

As a result of input received on the first draft of Zoning Bylaw No. 1010-2013, the consultant prepared a second draft which is attached to this report under separate cover. In its memorandum included on pages 12 through 17, the consultant describes in general, changes that are proposed as part of new Zoning Bylaw No. 1010-2013 in comparison to the District's existing Zoning Bylaw No. 10-2006. He also describes changes that have been made as part of the second draft to address the input received by Council, the public and staff. Since receiving the second draft of Zoning Bylaw No. 1010-2013 in late February from the consultant, staff has made additional changes to address a number of housekeeping items that have been identified vis-à-vis-à-vis past experiences using the existing Zoning Bylaw No. 10-2006. Some additional regulations have also been added to address items that will benefit in this regard. A chart which shows changes that have been made to the zoning categories is included on pages 18 and 19. The mapping (schedules) has also been fine tuned, clarified where necessary, and split into four separate maps from the original two maps. In this regard, the first draft of Zoning Bylaw No. 1010-2013 included only two maps for the entire District which made them difficult to read when printed, even at a larger size.

PROCESS FOR COMPLETION

Now that a second draft of proposed new comprehensive Zoning Bylaw No. 1010-2013 has been prepared with input from Council, the public and staff, it is presented to the Committee of the Whole for a recommendation to Council regarding first reading. In addition, staff requests Council's direction to undertake preparations for advertising and conducting a public hearing to be held at 7:00pm on Tuesday, May 12, 2014 at the District of Port Hardy Municipal Hall, 7360 Columbia Street, Port Hardy, BC, in accordance with Section 890 of the Local Government Act.

In the interim, staff has, with direction from Council, referred Zoning Bylaw No. 1010-2013 to the following organizations for review and input by May 8, 2014:

- a) Gwa'sala-'Nakwaxda'xw Nations;
- b) Kwakiutl First Nation;
- c) Ministry of Transportation and Infrastructure;
- d) Quatsino First Nation; and,
- e) Regional District of Mount Waddington.

The following is the suggested timeline for completion of the Zoning Bylaw:

April 14, 2014: Committee of the Whole meeting to review second draft

April 22, 2014: First reading by Council

May 1, 2014: First public hearing notice published in newspaper

May 8, 2014: Second public hearing notice published in newspaper

May 8, 2014: Deadline for comments from referral organizations

May 12, 2014: Public hearing undertaken

May 26, 2014: Council considers second and third readings

May 27, 2014: Staff sends Zoning Bylaw to Ministry of Transportation for review and approval

June 9, 2014: Council considers adoption of Zoning Bylaw

Should the Committee wish to make any changes to the draft Zoning Bylaw before considering it for first reading on April 22nd, it can ask staff to revise the Zoning Bylaw accordingly.

FINANCIAL IMPLICATIONS

With the exception of the cost associated with newspaper advertising for the public hearing, no additional costs are anticipated to with respect to this project. The consultant has been paid for its participation and staff is completing the remainder of this project.

PUBLIC PARTICIPATION

Section 890 of the *LGA* stipulates that a local government must not adopt a zoning bylaw without holding a public hearing on the bylaw for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw. As a result, a public hearing will be conducted which must be advertised in two consecutive issues of the local newspaper.

STAFF RECOMMENDATION

"THAT Council gives first reading to District of Port Hardy Zoning Bylaw No. 1010-2013, being a bylaw to prescribe zoning and related requirements for all lands in the District of Port Hardy.

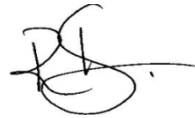
AND FURTHER, that Council directs staff to undertake preparations for advertising and conducting a public hearing with respect to Zoning Bylaw No. 1010-2013 at 5:00pm on Monday, May 12, 2014 at the District of Port Hardy Municipal Hall addressed as 7360 Columbia Street, Port Hardy, BC, in accordance with Section 890 of the Local Government Act."

Respectfully submitted,



Jeff Long
Director of Corporate & Development Services

I agree with the recommendation.



Rick Davidge
Chief Administrative Officer



**MINUTES OF THE DISTRICT OF PORT HARDY
COMMITTEE OF THE WHOLE MEETING OF COUNCIL
DECEMBER 11, 2013**

CALL TO ORDER: Mayor Bev Parnham Time: 5:00 pm

PRESENT: Mayor: Bev Parnham
Councillors: Janet Dorward, Debbie Huddleston, Jessie Hemphill,
Rick Marcotte, Nikki Shaw, John Tidbury

ALSO PRESENT: Jeff Long, Director of Corporate & Development Services
Leslie Driemel Recording Secretary

REGRETS: Rick Davidge, Chief Administrative Officer

Media: None
Members of the Public: None

COW 2013-012
APPROVAL OF AGENDA
AS PRESENTED

APPROVAL OF AGENDA

Moved/Seconded/Carried
THAT the agenda be approved as presented.

DELEGATION

1. Mr. Dan Huang, Urban Systems Re: Comprehensive Zoning Bylaw Review

Mayor Parnham introduced Mr. Huang who is the Project Manager with Urban Systems who is responsible for the District's comprehensive zoning bylaw review project. Mr. Huang apologized for the delays that the project has experienced and acknowledged that the delays have been due to issues that have affected Urban Systems' ability to produce various components of the project in a more timely fashion in accordance with the original project proposal.

Mr. Huang advised that the purpose of the review is to bring the zoning bylaw into conformity with the Official Community Plan adopted in 2011, to update text and graphics, and to address topics not addressed in the current zoning bylaw. Jeff Long, Director of Corporate & Development Services, outlined the process associated with completion of the project. He advised that Ministry of Transportation and Infrastructure approval of the zoning bylaw is required as there are controlled access highways in the District of Port Hardy and Provincial legislation comes into play in this regard.

Mr. Huang used a PowerPoint presentation to guide the discussion. He outlined the process to date and then reviewed specific topics / issues including secondary suites, alternative energy technologies, waterfront zoning, home occupations, urban agriculture, recreational vehicle storage, residential accessory buildings (setbacks), residential use within the General Holdings zone (assessment /

taxation) and unique land use matters pertaining to specific properties which has been addressed through the application of comprehensive development (CD) zoning, as follows:

Secondary Suites / Carriage Houses

Presentation discussion points:

- Currently, a secondary suite is only permitted within a single detached dwelling.
- Proposing a “carriage home” building located on a residential parcel, that is detached from the principal residence, and contains a secondary residential dwelling unit.
- A carriage home can be either stand alone or as part of an accessory building (e.g. garage).
- For secondary suite, note that current (and proposed) regulations require owner-occupancy of the residential dwelling, which could be legally challenged.

Committee discussion included:

- Bylaws in place to deal with complaints
- Owner occupier clause is restrictive and enforcement of owner occupier clause is an issue
- Perception that owner occupier ensures the property is looked after / maintained in a better fashion
- Density issues
- Rental market conditions in the area

The Committee agreed by consensus to revise the draft zoning bylaw to eliminate the requirement that a property with a secondary suite or carriage home be owner occupied.

Home Occupations

Presentation discussion points:

- Port Hardy’s OCP and current zoning bylaw supports home-based businesses.
- Have modernized language and uses and rather than list the uses that are specifically permitted as a home occupation like the current zoning bylaw does, the draft zoning bylaw does not specify specific uses, but rather prohibits specific uses as home occupations.
- Expanded the home occupation use into subcategories to include: minor (multi-family dwelling), major (single detached dwelling) and rural (single detached dwellings on rural properties).
- Bed and breakfasts are considered as major or rural home occupations.

Committee discussion included:

- Uses that are prohibited in each of the minor, major and rural categories may be overly restrictive, especially in the rural category.
- Consideration should be given to allowing bed and breakfasts in carriage homes and not just in the principal dwelling.
- Could leave the home occupation categories as presented, including rural, and amend zoning bylaw as needed.
- Home occupations as an entry level to commercial scale business ventures.
- There is a need to allow for economic diversification and entrepreneurship.
- There is the potential to detract from commercial areas like the downtown

The Committee will review the list of uses permitted as part of home occupations as allowed in the current zoning bylaw and is interested in hearing what input the public may have.

Sustainable Building Technologies and Alternative Energy Technologies

Presentation discussion points:

- The District's Official Community Plan encourages sustainable building technologies which are defined as "structural or technological elements designed to reduce the carbon footprint of a building".
- The draft zoning bylaw proposes to allow devices that cater to this.
- Co-generation devices (all zones).
- Solar devices (varying regulations for residential, commercial, marine, institutional zones).
- Geothermal (all zones, min 3.0m setback).
- Wind energy devices - small scale (up to 10kw) in all zones, min 0.5ha parcel, max height 10.5m and medium scale (up to 20k2) – non-res zones, min 0.5ha parcel, max height 21.0m.

Committee discussion points included:

- Allowing wind energy devices with restrictions on lot size, tower heights and setbacks.
- Benefits outweighing drawbacks such as appearance, sightlines and noise
- Rooftop windmills versus ground mounted ones.
- Allow in rural residential zones only? Restrict height? Noted, that the minimum height that turbines need to be is about 15 metres to make them viable.

The Committee agreed by consensus to remove medium scale (up to 20k2) devices in non-residential zones.

The Committee requested staff investigate small scale windmill regulations in Nanaimo and if possible, map the locations of .5 ha lots in the District of Port Hardy where windmills would be allowed.

Boat and RV Storage

Presentation discussion points:

- Acknowledgment of Port Hardy's way of life and the fact that boats and RVs are very popular.
- One recreational vehicle and/or one boat not over 15.0m (48ft) is allowed in a Residential front yard – no closer than 1.2m to a side yard
- No commercial vehicle or wrecked vehicles permitted in a residential zone, except in the rear yard under strict regulations.
- The parking of all vehicles on street is regulated by the District's Traffic Bylaw.

Committee discussion points included:

- Sizes of lots within the District, some of which are larger and have room for more storage than smaller urban type lots.
- Combined lengths of RV and boat at 15 meters – D. Huang advised that specific measurements are from the old bylaw and can be adjusted.
- Commercially signed vehicles in residential areas.

The Committee requested that 3.15 (3) a. one truck or commercial vehicle not exceeding 4500.0 kg GVW (5 tons) be changed to one vehicle 8200 kg GVW

Urban Agriculture

Presentation discussion points:

- Port Hardy's OCP seeks to provide residents with the opportunity, knowledge and resources to produce local food.
- Small Scale Urban Agriculture is proposed to be permitted in the R-1, R-1s and RM-1 zones under certain conditions (i.e. no greenhouse, no signage).
- Urban Hens are permitted in R-1 and RM-1 zones with the following regulations:
 - Minimum 495 square metres in lot size
 - Up to 2 or 4 hens permitted depending on lot size
 - No roosters permitted
 - Fencing requirements and minimum setbacks for the chicken coop

The Committee requested that the draft bylaw be revised to allow greenhouses and lighting subject to specifying that lights be directed downwards and not spill onto adjacent properties. Signage in the form of temporary sandwich boards would also be permitted to allow for the seasonal sale of products.

Keeping of Urban Hens

Committee discussion points included:

- Increase the number of hens allowed: 3.20 2) b. from up to two to up to four 4 and 2) c. from up to four 4 to up to six.
- Specifying coop construction as a requirement at a certain number of square meters for each hen and require a storage facility for feed.
- Selling of eggs – not allowed, hens / eggs for personal use only.
- Allowing killing of hens at property or specifying it be done at an abattoir.
- Allowing urban hens in rural designated properties only.
- Enforcement issues.
- Establish a pilot project. Grandfathering issues if a pilot project is done.
- Minimum lot size to allow urban hens.
- Educational aspects of urban hens.
- Allowing bees in all zones.
- Selling of urban agriculture products in residential zones and signage
- Keeping of honey bees as a bear attractant.
- Keeping of bees in the urban areas is a concern of residents with allergies to bees.

The Committee requested staff review the regulations for urban hens in Victoria as it relates to the coops.

The Committee requested that an exception for mason bees be provided in the section of the bylaw limiting uses in any zone.

The Committee agreed by consensus that urban hens be allowed on parcels with a minimum of 450 square metres.

Residential Accessory Buildings

Presentation discussion points:

There is an oversight in the existing zoning bylaw insofar as the lack of provisions for setbacks that are specific to accessory buildings. The proposed bylaw includes the necessary regulations for accessory buildings.

There was general consensus by the Committee for this correction being addressed in the new zoning bylaw.

Comprehensive Development

Presentation discussion points:

A number of unique properties require a comprehensive approach to land use management, addressed through the use of comprehensive development zones, located at:

- 7050 Rupert Street (Providence Place)
- 6710 Hardy Bay Road (Stryker)
- 6050 Bronze Road and 7050 Byng Road (auto wreckers)
- 6855 Market Street (Robert Scott Elementary)
- 9300 Trustee Road (shopping mall which includes Hardy Bouys and Law Courts)

The Committee discussion points included:

- Five specific Comprehensive Development zones for the five specific properties listed above given the range of uses existing on each.
- Unique properties with specific land management issues.

Other

Presentation discussion points:

- New waterfront (W-1) zone to provide zoning for water areas designed to allow uses and protect the foreshore.
- New airport (A-1) zone to provide a comprehensive approach to airport management and development
- Addition of single detached residential, home occupations and agriculture to the General Holdings (GH-1) Zone.
- New temporary use permit regulations based on amendments to the local government act.
- Updated parking standards.
- Consistent terminology and language updated throughout the document

The Committee discussion points included:

- Inclusion of Quatse Estuary area in the W-1 zone.
- Are tourist activities permitted in the M-1 zone at facilities like the seaplane base? Yes, as they would be considered to fall under the principal permitted uses that include marinas and seaplane operations.

Marihuana for Medical Purposes Regulation (MMPR)

Presentation discussion points

- New Health Canada regulations which will phase out personal use licences by April 14, 2014 in favour of new larger scale production facilities.
- Various local governments are currently reviewing their zoning bylaws to determine applicability and permitted uses within their communities – Agricultural? Industrial? Commercial? None of the above? Health Canada states that they will respect local municipal zoning bylaws.
- Agricultural Land Commission has deemed it an appropriate agricultural use with some of the “right to farm” legislation applicable.
- This has not been raised as an issue through the Port Hardy process, and may require legal advice as appropriate

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Committee discussion points included:

- No ALR designated properties in Port Hardy.
- Zoning bylaw as a tool to zone for use, not user, how does MMPR fit or not fit?
- Further Council discussion needed on this issue.
- General Holdings and Rural Residential zones have agriculture as a permitted use.

Next Steps

Presentation discussion points:

- Review the Draft Zoning Bylaw with the community at the public information meeting to obtain feedback (December 11th, 2013).
- Mapping revisions to be undertaken to and re-format and resize so they are more user friendly (December 2013).
- Finalize revisions to Zoning Bylaw and introduce to Council for First Reading (January 28, 2014).
- Agency review and Public Hearing (February – March 2014).
- Zoning Bylaw Third Reading, MOTI approval and Bylaw Adoption (March - April, 2014).

Mayor Parnham thanked Mr. Huang for his presentation.

ADJOURNMENT

Moved

THAT the Committee of the Whole Rise.

Time: 7:10 pm

COW 2013-013
ADJOURNMENT

ORIGINAL SIGNED BY

ORIGINAL SIGNED BY

DIRECTOR OF CORPORATE &
DEVELOPMENT SERVICES

DEPUTY MAYOR

Notes of the Public Information Meeting – Comprehensive Zoning Bylaw Review
December 11, 2013

A public information meeting (PIM) was conducted in the Council Chambers of the Municipal Hall at 7360 Columbia Street at 7:00pm on Wednesday, December 11, 2013. The PIM was advertised in two consecutive issues of the North Island Gazette Newspaper, those being the November 28, 2013 and December 5, 2013 editions. The purpose of the PIM was to obtain feedback from the public on the draft zoning bylaw dated November 28, 2013, and to answer any questions the public may have. The meeting was attended by Dan Huang of Urban Systems who is the project manager for the Comprehensive Zoning Bylaw Review, and Jeff Long, Director of Corporate & Development Services for the District of Port Hardy, the staff member for overseeing the project.

A total of seven persons signed the sign in sheet for the PIM, although the meeting was attended by nine members of the public. One councillor also attended and another councillor left part way through the presentation part of the meeting. Copies of the draft zoning bylaw were made available and members of the public were asked to sign the sign in sheet and were encouraged to fill out and submit comment sheets.

Mr. Huang presented information on a variety of topics starting with the matter of allowing urban hens which seemed to be a topic of keen interest by those in attendance. There was support expressed by the public for allowing urban hens and comments were made that the regulations were perhaps too restrictive in terms of numbers of hens allowed. A number of other topics were discussed including secondary suites / carriage houses, home occupations, sustainable building technologies, boat and recreational vehicle storage, urban agriculture, comprehensive development zones, marihuana for medical purposes operations, etc. General comments made by members of the public included:

- Support of secondary suites and carriage homes on properties not being occupied by the owner.
- Number of hens allowed is too restrictive. Should be up to six hens permitted.
- Greenhouses should be permitted as part of urban agriculture and the size and location for them should be the same as the regulations for accessory buildings.
- Development in the rural area should be allowed without the need for services like public sanitary, water and roads (off the grid).
- Mason bees should be allowed in all zones.

Comment sheets were provided for members of the public to fill out and hand in as part of the input process. It is noted that these sheets do not require any identification of the persons filling them out. A total of four comment sheets were completed as follows:

Sheet No.	Have you attended a previous meeting on the zoning bylaw?	Was the information presented helpful?	Would you like to be informed about the date of the Public Hearing?	Comments
1	Yes	Yes	Yes	Support the idea of allowing carriage houses/caretaker's homes

2	Yes	Yes	No comment	The proposed change from the GH Zone to RR Zone for our property appears to address our concerns. Hope this will also lower taxes from the GH Zone rates.
3	No	Yes	Yes	No comment
4	No	Yes	Yes	Support greenhouse size being controlled by regulations such as setbacks. More than 4 hens should be allowed, possibly a variable number related to lot area. In favour of allowing honey bees in town - limited to one hive?

MEMORANDUM



To: Jeff Long, Director of Corporate and Development Services
cc: [Click here to enter text.](#)
From: Dan Huang
File: 0959.0012.01
Subject: District of Port Hardy Zoning Bylaw – project summary

This memo is to provide a summary of the revisions made to the existing District of Port Hardy Zoning Bylaw, No. 10-2006 as they relate to the proposed new Zoning Bylaw No. 1010, 2013. The proposed updates are based upon our experience in other communities, input and feedback throughout the project from the residents and business owners in Port Hardy, and discussions and workshops with staff and Council. We trust this will assist you in reporting the proposed changes, as part of the upcoming Bylaw readings and Public Hearing process.

PART 1 – INTERPRETATION

The definitions found throughout the revised Zoning Bylaw have been updated to incorporate language that is more modern and consistent with current legislation and case law. In addition, graphics and other illustrations have been incorporated to enhance user-friendliness and provided greater clarity. The previous bylaw had 130 various definitions; this has been reduced to 117 to address redundancy, whilst adding a number of new definitions to reflect current issues (e.g. green building technologies, secondary suites and carriage homes, mixed commercial and residential uses, urban hens, and others).

PART 2 – ADMINISTRATION

The language and headings found throughout the Administration section of the Zoning Bylaw have been updated and restructured in order to provide additional convenience to the reader. This section is a consolidation of three distinct headings of the previous Bylaw – Administration and Public Information, Compliance, and Permits. The template for this section comes from the Regional District of Mount Waddington, which provided both an excellent example as well as a consistent approach within the region for developers and land owners to follow.

PART 3 – GENERAL REGULATIONS

The revised Zoning Bylaw No.1010, 2013 provides a distinct section for this topic and has been updated with more robust language where appropriate, yet contains a similar flow of headings as found in Zoning Bylaw No.10-2006. Notable changes include:

- Permitting Urban Hens and Mason bees as exemptions to prohibited uses
- Adding detail to the Permitted Uses in all zones
- Identifying Sitting, Size and Dimension of Buildings and Structures in the General Regulations as opposed to in the Compliance section where previously noted.
- Home Occupation has been separated into Minor, Major, and Rural
- General Regulations on Bed and Breakfasts have been added
- More robust policy language in regards to Urban Hens (backyard chickens) and Mason Bees
- Sustainable Building Technologies addresses Renewable Energy Systems (Solar, Geothermal, Wind)

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SPECIFIC ISSUES ADDRESSED

1. **Secondary Suites / Carriage Homes.** Currently, a secondary suite is only permitted within a single detached dwelling. In addition to updating secondary suite regulations, the new Zoning Bylaw also proposes a “carriage home” building located on a residential parcel, which is essentially a secondary suite located within an accessory dwelling (either within a garage or a stand-alone building).
2. **Temporary use permits.** Recent amendments to the Local Government Act have allow municipalities to designate part or all of the community for temporary uses, under certain conditions. Given that Port Hardy is a business-friendly community which values unique solutions, the new Zoning Bylaw proposes that the entire municipality be designated as a Temporary Use Permit Area. The District may issue a Temporary Use Permit in accordance with the Local Government Act, and may do the following:
 - a) Specify conditions under which a temporary use may be carried on;
 - b) Allow and regulate the construction of buildings and structures in respect of the use for which the permit is issued;
 - c) Require demolition and/or removal of a building or structure;
 - d) Require restoration of land described in the permit to a condition specified in the permit by a date specified in the permit;
 - e) Require security in accordance with the Local Government Act; and,
 - f) Prescribe the date the permit expires, except that such date shall be for a term that is not greater than three years.
3. **Home Occupations.** Port Hardy’s OCP and current Zoning Bylaw supports home-based businesses. The new Bylaws updated and modernized the language for home occupations, as well as expanded the home occupation categories to include the following:
 - a) **Minor Home Occupation** – no impact on the neighbourhood (e.g. writer, website designer), no clients, no additional parking requirements. Permitted in multiple-unit dwellings.
 - b) **Major Home Occupation** – minor impact on the neighbourhood (e.g. accountant, hair stylist, bed and breakfasts), up to five clients, one additional parking space. Permitted in single detached dwellings.
 - c) **Rural Home Occupation** – Permitted on single detached dwellings on rural properties. Allows for major home occupation uses, as well as small shops (e.g. small engine repair).
4. **Urban Agriculture.** Port Hardy’s OCP supports opportunities for residents to produce local food.
 - a) **Mason Bees** are permitted throughout the municipalities, but not other honey bees.
 - b) **Small Scale Urban Agriculture** (backyard agriculture production for sale) is permitted in the single detached residential zones.
 - c) **Urban Hens** are permitted in the R-1 and RM-1 zones with the following regulations:
 - Up to 4 urban hens are permitted on properties that are less than or equal to 450 m² in area;
 - Up to 6 urban hens are permitted on properties that are greater than 450 m² in area;

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- Urban hens and their associated eggs will be used only for personal consumption, no sale or trade will be permitted;
- No roosters, cocks or cockerels are to be kept on the property;
- A minimum enclosure of 0.37 m² (4 ft²) must be provided per urban hen;
- Any structure containing urban hens, whether portable or stationary is subject to the setback requirements of the zone it is in;
- If the structure containing the hens or chickens is located on a corner flanking parcel, the setback for the structure must be no less than the greater of a distance equal to:
 - the existing setback of the principal building; and
 - the required setback for a principal building under this Bylaw, from the property line adjacent to the flanking street;
- Only one structure containing hens or chickens is permitted on a parcel;
- The structure containing the hens or chickens shall not exceed 9.2 m² in area;
- The structure containing hens or chickens shall be no higher than 2.0 metres at grade; and
- All requirements in the District of Port Hardy Animal Care and Control Bylaw pertaining to Urban Hens are satisfied to an acceptable standard, as determined by the District’s Bylaw Enforcement Officer.

