) Principal	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> .				
(7) Hotel:				
(i) Principal	7.5 m (25 ft)	8 m (26 ft)	5 m (16.5 ft)	8 m (26 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>buildings</i> , 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>vacation rental</i> lot.				
(8) Resort Condo:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	5 m (16.5 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, for principal <i>buildings</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential</i> lot.				
(iv) In addition, for principal <i>buildings</i> , 8 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>vacation rental</i> lot.				
(v) In addition, for principal <i>buildings</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting the adjacent <i>lot</i> to the northwest.				

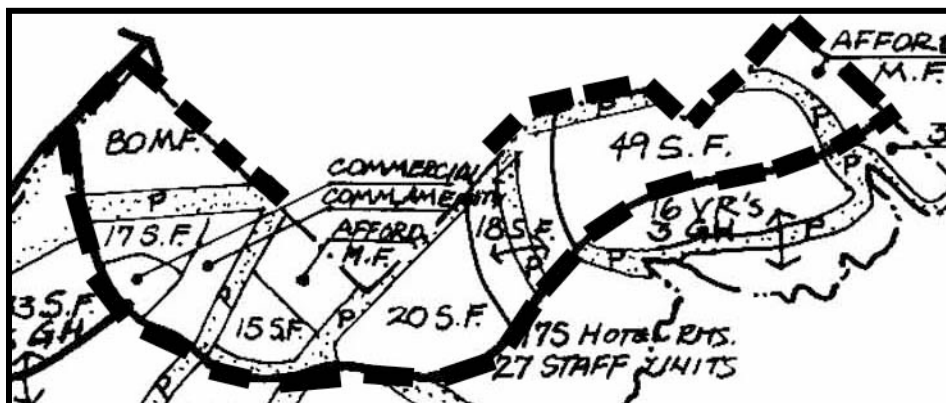
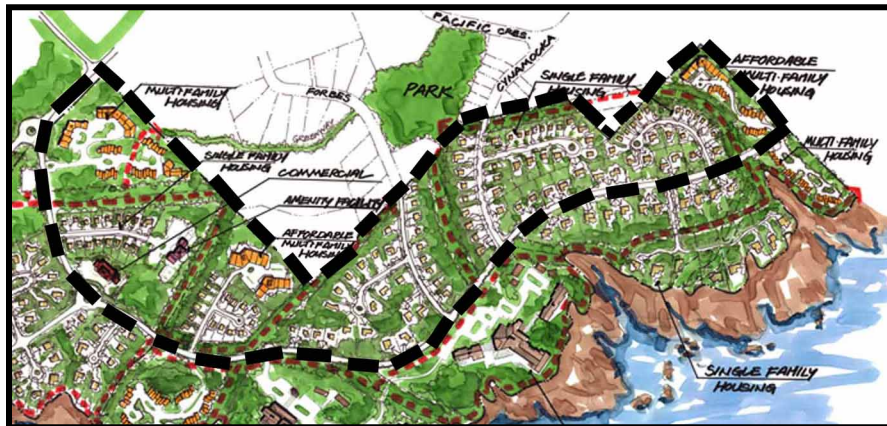
### CD-5C SubZone (Development Area 3) – OCEANWEST

2014 Update: There has been subdivision and some development, named "OceanWest", of the east half of this SubZone. Plan VIP84686 created 36 lots with Lots 13-36 in this SubZone.