Comparison of Urban Hen Bylaws in other Communities

Municipality	Lot Size Requirement	Maximum # of Hens
City of Langford	Minimum 550 m ²	Max 4 Hens
City of Colwood	Minimum 550 m ²	Max 4 Hens
City of Duncan	single-family residential	Max 6 Hens
City of Nanaimo	Minimum 450 m ² / 4000 m ²	Max 4 / 6 Hens
City of Victoria	No restriction on lot size	No Limit
The District of Saanich	Minimum 1,114 m ² / 1,858 m ²	Max 10 / 30 Hens
The District of Oak Bay	Minimum 745 m ² / 1,858 m ² / 4,047 m ²	Max 5 / 8 / 10 Hens
Township of Esquimalt	single-family residential	Max 4 Hens
Township of View Royal	R1, R1A, and R1B zones	Max 4 Hens

5. **Sustainable Building Technologies.** The District’s OCP encourages sustainable building technologies, defined in the Zoning Bylaw as “structural or technological elements designed to decrease the carbon footprint of a *building* or *structure*. Such features shall include photovoltaic cells, roof mounted micro wind turbines, solar thermal collectors and infrastructure needed to access and maintain a green roof.” The Zoning Bylaw proposes a number of new regulations including:
- a) Co-generation devices are permitted in all zones
 - b) Solar devices are permitted in all zones with varying regulations by zone (e.g. residential, commercial, institutional, etc.) within the maximum height and setback requirements of each zone.



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- c) Geothermal devices are permitted in all zones, with minimum setbacks from the side property lines for the heat pump
- d) Small scale wind energy devices (up to 10kw) are permitted in all zones provided that the parcel is a minimum size of 0.5 hectares, with a maximum height of 10.5m.

6. **Residential Accessory Buildings.** The setbacks for accessory buildings in the current zoning bylaw are somewhat excessive, especially for the rear yard (7.6 metres). The revised bylaw proposes reducing the setbacks for accessory buildings (e.g. garden sheds) to 1.0m in the side and rear yard, and 4.5 for the side flanking yard.

PART 4 – PARKING AND LOADING

The parking and loading component of the revised Zoning Bylaw No.1010, 2013 maintains much of the content found in Zoning Bylaw No.10-2006 with upgrades to accommodate for growth within the District of Port Hardy and to provide additional clarity to the user. Notable changes are as follows:

- Revisions to the Off Street Parking Requirements schedule
- Revisions to the Off Street Loading Requirements schedule
- Assimilated concepts and ideas from other relevant bylaws

In addition, the parking fee in lieu has been amended from \$700 to \$1,000 per space. Other communities have higher parking fee-in-lieu rates, while other communities do not specify any rates. Based on our review, it is unlikely that this provision will be used very often, if ever, in Port Hardy, so the minor amendment in rates should not be a deterrent to potential development.

PARTS 5 to 12 – ZONING

The zoning tables and associated general regulations have been updated to reflect the modernized definitions, consistent formatting for ease of use, revised principal and accessory uses, and updated metrics associated with site requirements.

The following table address's the changes in nomenclature from the previous Zoning Bylaw No.10-2006 to the revised Zoning Bylaw No.1010, 2013 and highlights where changes have been made.

Port Hardy Zoning Bylaw Revisions

Old zone name	Old Zone	New zone name	New Zone
Single Family Residential	R-1	Single Detached Residential	R-1
		Small Lot Strata Residential	R-1s
Low Density Multi Family Residential	R-2	Duplex Residential	R-2
Mobile Home Park Residential	R-3	Manufactured Home Residential	R-3
Multiple Family Residential	RM-1	Multiple Unit Residential	RM-1
Multiple Family Residential	RM-2	Duplex Residential	R-2
Rural 1	RU-1/RR-1	Rural Residential	RR-1

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Old zone name	Old Zone	New zone name	New Zone
Commercial Neighbourhood	C-1	<i>Omitted from new bylaw</i>	
Commercial Town Centre	C-2	Town Centre Commercial	C-3
Commercial General	C-3	General Commercial	C-1
<i>(old C-3 split to become new C-1, & C-2)</i>		Service Commercial	C-2
Commercial Animal Services	C-4	Commercial Animal Services	C-4
Tourist Commercial	T-1	Tourist Commercial	C-5
Marine Commercial	M-1	Marine Commercial	M-1
Marine Industrial	M-2	Marine Industrial	M-2
Marine Forest Industrial	M-3	Marine Forest Industrial	M-3
Seaplane Base	M-4	Seaplane Base	M-4
Industrial and Mixed Uses	M-5	<i>Omitted from new bylaw</i>	
		Waterfront	W-1
Light Industrial	I-1	Light Industrial	I-1
Heavy Industrial	I-2	Heavy Industrial	I-2
General Industrial	I-3	<i>Omitted from new bylaw</i>	
		Airport	A-2
Institutional	P-1	Parks and Open Space	P-1
Parks and Open Space	P-2	Institutional	P-2
General Holdings	GH	General Holdings	GH-1

From the table above, some of the more notable revisions to the zoning table are as follows:

- New Strata Residential (R-1s) zone to permit bareland strata residential development
- Combined the old R-2 and RM-2 zone into one zone, R-2 Duplex Residential
- Omitted current C-1 Commercial Neighbourhood zone as there are no properties in Port Hardy with this designation
- Creation of a new C-2 Service Commercial zone as a transitional zone around the Downtown core
- New Waterfront (W-1) zone to add regulations and protection for the foreshore
- New Airport (A-1) zone to provide a comprehensive approach to airport management and development
- Addition of Single Detached Residential uses to the General Holdings (GH-1) zone to address discrepancies in assessment
- New Comprehensive Development (CD) zones – a number of unique properties require a comprehensive approach to land use management, addressed through a Comprehensive Development (CD) zone, located at:

MEMORANDUM

File: 0959.0012.01
Subject: District of Port Hardy Zoning Bylaw – project summary
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- 7050 Rupert Street (Providence Place)
- 6710 Hardy Bay Road (Stryker)
- 6050 Bronze Road and 7050 Byng Road (auto wreckers)
- 6855 Market Street (Robert Scott Elementary)
- 9300 Trustee Road (former shopping mall - Hardy Buoys, Law Courts)

CHANGES TO EXISTING BYLAWS

It should be noted that some existing bylaws as noted below will need to be reviewed and revised to match with the proposed new Zoning Bylaw No.1010, 2013, as follows:

1. Bylaw 01-2010, Municipal Ticket Information System
 - a. Changes will need to be made to Section 21 of schedule A to reflect new bylaw number
 - b. Pg. 26 of Bylaw 01-2010 will require changes to schedule T to reflect new section numbers.

2. Bylaw 11-2012, Animal Care and Control Bylaw
 - a. Section 3.20, 2) has language regarding urban hens/backyard chickens which should be updated to reflect language in new bylaw
 - b. Permitted use of Mason bees will need to be addressed.

CLOSING

The proposed Zoning Bylaw No. 1010, 2013 for the District of Port Hardy provides a more modern, user-friendly document which aligns with the new Official Community Plan, and addresses a number of issues which have arisen since its adoption. While it cannot predict every land use scenario and potential issue or opportunity that may present itself in the near future, we trust that the new Zoning Bylaw provides a solid update to the current document. Thank you for the opportunity to assist the District of Port Hardy on this important initiative.

URBAN SYSTEMS LTD.

A handwritten signature in black ink, appearing to read "Dan Huang".

Dan Huang, MCIP, RPP
Senior Planner / Principal

/th/dh

C:\Users\dh Huang\Desktop\Port Hardy Zoning bylaw Revisions MEMO.docx

Zoning Bylaw Review - Changes to Zone Categories					
Old Zone Name	Abbrev.	New Zone Name	Abbrev.	Changes to Zone	
Single Family Residential	R-1	Single Detached Residential	R-1	Side Yard Setbacks, Minimum Parcel Area	
		Small Lot Strata Residential	R-1s	New Zone	
Low Density Multi Family Residential	R-2	Duplex Residential	R-2	Principal Uses, Site Requirements	
Mobile Home Park Residential	R-3	Manufactured Home Residential	R-3	Name Change, Site requirements	
Multiple Family Residential	RM-1	Multiple Unit Residential	RM-1	Permitted Use, Parcel Coverage, Min Parcel Area	
Multiple Family Residential	RM-2	Duplex Residential	R-2	Threplex / Fourplex uses now in RM-1 zone	
Rural 1	RU-1/RR-1	Rural Residential	RR-1	Principal Uses, Site Requirements	
RESIDENTIAL					
Commercial Neighbourhood	C-1	<i>Omitted from new bylaw</i>		Omitted from new bylaw	
Commercial Town Centre	C-2	Town Centre Commercial	C-3	Principal Uses, Min Parcel Area, Min Lot Depth	
Commercial General	C-3	General Commercial	C-1	Principal Uses, Site Requirements	
<i>(old C-3 has been split into new C-1 & C-2)</i>		Service Commercial	C-2	Principal Uses, Site Requirements	
Commercial Animal Services	C-4	Commercial Animal Services	C-4	Accessory Uses, Site Requirements	
Tourist Commercial	T-1	Tourist Commercial	C-5	Principal Uses, Site Requirements	
COMMERCIAL					
Marine Commercial	M-1	Marine Commercial	M-1	Principal & Accessory Uses, Min Parcel Size	
Marine Industrial	M-2	Marine Industrial	M-2	Principal & Accessory Uses, Min Parcel Size	
Marine Forest Industrial	M-3	Marine Forest Industrial	M-3	Modernization of Principal and Accessory Uses	
Seaplane Base	M-4	Seaplane Base	M-4	Simplified Supplementary Requirements	
Industrial and Mixed Uses	M-5	<i>Omitted from new bylaw</i>		Omitted from new bylaw	
MARINE					

		Waterfront	W-1	New Zone
INDUSTRIAL				
Light Industrial	I-1	Light Industrial	I-1	Modernization of Uses, Min Parcel size
Heavy Industrial	I-2	Heavy Industrial	I-2	Modernization of Uses, Min Parcel size
General Industrial	I-3	Omitted from new bylaw		Omitted from new bylaw
		Airport	A-1	New Zone
PARKS				
Institutional	P-1	Parks and Open Space	P-1	Principal Uses, Accessory Uses
Parks and Open Space	P-2	Institutional	P-2	Accessory Uses
HOLD				
General Holdings	GH	General Holdings	GH-1	Principal and Accessory Uses

Note: Original zoning bylaw has discrepancies in the zone category table 5.2 in naming as it relates to the specific zones



DISTRICT OF PORT HARDY
ZONING BYLAW NO. 1010, 2013



This is a draft version of a proposed new Zoning Bylaw which has yet to be considered by Council for any readings and is subject to a public hearing in accordance with the Local Government Act.

March 29, 2014 – This draft version replaces any previous draft versions of this Bylaw.

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DISTRICT OF PORT HARDY
ZONING BYLAW NO. 1010, 2013



A Bylaw to Regulate the Location and Use of Buildings and Structures and the Use of Land, Including the Surface of Water

WHEREAS the Local Government Act permits a local government to enact a bylaw for the purposes of prescribing zoning and related requirements.

AND WHEREAS the Council of the District of Port Hardy deems it expedient to adopt Bylaw No. 1010-2013;

NOW THEREFORE, the Council of the District of Port Hardy in open meeting assembled enacts as follows:

PART ONE: INTERPRETATION

1.1 TITLE

This Bylaw shall be cited as "District of Port Hardy Zoning Bylaw No. 1010, 2013".

1.2 APPLICATION

This Bylaw applies to all lands, including the surface of water (both inland fresh water and salt water tidal areas) and all uses, buildings and structures located within the Corporation of the District of Port Hardy. For clarification purposes, those lands designated as an Indian Reserve by the Government of Canada are not subject to this Bylaw.

1.3 DEFINITIONS

All words and phrases used in this Bylaw have their usual or common meaning, except where they are clarified, expanded or modified as follows:

"Access Aisle" means a road that is used to access parking or loading spaces.

"Accessory Building or Structure" means a building or structure that is subordinate to, customarily incidental to and exclusively devoted to the principal building or use on the same parcel.

"Accessory Use" means a use other than a principal use that is subordinate, customarily incidental to, and exclusively devoted to the principal use on the same parcel.

"Agriculture" means uses related to the growing, rearing, producing and harvesting of agricultural products; includes the storage and sale on an individual farm of the products harvested, reared, or produced on that farm, in addition to the storage and repair of farm machinery, implements and supplies; specifically excludes all manufacturing, processing, storage and repairs not specifically included in this definition, and also excludes livestock and poultry processing, piggery use, and feed lots.

"Amenity Space" means common space located on the same parcel as a residential building and used for landscaping or communal recreation purposes, which may include but is not limited to landscaped areas, rooftop gardens, tennis courts, swimmingpools, etc.

"Animal Kennel" means the use of land, building and/or structure for the keeping, boarding, breeding or training of animals.

"Approving Officer" means any person duly authorized by the municipal council to act as an approving officer pursuant to the provisions of the Land Title Act, Strata Property Act, Local Government Act, or other such legislation or regulation as may be from time to time adopted by the Province of British Columbia.

"Assembly" means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, or educational purposes.

"Bed and Breakfast" means the provision of nightly accommodation and breakfast only for transient accommodation, as an accessory use within a single detached dwelling.

"Boulevard" means the portion of a highway between the curb lines or the lateral boundary lines of a roadway and the adjoining property or between curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways.

"Bylaw" means District of Port Hardy Zoning Bylaw No. 1010, 2013 and any amendments thereto.

"Building" means a structure wholly or partially enclosed by a roof or foots supported by walls or columns or other supporting features, which is intended to accommodate or shelter any use or occupancy by persons, animals, chattels or things.

"Building, Principal" means a building on a parcel in which a principal use is conducted.

"Building Width" means the lesser of the two horizontal dimensions of a building or structure.

"Campground" means a use of land in which campsites are provided, occupied and maintained for providing temporary accommodation to the traveling public, tourists and holiday-makers in tents and recreational vehicles and may include as accessory uses only, the use of buildings and structures for the provision of a laundry facility, washrooms, shower facility and convenience store and may also include the accessory use of land, buildings and structures for the provision of recreation facilities. One single detached dwelling or manufactured home dwelling may be used to house a caretaker of the campground.

"Campsite" means one area within a campground which is used or intended to be used for one tent or recreational vehicle.

"Cold Storage Facility" means a facility that can only be used for the storage of seafood that have been frozen off the premises or for the freezing of seafood that have been transported onto the premises but specifically prohibits the cleaning and processing of seafood.

"Combined Commercial and Residential Use" means a building that contains both a commercial and residential use.

"Community Care Facility" means a facility licensed pursuant to the Community Care and Assisted Living Act.

"Construction Services" means the use of a business or building that is used for trades and/or contractor offices, as well as construction equipment sales and storage.

"Council" means the Municipal Council of the District of Port Hardy.

"Day Care Facility" - means a facility providing group day care, family day care, nursing school, child minding, out of school care, or specialized day care in accordance with the provisions of the Provincial *Child Care Licensing Regulation* of the *Community Care and Assisted Living Act*.

"District" means the Corporation of the District of Port Hardy and the land under the jurisdiction thereof.

"Dwelling" means one or more habitable rooms, constituting a self-contained unit with one or more separate entrances and containing cooking, eating, living, sleeping and sanitary facilities, for the purposes of human habitation.

"Dwelling, Apartment" means a building divided into not less than three dwelling units with each dwelling unit having its principal access from an at-grade entrance common to all dwelling units.

"Dwelling, Attached" means a building divided into not less than three dwelling units with each dwelling unit having direct access to finished grade level.

"Dwelling, Caretaker" means an accessory dwelling to a principal use located on the same parcel, and intended to provide accommodation for a person or persons who provide management, maintenance, and security of the principal uses on the parcel.

"Dwelling, Carriage Home" means an accessory dwelling which is subordinate to and detached from the principal single detached dwelling on the same parcel.

"Dwelling, Duplex" means a building used or designed as two dwelling units, each with direct access to the outside at grade level, and are connected by a common wall when side by side and by a common floor when positioned one on top of the other.

"Dwelling, Float Home" means a dwelling that incorporates a floatation system that allows it to be placed on water, but is not intended for navigation or usable as a navigable vehicle.

“Dwelling, Manufactured Home” means a dwelling that:

- (a) Was manufactured at a factory and is intended to be occupied as a dwelling at a place other than its place of manufacture; and,
- (b) Meets or exceeds Canadian Standards Association CSA-Z240, CSA A277.

A manufactured home dwelling may include what is commonly referred to as a “manufactured home”, “mobile home”, “modular home” or “pre-fabricated home” that meets these criteria, but does not include a Recreational Vehicle.

“Dwelling, Secondary Suite” means an accessory dwelling contained within and subordinate to the principal single detached dwelling on the same parcel.

“Dwelling, Single Detached” means a building consisting of one dwelling having independent exterior walls but does not include a float home dwelling or manufactured home dwelling.

“Education Services” means uses related to education, training or instruction purposes including but not limited to: elementary and secondary schools, community colleges, universities, technical and vocational schools and accessory administration offices or maintenance and storage facilities that are required for the daily operation of the service or facility.

“Exhibition Grounds” means an area with uses related to entertainment, recreation, themed events including but not limited to, the display and demonstration of arts, crafts, livestock, or industrial products, and includes an amusement park, recreation area, or horse racing track.

“Family Resource Centre” means a centre providing counselling services to the residents of the community, including offices and meeting space.

“Fence” means a structure that encloses or provides a visual and physical barrier for all or part of an area on a parcel, but does not include a retaining wall.

“Floor Area” means the horizontal area of the floor of a building measured from the exterior face of exterior walls.

“Floor Area, Gross” means the sum total of the floor area of each storey of a building.

“Foreshore” means the area of land in tidal areas between the high tide and the mean low tide.

“Forestry” means the harvesting of trees through logging activities such as felling and trimming of trees and transportation of logs, and includes silviculture activities related to the cultivation and maintenance of forests. Forestry does not include the processing of logs into finished lumber or wood products.

“Frontage” means that length of a parcel boundary that immediately adjoins a highway other than a lane or walkway.

“Funeral Home” means a building where the deceased are prepared for burial or cremation and where funeral services, wakes and memorial services are held and other related funeral home uses are conducted, but specifically excludes crematorium.

“Garage or Carport” means an accessory building or a portion of a principal building whose principal or intended use is for the parking or temporary storage of motor vehicles and in which there are no commercial facilities for repairing or servicing such vehicles.

“Group Home” means a small scale residential care facility undertaken within a single detached dwelling, accommodating between three and six residents, which is licensed under the *Community Care and Assisted Living Act*.

“Heavy Equipment Storage” means the use of land, buildings or structures where industrial vehicles and/or industrial machinery is set aside, stored, marshalled, assembled, maintained and repaired, but specifically excludes vehicle and equipment salvage or wrecking yards.

“Height” means, when in reference to a building, the vertical distance from the average natural grade of the footprint of the building to the highest point of the roof surface of the building, and when in reference to a structure, means the vertical distance from the average natural grade of the footprint of the structure to the highest point of the structure

Figure One – Height of Sloping Roof

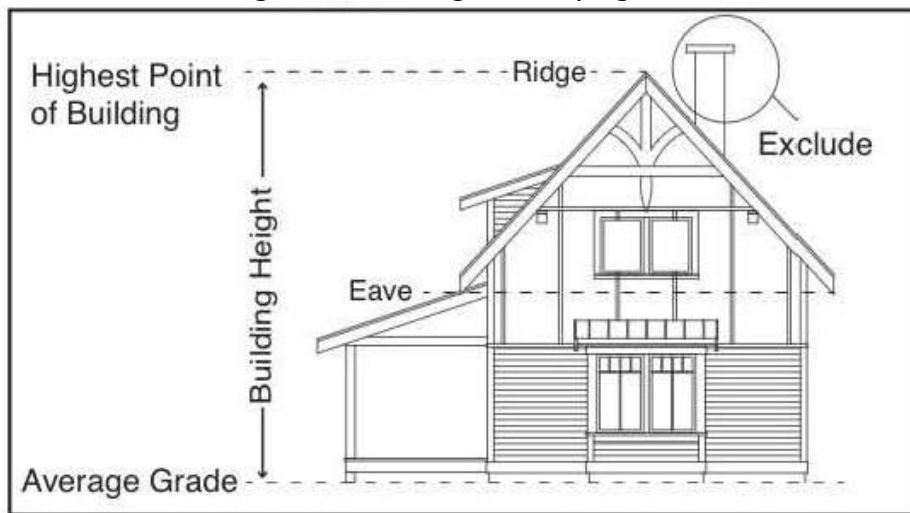
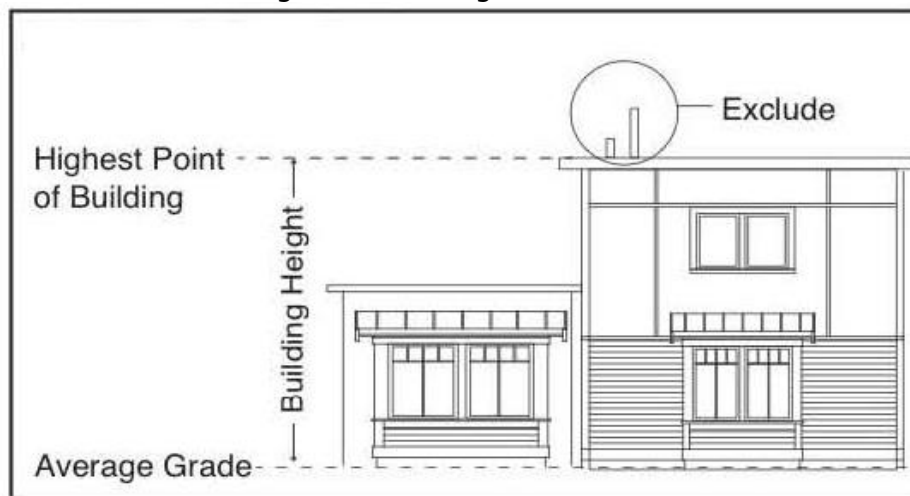


Figure Two – Height of Flat Roof



“Highway” includes a street, road, lane, bridge, viaduct, and any other way open to public use, but does not include a private right-of-way or easement on private property.

“Home Occupation” means the accessory use of a residential dwelling or accessory building by the resident thereof for limited commercial purposes such as trade, occupation, profession, or craft, provided that the use is secondary to the residential use of the dwelling and that it does not change the residential character of the dwelling.

“Hotel” means a building in which rooms are maintained for the temporary accommodation of the travelling public. A hotel may include ancillary facilities such as a restaurant, meeting rooms, convention facilities, gift shop, recreational facilities and/or licenced premises. Hotel includes inn, hostel, motel and other similar forms of accommodation provided to the travelling public, but does not include campground or tourist cabin.

“Indoor Entertainment or Recreation” means the use of a building, or part thereof, for indoor entertainment activities including, but not limited to: pool halls, arcades, bowling alleys, racquet sport courts, theatres, fitness clubs, and night clubs.

“Land” also includes land which is covered by water.

“Lane” means a highway more than 3.0 m but not greater than 8.0 m in width, intended to provide vehicular access to any abutting parcels of land.

“Licenced Premises” means an establishment where liquor is sold to the public for consumption on the premises, under licence by the Province of British Columbia.

“Livestock” means rabbits, goats, sheep, swine, horses, cattle, poultry kept for the purpose of providing meat or eggs, or fur bearing animals as defined in the Fur Farm Act.

“Marina” means the use of land, buildings and/or structures providing moorage or docking of boats and other marine going vessels, and the use of land or surface of the water for the sale and/or rental of boats, docking berths, marine equipment and supplies, excluding the loading or unloading of fish or commercial goods. Additional uses may include administrative offices, washrooms, shower and/or laundry facilities, and restaurant and retail sales oriented towards the marine going public.

“Manufactured Home Park” means a single parcel on which three or more Manufactured Home Spaces are rented for the purposes of siting a Manufactured Home Dwelling on each and is not subdivided as per the Strata Property Act.

“Manufactured Home Space” means the area of a parcel on which a Manufactured Home Dwelling is situated.

“Motel” means the same as Hotel.

“Motor Vehicle” means a device in, on or by which a person or things is or may be transported or drawn on a highway and which is propelled by an internal combustion engine or electric motor or combination thereof.

“Municipal Sewer System” means a system owned, operated and maintained by the District or designate for the collection, conveyance, treatment and disposal of sanitary sewage pursuant to the Municipal Wastewater Regulation.

"Municipal Storm Drain System" means a system owned, operated and maintained by the District or designate for the collection and conveyance of drainage water.

"Municipal Water System" means a system of waterworks designed to provide the collection, treatment, and distribution of potable water, within the meaning of the Health Act, which is owned, operated and maintained by the District or designate.

"Natural Boundary, Present" means the visible high water mark of any watercourse where the presence and action of water is so common and usual, and so long continued as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation and the nature of the soil.

"Natural Grade" means the average ground level recorded at the outermost corners of a building or proposed building site and may be determined by survey and referenced bench mark prior to site preparation.

"Non-conforming Situation" means a use or the siting, size or dimensions of a building or structure, that existed prior to the adoption of this Bylaw, that does not conform to the regulations of this Bylaw, yet was established:

- (a) in conformity with the regulations of a previous zoning bylaw that was in full force and effect; or,
- (b) prior to the adoption of any zoning bylaw.

A non-conforming situation is subject to the regulations of the Local Government Act. Where a person is of the opinion that a building, structure or use is non-conforming, the burden of proof lies with that person to demonstrate same to the satisfaction of the District.

"Non-Timber Forest Products" means all goods harvested from forests of both plant and animal origin other than timber and firewood, including, but not limited to mushrooms, berries, floral greens, medicinal herbs, crafts, and landscaping products.

"Official Community Plan" means the official community plan of the District as adopted by Bylaw.

"Outdoor Storage" means the use of an area outside of an enclosed building or a roofed or unroofed area with unenclosed sides, where goods, materials, equipment, merchandise or vehicles associated with a permitted principal use are kept, baled, piled or handled on an on-going basis but does not include the placement of non-commercial boats or recreational vehicles.

"Panhandle" means the portion of a parcel in which the primary function is to provide the parcel with access to a highway and is at least twice as narrow in width measured from side parcel line to side parcel line than the balance of the parcel.

"Parcel" means a district lot, lot, strata lot, block, or other area of land for which the title is legally described by the Land Title and Survey Authority of British Columbia, or into which it is subdivided under the *Land Title Act* or *Strata Property Act* or regulations thereof, and also includes the area of land prescribed by a Crown land tenure, such as a lease or license of occupation, issued by the Province of British Columbia to authorize the use of Crown land.

"Parcel Area" means the total horizontal area within the boundaries of a parcel.

"Parcel, Corner" means a parcel abutting upon the intersection of two or more highways or internal to two segments of the same highway which meet at an interior angle of less than 135 degrees.

"Parcel Coverage" means the percentage of the parcel area covered by all buildings and structures.

"Parcel, Hooked" means a parcel of which one portion is physically separated from the other portion by a highway or another parcel.

"Parcel Line" means the legally defined limits of a parcel.

"Parcel Line, Front" means the parcel line abutting a highway, and, in the case of:

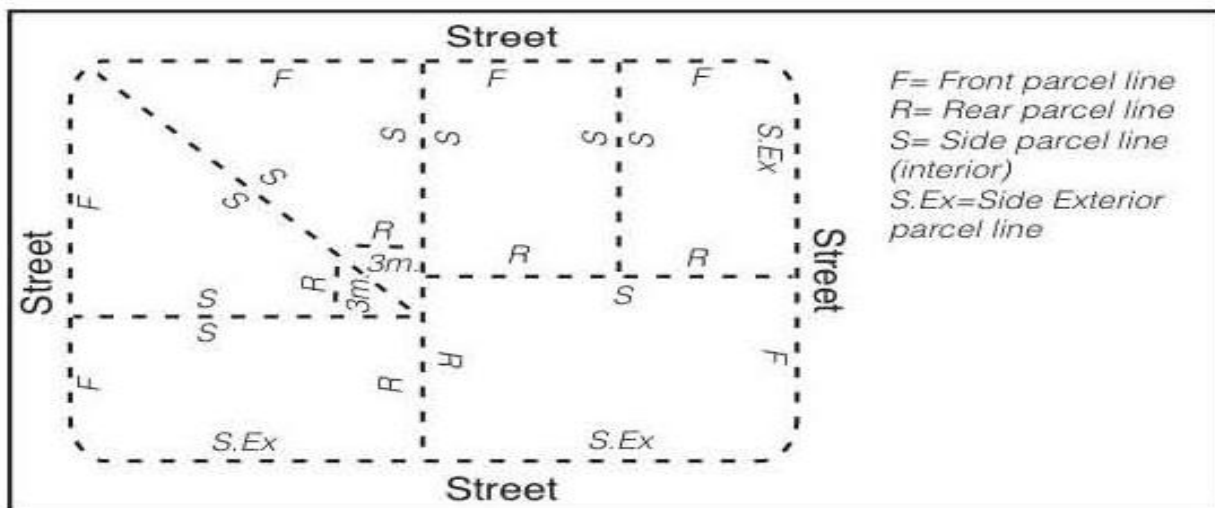
- (a) a corner parcel, either lot line which abuts the highway may be considered the front parcel line; however, the rear lot line must be opposite to the front parcel line, and
- (b) a corner parcel, only one front parcel line need be provided in which case the other parcel line abutting a highway becomes a side exterior parcel line, and
- (c) a through parcel, the lines abutting the highway shall be considered front parcel lines, and
- (d) a parcel which does not abut a highway and is contiguous to the natural boundary of a water body from which access to the parcel is obtained, is the parcel line contiguous to that water body.

"Parcel Line, Rear" means the parcel line opposite to and most distant from the front parcel line, or in the case where the side parcel lines of a parcel intersect, the point of intersection is deemed to be the rear parcel line.

"Parcel Line, Side Exterior" means the parcel line(s) perpendicular to the front and rear parcel lines, which is adjacent to a highway other than a lane or walkway.

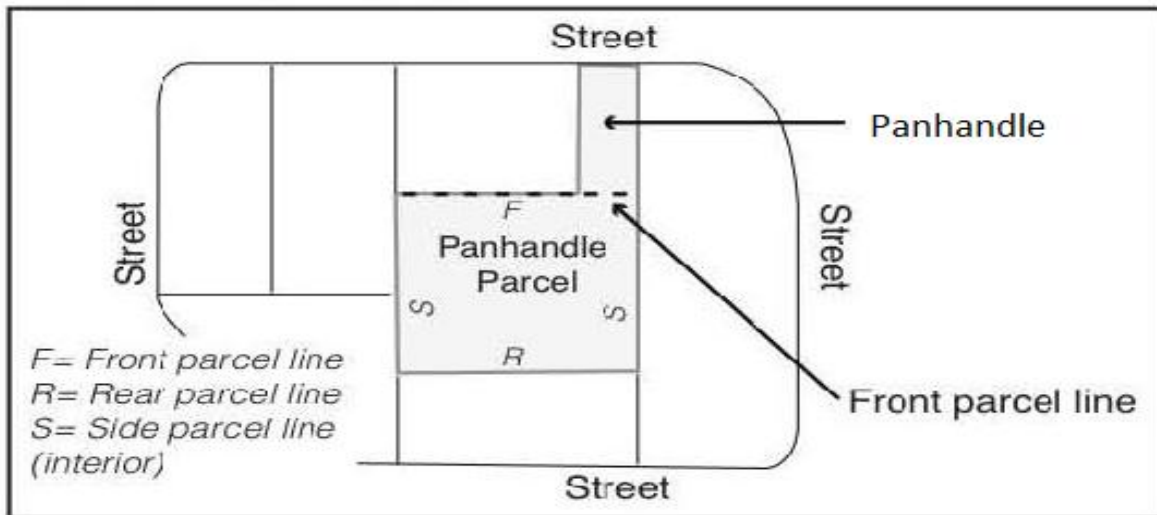
"Parcel Line, Side Interior" means the parcel line(s), perpendicular to the front and rear parcel lines, and adjacent to an abutting parcel, lane, or walkway.

Figure Three – Parcel Lines



"Parcel, Panhandle" a parcel that includes a panhandle.

Figure Four – Panhandle Parcel



"Parcel, Through" means a parcel abutting two parallel or approximately parallel highways.

"Park" means land that has been dedicated or reserved for the general public for active or passive recreational use, and may be developed with recreational facilities or may be left in a natural state.

"Parking Lot" means the area of a parcel that accommodates the provision of parking spaces and access aisles.

"Parking Space" means an area that is used for the parking of one motor vehicle.

"Personal Service Establishment" means the use of buildings where services are provided related to the grooming of a person's body or cleaning and repair of clothing and jewellery, and may also include the retail sale of goods which are accessory to the provision of such services.

"Principal Building" means a building in which a principal use is undertaken.

"Principal Use" means the primary purpose for which land, a building or structure is used, designed or intended to be used.

"Professional Service Establishment" means the use of buildings for the provision of professional, management, administrative, consulting, financial and health services and includes but is not limited to the offices of lawyers, accountants, engineers, architects, doctors and dentists and offices for the provision of health services of a preventative, diagnostic, treatment, therapeutic or counselling nature, but does not include premises for the provision of veterinary services.

"Province" means the Government of the Province of British Columbia.

"Public Interpretation Centre" means the use of land, buildings and/or structures which provides educational information to the public on subjects of archaeological, cultural, historical, horticultural, geological, natural or scientific interest.

"Public Utility" means the lawful distribution and/or distributor of communications services, electricity, internet services, natural gas, sanitary sewer, storm water, television services and water under the *Utilities Commission Act*, the *Local Government Act* or other applicable statute of the Government of Canada or the Province of British Columbia.

"Recreational Vehicle" means a camper, fifth wheel, motorhome, tent trailer or travel trailer with a maximum width of 2.6 metres (8.5 feet) in transit mode which can be used to provide sleeping accommodation and which is capable of being licensed for highway use pursuant to the Motor Vehicle Act.

"Restaurant" means an eating establishment where prepared food is sold to the public, and may include take-out and/or mobile food carts as an accessory or principal use.

"Retail Sales" means the sale of goods or merchandise to the end consumer.

"Retaining Wall" means a structure constructed to hold back, stabilize or support soil or rock as a result of differences in grades associated with topography.

"Sawmill" means the use of land, buildings and/or structures for the cutting, sawing or planning of timber for the purposes of producing lumber, or as an intermediary step, and may include accessory uses related to the drying, distribution and commercial sale of lumber.

"Screening" means a continuous opaque fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, that would effectively screen or visually obstruct the property which it encloses, and is broken only by access drives and walkways.

"Service Industry Establishment" means the use of a business premises or building where non-personal goods and services are provided but not limited to: automobile, truck and trailer, sales, rental and repairs; auto and truck body repair and painting; marine retail and service; tire sales and repair; general sales, rental and repair of heavy equipment and farm implements; custodial services; metalworking, machining and woodworking; plumbing and heating sales, storage and repair; printing; and publishing.

"Service Station" means any building or land used or intended to be used for the retail sale of motor fuels and lubricants and may include, as accessory uses, the servicing and minor repair of motor vehicles and the sale of automobile accessories, but shall not include motor vehicle body work, painting or major repairs.

"Shopping Centre" means a group of retail stores in one or more buildings designed as an integrated facility, which shares common services, parking and other facilities on one or more parcels.

"Sign" means a letter, numeral, work, picture or attention drawing device, excluding traffic control devices, displayed out of doors in such manner to be visible from a highway.

"Small Scale Urban Agriculture" means an accessory use consisting of the cultivation, on a portion of a parcel, of fruits, mushrooms, nuts, plants, vegetables or seeds and includes the sale of these items grown on that parcel where home occupation is a permitted accessory use.

"Storage Yard" means an area outside of an enclosed building where materials, equipment, goods, products and machinery are stored, baled, placed, piled or handled. A storage yard shall not include an automobile wrecking yard or a junkyard.

"Structure" means anything constructed on, erected on, placed on, fixed to, supported by or sunk into land, but does not include works related to the provision of services that are buried under the surface of the land, and the surfacing of land with asphalt, concrete, aggregate or similar materials.

"Sustainable Building Technologies" means structural or technological elements designed to decrease the carbon footprint of a building or structure. Such features shall include photovoltaic cells, roof mounted micro wind turbines, solar thermal collectors and infrastructure needed to access and maintain a green roof.

"Tourist Cabin" means the use of a single detached dwelling as a place of temporary residence, lodging or occupancy by way of concession, permit, license, rental agreement or similar commercial arrangement, throughout all or any part of the calendar year.

"Urban Hens" means female chickens kept for the purpose of laying eggs for food and does not include any chickens kept for breeding purposes.

"Walkway" means a highway intended to carry pedestrian traffic only.

"Watercourse" means any naturally occurring area in which water collects or flows, whether intermittent or not, and includes any lake, river, creek, spring, wetland or the sea.

"Wrecking Yard" means the use of land, buildings or structures where boats, motor vehicles, recreational vehicles, vehicles intended to be towed by motor vehicles, machinery or equipment is disassembled, prepared for disposal or recycled, and the storage of salvaged materials where such materials are bought, sold, exchanged, baled or otherwise processed for further use.

"Woodlot" means an area of land used for the growing of trees and related non-timber forest products for commercial purposes.

"Yard" means the area of a parcel which is not intended to be occupied by any building or structure, except as otherwise provided for in this Bylaw. Where a yard setback is required by this Bylaw for principal or accessory buildings or structures, said buildings or structures shall be setback from the applicable parcel line used to define the yard as follows:

- (a) Front Yard: the setback is from the Front Parcel Line;
- (b) Rear Yard: the setback is from the Rear Parcel Line;
- (c) Exterior Side Yard: setback is from the Side Exterior Parcel Line;
- (d) Interior Side Yard: setback is from the Side Interior Parcel Line;

"Yard, Front" means that portion of the parcel extending from one side parcel line to another side parcel line between the front parcel line of the lot and a line drawn parallel thereto at a distance prescribed by the zone in which the parcel is located. The depth of such yard shall mean the perpendicular distance between the front parcel line of the parcel and the parallel line. In the case of a through parcel, there shall be two such front yards.

"Yard, Rear" - means that portion of the parcel, extending from one side parcel line to another, between the rear parcel line of the parcel and a line drawn parallel thereto at a distance prescribed by the zone in which the parcel is located. The depth of such yard shall mean the perpendicular distance between the rear parcel line of the parcel and the parallel line. In the case of a parcel where the side parcel lines intersect at a point thus creating a parcel with no rear parcel line, the rear yard means that a portion of the parcel extending from one side parcel line to the other, between the said point of intersection and a circular line drawn at a distance equal to the distance prescribed in the regulations for the depth of a rear yard.

"Yard, Exterior Side" - means that portion of the parcel, extending from the front yard to the rear yard, between the side exterior parcel line and the line drawn parallel thereto at a distance prescribed for the zone in which the lot is located. The width of such yard shall mean the perpendicular distance between the side exterior parcel line of the parcel and the parallel line.

"Yard, Interior Side" - means that portion of the parcel, extending from the front yard to the rear yard, between the side interior parcel line and the line drawn parallel thereto at a distance prescribed for the zone in which the parcel is located. The width of such yard shall mean the perpendicular distance between the side interior parcel line of the parcel and the parallel line.

"Zone" means the areas into which the municipality is divided in accordance with this Bylaw and for which specific regulations may apply.

"Zoning Bylaw" means District of Port Hardy Zoning Bylaw No. 1010, 2013 and any amendments thereto.

PART 2: ADMINISTRATION

2.1 GENERAL CONFORMITY

Land, including the surface of water, must not be used or occupied, and buildings and structures must not be constructed, reconstructed, altered, located or relocated, or used, unless in conformity with the specifications of this Bylaw. No person shall use, occupy, or permit any person to use or occupy, any land, water body surface, building or structure in conflict with regulations of this Bylaw.

2.2 NON-CONFORMING SITUATIONS

Non-conforming situations, as defined herein, are subject to Provincial legislation.

2.3 OTHER LEGISLATION

In addition to the regulations contained in this Bylaw, Provincial and/or Federal legislation and regulations may apply. Compliance with this Bylaw must not be assumed to satisfy the requirements imposed by applicable Provincial and Federal legislation and regulations.

2.4 ENFORCEMENT

Those persons employed by the District of Port Hardy, as appointed by bylaw or resolution adopted by Council, or other such person as may be appointed by Council by resolution or bylaw, are hereby authorized to enforce the regulations of this Bylaw and may enter onto any parcel or land, and enter into any building or structure at any reasonable time, to ascertain whether the regulations of this Bylaw are being adhered to.

2.5 VIOLATION

Any person who:

- (1) violates any provision of this Bylaw;
- (2) causes or permits any act or thing to be done in violation of any provision of this Bylaw;
- (3) neglects to do or refrains from doing any act or thing required by this Bylaw; or
- (4) fails to comply with an order, direction or notice made by the District in association with the provisions of this Bylaw;

is guilty of an offence and each day in which the offence continues, constitutes a new and distinct offence.

2.6 PENALTY

Any person who commits an offence in accordance with this Bylaw is liable, on conviction, to the penalties prescribed by the Offence Act or other Provincial legislation as applicable. Each day that such violation is caused to continue, or allowed to continue, constitutes a separate offence. Every person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding \$10,000 in addition to the costs of prosecution.

Notwithstanding the above, any person who commits an offence in accordance with this Bylaw and said offence is identified in the District's Municipal Ticket Information System Bylaw, is subject to the fine prescribed by that Bylaw.

2.7 SEVERABILITY

If any section, subsection, sentence, phrase or any part of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed from the Bylaw and the decision that it is invalid shall not affect the remainder of the Bylaw which will remain in effect.