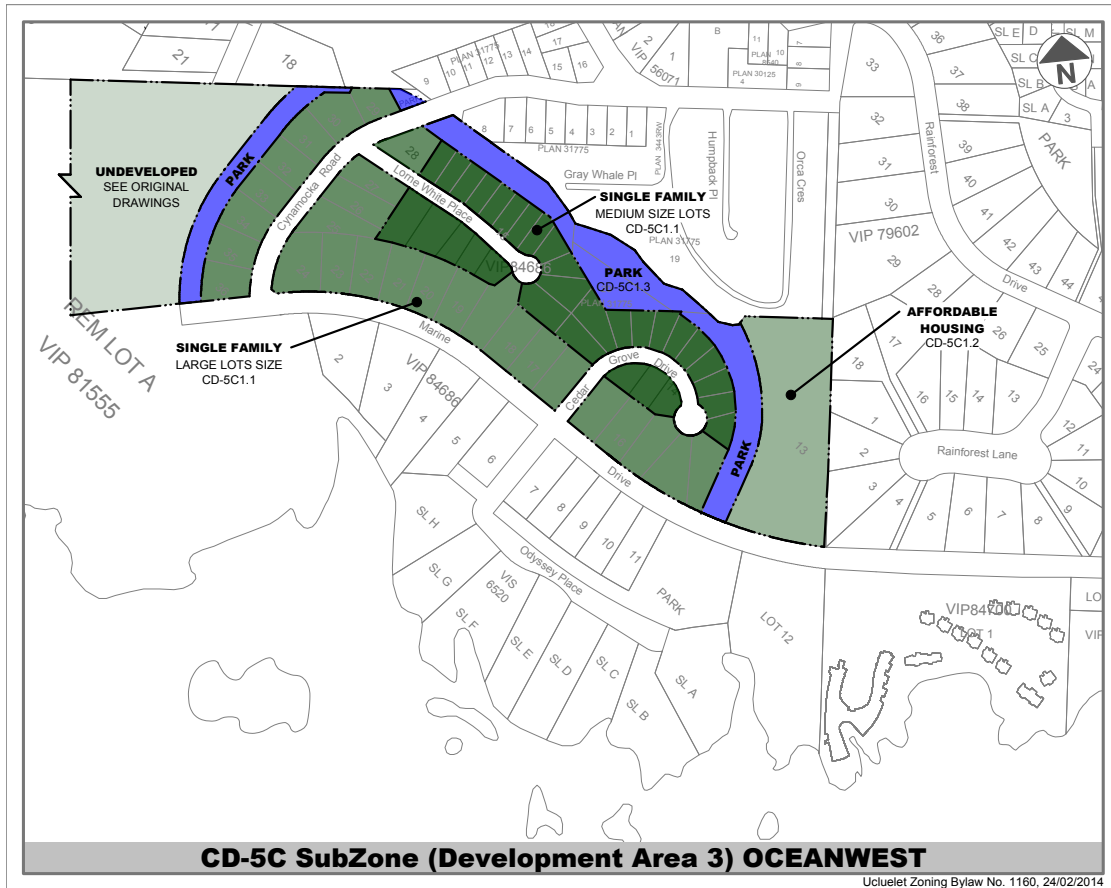
- Lot 13 is intended for Affordable Housing (which may include some of all of the density bonusing component of the CD-5A Subzone Lot 3 development).
- Lot 16-36 were created as single family dwelling lots;
- Lot 14 was subdivided into 19 additional single family dwelling lots (Lots 37-55 Plan VIP86134); and
- Lot 15 was subdivided into 18 additional single family dwelling lots (Lots 56-73 Plan VIP86449).

Additional single family dwelling, multiple family dwelling and other uses remain to be subdivided and developed in accordance with the original development concept, including another lot dedicated to affordable housing.

### CD-5 Development Area #3 Plan - Original



## CD-5C Plan (Development Area #3) – Updated for Portion Subdivided



### CD-5C.1 Permitted Uses:

CD-5C.1.1 The following uses are permitted on Lots 14-36 Plan VIP84686 (and lots subdivided therefrom), in the areas of the CD-5C SubZone Plan labeled “Single Family”, and portions of the undeveloped remainder in accordance with the Concept Plan, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Secondary Suite*

CD-5C.1.2 The following uses are permitted on Lot 13 Plan VIP84686, in the area of the CD-5C SubZone Plan labeled “Affordable Housing” and portions of the undeveloped remainder in accordance with the Concept Plan but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use* though the *principal permitted use* in this case may be developed on-site, or off-site if developed in conjunction with the *secondary permitted uses*:

- (1) Principal:
  - (a) *Affordable Housing*
- (2) Secondary:
  - (a) *Multiple Family Residential*

CD-5C.1.3 The following uses are permitted on portions of the undeveloped remainder, in the areas of the CD-5C SubZone Plan labeled “Undeveloped” (only partially shown), in accordance with the Concept Plan with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Retail*
  - (b) *Institutional*
  - (c) *Community Use*
  - (d) *Park*
- (2) Secondary: *N/A*