2.8 BYLAW AMENDMENTS

Any person may make application to the District to amend this Bylaw in the manner prescribed by the District's bylaws related to fees and procedures, and the provisions of the *Local Government Act* shall apply.

2.9 DEVELOPMENT VARIANCE

Any person may make application to the District for the purpose of varying the regulations of this Bylaw, in the manner prescribed by the District's bylaws related to fees and procedures, and the provisions of the *Local Government Act*.

PART 3: GENERAL REGULATIONS

3.1 APPLICATION OF GENERAL REGULATIONS

Except as otherwise specified, the provisions of Part 3: General Regulations, apply to all zones established by this Bylaw.

3.2 PROHIBITED USES

No land in the District may be used for the purpose of:

- (a) Keeping of bees, except mason bees subject to the requirements of section 3.23 herein;
- (b) Keeping of livestock, except on land where the applicable zone permits agriculture as a use and in the case of poultry, where agriculture or the keeping of urban hens is a permitted use;
- (c) Development where no access is available from a constructed and useable highway;
- (d) Permanent residential use of a tent trailer, or recreational vehicle, or pleasure craft (except in a marina on land zoned to permit marina use);
- (e) Use of an accessory building or structure for human habitation as a dwelling except as specifically permitted in this Bylaw;
- (f) Wind energy devices that generate more than 10.0 kW of electricity; and,
- (g) Float Home Dwellings.

3.3 EXEMPTIONS

The following uses, buildings and structures are permitted in all zones established by this Bylaw and are not subject to the regulations of this Bylaw:

- (a) Uses, works, buildings and structures constructed, developed, undertaken and/or owned by the District, whether on land owned by the District or not, including, but not limited to administrative offices, recreational facilities, recycling and waste transfer stations, waste disposal sites, sanitary sewer / storm drainage / water infrastructure and works, works yards, etc.;
- (b) A public utility;
- (c) Highways and works associated with highways including, but not limited to sidewalks, curb and gutter, signage, lighting, street furniture, boulevards and traffic control devices;
- (d) The temporary use of a building or part thereof as a polling station for government elections, referenda, or census, provided that the time period of such use does not exceed sixty (60) days; and,
- (e) The temporary use (not more than seven days) for any purpose, of a parcel included in a Parks and Institutional Zone that is owned by the District, which is undertaken by another person or organization other than the District, provided that such temporary use is approved by the District in advance of it being undertaken.

3.4 SITING, SIZE AND DIMENSION OF BUILDINGS AND STRUCTURES

- (a) No building or structure shall be constructed, moved or altered so that its yard setbacks are less, parcel coverage is greater, height is greater, gross floor area is less than or greater, building width is less than or greater, or the total number of units, buildings or

structures on a parcel is greater than that specified by the applicable zone, unless specifically altered by another provision in this Bylaw.

- (b) Motor vehicle fuel dispensers, pump islands, compressed air connections and other equipment accessory to a motor vehicle service station shall be sited not less than 3.0 metres (9.84 feet) from all parcel lines. Canopies shall be sited not less than 3.0 metres (9.84 feet) from all parcel lines.
- (c) Where a parcel is greater area than 1,000 square metres (10,764 square feet), the siting of a principal building shall be such as to facilitate the future subdivision of the parcel and adjacent parcels of land.
- (d) The siting regulations of this Bylaw apply to all parcels and, notwithstanding the generality of the foregoing, to bare land strata parcels.
- (e) The interior side yard setback requirements of this Bylaw shall not apply to strata parcels registered pursuant to the *Strata Property Act* where there is a common wall shared by two or more dwellings within a building.
- (f) Notwithstanding section 3.9, accessory antenna or satellite installation structures in a Residential Zone shall not exceed 9.0 metres (29.53 feet).
- (g) Notwithstanding the prescribed height requirements for principal buildings in the R-1, R-1s, R-2, RR-1 and GH-1 Zones, a chimney or vent pipe used to expel smoke shall not exceed 9.0 metres (29.53 feet).
- (h) Notwithstanding the prescribed height requirements for principal buildings in the R-3 Zone, a chimney or vent pipe used to expel smoke shall not exceed 7.0 metres (22.97 feet).

3.5 YARD REQUIREMENTS

- (a) Where yards setbacks are required by this Bylaw, the prescribed yards shall be free of all buildings and structures except fences and retaining walls;
- (b) Projections attached to the principal building such as bay windows, chimneys where that projection does not encroach more than 0.6 metres (1.97 feet) into any required yard setback.
- (c) In the case of parks and school grounds, backstops, rebound walls, goals and other similar structures shall be permitted in all yards except those abutting parcels in a residential zone, provided that any such structure that is constructed in such a way as to form a solid fence or wall and which cannot be seen through shall be at least 6.0 metres (19.69 feet) from any parcel line.

3.6 SERVICING REQUIREMENTS

All parcels will be serviced as required by the District's bylaws in relation to sanitary sewage, storm drainage and water supply. Where a parcel is not required to be serviced by Municipal Sewer System or Municipal Water System, the requirements of the Province shall apply.

3.7 PARCEL AREA, SHAPE AND DIMENSIONS

Except as provided for in section 3.8 herein, land shall not be subdivided to create a parcel having a minimum parcel area or dimensions less than that prescribed by the applicable zone.

3.8 MINIMUM PARCEL AREA AND SIZE EXCEPTIONS

Notwithstanding section 3.7 herein, parcels may have a parcel area less than that prescribed by the applicable zone as follows:

(a) Consolidation:

No minimum parcel area shall apply to the consolidation of existing parcels or the addition of a closed highway to an existing parcel;

(b) Effect on Parcel Where Portion Conveyed for Public Use:

A parcel which is reduced in parcel area by not more than ten percent, the reduced area of that parcel which is conveyed, as a result of donation, purchase or expropriation, to the Regional District, a municipality, the Province, the Federal Government, an improvement district, a school board or a public utility, for public use, shall be considered to have the same area as it did prior to the conveyance occurring.

(c) Parcel for Public Use

No minimum parcel area shall apply to a parcel that is to be conveyed to the Regional District, a municipality, the Province, the Federal Government, an improvement district, a school board or a public utility, for a public use:

(d) Hooked Parcel:

Where a parcel is physically separated from another portion or portions of the same parcel by a highway or another parcel, and the parcel existed in this form as of the date of adoption of this Bylaw, and the portion or portions that are separated from the main parcel do not meet the minimum parcel area prescribed by the applicable zone in accordance with this Bylaw, the physically separated portion or portions may be subdivided from the remainder of the parcel provided that:

- (1) The parcel(s) are of a shape and form that allow them to be utilized in accordance with the other applicable regulations of this Bylaw; and,
- (2) The parcels can be serviced appropriately.

(e) Existing Undersized Parcels:

Where a parcel exists as of the date of adoption of this Bylaw that does meet the minimum parcel area and/or minimum parcel width and/or minimum parcel depth provisions prescribed by the applicable zone, the parcel may be used for the purposes permitted by said zone, subject to all other applicable regulations of this Bylaw.

3.9 ACCESSORY BUILDINGS AND STRUCTURES

- (a) No accessory building or structure shall be erected on any parcel unless a principal use or building to which it is incidental, has been erected or will be erected simultaneously with the accessory building or structure.
- (b) An accessory building shall be separated from a principal building by at least 3.0 metres (9.8 feet) unless otherwise specified by the *British Columbia Building Code*.
- (c) The combined gross floor area of the accessory buildings on a parcel shall not exceed the gross floor area of the principal buildings on the same parcel.
- (d) Residential heat pumps are not permitted within a front yard, and must be at least 3.0 metres (9.8 feet) from any side interior or side exterior parcel line.
- (e) A metal storage container shall not be used as an accessory building or structure, except as permitted otherwise in this Bylaw.

- (f) An accessory structure used a garage to shelter a vehicle, boat or recreational vehicle must meet the structural loading requirements of the British Columbia Building Code.
- (g) Except as otherwise specified in this Bylaw, the height of an accessory building or structure in a residential zone shall not exceed 6.0 metres (19.69 feet).

3.10 SECONDARY SUITE DWELLINGS

- (a) Where permitted by the applicable zone, only one secondary suite dwelling is permitted per parcel.
- (b) A secondary suite dwelling is not permitted on a parcel on which a carriage home dwelling is located.
- (c) A secondary suite dwelling:
 - (1) must be completely enclosed within a single detached dwelling;
 - (2) shall not exceed 40% of the gross floor area of the single detached dwelling or 90 square metres (968.75 square feet), whichever is less;
 - (3) that is to be located in a new single detached dwelling not previously occupied shall be subject to registration of a restrictive covenant pursuant to the Land Title Act , prohibiting strata conversion of the dwellings on that parcel; and,
 - (4) shall require that one off-street parking space be provided on the same parcel for the exclusive use of the secondary suite dwelling.

3.11 CARRIAGE HOME DWELLINGS

- (a) Where permitted by the applicable zone, only one carriage home dwelling is permitted per parcel
- (b) A carriage home dwelling is not permitted on a parcel on which a secondary suite dwelling is located.
- (c) A carriage home dwelling:
 - (1) must be completely enclosed within an accessory building;
 - (2) shall not exceed 40% of the gross floor area of the single detached dwelling or 90 square metres (968.75 square feet), whichever is less; and,
 - (3) shall require one off-street parking space be provided on the same parcel for the exclusive use of the carriage home dwelling.

3.12 HOME OCCUPATIONS (Minor, Major, Rural)

Operators of all home occupations must obtain a business license and comply with all provisions of the District of Port Hardy Business Bylaw. Home occupations are divided into three types as follows:

3.12.1 Minor Home Occupation

A minor home occupation is subject to the following:

- (a) A minor home occupation shall be entirely enclosed within a dwelling and shall not occupy more than 20% of the gross floor area of the dwelling in which it is undertaken;
- (b) No minor home occupation shall discharge or emit odours, noxious or toxic matter or vapours, heat, glare, noise, radiation or recurrent vibrations or would result in traffic congestion, electrical interference, fire hazard or health hazard;
- (c) The proprietor of a minor home occupation must reside in the dwelling within which the home occupation is located;

- (d) No persons other than those who reside in the dwelling in which the minor home occupation is located shall be engaged in the operation of the minor home occupation;
- (e) No variation of the residential character or appearance of land or buildings shall be permitted in association with a minor home occupation;
- (f) A minor home occupation shall not generate more than one client or customer visit to the dwelling in which the minor home occupation is located on any calendar day; and
- (g) The following uses are not a minor home occupation and are expressly prohibited as such:
 - (1) Salvage, storage, repair, maintenance or sales of motor vehicles, trailers, boats or related engines, equipment or parts;
 - (2) Tow-truck operations, manufacturing and industrial uses, social escort services, cabinet making, welding or machine shops, meat cutting, commercial animal breeding or parking or storage of industrial, commercial, or construction equipment or materials; and,
 - (3) Sale or storage of any commodity not produced on the premises, except provided that customers do not visit the premises to inspect or to take possession of goods they have purchased.

3.12.2 Major Home Occupation

A major home occupation is subject to the following:

- (a) A major home occupation shall be entirely enclosed within a single detached dwelling, secondary suite dwelling or carriage home dwelling, and shall not occupy more than 50.0 square metres (538.2 square feet) or 20.0% of the gross floor area of the dwelling, whichever is less;
- (b) A major home occupation may employ one person who is not a resident of the dwelling in which the major home occupation is located;
- (c) One off-street parking space shall be provided for the exclusive use of the major home occupation;
- (d) No variation of the residential character or appearance of land or buildings shall be permitted in association with a major home occupation;
- (e) A major home occupation shall not generate more than five client or customer visits to the dwelling in which the minor home occupation is located on any calendar day;
- (f) One sign with dimensions no greater than 0.75 of a metre (2.46 feet) by 0.75 of a metre (2.46 feet) advertising a major home occupation is permitted for each major home occupation;
- (g) The following uses are not a major home occupation and are expressly prohibited as such:
 - (1) Salvage, storage, repair, maintenance or sales of motor vehicles, trailers, boats or related engines, equipment or parts;
 - (2) Tow-truck operations, manufacturing and industrial uses, social escort services, cabinet making, welding or machine shops, meat cutting, commercial animal breeding or parking or storage of industrial, commercial, or construction equipment or materials; and,
 - (3) Sale or storage of any commodity not produced on the premises, except provided that customers do not visit the premises to inspect or to take possession of goods they have purchased.

3.12.3 Rural Home Occupation

A rural home occupation is subject to the following:

- (a) A rural home occupation shall be entirely enclosed within a single detached dwelling, secondary suite dwelling or carriage home dwelling, and shall not occupy more than 50.0 square metres (538.2 square feet) or 20.0% of the gross floor area of the dwelling, whichever is less. In addition, up to 50% of the gross floor area of the rural home occupation in a dwelling may also be undertaken in an accessory building located on the same parcel;
- (b) A rural home occupation may employ up to two persons who are not residents of the dwelling in which the rural home occupation is located;
- (c) On a parcel greater than 4.0 hectares (9.88 acres) in area, a portable sawmill is permitted as part of a rural home occupation, for the purpose of processing trees that have been cut from that same parcel. Said portable sawmill may be located outside of the dwelling or accessory building;
- (d) One sign with dimensions no greater than 1.0 of a metre (3.28 feet) by 1.0 of a metre (3.28 feet) advertising a major home occupation is permitted for each major home occupation;
- (e) The following uses are not a rural home occupation and are expressly prohibited as such:
 - (1) Salvage, storage or sales of motor vehicles, trailers, boats or related engines, equipment or parts; and
 - (2) Tow-truck operations, manufacturing and industrial uses, social escort services, meat cutting, commercial animal breeding or the outdoor storage of industrial, commercial, or construction equipment or materials.

3.13 BED AND BREAKFAST

A bed and breakfast shall be permitted as a major home occupation or rural home occupation and in addition to the other provisions of this Bylaw, is subject to the following regulations:

- (a) It shall only be operated as an accessory use within a single detached dwelling;
- (b) A bed and breakfast shall contain a maximum of three sleeping rooms for guests and shall accommodate a maximum of six guests at any time;
- (c) A bed and breakfast shall not alter the residential character and appearance of the single detached dwelling;
- (d) The holder of the business licence of a bed and breakfast shall reside in the dwelling in which it is located;
- (e) A bed and breakfast is not permitted on a parcel on which a secondary suite dwelling or carriage home dwelling is located; and,
- (f) Off-street parking shall be provided in conjunction with the requirements for a major home occupation or rural home occupation, whichever is applicable.

3.14 TEMPORARY DWELLING DURING CONSTRUCTION OF DWELLING

An owner of a parcel may occupy a recreational vehicle on that parcel during the process of constructing a dwelling for which a building permit has been issued by the District, subject to the following conditions:

- (a) The maximum period in which a recreational vehicle is occupied shall not exceed twelve (12) consecutive months. The period shall commence upon the date the recreational vehicle is first occupied.

- (b) Prior to occupying a recreational vehicle for the purpose described herein, the owner of the subject parcel shall notify the District in writing, which notification shall include the date on which occupancy of the recreational vehicle shall commence.
- (c) Sewage shall be disposed of at an approved off-site sani-dump or vis-à-vis the District's sanitary sewage collection and treatment system.
- (d) The recreational vehicle shall be located no closer than 2.0 metres (6.56 feet) to any parcel line.

3.15 OCCUPANCY OF EXISTING DWELLING DURING CONSTRUCTION OF A REPLACEMENT DWELLING

An owner of a parcel on which is located an existing dwelling, and the parcel is subject to a zone for which the regulations do not allow more than one dwelling, or would not allow two dwellings in the proposed configuration, the owner may occupy the existing dwelling while in the process of constructing the new dwelling, subject to the following conditions:

- (a) The owner of the parcel enters into a restrictive covenant in favour of the District pursuant to section 219 of the Land Title Act, to the effect that the owner must remove the existing dwelling or converts it to a permitted use within a period of one year and the owner registers said covenant on the title of the parcel; and,
- (b) The restrictive covenant referred to in (a) above specifies that a security deposit in the amount of \$5,000 shall be paid to the District in a form satisfactory to the District, which shall be held by the District until the terms of the restrictive covenant have been completed to the satisfaction of the District. The security deposit shall be forfeited to the District in the event that any terms of the restrictive covenant have not been satisfactorily completed or adhered to and the District may use all or any portion of the security deposit to pay for the costs associated with undertaking legal action to obtain compliance with the terms of the restrictive covenant and the applicable regulations of this Bylaw.

3.16 CARPORTS AND GARAGES

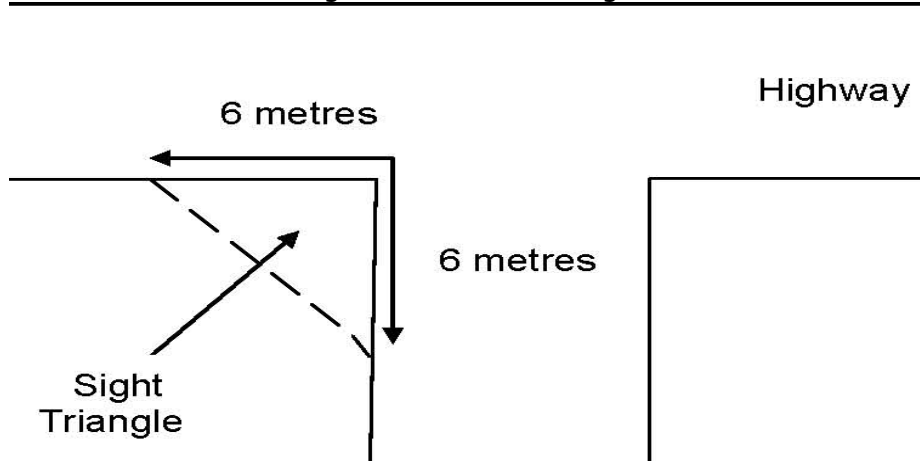
Where a carport or garage is attached to a principal building such that at least 75% of one of its walls is joined or shared in common with the principal building, such carport or garage is deemed to be a part of the principal building.

3.17 FENCES, RETAINING WALLS AND SITE TRIANGLES

- (a) The height of fences and retaining walls shall not exceed:
 - (1) 1.23 metres (4.04 feet) in a front yard in a Residential Zone or Commercial Zone, and 2.5 metres (8.2 feet) in a front yard in an Industrial Zone; and,
 - (2) 2.5 metres (8.2 feet) in all interior side yards, exterior side yards and rear yards in any zone.

As an exception, a retaining wall may exceed the prescribed height(s) should a professional engineer certify that the retaining wall must exceed the prescribed height(s) in order to properly hold back, stabilize or support soil or rock, to allow construction or development to proceed in a safe manner.
- (b) In order to avoid visual obstructions on lands located at the intersections of highways, no fence, retaining wall, structure, hedge, tree, shrub or other growth shall be greater than 1.0 metre (3.28 feet) in height, within the sight triangle bounded by the intersecting parcel lines at the intersection of the highways, and a line joining points along said parcel lines 6 metres (19.69 feet) from their point of intersection. Figure Five depicts a typical site triangle.

Figure Five – Site Triangle



3.18 PANHANDLE PARCELS

The panhandle of a panhandle parcel shall not be included in the calculation of the minimum parcel area for the purposes of subdivision.

3.19 BOAT, MOTOR VEHICLE AND RECREATIONAL VEHICLE STORAGE IN RESIDENTIAL ZONES

- (a) No parcel in any Residential Zone shall be used as a wrecking yard or for the storage of derelict vehicles or more than two unlicensed motor vehicles;
- (b) No parcel in a Residential Zone, whether improved or not, shall be used as a wrecking yard or storage yard;
- (c) No front or side yard in a Residential Zone shall be used for parking or storage of a recreational vehicle or boat, except as follows:
 - (1) One recreational vehicle up to 15 metres (49.2 feet) in length may be parked in a front or side yard provided it is located no closer than 1.0 metre (3.28 feet) to any side parcel line;
 - (2) One boat up to 15 metres (49.2 feet) in length may be parked in a front or side yard provided it is located no closer than 1.0 metre (3.28 feet) to any side parcel line; or
 - (3) One boat and one recreational vehicle having a combined length of 15 metres (49.2 feet) may be parked in a front or side yard provided they are located no closer than 1.0 metre (3.28 feet) to any side parcel line.
- (d) No commercial vehicle, truck, bus, contractor's equipment, dismantled or wrecked automobile, boat, trailer or any similar commercial vehicle, craft or conveyance shall be parked or stored in the open in a Residential Zone, except the following which may be parked or stored in the rear yard only, provided they are located no closer than 1.0 meter (3.28 feet) to the rear parcel line:
 - (1) One truck or commercial vehicle not exceeding 8,600 kilograms (18,960 pounds) gross vehicle weight;
 - (2) Trucks, commercial vehicles or equipment being used directly in the construction, repair, servicing or maintenance of the buildings or structures on that parcel;
 - (3) One dismantled or wrecked commercial vehicle for a period of not more than 30 consecutive days;
 - (4) One commercial boat or vessel not exceeding a length of 6.0 meters (19.69 feet).

- (e) The parking and storage of recreational vehicles in a rear yard in a residential zone shall be limited to one vehicle or trailer which cannot exceed a length of 6.0 meters and must be located at least 1.0 metre (3.28 feet) from the rear parcel line.

3.20 BUILDING ELEVATIONS IN RELATION TO WATERCOURSES

No ground floor of a building on a parcel may be constructed lower than 1.0 metre above the 200 year flood level for that parcel where it can be determined. If the 200 year old flood level cannot be determined or information is not readily available, no ground floor of a building or development on a parcel may be constructed lower than 1.5 metres (4.92 feet) above the present natural boundary of a watercourse on that parcel.

3.21 COMBINED COMMERCIAL AND RESIDENTIAL USE

- (a) Where a parcel is used for combined commercial and residential use, the following shall apply:
 - (1) One dwelling is permitted for each separate and distinguishable commercial unit in the development;
 - (2) The dwellings must be contained in the same building as the commercial units.
 - (3) In a building more than one storey in height, the ground floor may only be used for commercial purposes; and,
 - (4) The floor area requirements associated with apartment dwellings as prescribed by the RM-1 Zone shall apply.

3.22 STAFF ACCOMMODATION

- (a) In zones where staff accommodation is permitted as an accessory use, the following shall apply:
 - (1) There shall be no more than four dwellings;
 - (2) The dwellings shall be located within the principal building or attached to it by at least one complete common wall. As an exception to this requirement, where the principal use, building or structure involves bulk storage of petroleum, fuel, lubricants, paint or chemical products, the accessory staff accommodation may be provided in dwellings located within one accessory building;
 - (3) Dwellings used for staff accommodation shall not exceed 70 square metres (753.47 square feet) in area; and,
 - (4) A recreational vehicle shall not be used for staff accommodation.

3.23 URBAN AGRICULTURE

3.23.1 Small Scale Urban Agriculture

- (a) Small Scale Urban Agriculture is permitted as an accessory use in a Residential Zone subject to the following conditions:
 - (1) A greenhouse is subject to the setback requirements for an accessory building for the zone in which it is located and the maximum footprint of the greenhouse shall not exceed 28 square metres (301.4 square feet);
 - (2) Artificial lighting is permitted within a greenhouse, provided that the lighting is not permitted to spill out onto adjacent parcels. Lighting must be directed downwards and/or shielded to prevent spillage of light onto adjacent parcels; and,

- (3) No sign may be used with the exception of a sandwich board sign that is no greater than 2.0 square metres (21.5 square feet) in total surface area for each of the two surfaces that include advertising.

3.23.2 Urban Hens

- (a) The keeping of Urban Hens is a permitted use on parcels in the R-1, R-1s, R-2 and RR-1 Zones subject to the following conditions:
 - (1) Up to 4 urban hens are permitted on parcels that are less than or equal to 450 square metres (4,842.8 square feet) in area;
 - (2) Up to 6 urban hens are permitted on parcels that are greater than 450 square metres (4,842.8 square feet) in area;
 - (3) No roosters, cocks or cockerels are permitted;
 - (4) A structure must be provided to house the urban hens and said enclosure must provide a minimum of 0.37 of a square metre (4 square feet) per urban hen;
 - (5) A structure used to enclose urban hens, whether portable or stationary, is subject to the setback requirements for accessory buildings and structures for the zone in which it is located however, if the structure used to enclose the urban hens is located on a corner parcel, it shall not be located in the side exterior yard;
 - (6) Only one structure for the purpose of housing urban hens is permitted on a parcel and it shall not exceed 9.3 square metres (100 square feet) in area or 2.0 metres (6.5 feet) in height above grade;

3.23.3 Mason Bees

- (a) The keeping of mason bees is a permitted use in all zones subject to the following conditions:
 - (1) No more than one beehive is permitted on parcels that are less than or equal to 450 square metres (4,842.8 square feet) in area;
 - (2) No more than two beehives are permitted on parcels that are greater than 450 square metres (4,842.8 square feet) and less than or equal 750 square metres (8,073 square feet) in area;
 - (3) No more than four beehives are permitted on parcels that are greater than 750 square metres in area;
 - (4) A beehive may only be located in a rear yard; and,
 - (4) To ensure the proper height for a bee flight path:
 - (a) the top of a beehive must be situated a minimum of 2.4 meters (7.87 feet) above ground level; or,
 - (b) the beehive entrance must be directed away from adjacent parcels and the beehive must be shielded from adjacent parcels by a solid fence or hedge at least 1.83 meters (6 feet) in height which runs parallel to the parcel line; or,
 - (c) the beehive must be located a minimum of 7.5 meters (24.6 feet) away from any rear and side parcel lines.

3.24 SUSTAINABLE BUILDING TECHNOLOGIES

3.24.1 Renewable and Co-generation Energy Devices

- (a) Renewable and co-generation energy devices are a permitted in all zones, under the following conditions:

- (1) There must be an active principal use on a parcel in order to locate a renewable energy or co-generation device on the parcel; and
- (2) The production of the renewable or co-generation energy as well as any device used to produce the energy must comply with all municipal, provincial and federal statutes and regulations including, but not limited to, a the BC Building Code.

3.24.2 Solar Energy Devices

- (a) Solar energy devices shall be permitted in any zone provided that they:
 - (1) Are attached to or located within a principal or accessory building or alternatively, if they take the form of a standalone accessory structure, then they shall be subject to the provisions for accessory buildings and structures of the applicable zone in which it is located;
 - (2) Do not extend beyond the outermost edge of the roof; and,
 - (3) Do not exceed the maximum permitted height of the applicable zone.

3.24.3 Geothermal Energy Devices

- (a) Geothermal energy devices are permitted in all zones, provided that:
 - (1) All above-ground parts of the geothermal energy device shall be subject to the provisions for accessory buildings and structures of the applicable zone in which it is located;
 - (2) The underground geothermal energy components shall be a minimum 1.0 metre (3.28 feet) away from all parcel lines; and,
 - (3) Geothermal energy systems requiring access to the sea or any other watercourses must be authorized by the provincial or federal governments, where applicable.

3.24.4 Wind Energy Devices

- (a) Wind energy devices that generate up to a maximum of 10.0 kW, are permitted in all zones, provided that:
 - (1) Unless attached to a principal building, all above-ground parts of the small scale wind energy devices shall be subject to the provisions for accessory buildings and structures of the applicable zone in which it is located;
 - (2) Only wind energy device is permitted on a parcel;
 - (3) The parcel on which a small scale wind energy device is located shall be a minimum of 0.5 of a hectare (1.24 acres) or greater in area;
 - (4) The maximum height of a small scale wind energy device (including the blades) shall be 10.5 metres (34.45 feet), as measured from the finished grade; and,
 - (5) The device shall have a minimum separation from any dwelling on an adjacent parcel that is equal to 125 percent of the total height of the device (including support structure and blades).

3.25 LANDSCAPE SCREENING

- (a) Application:

The owner of a parcel shall provide the landscape screening prescribed in Table 3.1 to assist in masking and /or providing separation in situations involving:

- (1) Outdoor storage;
- (2) Industrial uses where they are adjacent to commercial, institutional, or residential uses;

- (3) Commercial uses where they are adjacent to residential uses; or
- (4) Waste disposal and treatment sites from commercial, institutional and residential uses and from designated highways.

(b) Landscape Screening Requirements:

Where a permitted use in one of the zones listed in the "Zone" column of Table 3.1 abuts, adjoins or fronts an R-1, R-1s, R-2, R-3, RR-1, P-1 or GH Zone, the height and form screening requirements listed in the "Minimum Height" and "Form" columns of Table 3.1, shall apply in the location and for the purpose indicated.

Table 3.1 – Screening Requirements				
Zone	Location	Purpose	Minimum Height (metres)	Form
RM-1	Side & rear yards	Zone Separation	2.0	#1 or 2
C-3, C-4, C-5	Side & rear yards Front yards	Zone Separation Visual Buffer	2.0 1.0	#1 or 2 #3
C-1, C-2, I-1, I-2, CD-2	Side & rear yards Front yard	Outdoor Storage Visual Buffer	2.0 1.5	#1 or 2 #3
M-1, M-2, M-3, M-4, CD-2	Side & rear yards Side & rear yards Front yard	Outdoor Storage Zone Separation Visual Buffer	2.0 2.0 1.5	#1 or 2 #1 or 2 #4
A-1	Side and rear yards Side and rear yards Front yard	Outdoor Storage Zone Separation Visual Buffer	2.0 2.0 1.5	#1 or 2 #1 or 2 #4
P-2	Side & rear yards Front yard	Zone Separation Visual Buffer	2.0 1.5	#1 or 2 #4

- Form: #1 - Tight board fence natural stain;
 #2 - Tight evergreen shrubbery (located 0.5 metres on centre)
 #3 - Treed and landscaped 2.0 metres wide buffer; or
 #4 - Treed and landscaped 5.0 metres wide buffer.

The District of Port Hardy may require the submission of landscape and related plans as part of permits or approvals to ensure the proper landscape screening is provided in accordance with the requirements of this Bylaw.

3.26 TEMPORARY USE PERMIT REGULATIONS

All of the lands in the District to which this Bylaw applies are designated as a Temporary Use Permit Area for which the District may issue a Temporary Use Permit in accordance with the Local Government Act. In issuing a Temporary Use Permit, the District may:

- (1) specify conditions under which a temporary use may be carried on;
- (2) allow and regulate the construction of buildings and structures in respect of the use for which the permit is issued;
- (3) require demolition and/or removal of a building or structure;
- (4) require restoration of land described in the permit to a condition specified in the permit by a date specified in the permit;
- (5) require security in accordance with the Local Government Act; and,
- (6) prescribe the date the permit expires, except that such date shall be for a term that is not greater than three years.

PART 4: PARKING AND LOADING

4.1 APPLICATION

Owners or occupiers of land and any building or structure thereon shall provide parking and loading spaces for such building or structures, including spaces for use by persons with disabilities, in conformity with the standards prescribed in Table 4.2 herein.

4.2 REQUIREMENTS

(a) Location:

All parking and loading spaces, including parking spaces for use by persons with disabilities, shall be located on the same parcel on which the use, building or structure requiring them is located. Parking spaces, with the exception of parking spaces provided for persons with disabilities, may be located on a different parcel that is owned by the same owner of the parcel on which the use, building or structure requiring the parking spaces is located, provided such parcel is located within 250 metres (820 feet) and against which the District may require a registered covenant pursuant to the Land Title Act.

(b) Surface and Layout of Parking / Loading Areas:

In a Residential, Commercial, or Comprehensive Development Zone, or on land in the P-2 Zone, parking spaces and loading spaces, where more than a total of three spaces combined are required by this Bylaw, shall:

- (1) Be surfaced with a permanent surface of asphalt or concrete so as to provide a surface that is durable and dust-free;
- (2) Have the individual parking spaces marked by painted lines, and maneuvering aisles, entrances and exits clearly marked with curbs, fences, and/or signs to the satisfaction of the District;
- (3) Have a maximum gradient and cross slope of six percent (6%);
- (4) Have the surface drainage directed either to the public storm drainage system or if one is not readily available, to a suitable alternative to the satisfaction of the District.
- (5) Where lighting is used to illuminate the parking and loading space areas, the lighting shall be directed, shielded and/or placed in such a manner to prevent spillage of light onto adjacent parcels.

(c) Siting:

- (1) No more than three parking spaces shall be permitted in a front yard of a parcel that is subject to the R-1, R-1s, R-2 or R-1 Zone. No parking spaces are permitted in the front yard of a parcel subject to the R-3 or RM-1 Zone.
- (2) In a Commercial, Marine, Industrial or Comprehensive Development Zone, parking and loading spaces shall be located or designed such that vehicles will not move in a backward direction onto a highway, and all materials and commodities can be loaded, unloaded, collected or distributed on the parcel itself.

(d) Calculating Number of Parking and Loading Spaces:

- (1) Calculations must be undertaken separately for both parking space and loading space (where applicable) requirements, and when either calculation results in a fractional value, one space shall be provided for such fractional portion.
- (2) The total number of parking and loading spaces that must be provided with respect to a parcel shall be based on the sum of the spaces required for each use of land, building and structure on that parcel.
- (3) Where gross floor area is used as a unit of measurement for the purpose of calculating the required spaces, gross floor area shall include the floor area associated with each of the accessory buildings as well as basements and attics, except the portions of each that are used for parking or utility infrastructure.
- (4) Where the number of seats is used as a unit of measurement for the purpose of calculating the required spaces, and where the seating includes benches, pews, booths and the like, each 0.5 metre (1.64 feet) length of seating area shall be counted as one seat.

(e) Access to Spaces:

Adequate provision shall be made for ingress or egress by vehicles to all parking and loading spaces at all times by means of unobstructed manoeuvring aisles. The width of these aisles (column D) shall be based on the type of parking orientation provided as described in Table 4.1.

(f) Parking and Loading Space Dimensions:

- (1) Parking spaces must meet the minimum dimensions shown in columns (B) and (C) of Table 4.1 based on the type of parking orientation (angle) provided.
- (2) Notwithstanding the 0° parallel parking space dimensions in Table 4.1, the parking spaces located at the ends of a row of parallel parking spaces shall have a minimum stall length of 6.0 metres (19.69 feet).
- (3) Each required loading space shall be of adequate size and with adequate access thereto, to accommodate the type of vehicles which will be loading and unloading, but in no case shall the space be less than 30 square metres (322.9 square feet) in area or less than 2.5 metres (8.2 feet) in width or with less than 4.0 metres (13.12 feet) of overhead clearance.

Table 4.1 – Minimum Parking Space and Aisle Dimensions				
Angle Type (A)	Space Width (B)	Space Length (C)	Aisle Width (D)	See Figure
0° (parallel)	3.0 metres (9.84 feet)	7.5 metres (24.6 feet)	4.87 metres (15.98 feet)	Six
45° or less	2.75 metres (9.0 feet)	6.0 metres (19.69 feet)	4.87 metres (19.69 feet)	Seven
60°	2.75 metres (9.0 feet)	6.0 metres (19.69 feet)	6.09 metres (20.0 feet)	Seven
90°	2.75 metres (9.0 feet)	6.0 metres (19.69 feet)	7.31 metres (24 feet) (6.7 metres / 22 feet in enclosed building)	Seven

Figure Six – Parallel Parking Standards

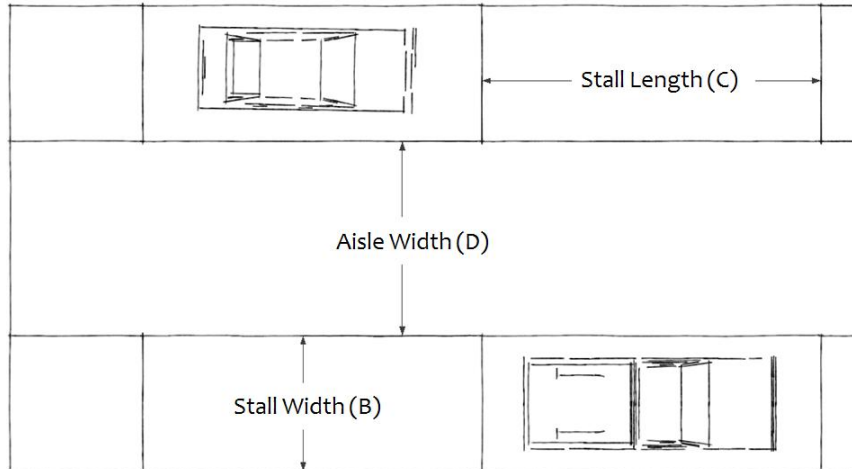
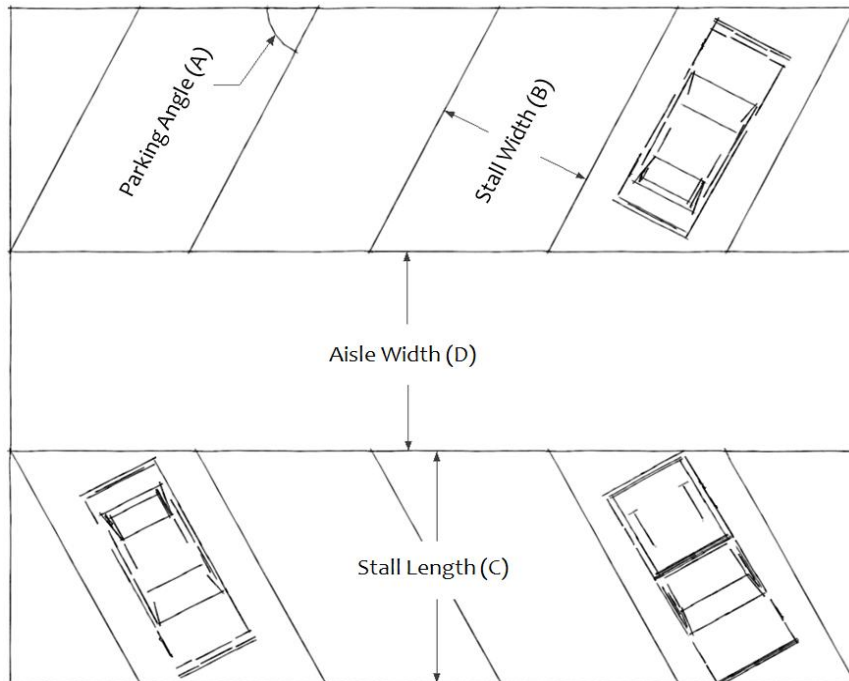


Figure Seven – Angled Parking Standards



4.3 PARKING FEE IN LIEU OF PARKING SPACE

Where the owner or occupier of a parcel is required to provide parking spaces in accordance with this Bylaw, the owner or occupier (with the owner's permission) may pay to the District, the sum of \$1,000.00 per parking space in lieu of providing that parking space on the subject parcel. This may only be undertaken in a situation whereby the District owns an off-highway parking facility within 500 metres (1,640.4 feet) of the parcel for which the parking space(s) is required. As a limit on this provision, the parking fee may only be used to offset the provision of up to a maximum of 10% of the total parking spaces required for a parcel.

4.4 PARKING AND LOADING SPACE TABLES

The number of parking spaces required for various uses are identified in Table 4.2. In instances where the exact use is not identified in Table 4.2, the use most similar to it shall be used to determine the number of parking spaces required.

Table 4.2 – Parking Space Requirements	
Column 1 – Use	Column 2 – Number of Parking Spaces Required
Residential	
Apartment Dwelling or Attached Dwelling: Studio or One Bedroom	1 per dwelling
Two or more Bedroom	1.5 per dwelling
Visitor Parking	0.5 per dwelling
Carriage Home Dwelling	1 per dwelling
Duplex Dwelling	2 per dwelling
Manufactured Home Dwelling	2 per dwelling
Manufactured Home Park	2 per dwelling and 0.5 per dwelling in common off-street visitor parking area
Secondary Suite Dwelling	1 per dwelling
Single Detached Dwelling	2 per dwelling
Group Home	1.5 per every 3 residents
Home Occupation, Major	1 (in addition to the spaces required for the dwelling(s) located on the same parcel)
Home Occupation, Rural	2 (in addition to the spaces required for the dwelling(s) located on the same parcel)
Bed and Breakfast	2 (in addition that the 2 spaces required for the single detached dwelling in which the bed and breakfast is located)
Commercial	
Animal Kennel	1 per 5 enclosures (pen, cage and/or run intended to accommodate an animal)
Assembly	1 per 4 seats
Auction	1 per 10 m ² of floor area used for sales
Bowling Alley	3 per bowling lane
Building Supply or Garden Centre	1 per 20 m ² of retail sales floor area plus 1 per 30 m ² of outdoor display area
Campground and Recreational Vehicle Parks	1.5 per campsite
Car / Truck Wash	2 per wash bay
Cold Storage	1 per 100 m ² of gross floor area devoted to storage
Community Market (indoor or outdoor)	1 per 30 m ² sales area
Financial Institution	1 per 20 m ² of gross floor area
Funeral Parlour	1 per 3 seats
Golf Course	3 per hole
Golf Driving Range	1 per each tee
Hostel	0.5 per bed or rentable room, whichever is greater
Hotel or Motel	1 per rentable room or sleeping unit
Laboratory	1 per 20m ² of gross floor area

Table 4.2 – Parking Space Requirements

Column 1 – Use	Column 2 – Number of Parking Spaces Required
Laundromat / Laundry and Dry Cleaning	1 per every 2 washing machines / 1 per 20 m ² of gross floor area
Licensed Premises	1 per 3 seats
Marina	1 per 2 boat water or land based moorage spaces plus 1 per service bay
Medical or Dental Office	4 per veterinarian, dentist or doctor
Motor Vehicle and Boat Sales	1 per 50 m ² of floor area used for sales and 1 per service bay
Office (all types excluding medical or dental)	1 parking space per 22 m ² (237 ft ²) of gross floor area for the first 1,000 m ² (10,764 ft ²) of gross floor area and 1 space per 25 m ² (269 ft ²) of gross floor area for the remainder
Personal Service Establishment	1 per 10 m ² of gross floor area
Restaurant including Café / Drive Through Restaurant	1 per 3 seats plus 5 spaces / 1 per 3 seats plus 7 spaces
Retail Sales	1 per 20 m ² of gross floor area
Self-Storage	1 space per 400 m ² of gross floor area
Service Station (Motor Vehicle Repairs)	3 per service bay plus 1 per 10 m ² of floor area used for retail sales
Shopping Centre	4 spaces per 100 m ² (1076 ft ²) of gross floor area, where the shopping centre has a gross floor area of less than 35,000 m ² (376,749 ft ²) but more than 500 m ² (5382 ft ²). 5 spaces per 100 m ² (1076 ft ²) of gross floor area, where the shopping centre has a gross floor area of 35,000 m ² (376,749 ft ²) or more.
Taxi Business	1 per each taxi vehicle plus 1 per office employee
Television or Radio Business	1 per 40 m ² of gross floor area
Theatre	1 per 4 seats
Tire Repair	2 plus 2 per service bay
Tourist Cabin	1 per cabin
Veterinary Clinic	4 per veterinarian
Wholesale	1 per 75 m ² of gross floor area
Industrial	
Custom or Specialty Workshop	1 per 75 m ² of gross floor area
Manufacturing including food or beverage processing	1 per 70 m ² of gross floor area
Service / Repair	1 per 50 m ² of gross floor area plus 1 per service bay
Warehousing / Storage	1 per 200 m ² of gross floor area devoted to the warehouse / storage use and 1 per 400m ² of area used for outdoor storage of boats and recreational vehicles

Table 4.2 – Parking Space Requirements	
Column 1 – Use	Column 2 – Number of Parking Spaces Required
Public & Institutional Uses	
Airport / Bus, Ferry, Floatplane or Train Depot	1 per 10 m ² of waiting or lobby area plus 5
Assembly including church/club/community/ or similar public meeting halls	1 per 4 seating places
Church / Place of Worship	1 per 4 seating places
Club or Organization with Membership	1 per 4 seating spaces
Curling Rink	8 each ice sheet or curling lane
Gymnasiums and Health Clubs	1 per 10 m ² of gross floor area
Hospital or Community Care Facility	1 per 3 employees and 1 per 4 patient beds
Ice Arena	1 per 10 m ² of ice surface
Library	1 per 10 m ² of gross floor area
Museum	1 per 10 m ² of gross floor area
Nursery or Day Care Centre	4
Police or Fire Station	1 per 10 m ² of gross floor area except indoor areas used for the parking of vehicles
Post Office	1 per 20 m ² of gross floor area
Schools	Elementary - 2 per classroom Secondary - 3 per classroom Post-Secondary - 5 per classroom
Swimming Pool	1 per 7 m ² of pool water surface

Loading spaces are required for those uses being undertaken in a building located in a Commercial Zone, Industrial Zone or Parks and Institutional Zone as identified in Table 4.3.