CD-5C.1.4 The following uses are permitted in the areas of the CD-5C SubZone Plan labeled “Park”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal
  - (a) *Park*
- (2) Secondary
  - (a) *Outdoor Recreation*

## **CD-5C.2 Lot Regulations**

CD-5C.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
  - (a) 405 m<sup>2</sup> (0.1 acre) but less than 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) for at least 40 *lots* but not exceeding 50 lots;

(b) 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 10 *lots* but not exceeding 15 *lots*;

(c) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 *lots* but not exceeding 70 *lots*, but 1,618.75 m<sup>2</sup> (0.4 acre) for any of these *lots* if accessed off a *major road*;

- |                                  |                                 |
|----------------------------------|---------------------------------|
| (2) Multiple Family Residential: | 1 ha (2.5 acres)                |
| (3) <i>Affordable Housing</i> :  | 12,140 m <sup>2</sup> (3 acres) |
| (4) Retail:                      | 2,000 m <sup>2</sup> (½ acre)   |
| (5) Institutional:               | 2,000 m <sup>2</sup> (½ acre)   |
| (6) All other uses:              | N/A                             |

**CD-5C.2.2 Minimum Lot Frontage:**

- |   |              |
|---|--------------|
| (1) Single Family Dwelling:   |              |
| (a) 10 m (33 ft) for <i>lots</i> less than 650 m <sup>2</sup> (7,000 ft <sup>2</sup> )  |              |
| (b) 21.3 m (70 ft) for <i>lots</i> equal to or exceeding 650 m <sup>2</sup> (7,000 ft <sup>2</sup> ) but less than 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) |              |
| (c) 25 m (82 ft) for <i>lots</i> equal to or exceeding 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> )   |              |
| (2) Multiple Family Residential:  | 23 m (75 ft) |
| (3) <i>Affordable Housing</i> :   | 23 m (75 ft) |
| (4) Retail:   | N/A          |
| (5) Institutional:  | 23 m (75 ft) |
| (6) <i>Community Use</i> :  | 23 m (75 ft) |
| (7) All other uses:   | N/A          |

**CD-5C.2.3 Minimum Lot Width:**

- |                             |   |
|-----------------------------|---|
| (1) Single Family Dwelling: | 10 m (33 ft) for <i>lots</i> less than 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) |
|-----------------------------|---|

**CD-5C.2.4 Minimum Lot Depth:** N/A

**CD-5C.2.5** In addition, all *lots* having access onto a *major road* must have dual access easement for the purposes of a shared driveway.

**CD-5C.3 Density:**

**CD-5C.3.1 Maximum Number:**

- |                                  |  |
|----------------------------------|--|
| (1) Single Family Dwelling:      | 120 <i>lots</i> ; 1 per <i>lot</i>               |
| (2) Multiple Family Residential: | 80 <i>dwelling units</i>                         |
| (3) Retail:                      | 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) |

**CD-5C.4 Maximum Floor Area Ratio:** N/A

**CD-5C.4.1 Maximum Lot Coverage:**

- (1) Single Family Dwelling:
  - (a) 40% for *lots* less than 650 m<sup>2</sup> (7,000 ft<sup>2</sup>)
  - (b) 25% for *lots* equal to or exceeding 650 m<sup>2</sup> (7,000 ft<sup>2</sup>)
- (2) Multiple Family Residential: 30%
- (3) *Affordable Housing*: 25%
- (4) Retail: 25%
- (5) Institutional: 30%
- (6) *Community Use*: 30%
- (7) All other uses: N/A

**CD-5C.5 Maximum Size (Gross Floor Area):**

CD-5C.5.1 Principal Building: N/A

CD-5C.5.2 Accessory Buildings:

- (1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (2) Multiple Family Residential: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (3) *Affordable Housing*: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (4) Retail: 80 m<sup>2</sup> (860 ft<sup>2</sup>)
- (5) Institutional: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (6) *Community Use*: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (7) All other uses: N/A

**CD-5C.6 Maximum Height:**

CD-5C.6.1 Principal Buildings & Structures:

- (1) Single Family Dwelling: 9 m (30 ft)
- (2) Multiple Family Residential: 11 m (36 ft)
- (3) *Affordable Housing*: 11 m (36 ft)
- (4) Retail: 10 m (33 ft)
- (5) Institutional: 11 m (36 ft)
- (6) *Community Use*: 11 m (36 ft)
- (7) All other uses: N/A

CD-5C.6.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5C.7 Minimum Setbacks:**



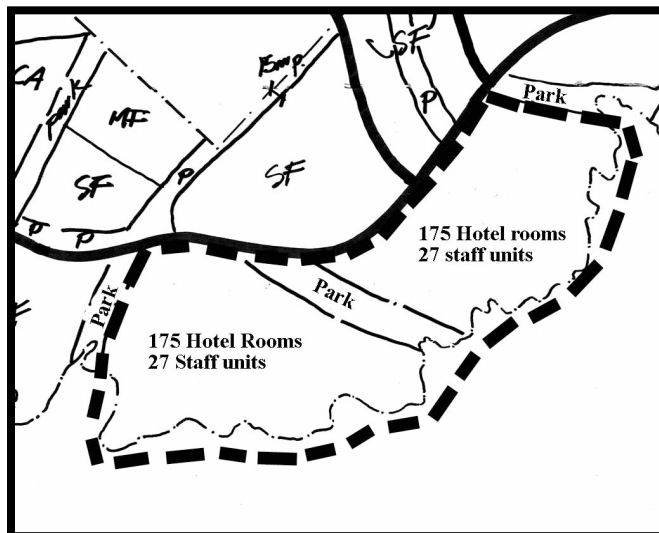
CD-5C.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling (Lots less than 650.3 m <sup>2</sup> (7000 ft <sup>2</sup> ) in lot area):				
(i) Principal	5 m (16.5 ft)	5 m (16.5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to <i>front lot line</i> abutting a <i>major road</i> .				
(2) Single Family Dwelling (Lots at least 650.3 m <sup>2</sup> (7000 ft <sup>2</sup> ) but not exceeding 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) in lot area):				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to <i>front lot line</i> abutting a <i>major road</i> .				
(3) Single Family Dwelling (Lots equal to or exceeding 1,393.5 m <sup>2</sup> (15,000 ft <sup>2</sup> ) in lot area)				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to <i>front lot lines</i> abutting a <i>major road</i> .				
(4) Multiple Family Residential & Affordable Housing:				
(i) Principal	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot.				
(5) Retail, Institutional & Community Use:				
(i) Principal	3 m (10 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)

### CD-5D SubZone (Development Area 4) OCEANWEST HOTELS

2014 Update: There has been no subdivision or development of this SubZone, except in relation to the creation of the Wild Pacific Trail.

#### CD-5D Development Area #4 Plan – Original:



**CD-5D.1 Permitted Uses:**

CD-5D.1.1 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*, though the *principal permitted use* in this case may be developed on-site or off-site if linked to and dedicated for use of the *Hotel*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

CD-5D.1.2 The following uses are permitted with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Park*
- (2) Secondary: *N/A*

**CD-5D.2 Lot Regulations**

CD-5D.2.1 Minimum Lot Size:

- (1) Hotel: 4 ha. (10 acre)
- (2) All other uses: *N/A*

CD-5D.2.2 Minimum Lot Frontage: *N/A*

CD-5D.2.3 Minimum Lot Width: *N/A*

CD-5D.2.4 Minimum Lot Depth: *N/A*

**CD-5D.3 Density:**

CD-5D.3.1 Maximum Number: 2 *Hotels*

- (1) Hotel:
  - (a) Base Density: 25 *guest rooms or dwelling units* combined
  - (b) Bonus Density Factor: Additional *guest rooms or dwelling units* on the provision of *staff housing units* constructed and secured by LGA s.905 Housing Agreement at a rate of 15% of total *guest rooms or dwelling units* combined;
  - (c) Bonus Density Maximum: 350 *guest rooms or dwelling units* combined on the provision of 52 *staff housing units* constructed and secured by LGA s.905 Housing Agreement.