Table 4.3 –Loading Space Requirements	
Column 1 – Zone	Column 2 – Number of Loading Spaces Required
Commercial Zone	1 per 300 m ² to 500 m ² of gross floor area 2 per 500 m ² to 2,500 m ² of gross floor area 1 stall for each additional 2,500 m ² of gross floor area
Industrial Zone	1 per 300 m ² to 500 m ² of gross floor area 2 per 500 m ² to 2,500 m ² of gross floor area 1 for each additional 2,500 m ² of gross floor area
Parks and Institutional Zone	1 per 300 m ² to 3,000 m ² of gross floor area 1 per each additional each additional 3,500 m ² of gross floor area

4.5 PARKING SPACES FOR PERSONS WITH PHYSICAL DISABILITY

- (a) Parking spaces for the use of persons with a physical disability shall be provided as a cumulative ratio as described in Table 4.4:

Table 4.4 – Parking Spaces for Persons with Disability	
Column 1 – Total Number of Required Parking Spaces	Column 2 – Number of Parking Spaces for Disabled Persons
1-10	0
11-20	1
21-100	2
101-1000	2 per 100 required spaces or part thereof
1001+	1 per 100 required spaces or part thereof

- (b) Notwithstanding the foregoing, the number of parking spaces for disabled persons count towards the overall number of parking spaces required.

PART 5: ESTABLISHMENT OF ZONES

5.1 ZONES AND ZONE CATEGORIES

For the purposes of this Bylaw, lands within the District are hereby divided into twenty-seven zones which are grouped into seven distinct zone categories (Residential, Commercial, Marine, Industrial, Parks and Institutional, Holding and Comprehensive Development Zones) as follows:

Table 5.1 – Zone Categories, Titles and Abbreviations	
Zone Title	Abbreviation
<i>Residential Zones</i>	
R-1: Single Detached Residential	R-1
R-1s: Strata Residential	R-1s
R-2: Duplex Residential	R-2
R-3: Manufactured Home Residential	R-3
RM-1: Multiple Unit Residential	RM-1
RR-1: Rural Residential	RR-1
<i>Commercial Zones</i>	
C-1: General Commercial	C-1
C-2: Service Commercial	C-2
C-3: Town Centre Commercial	C-3
C-4: Commercial Animal Services	C-4
C-5: Tourist Commercial	C-5
<i>Marine Zones</i>	
M-1: Marine Commercial	M-1
M-2: Marine Industrial	M-2
M-3: Marine Forest Industrial	M-3
M-4: Seaplane Base	M-4
W-1: Waterfront	W-1
<i>Industrial Zones</i>	
I-1: Light Industrial	I-1
I-2: Heavy Industrial	I-2
A-1: Airport	A-1
<i>Parks and Institutional Zones</i>	
P-1: Parks and Open Space	P-1
P-2: Institutional	P-2
<i>Holding Zones</i>	
GH-1: General Holdings	GH-1
<i>Comprehensive Development Zones</i>	
CD-1: Comprehensive Development 1	CD-1
CD-2: Comprehensive Development 2	CD-2
CD-3: Comprehensive Development 3	CD-3
CD-4: Comprehensive Development 4	CD-4
CD-5: Comprehensive Development 5	CD-5

5.2 EXTENT OF ZONES

The extent of each zone included in Table 5.1 is shown on Schedules A through D which are attached to and from part of this Bylaw as follows:

- Schedule A: Zoning Map - West
- Schedule B: Zoning Map - Central
- Schedule C: Zoning Map - East
- Schedule D: Zoning Map - Airport

Where the boundary of a zone is shown as following a highway or watercourse, the centre line of each such highway or watercourse shall be the zone boundary. Where a zone boundary does not follow a legally defined line such as a parcel line, and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from the applicable Schedule.

PART 6: RESIDENTIAL ZONES

6.1 R-1: Single Detached Residential

- (a) The following principal use is permitted:
- (1) Single Detached Dwelling
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Bed and Breakfast (see section 3.13)
 - (3) Carriage Home Dwelling or Secondary Suite Dwelling (see sections 3.10 and 3.11)
 - (4) Group Home (see definition)
 - (5) Minor or Major Home Occupation (see section 3.12)
 - (6) Small Scale Urban Agriculture and Urban Hens (see section 3.23)
- (c) The following conditions of use apply:
- (1) There shall be no more than one Single Detached Dwelling per parcel.
 - (2) There shall be no more than one Secondary Suite Dwelling or one Carriage Home Dwelling per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 7.6 metres (24.93 feet)
Rear Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 3.0 metres (9.84 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Floor Area		
Minimum Gross Floor Area (Principal Building)	111.5 square metres (1,200.18 square feet)	
Size of Buildings and Structures		
Maximum Height (Principal Building)	7.6 metres (24.93 feet)	
Maximum Parcel Coverage	40%	
Minimum Building Width (Principal Building)	7.5 metres (24.6 feet)	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	

6.2 R-1s: Strata Residential

The R-1s Strata Residential Zone is intended to accommodate single detached dwellings in strata plan development.

- (a) The following principal use is permitted:
- (1) Single Detached Dwelling in a strata plan
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Home Occupation, Minor (see section 3.12)
 - (3) Secondary Suite Dwelling (see section 3.10)
 - (4) Small Scale Urban Agriculture and Urban Hens (see section 3.23)
- (c) The following conditions of use apply:
- (1) A minimum of 15% of the land included in the strata plan shall be retained as park or amenity space in common property to be maintained by the strata corporation.
 - (2) There shall be no more than one Single Detached Dwelling per strata parcel.
 - (3) There shall be no more than one Secondary Suite Dwelling per parcel.
- (e) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard	Minimum of 1.5 metres (4.92 feet)	Minimum of 1.0 metre (3.28 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Floor Area		
Minimum Gross Floor Area (Principal Building)	111.5 square metres (1,200.18 square feet)	
Size of Buildings and Structures		
Maximum Height (Principal Building)	7.6 metres (24.93 feet)	
Maximum Parcel Coverage	50%	
Minimum Building Width (Principal Building)	6.0 metres (19.69 feet)	
Parcel Area and Dimensions		
Minimum Parcel Area	1.0 hectare (2.47 acres)	
Minimum Parcel Width	100.0 metres (328.09 feet)	
Minimum Parcel Depth	100.0 metres (328.09 feet)	
Minimum Strata Parcel Area	360 square metres (3,875 square feet)	
Minimum Strata Parcel Width	12.0 metres (39.37 feet)	
Minimum Strata Parcel Depth	30 metres (98.43 feet)	

6.3 R-2: Duplex Residential

- (a) The following principal uses are permitted:
- (1) Single Detached Dwelling
 - (2) Duplex Dwelling
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Bed and Breakfast (see section 3.13)
 - (3) Carriage Home Dwelling or Secondary Suite Dwelling (see sections 3.10 and 3.11)
 - (4) Group Home (see definition)
 - (5) Home Occupation, Minor or Home Occupation, Major (see section 3.12)
 - (6) Minor or Major Home Occupation, Major (see section 3.12)
 - (7) Small Scale Urban Agriculture and Urban Hens (see section 3.23)
- (c) The following conditions of use apply:
- (1) There shall be no more than one Single Detached Dwelling or one Duplex Dwelling per parcel.
 - (2) There shall be no more than one Secondary Suite Dwelling or one Carriage Home Dwelling per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 7.6 metres (24.93 feet)
Rear Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard	Minimum of 1.5 metres (4.92 feet)	Minimum of 1.0 metre (3.28 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Floor Area		
	Single Detached Dwelling	Duplex Dwelling
Minimum Gross Floor Area (Principal Building)	111.5 square metres (1,200.18 square feet)	65 square metres (699.65 square feet)
Size of Buildings and Structures		
	Single Detached Dwelling	Duplex Dwelling
Maximum Height (Principal Building)	7.6 metres (24.93 feet)	7.6 metres (24.93 feet)
Maximum Parcel coverage	40%	50%
Minimum Building Width (Principal Building)	7.5 metres (24.6 feet)	12.0 metres (39.37 feet)
Parcel Area and Dimensions		
	Single Detached Dwelling	Duplex Dwelling
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	650.0 square metres (6,996.54 square feet)
Minimum Parcel Width	15.0 metres (49.21 feet)	30.0 metres (98.43 feet)
Minimum Parcel Depth	30.0 metres (98.43 feet)	30.0 metres (98.43 feet)

6.4 R-3: Manufactured Home Residential

- (a) The following principal uses are permitted:
- (1) Manufactured Home Dwelling
 - (2) Manufactured Home Park
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Minor Home Occupation (see section 3.12)
 - (3) Single Detached Dwelling for the operator / manager of a Manufactured Home Park
 - (4) Small Scale Urban Agriculture (see section 3.23)
- (c) The following conditions of use apply:
- (3) There shall be no more than one Single Detached Dwelling for a minimum of 10 Manufactured Home Dwellings in a Manufactured Home Park.
 - (1) There shall be no more than one Manufactured Home Dwelling per parcel, except that in a Manufactured Home Park, there may be a maximum of 20 Manufactured Home Dwellings per hectare per parcel.
 - (2) Every Manufactured Home Dwelling shall be placed on a foundation and fully skirted in a manner consistent with the exterior finish of the Manufactured Home Dwelling.
 - (3) All additions to a Manufactured Home Dwelling shall have an exterior finish in a manner consistent with the exterior finish of the Manufactured Home Dwelling.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Rear Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard	Minimum of 1.8 metres (5.9 feet)	Minimum of 1.0 metre (3.28 feet)
Exterior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Floor Area		
Minimum Gross Floor Area (Principal Building)	67.8 square metres (729.8 square feet)	
Size of Buildings and Structures		
Maximum Height (Principal Building)	5.0 metres (16.4 feet)	
Maximum Parcel Coverage	40%	
Minimum Building Width (Principal Building)	4.2 metres (13.78 feet)	
Parcel Area and Dimensions		
	Manufactured Home Dwelling	Manufactured Home Park
Minimum Parcel Area	300.0 square metres (3,229.17 square feet)	1.0 hectare (2.47 acres)
Minimum Parcel Width	10.0 metres (32.8 feet)	30.0 metres (98.43 feet)
Minimum Parcel Depth	20.0 metres (65.62 feet)	30.0 metres (98.43 feet)

6.5 RM-1: Multiple Unit Residential

- (a) The following principal uses are permitted:
- (1) Apartment Dwelling
 - (2) Attached Dwelling
 - (3) Community Care Facility
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Minor Home Occupation (see section 3.12)
 - (3) Small Scale Urban Agriculture (see section 3.23)
- (c) The following conditions of use apply:
- (1) Outdoor amenity space equal to 15.0 square metres per Apartment Dwelling and Attached Dwelling shall be provided on the same parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks			
Yard Setback	Dwelling	Community Care Facility	Accessory Use
Front Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 7.6 metres (24.93 feet)	Minimum of 7.6 metres (24.93 feet)
Rear Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 7.6 metres (24.93 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)	Minimum of 1.5 metres (4.92 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Floor Area			
Minimum Gross Floor Area	Dwelling		
Studio	32.0 square metres (344.45 square feet)		
One Bedroom	55.7 square metres (599.55 square feet)		
Two Bedroom	74.3 square metres (799.78 square feet)		
Three Bedroom	92.5 square metres (995.66 square feet)		
Four Bedroom	111.5 square metres (1,200.18 square feet)		
Size of Buildings and Structures			
	Dwelling	Community Care Facility	
Maximum Height (Principal Building)	11.0 metres (36.09 feet)	11.0 metres (36.09 feet)	
Maximum Parcel coverage	40%	50%	
Parcel Area and Dimensions			
	Dwelling	Community Care Facility	
Minimum Parcel Area	900 square metres (9,687.52 square feet)	900 square metres (9,687.52 square feet)	
Minimum Parcel Width	30.0 metres (98.43 feet)	30.0 metres (98.43 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	30.0 metres (98.43 feet)	

6.6 RR-1: Rural Residential

- (a) The following principal uses are permitted:
- (1) Manufactured Home Dwelling
 - (2) Single Detached Dwelling
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Bed and Breakfast (see section 3.13)
 - (3) Carriage Home Dwelling or Secondary Suite Dwelling (see sections 3.10 and 3.11)
 - (4) Group Home (see definition)
 - (5) Minor, Major or Rural Home Occupation (see section 3.12)
 - (6) Small Scale Urban Agriculture and Urban Hens (see section 3.23)
- (c) The following conditions of use apply:
- (1) There shall be no more than one Single Detached Dwelling or Manufactured Home Dwelling per parcel.
 - (2) There shall be no more than one Secondary Suite Dwelling or one Carriage Home Dwelling per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 7.6 metres (24.93 feet)
Rear Yard	Minimum of 7.6 metres (24.93 feet)	Minimum of 2.0 metres (6.56 feet)
Interior Side Yard	Minimum of 2.0 metres (6.56 feet)	Minimum of 2.0 metres (6.56 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Floor Area		
Minimum Gross Floor Area (Principal Building)	111.5 square metres (1,200.18 square feet)	
Size of Buildings and Structures		
Maximum Height (Principal Building)	7.6 metres (24.93 feet)	
Maximum Parcel Coverage	40%	
Minimum Building Width (Principal Building)	7.5 metres (24.6 feet)	
Parcel Area and Dimensions		
Minimum Parcel Area	4,000 square metres (0.988 acres)	
Minimum Parcel Width	30.0 metres (49.2 feet)	

PART 7: COMMERCIAL ZONES

7.1 C-1: General Commercial

- (a) The following principal uses are permitted:
- | | |
|---|---|
| (1) Assembly | (9) Motor Vehicle Rentals, Repair and Sales |
| (2) Car / Truck Wash | (10) Personal Service Establishment |
| (3) Combined Commercial and Residential Use | (11) Professional Service Establishment |
| (4) Family Resource Centre | (12) Restaurant |
| (5) Financial Institution | (13) Retail Sales |
| (6) Hotel | (14) Service Station |
| (7) Indoor Entertainment or Recreation | (15) Shopping Centre |
| (8) Licenced Premises | |
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Minor Home Occupation accessory to a dwelling as part of a Combined Commercial and Residential Use (see section 3.12)
- (c) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Rear Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 1.5 metres (4.92 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 4.5 metres (14.76 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Floor Area		
Minimum Gross Floor Area (Principal Building)	111.5 square metres (1,200.18 square feet)	
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	8.0 metres (26.25 feet)	
Maximum Parcel Coverage	75%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	

7.2 C-2: Service Commercial

(a) The following principal uses are permitted:

(1) Assembly	(9) Motor Vehicle Rentals, Repair and Sales
(2) Car / Truck Wash	(10) Parking Lot
(3) Cold Storage Facility	(11) Personal Service Establishment
(4) Construction Services	(12) Professional Service Establishment
(5) Funeral Home	(13) Restaurant
(6) Hotel	(14) Retail Sales
(7) Licenced Premises	(15) Service Station
(8) Mini-Storage	(16) Shopping Centre

(b) The following accessory uses are permitted:

(1) Accessory Buildings and Structures (see section 3.9)

(c) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Rear Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.08 feet)	
Maximum Parcel Coverage	75%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	

7.3 C-3: Town Centre Commercial

- (a) The following principal uses are permitted:
- (1) Assembly
 - (2) Combined Commercial and Residential Use
 - (3) Family Resource Centre
 - (4) Financial Institution
 - (5) Hotel
 - (6) Licenced Premises
 - (7) Personal Service Establishment
 - (8) Professional Service Establishment
 - (9) Restaurant
 - (10) Retail Sales
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Minor Home Occupation accessory to a dwelling as part of a Combined Commercial and Residential Use (see section 3.12)
- (c) The following conditions of use apply:
- (1) No goods or merchandise offered for sale or rent shall be stored or displayed within the front yard setback.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.08 feet)	
Maximum Parcel Coverage	75%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	

7.4 C-4: Commercial Animal Services

- (a) The following principal uses are permitted:
- (1) Animal Grooming
 - (2) Animal Kennel
 - (3) Manufactured Home Dwelling
 - (4) Single Detached Dwelling
 - (5) Veterinary Clinic
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Minor or Major Home Occupation (see section 3.12)
- (c) The following conditions of use apply:
- (1) There shall be no more than one Manufactured Home Dwelling or Single Detached Dwelling per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	8.0 metres (26.25 feet)	
Maximum Parcel Coverage	60%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	

7.5 C-5: Tourist Commercial

- (a) The following principal uses are permitted:
- (1) Campground
 - (2) Hotel
 - (3) Tourist Cabin
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling
 - (3) Licenced Premises
 - (4) Restaurant
 - (5) Retails Sales
- (c) The following conditions of use apply:
- (1) Accessory commercial uses (Licenced Premises, Restaurant and Retails Sales) shall not exceed 100 square metres (1,076.39 square feet) of gross floor area each.
 - (2) There shall be no more than fifteen tourist cabins per 1.0 hectare (2.47 acres) of land.
 - (3) There shall be no more than one hotel per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.5 metres (24.6 feet)	Minimum of 7.5 metres (24.6 feet)
Rear Yard	Minimum of 7.5 metres (24.6 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 7.5 metres (24.6 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	7.5 metres (24.6 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	1.0 hectare (2.47 acres)	
Minimum Parcel Width	50.0 metres (164.04 feet)	

PART 8: MARINE ZONES

8.1 M-1: Marine Commercial

- (a) The following principal uses are permitted:
- | | |
|--|---------------------------|
| (1) Assembly | (6) Cold Storage Facility |
| (2) Aviation and Marine Fuel Sales | (7) Floatplane Depot |
| (3) Boat Manufacturing | (8) Hotel |
| (4) Boat and Marine Equipment Rentals,
Repair and Sales | (9) Licenced Premises |
| (5) Boat and Floatplane Moorage and Storage | (10) Marina |
| | (11) Restaurant |
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling
- (c) The following conditions of use apply:
- (1) No goods or merchandise offered for sale or rent shall be stored or displayed within the front yard setback.
 - (2) Notwithstanding the height regulations of this Bylaw, boat hoists and mast stepping gantries shall not exceed 16.0 metres (52.5 feet) in height.
 - (3) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 2.0 metres (6.56 feet)	Minimum of 2.0 metres (6.56 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	40% except 60% for the land covered by water portion of a parcel or Crown tenure	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum parcel Depth	30.0 metres (98.43 feet)	

8.2 M-2: Marine Industrial

- (a) The following principal uses are permitted:
- | | |
|---|---|
| (1) Assembly | (8) Floatplane Depot |
| (2) Aviation and Marine Fuel Sales | (9) Log Booming and Storage |
| (3) Boat Manufacturing | (10) Marina |
| (4) Boat and Marine Equipment Rentals, Repair and Sales | (11) Marine Based Transportation and Warehousing |
| (5) Boat and Floatplane Moorage and Storage | (12) Recreational Vehicle Maintenance, Repair and Storage |
| (6) Cold Storage Facility | (13) Seafood Processing |
| (7) Ferry Depot | |
- (b) The following accessory uses are permitted:
- | | |
|--|------------------|
| (1) Accessory Buildings and Structures (see section 3.9) | (4) Office |
| (2) Caretaker Dwelling | (5) Restaurant |
| (3) Licenced Premises | (6) Retail Sales |
- (c) The following conditions of use apply:
- (1) No goods or merchandise offered for sale or rent shall be stored or displayed within the front yard setback.
 - (2) Notwithstanding the height regulations of this Bylaw, boat hoists and mast stepping gantries shall not exceed 16.0 metres (52.5 feet) in height.
 - (3) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	50% except 75% for the land covered by water portion of a parcel or Crown tenure	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum parcel Depth	30.0 metres (98.43 feet)	

8.3 M-3: Marine Forest Industrial

- (a) The following principal uses are permitted:
- | | |
|--|--|
| (1) Boat Manufacturing | (4) Recreational Vehicle Maintenance, Repair and Storage |
| (2) Boat and Floatplane Moorage and Storage | (5) Warehousing |
| (3) Log Booming, Storage and Marine Based Activities related to Forestry | (6) Wood Processing |
- (b) The following accessory uses are permitted:
- | | |
|--|--|
| (1) Accessory Buildings and Structures (see section 3.9) | (4) Equipment Maintenance, Repair and Storage Restaurant |
| (2) Campground | (5) Office |
| (3) Caretaker Dwelling | (6) Tourist Cabins |
- (c) The following conditions of use apply:
- (1) Notwithstanding the height regulations of this Bylaw, boat hoists and mast stepping gantries shall not exceed 16.0 metres (52.5 feet) in height.
 - (2) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
 - (3) There shall be no more than fifteen tourist cabins per 1.0 hectare (2.47 acres) of land.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	40% except 60% for the land covered by water portion of a parcel or Crown tenure	
Parcel Area and Dimensions		
Minimum Parcel Area	1,000.0 square metres (10,763.9 square feet)	
Minimum Parcel Width	20.0 metres (65.62 feet)	
Minimum parcel Depth	40.0 metres (131.23 feet)	

8.4 M-4: Seaplane Base

- (a) The following principal uses are permitted:
- (1) Aviation and Marine Fuel Sales
 - (2) Boat and Floatplane Moorage and Storage
 - (3) Boat Manufacturing
 - (4) Boat and Marine Equipment Rentals, Repair and Sales
 - (5) Floatplane Depot
 - (6) Marina
- (b) The following accessory uses are permitted:
- | | |
|--|-----------------------|
| (1) Accessory Buildings and Structures (see section 3.9) | (3) Licenced Premises |
| (2) Caretaker Dwelling | (4) Office |
| | (5) Restaurant |
- (c) The following conditions of use apply:
- (1) Notwithstanding the height regulations of this Bylaw, boat hoists and mast stepping gantries shall not exceed 16.0 metres (52.5 feet) in height.
 - (2) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	60% except 75% for the land covered by water portion of a parcel or Crown tenure	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum parcel Depth	30.0metres (98.43 feet)	

8.5 W-1: Waterfront

- (a) The following principal uses are permitted:
 - (1) Activities Intended at Protecting the Environment
 - (2) Boat Launch
 - (3) Boat Moorage
 - (4) Marine Recreation
 - (5) Piers, Wharfs and Walkways
 - (6) Public Access

- (b) The following accessory uses are permitted:
 - (1) Restaurant
 - (2) Retail Sales

- (c) The following conditions of use apply:
 - (1) Accessory commercial uses (Restaurant and Retails Sales) shall not exceed 100 square metres (1,076.39 square feet) of gross floor area each.
 - (2) No person shall reside on any boat or within this zone.

PART 9: INDUSTRIAL ZONES

9.1 I-1: Light Industrial

- (a) The following principal uses are permitted:
- | | |
|---|---------------------------------------|
| (1) Aggregates and Soil Sales | (9) Construction Services |
| (2) Asphalt, Cement and Concrete Manufacturing | (10) Fish Smoking, Pickling and Sales |
| (3) Assembly | (11) Motor Vehicle Racetrack |
| (4) Boat, Manufactured Home and Recreational Vehicle Maintenance, Repair, Sales and Storage | (12) Funeral Home |
| (5) Bulk Fuel Facility | (13) Storage (Indoor and/or Outdoor) |
| (6) Car / Truck Wash | (14) Service Station |
| (7) Cold Storage Facility | (15) Service Industry Establishment |
| | (16) Wholesaling of Goods |
| | (17) Workshop |
| | (18) Wood Processing |
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling or Staff Accommodation
 - (3) Minor Home Occupation (see section 3.12)
 - (4) Office
- (c) The following conditions of use apply:
- (1) Only a Caretaker Dwelling or Staff Accommodation is permitted per parcel, not both.
 - (2) Staff Accommodation is limited to a maximum of four dwellings.
 - (3) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 8.0 metres (26.25 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	60%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum parcel Depth	30.0 metres (98.43 feet)	

9.2 I-2: Heavy Industrial

- (a) The following principal uses are permitted:
- | | |
|---|--|
| (1) Aggregate Extraction and Processing | (8) Fish Smoking, Pickling and Sales |
| (2) Aggregates and Soil Sales | (9) Funeral Home |
| (3) Asphalt, Cement and Concrete Manufacturing | (10) Manufacturing and Assembly of Goods |
| (4) Assembly | (11) Marine Based Transportation and Warehousing |
| (5) Boat, Manufactured Home and Recreational Vehicle Maintenance, Repair, Sales and Storage | (12) Storage (Indoor and/or Outdoor) |
| (6) Bulk Fuel Facility | (13) Service Industry Establishment |
| (7) Car / Truck Wash | (14) Service Station |
| (8) Cold Storage Facility | (15) Transportation Depot / Freight Terminal |
| (9) Construction Services | (16) Wholesaling of Goods |
| | (17) Workshop |
| | (18) Wood Processing |
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling or Staff Accommodation
 - (3) Minor Home Occupation (see section 3.12)
 - (4) Office
- (c) The following conditions of use apply:
- (1) Only a Caretaker Dwelling or Staff Accommodation is permitted per parcel, not both.
 - (2) Staff Accommodation is limited to a maximum of four dwellings in two buildings.
 - (3) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 3.0 metres (9.84 feet)
Interior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 15.0 metres (49.21 feet)	Minimum of 8.0 metres (26.25 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	60%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum parcel Depth	30.0 metres (98.43 feet)	

9.3 A-1: Airport

- (a) The following principal uses are permitted:
- | | |
|---|--------------------------------------|
| (1) Agriculture | (7) Licenced Premises |
| (2) Aircraft Landing Strip Airport Passenger Terminal | (8) Office |
| (3) Aircraft Maintenance, Repair, Sales and Storage | (9) Wood Processing |
| (4) Aviation Fuel Depot and Sales | (10) Parking Lot |
| (5) Aviation Related Services | (11) Restaurant |
| (6) Freight Terminal | (12) Storage (Indoor and/or Outdoor) |
| (7) Heliport | (13) Vehicle Rentals |
| | (14) Warehouse |
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling
 - (3) Minor Home Occupation
 - (4) Office
 - (5) Retail Sales
- (c) The following siting, size and dimension requirements apply:

Siting / Setbacks of Buildings and Structures	
Yards and setback requirements shall be in accordance with Government of Canada regulations. Spatial separation requirements shall be in accordance with the National Building Code.	
Size of Buildings and Structures	
The maximum height of all buildings and structures shall be in accordance with Government of Canada regulations related to airport zoning.	
Parcel Area and Dimensions	
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)
Minimum Parcel Width	15.0 metres (49.2 feet)
Minimum Parcel Depth	30.0 metres (98.43 feet)

PART 10: PARKS AND INSTITUTIONAL ZONES

10.1 P-1: Parks and Open Space

- (a) The following principal uses are permitted:
- | | |
|--|--|
| (1) Activities Directed at Protecting and / or Enhancing the Natural Environment | (6) Hiking and/or Walking Trails |
| (2) Boat Launch | (7) Public Interpretation Centre |
| (3) Campground | (8) Park |
| (4) Cemetery | (9) Playgrounds |
| (5) Fish Hatchery | (10) Recreational Facilities and Sports Fields |
| | (11) Washroom Facilities |
- (b) The following accessory uses are permitted:
- | | |
|--|--------------------------|
| (1) Accessory Buildings and Structures (see section 3.9) | (5) Rental Establishment |
| (2) Caretaker Dwelling | (6) Restaurant |
| (3) Minor Home Occupation (see section 3.12) | (7) Retail Sales |
| (4) Office | (8) Staff Accommodation |
- (c) The following conditions of use apply:
- (1) Accessory commercial uses (Rental Establishment, Restaurant and Retail Sales), if located within a building, shall not exceed 100 square metres (1,076.39 square feet) of gross floor area each.
 - (2) Only a Caretaker Dwelling or Staff Accommodation is permitted per parcel, not both.
 - (3) Staff Accommodation is limited to a maximum of four dwellings.
 - (4) Notwithstanding the specified side interior yard and rear yard setbacks for principal and accessory uses, where the interior side yard and / or rear yard is the natural boundary of the sea, the interior side yard and / or rear yard setbacks may be reduced to 0.0 metres (0.0 feet).
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.0 metres (22.97 feet)	Minimum of 7.0 metres (22.97 feet)
Rear Yard	Minimum of 7.0 metres (22.97 feet)	Minimum of 3.0 metres (9.84 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 7.0 metres (22.97 feet)	Minimum of 7.0 metres (22.97 feet)
Exterior Side Yard	Minimum of 5.0 metres (16.4 feet)	Minimum of 5.0 metres (16.4 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	10.0 metres (32.8 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	Not Applicable	
Minimum Parcel Width	Not Applicable	
Minimum parcel Depth	Not Applicable	

10.2 P-2: Institutional

- (a) The following principal uses are permitted:
- (1) Activities Directed at Protecting and / or Enhancing the Natural Environment
 - (2) Assembly
 - (3) Civic Use
 - (4) Community Care Facility
 - (5) Day Care Facility
 - (6) Hospital
 - (7) Recreational Facilities and Sports Fields
 - (8) Education Services
 - (9) Exhibition Grounds
 - (10) Family Resource Centre
 - (11) Professional Service Establishments - see section 10.2(c)(2)
- (b) The following accessory uses are permitted:
- (1) Restaurant
 - (2) Retail Sales
- (c) The following conditions of use apply:
- (1) Accessory commercial uses (Restaurant and Retail Sales), if located within a building, shall not exceed 100 square metres (1,076.39 square feet) of gross floor area each.
 - (2) Only services related to the provision of dental and medical care are permitted as a Professional Service Establishment.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.0 metres (22.97 feet)	Minimum of 7.0 metres (22.97 feet)
Rear Yard	Minimum of 7.0 metres (22.97 feet)	Minimum of 2.0 metres (6.56 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 2.0 metres (6.56 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	10.0 metres (32.8 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.21 feet)	
Minimum parcel Depth	30.0 metres (98.43 feet)	

PART 11: HOLDING ZONES

11.1 GH-1: General Holdings

- (a) The following principal uses are permitted:
- (1) Aggregate Extraction and Processing
 - (2) Agriculture
 - (3) Forestry
 - (4) Single Detached Dwelling
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Bed and Breakfast (see section 3.13)
 - (3) Carriage Home Dwelling or Secondary Suite Dwelling (see sections 3.10 and 3.11)
 - (4) Minor, Major or Rural Home Occupation (see section 3.12)
 - (5) Small Scale Urban Agriculture and Urban Hens (see section 3.23)
- (c) The following conditions of use apply:
- (1) There shall be no more than one Single Detached Dwelling per parcel.
 - (2) There shall be no more than one Secondary Suite Dwelling or one Carriage Home Dwelling per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 3.0 metres (9.84 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	7.6 metres (24.93 feet)	
Maximum Parcel Coverage	30%	
Parcel Area and Dimensions		
Minimum Parcel Area	8.0 hectares (19.77 acres)	
Minimum Parcel Width	200.0 metres (656.17 feet)	
Minimum parcel Depth	200.0 metres (656.17 feet)	

PART 12: COMPREHENSIVE DEVELOPMENT ZONES

12.1 CD-1: Comprehensive Development 1

The purpose of this zone is to permit site specific mixed institutional, commercial and tourist accommodation uses on land located at 7050 Rupert Street, legally described as Lot 10, Section 36, Township 9, Rupert District, Plan 27270.

- (a) The following principal uses are permitted:
- (1) Assembly
 - (2) Community Care Facility
 - (3) Community Kitchen
 - (4) Day Care Facility
 - (5) Education Services
 - (6) Family Resource Centre
 - (7) Hotel
 - (8) Professional Service Establishments
 - (9) Restaurant
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Offices
- (c) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 0.0 metres (0.0 feet)
Interior Side Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 0.0 metres (0.0 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	60%	
Parcel Area and Dimensions		
Minimum Parcel Area	1,000 square metres (10,763.91 square feet)	
Minimum Parcel Width	25.0 metres (82.02 feet)	
Minimum parcel Depth	40.0 metres (131.23 feet)	

12.2 CD-2: Comprehensive Development 2

The purpose of this zone is to permit site specific mixed to permit a specialized mix of commercial and residential uses on the parcel which is civically addressed as 6710 Hardy Bay Road, and is legally described as Lot 3, Section 36, Township 9, Rupert District, Plan VIP55798.

- (a) The following principal uses are permitted:
- (1) Campground
 - (2) Combined Commercial and Residential Use
 - (3) Boat, Manufactured Home, Motor Vehicle and Recreational Vehicle Maintenance, Repair, Sales and Storage
 - (4) Offices
 - (5) Service Industry Establishment
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Offices
- (c) The following conditions of use apply:
- (1) There shall be no more than one campground per parcel.
 - (2) There shall be no more than fifteen campsites per campground.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Interior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Exterior Side Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	10.0 metres (32.8 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	5.0 hectares (12.36 acres)	
Minimum Parcel Width	100.0 metres (328.08 feet)	

12.3 CD-3: Comprehensive Development 3

The purpose of this zone is to provide for outdoor recycling and salvage activities on three parcels as follows:

- 6050 Bronze Road which is legally described as Lot 26, Section 21, Township 6, Rupert District, Plan 33502;
 - 7550 Byng Road, which is legally described as Lot 1, Section 20, Township 6, Rupert District, Plan 29951 Except Part in Plan VIP 76286; and,
 - 7600 Byng Road, which is legally described as Lot A, Section 19, Township 6, Rupert District, Plan VIP59801.
- (a) The following principal uses are permitted:
- (1) Wrecking Yard
 - (2) Service Industry Establishment
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling
 - (3) Offices
- (c) The following conditions of use apply:
- (1) Only one Caretaker Dwelling is permitted per parcel.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Interior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 12.0 metres (39.37 feet)	Minimum of 8.0 metres (26.25 feet)
Exterior Side Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.09 feet)	
Maximum Parcel Coverage	40%	
Parcel Area and Dimensions		
Minimum Parcel Area	2.0 hectares (4.94 acres)	
Minimum Parcel Width	50.0 metres (164.04 feet)	

12.4 CD-4: Comprehensive Development 4

The purpose of this zone is to permit mixed institutional and commercial uses as an adaptive reuse of the existing Robert Scott Elementary School building located on the parcel civically addressed as 6855 Market Street, and legally described as Lot A, Section 36, Township 9, Rupert District, Plan 8367.

- (a) The following principal uses are permitted:
- (1) Assembly
 - (2) Community Care Facility
 - (3) Day Care Facility
 - (4) Education Service
 - (5) Family Resource Centre
 - (6) Personal Service Establishment
 - (7) Recreational Facilities and Sports Fields
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Offices
- (c) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Interior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 8.0 metres (26.25 feet)	Minimum of 8.0 metres (26.25 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	10.0 metres (32.8 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	2.0 hectares (4.94 acres)	
Minimum Parcel Width	50.0 metres (164.04 feet)	

12.5 CD-5: Comprehensive Development 5

The purpose of this zone is to provide for the mixed uses as part of a reuse scheme associated with a former shopping centre located on two parcels as follows:

- 9150 Trustee Road, which is legally described as Lot 2, Section 36, Township 9, Rupert District, Plan VIP66889.
 - 9250 Trustee Road, which is legally described as Lot 1, Section 36, Township 9, Rupert District, Plan VIP66889.
- (a) The following principal uses are permitted:
- | | |
|-------------------------------|------------------------------------|
| (1) Assembly | (9) Personal Service Establishment |
| (2) Educational Service | (10) Recycling Depot |
| (3) Fish Smoking and Pickling | (11) Restaurant |
| (4) Law Courts | (12) Retail Sales |
| (5) Licenced Premises | (13) Seafood Processing |
| (6) Offices | (14) Shopping Centre |
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
- (c) The following conditions of use apply:
- (1) Recycling Depot includes the collection, preparation, packaging and shipping of typical household items that are to be reused or recycled.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Interior Side Yard	Minimum of 1.5 metres (4.92 feet)	Minimum of 1.5 metres (4.92 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Exterior Side Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	10.0 metres (32.8 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	2.0 hectares (4.94 acres)	
Minimum Parcel Width	50.0 metres (164.04 feet)	

PART 13: LIST OF SCHEDULES

- 13.1 The following schedules are attached to and form part of this Bylaw:
- a) Schedule A: Zoning Map - West
 - b) Schedule B: Zoning Map - Central
 - c) Schedule C: Zoning Map - East
 - d) Schedule D: Zoning Map - Airport

PART 14: REPEAL

14.1 District of Port Hardy Zoning Bylaw No. 10-2006 and all amendments thereto are hereby repealed.

PART 15: READINGS, APPROVAL AND ADOPTION

District of Port Hardy Zoning Bylaw No. 1010-2013 was given first reading the _____ day of _____, 2014.

Notice of Public Hearing posted at the Municipal Hall and published in the North Island Gazette Newspaper on _____, 2014 and _____, 2014 in accordance with Sections 890 and 892 of the *Local Government Act*.

Public Hearing conducted on the _____ day of _____, 2014.

District of Port Hardy Zoning Bylaw No. 1010-2013 was given second and third readings the _____ day of _____, 2014.

District of Port Hardy Zoning Bylaw No. 1010-2013 is hereby approved by the Minister responsible for the Transportation Act:

Authorized Signatory

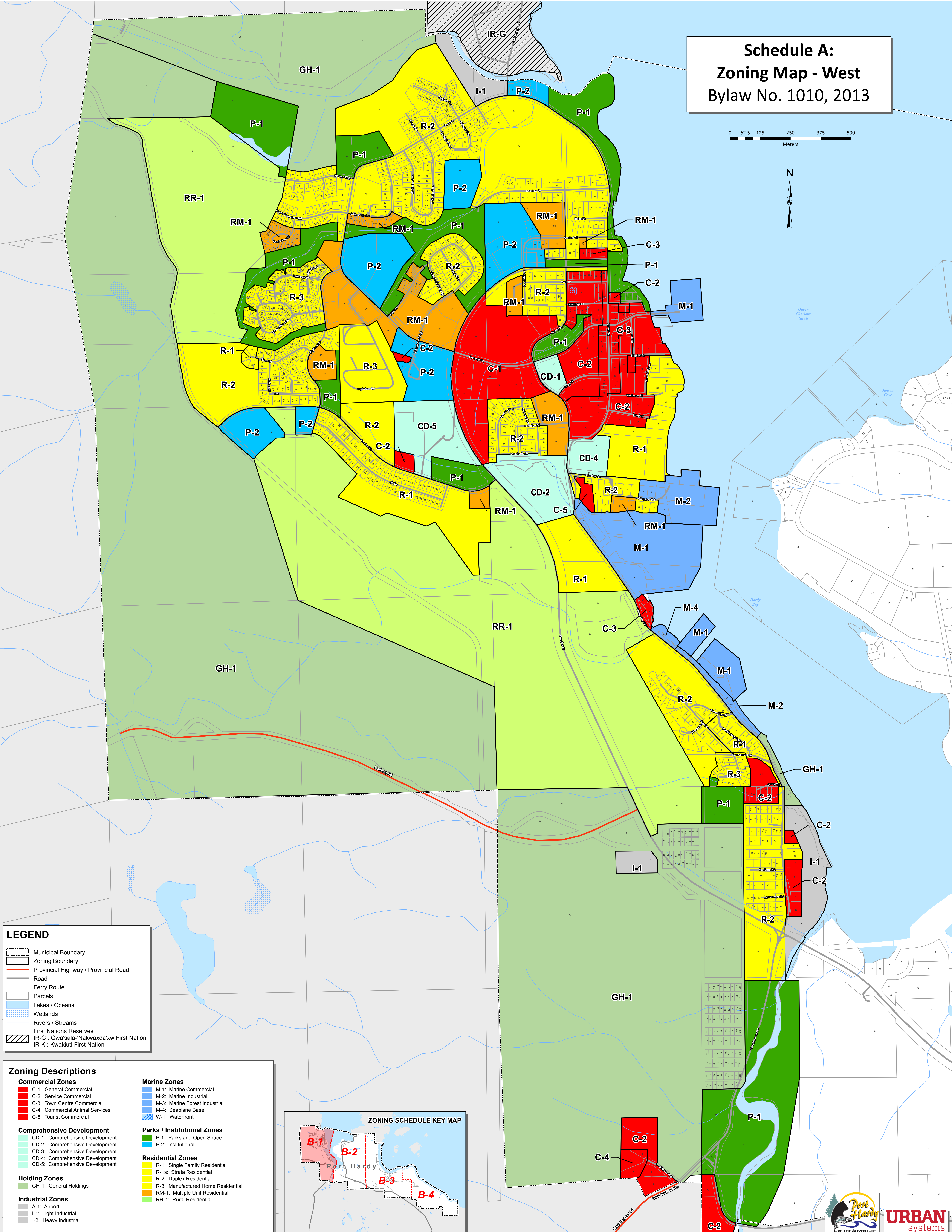
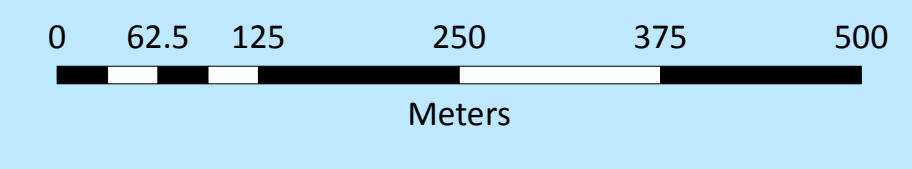
Date: _____

District of Port Hardy Zoning Bylaw No. 1010-2013 was adopted the _____ day of _____, 2014.