**CD-5D.4** Maximum Floor Area Ratio: *N/A*

CD-5D.4.1 Maximum Lot Coverage:

- (1) Hotel: 20%
- (2) All other uses: N/A

**CD-5D.5 Maximum Size (Gross Floor Area):**

CD-5D.5.1 Principal Building: N/A

CD-5D.5.2 Accessory Buildings:

- (1) Hotel: 75 m<sup>2</sup> (800 ft<sup>2</sup>)
- (2) All other uses: N/A

**CD-5D.6 Maximum Height:**

CD-5D.6.1 Principal Buildings & Structures:

- (1) Staff Housing: 9 m (30 ft)
- (2) Hotel: 12 m (39 ft) or 3 storey

CD-5D.6.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5D.7 Minimum Setbacks:**

CD-5D.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Staff Housing:				
(i) Principal	15 m (50 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	15 m (50 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(2) Hotel:				
(i) Principal	15 m (50 ft)	8 m (26 ft)	7.5 m (25 ft)	8 m (26 ft)
(ii) Accessory	15 m (50 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, for principal <i>buildings</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot or <i>multiple family residential</i> lot.				



**CD-5E.1 Permitted Uses:**

CD-5E.1.1 The following uses are permitted on Lots 2 and 5-11 Plan VIP84686 and Lots A-G Plan VIS6520, in the areas of the CD-5E SubZone Plan labeled "Vacation Rental (VR-1)", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Vacation Rental (VR-1)*

CD-5E.1.2 The following uses are permitted on Lots 3 and 4 Plan VIP84686 and Lot H Plan VIS6520, in the areas of the CD-5E SubZone Plan labeled "Guest House", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Guest House*
  - (b) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Guest Cottage*

CD-5E.1.3 The following uses are permitted on Lot 12 Plan VIP84686, in the area of the CD-5E SubZone Plan labeled "Resort Condo", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Affordable Housing*
- (2) Secondary:
  - (a) *Resort Condo*

CD-5E.1.4 The following uses are permitted in the areas of the CD-5E SubZone Plan labeled "Park", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal
  - (a) *Park*

- (2) Secondary
  - (a) *Outdoor Recreation*

### **CD-5E.2 Lot Regulations**

#### CD-5E.2.1 Minimum Lot Size:

- (1) *Vacation Rental (VR-1 / SFD)*, for 16 *lots* combined total:
  - (i) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) if accessed off minor collector road
  - (ii) 2,000 m<sup>2</sup> (½ acre) if accessed off a *major road*
- (2) Guest House, or SFD in GH area: 2,000 m<sup>2</sup> (½ acre)
- (3) Resort Condo: 1 ha (2.5 acres)

#### CD-5E.2.2 Minimum Lot Frontage:

- (1) *Vacation Rental (VR-1 / SFD)*: 25 m (82 ft)
- (2) Guest House, or SFD in GH area: 24 m (80 ft)
- (3) Resort Condo: 23 m (75 ft)

CD-5E.2.3 Minimum Lot Width: N/A

CD-5E.2.4 Minimum Lot Depth: N/A

CD-5E.2.5 In addition, all *lots* having access onto a *major road* must have dual access easement for the purposes of a shared driveway.

### **CD-5E.3 Density:**

#### CD-5E.3.1 Maximum Number:

- (1) *Vacation Rental (VR-1 / SFD)*: 16 *lots*; 1 per *lot*
- (2) Guest House & Guest Cottages: 3 *lots*;
  - (a) 1 *single family dwelling* per *lot* or 1 *guest house* per *lot*, the latter with up to:
    - (i) 4 *guest rooms* if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (ii) 6 *guest rooms* if lot area exceeds 4,000 m<sup>2</sup> (1 acre); plus
  - (b) 2 *guest cottages* per *lot* if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (c) 4 *guest cottages* per *lot* if lot area exceeds 4,000 m<sup>2</sup> (1 acre).
- (2) Resort Condo: 30 *dwelling units*

CD-5E.3.2 Maximum Floor Area Ratio: N/A

#### CD-5E.3.3 Maximum Lot Coverage:

- (1) *Vacation Rental (VR-1 / SFD)*: 25%
- (2) Guest House, or SFD in GH area: 40%
- (3) Resort Condo: 25%

**CD-5E.4 Maximum Size (Gross Floor Area):**

CD-5E.4.1 Principal Building: N/A

CD-5E.4.2 Accessory Buildings:

(1) Vacation Rental (VR-1 / SFD): 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(2) Guest House, or SFD in GH area, & Guest Cottages:

(a) Guest Cottages: 46.45 m<sup>2</sup> (500 ft<sup>2</sup>)

(b) Other Accessory Buildings:

(i) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup> (1 acre), or

(ii) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

(3) Resort Condo: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-5E.5 Maximum Height:**

CD-5E.5.1 Principal Buildings & Structures:

(1) Vacation Rental (VR-1 / SFD): 9 m (30 ft) or 2 ½ storey

(2) Guest House, or SFD in GH area: 9 m (30 ft) or 2 ½ storey

(3) Resort Condo: 11 m (36 ft) or 3 storey

CD-5E.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5E.6 Minimum Setbacks:**

CD-5E.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Vacation Rental (VR-1 / SFD) Non-waterfront lots:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 10 m (33 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential lot</i> .				
(iv) In addition, 15 m (50 ft) minimum <i>yard</i> setback applies to <i>front lot lines</i> abutting a <i>major road</i> .				
(2) Vacation Rental (VR-1 / SFD) All waterfront lots:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)



	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
<p>(3) Guest House, or SFD in GH area, &amp; Guest Cottages:</p>				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	4 m (13 ft)	7.5 m (25 ft)
(ii) Accessory Guest Cottage	7.5 m (25 ft)	4 m (13 ft)	4 m (13 ft)	7.5 m (25 ft)
(iii) Accessory Other	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
<p>(iv) In addition, 15 m (50 ft) minimum yard setback applies to <i>front lot lines</i> abutting a major road.</p>				
<p>(v) In addition, each <i>guest cottage</i> must be detached from every other <i>guest cottage</i>.</p>				
<p>(vi) In addition, <i>guest cottages</i> and all other <i>accessory buildings</i> and <i>structures</i> must be located:</p>				
(A)	to the rear of the <i>front face</i> of the principal <i>building</i> , and			
(B)	at least 3 m (10 ft) from the principal <i>building</i> .			
<p>(4) Resort Condo:</p>				
(i) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
<p>(iii) In addition, for principal <i>buildings</i>, 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i>, or <i>guest house</i> or <i>multiple family residential</i> lot.</p>				

### CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113)

*This Comprehensive Development Zone was intended as an extension of and complement to Development Area #1 of the CD-5 Zone (now CD-5A SubZone), with golf course crossing Peninsula Road into both zones and trails expected to connect, but can be developed on its own. The densities identified below were bonused and based on a 15% open space dedication/ amenity contribution, provided in the form of the park dedication (minimum 12.9 ha), cash contributions, public recreational amenities and open space, green space and trail areas secured by either dedication on a plan of subdivision or statutory right of way, further to Section 203 of this Bylaw, along with requirements for staff housing, with development (other than the golf course) at 5 units/hectare base density if amenities not provided.*

*2014 Update: There has been no subdivision or development and amenities remain outstanding and, in some cases, overdue. In 2013, the original developer made arrangements to reacquire control, but as of the date of Second Reading the matter has not been advanced and the amenities have not been provided.*

*The regulations and requirements of this Zone are supplemented with Master Development Agreement and S.219 Covenant registered on title under FA102255 (August 22, 2006) as amended.*

*The below Overall Land Use Concept Plan, intended as the CD-6 Comprehensive Development Plan (“CD-6 Plan”), dictates and confines the location of permitted uses and density, with variations to require amendment of the Zoning Bylaw. However, exact configuration of roads and buildings may be determined at subdivision and development permit stage of development without bylaw amendment.*

### CD-6 Plan per Zoning Amendment Bylaw 1030, 2006



**CD-6.2 Permitted Uses:**

CD-6.2.1 The following uses are permitted in the area of the CD-6 Comprehensive Development Plan labeled “Guest Houses”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Guest House*
- (2) Secondary:
  - (a) *Guest Cottage*

CD-6.2.2 The following uses are permitted in the area of the CD-6 Comprehensive Development Plan labeled “Single Family”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Vacation Rental (VR-1)*
  - (c) *Vacation Rental (VR-2)*
- (2) Secondary:
  - (a) *Secondary Suite*

CD-6.2.3 The following uses are permitted in areas of the CD-6 Comprehensive Development Plan not labeled “Single Family” or “Guest House”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Retail*
  - (b) *Golf Course*
- (2) Secondary:
  - (a) *Golf Course Clubhouse*

CD-6.2.4 The following uses are permitted in areas of the CD-6 Comprehensive Development Plan not labeled “Single Family” or “Guest House”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

**CD-6.3 Lot Regulations**

**CD-6.3.1 Minimum Lot Size:**

- (1) Single Family Dwelling: 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) with maximum of 1,115 m<sup>2</sup> (12,000 ft<sup>2</sup>)
- (2) Vacation Rental (VR-1): 1,000 m<sup>2</sup> (¼ acre)
- (3) Vacation Rental (VR-2):
  - (a) 1,000 m<sup>2</sup> (¼ acre) for 85 lots
  - (b) 1,600 m<sup>2</sup> (17,220 ft<sup>2</sup>) for 35 lots
- (4) Guest House: 2,000 m<sup>2</sup> (½ acre)
- (5) Hotel: 4 ha. (10 acre)
- (6) All other uses: N/A

**CD-6.3.2 Minimum Lot Frontage:**

- (1) Single Family Dwelling: 25 m (82 ft)
- (2) Vacation Rental (VR-1): 25 m (82 ft)
- (3) Vacation Rental (VR-2): 25 m (82 ft)
- (4) Guest House: 24 m (80 ft)
- (5) Hotel: N/A
- (6) Retail: 23 m (75 ft)

**CD-6.3.3 Minimum Lot Width:** N/A

**CD-6.3.4 Minimum Lot Depth:** N/A

**CD-6.4 Density:**

**CD-6.4.1 Maximum Number:**

- (1) Single Family Dwelling: 147 lots; 1 per lot
- (2) Vacation Rental (VR-1): 50 lots; 1 per lot
- (3) Vacation Rental (VR-2): 120 lots; 1 per lot
- (4) Guest House & Guest Cottages: 4 lots with
  - (a) 1 single family dwelling per lot, with up to:
    - (i) 4 guest rooms if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (ii) 6 guest rooms if lot area exceeds 4,000 m<sup>2</sup>; plus

(b) 2 *guest cottages* per lot if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or

(c) 4 *guest cottages* per lot if lot area exceeds 4,000 m<sup>2</sup>.

(5) Hotel:

(a) Base Density: 10 *guest rooms* or *dwelling units* combined

(b) Bonus Density Factor: Additional *guest rooms* or *dwelling units* on the provision of *staff housing* units constructed and secured by LGA s.905 Housing Agreement at a rate of 17% of total *dwelling units* and *guest rooms* combined;

(c) Bonus Density Maximum: 125 *guest rooms* or *dwelling units* combined on the provision of 22 *staff housing* units constructed and secured by LGA s.905 Housing Agreement.

(6) Retail: 2,000 m<sup>2</sup> (½ acre) combined total

CD-6.4.2 Maximum Floor Area Ratio: N/A

CD-6.4.3 Maximum Lot Coverage:

(1) Single Family Dwelling: 20%

(2) Vacation Rental (VR-1): 20%

(3) Vacation Rental (VR-2): 20%

(4) Guest House: 30%

(5) Hotel: 30%

(6) Retail: 30%

**CD-6.5 Maximum Size (Gross Floor Area):**

CD-6.5.1 Principal Building: N/A

CD-6.5.2 Accessory Buildings:

(1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(2) Vacation Rental (VR-1): 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(3) Vacation Rental (VR-2): 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(4) Guest Houses and Guest Cottages:

(a) Guest Cottages: 46.45 m<sup>2</sup> (500 ft<sup>2</sup>)

(b) Other Accessory Buildings:

(i) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup> (1 acre), or

(ii) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

(5) Hotel: 200 m<sup>2</sup> (2,150 ft<sup>2</sup>)

(6) Retail: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-6.6 Maximum Height:**

**CD-6.6.1 Principal Buildings & Structures:**

(1) Single Family Dwelling: 10 m (33 ft)

(2) Vacation Rental (VR-1): 10 m (33 ft)

(3) Vacation Rental (VR-2): 10 m (33 ft)