Mayor

Director of Corporate &
Development Services

Schedule A: Zoning Map - West Bylaw No. 1010, 2013

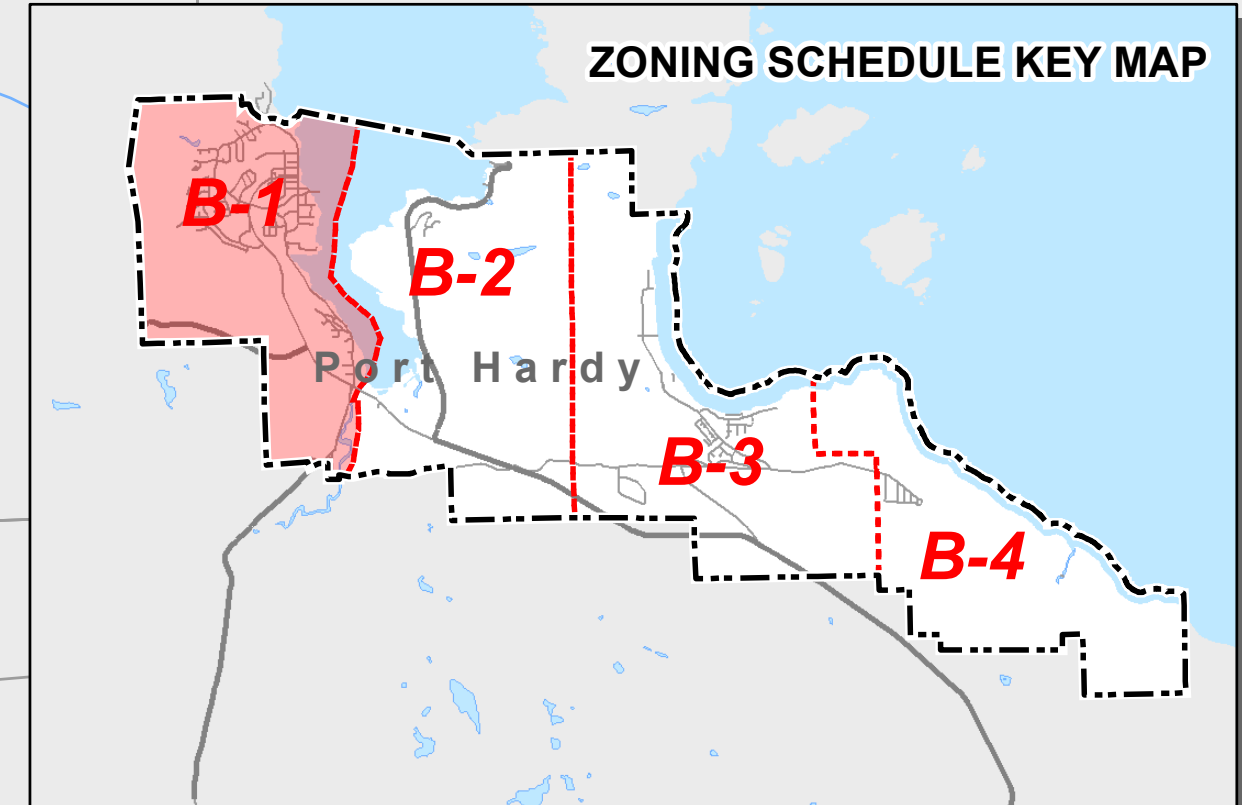


LEGEND

- Municipal Boundary
- Zoning Boundary
- Provincial Highway / Provincial Road
- Road
- Ferry Route
- Parcels
- Lakes / Oceans
- Wetlands
- Rivers / Streams
- First Nations Reserves
- IR-G : Gwa'sala-Nakwaxda'xw First Nation
- IR-K : Kwakiutl First Nation

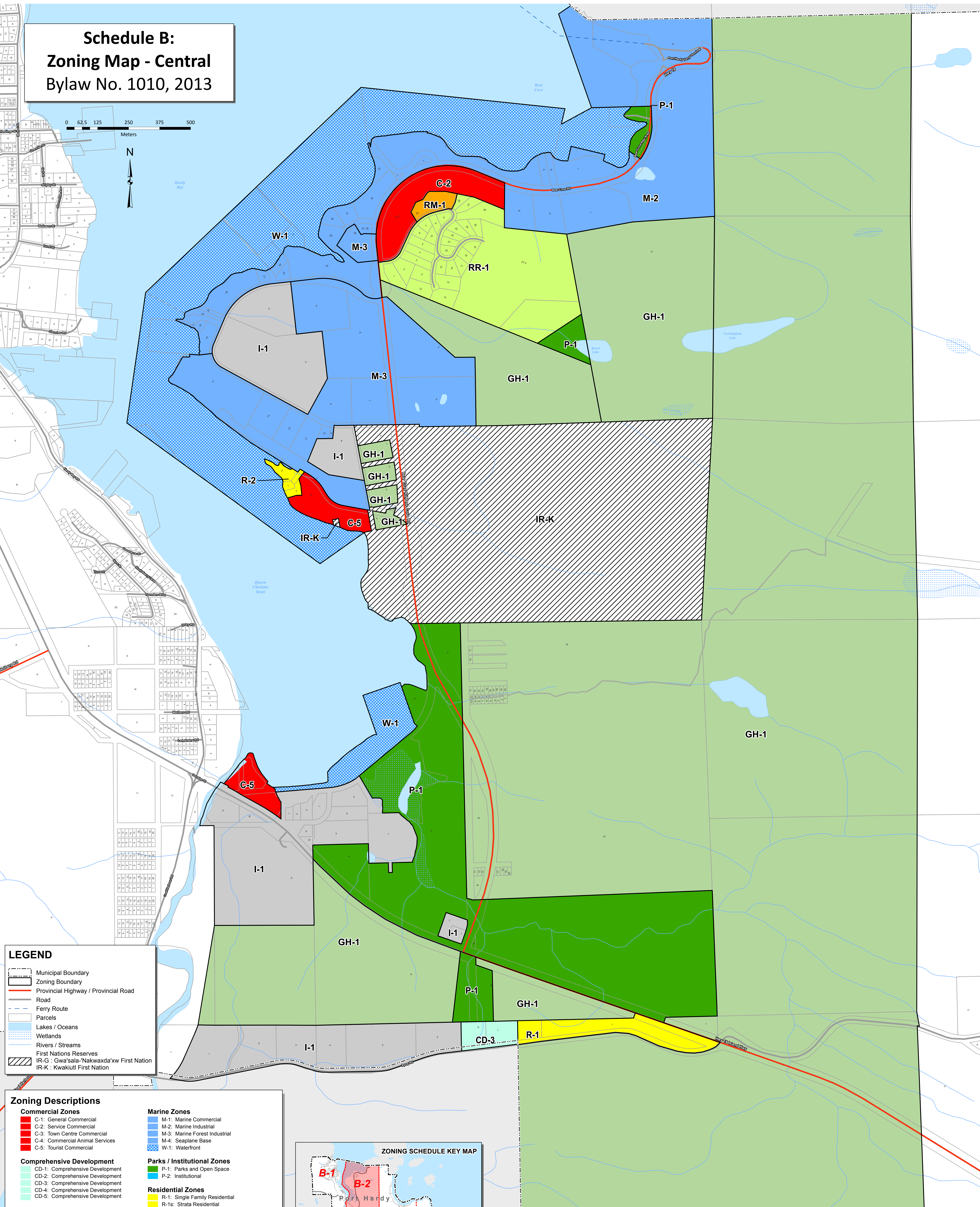
Zoning Descriptions

<p>Commercial Zones</p> <ul style="list-style-type: none"> C-1: General Commercial C-2: Service Commercial C-3: Town Centre Commercial C-4: Commercial Animal Services C-5: Tourist Commercial <p>Comprehensive Development</p> <ul style="list-style-type: none"> CD-1: Comprehensive Development CD-2: Comprehensive Development CD-3: Comprehensive Development CD-4: Comprehensive Development CD-5: Comprehensive Development <p>Holding Zones</p> <ul style="list-style-type: none"> GH-1: General Holdings <p>Industrial Zones</p> <ul style="list-style-type: none"> A-1: Airport I-1: Light Industrial I-2: Heavy Industrial 	<p>Marine Zones</p> <ul style="list-style-type: none"> M-1: Marine Commercial M-2: Marine Industrial M-3: Marine Forest Industrial M-4: Seaplane Base W-1: Waterfront <p>Parks / Institutional Zones</p> <ul style="list-style-type: none"> P-1: Parks and Open Space P-2: Institutional <p>Residential Zones</p> <ul style="list-style-type: none"> R-1: Single Family Residential R-1s: Strata Residential R-2: Duplex Residential R-3: Manufactured Home Residential RM-1: Multiple Unit Residential RR-1: Rural Residential
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Schedule B: Zoning Map - Central Bylaw No. 1010, 2013

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Meters

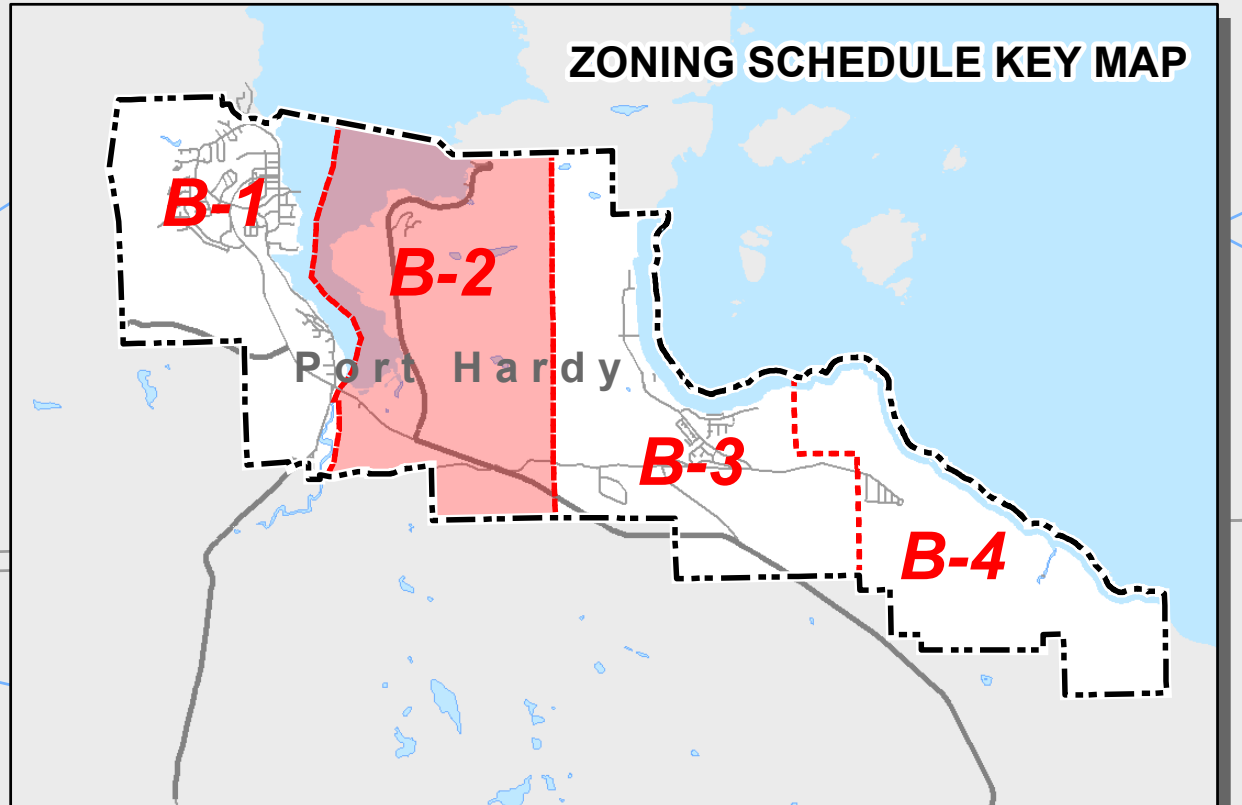


LEGEND

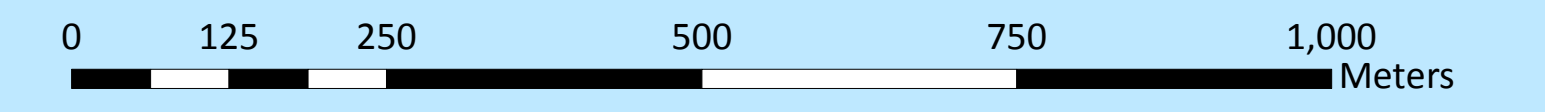
- Municipal Boundary
- Zoning Boundary
- Provincial Highway / Provincial Road
- Road
- Ferry Route
- Parcels
- Lakes / Oceans
- Wetlands
- Rivers / Streams
- First Nations Reserves
- IR-G : Gwa'sala-Nakwaxda'xw First Nation
- IR-K : Kwakiutl First Nation

Zoning Descriptions

<p>Commercial Zones</p> <ul style="list-style-type: none"> C-1: General Commercial C-2: Service Commercial C-3: Town Centre Commercial C-4: Commercial Animal Services C-5: Tourist Commercial <p>Comprehensive Development</p> <ul style="list-style-type: none"> CD-1: Comprehensive Development CD-2: Comprehensive Development CD-3: Comprehensive Development CD-4: Comprehensive Development CD-5: Comprehensive Development <p>Holding Zones</p> <ul style="list-style-type: none"> GH-1: General Holdings <p>Industrial Zones</p> <ul style="list-style-type: none"> A-1: Airport I-1: Light Industrial I-2: Heavy Industrial 	<p>Marine Zones</p> <ul style="list-style-type: none"> M-1: Marine Commercial M-2: Marine Industrial M-3: Marine Forest Industrial M-4: Seaplane Base W-1: Waterfront <p>Parks / Institutional Zones</p> <ul style="list-style-type: none"> P-1: Parks and Open Space P-2: Institutional <p>Residential Zones</p> <ul style="list-style-type: none"> R-1: Single Family Residential R-1s: Strata Residential R-2: Duplex Residential R-3: Manufactured Home Residential RM-1: Multiple Unit Residential RR-1: Rural Residential
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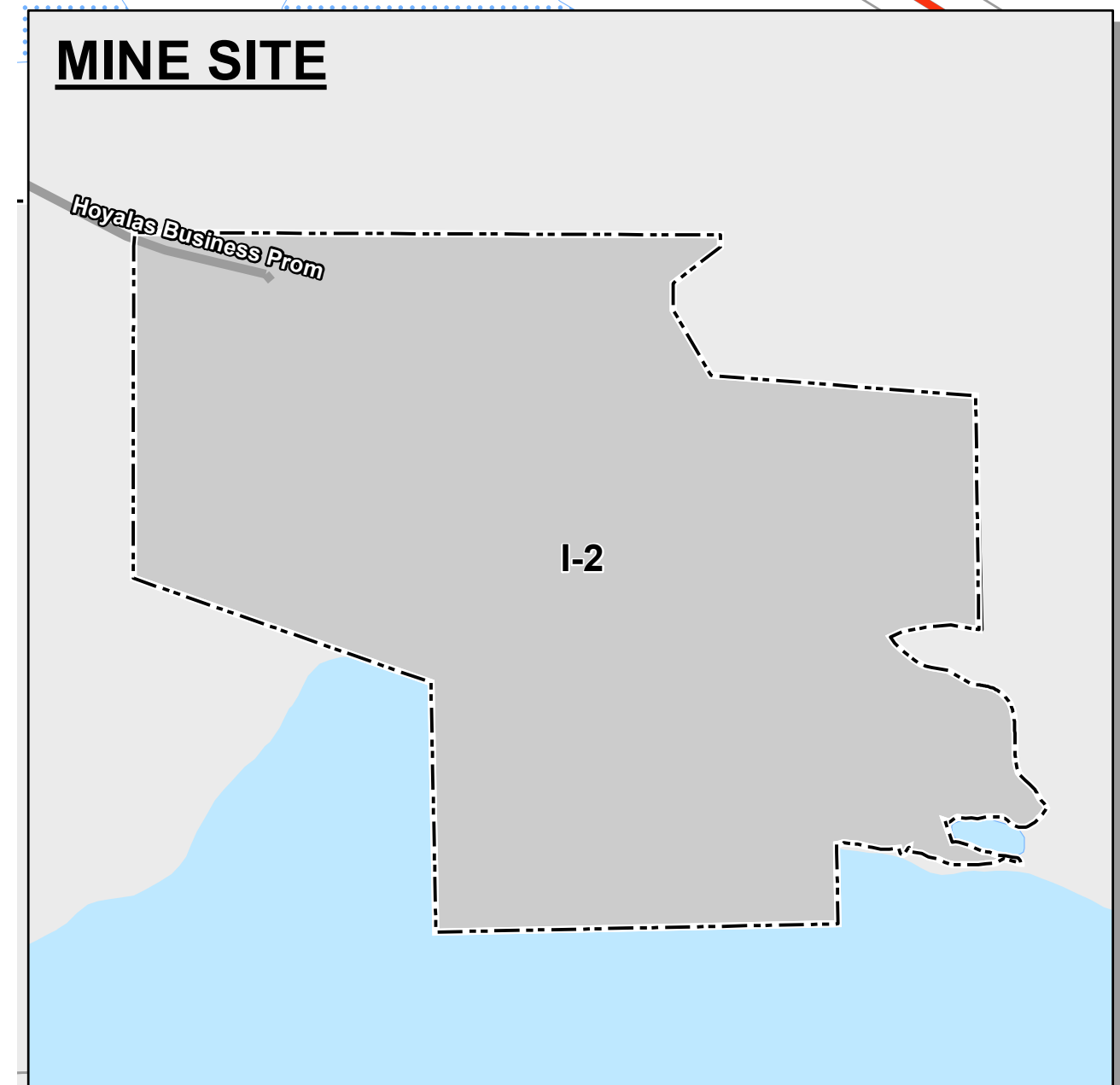
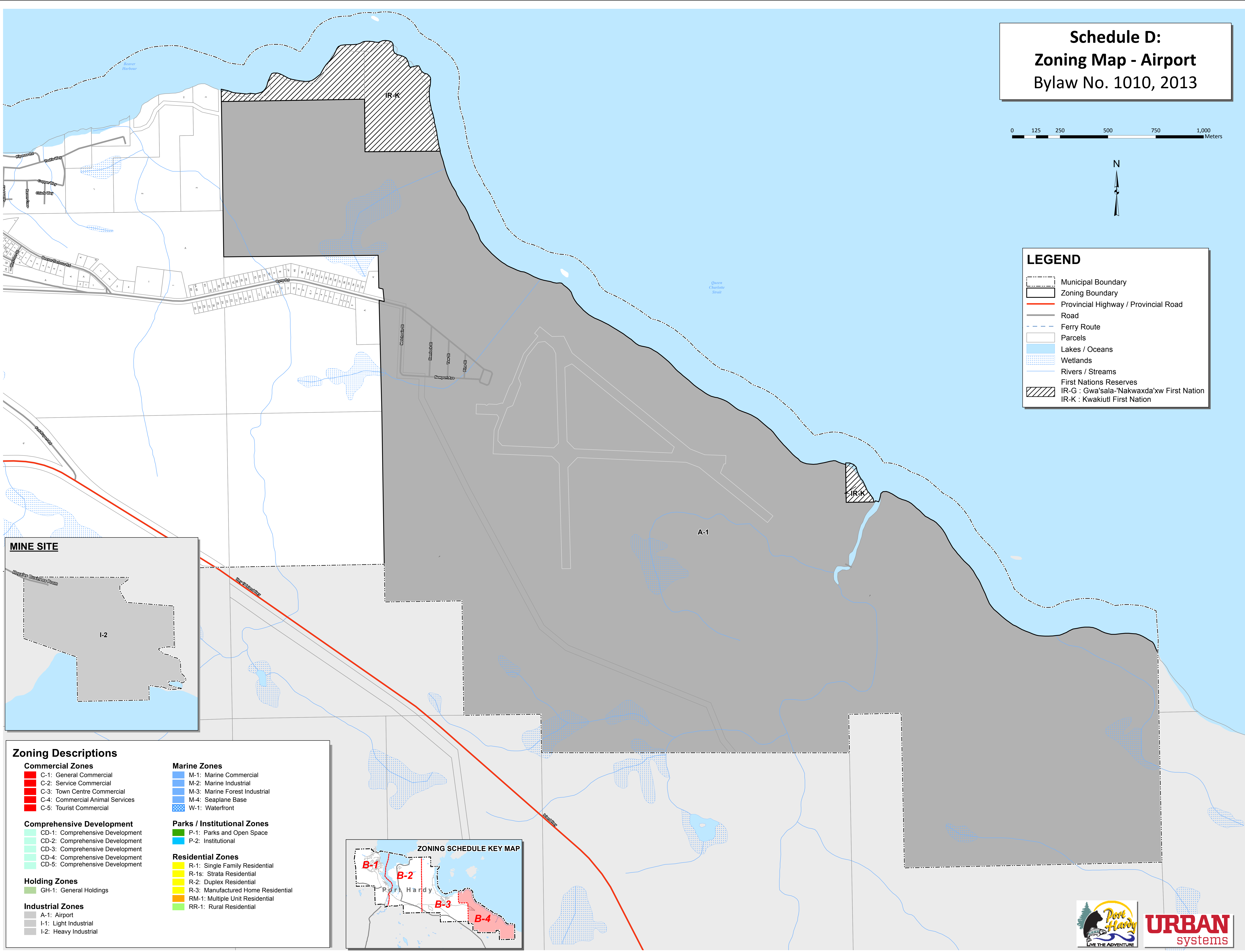


Schedule D: Zoning Map - Airport Bylaw No. 1010, 2013



LEGEND

- Municipal Boundary
- Zoning Boundary
- Provincial Highway / Provincial Road
- Road
- Ferry Route
- Parcels
- Lakes / Oceans
- Wetlands
- Rivers / Streams
- First Nations Reserves
- IR-G : Gwa'sala-'Nakwaxda'xw First Nation
- IR-K : Kwakiutl First Nation



Zoning Descriptions

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| <p>Commercial Zones</p> <ul style="list-style-type: none"> C-1: General Commercial C-2: Service Commercial C-3: Town Centre Commercial C-4: Commercial Animal Services C-5: Tourist Commercial <p>Comprehensive Development</p> <ul style="list-style-type: none"> CD-1: Comprehensive Development CD-2: Comprehensive Development CD-3: Comprehensive Development CD-4: Comprehensive Development CD-5: Comprehensive Development <p>Holding Zones</p> <ul style="list-style-type: none"> GH-1: General Holdings <p>Industrial Zones</p> <ul style="list-style-type: none"> A-1: Airport I-1: Light Industrial I-2: Heavy Industrial | <p>Marine Zones</p> <ul style="list-style-type: none"> M-1: Marine Commercial M-2: Marine Industrial M-3: Marine Forest Industrial M-4: Seaplane Base W-1: Waterfront <p>Parks / Institutional Zones</p> <ul style="list-style-type: none"> P-1: Parks and Open Space P-2: Institutional <p>Residential Zones</p> <ul style="list-style-type: none"> R-1: Single Family Residential R-1s: Strata Residential R-2: Duplex Residential R-3: Manufactured Home Residential RM-1: Multiple Unit Residential RR-1: Rural Residential |
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