(4) Guest House: 9 m (30 ft) or 2 ½ storey

(5) Hotel: 12 m (39 ft) or 3 storey

(6) Retail: 11 m (36 ft) or 3 storey

CD-6.6.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-6.7 Minimum Setbacks:**

CD-6.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> of waterfront lots.				
(iv) In addition, 10 m (33 ft) minimum yard setback applies to all <i>lot lines</i> abutting a golf course.				
(v) In addition, all <i>lots</i> exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) must have dual access easement for the purposes of a shared driveway.				
(2) Vacation Rental (VR-1) and Vacation Rental (VR-2):				
(i) Principal	10 m (33 ft)	10 m (33 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot.				
(iv) In addition, all <i>lots</i> exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) must have dual access easement for the purposes of a shared driveway.				

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(3) Guest House:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(ii) Accessory	N/A	N/A	N/A	N/A
(iii) In addition, all <i>lots</i> exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) must have dual access easement for the purposes of a shared driveway.				
(4) Hotel:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 30 m (98.5 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot.				
(iv) In addition, 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>vacation rental (VR-1)</i> or <i>vacation rental (VR-2)</i> lot.				

**SCHEDULE C**  
**ZONING BYLAW OFFENCES AND FINES**

Zoning Bylaw Section No.	Summary Description of Offence	Fine per Offence	
		First	Subsequent
301.1, 302.1	Use or Occupy, or permit use or occupancy, in contravention of Bylaw	\$200	\$400
301.3	Unlawful non-conformance with Bylaw	\$200	\$400
302.2(1)	Building or Structure in non-conformance	\$200	\$400
302.2(2)	Building or Structure to cause existing to become non-compliant	\$200	\$400
303.1	Not a Permitted Use	\$200	\$400
303.3, 303.4	Not a Permitted Use – a Specifically Prohibited Use	\$200	\$400
303.5	Use not compliant with Lot Size, Frontage, Depth and/or Width regulations	\$100	\$200
304.1	Exceed Maximum Lot Coverage	\$200	\$400
304.2	Exceed Maximum Floor Area Ratio	\$200	\$400
304.3	Exceed Maximum Density	\$200	\$400
305.1, 305.2	Exceed Maximum Number of Buildings	\$200	\$400
305.3	Exceed Maximum Height	\$200	\$400
306.1	Failure to comply with Minimum Setbacks – General	\$200	\$400
306.2(1)	Failure to comply with Minimum Setbacks – Natural Boundary of Ocean or Watercourse	\$200	\$400
306.2(2)	Failure to comply with Minimum Setbacks – Vision Clearance at Intersections	\$200	\$400
306.3	Failure to comply with Minimum Setbacks – Non-compliant exceptions	\$200	\$400
401.1 – 401.4	Non-compliant Accessory Building or Accessory Structure	\$200	\$400
402.1, 402.2	Non-compliant Home Occupation	\$100	\$200
403.1, 403.2	Non-compliant Secondary Suite	\$100	\$200
404.1, 404.2	Non-compliant Bed & Breakfast	\$100	\$200
405.1, 405.3	Non-compliant Guest House	\$200	\$400
405.2, 405.3	Non-compliant Guest Cottage	\$200	\$400
406.1 – 406.4	Non-compliant Vacation Rental	\$200	\$400
501, 505	Insufficient Off-Street Parking spaces	\$100	\$200
501, 508	Insufficient Off-street Loading spaces	\$100	\$200
502	Non-compliant use of off-street parking/ loading space	\$100	\$200
503	Non-compliant location of off-street parking / loading space	\$100	\$200
504	Non-compliant design standards of off-street parking	\$100	\$200
507	Non-compliant design standards of off-street loading	\$100	\$200
601	Non-compliant screening/ landscaping– residential	\$100	\$200
602	Non-compliant screening/ landscaping – outdoor storage and open uses	\$100	\$200
603	Non-compliant screening/ landscaping – parking lots	\$100	\$200
601.1(2), 601.2(1)(b)	Non-compliant fence height	\$100	\$200
701.3	Obstruction of Bylaw Enforcement Officer	\$250	\$500
702	Non-compliance with direction or order of Bylaw Enforcement Officer	\$250	\$500

Note: Additional section numbers specific to zones or supplemental regulation may also be included in Offence Notices.